

**BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
October 12, 2009
9:00 a.m.**

The Board of Directors of Groveland Community Services District met in regular session on the above mentioned date with Directors Wes Johnson, President, John Graham, Vice President, Gus Allegri, Dick Lennen and Steve Perreira being present. Also present were General Manager Jim Goodrich, District Engineer Randy Klaahsen, District Treasurer Vicki West and Board Secretary Lena Spilman.

District Counsel Dave McMurchie joined the meeting by teleconference

Director Johnson called the meeting to order at 9:00 a.m.

Agenda Approval

Director Lennen moved, seconded by Director Allegri, and the motion passed to approve the agenda as written.

Ayes: Directors Johnson, Graham, Allegri, and Lennen Absent: Director Perreira

Public Comment

Mr. Frank Hicks apologized to the Board and staff for his conduct at the last meeting. He reiterated his frustration with the Department of Fish and Game over the Dog Park Project.

Action Items

Consent Calendar

Director Allegri moved, seconded by Director Lennen, and the motion passed to approve the consent calendar:

- A. Approve Minutes of the September 3, 2009 Regular Board Meeting
- B. Approve Minutes of the September 13, 2009 Regular Board Meeting
- C. Waive Reading of Ordinances and Resolutions except by Title

Ayes: Directors Johnson, Graham, Allegri, and Lennen Absent: Director Perreira

Adopt Resolution 8-09, Encouraging the Tuolumne County Board of Supervisors to Designate the Groveland Fire Department as a Safe Surrender Baby Site

General Manager Jim Goodrich introduced Firefighter Josh Scheib to the Board as the lead staff member responsible for this item. Firefighter Scheib presented this item to the Board. He explained that the Safe Surrender Baby Law (SB 1030) was passed January 2001 in response to an increasing number of abandoned baby deaths in California. The law aims to spare the life of an infant by encouraging parents or legal guardians to confidentially surrender the infant at a "safe surrender site" within 72 hours of birth, rather than abandon them in an unsafe location. Firefighter Scheib explained that the Tuolumne County Board of Directors may designate fire departments as lawful Safe Surrender Baby Sites, and that the Board would be meeting to approve the designation for the Groveland Fire Department on Tuesday, October 13, 2009. He

suggested that the GCSD Board consider the Resolution for presentation to the Tuolumne County Board of Directors at this meeting.

Director Perreira entered at 9:05am.

Director Graham asked what other facilities the fire department would require to accommodate this program. Firefighter Scheib responded that if a child were to be surrendered to the department, the on-duty reserve firefighter would be designated to care for the infant. The infant would be given an identification bracelet, and fire personnel would immediately contact the Tuolumne County Child Welfare Services (CWS). A preliminary health screening would be performed by fire personnel to determine whether or not the baby should be transported by ambulance to Sonora Regional Medical Center for initial care or should be held for pick-up by CWS. Firefighter Scheib explained that the longest the department can expect to have custody of a child would be four hours. Due to the relatively short time period in which the department will need to care for the child, there will be no additional facilities needed. Firefighter Scheib did suggest that the department may consider accepting donations of diapers, baby clothes, etc. to keep on-hand.

Director Johnson asked whether there is currently any written procedure for the fire department on how to deal with these infants? Firefighter Scheib stated that he had created a procedure for the fire department which is in-line with those for the rest of the county.

Director Lennen asked how the rule that only those infants less than 72 hours old may be surrendered will be enforced. Firefighter Scheib responded that the rule is in place to discourage older infants from being surrendered, but that the fire department will be a safe haven for all and that no baby will be turned away.

Director Johnson asked Firefighter Scheib to confirm whether or not the county is supportive of the Groveland Fire Department adopting this new designation. Firefighter Scheib responded that he has been in close contact with county officials and that they are very supportive.

A member of the public asked whether mothers would be legally protected when surrendering their children. Firefighter Scheib explained that all surrenders are completely confidential, a fact that will be explained to the mother at the time of surrender.

