



**BOARD OF DIRECTORS  
SAN LORENZO VALLEY WATER  
DISTRICT MINUTES  
SEPTEMBER 19, 2019**

**Thursday, September 19, 2019 at 5:30 p.m.**, SLVWD, 13057 Highway 9, Boulder Creek, CA 95006.

**1. Convene Meeting**

Roll Call: Farris, Moran, Henry and Swan were present.

All present voted in favor of excusing B. Fultz.

Staff: R. Rogers, G. Nicholls, H. Hossack

**2. Additions and Deletions to Closed Session Agenda:**

**3. Oral Communications Regarding Items in Closed Session:**

**4. Adjournment to Closed Session 5:31 P.M.**

**a. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION**

Government Code Section 54957

Title: District Manager

**5. Convene to Open Session at 6:30 p.m.**

**7. Roll Call (Open Session):** Farris, Moran, Henry and Swan were present. Fultz was excused.

**8. Additions and Deletions:**

G. Nicholls said that it had been brought to her attention that CSDA had sent an email raising some legislative issues requesting prompt attention. She recommended that the Board consider adding this item to the agenda by motion.

S. Swan made a motion to add this item to the agenda. The motion was seconded.

All present voted in favor of the motion. Motion passed.

**6. Report of Actions Taken in Closed Session**

Pres. Henry reported that there was no action taken in Closed Session.

**9. Oral Communications:**

M. Lee, BenLomond-addressed the Board regarding modifying water rates. He recommends rate discussion by B & F Committee.

Cynthia, Felton-addressed the Board recommending public notice of rate structure discussion.

E. Fresco, Felton-emphasized that the District should not base our rates on the ability of the poorest people to pay.

T. Norton, Lompico-added that there are organizations that can help people pay their water bills.

N. Naccari, Boulder Creek-addressed the Board regarding the Swim Tank. (see attached)

10. Unfinished Business:

a. PUBLIC ADVISORY COMMITTEE TO EVALUATE ADMINISTRATION AND OPERATIONS FACILITY NEEDS

R. Rogers introduced this item.

G. Nicholls explained this item is to set up a public advisory committee to assist the District with recommendations for facilities.

L. Henry asked if the public would like more information on this item.

R. Rogers further explained that the District has been looking at the Administration and Operations buildings for upgrades or replacement.

L. Farris questioned if there is intention to have a Board member on the committee.

R. Rogers said that the committee is expected to be strictly advisory and made up of members of the public. The charter can specify that milestones be brought back to the Admin Committee or to the Board.

Discussion by Board & staff regarding participation by staff in this Committee.

V. Wright, Felton-questioned if the criteria for public member will be on the website.

R. Rogers said that that the District will seek applicants for this committee as we have done in the past.

V. Champlin, Ben Lomond-said he supports the idea of a Committee. He questioned how would the committee received direction from the Board.

R. Rogers said there would be case by case guidance from Committee and Board.

Discussion by Board, staff and public regarding questions for the Board.

M. Lee, Ben Lomond-said that he hopes that the previous reports and data will be all that is used.

N. Naccari said that he doesn't want a large amount of money spent on things other than infrastructure.

T. Nelson said she thinks it is wonderful idea to engage the public.

S. Swan made a motion to adopt Resolution No. 8 (19-20). The motion was seconded.

All present voted in favor of the motion. Motion passed.

R. Moran said everyone here that had something to say about this should apply to be on the Committee.

## 11. New Business:

### a. LOMPICO ASSESSMENT DISTRICT OVERSIGHT COMMITTEE BROWN ACT REQUIREMENTS

G. Nicholls explained this item. She was asked whether LADOC could be exempted from the Brown Act requirements while preparing their annual report. She is not aware of any way the LADOC can be exempt from the Brown Act as a committee of the District.

T. Norton said she attended Brown Act training and she heard that the LADOC was not subject to the Brown Act. The LADOC has had difficulty following the Brown Act and getting the annual report completed. She understands now that this is not possible.

