

**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
SIERRA LAKES COUNTY WATER DISTRICT**

Date: Friday June 19, 2020 / **Time:** 6:00 p.m. / **Place:** 7305 Short Road, Serene Lakes, CA

The meeting was teleconferenced as provided by Governor Newsom’s Executive Order N-25-20 (“Executive Order”), declared on March 12, 2020. The Executive Order temporarily granted state and local agencies certain powers to aid in the implementation of social distancing measures recommended by state and local public health officials that suspended certain Brown Act requirements.

This ‘special’ meeting replaced a ‘regular’ meeting that was originally scheduled for June 12. An error in setting up the teleconference could not be resolved before the June 12 meeting began, so the meeting was postponed to June 19, allowing notice of the rescheduling to be properly posted.

I. Open Meeting:

Roll Call: Directors in attendance at the Sierra Lakes Boardroom were:

None

Directors in attendance by teleconference:

Director Michael Lindquist
Director Dick Simpson
Director Karen Heald
Director Dan Stockton
Director Bob McCormick

Staff members present: Anna Nickerson, Financial Consultant

Staff present by phone: Paul Schultz, General Manager
Jeffrey Mitchell, District Counsel

Guests present: Dane Wadle
Diane Scanlon
Ed Bubnis
Jonathan Sorger
Marbeth and Liz
Roger Drosd
Cliff Busby
Alice Mansell
Jeffrey Child

Minute Recorder: Anna Nickerson, Financial Consultant

II. Public Forum: An opportunity for members of the public to address the Board on items that were not on the agenda.

Dane Wadle, California Special District Association (CSDA) Field Coordinator, asked to speak to the Board about a bill that CSDA currently had in Congress. He said the bill was to include funding for Special Districts as part of a future stimulus package from the Federal Government, should additional funding be passed. Director Lindquist confirmed that the Board received copies of the H.R. 7073 handout (see Attachment A to these minutes) that was sent earlier that day and would let him know if there were any questions.

III. Approve Agenda: The agenda was presented to the Board for approval.

A motion was made by Director Simpson and seconded by Director McCormick to approve the agenda. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

IV. Public Comments: An opportunity for the Board to consider comments received from the public after the agenda was posted, regarding items on the agenda. Mrs. Nickerson reported that she received an email earlier that day from Alice Mansell regarding the Best Management Practices item and that a copy had been sent to all Board members. Since several Directors has not seen the email, Director Lindquist read the email (see Attachment B to these minutes).

V. Operations: Mr. Schultz's operations report was presented to the Board for consideration and possible action. Mr. Schultz summarized the following:

- There were no current violations at Donner Summit PUD (DSPUD). However, due to trouble with one reactor, they had an unplanned switch to another reactor. He said that since they typically only use one reactor during the summer, the switch was not a problem.
- Although Sierra Lakes returned to a normal work schedule, DSPUD was still on a modified work schedule.
- One District employee requested a COVID-19 test after working closely with outside contractors on the filter replacement project. The results were negative.
- A dumpster had been placed at the District office in support of the Donner Summit clean-up day. Mr. Schultz thought the dumpster would be used for roadside waste but it seemed to be filling with household items.
- CalFire was now scheduled for two days each in August, September, and October for clean-up with the possibility of added extra days if the crew was available.
- Letters were sent to dock/pier owners, with docks/piers installed prior to the lake management plan, requesting indemnification and insurance certificates with the District named additionally insured.
- Additional discussions with Professor Cobourn regarding fertilizer use best management practices (BMP) were held. Mr. Schultz said there were a lot of uncertainties regarding identification of the controlling constituent. He also said he thought the best course of action would be to pull back on the fertilizer BMP insert and focus on what needed to be done to maintain or improve the health of the lake. He said he thought it would be a good time to update the limnology report (that was done in 1992) with modern technologies. He also said he was introduced to a student who was a senior from UC Santa Barbara that was majoring in hydrology and public policy and who was interested in working on the limnology report. Mr. Schultz said he had added a \$25,000 line item to the budget, that would be considered later in the meeting, to cover costs and a small stipend for the intern. He

proposed taking six months or so to look at how involved the District wanted to get in developing a plan to maintain and possibly advance the health of the lakes.

