

May 28, 2024 Minutes

**Members Present** 

President Paul Persiani Secretary Deborah Christensen CFO Greg Wieckert Director Nate Farnsworth **Members Absent** 

Director Jeff Halbreich Director Greg Schnieders

#### **First Service Residential**

SAMLARC Community Executive Officer George Blair SAMLARC Assistant General Manager Jerry Corpuz SAMLARC Communications Manager Alexandra Kuhlmann SAMLARC Park Operations Manager Pat White SAMLARC Executive Assistant Tita Gervasi

#### **Others Present**

Corporate Counsel, Daniel A. Nordberg, Esq., Nordberg|DeNichilo, LLP.

#### **Executive Session**

The following items were reviewed in the Executive Session Meeting preceding the Open Session Meeting in accordance with California Civil Code 4090 that include Employment Issues, Contract Negotiations, Consultations with Corporate Counsel Review of Information Provided by Counsel, Constitutionally or Legally Protected Topics i.e. Attorney-Client Privileged Information:

- Notice of Default
- Small Claims Court Pursuance
- Homeowner Reimbursement Request
- Commence Foreclosure Proceedings

#### I. Call to Order

President Paul Persiani called the Open Session of the Board of Directors Meeting for the Rancho Santa Margarita Landscape and Recreation Corporation to order at 6:00 p.m.

#### II. Approval of the Agenda

Resolution: To approve the May 28, 2024 Open Session Agenda.

Motion: Nate Farnsworth

Second: Deborah Christensen

Ayes: Paul Persiani, Deborah Christensen, Greg Wieckert, Nate

Farnsworth

Nays: None

#### III. Homeowners Forum

There were no homeowners present.

#### IV. Approval of the Minutes

Resolution: To approve the April 23, 2024, Board of Directors Open Session Minutes.

Motion: Greg Wieckert

Second: Deborah Christensen

Ayes: Paul Persiani, Deborah Christensen, Greg Wieckert

Abstain: Nate Farnsworth

Nays: None

#### V. Items for Discussion and/or Approval

#### A. Consideration of Appointment of Vice President

Resolution: To appoint Director Jeff Halbreich as the new Vice President to fill the vacancy created by former Vice President Judy Vasquez.

Motion: Paul Persiani

Second: Deborah Christensen

Ayes: Paul Persiani, Deborah Christensen, Greg Wieckert, Nate

Farnsworth

Nays: None

#### B. Consideration of Homeowner Request for Reimbursement

Resolution: To approve the Member's request for reimbursement, and stipulate that the Member sign a release of liability as a condition of reimbursement.

Motion: Paul Persiani

Second: Greg Wieckert

Ayes: Paul Persiani, Deborah Christensen, Greg Wieckert, Nate

Farnsworth

Nays: None

Administrative Direction: Corporate Counsel requested that it be noted that it is his recommendation that the homeowner sign the release of liability.

**VI. Consent Calendar -** (All matters on the Consent Calendar are to be approved in one motion unless a Board member requests a separate action on a specific item on the Consent Calendar).

Motion: Greg Wieckert

Second: Deborah Christensen

Ayes: Paul Persiani, Deborah Christensen, Greg Wieckert, Nate

Farnsworth

Nays: None

#### A. Contracts to Expire September 30, 2024

Resolution: To approve entering into a contract with the following vendors for the period as specified by each of the associated contracts, with the contracts coming before the Board of Directors for final approval prior to the current contract expiration date. These contracts include:

- Lake Management for Lake New Contract, no price increase, no change in terms of contract. Shall automatically renew beginning September 24, 2025.
- Lake Management for Lagoon and Fountain New Contract, no price increase, no change in terms of contract. Shall automatically renew beginning September 24, 2025.
- PurCor Pest Control Provide pest control services within SAMLARC Maintained Landscaping and Facilities. New Contract, beginning September 26, 2024 and ending on September 27, 2025. no price increase, no change in terms of contract.
- SoCal Property Services Parking Lot Sweeping/Cleaning. Second renewal -September 27, 2023 – September 27, 2024, 3% price increase, no change in terms of contract.
- E&C Mystic Cleaning Bus shelter maintenance and janitorial. First Renewal September 25, 2024, to September 26, 2025, 6% price increase, no change in terms of contract. Shall automatically renew beginning September 25, 2025.
- VanDerPol and Company Financial Audit/Tax Prep, no price increase, no change in terms of contract.

