

SWEETWATER SPRINGS WATER DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES*
(*In order discussed)

Board of Directors Meeting
Regular Meeting
May 6, 2010
6:30 p.m.

Board Members Present:

Victoria Wikle
Sukey Robb-Wilder
Jim Quigley
Gaylord Schaap
Wanda Smith

Board Members Absent:

(None.)

Staff in Attendance:

Steve Mack, General Manager
Julie A. Kenny, Secretary to the Board

Others in Attendance:

Mike Gogna, District Counsel.
Brenda Adelman
Lee Torr, IV
Dennis O'Leary
Ken Wells

I. CALL TO ORDER

The properly agendized meeting was called to Order by President Jim Quigley at 6:30 p.m.

II. CHANGES TO AGENDA and DECLARATION OF CONFLICT (6:31 p.m.)

(None.)

III. CONSENT CALENDAR (6:31 p.m.)

Director Wikle moved to approve the Consent Calendar as submitted. Director Robb-Wilder seconded. Motion carried 5-0. The following items were approved:

- A. Approval of the Minutes of the April 1, 2010 Board Meeting and the April 21, 2010 Special Board Meeting
- B. Approval of Operations Warrants/Online payments/EFT payments/Construction Warrants, and West America account activity

- C. Receipt of Item(s) of Correspondence (None)
- D. Adoption by reading of title only Ordinance 44, Making Changes to Policy Numbers 3020, 3080, and 3090 of the District's Policy and Procedures Providing for Remedies for water Bill Non-Payment and Meter Tampering

IV. PUBLIC COMMENT (6:32 p.m.)

(None.)

V. ADMINISTRATIVE (6:32 p.m.)

- A. **(6:33 p.m.) Discussion/Action re Sonoma County Water Agency re (SCWA) Petition for Permanent and Temporary Urgency Change of Decision 1610 and what action, if any, the District should take, including presentation by Brenda Adelman.** Brenda Adelman, Russian River Watershed Protection Committee, made a presentation. The GM provided additional comments. Public comment was made by Lee Torr, IV. Public comment was made by Dennis O'Leary. Board discussion ensued. Comments were made by legal counsel Mike Gogna. Public comment was made by Brenda Adelman. Further discussion ensued. The GM made additional comments.

Direction was given to staff to file a formal Protest to SCWA's Petition with the State Water Resources Control Board that would follow the recommendations of the District's water rights attorney, but sharing with him the Board's desire to keep flows at 125 cfs.

- B. **(7:25 p.m.) Discussion/Action re Resolution 10-09, Approving the Construction Project Budget and Authorizing the Award of Contract with KAT Construction for CIP Phase IV-B, Project 2, in the sum of \$938,640.00 and Authorizing the General Manager Total Change Order Approval of \$93,864 and Single Change Order Approval of up to \$25,000.** The GM provided an overview of this item. Director Wikle moved to approve Resolution 10-09, Approving the Construction Project Budget and Authorizing the Award of Contract with KAT Construction for CIP Phase IV-B, Project 2, in the sum of \$938,640.00 and Authorizing the General Manager Total Change Order Approval of \$93,864 and Single Change Order Approval of up to \$25,000. Director Robb-Wilder seconded. Motion carried 5-0.
- C. **(7:32 p.m.) Public Hearing; Discussion/Action re Resolution 10-10, Adopting the FY 2010-11 Operating and Capital Improvement Budget.** The GM made a PowerPoint presentation. Board discussion ensued. At 7:44 p.m. President Quigley opened the Public Hearing. There were no comments. At 7:45 p.m. President Quigley closed the Public Hearing. Director Robb-Wilder moved to approve Resolution 10-10, Adopting the FY 2010-11 Operating and Capital Improvement Budget. Director Smith seconded. Motion carried 5-0.
- D. **(7:46 p.m.) Discussion/Action re Actual vs. Budgeted expenditures (3rd Quarter, FY 2009-10, Operating and Capital) and Monthly financial documents reviewed by the Board.** The GM provided an overview of this item. Discussion ensued. Direction was given to staff to implement the proposed monthly financial presentation to see how it works.
- E. **(7:58 p.m.) Discussion/Action re Unneeded District lands strategy.** The GM provided an overview of this item. Discussion ensued. Comments were made by District counsel Mike Gogna. Public comment was made by Dennis O'Leary. Public comment was made by Ken Wells. Further discussion ensued. Public comment was made by Dennis O'Leary. No action was taken.

VI. GENERAL MANAGER'S REPORT (8:26 p.m.)

The GM provided an overview and answered Board questions on the following subjects:

1. Laboratory testing
2. Water production and sales
3. Leaks
4. Rainfall
5. CIP IV-B, Project 1
6. CIP IV-B, Project 2
7. Toilet Rebate Program
8. Gantt Chart
9. In-House Construction projects
10. SCWA water quality study
11. LAFCO Board opening

Board questions ensued.

VII. BOARD MEMBERS' ANNOUNCEMENTS/COMMENTS (8:35 p.m.)

Director Smith announced the grant funding had been obtained for the Equestrian Park

VIII. CLOSED SESSION (8:35 p.m.)

At 8:36 p.m. President Quigley announced the items for discussion in Closed Session. At 8:36 p.m. the Board went into Closed Session. At 9:02 p.m. the meeting reconvened and the following action on the Closed Session item was announced:

- A. Conference with Legal Counsel – Existing Litigation, pursuant to subd. (a) of Section 54956.9**
Name of case: John Bruce Berry, et al. v. F. Korbel & Bros., et al.
SCV 240790
No action was taken.
- B. Conference with Real Property Negotiator (pursuant to Gov. Code Section 54956.8)**
Property: 17448 River Lane, Guerneville
District negotiator: Steve Mack; Property negotiator: Unknown
Under negotiation: Terms and price
No action was taken.
- C. Conference with Labor Negotiator (pursuant to Gov. Code Section 54957.6):**
District negotiator: Steve Mack
Employee Organization: Stationary Engineers Local 39
No action was taken.

IX. ITEMS FOR THE NEXT AGENDA (9:03 p.m.)

1. Surplus lands
2. SCWA Protest

ADJOURN

The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Julie A. Kenny
Clerk to the Board of Directors

APPROVED:

Wanda Smith: _____

Victoria Wikle: _____

Gaylord Schaap: _____

Sukey Robb-Wilder: _____

Jim Quigley: _____