



The Honorable Gary S. Slossberg  
Superior Court of El Dorado County  
2850 Fairlane Court, Suite 110  
Placerville, CA 95667

**RE: El Dorado County Grand Jury Report #24-06**

Dear Honorable Judge Slossberg,

Pursuant to §933(b) of the California Penal Code, enclosed is the El Dorado Hills Community Service District's Board of Directors' response to all findings and recommendations pursuant to Penal Code §933 and §933.05 as set forth by the El Dorado County Grand Jury in its 2023-24 Report #24-06, issued on May 13, 2024.

The attached response was prepared by the District's General Manager and submitted to the Board of Directors for consideration and approval. The attached final report was approved by the Board of Directors during a regular public meeting on August 08, 2024. This report is being submitted electronically as well as hand-delivery by District.

The District wishes to thank the members of the Grand Jury for their hard work and dedication.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Hornstra".

Mark Hornstra  
*General Manager*

On behalf of the El Dorado Hills Community Services District Board of Directors

Copy: El Dorado County Grand Jury Foreperson

## **FINDINGS**

- F1** After it was certified by the Registrar on May 14, 2020, an initiative petition signed by the required number of voters in LLAD #39 was unilaterally not acted on by the El Dorado Hills CSD. This non-action ignored the objections of the petitioners and violated Elections Code 9310 that required CSD to adopt the ballot measure or submit it to the voters.

*The District Partially Agrees with the Finding:* The District agrees that it took no action based on advice from District Legal Counsel. In response to the finding regarding the previous initiatives to modify or remove assessments, at the October 14, 2021, Board of Directors meeting (*See Attachment A*), the Board approved a refund of the LLAD #39 FY20 assessment (total: \$150,205.86) to homeowners who paid the assessment due to the construction delays at Heritage Village Park. Then again during the May 12, 2022, Board of Directors meeting (*See Attachment B*), the Board approved a refund of the LLAD #39 FY2021 assessment (total: \$43,130) to homeowners who paid the assessment due to the construction delays at Heritage Village Park.

- F2** After it was certified by the Registrar on September 09, 2020, the text of a second initiative petition signed by LLAD #39 residents was altered, resulting in it being essentially nullified before it was placed on the 2020 ballot and submitted to the voters. This action ignored the objections of the petitioners and Elections Code 9310 which requires that the initiative petition be submitted to the voters without alteration.

*The District Partially Agrees with the Finding:* As a technicality, it appears that the text of the initiative petition and the text of the ballot measure language are different; however, the District cannot find any documentation that it was party to the writing of the ballot measure language.

## **RECOMMENDATIONS**

- R3** Within 90 days of the release of this report, CSD should implement the intent of the Carson Creek LLAD #39 second ballot initiative to perpetually repeal LLAD assessments. (Note that this recommendation also appeared in the Grand Jury report Case #24-05).

*Has Been Implemented:* At the Board of Directors Special Meeting held on November 20, 2023, the proposed ballot initiative for LLAD #39 was approved by a four (4) to one (1) vote (*See Attachment C*).



**EL DORADO HILLS**  
COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS REGULAR MEETING**

**October 14, 2021**  
**AMENDED MINUTES**

**\*\*Meeting Held Jointly In-Person and Via Zoom Virtual Conferencing Due to COVID-19 Restrictions\*\***

Board President, Noelle Mattock, called the meeting to order on Thursday, October 14, 2021, at 5:30 p.m., jointly in person at the Norm Rowett Pavilion at El Dorado Hills Community Services District (District), located at 1021 Harvard Way, El Dorado Hills, California and via Zoom Virtual Conferencing.

