

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICESDISTRICT
BOARD OF DIRECTORS
Tuesday, May 22, 2007**

The Board of Directors of Brooktrails Township Community Services District met in regular session on May 22, 2007 at 7:03 p.m. at the Brooktrails Community Center.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Roll call showed the following directors present: Williams, Ziady, Orth, Horrick and Skezas. Also present were General Manager Chapman and District Counsel Neary.

REPORT ON CLOSED SESSION

District Counsel Neary reported that the Board met with its labor negotiator, received information and gave direction. The Board also added an additional item to its closed session, that matter being Paland v. BTCSD, and discussed the matter with counsel.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA

Director Orth said that checks approval should occur after the Action Agenda item on the water rights application. President Skezas asked for a vote on this move, which carried unanimously.

D. MINUTES OF PREVIOUS MEETINGS

1. May 8, 2007. Director Orth moved to approve the minutes; Director Ziady seconded and the motion carried unanimously.

E. SPECIAL PRESENTATION

None.

F. PUBLIC HEARING

2. Proposed Water Shortage Ordinance No. 134. General Manager Chapman summarized the Excessive Use Cap as detailed in his staff report. President Skezas opened the public hearing at 7:05 p.m. Maria Bates asked who established this 20,645 gallon figure; Mr. Chapman responded it was the Board. Director Orth said in a declared alert this becomes the upper limit in which the General Manager can take action; there were three types of emergencies he can declare. President Skezas closed the public hearing at 7:10 p.m.

G. PUBLIC COMMENTS

Patricia Cornell asked about Meadowlark Trail. Mr. Chapman said he and Mike Aplet would be looking at a potential new trail which would circumvent the 16-acre Romero parcel. Ms. Cornell asked about the trespassing signs; Mr. Chapman confirmed they were valid. He confirmed there was an easement across the Romero property but it belonged to his neighbor and it was not a county road. Ms. Cornell said there should be a sign on the gate saying not to go farther. Mr. Chapman said he needed direction from the Board because the greenbelt does continue some distance past the newly erected gate, but that it was the best place to put the gate.

Wallace Stahl thanked the Willits News for their coverage on the water supply situation. He said for the benefit of the large number of people who don't read this paper, there should be some way to provide information to them if there is a water shortage so they can conserve.

Bob Terry said 12 active CERT members participated in the Tabletop Drill field exercise in the airport area, which was a house-to-house drill warning to evacuate and directing people to the appropriate fire exit route, which for this drill was Sherwood Road.

H. CONSENT CALENDAR

3. Review of Accounts Payable report and authorization to issue checks. After completion of the Action Agenda, Director Orth moved to approve payment of the outstanding invoice report; Director Horrick seconded. The motion carried unanimously.

I. ACTION AGENDA

4. Consideration of Adoption of Water Shortage Ordinance No. 134. Director Orth moved to waive further reading and adopt Ordinance 134 repealing Ordinance 122 and amending Ordinance 76 (Utilities Code), Chapters I, II and V, to define and regulate Commercial Use, Define Excessive Use Cap and Irrigation Use, and provide a new Chapter V entitled "Water Shortages." Director Horrick seconded. Roll call vote was as follows.

AYES:	Directors:	Ziady, Orth, Horrick, Skezas
NOES:	Directors:	None
ABSENT:	Directors:	None
ABSTENTION:	Director:	Williams

5. Consideration of Application for 1,310 acre-feet water appropriation, Ca. Div. of Water Rights / Consideration of Hanson Engineering Fees. Mr. Chapman pointed out various factors of the application. The first point of diversion was Lake Emily itself. Currently we have a 270 acre-feet permit and a 30 acre-feet permit for what used to be called Summer Lake — shown as South Lake Reservoir on the map. The two together totaled 300 acre-feet. The future raise to Lake Emily would be another 285 acre-feet net, for a total of 585 acre-feet. This diversion served other purposes, including a pipeline to the water plant. Technically at Lake Ada Rose we now have two points of diversion because we have two tributaries behind Lake Ada Rose. Additionally there is a point of redistribution because we're piping water from one point (Lake Emily) to two other points (Lake Ada Rose). We will be sending a check for \$20,527.00 which includes filing fees to various agencies for the 1,310 acre-feet of water being filed for. Director Orth asked if taking water into the water plant was a point of diversion; Mr. Chapman said no. Mr. Chapman then discussed the payments to Hanson Engineering to date totaling \$224,264.53. Director Williams said he didn't understand the negative balance under the Water Rights column when there was a \$54,235.47 available balance of approved funds for Hanson. Mr. Chapman said we were delineating activity on each significant aspect of the project. Hanson was doing more than just the rubber spillway.