### b. AWARD OF CONSULTANT AGREEMENT FOR 2019 PIPELINES PROJECT

D. Langfield introduced this item and read his memo into the record.

S. Swan questioned is the price in line with what you were expecting.

Discussion by Board and staff regarding the price and environmental requirements.

L. Farris would like to get this approved tonight.

R. Moran looks forward to this work getting done.

Cynthia questioned if the Environmental Programs Manager would have done this work.

R. Rogers explained that the Enviro Mgr. would have coordinated the environmental work.

N. Naccari said he is concerned about the financing.

L. Henry explained that we need a design. We can't go out for construction without a design.

D. Langfield said the design is roughly 10% so this is an extremely good price.

M. Lee questioned the location and cost per mile of the project.

Discussion by the Board, staff and public

V. Champlin said the process was well done.

R. Rogers a district engineer in house allows us to go out looking for bidders.

L. Farris said if we didn't have D. Langfield we would be spending a lot more on it.

G. Nicholls the motion should specify that the Board is authorizing staff to execute the contract.

L. Farris made a motion that the Board accept the recommendation of the Engineering Manager to enter into a contract with Schaaf & Wheeler for a price not to exceed \$375,000 and to authorize the District Manager to execute the contract. The motion was seconded.

All present voted in favor of the motion. Motion passed.

- c. LONG SERVICE LINE AGREEMENT FOR APN 090-111-27  
D. Langfield introduced this item and read from his memo.  
R. Rogers explained that the District has several of these in the distribution system.  
R. Moran questioned what is a long service line.  
R. Roger it means a customer doesn't have front footage along our main line.  
S. Swan questioned if there are homes on this property.  
Discussion by Board and staff regarding this item.  
S. Swan made a motion to adopt Resolution No. 7 (19-20). Motion was seconded.  
All present voted in favor of the motion. Motion passed.
- d. SENATE BILL 13  
G. Nicholls explained this item. The issue here is that SB 13 will restrict the District's ability to charge development impact fees to offset some of the consequences of additional users.  
R. Rogers said the County is prompting this type of building and we are collecting connection fees. So this will have an impact on the District if this bill passes.  
Discussion by the Board and staff.  
Cynthia questioned if someone building an ADU is required to meter the ADU separately.  
Discussion by Committee, staff and public regarding ADUs.  
M. Lee doesn't support the letter to the governor.  
V. Champlin make a decision based on exactly what this would cost the District.  
T. Norton said the lack of housing is a huge problem so maybe more thought should be put in to this.  
T. Fredericks questioned the association that G. Nicholls made reference to. These discounts would be costing the District money.  
L. Henry questioned if this will affect other districts besides water.  
G. Nicholls said this is specific to sewer and water districts.  
E. Fresco said it seems that people who can afford to build an ADU are subsidizing being subsidized by the everyone. She supports signing this letter.  
R. Moran supports trying to find solutions to the housing crisis but for a water district counting every penny to subsidize the cost of an ADU doesn't make sense.  
S. Swan motion to authorize the Board President to sign the letter and send it to the governor.  
All present voted in favor of the motion. Motion passed.

12. Consent Agenda: L. Henry said this is your chance if you want to pull minutes.  
R. Moran said that he wants to pull the minutes of 8.28.19.  
He said there is a summary of the applicants for the open Board position. There was one sentence he wants changed on page 16 of the packet. He wants it to read, "follow the grand jury recommendations and put the grand jury behind us",



added to the minutes.

G. Nicholls suggested that there should be public discussion.

H. Hossack pointed out that the minutes are not verbatim minutes and there is a recording imbedded in the minutes.

L. Henry said that she can't listen to the minutes on her computer.

S. Swan made a motion to approve the minutes with the correction requested by R. Moran. Motion was seconded.

All present voted in favor of the motion. Motion passed.

### 13. District Reports:

- DEPARTMENT STATUS REPORTS

Receipt and consideration by the Board of Department Status Reports regarding ongoing projects and other activities.

