



**BOARD OF DIRECTORS
SAN LORENZO VALLEY WATER DISTRICT
MINUTES
MAY 2, 2019**

Thursday, May 2, 2019 at 5:30 p.m., SLVWD, 13057 Highway 9, Boulder Creek, CA 95006.

1. Convene Meeting
Roll Call: Dir. Smallman-absent, Dir. Swan, Pres. Henry, Dir. Fultz-present
Staff: R. Rogers-District Manager, G. Nicholls-District Counsel, H. Hossack-Board Secretary
R. Rogers said the Dir. Smallman phoned and he will not be able to attend Closed Session but will be here for Open Session.
2. Additions and Deletions to Closed Session Agenda: None
3. Oral Communications Regarding Items in Closed Session: None
4. Adjournment to Closed Session 5:35 p.m.
 - a. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Holloway v. Showcase Realty Agents, Inc. et al.
(Santa Cruz Superior Court Case No. CV180394; 6th District Court of Appeal Case Nos. H044505, H044800).
 - b. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Vierra v. San Lorenzo Valley Water District, et al.
(Santa Cruz Superior Court Case No. 18CV00890)
5. Convene to Open Session at 6:33 p.m.
Roll Call: Smallman, Swan, Henry, Fultz were all present
Staff: R. Rogers-District Manager, J. Furtado-Director of Operations, S. Hill-Director of Finance & Business Services, D. Langfield-Engineering Manager, J. Michelsen-Environmental Programs Manager, G. Nicholls-District Counsel, H. Hossack-Board Secretary
6. Report of Actions Taken in Closed Session: None
7. Additions and Deletions to Open Session Agenda: None

8. Oral Communications: Pres. Henry limited the Oral Communications to 3 minutes per person due to the crowd.

G. Ratcliffe-Felton, said that she was disturbed by the Board's decision not to sponsor the Redwood Mountain Faire.

N. Macy-Valley Women's Club Environmental Committee, read a prepared letter to the Board.

L. Ford-Felton, said that he is concerned by the Board's plan to cut the environmental program. He would like to see the program grow and be more effective and more efficient.

J. Fasolas-Felton, said the Redwood Mountain Faire gives 10's of 1000's of dollars raised by the faire to charities in the Valley. The Board is making a statement that they don't care about the Valley and the programs funded by the faire. Regarding the environmental program, getting rid of the program is not helpful to the District.

M. Mosher-Felton, thanks the District for supporting the building of the Felton Library. Environmental literacy important to the Valley and is a focus of the Felton Library.

B. Hanson, Redwood Mountain Faire is an amazing event. The line for the beer is 1/3 the size of the line for the water. Water is life, please reconsider sponsorship.

J. Mosher-Felton, said he believes that cutting the Environmental programs will have little or no impact on rates but huge impact on the District. Healthy watershed is extremely important.

B. Holloway-Boulder Creek, pointed out that this District has been in violation of permit in Felton for more than 10 years.

9. New Business:

a. VACANCY IN AN ELECTIVE OFFICE OF THE BOARD OF DIRECTORS
SAN LORENZO VALLEY WATER DISTRICT

L. Henry introduced this item. The candidates will be called on alphabetically. When called upon introduce yourself and then the Board will ask a few questions; why do you want to server on the Board, what is the biggest problem the District faces, do you understand the time commitment, what do you know about the Santa Margarita Groundwater Agency? After the candidates have all spoken the public will be allowed to respond and then the Board will discuss the candidates and choose the new Board member.

V. Champlin introduced himself and said he wants good governance. Keeping the bigger picture in mind. He has 3 concerns; reserves, infrastructure, finance. Confused by SMGWA, concerned that it's a better for Scotts Valley and Santa Cruz.

L. Farris introduced himself. He said he served on the SLVWD Community Outreach Citizens Action Committee in 2014 he then started attending Board and committee meetings. Infrastructure is biggest problem facing the District, and we're running out of time. He understands the time commitment and he already spends a lot of time. He doesn't know

a lot about SMGWA. He went to their first meeting but prefers to spend his time on the SLVWD.

E. Fresco introduced herself. She recently joined the Environmental Committee. She expressed appreciation to Board for appointing her to the committee although she didn't completely agree with the Board. She agreed that infrastructure is the biggest problem facing the District. Stewardship of the watershed is also very important. She doesn't believe in indiscriminate cost cutting. She supports and appreciates the professionalism of the staff. She understands that this job comes with a huge time commitment. What a thankless job! She said she will need to get up to speed on the SMGWA.