- The arsenic removal project at well #1 was moving along. Water samples have been sent for analysis. The results will be sent to Isolux to be used to design the media and catalyst for fabrication of the well filters, which is anticipated to take 12 weeks. He estimated the filter will be installed in September; he would provide drawings as soon as they are available.
- The District had no sanitary sewer overflows in May.
- Annual Consumer Confidence Report was sent out to customers and posted on the website.
- The SCADA system upgrades continued although slower than anticipated.
- A couple problems with the Flume RTU were experienced last month. The program was rounding up and was not cutting off for low flows. Those two issues caused significant increases in the reported flows. The rounding issues were fixed but one minor issue remained; DSPUD said they were not getting a signal from the pole.
- The Loprest Filter installation went well and was complete. The well only had to be used for 10 days, leaving five days for emergency use over the summer. However, once the arsenic filter project was complete, the well would be available for unlimited use.
- Water and sewer flows were slightly up in May due to the return of property owners.

Director Lindquist asked if the homeowners had any questions regarding the operations report. There were none.

Director Simpson asked about the DSPUD Vactor Pad. Mr. Schultz said that, as part of the wastewater treatment plant construction, a pad was installed that would allow Sierra Lakes to empty sanitary sewer waste from the Gapvac. However, due to a sink hole, the pad could not be used. He said he spoke with DSPUD to see about resolving the issue because the inability to use the Vactor Pad was starting to impact the District's operations.

Director Simpson asked how many docks there were. Mrs. Nickerson said between 25 and 30.

Director Simpson said he didn't see an item on the budget for the proposed intern. Mr. Schultz said it was listed as account 9018A – Academic Intern.

Director Simpson said he understood the water use going up due to people coming up to their cabins. However, he wondered why the sewer levels went up so much more. Mr. Schultz said water was used to flush the new filters but that he was still trying to figure out the system and why the sewer flows would be so much higher than the amount of water pumped. He also said having better numbers from the RTU would be a good starting point but would soon be presenting a proposal to the Board for the installation of zone meters in addition to the water meters in an effort to hunt down leaks.

There were no further questions from either Directors or public.

VI. Consent Items Calendar: The Consent Items Calendar was presented to the Board for action. The Consent Items Calendar included the minutes from the May 8, 2020, Regular Meeting; May 2020 Check Register; financial reports for the month ending May 31, 2020; and Disbursements for Board Approval. There were no comments from either Directors or homeowners.

A motion was made by Director Simpson and seconded by Director Stockton to approve the Consent Items Calendar. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

VII. New Business:

A. A request from SLPOA to install hand sanitizer stations and social distancing signs on District property. Mr. Schultz said he met with Diane Scanlon and Roger Drosd the previous week and, because the proposal was to place the hand sanitizer stations at Lot 1, there was no action needed. As for the social distancing signs, SLPOA already had one sign on the Bales pump station and proposed a second, free standing sign, next to the Bales boat racks. Mr. Schultz said he felt the signs were a good idea and they were unobtrusive, recommending the Board approve placement of the sandwich board sign.

There were no comments from the public. Director Simpson said he was willing to let the General Manager authorize the sign. Director McCormick said he thought it was a good idea.

A motion was made by Director Simpson and seconded by Director Stockton to approve SLPOA placing signage relating to COVID-19 such as a sandwich sign at Bales and hand sanitizer and other signs at Lot 1. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick

B. The Board discussed the topic of Lot 1 Facilities Improvements and Access to Lot 1. Director Lindquist said a discussion regarding restriction signage at Lot 1 began a couple weeks earlier and that he had misinterpreted some of the discussions. He had lumped some things together regarding public health, Lot 1 access, and lake access, resulting in some confusion. After reviewing legal and other documents and getting input from the General Manager and Legal Counsel, he determined that the Lot 1 lease was developed accurately and that it reflected the community's goals at the time it was created. He also said the lease gave SLPOA exclusive use of Lot 1 for the specific activities related to recreation and that SLPOA was responsible for administering Lot 1. The lease was clear that the use of Lot 1 was for SLPOA members and their guests subject to pre-existing recreational easements that tied back to the recreational easements defined on the subdivision map for Serene Lakes subdivision 1. He said the recreation areas were reserved for the use of all landowners of any parcel in any subdivision. Director Lindquist concluded that the District should follow the terms of the lease and take a fundamentally neutral position on how SLPOA administers Lot 1, including access to Lot 1.