- Engineering
- Finance & Business
- Legal
- Operations

Individuals shared highlights from or questioned specifics on the status reports.

- COMMITTEE REPORTS

- Future Committee Agenda Items
- Committee Meeting Notes/Minutes

Discussion by Board and staff regarding Committee Reports

- LADOC 8.27.19

Discussion by Board, staff and public regarding LADOC meeting minutes changes requested by D. Loewen.

### 14. Written Communication:

- Letter from J. Reksoatmodjo 9.3.19
- Letter from N. Heaney 9.4.19

### 15. Adjournment 8:29 p.m.

## THE SWIM TANKS

I was told by Rick Rodgers, about five years ago, that putting in a liner to stop the constant leaking of the lower Swim Tank would make it necessary to replace that tank within 5 years, because the liner causes the wood to dry rot faster. Rick said replacing it was necessary, within 5 years, and that's about 5 years ago. So, where is the new tank?

There is a telephone pole notice posted several years ago, to expect excavation work on the Swim Tanks two years ago! So, where is it? These leaking, unstable, too small tanks were, and still need to be, a top level priority for replacement. The Swim Tanks have been clearly insufficient, as well as inefficient, for way over a decade. I was severely disappointed to recently hear from a Director that it's becoming the District's intention to delay the necessary upgrade of these 2 very old rotting tanks, while putting us deeper and deeper into debt. It is time to keep promises. I'm fine either way, use my parcel, or use the old one, but stop with stalling tactics on the Swim Tanks.

The District is interested in my property because it is conveniently near to the small, steep, old site. My parcel is the flattest around, on solid rock, with easy access, plus it includes 5 parking spaces. The entire project, including doubling the tank size, may be much easier, and significantly less expensive, on the new site compared to the old site. This might save the district several hundred thousands of dollars with tank size able to be doubled,

compared to restrictive construction possibilities at the old site.

I want to be sincere and clear about what will lead to the District obtaining this property. Here's what should happen:

Darren said construction and operating the tank could be done without harming the beautiful old grove of redwoods on the property. I'd need that in the contract.

Regarding the "take" from wildlife, and decreased attractiveness to our neighborhood, a large tank on this field would cause: I would want that addressed by planting native fruit, nut, and berry trees, or bushes, and this would cost little. This helps to compensate the wildlife, as well as offset the decreased attractiveness, showing smart environmental stewardship, and decent neighborhood consideration.

The fence required to go around the tank should be as close to the tank and as low in height, as legally possible. This would permit availability of the remaining open space to wildlife, while it also decreases the negative appearance of a large and noticeable fence. A tight and low fence also saves the district money, according to Rick.

Any damage done to our narrow, switchback, road from, or during, construction would need to be fully repaired, and

fixed by either the contractor or Water District. Rick said the Water District would need to dig up the street to put a new line from the old site, to the new one. I'd want assurance that if the street gets dug up, it will be resurfaced the FULL width and length of that damage, so our already bad road won't become worse because of damage during construction.

All those issues can be solved according to what I have been told. So that just leaves the appraisal and price.

The District plans to use this parcel as a build-able site, so I would be willing to price it for what a build-able, very flat, parcel, with 5 parking spaces, would be sold for in the marketplace. I will not sell it as an un-buildable parcel price, because if you buy it to build a very big tank on it, the valuation should be based on that purpose of building on it, as it's official appraisal. The Appraisal Comps should be compared to what purchasing other 120,000 gallon tank sites costs Water Districts in this region.

Even if you don't want it, please keep the promises you've made to start the bidding again for your old Swim Tank site promptly, and LET'S GET MOVING ON THE LONG NEEDED, AND LONG PROMISED, SWIM TANK REPLACEMENT. The time to do it, according to the Water District, was many years ago, so please stop the delays on the leaky, with tilting pier posts, and rotting, Swim Tanks.

Nick Naccari