Director Orth said our original water rights application was for 2,400 acre-feet so this application was for a reduction based on what we reasonably can impound under the two redesigned reservoirs in future. It will meet the Specific Plan goal and not beyond, although it allows extra for evaporation and emergencies. Robert Melluish asked how much we spent on the earlier application (1982) and what did we get out of it. Director Orth said we got this refined application out of it.

Director Orth moved to authorize the General Manager to approve the Application and Petition for Redistribution of Storage by Brooktrails Township at a cost of \$20,527.00. Director Horrick seconded. The motion carried unanimously.

Director Horrick moved to authorize the General Manager to increase the approved expenditure limit for Hanson Engineering by \$15,000.00 for water rights. Director Orth seconded. The motion carried unanimously.

6. Consideration of annual appropriations limit for FY 2007-08. Mr. Chapman pointed out that he had discovered a math error on this calculation that morning. This was an annual procedure required under Prop. 13. The correct limit this year was \$2,572,021.00. Director Orth moved to adopt the draft Resolution [2007-9] establishing the tax appropriations limit at \$2,572,021.00 for FY 2007-08. Director Horrick seconded. Director Williams received clarification from District Counsel Neary on the background of this procedure. Mr. Neary said our tax revenue was about \$300,000.00 but under this process our spending limit is over \$2 million. However, some public entities do come right up to the spending limit and are affected by it. Director Williams asked, if we can get \$2.5 million, why aren't we? Mr. Neary clarified that was our spending limit, not the taxes we get.

Wallace Stahl asked how this would be affected if we reached buildout. Mr. Neary said we still wouldn't even come close to the limit.

Roll call vote was as follows:

AYES:	Directors:	Williams, Ziady, Orth, Horrick, Skezas
NOES:	Directors:	None
ABSENT:	Directors:	None

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: Director Ziady said she will have details on the Fire Safe Council BLM grant later.

From District Counsel: Mr. Neary said letters were sent to the lot owners around Lake Emily; favorable responses have been received from four so far.

From General Manager: General Manager Chapman said he met with Hanson Engineering last Friday, and they had met with CA Division of Dams the day before. On Friday he was basically told we could not do even the earthworks portion of the Rubber Spillway Project this summer because there was a question about a boring near our small utility dam building. Then this morning the CA Division of Dams reversed that position and gave us verbal approval. We have a 1600 CA Fish & Game permit but are still working on the 401 RWQCB and 404 U.S. Corp of Engineers permits. He said he would meet with Greg Aanestad of USDA later this week to shore up funding. We were trying to get a consultant in to tell us how much time and equipment it would take to do the project. He then referred to the letter handed out from Hanson Engineering. Mr. Chapman had asked Jim Hanson, under the worst case scenario, what would happen if we just said we wanted to stop the projects. Mr. Hanson had replied that CA Division of Dams would require us to retrofit the dam anyway.

Director Orth said when you go into any major dam, you are going to upgrade them to full current seismic standards, and that the City of Willits needed to be aware of this too.

L. PUBLIC COMMENTS

Maria Bates asked if we got any money from Prop. 50's second round of funding and was told that Prop. 50 was not really applicable to dams. Ms. Bates asked if we had applied for any of the money for other purposes. Director Ziady said we had submitted a rough outline of an erosion project during the application period but it was not funded. Ms. Bates said Roland Sanford had told her that Brooktrails had not had its numbers together on the first round. Mr. Chapman said the numbers didn't apply to dams, which is what we are really pursuing. Director Orth suggested calling Mr. Sanford about the second round.

M. ADJOURNMENT

Director Orth moved to adjourn, President Skezas declared the meeting of May 22, 2007 closed at 7:53 p.m.

GEORGE SKEZAS, President

ATTEST:

MICHAEL V. CHAPMAN