The meeting was paused to allow additional members of the public to join the discussion. One of the members of the public was Alice Mansell who was interested in commenting on the BMP topic that was discussed during the Operations Report. She was asked to stay until the Action Items List discussion since BMP was an item on the list to be discussed.

Roger Drosd said he appreciated Director Lindquist's statement because there had been some confusion with the messages that had been received from the Board. He said it was not clear what SLPOA could do in regard to access to Lot 1 for people who were not SLPOA members or rate payers. He said SLPOA's concerns were in regard to having too many people at the beach and that there was a lot of pressure from people coming from outside the area, especially with the Donner Lake closure. Although it was clear that SLPOA had full control over the amenities, they were not sure what control they had over access to the beach.

Director McCormick asked if there was a proposal from SLPOA to limit access to the lake. Mr. Schultz said the topic was presented as a question. Diane Scanlon said it was first posed in an email asking if "private

facility” signs to restrict access to the beach could be put up allowing SLPOA to better control the number of people on the beach at one time. She also said, in response to the community, SLPOA was considering installing a fence to better control the beach. Director McCormick asked if there was an opinion from legal counsel as to what could and couldn’t be done to limit public access to the beach.

Mr. Mitchell, District Counsel, said his opinion was that the lease was exclusive subject to the recreational easement language and that his interim conclusion was, in regard to access to Lot 1 and not the lake, that it was unlikely that there was a public trust issue and that the District had the right to exclusively lease Lot 1 to SLPOA with the limitations in the lease. Mr. Mitchell explained the public trust issue with an example. He said there was a situation years ago on the coast of California where the California Coastal Commission took the position that the public had the right to cross private land to reach a public beach in California. The Coastal Commission interpreted that to mean they could restrict the property owner’s right to close off public access across their property to get to the beach. He said the public trust concept was when land was transferred from the Federal Government to the State of California and ultimately to private ownership, some aspect of public access remained. He also said it would be a substantial research project to determine if there was a public trust issue. The District could only give away as much authority as it had. If the District gave an exclusive lease to SLPOA, but the District’s ownership of the land was subject to public trust that would mean that, although the District could enter into an agreement with SLPOA, the District might not be able to give away the public’s right to access. Mr. Mitchell concluded, after a discussion with another attorney, that Lot 1 was different from the lake and the exclusive right for SLPOA to make use of Lot 1 and to control access to Lot 1 was, in his opinion, unlikely to raise public trust issues.

Cliff Busby said he asked for the item to be on the agenda because he felt it was important for the community to understand access to Lot 1. He asked Mr. Mitchell if his understanding that SLPOA had the right to deny non-Serene Lakes property owners access to Lot 1 was correct. Mr. Mitchell said yes, based on the recreational easement language, with the caveat that he wasn’t sure if that included guests.

Jonathan Sorger asked if SLPOA would then have the right to erect a fence around Lot 1 to restrict access without obtaining Board approval. Director Lindquist said he believed any capital improvements had to come before the Board for approval — based on safety and esthetics issues, not the actual ability to do it; but he would have to review the lease. Paul Schultz said the CC&Rs should be checked as well; he believed there was language prohibiting permanent fences. Director McCormick said the Board should exercise caution before saying what’s allowed and what’s not. He wasn’t sure if Lot 1 was in the subdivision the same way the others were. The language talked about homeowners and putting up fences on residential lots; and the issue should be run by legal counsel before making any decisions.