# B. Consideration of Approval of Limited Use License Agreements between Rancho Santa Margarita Landscape and Recreation Corporation and Saddleback Valley Unified School District for Use of Trabuco Mesa Park by Trabuco Mesa Elementary School for the 2024-2025 School Year

Resolution: To approve a Limited Use License Agreement (LULA) between the Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) and Saddleback Valley Unified School District (SVUSD) for the use of Trabuco Mesa Park by Trabuco Mesa Elementary School for the 2024-2025 School Year with the following key contract provisions:

- 1. Use area to be approximately 19,720 sq. ft. as approved by the school Principal.
- 2. Approved activities revised to those provided by the school Principal as identified on the Area of Use, Exhibit C.

- 3. Language addressing Indemnification, Release, Waiver, and Covenant Not to Sue related to claims arising from the use of the Park and all other claims.
- 4. Language naming SAMLARC as additionally insured on SVUSD's insurance policy or that SVUSD secure a separate insurance policy to protect SAMLARC against the cost of potential litigation by SVUSD.
- 5. Use Fee: \$557.

### C. Consideration of Recommendation from the Budget and Cash Flow Committee to Acknowledge Review of the April 2024 Financial Statement

Resolution: As recommended by the Budget and Cash Flow Committee, to acknowledge review of the financial statement and bank reconciliation dated April 30, 2024. The balance sheet dated April 30, 2024 reflects assets of \$9,700,657 in Reserve funds, \$2,942,021 in Operating funds, and \$1,650 in Petty Cash for a total cash amount of \$12,644,329, along with a security deposit of \$7,806. The income statement for April 30, 2024 reflects year-to-date net income of \$358,516 compared to budgeted net income of (\$55,104). Year-to-date reserve funding is \$598,869 compared to a budget of \$562,004. All figures are rounded.

## D. Consideration of Recommendation from the Budget and Cash Flow Committee to Approve the March 2024 Credit Card Statement

Resolution: As recommended by the Budget and Cash Flow Committee, to approve the charges and acknowledge review of the payable transmittal for SAMLARC's US Bank credit cards for the statement closing date of March 25, 2024. The amount due is \$4,486.97.

E. Consideration of Recommendation from The Landscape and Facilities Enhancement Committee to Approve a Work Authorization with Concrete Hazard Solutions for Concrete Panel Replacements on Avenida de Las Flores

Resolution: As recommended by the Landscape and Facilities Enhancement Committee, to approve a Work Authorization with Concrete Hazard Solutions for concrete panel replacements on Avenida de Las Flores.

F. Consideration of Recommendation from the Community Lifestyle Committee to Approve a Work Authorization with Chic Party Rentals to Provide Rental Equipment for Star Spangled Spectacular

Resolution: As recommended by the Community Lifestyle Committee, to approve Work Authorization #016 with Chic Party Rentals to provide rental equipment for the Star-Spangled Spectacular event.

G. Consideration of Recommendation from the Community Lifestyle Committee to Approve a Work Authorization with Jolly Jumps and Express Events to Provide Goods and/or Services for Great Rancho Campout

Resolution: As recommended by the Community Lifestyle Committee, to approve Work Authorization #087 with Jolly Jumps and Express to provide goods and/or services at the Great Rancho Campout event.

