

**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Board of Directors Regular Meeting**  
**November 9, 2017**

**CALL TO ORDER:** President Johnson called the meeting to order at 8:59 a.m. The following Directors, Staff, and Community Members Were Present:

**DIRECTORS:**

Director Johnson, President  
Director Sipperley  
Director Mannix  
Director Knudson

**STAFF:**

Tom Trott, General Manager  
Carolyn Higgins, Board Secretary/Finance Officer  
Robb Perry, Operations Manager  
Todd McNeal, Fire Chief

**AUDIENCE:**

Various members of the public including firefighter families and personnel.

**PUBLIC COMMENT ON NON-AGENDIZED ITEMS:**

*One member of the audience, Ron Ringen, presented a synopsis of a Headwaters Tour he attended with ACWA and stressed the need for vigilance with promoting fire water draft points at the county level.*

**PRESENTATIONS:**

- A. Badge pinning for new Fire Division personnel.
  - *Fire Chief McNeal conducted a badge pinning ceremony and introduction of Fire Captain Zeffrum Nathaniel.*
- B. Presentation of annual safety awards.
  - *President Johnson presented awards to all employees who had been employed for one year, with no reportable injuries.*

**COMMUNICATIONS:**

- A. Letter from owner of 22984 Mark Twain Drive regarding the District's Hazard Tree Removal Project.

**CONSENT AGENDA:**

- A. Presentation and approval of financial statements through October 31, 2017.
- B. Approval of the minutes of the Regular Meeting held on October 12, 2017.
- C. Accept and file the annual Government Code Section 66013 Capacity Charges Report for Fiscal Year 2016-17.

***MOTION: Director Sipperley made a motion to approve the consent agenda.***

***SECOND: Knudson***

***AYES: All Present***

***ABSENT: McManus***

**PUBLIC HEARING:**

- A. President Johnson opened the public hearing at 9:43 a.m.
- B. Staff summary of Ordinance No. 30-01 and finding that a summary of Ordinance No. 30-01 was published in The Union Democrat as required by law.
  - *GM Trott stated that the District published a summary of the revised Ordinance in the Union Democrat on October 19, 2017 and October 26, 2017.*
- C. Receive public comment related to proposed adoption of Ordinance No. 30-01.
  - *No comments or protest letters were received from the public*
- D. President Johnson closed the public hearing at 9:47 a.m.
- E. Discussion/action to adopt Ordinance No. 30-01 – An Ordinance Repealing Ordinance No. 30 of the Twain Harte Community Services District and Adopting by Reference the 2016 Edition of the California Fire Code with Amended Revisions.

***MOTION: Director Knudson made a motion to adopt Ordinance No 30-01.***

***SECOND: Mannix***

***AYES: All Present***

***ABSENT: McManus***

**OLD BUSINESS:**

- A. Discussion/action regarding review and continuance of order of emergency action for completion of the Well #3 Water Supply Project.

*GM Trott asked the board to consider whether the emergency action should be continued and to consider if it is necessary to address the current water supply shortage emergency that is still being declared by the state for Tuolumne County and to determine if this board still declares this emergency and if this project is necessary to address this emergency and if the emergency situation will not permit a time delay resulting from formal competitive bidding.*

***MOTION: Director Sipperley moved that we continue the order of emergency action.***

***SECOND: Mannix***

***AYES: All Present***

***ABSENT: McManus***

**NEW BUSINESS:**

- A. Discussion/action to adopt revisions to Policy #3015 – Investment Policy.

***MOTION: Director Sipperley made a motion to adopt the changes to Policy #3015.***

***SECOND: Mannix***

***AYES: All Present***

***ABSENT: McManus***

- B. Discussion/action to adopt Resolution #17-24 – Adopting an Updated Multi-Jurisdictional Local Hazard Mitigation Plan.