Roger Drosd said he would like a clear explanation of the recreational easement. Director Lindquist said public documents regarding the subdivision and the lease were available; and, as Mr. Mitchell mentioned earlier, there was opportunity to do a lot more research. Mr. Drosd said his understanding was that the recreational easement was referred to in the subdivision map but he hadn’t been able to find the information. He thought the information would be on file with the District and readily available. Director McCormick said he had looked at the subject very carefully during the battle over the shoreline. He found that sometimes the information was in the CC&Rs and sometimes it was on the subdivision maps; but the information was general. Director Heald said she had represented SLPOA at the time of the lease negotiations and that the issue at the time was SLPOA members vs. non-members. Because the District didn’t want to get into that battle, the lease language was intentionally kept vague but mutually exclusive to SLPOA and the reference to the easement was to the subdivision map. Mr. Drosd said he doesn’t want to have a problem in the future and would like either a specific document or clarification as to what the easement means. Director McCormick said, from the map, areas were

simply designated “recreational easement” with no explanation as to what was provided or restricted. Mr. Mitchell said he would need copies of the additional pages referred to in the cover page along with the CC&Rs before he could make a definitive answer. He asked if the pages were available at the District office. Mr. Schultz said he had contacted a couple title companies in the area, and they were confident that they had the complete files; but he didn’t think the exercise would provide any more information than what was already available. Mr. Schultz was asked to get the additional pages and make them available for public review.

Director Simpson said, based on his review of the CC&Rs, half said property owners had unrestricted access to Lot 1, which would not allow a fence, but the other half didn’t mention access at all making a determination of who had access and who didn’t difficult. He said enforcing access would be a waste of time. Director Lindquist reiterated his previous position that the lease gave SLPOA the authority to administer Lot 1. He deferred to SLPOA to decide what they wanted to do.

Director Stockton said he agreed with Director Lindquist’s position. Director Heald also agreed with Director Lindquist’ position. Director McCormick said the District, as the landlord, had rights to monitor what SLPOA did and that, if SLPOA wanted to put up a fence, they would need to come to the Board for prior approval. He also said that the District needed SLPOA to provide and monitor recreational facilities because the District was restricted from engaging in any recreational activities. Director Simpson agreed with Director McCormick’s statement but didn’t think the District could approve a fence because it would restrict access to the beach.

There were no further comments from the public or Directors.

IX. Administration:

In an effort to accommodate Alice Mansell, Director Lindquist suggested moving agendum IX Administration, B. Action Items up the agenda. Ms. Mansell had waited patiently to be added to the meeting and missed the Operations Report discussion regarding BMPs.

A motion was made by Director Stockton and seconded by Director Heald to move item IX Administration B. Action Items up the agenda. The motion passed by a rollcall vote: Ayes: Directors Lindquist, Heald, Stockton and McCormick. Abstention: Director Simpson.

- B. Action 1: Develop information about best management practices and fertilization for inclusion with billing. Mr. Schultz said in May that the action item was considered to be 75% complete pending further discussions with Professor Cobourn. As a result of these discussions, it was suggested that the District move forward with a small study to develop a long-term plan to maintain and/or enhance the lake health as discussed during the Operations Report earlier in the meeting. Director Lindquist said what he understood was that Mr. Schultz was proposing to spring board off the prior Limnology report and further study the lakes; money had been added to the budget to fund the study. Mr. Schultz confirmed his understanding. Alice Mansell said she appreciated Mr. Schultz’s taking up the project and thinking about the long-term, not just the short-term, health of the lakes and for bringing up the value of cost. She also said that the District should take advantage of the Citizen’s Science Group at the Tahoe City UC Davis Field Station, and anyone who would want to join. The District could also involve Sugar Bowl Academy students and Clair Tappaan Lodge owned by the Sierra Club at Norden”. She thought it would be a good idea to get buy-in from everyone.

Action Item 2: AMR Data Collection and Analysis – scheduled for summer 2020

Action Item 3: Policies and Procedures Review – Mrs. Nickerson said she was still working on it.

Action Item 4: District Ownership of Dam – Ongoing. Director Simpson said there was a pending question about contacting the Land Trust about acquiring the parcel with the dam. Mr. Schultz said it was still being considered.

Action Item 5: Upcoming Meter Rates – Mr. Schultz said he started a critical path schedule.

There were no question or comments from the public.