## H. Consideration of Recommendation from the Community Lifestyle Committee to Approve a Contract with Soccer Shots for Youth Soccer Classes

Resolution: As recommended by the Community Lifestyle Committee to approve a contract with Soccer Shots for youth soccer classes.

I. Consideration of Approval of First Renewal of Contract with Knorr Systems, Inc. to Provide Equipment Maintenance Services at the Beach Club Lagoon and Community Pools

Resolution: To approve a First Renewal of Contract with Knorr Systems, Inc. to provide maintenance services at the beach club lagoon and community pools.

J. Consideration of Approval of Second Renewal of Contract with SiteOne Landscape Supply, LLC to Provide Year-Round Maintenance of Electric Controllers and Irrigation Installation and Repairs

Resolution: To approve a Second Renewal of the Contract with SiteOne Landscape Supply, LLC to provide year-round maintenance of Electrical Work and Irrigation Repairs/Installation.

K. Consideration of Approval of Contract with Waterwerx, Inc. for Community Park Parking Lot Storm Drain Cleaning and Maintenance Services

Resolution: To approve a Contract with Waterwerx, Inc. to provide community parking lot storm drain cleaning and maintenance services.

L. Consideration of Approval of a Contract with Three Phase Electric for Monthly Lighting and Electrical Maintenance Services

Resolution: To approve a contract with Three Phase Electric for monthly lighting and electrical maintenance services.

M. Consideration of Approval of a Contract and Work Authorization with Roadway Construction Services; a Work Authorization with OC Pumping Inc.; and a meter request with Rancho Santa Margarita Water District to Provide the Equipment to Fill and Siphon the Safety Water Barriers on the 4<sup>th</sup> of July Event

Resolution: To approve a contract and work authorization with Roadway Construction Service for water-filled barriers and traffic control;

To approve a work authorization with Orange County Pumping, Inc. for water filling and disposal services for the July 4<sup>th</sup> and July 5<sup>th</sup> Lakeshore crowd barriers; and

To approve the meter request with Santa Margarita Water District for water meter usage to fill the water truck.

N. Consideration to Approve a Ratification of Work Authorization with La Cresta for Repair of Backflow Device

Resolution: To approve the ratification of Work Authorizations #029 with La Cresta for Repair of Backflow Device on El Corazon.

## O. Consideration to Approve a Ratification of Work Authorization with Jolly Jumps and Express Events to provide Goods and/or Services at the Screen on the Green Events

Resolution: To approve the ratification of Work Authorization #084 with Jolly Jumps and Express Events to provide goods and/or services at Screen on the Green events.

#### P. Consideration of Approval of Request to Proceed with Liens

Resolution: To authorize and instruct Management to record a lien on thirteen delinquent accounts should their assessments not be paid within the time established in the Intent to Lien Letter. The accounts became past due in May 2024 or earlier, and in accordance with the Corporation's Assessment Collection Policy, a letter was sent to the homeowner notifying them that they have 30 days to pay the balance owed or a lien will be placed on their property. Therefore, the Board directs Management to lien the accounts listed on the 'Instructions to Management' resolution dated May 28, 2024, should the delinquent assessments not be paid within the time established in the Intent to Lien Letter:

Account Number	Total Amount Due	Account Number	Total Amount Due	Account Number	Total Amount Due
0120-07	\$1,824.00	4507-02	\$ 883.00	9068-07	\$ 489.00
0797-02	\$ 524.00	6144-04	\$2,352.24	9804-06	\$2,246.40
2334-05	\$ 419.00	7138-03	\$2,365.00	A668-05	\$ 489.00
2601-03	\$1,264.00	7238-01	\$ 553.00		_
3393-03	\$ 493.00	7461-04	\$ 539.00		

#### **VII. Board Committee Reports**

#### **Committee Reports:**

- Budget and Cash Flow Committee Chair Greg Wieckert
- <u>Community Lifestyle Committee</u> Chair Deborah Christensen reported the committee met on Tuesday, May 21, 2024 to review past events and the upcoming 2-Day Star Spangled Spectacular and Great Rancho Campout events. The next meeting is scheduled for Tuesday, June 18, 2024.
- <u>Landscape and Facilities Enhancement Committee</u> Chair Paul Persiani reported the committee met virtually on Thursday, May 9, 2024 at noon. The committee reviewed the following items: Concrete panel replacements on Avenida de Las Flores and the future strategic plan to Include Potential Capital Projects. The next Committee meeting is scheduled for Thursday, June 13, 2024.