On-site attendees include the following:

Board Directors

- Noelle Mattock, President
- Benjamin Paulsen, Director
- Michael Martinelli, Director
- Heidi Hannaman, Director

Board Directors Absent:

- Sean Hansen, Vice President

District Staff

- Kevin A. Loewen, General Manager
- Teri L. Gotro, Director of Administration and Finance
- Brittany DiTonno, Executive Assistant/Clerk of the Board
- Tauni Fessler, Principal Planner
- Cara Layne, Staff Services Analyst
- Mark Hornstra, Interim Director of Parks and Recreation
- Jen Leal, HR Manager
- April West, Communications Office
- Sandra Montgomery, Recreation Superintendent
- Dan Williams, Parks Superintendent
- Ryan Kukkola, Parks Supervisor
- Jason Kukkola, Recreation Supervisor

Other Attendees

- David Tyra, Legal Counsel
- Taylor Hall-Vining, IT

Berkson & Associates

- Representative:
- Richard Berkson

General Public

Approximately 15 Members

Virtual attendees include the following:

District Staff

- Jeff Kernen, Staff Services Analyst
- Kate Miller, Recreation Supervisor

General Public

Approximately 20 Members

President Mattock led the pledge of allegiance.

President Mattock called for a moment of silence to honor American service members (military, law enforcement, fire and other emergency personnel).

**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

**October 14, 2021  
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**ADOPTION OF AGENDA**

President Mattock called for the adoption of the Agenda.

**Motion No. 1. Director Martinelli moved and Director Hannaman seconded the motion to adopt the agenda as presented.**

**Motion passed, outlined as follows:**

**Yes - 4 - Hannaman, Martinelli, Mattock, Paulsen**

**Absent - 1 - Hansen**

**CLOSED SESSION PUBLIC COMMENT** - None

**ADJOURNMENT TO CLOSED SESSION** - 5:34 p.m.

**CLOSED SESSION ITEMS**

- A. Conference with Real Property Negotiator (Government Code § 54956.8):  
Property: Parker Development Company, CEDHSP - Old Executive Golf Course  
APN: 121-040-029; 121-040-031; 121-040-032; 121-160-005  
Agency Negotiator: General Manager  
Negotiating parties: Parker Development Company  
Under negotiations: Land Acquisition
- B. Conference with Legal Counsel - Existing Litigation (Government Code § 54956.9(d)(1)):  
Name of case: Thomas Austin and Helen Austin v. County of El Dorado, et al., Case No. PC2015063S
- C. Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation.  
(Gov. Code section 54956.9(b). - 1 item.
- D. Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation.  
(Gov. Code section 54956.9(b). - 1 item.
- E. Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation.  
(Gov. Code section 54956.9(b). - 1 item.

**REPORT OUT OF CLOSED SESSION** - 6:32 p.m.

President Mattock noted directions were provided to staff on all Closed Session items.

**GENERAL MANAGER MONTHLY REPORT**

- 1. Loewen provided updates on additional items to the General Manager Report.

**LEGAL COUNSEL UPDATES AND ADVICE**

General updates were provided by Legal Counsel

**BOARD OF DIRECTORS' COMMENTS & FUTURE AGENDA ITEMS**

General thanks and comments were received by each Board Director.

**GENERAL PUBLIC COMMENT** - None

Vice President Hansen joined the meeting virtually at 7:09 p.m.

**CONSENT CALENDAR**

***Receive & File:***

- 2. 2021 Calendar of Upcoming Board Meetings and Special Events (K. Loewen)
- 3. Submittal of the Monthly Treasury Report (K. Loewen)
- 4. Executive Summary - EDH Summer Fest (S. Montgomery)
- 5. 2021-22 Winter Basketball Update (S. Montgomery)
- 6. FY2021 Annual Park Impact Fee Report (T. Gotro)
- 7. Annual Report of Reimbursement to EDHCSD Board Members and Employees (T. Gotro)

***Approve:***

- 8. 2021 Calendar of Board Member Training Opportunities (K. Loewen)
- 9. Minutes of September 09, 2021 Board of Directors Regular Meeting - *Hybrid* (B. DiTonno)
- 10. Minutes of September 16, 2021 Board of Directors Special Meeting - *Hybrid* (B. DiTonno)
- 11. September 2021 Summary of Director Meetings (K. Loewen)
- 12. Board Director Training Report: Director Mattock - 2021 CSDA Annual Conference (N. Mattock)
- 13. Board Director Training Report: Director Hansen - 2021 CSDA Annual Conference (S. Hansen)
- 14. Carson Creek LLAD #39 Refund for FY20 Assessment (T. Gotro)
- 15. Design Review Committee Member Appointment (C. Layne)
- 16. CAC Recommendation that the Board of Directors Authorize Staff to Direct District Legal Counsel to Send Third and Final Notices of Non-Compliance to: (C. Layne)