New Business: CONTINUED

C. The Board was presented with Draft Resolution 2020-02 – Placing Unpaid Service Fees for Sierra Lakes County Water District on the 2020-2021 Placer County Tax Roll for consideration and possible action. There were no questions or comments from the public. Director Simpson asked if there was an estimate of the number of accounts we subject to the Resolution. Mrs. Nickerson said there was one.

A motion was made by Director Simpson and seconded by Director McCormick to approve Resolution 2020-02 as presented. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

D. The Board was presented with Draft Resolution 2020-03 – Placing Special Assessments for Sierra Lakes County Water District Assessment District No. 2011-1 on the 2020-2021 Placer County Tax Roll for consideration and possible action. There were no comments or questions from the public. Director McCormick asked if the resolution meant the District wouldn't have to send out bills. Mrs. Nickerson said the resolution authorized placement of the annual amounts on tax bills to pay back the wastewater treatment plant loan.

A motion was made by Director Simpson and seconded by Director Stockton to approve Resolution 2020-03 as presented. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

E. John and Jane Loll's Dock/Pier Application was presented to the Board for consideration and possible action. Mr. Schultz said it was a simple application for a new dock. He said the dock complied with all the District's requirements for surfaces and anchor to the lake bottom; however the dock was proposed for 64 square feet which exceeds the District's 60 square foot limit.

Jeff Child said he worked very closely with Bill Quesnel when the lake management plan was set up. He also said getting modified (shorter) panels would not be easy and that Mr. Quesnel had done a lot of research and concluded docks consisting of 4 x 8 panels was the recommended size. He encouraged the Board to think about the regulations. He said asking for a 4 x 7 section was not possible because that was not the way they were manufactured. He also said he lived next to the Lolls and was supportive of their application. Finally, he said that, when his dock was installed, Mr. Quesnel had him place it as close to the property line as possible to allow ample spacing between his dock and the public dock.

Director Simpson said the proposed dock was a bit wide and wondered if there was a three foot wide option. He also asked if Director Stockton knew what size his recently approved dock was. Director Lindquist said he just pulled up the Pier of D’Nort website and saw that 2.5’ x 8’, 2.5’ x 6’, 4’ x 6’, 6’ x 6’, 4’ x 4’ and 4’ x 8’ were the available sizes. He also said he appreciated that Pier of D’Nort was an excellent dock for many of the homeowners and that it appeared to him that it was easy to install and remove; but Pier D’Nort does not make a three foot wide dock.

Director McCormick said that he would support the spacing Mr. Child spoke of and that the Board needed to stick with the District’s rules. He also said using one 4’ x 8’ and one 4’ x 6’ panel would be adequate and that he was concerned about how far the dock projected out into the lake. Mr. Schultz said that, moving forward with the proposed Limnology report, some of the questions regarding erosion, the necessity for ramps, and the disturbance of the lake bottom could be answered. There might then be some scientific basis for lengths of docks in particular locations. He said the shoreline was the most critical part of keeping the lakes healthy.

Director Lindquist said dock selection and installation should be contingent on whether or not the proposed configuration was available; he did not want to force a homeowner to buy something custom. Director McCormick said his consideration was that the District had an ordinance with limits and the Board should stick to those limits. Director Heald agreed. Director Simpson asked if the request should be amended to require the dock meet the 60 square foot limit. Director McCormick said he was concerned about how far out the dock extended into the lake and didn’t want a 2.5’ wide dock that extended farther out into the lake.

A motion was made by Director McCormick and seconded by Director Simpson to approve the dock with the condition that it consist of a 4’ x 8’ and a 4’ x 6’ section and positioned by the General Manager to consider spacing of other docks. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

F. Leonard Wong’s request to postpone Water/Sewer Fees for Connection Permit No. CP2019-001 for one to two years due to delay in construction was presented to the Board for consideration and possible action. Mrs. Nickerson said Mr. Wong purchased a connection permit in October 2019 and a pro-rated bill for the remainder of the fiscal year was sent in accordance with the permit requirements. According to Mr. Wong, construction was never started because his brother lost his job and the pandemic hit. The request was for a waiver of water/sewer service fees for some time in the future when the Wongs decide to build. The other option was to return the connection permit for a refund less a 10% administration fee of \$962.50. There were no comments from the public.

