

**BOARD OF DIRECTOR'S MINUTES  
SAN LORENZO VALLEY WATER DISTRICT  
BOULDER CREEK, CALIFORNIA**

**February 19, 2004**

The regular meeting of the Board of Directors of the San Lorenzo Valley Water District was called to order by Dir. Ross on Thursday, February 19, 2004 in the District's Operations Building, 13057 Highway 9, Boulder Creek, California at 7:30 p.m.

CONVENE MEETING/ROLL CALL:

Roll call showed Dirs. Ross, Nelson, Prather, Rapoza and Vierra present. District Manager Mueller and Counsel Hynes were also present.

MINUTES:

- a. Minutes of the Regular Meeting of February 5, 2004

Motion was made by Dir. Prather to approve the Minutes of the Regular Meeting of February 5, 2004, as presented.

ROLL CALL:

Ayes:	Prather, Nelson, Rapoza, Ross
Noes:	None
Abstain:	Vierra

ADDITIONS AND DELETIONS TO THE AGENDA: None

ORAL COMMUNICATIONS:

Gordon Stewart stated that he researched current parcel information and tax status on the Molasky Creek watershed property. Mr. Stewart stated that if the property goes into private ownership, the tax status would increase. This is not a desirable or necessary purchase for the District.

Paul Storm reported on a leaking fireplug at a house located at Larkspur Avenue and Annie Way in Brookdale.

Janet Laidlaw asked the Board why they are pursuing the purchase of property in Molasky Creek. In addition, Ms. Laidlaw asked if the District has been reimbursed from Cal-Trans for replacement of the slipped out culvert on Highway 9. Manager Mueller stated that Cal-Trans has denied the claim. Dir. Nelson stated that certain burdens of proof have to be supplied in order to receive reimbursement.

Lisa Rudnick requested that agenda packets be put on-line or be made available in Ben Lomond. Ms. Rudnick requested that this issue be added to the next agenda.

Ms. Rudnick submitted documentation to the Board that was submitted to the Commissioners at the February 18, 2004 Education Program Advisory Commission meeting. In addition, Ms. Rudnick submitted an article to the Board "Forest Burned-Filter Broken".

Lisa Rudnick asked the Board for a response to her letter dated February 5, 2004 to the Board of Directors regarding the January 28, 2004 Watershed Acquisition Committee meeting.

Dir. Ross stated that the District is just exploring possibilities.

#### WRITTEN COMMUNICATIONS:

- a. January 20, 2004 Correspondence from Robert E. Clark regarding Assessor's Parcel Number 071-291-33, Hillview Drive, Felton

Manager Mueller stated that he would report back at a future meeting on procedures for surplusing property.

Dir. Vierra asked if it would be prudent to do an inventory on this and other properties that the District owns. Manager Mueller will come back to the Board with information on other parcels that the District might consider disposing of.

CONSENT AGENDA: None

UNFINISHED BUSINESS: None

#### NEW BUSINESS:

- a. Amendment of Board of Director's Policy Manual, 2004

Manager Mueller stated that he is bringing the Board of Director's Policy Manual back before the Board to correct specific language regarding meeting agenda notification requirements which imposed notification requirements which were different than those prescribed by law. Manager Mueller stated that it was not staff's intention to adopt requirements greater than that prescribed by law.

Gordon Stewart asked what defines the condition in which you don't go to the 72 hour notice.

Counsel Hynes reported that there are three (3) types of meetings; Regular Meetings, Special Meetings and Emergency Meetings. Special Meetings require a minimum of 24 hours notice. Emergency Meetings are required to give best notice as possible. The revisions to the Board of Directors Policy Manual will bring the District into conformance with the Ralph M. Brown Act.

Counsel Hynes reported that Standing Committees are more formal types of Committees whereas Ad-hoc Committees are formed to perform a single purpose.

Dir. Rapoza stated that the Board has not looked at the Committee structure in quite awhile. Dir. Rapoza referred back to staff to look at Committees structure and possibly combine some Committees.

Paul Storm stated that the proposed changes are not accurately reflected in Exhibit "A". In addition, Mr. Storm felt that the proposed changes would be in conflict with District Resolution No. 8 (00-01). Lastly, the proposed changes may produce ambiguity between the Board of Directors Policy Manual and Section 54952.2 of the California Code.

Howard Liebenberg was present and stated that he would prefer a 72-hour notice on any District meetings.

Dir. Ross stated that he did not want to give up the opportunity of 24-hour notice.

Dir. Rapoza directed staff to provide a clean copy of Exhibit "A" and also discuss Committee structure at the next regularly scheduled Board of Directors meeting.

Paul Storm stated that 72-hour notice is a good thing not a bad thing.

Motion was made by Dir. Rapoza to bring back a clean copy of the Board of Directors Policy Manual, Exhibit "A" to the next Board of Directors meeting.

ROLL CALL:

Ayes:	Rapoza, Nelson, Prather, Vierra, Ross
Noes:	None
Absent:	None

GENERAL MANAGER'S REPORTS:

a. Manager

(1) Bill List Period Ending February 19, 2004

Motion was made by Dir. Rapoza to approve the Bill List Period Ending February 19, 2004 in the amount of \$119,048.57.

ROLL CALL:

Ayes:	Rapoza, Nelson, Prather, Vierra, Ross
Noes:	None
Absent:	None

(2) Investment Report Period Ending January 31, 2004

The Board received the Investment Report Period Ending January 31, 2004.

(3) Department Status Reports

(i) Administration

The Board received the Administration Department Status Report.

(ii) Operations

The Board received the Operations Department Status Report.

(iii) Engineering

The Board received the Engineering Department Status Report.

b. Committee/Director Reports (Oral):

Dir. Rapoza reported on the January 18, 2004 Education Program Advisory Commission meeting. The Commission appointed a Chairperson and Vice Chairperson. Dir. Rapoza stated that the meeting went well.

INFORMATIONAL MATERIAL:

a. Newspaper Articles

The Board received the Newspaper Articles.

- b. February 2004 California Water Law & Policy Reporter Article

The Board received the February 2004 California Water Law & Policy Reporter Article.

ADJOURNMENT TO CLOSED SESSION:

Dir. Ross adjourned the meeting to closed session at 8:37 p.m. to approve the Minutes of the Closed Session Meeting of February 5, 2004 and to confer with Legal Counsel - Anticipated Litigation, Significant Exposure to Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9-One (1) Potential Case.

RECONVENE TO OPEN SESSION TO REPORT ACTIONS TAKEN IN CLOSED SESSION:

- a. Minutes of the Closed Session Meeting of February 5, 2004

Motion was made by Dir. Ross to approve the Minutes of the Closed Session Meeting of February 5, 2004, as presented.

ROLL CALL:

Ayes:	Ross, Nelson, Prather, Rapoza
Noes:	None
Absent:	Vierra

- b. CONFERENCE WITH LEGAL COUNSEL -  
ANTICIPATED LITIGATION  
Significant Exposure to Litigation Pursuant to Subdivision (c) of  
Government Code Section 54956.9:  
One (1) Potential Case

No reportable action.

ADJOURNMENT:

The meeting was adjourned at 10:06 p.m.

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Kelly Stephens  
District Secretary