**Property Owner:** Lolita O Neal  
**Property Address:** 3380 Tea Rose Drive  
**Village:** Bass Lake Village, Unit 5, Lot 38  
**APN:** 115-261-006  
**Case#:** 21-446  
**Violation:** Section 2.03 – Garages and Vehicles

**Property Owner:** Michael & Stephanie Raley  
**Property Address:** 3145 Kensington Drive  
**Village:** Winterhaven Village, Unit 1, Lot 71  
**APN:** 110-294-005  
**Case#:** 21-435  
**Violation:** Section 5.02 – Maintenance Obligations

**Consent Calendar received verbal public comments from the following:**

- L. Hampton - DRC Member Appointee

**Motion No. 2. Director Hannaman moved and Director Martinelli seconded the motion to approve consent calendar with item #5 pulled for further review.**

**Motion passed, outlined as follows:**

**Yes - 4-3 - Hannaman, Martinelli, Mattock**

**Absent - 1 - Paulsen**

**Abstain - 1 - Hansen**

**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

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**GENERAL BUSINESS**

17. Review & Approve or Deny - Appeal of Design Review Committee Action - 1804  
Rochhampton Place - Carport (C. Layne)

**Item 17 received verbal public comments from the following:**

- **N. Wadiak - Homeowner**

**Motion No. 4. Director Paulsen moved and President Mattock seconded the motion to approve the appeal with the condition the carport match the aesthetics of the current residence on the property, as per submitted to DRC on 07/13/2021.**

**Motion passed, outlined as follows:**

**Yes - 3 - Hansen, Mattock, Paulsen**

**No - 2 - Hannaman, Martinelli**

18. Review & Approve - Incorporation (Cityhood) Analysis of El Dorado Hills - Findings and Draft Press Release (K. Loewen)

**Item 18 received verbal public comments from the following:**

- **R. Berkson - Representative of Berkson & Associates**
- **S. Ferry**
- **C. Nicholson**
- **T. White**

**Motion No. 5. Director Paulsen moved and Director Hannaman seconded the motion to approve the draft press release, as written, and moving forward with getting it out to the community.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

19. Review & Provide Direction - Old Executive Golf Course / Central EDH Housing Project - County Request for Development Agreement Terms (K. Loewen)

**No action required by the Board. Direction provided to staff.**

**Item 19 received verbal public comments from the following:**

- **C. Nicholson**
- **Tim White**
- **Randall LaFrom**

20. Review & Approve - Cost Recovery Policy Adjustment (T. Gotro)

**Motion No. 6. Director Martinelli moved and Director Paulsen seconded the motion to approve the requested updates to the Cost Recovery policy as presented.**

**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

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**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

**REVIEW ITEMS PULLED FOR DISCUSSION**

5. 2021-22 Winter Basketball Update (S. Montgomery)


**Item 5 received verbal public comments from the following:**

- **D. Keyzer**

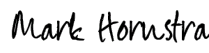
**No action required by the Board. Direction provided to staff.**

**There being no further business of the Board, President Mattock called for adjournment of the meeting.**

**ADJOURNMENT - 10:38 p.m.**

**APPROVED:** DocuSigned by:  
  
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 Noelle Mattock, President  
 District Board of Directors

**DATE:** 08/11/2024 \_\_\_\_\_

**ATTEST:** Signed by:  
  
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 \_\_\_\_\_  
 Mark Hornstra ~~Kevin A. Loewen~~, General Manager  
 Secretary to the Board of Directors

**DATE:** 08/09/2024 \_\_\_\_\_



**EL DORADO HILLS**  
COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS REGULAR MEETING**

**May 12, 2022**  
**MINUTES**

*\*\*Meeting Held Jointly In-Person and Via Zoom Virtual Conferencing Due to COVID-19 Restrictions\*\**

Board President, Michael Martinelli, called the meeting to order on Thursday, May 12, 2022, at 5:34 p.m., jointly in person at the Norm Rowett Pavilion at El Dorado Hills Community Services District (District), located at 1021 Harvard Way, El Dorado Hills, California and via Zoom Virtual Conferencing.