Director Simpson said he would be sympathetic to a one year extension to April 1, 2021. Director Stockton suggested that the Wongs withdraw the permit for the refund less the 10% and start over whenever they wanted.

Director McCormick asked what was done in the past. Mrs. Nickerson said this was the first time since the moratorium that someone has asked for a waiver or extension. She said when there was a moratorium, connection permits could not be held for indefinite time.

Director Simpson suggested that the Wongs return the connection permit less both the 10% administration fee and the three months of water/sewer service fee. Director Heald didn’t think the District should charge them the three months of water/sewer service fees. Both Director Lindquist and Director Stockton agreed with Director Heald.

A motion was made by Director Heald and seconded by Director McCormick to reject the request by the landowner but offer the landowner the opportunity to get a refund on the permit less the 10% administration fee and waive the first quarterly payment.

Mr. Mitchell said the landowners have the choice to withdraw the application by the end of June at which time the District will waive the first quarter payment. However, if they don't withdraw the application, they will owe the fees.

Director Heald revised the motion, which was seconded by Director McCormick, to request that the homeowner withdraw the application by the end of June at which time the District will waive the first quarterly payment; otherwise, water sewer service fees will continue. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

VIII. Old Business:

A. The Board was presented with the 2020/2021 Draft Budget for consideration and possible action. Mr. Schultz said the budget was identical to the budget presented in May with the exception of the \$25,000 added for the intern and Limnology Study and the mathematical corrections previously identified. Mr. Schultz said he talked to the manufacturer of the water meters about a month earlier and was told the meters would not be available because the chips were coming from China; however, the backorder delay is now down to 35 days. Director Lindquist said he was a little anxious about buying and storing the meters because of warranties and battery life. Mr. Schultz said, that if the Board authorizes the project, half of the meters could be ordered now and the other half next spring.

Director McCormick said he is concerned about planning further lake studies, a project which has morphed from inserting a fertilizer BMP memo into the June billing; he asked if the lakes were deteriorating and in a dangerous situation with water quality. Mr. Schultz said it was more of a slow death. He said there was too much sediment in the lake and felt more mitigation of the wetlands and the contributing streams to strain out more of the naturally occurring nutrients could be helpful. Director McCormick said he was concerned about bringing in activists with a different agenda than the District's. He said he supported doing some studies and being proactive but he didn't want the issue to become super political. Mr. Schultz said the studies would all be done by scientists and would be controlled by the District; it would not be opened up to Sierra Club for example. Director Simpson said there was no plan yet — that Mr. Schultz was asking to bring in a student who volunteered to do some research. He added that Alice Mansell offered her opinion on the way the District should go and John Cobourn was a resident of Serene Lakes and a professor at UNR. This was a way to get started. Mr. Schultz said he shared Director McCormick's concern; he didn't want to open it up to everyone but he wants to solve the problem. He also said he would meet with Professor Cobourn to develop a work plan that the Board would see before anything was started. Director Heald said not long ago Mr. Quesnel had presented the Board with a lot of information that could be helpful. Mr. Schultz said he probably already had the information because Mr. Quesnel was very good about sharing all his information.

There were no comments from the public.

A motion was made by Director Simpson and seconded by Director Stockton to approve the budget as presented. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

B. The Board was presented with Erik W. Harz's claim for damages for consideration and possible action. Mr. Schultz said Mr. Harz was going to accept the claim as originally submitted with no additional costs. His recommendation was for the Board to accept the claim with the customary release. There were no comments from the public.

A motion was made by Director Simpson and seconded by Director Stockton to accept the claim and the General Manager negotiate the release. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Heald, Stockton and McCormick.

X. Administration:

A. A list of Follow-up Items from the May 2020 Board meeting was presented to the Board for consideration and possible action.