Director Graham moved, seconded by Director Allegri, and the motion passed unanimously to adopt Resolution 8-09, encouraging the Tuolumne County Board of Supervisors to designate the Groveland Fire Department as a Safe Surrender Baby Site

Consider a Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State of California and Directing and Authorizing Certain Other Actions in Connection Therewith.

General Manager Jim Goodrich presented this item to the Board. He explained that as an attempt to resolve its budget crisis this year, the state of California will be borrowing 8% of the District's property tax revenue. This amount would not be repayable to the District until 2013, at an intended interest rate of 2%. Mr. Goodrich informed the Board that there is an attempt right now under SB 67 to pass legislation that would allow California Communities to sell bonds that would name the state the payer of the principal and interest on those bonds. When the state eventually takes the District's property tax money, the District would receive bond proceeds back from this sale. By doing this, the District would avoid the 8% reduction in property tax

revenue. The state would then have an obligation to pay the bonds back over time. Mr. Goodrich explained that SB 67 is currently in the Senate and is expected to be out of the legislature by early November. At this time it will be put before the Governor as an urgency item, meaning that upon signing it would take effect immediately.

Director Johnson asked District Counsel Dave McMurchie to comment on the item. Mr. McMurchie stated that many special districts around the state are taking advantage of this opportunity. No changes can be made to the bond documents, so they must be approved as is or not all. However, Mr. McMurchie stated that he had no objections to the terms of the financing documents.

A member of the public asked what would happen if the state is unable to repay its debt to the District in 2013. District Counsel Dave McMurchie explained that the appropriation has already been made in the 2013 budget for the repayment of the money, and that the state is legally obligated to place a very high priority on its repayment.

Director Allegri moved, seconded by Director Graham, and the motion passed unanimously to adopt Resolution 9-09 approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the state of California and directing and authorizing certain other actions in connection therewith.

1) Authorize Transfer from Park Capital Reserves in the Amount of \$1,993.00 for California Department of Fish and Game CEQA Fee for Dog Park Notice of Determination; 2) Approve Dog Park Project; and 3) Approve Notice of Determination for the Dog Park Project.

General Manager Jim Goodrich presented this item to the Board, explaining that at their last meeting the Board directed staff to write a letter to the Department of Fish and Game Regional Manager Jeff Single. Staff did as directed, and sent a letter to Mr. Single requesting that he waive the fees for the Notice of Determination. After several unsuccessful attempts to contact Mr. Single, Mr. Goodrich stated that he has received no response to the letter. Mr. Goodrich added that he had also sent a letter to the Director of the Department of Fish and Game in Sacramento, and has similarly received no response. Mr. Goodrich suggested that since the law is on the side of the Department of Fish and Game in this instance, the best approach would be to seek some amendment to the law. He stated that he had been in contact with a representative from Senator Cogdill's office, who seemed interested in discussing the possibility of carrying legislation to amend the law to remove the fee for *de minimus* impact projects. As there is no rush on the Dog Park Project, Mr. Goodrich suggested that the Board table the item to allow more time for staff to go through the proper channels to address the problem.

Director Lennen stated that he sees no reason to table this item. He communicated skepticism with the idea that the state would take action to remove this fee, and suggested that the Dog Park Committee be given the opportunity to pay the fee themselves and move forward with the project.

Mr. Goodrich reminded the Board that the timing of the approval is very important. After Board approval, staff has a 5-day period in which to pay the fee and post the Notice of Determination. Given these time restrictions, the Board should not approve the project and the Notice until they are prepared to pay the fee.

Director Lennen moved, seconded by Director Allegri, and the motion passed unanimously to continue the item to the next meeting. The Board directed staff to contact Dog Park Committee representatives, providing them a choice between paying the necessary fee and tabling the item pending further communication with state law makers.