#### Committee Liaison Reports:

 Architectural Review Committee – Director Persiani reported on behalf of Director Greg Schnieders: The committee met on May 13, 2024 and May 28, 2024. Twenty-five submittals were submitted, twenty-five were approved. The next meeting will be held on June 10, 2024 at 12:00 p.m. via Zoom.

- Covenant Committee Director Greg Wieckert reported the committee met on Tuesday, May 7, 2024 and reviewed ten violations. Six homes were assessed fines, one home was offered an extension, two homes had their fines rescinded, and one home is being recommended to pursue in Small Claims court. The next Covenant Committee meeting is scheduled for Tuesday, June 4, 2024 at 4:00 p.m.
- Community Associations of Rancho Director Persiani reported on behalf of Director Greg Schnieders: CAR met on May 7, 2024, and the Home Hardening subcommittee presented a PowerPoint presentation of the website outline. The website will contain links to FireWise, Fire Watch, CERT, OCFA, and CAL FIRE and will have a user-friendly interface with the intent of being easily accessible. The next meeting of the CAR members is scheduled for Tuesday, June 4, 2024.

#### **No Reports for this Month's Meeting**

- City of Rancho Santa Margarita President Paul Persiani
- Chamber of Commerce Director Greg Schnieders
- Communications Committee Chair Jeff Halbreich
- Election Committee Chair Greg Wieckert
- Insurance Review Committee Chair Greg Wieckert
- Sports Council Director Jeff Halbreich

#### **VIII.** Director's Reports

This time is set aside for each Director to provide a brief report regarding other items of note.

Director Deborah Christensen stated she was looking forward to the Fishing Derby.

Director Nate Farnsworth – No report.

Director Jeff Halbreich – Absent.

Director Paul Persiani reported he was sorry he had missed the Wine and Cheese event and added he had heard it was great. He also received consensus from the Board for staff to change their attire for the summer months to business casual (no suits or ties).

Director Greg Schnieders – Absent.

Director Greg Wieckert also stated he was sorry he had missed the Wine and Cheese event.

#### **IX.** Community Executive Officer Report

No report.

#### X. Events and Programs

#### Fishing Derby

Saturday, June 1 7:00 a.m. – 10:00 a.m. Lago Santa Margarita Lakeshore

#### **Voice of SAMLARC Singing Competition**

Thursday, June 6 4:00 p.m. – 6:00 p.m. Lago Santa Margarita Beach Club

#### **Screen on the Green (Trolls Band Together)**

Friday, June 7 6:30 p.m. – 10:00 p.m. Central Park

#### **Music at the Lake**

Friday, June 14 6:00 p.m. – 8:00 p.m. Lago Santa Margarita Lakeshore Amphitheater

#### XI. Next Meeting

Consistent with Board direction, the next meeting will be held on June 25, 2024, at 6:00 p.m. in the Fiesta Room at the Lago Santa Margarita Beach Club.

#### XII. Adjournment

There being no further business to come before the Board of Directors, the meeting was adjourned at 6:09 p.m.

I certify that these minutes were duly approved by the Board of Directors on June 25, 2024.

Paul Persiani	Date: June 25, 2024
Paul Persiani, President	
Deborah Christensen	Date: June 25, 2024
Dehorah Christensen, Secretary	

Prepared by: Tita Gervasi, Executive Assistant