



**BOARD OF DIRECTORS  
SAN LORENZO VALLEY WATER  
DISTRICT  
MINUTES  
June 3, 2021**

**MISSION STATEMENT:** Our Mission is to provide our customers and future generations with reliable, safe and high quality water at an equitable price; to create and maintain outstanding service and community relations; to manage and protect the environmental health of the aquifers and watersheds; and to ensure the fiscal vitality of the San Lorenzo Valley Water District.

**Thursday, June 3, 2021, at 5:30 p.m.,** via videoconference and teleconference.

**1. Convene Meeting/Roll Call**

Board Members Present:

Gail Mahood, President  
Lois Henry, Vice President  
Jayme Ackemann, Director  
Bob Fultz, Director  
Mark Smolley, Director

Staff Present:

Rick Rogers, District Manager  
Gina Nicholls, District Counsel  
Holly Hossack, District Secretary

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

**3. Oral Communications Regarding Items in Closed Session: None**

**4. Adjournment to Closed Session: 5:32 p.m.**

**a. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

*County of Santa Cruz v. San Lorenzo Valley Water District*, Santa Cruz Superior Court Case No. 21CV00188 (re: Bear Creek Road)  
Gov. Code section 54956.9(d)(1)

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

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

G. Nicholls read a statement that the Board voted unanimously to make an announcement out of Closed Session for the information of the public that the District has been informed that the County intends to file an amended complaint in its lawsuit against the District which the District has not seen yet.

**7. Re-Convene Meeting/Roll Call**

Board Members Present:

Gail Mahood, President  
Lois Henry, Vice President  
Jayme Ackemann, Director  
Bob Fultz, Director  
Mark Smolley, Director

Staff Present:

Rick Rogers, District Manager  
Gina Nicholls, District Counsel  
Holly Hossack, District Secretary  
James Furtado, Director of Operations  
Stephanie Hill, Director of Finance and Business Services

**8. Additions and Deletions: None**

**9. Oral Communications: None**

**10. New Business:**

a. VEGETATION/FIRE MANAGEMENT PLAN

C. Blanchard introduced this item, the process and background, and presentation by C. Gilleran & T. Tries with Panorama.

Discussion by the Board, staff and consultants regarding matching funds, contractor/laborers available for the work, FEMA will not work on watershed property, Grant Writer, 2021/2023 Budget related to these projects, permits & exemptions, project priorities, registered forester on contract, reforestation vs. nature, and invasive species taking over.

L. Ford made a public comment asking for more detailed goals, including indigenous vegetation, and livestock grazing.

Discussion by the Board, staff, and consultants regarding carbon offset, goats, and reforestation.

J. Ackemann made a motion that the Board accept the report from Panorama.

L. Henry seconded.

**ROLL CALL VOTE: MOTION PASSED**

AYES:	All
NOES:	None
ABSTAIN:	None

L. Henry made a motion to adopt and implement the Panorama plan.

M. Smolley seconded.

**ROLL CALL VOTE: MOTION PASSED**

AYES:	All
NOES:	None
ABSTAIN:	None

b. PANORAMA AUGMENTATION

C. Blanchard introduced this item and read from the staff memo.

Discussion by the Board, staff, and consultants regarding the budget for augmentation, FEMA, Emergency assistance during fire, and GIS work.

B. Fultz made a motion to instruct the District Manager to enter into an augmented contract with Panorama Environmental to continue post fire response, fire planning, grant writing, and oversight of fuel reduction reforestation implementation in the amount of \$37,445.00.

M. Smolley seconded.

**ROLL CALL VOTE: MOTION PASSED**

AYES:	All
NOES:	None
ABSTAIN:	None

c. INVESTMENT POLICY

S. Hill introduced this item.

Discussion by the Board and staff regarding the unexpected cash to invest, government agency can't make a profit, history of the investment policy, and safety of the investments.

G. Nicholls said that she realized that it is not clear in the resolution who is designated as the Treasurer so she would like to pull this item and bring it back with clear designation for this responsible role.

d. FALL CREEK FISH LADDER CONSTRUCTION CONTRACT

R. Rogers announced that no bids were received for this item. When polled the interested parties said that there was not enough time to prepare the bid documents. He suggested that the bid be extended by 3 weeks.

Discussion by the Board and staff regarding the addendum bid extension.

e. FALL CREEK FISH LADDER CONSTRUCTION MANAGEMENT CONTRACT

R. Rogers noted that this is related to the previous item and he would like to bring this item back after the bid extension on the previous item.

Discussion by the Board and staff regarding timing, possible grant funding, the requirements for when the construction has to be out of the creek, and frustration with the agencies requiring and permitting this project.

R. Moran made a public comment requesting a neighborhood friendly fence.

Discussion by the Board and staff regarding signage and fencing.

#### **11. Unfinished Business:**

##### **a. FIRE RECOVERY SURCHARGE**

G. Nicholls introduced this item and noted that there was substantial discussion at the last meeting about insuring that the Fire Recovery Surcharge revenues would be used solely for fire related costs. She has provided a draft of the resolution to insure that the language restricting the funding is satisfactory to the Board. No Board action is required at this time.

G. Nicholls recommended that the Board appoint the District Secretary as arbiter to receive and to validate the protests, by motion.

Discussion by the Board and staff regarding public outreach and staff counting protests, and hiring an outside 3<sup>rd</sup> party as arbiter.

M. Smolley made a motion to appoint the District Secretary as an impartial arbiter to receive, collect and tabulate protests received by the District and (if necessary) to validate the protests during an open public meeting.

B. Fultz seconded.

#### **ROLL CALL VOTE: MOTION PASSED**

AYES:	All
NOES:	None
ABSTAIN:	None

Discussion by the Board and staff regarding legally restricted fund, voting on the resolution, messaging, tracking the surcharge funds, language for end of the surcharge, transparency, and community outreach with the message.

R. Rogers recommended that the staff put together a plan for outreach.

Discussion by the Board and staff regarding language for the resolution.

**12. District Reports:**

- **DIRECTORS REPORTS**  
G. Mahood said that on June 17<sup>th</sup> there is going to be a hearing on the Urban Water Manage Plan. She and M. Smolley will give an update on the SMGWA process on July 15<sup>th</sup>.

**13. Adjournment:** 8:50 p.m.