- Item 1: Pictures/Bios for website – ongoing.
- Item 2: Mr. Schultz said the Directors should be receiving a memo within a couple of weeks about District plans for responding to multi-day public safety power shutoffs. He said the topic could be discussed at the next meeting but there would not be a presentation. The memo included items of vulnerability and the location of the vulnerabilities that should not be presented to the general public. The budget included money to address the vulnerabilities. Mr. Mitchell said there may be a closed session exception if there is a reason to have a more robust conversation. He will confirm the closed session.
- Item 3: Mr. Schultz had ACWA/JPIA draft a letter to Mr. Harz regarding his claim. The item was complete.

B. The Status of Action Items. This item was discussed earlier in the meeting.

Adjournment A motion was made by Director Simpson and seconded by Director McCormick to adjourn the meeting. The motion passed by a unanimous vote: Director Lindquist, McCormick, Stockton, Simpson and Heald.

The minutes were approved at the Regular Meeting held on July 10, 2020, as part of the Consent Items Calendar. A motion was made by Director Simpson and seconded by Director Stockton to approve the Consent Items Calendar. The motion passed by a roll call vote: Ayes: Directors Lindquist, Heald, Simpson, Stockton and McCormick. Noes: None. Abstentions: None. Absent: None.

Attachment A
Wadle pages 1-3

HR 7073 Background

CSDA is asking special districts to take action and send letters of support to their federal representatives for H.R. 7073 the “Special Districts Provide Essential Services Act”.

This bill is a direct result of special districts’ COVID-19 advocacy. Congressman John Garamendi began collaborating with CSDA on the “Special Districts Provide Services Act” in late April after his constituent special districts reached out with great concerns regarding financial hardships. Now, all special districts are asked to build on this support.

Share with your federal representatives why this bill is important and urge them to support it. A sample template letter (link to letter on Take Action page) for you to send your U.S. House representative, U.S. Senator Dianne Feinstein and U.S. Senator Kamala Harris. Please send via USPS mail. Please also send a digital copy of your letter(s) to advocacy@csda.net. Let me know if you need any assistance with sending your letter.

What the bill does:

- Provides special districts access to the Coronavirus Relief Fund: States would be required to direct 5 percent of future appropriations made under Section 601 of the Social Security Act (established in CARES as the Coronavirus Relief Fund). The state would have 60 days from the time the U.S. Treasury releases the fund to transfer the funds to special districts. The state would grant the funds at its discretion.
 - o This 5 percent is not intended to subtract from cities and county’s portion of the funding, but rather 5 percent from the state’s allocation under Section 601.
- Special districts would be determined “eligible issuers” for the Federal Reserve’s Municipal Liquidity Facilities Program. • “Special District” would be defined. There currently is no federal statute defining the term.
 - o The term “special district” means a political subdivision, formed pursuant to general law or special act of a State, for the purpose of performing one or more governmental or proprietary functions.”

Please continue this momentum. Signaling this support now will be critical to the bill’s next steps and the intended goal of its inclusion in the next COVID-19 state and local government relief bill.

For all CSDA COVID-19 state and federal advocacy initiatives, visit the CSDA COVID-19 action page.

Thank you

[Required: District Letterhead]

June [XX], 2020

The Honorable [Member Name: Find Your
Representative of Congress]
United States House of Representatives
[Address]
Washington, D.C. 20515

The Honorable Kamala Harris
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear [Congressman/woman X], Senator Feinstein and Senator Harris,

The [Your District Name] respectfully urges you to support H.R. 7073, the Special Districts Provide Essential Services Act, which would bring much-needed relief resources to special districts in our community, throughout California, and across the nation.

As a provider of [your district services (water, fire protection, parks, etc)] to [approximate population number served] residents in the [name of community/communities/region you serve], proportional access to federal relief resources would help our district confront COVID-19 and overcome related unbudgeted expenses and revenue losses. Access to capital as our state and nation struggle with an economic downturn and unprecedented unemployment situation will be key for continuing operations unhindered, restoring our local economy, and preparing for the next disaster.