Consider Eliminating Distribution of the Draft Agenda Prior to District Board Meetings

Admin/Finance Manager Vicki West presented this item to the Board. Mrs. West explained that since early 2007 staff has been distributing not only a final agenda prior to Board meetings, but also a draft agenda. The final agenda is generally distributed Thursday afternoons at the same time that the Board receives the Board packet for the following Monday. The draft agenda is generally distributed by email on Wednesday afternoon. Mrs. West stated that often times a draft of the agenda has not been completed by the Wednesday afternoon prior to a Board meeting, and so staff is forced to distribute an incomplete agenda. This takes staff time away from preparing the agenda packet, and allows the public an opportunity to see items on the agenda even before the Board members themselves do. The fact that an early draft version of the agenda is widely distributed before agenda items have been completed also causes any changes to the final agenda to appear as attempts at withholding information.

A member of the public voiced concern that without the draft agenda on Wednesday, the public will not have enough notice to attend meetings at which items of interest will be discussed. Staff pointed out that the Brown Act does not require the agenda be distributed until Friday morning by 9am, and that the Brown Act does not require that the District provide draft documents of any kind to the public. The member of the public responded that if members of the public receive the agenda Thursday afternoon or Friday morning, they will not have enough time to plan ahead to attend the meeting.

The Board asked Mrs. West whether she and her staff could make their best effort to distribute the final version of the agenda by noon on the Thursday before the Board meeting. Mrs. West said that normally staff would be able to distribute the agenda by noon, but that occasionally there would be items that are not ready until later.

Director Graham moved, seconded by Director Allegri, and the motion passed unanimously to eliminate distribution of the draft agenda prior to District Board meetings.

Information Items

Staff Reports

A. General Manager's Comments

None

B. Finance Report

Finance Manager Vicki West offered to answer any questions that the Board had regarding the Finance Report. Director Allegri asked how long it takes for the District to receive reimbursement for the strike teams. Mrs. West responded that the District generally received reimbursement within 3 months time, and that fact does throw off the fire department's overtime numbers a bit. Several Directors asked questions regarding specific line items, and received responses from Mrs. West.

General Manager Jim Goodrich asked Mr. McMurchie if he had any comments to make. Having none, Mr. McMurchie ended the call at 9:55am

C. O&M Report

District Engineer Randy Klaahsen announced that Hetch Hetchy has scheduled the Mountain Tunnel shutdown for January 1, 2010 for a period of 45 days. Mr. Klaahsen assured the Board that the Alternative Water Supply Treatment Plant would be ready, and that staff has scheduled several mock shut downs in preparation. He also announced that the upgrade for Lift Station 14 has been completed.

Mr. Klaahsen directed the board's attention to a new operations report, which is produced as a part of the new automated state reporting process. The new process has reduced staff time spent on state reporting from approximately 12 staff days a month to 6 hours a month.

Mr. Klaahsen also announced that today marks his three year anniversary with the District.

Director Steve Perreira asked several questions regarding Collections and Distribution System Supervisor Raymond Albanez' contribution to the GCSD Employee Newsletter, expressing his interest in Mr. Albanez' assessment on the state of the water distribution system. Mr. Klaahsen stated that many of the distribution lines within Pine Mountain Lake were laid in the 1970s, at which time they did not realize that the aggressive nature of the water would eventually erode the asbestos cement pipe. The District began treating the water in the 1990s, which alleviated much of the problem, but many of the pipes were already badly damaged. Mr. Klaahsen explained that water breaks have become increasingly common, as the District nears the life expectancy of many of its original distribution pipes. Director Perreira asked Mr. Klaahsen when the District should begin the process of water line replacements. Mr. Klaahsen responded that he would recommend that they begin the process immediately, giving highest priority to those areas in greatest need. This way, Mr. Klaahsen explained, the replacements could be completed slowly over many years.

Director Perreira commented that though replacement of the distribution system will be extremely expensive, the Board should begin considering their options in preparation for a time when the cost of patching up an old system exceeds that of replacing it.

D. Fire Department Report

Groveland Fire Chief Shane Warner was absent. Firefighter Josh Scheib answered questions from the Board.

E. District Counsel's Comments

None

Director's Comments

None

Adjournment

Director Graham moved, seconded by Director Allegri, and the motion passed unanimously to adjourn the meeting at 10:50 a.m.

APPROVED:

Wes Johnson, President

ATTEST:

Lena Spilman, Board Secretary

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