

January 31, 2021

AGENDA ITEMS FOR THE FEBRUARY 9TH, 2021 REGULAR BOARD MEETING

Christian Valley Park Community Services District

Heidi Temko, Board Member

Listed below are several agenda items for discussion and/or action at the Board Meeting.

1) Communication between Board members

Due to Brown Act requirements, public Board meetings are the only opportunity that Board members have to openly discuss District business. Thus, Board members should use part of this time for sharing information, ideas and opinions, discussion, consensus building, etc. Trust, forthrightness, and honesty are essential for good communication. Open and informed discussion between Board members is imperative in order to make sound decisions.

2) Protocol for Board meeting agenda items

BYLAWS

"Section 7. AGENDAS. The General Manager, in consultation with the Board President, shall prepare the agenda for each regular and special meeting of the BOARD. A Director may contact either the General Manager or the Board President and request an item to be placed on the regular meeting agenda no later than 3:00 p.m. seven calendar days prior to the meeting date. Such a request must be also submitted in writing either at the time of communication with the General Manager or the Board President, or delivered to the office within the next working day. Members of the public may request that the Board take certain actions by submitting their requests in writing to a Director at least seven calendar days prior to the next regularly scheduled meeting. If determined to be appropriate for Board consideration by the Board President in consultation with the General Manager, such an item will be placed on an agenda with consideration given to the nature of the request and the length of the agenda".

Based on the above text, if a Board member submits an agenda item at least 7 days prior to the Board meeting, neither the Board President nor the General Manager has the discretion to exclude that agenda item. However, the Board President or General Manager does have the discretion to make decisions about agenda items requested by members of the public.

Clarification needed: Does a Board member have the right to see the draft agenda that has been prepared by the Board President or the General Manager? Nothing in the Bylaws prohibits that, so I would assume that the answer is yes.

3) Transparency

Stating that the District has transparency does not make it so. Information regarding the District's plans, projects, contracts, ongoing activities, budget, policies, and governing laws should be

organized, comprehensive and readily available to the public in a clear, concise format. All information upon which Board members rely for decision-making should also be available to the public (except that which is confidential). Transparency means that all District business be presented and explained to the public fully and in layman's terms, if necessary. Transparency means full disclosure. Information about District activities needs to be shared on a monthly basis, or more often if significant project changes or monetary decisions are being made, and should always be available in a timely manner upon request.

4) Availability and organization of District documents to Board members and the public

Board members not only have a right to review all District documents but should also have immediate access to these documents, either online or in hard copy. Members of the public should be able to receive non-confidential documents in a timely manner, with a specific maximum timeline for fulfilling PIR's. All documents should be clearly legible. Documents should be provided to the requesting party in an organized manner (by category and/or date). At this time, documents are apparently not organized in a manner that is conducive to easy access. There should be a list of all District documents and they should be organized by category as well as chronologically. This task needs to be carried out by an administrative assistant and the Board needs to hire one ASAP.

5) Editing of Bylaws

While perusing the Bylaws, I saw numerous errors and inconsistencies. The School Board Bylaws were apparently used as a template because the word "school" still remains in the text, as well as some other out of place words. The old Bylaws should be compared with the new version and any errors corrected. Ideally, this task should be done by a qualified administrative assistant.

6) Protocols and procedures for when and how to use attorney services

Names of law firms contracted by the District and their specific responsibilities need to be provided to the public. Attorneys do not represent individuals, but the Board and District as a whole. Attorneys should not be called upon as if they were staff. In the past, at least one contractor to the District has used attorneys contracted to the District for legal advice on projects they are carrying out for the District. This seems highly inappropriate as well as a poor use of District funds. The Board needs to examine this issue and District may need to modify its Bylaws or Policy.

7) District staff needed

The District General Manager is the only district staff. He works part-time for the District and also works full-time at another job. He cannot be expected to continue to do ALL of the administrative tasks, such as preparing budgets; setting up meetings; overseeing the newsletter, the website, and contracts; filing; responding to Board member and public information requests; billing; and other duties performed. The GM also does the quarterly meter reading. We cannot expect District business to be carried out by one part-time staff person. Furthermore, it is not

appropriate for the GM to be performing many of these tasks. The District needs to prioritize the hiring of an Administrative Assistant as well as a Treasurer.

8) Board member compensation

Since the District has no staff other than the GM to oversee road work, engineering projects, contracts, etc., Board members have been involved in these and other District activities. The role of Board members should be to make decisions regarding District business, and not to be performing work that should be done by staff and/or contractors. In light of the fact that the District does not have staff to perform these activities, Board members are essentially acting as staff in these situations and should receive compensation. If this is not feasible, then the District needs to hire staff or contractors to perform the work.

9) Budget

The Board has a fiduciary responsibility to the community. The District budget needs to be clear, detailed and comprehensive. It needs to be available to the public for scrutiny, questions and input. For planning purposes, the District must create projected budgets for future years.

The Reservoir Replacement Project was planned and approved without due consideration of the impact on the District budget. In December, 2019, the CVP community voted down the District's proposed water fee and rate increase. Yet despite this, and despite the significant last minute and unplanned increases in project cost (approximately 25% greater than that was first presented to the Board), Board members voted in favor of the Reservoir Replacement Project. A 40-year loan for the project was approved by the Board members, ignoring numerous objections from members of the community.

Without a water service fee and rate increase, the current budget may not be able to support the 40-year loan for the Reservoir Replacement Project. Because the Board is here to serve the community, and the community voted against funding the project on their dime, proposing another water fee and rate increase is not an acceptable option.

At this point, the District must closely examine all aspects of the budget and determine what steps can be taken to address the budget problem.

10) PCWA grants

PCWA grants afford the District to get funding for certain types of improvements to the District water supply system. However, the grants do not cover 100% of the cost of these improvements. In the past, Hydros Engineering, contractor to the District, has written and submitted the grants to PCWA and has performed or overseen the work done. The Board has relied on the contractor's recommendations as to which projects to pursue. Before approving any additional projects, the Board needs to scrutinize the necessity of each project proposed by the contractor and weigh that against costs to the District.

Future Agenda Items:

Item: Strategic Planning (work with CSDA and consultants)

Item: A closer examination of the budget and what can be done to improve the process and save money for the community

Item: An examination of the Reservoir Replacement Project - what we can learn from the mistakes

Item: The role of contractors to the District; also protocol and oversight

Item: Internet service/Suddenlink - work with Placer County IT and Supervisor

Item: Planes noise and safety complaints - City of Auburn regulations and website

Item: Future District staff positions

Item: Road signs