



by RCSD Board December 13, 2016

**MINUTES  
BOARD OF DIRECTORS  
ROSSMOOR COMMUNITY SERVICES DISTRICT**

**REGULAR MEETING**

RUSH PARK  
3021 Blume Drive  
Rossmoor, California

**Tuesday, September 6, 2016**

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**A. ORGANIZATION**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. ROLL CALL:** Directors Casey, Maynard,  
President DeMarco  
Director Kahlert had an excused absence
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS: None**

**B. CONSENT CALENDAR**

1. MINUTES

- a. Regular Board Meeting of August 9, 2016.

Motion by Director Maynard, seconded by Director Casey to approve Item B-1a. Minutes of the Regular Board Meeting of August 9, 2016 as submitted. Motion passed 3-0.

**C. SPECIAL AGENDA:**

**1. BOARD VACANCY: DISCUSSION AND POSSIBLE ACTION RE:  
RESIGNATION OF DIRECTOR DAVE BURGESS AND APPROVE THE PROCESS F O R  
SELECTING A CANDIDATE FOR EITHER ELECTION OR APPOINTMENT T O T H E  
RCSD BOARD.**

Recommendation to approve the process for selecting a candidate to fill board vacancy by appointment to the RCSD Board of Directors.

Discussion ensued relative to the timeline of the appointment process, the difference in costs of a special election versus a board appointment and the savings to the taxpayer if the appointment option was chosen. Further discussion ensued relative to recruiting qualified candidates, vetting of qualified candidates and what options remained if no qualified candidates could be found.

General Counsel responded that California Government Code section 1780(a) requires the Board within 60 days of the effective date of the resignation to either call for an election or appoint a new director to fill the vacancy. District Policy 4040.21 Director Vacancy, governs the procedure to be followed in the case of a director vacancy. However, 4040.21 was last updated in 2006. Since that time, Government Code section 1780 was amended by the legislature. The provisions of Government Code section 1780(a)-(e) will control. In short, the Board's options are to: 1) appoint a Director to fill former Director Burgess' unexpired term; or 2) call an election within 60 days of being notified of the vacancy. If the Board chooses to call an election, the election will have to be on the next election date that is 130 or more days after the date the Board calls the election – i.e., it cannot be held this November. Should the Board agree with staff's recommendation to appoint a successor rather than call for an election a Notice of Vacancy will be posted. The Notice of Vacancy will be posted at three conspicuous places in the District as required (for more than 15 days) and published in local newspapers. The Notice requested that any interested person, who is a resident and registered voter within the boundaries of the Rossmoor Community Services District, submit a letter of interest and/or resume setting forth a brief summary of the person's interest, qualifications and background. In the event that no suitably qualified candidate was found, the Board would be required to hold a special election at a cost of approximately \$25K.

Motion by Director Maynard, seconded by Director Casey to post the Notice of Vacancy the following day on September 7, 2016 in three conspicuous locations as required by law, and collect candidate resumes until the next regular board meeting. Further discussion ensued relative to the length of the recruitment timeline and applicant submission deadlines.

Amended Motion by Director Maynard, seconded by Director Casey to post the Notice of Vacancy in three conspicuous locations, collect applicant letters of intent and resumes until the deadline of Friday, September 30, 2016 and interview the final candidates at the October 11, 2016 regular meeting of the Board for discussion and possible appointment at that time or at a subsequent special meeting. Motion passed 3-0.

## **2. APPROVE RENEWAL OF CONTRACT SERVICES AGREEMENT—HAPPY HOUR FIT CLUB BOOT CAMP AT ROSSMOOR PARKS**

Discussion ensued relative to the District's satisfaction with the contracts and overall operations. The General Manager stated that all programs were in complete compliance, were going very well and there were no reportable issues.

President DeMarco asked General Counsel if it was appropriate to approve all contract service agreements in a single motion. General Counsel agreed that one motion would be permissible.

**3. APPROVE RENEWAL CONTRACT SERVICES AGREEMENT—LINDSEY MARKS SOFTBALL AT RUSH PARK**

**4. APPROVE RENEWAL CONTRACT SERVICES AGREEMENT—LONG BEACH BOOT CAMP AT RUSH PARK**

Motion by Director Maynard, seconded by Director Casey to Authorize General Manager to execute the first of two one-year extended term agreements contract with all three For-Profit Use Groups: Happy Hour Fit Club Boot Camp at Rossmoor Parks; Lindsey Marks Softball at Rush Park; Long Beach Boot Camp at Rush Park, with the condition that all violations, material changes and amendments come back to the Board for approval. Motion passed 3-0.

**E. RESOLUTIONS—None**

**F. CLOSED SESSION—None**

**G. ADJOURNMENT:**

Motion by Director Maynard, seconded by Director Casey to adjourn the special meeting at 8:00 p.m. Motion passed 3-0.

**SUBMITTED BY:  
James D. Ruth  
General Manager**