On-site attendees include the following:

Board Directors

- Michael Martinelli, President
- Noelle Mattock, Vice President
- Benjamin Paulsen, Director
- Sean Hansen, Director
- Heidi Hannaman, Director

District Staff

- Kevin A. Loewen, General Manager
- Brittany DiTonno, Executive Assistant/Clerk of the Board
- Teri Gotro, Director of Administration and Finance
- Jen Leal, Human Resources Manager
- Mark Hornstra, Director of Parks & Recreation
- Cara Layne, Program Supervisor
- Julia Griffin, Communications Specialist
- Tauni Fessler, Principal Planner
- Ryan Kukkola, Parks Superintendent

Other Attendees

- David Tyra, Legal Counsel
- Taylor Hall-Vining, IT

General Public

Approximately 9 Members

Virtual attendees include the following:

District Staff

Jason Kukkola

General Public

Approximately 8 Members

President Martinelli asked Director Paulsen to lead the pledge of allegiance.

President Martinelli called for a moment of silence to honor American service members (military, law enforcement, fire and other emergency personnel).

**ADOPTION OF AGENDA**

President Martinelli called for the adoption of the Agenda.

**Motion No. 1. Director Paulsen moved and Director Hansen seconded the motion to adopt the agenda with minor edits requested by Director Hannaman for the Presentation Title and Item #14 Title.**



**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

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**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

**GENERAL MANAGER MONTHLY REPORT**

1. Loewen provided updates on additional items to the General Manager Report.

**LEGAL COUNSEL UPDATES AND ADVICE**

General updates were provided by Legal Counsel

**BOARD OF DIRECTORS' COMMENTS & FUTURE AGENDA ITEMS**

General thanks and comments were received by each Board Director.

**GENERAL PUBLIC COMMENT**

**Public Comment was received by the following:**

- D. Getz

**CONSENT CALENDAR PUBLIC COMMENT** - None

**CONSENT CALENDAR**

***Receive & File:***

2. 2022 Calendar of Upcoming Special Events (K. Loewen)
3. Submittal of the Monthly Treasury Report (K. Loewen)
4. Submittal of 3<sup>rd</sup> Quarter Financial Statements and Treasury Report (T. Gotro)
5. Staff Recommendation to Increase the General Fund Benefit for Promontory LLAD #22 (T. Gotro)

***Approve:***

6. 2022 Calendar of Board Member Training Opportunities (K. Loewen)
7. Minutes of April 14, 2022 Board of Directors Regular Meeting - *Hybrid* (B. DiTonno)
8. April 2022 Summary of Director Meetings (K. Loewen)
9. Job Description Update (J. Leal)
10. HVAC Repair Approval from GM for CAB/Community Gym (K. Loewen)

**Motion No. 2. Director Hansen moved and Director Paulsen seconded the motion to approve consent calendar as presented.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

**GENERAL BUSINESS**

**11. Review and Approve - Refund FY21 Assessment for Carson Creek LLAD #39 (T. Gotro)**

**Motion No. 3. Vice President Mattock moved and Director Hannaman seconded the motion to approve a refund of all EDH residents that were levied an assessment in FY21 for the Carson Creek LLAD #39.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

**May 12, 2022  
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12. Review and Approve/Deny - Design Review Application for 3101 Brackenwood Place - Exterior Paint [CE 22-334] (C. Layne)