- *President Johnson notified the board that the item needed to be pulled from the agenda because the county was not able to update their portion of the plan in time for the board meeting.*

C. Discussion/action to adopt Resolution #17-25 – Approval of Fiscal Year 2017-18 Water Fund Budget Adjustment in the Amount of \$11,000 for Unanticipated Water Sales, Water Line Repairs and Pump Repairs.

**MOTION:** *Director Sipperley made a motion to adopt Resolution #17-25.*

**SECOND:** *Knudson*

**AYES ROLL CALL:** *Johnson, Mannix, Sipperley, Knudson*

**ABSENT:** *McManus*

**ABSTAIN:**

D. Discussion/action to approve a Lease Agreement with Horizon Tower, LLC to build and operate a cellular tower structure on a portion of the District's property on Vantage Point Drive (APN 048-720-08).

**MOTION:** *Director Sipperley made a motion to approve the lease agreement with Horizon Tower, LLC as presented and to authorize the General Manager to finalize the agreement.*

**SECOND:** *Knudson*

**AYES:** *All present*

**ABSENT:** *McManus*

E. Discussion/action to form an ad-hoc committee to review District ordinances.

**MOTION:** *Director Sipperley made a motion to appoint an ad-hoc committee to review District ordinances with members of the committee being President Johnson, Director Sipperley, and GM Trott.*

**SECOND:** *Mannix*

**AYES:** *All present*

**ABSENT:** *McManus*

## **REPORTS:**

### **President and Board Member Report**

- *No reports given.*

### **Park & Recreation/Citizen Oversight Committee and Operations Report**

- *The Park & Recreation Committee was cancelled.*
- *Operations Manager Perry summarized his written report and also stated that the baseball in-field project is complete.*

### **Water/Sewer Committee and Operations Report**

- *Director Sipperley reported that the committee discussed Well #3 and the continuance of the emergency declaration, the requirements for reporting on capacity charges, the water/sewer GIS system, and the Eproson park sewer line replacement.*
- *Operations Manager Perry summarized his written report and mentioned that the annual ditch outage went very smoothly this year.*

### Fire Committee and Fire Chief Report

- Director Knudson stated that the committee discussed the first responders report.
- Chief McNeal summarized his written report.

### Finance/Admin Committee Report

- Director Johnson reported that the committee discussed online billing and credit card payment options, the investment policy, the sale of 22933 Twain Harte Dr, and the cellular tower lease.

### General Manager Report

- GM Trott summarized his written report and stated the following:
  - The park donation letter will be sent out in the next couple of weeks.
  - Discussions are being conducted with a company that may be able to get us a \$400,000 grant to fund a water/sewer GIS system.
  - The grant funding for tree mortality may be allocated at 90% reimbursement instead of the original 75%.

**CLOSED SESSION:** The Board of Directors convened into closed session at 10:42 a.m.

A. Conference with Real Property Negotiator (Government Code Section 54956.8)

Agency Negotiator: Tom Trott

Under Negotiations: Instructions to negotiator on price and payment terms.

Real Property: 22952 Vantage Pointe Dr, Twain Harte, CA 95383

APN: 048-720-03

Negotiating Parties: Mark Gauthier

B. Conference with Legal Counsel – Anticipated Litigation:

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9 (1 case)

- Director Johnson reconvened the meeting into regular session at 11:07 a.m. and reported that the board decided to reject the government tort claim associated with Government Code Section 810 by a former employee, and authorized the General Manager to send notice of rejection per Government Code Section 913. The board vote was as follows:
  - **AYES:** Johnson, Knudson, Sipperley, Mannix
  - **ABSENT:** McManus

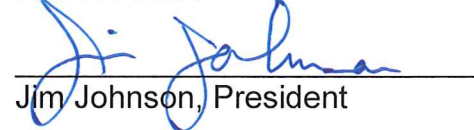
### **ADJOURNMENT:**

The meeting was adjourned at 11:09 a.m.

Respectfully submitted,

  
Carolyn Higgins, Board Secretary

APPROVED:

  
Jim Johnson, President