B. Hollenbeck introduced herself. She described herself as a fixer, spatial thinker. The rivers mean everything to her. She wants to be on the Board to help make decisions fiscally. As an educator she would like to partner with educational projects. She thinks the biggest issue the District faces is polarization. She works part-time so she has time to contribute to the Board. She said that SMGWA is a countywide mandate to recharge the aquifer. We need to stay vigilant to make changes in perpetuity.

B. Largay introduced himself and shared his experience and background. He believes that transparency is important for the Board. Water rates are also very important. Good wages important to get and keep staff. Bryan said that service to community is important to him. He thinks the biggest challenge is the bullseye on the Santa Cruz Mountains with our rainfall amounts. We need to keep an eye on what we've got and protect our resources. He has a full time job and kids in schools so he is concerned about the time commit. SMGWA is a coordinated management effort with neighboring districts and it is essential to good resource stewardship. Conjunctive use will be very important in the future.

L. Summers introduced herself and her background. She described herself as a social liberal but fiscal conservative. She said she has volunteered for many years and wants to do something important in the community. Infrastructure is the biggest problem in the District in her opinion. She is retired and has time available. She said that she attended all 3 meetings of the SMGWA in Felton is a valuable asset that this District needs to be a part of.

V. Wright introduced herself and her background. She said that her heart is here in the Valley. She has a lot of skills in community engagement and she would like to make a contribution. She thinks that the biggest issue for the District is pulling everyone together. She said she is working from home so she has time. She doesn't know much about SMGWA but has worked with joint agencies in the past.

L. Henry said she is overwhelmed with the fantastic candidates. It's going to be a tough decision.

Unidentified woman said Beth Hollenbeck is a natural leader and spoke in favor of appointing Ms. Hollenbeck to the Board.

G. Ratcliffe said that she worked with Lew and Bryan on the COCAC and she has respect for both of them. One candidate was a standout for her because the core mission is water, Bryan is focused on water.

J. Mosher agreed that this was an impressive group of candidates. He added that Beth is not qualified because of the stance she has taken on the private ownership of water. Meetings like this were not available with CalAm.

J. Fasolas advocated for Bryan. He said Bryan has the passion, qualifications and knowledge.

April Zilber (sp?) agreed that the candidates were impressive. She said that it is important to her to have a science background on the Board. Bryan, Lee, Lew, and Elaine would be her choices. Virginia was also impressive.

D. Loewen said the Board should be increased by 7 members. Lew Farris is impressive not polarized. Knows what's going on.

B. Smallman said he was blown away and this will be a tough decision. He said his top 2 are Lew, Virgil, Lee and Virginia.

S. Swan said he appreciates all candidates. He stressed that there is a big time commitment. He noted that Lew has advantages. He is familiar with District & staff. Lew is a phenomenal candidate but he would support anyone.

L. Henry said she would love to see another woman on the Board. She said that Virgil is funny. She said it should be Lew.

B. Fultz said he would like to take all 7 candidates and share their skill sets. He asked that they please continue to try to participate. He agreed that the Board needs diversity. His recommendation was Lee, Beth, or Elaine because they have a different set of skills.

L. Henry suggested that the individuals that do not make it on to the Board should consider applying for a committee position.

B. Smallman made a motion to appoint Lew Farris to the Board of Directors.

S. Swan seconded

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

Recess at 8:08

Reconvene at 8:20

Oath of Office administered by the District Secretary to swear in Lew Farris.

b. OPERATIONS DEPARTMENT WORKSHOP

J. Furtado shared his presentation on Ops Department. (PowerPoint on website)

J. Furtado answered a few questions the Q & A will be answered on the website.

10. Unfinished Business:

a. UPPER ZAYANTE STREAM WOOD ENHANCEMENT PROJECT
COOPERATIVE AGREEMENT

J. Michelsen introduced this item. SLVWD, the City of Santa Cruz, the RCD, the County of Santa Cruz, NOAA, & California Fish & Wildlife have been working together on an upper Zayante watershed project. She introduced Lisa Lurie from the RCD.

Lisa Lurie, Executive Director with the Resource Conservation District presented the project. She introduced Matt Weld the project engineer on the project and Kelli Camara the technical director.

