

BOARD OF DIRECTOR'S MEETING ESPARTO COMMUNITY SERVICES DISTRICT - ESPARTO, CA

MINUTES

SPECIAL MEETING
FEBRUARY 22, 2008

1. CALL TO ORDER The meeting was called to order at 7:12 p.m. by Chairman Laurel Kieny

2. ROLL CALL

MEMBERS PRESENT Laurel Kieny, Joseph Moreland, Mike Goodin, Matthew Milliron

STAFF PRESENT Ron Loudon, Anna McNamara, Jeff Mitchell (District Counsel)

OTHERS PRESENT Sue Heitman (Valley Vision Representative), Dan Boatwright (Castle Companies Representative), Jason Jenkins (Castle Companies Engineer), Members of the public

3. APPROVAL OF AGENDA

Director Joseph Moreland made a motion to approve the agenda as written, and was seconded by Chairman Laurel Kieny.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

4. PUBLIC COMMENT

The Public made comment.

5. APPROVAL OF CONSENT CALENDAR

a) APPROVAL OF MINUTES – February 5, 2008 – Special Meeting

Discussion ensued.

Chairman Laurel Kieny made a motion to approve the minutes as written and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 2 Noes: 1 (Matthew Milliron) Abstain: 1 (Mike Goodin) Absent: 0
Motion died due to lack of vote.

Chairman Laurel Kieny made a motion to approve the minutes as written and was seconded by Director Joseph Moreland.

No Discussion.

Ayes: 3 Noes: 0 Abstain: 1 (Mike Goodin) Absent: 0

- b) APPROVAL OF CLAIMS – Fund 466-0 – February 4, 2008 & February 13, 2008

Discussion ensued.

Chairman Laurel Kieny made a motion to pull Mike Goodin's claim from the Fund 466-0 Claim Sheet – February 13, 2008, and address it separately, and then approved Fund 466-0 Claim Sheet – February 4, 2008, in the amount of \$1,200.00, and the Fund 466-0 Claim Sheet – February 13, 2008, in the amount of \$24,681.30, and was seconded by Director Joseph Moreland.

No further discussion.

Ayes: 3 Noes: 1 (Matthew Milliron) Absent: 0

Chairman Laurel Kieny made a motion to approve the Claim for Mike Goodin in the amount of \$46.46, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 3 Noes: 0 Abstain: 1 (Mike Goodin) Absent: 0

6. ITEM #6 PULLED DUE TO A PRIOR COMMITMENT – PRESENTATION BY REPRESENTATIVE OF LAFCO

7. PRESENTATION BY SUE HEITMAN – REVITALIZATION OF THE DOWN TOWN – STREETScape

Sue Heitman gave an overview of the progression of the down town streetscape project.

Discussion ensued.

8. BOARD PROVIDED DIRECTION ON HAVING AN ENGINEER DETERMINE THE AMOUNT PER SINGLE-FAMILY HOME FOR THE USDA LOAN PORTION OF THE DEVELOPER IMPACT FEE

Discussion ensued.

Director Matthew Milliron made a motion to have an engineered study done to resolve the issues regarding the impact fees for a developer, and was seconded by Director Mike Goodin.

Discussion ensued.

Director Mike Goodin made a friendly amendment to the motion to include the consultant be reviewed, and agreed upon by both parties.

Director Matthew Milliron amends his motion; the General Manager will work on an agreeable firm and bring back to the Board to the next regular meeting to move forward with finding an engineer to do the study, to be paid for by the developer, after the agreeable firm is found, and was seconded by Director Mike Goodin.

No further discussion.

Ayes: 4 Noes: 0 Absent: 0

9. BOARD PROVIDED DIRECTION TO MID VALLEY ENGINEERING'S REGARDING REPLACEMENT OF THE 8" SEWER LINE IN BRUNO STREET (PARKER SUBDIVISION) TO A 10" SEWER LINE
Discussion ensued.

Director Matthew Milliron made a motion to take no action, and was seconded by Director Joseph Moreland.

Further discussion ensued.

Ayes: 3 Noes: 1 (Mike Goodin) Absent: 0

Note: Chairman Laurel Kieny took a recess from 9:05-9:15 p.m.

10. ITEM #10 PULLED DUE TO 60 DAY TIME LIMITATION – DISCUSSION AND POSSIBLE ACTION TO FILL VACANCY ON BOARD OF DIRECTORS BY APPOINTMENT
11. ITEM #11 PULLED DUE TO 60 DAY TIME LIMITATION – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 08-09 CALLING A SPECIAL ELECTION FOR THE PURPOSE OF FILLING A VACANCY ON THE ESPARTO CSD BOARD OF DIRECTORS AND CONSOLIDATING THE ELECTION WITH THE NOVEMBER 4, 2008 STATEWIDE GENERAL ELECTION
12. BOARD TO GIVE AUTHORIZATION FOR DIRECTORS AND DISTRICT STAFF TO ATTEND THE CSDA SEMINAR; STRATEGIC PLANNING FOR SPECIAL DISTRICTS
Discussion ensued.