[Has your district had to cut/decrease/furlough staff? Decrease/cut services? Deferring maintenance? Will you have to delay capital improvement projects? Concerned about unpaid utility bills? Please share here. If possible, estimate or give the total expenditures and revenue losses your district has incurred. Then, very briefly share if your district has adapted to meet the needs of your community and how]

H.R. 7073 would help the [your district name] meet the challenges of COVID-19 by:

- Allowing special districts access to the Coronavirus Relief Fund. Under the bill, states would be required to allocate no less than 5 percent of future Coronavirus Relief Fund disbursements to special districts. Doing so remedies deep concerns and uncertainty surrounding special districts' future access to much-needed assistance for unforeseen COVID-19-related expenditures and revenue loss. Even with the Fund's allocation under the CARES Act, many states have not yet released their portion of the Fund to local governments, including here in California. Designating special districts as eligible

for the Fund would greatly assist districts in their attempts to both recoup revenue losses and backfill the increase in expenditures many have experienced due to a variety of pandemic-related expenses (PPE, etc.), which totals an estimated \$250 million through May 5 for California's special districts.

- Permitting special districts to be considered “eligible issuers” of the Federal Reserve Board’s Municipal Liquidity Facility (MLF). The Federal Reserve established the MLF and was authorized to establish an MLF program. States, territories, tribes, cities with a population greater 250,000 and counties with a population greater than 500,000 have access to the Fed’s tool to purchase bonds and revenue anticipation notes. Despite special districts’ authority to issue these notes, they are not considered “eligible issuers” under the CARES Act. H.R. 7073 expands the

Fed’s authorization to purchase these notes to include all special districts as “eligible issuers” for MLF.

- Defines “special district”. Currently, a federal definition for “special district” does not exist. The bill would establish the term as a “political subdivision, formed pursuant to general law or special act of a State, for the purpose of performing one or more governmental or proprietary functions.”

As Congress continues to negotiate next steps for COVID-19 relief for state and local governments, the [your district name] not only asks for your support on this bill in the U.S. House but also its provisions’ inclusion in the Senate’s version of a state and local relief bill.

Thank you for your ongoing support of California’s families and communities. Our district stands ready to partner with you in our continued efforts to deliver essential services to California residents.

Sincerely, [Signature]

[name]

[position]

[district name]

CC:

California Special Districts Association

[via advocacy@csda.net]

Attachment B
Mansell page 1

I support Professor John Cobourn's suggestion to expand the Fertilizer Best Management Practices (BMP) memo beyond consideration of landscape fertilizer runoff effects to include study of micro-sediment erosion as another leading cause of the lakes' increasing algae and decreasing clarity. SLCWD should also include consideration of the effects of decades of lowland sport fish stocking, the minimal mitigation of wetlands degradation, and past forest management practices on all lands and waters owned by SLCWD.

For example, combinations of those past practices caused near extinction of the mountain yellow-legged frog whose 2-4 year slow-growing tadpoles keep Sierra Nevada lakes above 6,000' clear of algae given their phytoplankton diet.

<https://wildlife.ca.gov/Regions/6/Amphibians/Mountain-Yellow-legged-Frog>

Cobourn's suggestion a UC Santa Barbara hydrology student begin fertilizer and erosion research using the Water District's new \$25,000 BMP budget line item is a good start but perhaps better would be to begin a relationship as he also suggested with UC Davis' Tahoe Environmental Research Center (TERC) and Tahoe City Field Station which could take advantage of the latter's laboratory and its robust "Citizen Scientists" program not only to collect and process data but save on costs by maximizing volunteer support.

If we start now with a long term whole ecosystem approach we can restore the lakes to water quality closer to what existed before humans made permanent settlements here, before the sheep grazed, before the forest was clear cut leading to an overabundance of lodgepole pines, the building of the Serene dam, the removal of our isthmus, and the platting of housing subdivisions long before most scientists understood the value of well managed high altitude environments.

I've heard the argument that so much man-made abuse has happened here we can't turn back the clock and should not even try. That's like saying in the 1950's the burning river running through Pittsburgh will always be polluted. If we fail to take care of our lakes with newly discovered BMP and slowly begin to fix the many mistakes of the past, the lakes will continue to fill with algae and sediment.

Sincerely,
Alice Mansell
5445 Allen Drive