SWEETWATER SPRINGS WATER DISTRICT

BOARD OF DIRECTORS MEETING

MINUTES*

(*In order discussed)

Board of Directors Meeting
Regular Meeting
September 3, 2009
6:30 p.m.

Board Members Present:	Victoria Wikle Wanda Smith Sukey Robb-Wilder
Board Members Absent:	Jim Quigley Gaylord Schaap (arr. 6:57 p.m.)
Staff in Attendance:	Steve Mack, General Manager Julie A. Kenny, Secretary to the Board
Others in Attendance:	Mike Gogna, District counsel Lloyd Guccione

I. CALL TO ORDER

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

II. CHANGES TO AGENDA and DECLARATION OF CONFLICT (6:30 p.m.)

Director Wikle requested that Item V-C, re Approval of Resolution 09-22, be amended to read ". . . request up to 75% funding . . . " rather than " . . . request 75% funding . . . ". There were no objections.

Director Wikle requested that Item Closed Session Item VIII-B, re Conference with Labor Negotiator, reference Mike Gogna as District Negotiator. (This change had already been made.)

Director Smith requested adding an item regarding the fire tower. Her request was denied.

Director Wikle requested that Closed Session be started no later than 9:30 p.m. Upon discussion, the Board agreed to start Closed Session no later than 9 p.m.

III. CONSENT CALENDAR (6:33 p.m.)

Director Smith moved to approve the Consent Calendar. Director Robb-Wilder seconded. Motion carried 3-0. The following items were approved:

A. Approval of the Minutes of the August 6, 2009 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: *(There was no correspondence.)*

D. Authorize GM to submit ballot for election of CSDA Board of Directors representative

IV. PUBLIC COMMENT (6:34 p.m.)

Public comment was made by Lloyd Guccione.

V. ADMINISTRATIVE (6:37 p.m.)

A. (6:37 p.m.) Public Hearing; Discussion/Action re Approval of Resolution 09-21, Overruling Protests and Confirming Report on Annual Flat Charges for the Sweetwater Springs Water District. Director Wikle opened the Public Hearing at 6:37 p.m. Public comment was made by Lloyd Guccione. Director Wikle closed the Public Hearing at 6:38 p.m. Director Robb-Wilder moved to adopt Resolution 09-21, Overruling Protests and Confirming Report on Annual Flat Charges for the Sweetwater Springs Water District. Director Smith seconded. Motion carried 3-0.

B. (6:38 p.m.) Discussion/Action re Adoption by reading of title only of Ordinance 40, Adding Policy Numbers 3020.142 through 3020.148 to the District's Policies & Procedures, Capacity Charge. The GM provided an overview of this item. Public comment was made by Lloyd Guccione. Director Smith moved to adopt by reading of title only Ordinance 40, Adding Policy Numbers 3020.142 through 3020.148 to the District's Policy and Procedures, Capacity Charge. Director Robb-Wilder seconded. Motion carried 3-0.

C. (6:48 p.m.) Discussion/Action re Status report on application for FY 2009-10 funding from the Russian River Oversight Committee/Sonoma County Redevelopment Agency for CIP IV-B; and

Approval of Resolution 09-22, Amending the 2010-2015 Capital Improvement Program to include the Bonita Terrace Project ($238,000) with FY 2009-10 projects and Amending the Request for Grant Funding from the Sonoma County Redevelopment Agency and the RRROC for FY 2009-10 and 2010-11 to include the Bonita Terrace Project and to request up to 75% funding. The GM provided an overview of this item. Board questions ensued. Public comment was made by Lloyd Guccione. Further discussion ensued. The Board Clerk read the following amendments to Resolution 09-22 into the record:

> On page 3 of the Resolution, amend the second to last line of item 2. to read ". . . funding would total $1,994,250…." and amend the remaining portion of item 2. in such a way as to reflect that the District would contribute the remaining funds necessary to complete the project.

Director Robb-Wilder moved to approve amended Resolution 09-22, Requesting Grant Funding from Sonoma County Redevelopment Agency and the Russian River Redevelopment Oversight Committee for Fiscal Years Ending June 30, 2010-2011, Revising Resolution 09-15 to Include Main Replacement Work on Bonita Terrace and Revising Resolution 09-04, which Approved the 2010-2015 CIP, to Include Said Work on Bonita Terrace. Director Smith seconded. Motion carried 4-0.

D. **(7:28 p.m.) Discussion/Action re Approval of Resolution 09-23, Approving the Second Amendment to Services Agreement Between Sweetwater Springs Water District and Dale Dross.** The GM provided an overview of this item. Board discussion ensued. Public comment was made by Lloyd Guccione. Further Board discussion ensued. No action was taken, but general direction was given to staff to gather additional information. This item was continued to the October Board meeting.

E. **(7:46 p.m.) Discussion/Action re District reserve policy.** The GM made a PowerPoint presentation on this item. Board questions ensued. Public comment was made by Lloyd Guccione. Board discussion ensued. Director was given to staff to develop tables showing options for varying levels of reserves. This item was continued to the October Board meeting.

F. **(8:20 p.m.) Discussion re Russian River water shortage.** The GM made a PowerPoint presentation. Board discussion ensued. No action was taken.

G. **(8:34 p.m.) Discuss/Action re Potential disposition of District property.** The GM provided an overview of this item. Board discussion ensued. Public comment was made by Lloyd Guccione. This item was continued for further discussion at the October Board meeting.

***** At 8:49 p.m. a break was announced. The meeting reconvened at 8:57 p.m. *****

VI. GENERAL MANAGER'S REPORT (9:03 p.m.)

The GM provided an overview of the following subjects:

1. Laboratory testing
2. Water production and sales
3. Leaks
4. Capital improvement projects
5. Rainfall

VII. BOARD MEMBERS' ANNOUNCEMENTS/COMMENTS (9:03 p.m.)

Director Wikle announced a "Sunday in New Orleans" event
Director Wikle announced a Russian Riverfest would be held at Burke's Canoe's

VIII. CLOSED SESSION (9:04 p.m.)

At 9:04 p.m. President Wikle announced the items for discussion in Closed Session. At 9:06 p.m. the Board went into Closed Session. At 10:15 p.m., the meeting reconvened and the following action on the Closed Session item was announced:

A. **Pursuant to Gov. Code Section 54957 – Personnel Exception: Performance Evaluation: General Manager.**
No action was taken.

B. Conference with Labor Negotiator pursuant to subdivision (f) of Section 54957.6 of the Government Code.
District Negotiator: Board of Directors (Mike Gogna, District counsel)
Unrepresented employees: Steve Mack, General Manager
Direction was given to legal counsel.

C. Conference with Legal Counsel – Existing Litigation, pursuant to subd. (a) of Section 54956.9
Name of case: Cross-Complaint of F. Korbel & Bros. v. John Bruce Berry, et al.
No action was taken.

D. Conference with Real Property Negotiators pursuant to Gov. Code Section 54956.7.
Property: 14139 Sunset Avenue, Guerneville
Agency negotiator: Steve Mack
Negotiating parties: SSWD and SBA Wireless Towers
No action was taken.

IX. ITEMS FOR THE NEXT AGENDA (10:16 p.m.)

1. RRROC/Sonoma County Redevelopment application
2. Meter reader contract
3. District Reserve policy
4. District property
6. Communication towers and fire (WS)

ADJOURN

The meeting adjourned at 10:17 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: _____