Matt Weld continued the presentation.

Lisa Lurie summarized the presentation.

R. Rogers said that the agreement was addressed through legal counsel. Staff recommends executing the cooperative agreement.

G. Nicholls said that the language was vague and didn't fit well with these circumstances. The main changes that were made were (1) to try to clarify the District's role and that the District isn't involved in the construction of the project, (2) on the indemnity front, there was originally indemnification by the District for others involved on the project. That has been modified to fully indemnify the District because we are not involved in the construction. Then there is mutual indemnity for things that occur after construction and apart from the construction where a 3rd party may be involved.

R. Rogers noted that maintenance will not be much, if any.

B. Fultz said he wants the project to go forward. He said he is confused about what is the District's responsibility with respect to the conservation plan and maintenance, specifically.

L. Lurie explained that the practice standards are included on the last 2 pages of the document. That includes the maintenance obligations.

B. Fultz it says periodically check roads for erosion. What are we signing up for with this?

J. Michelsen monitoring erosion on road is part of the District's ongoing maintenance operations in the watershed. Annual inspections are made for maintaining our land.

K. Camara said that the RCD will be taking on monitoring 3-5 years.

L. Henry would like to move forward on this.

B. Fultz said he has a couple specific amendments he would like to make.

G. Nicholls said the Board would have to give staff direction to request an amendment

B. Fultz said he thinks there are some clarifications. For example, authorized participation of projects, if the cooperators or their agents do not

carry out work consist, we're not really doing the work there, the RCD is doing the work. Not sure why it didn't say RDC instead of us. And then on the Conservation Plan, I don't know what that plan is.

K. Camara said the Conservation Plan is the 2 pages referred to as Exhibit E.

B. Smallman thinks the things will last longer. Maybe have some concrete logs. That will last longer.

M. Weld explained the engineering.

S. Swan questioned if the project is fully funded.

K. Camara said everything is covered and fully funded.

L. Farris questioned how long for the desired effect to be exhibited.

Matt Weld said that would depend on storm events. He would say roughly 5 years.

R. Moran said that he was on the Environmental Committee when this was brought up a number of years ago. Seemed like a good site for the program. His friend, a fish biologist, said this is an effective way to help repopulate the fish.

V. Champlin said we have benefitted from Dir. Fultz's thoroughness but we need to remember this needs a quorum, not complete agreement by all Board members. If the quorum is in favor of this let's move on.

L. Henry made a motion to accept the contract to do the Upper Zayante Stream Enhancement Project Cooperative Agreement

B. Smallman seconded.

G. Nicholls requested that the motion be reworded to approve and authorize the District Manager to sign the contract on behalf of the District.

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

b. GRAND JURY

L. Henry noted the lateness of the hour and requested that the District ask for an extension.

G. Nicholls said that the District can ask for an extension. She requested that she be authorized to draft a response along the lines of what is in the memo. And if they don't grant the extension she will have something to show you at the next Board meeting.

B. Fultz said that they've done more than what had been previously done.

Discussion by Board and staff.

D. Loewen said there are a few things still in the process.

R. Moran said all Board and committee members should get training when dealing with contentious issues.

c. BOARD AND PUBLIC MEMBER COMMITTEE ASSIGNMENTS

L. Henry requested that this item be moved to next meeting.

R. Rogers said nothing is pressing, we can wait.

R. Rogers revisited this item. We have openings on committees for public members. He would like approval to move ahead with advertising.

The Board agreed.

G. Nicholls said that since this item was addressed, public comments should be allowed.

11. Consent Agenda:

a. MINUTES FROM BOARD OF DIRECTORS MEETING MARCH 21, 2019

b. MINUTES FROM BOARD OF DIRECTORS MEETING APRIL 18, 2

G. Nicholls said you don't have to vote on the minutes just make sure no one wants them pulled.

12. Written Communication:

- Letter from J. Ricker-Steelhead Monitoring
- Email from J. Jankovitz-Steelhead Monitoring
- Letter A. Ingham-Steelhead Monitoring
- Letter from C. Berry-Zayante Stream Wood
- Letter from Felton Library Friends
- Letter from J. Ricker-Zayante Stream Wood
- Resignation from J. Wright
- Resignation from J. Gomez
- Email from B. Burt

13. Informational Material: None

14. Adjournment 10:11