**Verbal public comment for Item 12 was received by the following:**

- J. Valencia
- C. Webb - Homeowner

- Motion No. 4. Director Paulsen moved and Director Hansen seconded the motion to approve the application submitted by property owner, as presented.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

13. Public Hearing: Ordinance No. 2022-01: *Amending and Revising Ordinance 2007-01: Establishing Rules and Regulations for Organic Waste Disposal and Compliance with CalGreen Recycling Requirements* (T. Gotro)

- A. Conduct Second Reading (by title only) of Ordinance No. 2022-01: *Amending and Revising Ordinance 2007-01: Establishing Rules and Regulations for Organic Waste Disposal and Compliance with CalGreen Recycling Requirements*

**President Martinelli conducted the second reading of Ordinance 2022-01, by title only.**

- B. Adopt Ordinance 2022-01: *Amending and Revising Ordinance 2007-01: Establishing Rules and Regulations for Organic Waste Disposal and Compliance with CalGreen Recycling Requirements*

- Motion No. 5. Director Hansen moved and President Martinelli seconded the motion to adopt Ordinance 2022-01: Amending and Revising Ordinance 2007-01: Establishing Rules and Regulations for Organic Waste Disposal and Compliance with CalGreen Recycling Requirements as presented.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

14. Review and Adopt - Resolution 2022-07 Regarding Preliminary **Landscape and Lighting Assessment Districts (LLADs)** Engineer's Reports for Fiscal Year 2022-2023 (T. Gotro)  
- **Updated Title to include LLAD Clarification per Motion for Agenda Adoption**

**Written public comment for Item 14 was received by the following:**

- K. Prevost

- Motion No. 6. Director Paulsen moved and Director Hansen seconded the motion to adopt Resolution 2022-07 approving multiple LLAD Preliminary Engineer's Reports and to set the Notice of Public Hearing date as outlined in the staff report.**

**Motion passed, outlined as follows:**

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Board of Directors Regular Meeting**

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**Yes - 4 - Hansen, Martinelli, Mattock, Paulsen  
No - 1 - Hannaman**

15. Review and Approve - Award of Contract for General Liability/Property and Workers' Compensation Insurance for FY23 (K. Loewen)

**Motion No. 7. Vice President Mattock moved and Director Hansen seconded the motion to approve the award of contract for General Liability/Property and Workers' Compensation Insurance for FY23 as presented.**

**Motion passed unanimously:**

**Yes - 5 - Hannaman, Hansen, Martinelli, Mattock, Paulsen**

**PRESENTATIONS & ANNOUNCEMENTS**

- (A) Girl Scout Gold Award Update from Savannah Hannaman - **Bat** Boxes at Bass Lake  
- *Updated to the Correct Type per Motion for Agenda Adoption*

**GENERAL BUSINESS ITEM:**

16. Review and Discuss - Preliminary Budget for Fiscal Year 2022-2023 (T. Gotro)

**No action taken for this item. Discussion occurred and direction provided to staff.**

**REVIEW ITEMS PULLED FOR DISCUSSION** - None

**CLOSED SESSION PUBLIC COMMENT** - None

**ADJOURNMENT TO CLOSED SESSION** - 8:21 p.m.

**CLOSED SESSION ITEMS**

- A. Conference with Real Property Negotiator (Government Code § 54956.8):  
Property: Parker Development Company, CEDHSP - Old Executive Golf Course  
APN: 121-040-029; 121-040-031; 121-040-032; 121-160-005  
Agency Negotiator: General Manager  
Negotiating parties: Parker Development Company  
Under negotiations: Land Acquisition
- B. Conference with Real Property Negotiator (Government Code § 54956.8):  
Property: Gilmore Senior Center  
APN: 120-082-001  
Agency Negotiator: General Manager  
Negotiating parties: El Dorado County  
Under negotiations: Land Acquisition
- C. Conference with Labor Negotiator (Government Code § 54957.6):  
Agency Negotiator: General Manager  
Employee Organization: El Dorado Hills Community Services District Employees Association  
Local 1

**El Dorado Hills Community Services District  
Board of Directors Regular Meeting**

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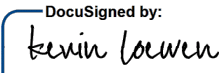
D. Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation.  
(Gov. Code section 54956.9(b).) - 1 item.