Chairman Laurel Kieny made a motion to give authorization for the Board and Staff to attend the CSDA Strategic Planning Seminar to include the district to incur one night of lodging the night before the seminar and was seconded by Director Mike Goodin.

Further discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

13. REVIEW OF JOB DESCRIPTIONS

Discussion ensued.

Director Joseph Moreland made a motion to table the item and was seconded by Chairman Laurel Kieny.

Further discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

14. DISCUSSION / APPROVAL OF E. PARKER, STORY AND ORCIOULI SUBDIVISIONS

Discussion ensued.

It was the Consensus of the Board to move on.

15. REVIEW OF LAFCO ANNEXATION OF THE CASTLE COMPANY (PROPOSED GAS STATION MINI-MART), CALTRANS, AND MCNAMARA’S PROPERTIES: Minutes of May 10, 2006; item #8, Petition for proceeding pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2001, E-mail (Yolo County; Creation of Islands when doing annexations), E-mail (General Manager’s response to Director Goodin’s request regarding the annexation of Castle Company.

Director Mike Goodin requested these comments be made part of the minutes (Note: the audio was having difficulties and these comments were later given by Director Goodin to be placed onto the minutes): The properties that were annexed be considered “new development” and not infill lots, as such they are responsible for providing infrastructure (on-site and off-site) needed to serve them. Also, the lots are responsible for all fees chargeable to new development such facility fees, impact fees, etc.

Discussion only.

16. CLOSED SESSION

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- a) CONFERENCE WITH AGENCY NEGOTIATOR, GOV. CODE §54957.6 – Designated Representative – Ron Loudon, General Manager (Unrepresented Employees – Esparto CSD Employees Association)
- b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION – General Manager / Superintendent; §54957
- c) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of §54956.9: Jaeger Construction water charges dispute

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Vice President Joseph Moreland reconvened into open session at 12:28 p.m.

Note: Chairman Laurel Kieny excused him self from the meeting during closed session.

Report of Closed Session: No action was taken.

17. MANAGERS REPORT

The General Manager reported on:

DISTRICT REPORT:

- a) Gas Expense incurred by the General Manager for January was \$192.02.
- b) Working with Constantine Baranoff, Jeff Mitchell, Paulette Waugh, Ron Tackett, John Weidemaier, and James Copeland with the progression of documents needed to finalize the USDA. Noting the adoption of the Loan Resolutions for the USDA loan were set up to be approved at the February 5, 2008 meeting, but were postponed until the February 27, 2008 meeting, also Resolutions to form the Non-Profit Organization for the district up for approval at the February 27, 2008 meeting. Then on March 12, 2008 the final documents will be signed and on March 19 the loan will close and all reimbursements will be made.
- c) Monthly sewer report to state Water Quality Control Board was done.
- d) Worked on getting the access to the Yolo County Budget Ledgers operable, to allow the General Manager to fill out the simplified budget sheet, and the revenue status reports presented to the Board at the monthly meetings.
- e) Noting; the closing from the billing program and deposits have been going through a three step process. It is working well with a small amount of extra time involved.

STAFF REPORT:

- a) The Administrative Assistant is preparing for dealing with reimbursements to the expense and reserve funds from USDA soft cost and the first part of the project, and is preparing for those transfers.
- b) The Administrative Assistant and the General Manager dealt with negotiating a lower cost for the sludge hauling by Synagrow Co. saving the district approximately \$3,500.00.
- c) The Operators have been cleaning all sewer mains in the district's system.

18. FUTURE AGENDAS AND AGENDA ITEMS

- a) Special Meeting (ECSD) and separate meeting for the formation of the Non-Profit Organization (ECSDFC) needed for the USDA loan – February 27, 2008.

19. DISTRICT INFORMATION AND CORRESPONDENCE

- a) Request for Comment: Town Center-Mixed Use Project/Tentative Subdivision Map.
- b) E-mail; Director Mike Goodin's requests.
- c) E-mail; Jeff Mitchell's response to Director Mike Goodin's e-mail regarding safeguards.
- d) E-mail; Mike Goodin's response to Jeff Mitchell's response.
- d.1) Available training for the AB1234 through Kronick Moskovitz Teidemann & Girard.

- e) California Preliminary Notice – A. Teichert & Son, Inc. & Bid Award Information Checklist.
- f) Yolo County Ledgers ending January 31, 2008.
- g) Filling of Vacancy – letter to Board of Supervisors.

20. ADJOURNMENT

Director Matthew Milliron made a motion to adjourn the meeting at 12:40 p.m. and was seconded by Director Mike Goodin.

No discussion.

Ayes: 3 Noes: 0 Absent: 1

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