**REPORT OUT OF CLOSED SESSION - To occur at the next regularly scheduled meeting on  
June 09, 2022**

**ADJOURNMENT - 10:15 p.m.**

**APPROVED:**   
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*Michael Martinelli, President (2022)*  
*District Board of Directors*

**DATE:** 6/13/2022

**ATTEST:**   
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*Kevin A. Loewen, General Manager*  
*Secretary to the Board of Directors*

**DATE:** 6/13/2022



## BOARD OF DIRECTORS SPECIAL MEETING

**November 20, 2023  
MINUTES**

Board President, Noelle Mattock, called the meeting to order on Monday, November 20, 2023, at 5:30 p.m., jointly in person at the Norm Rowett Pavilion at El Dorado Hills Community Services District (District), located at 1021 Harvard Way, El Dorado Hills, California, and Zoom Virtual Conferencing.

### On-site attendees included the following:

#### Board Directors:

- Noelle Mattock, President
- Benjamin Paulsen, Vice President
- Michael Martinelli, Director
- Heidi Hannaman, Director
- Stephen J. Ferry, Director

#### District Staff:

- Kevin A. Loewen, General Manager
- Brittany DiTonno, Executive Assistant/Clerk of the Board
- Teri Gotro, Director of Administration and Finance
- Jeff Kernen, Principal Planner
- Talley Cain, Staff Services Analyst
- Julia Griffin, Communications Specialist

#### Other Attendees:

- David Tyra, Legal Counsel
- Taylor Vining, IT

#### General Public:

- Approx. 76 Members

### Virtual attendees included the following:

#### General Public:

- Approx. 70 Members

President Mattock led the Pledge of Allegiance.

President Mattock called for a moment of silence to honor American service members (military, law enforcement, fire, and other emergency personnel).

### **ADOPTION OF AGENDA**

President Mattock called for the adoption of the Agenda.

**Motion No. 1. Director Ferry moved and Director Martinelli seconded the motion to adopt the agenda as presented.**

**Motion passed unanimously:**

**Yes - 5 - Ferry, Hannaman, Martinelli, Mattock, Paulsen**

### **GENERAL PUBLIC COMMENT**

Public comment was received by two (2) members of the public.

**El Dorado Hills Community Services District  
Board of Directors Special Meeting Minutes**

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**GENERAL BUSINESS**

1. Consider Options - Regarding Carson Creek LLAD #39 Initiative (D. Tyra)

Public comment for Item #1 was received by three (3) members of the public.

**Motion No. 2. Director Hanaman moved and Director Ferry seconded the motion to submit the ordinance without alteration to the voters pursuant to Elections Code section 1405.**

**Motion passed, outlined as follows:**

**Yes - 4 - Ferry, Hannaman, Martinelli, Paulsen**

**No - 1 - Mattock**

2. Review and Consider - Preservation, Purchase, and Sale of the Old Executive Golf Course (K. Loewen)

Public comment for Item #2 was received by twenty-four (24) members of the public.

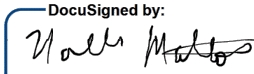
**Motion No. 3. President Mattock moved and Director Hannaman seconded the motion to approve the agreement as presented and direct staff to process necessary land acquisition actions to effectuate the agreement.**

**Motion passed unanimously:**

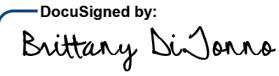
**Yes - 5 - Ferry, Hannaman, Martinelli, Mattock, Paulsen**

Additional direction was also provided to Staff.

**ADJOURNMENT - 8:12 p.m.**

**APPROVED:**   
\_\_\_\_\_  
*Noelle Mattock, President (2023)  
District Board of Directors*

**DATE:** 12/15/2023

**ATTEST:**   
\_\_\_\_\_  
*Brittany DiTonno, Executive Assistant  
Clerk of the Board of Directors*

**DATE:** 12/15/2023