

**PURISSIMA HILLS WATER DISTRICT  
MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS**

**APRIL 9, 2014 Minutes**

1. **CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE** President Kremen called the regular meeting to order at 6:30 p.m. in the District office.

Directors Present: Directors Robert N. Anderson, Ernest Solomon, Steve Jordan, Brian Holtz, and President Gary Kremen

Staff Present: Patrick D. Walter, General Manager; Joubin Pakpour, Engineer; David Gehrig, Attorney, Hanson Bridgett; and Ray Collins, Office Manager/District Secretary

The Pledge of Allegiance was recited.

2. **COMMENTS FROM THE PUBLIC** Council member and customer Gary Waldeck attended.

3. **CONSENT CALENDAR**

It was moved by Director Anderson, seconded by Director Solomon, to approve the Consent Calendar and item A. Minutes as amended. Motion approved – voice vote.

4. **WASTEFUL WATER USE ORDINANCE 2003-01 UPDATE** The General Manager reported that some members of the public have commented that the District's current Ordinance 2003-01 Prohibiting Wasteful Water Use does not include sufficient constraints on wasteful water use. The General Manager then summarized a similar ordinance approved at the City of Morgan Hill which includes more constraints. The attorney then summarized three separate statutory schemes in the California Water Code that allow the District to prohibit wasteful water use, and the different enforcement mechanisms under each (turning off a customer's water, fines, misdemeanor penalties). Director Jordan suggested that the ordinance should be updated to prohibit water theft from a hydrant. It was generally agreed that the ordinance should prohibit water theft, and that the District's primary tool for reducing wasteful water use is drought pricing. No action was taken. This item will be further discussed at the May 14, 2014 board meeting

5. **ENGINEER'S REPORT**

- A. **NEARY TANK UTILIZATION PROJECT PHASE I.** The contractor, Mountain Cascade, is conducting bacteriological tests in the recently installed mains, and completing tie-ins. The last 150 feet of main will be installed in the driveway to the tank. This phase is expected to be complete by end of May 2014.
- B. **NEARY TANK UTILIZATION PROJECT PHASE II.** The contractor, Paso Robles Tank, dug a trench around the perimeter of the tank, installed steel supports, and leveled the tank to prepare for the new foundation.

## **C. COST SHARING PROPOSAL TO THE LOS ALTOS HILLS COUNTY**

**FIRE DISTRICT (LAHCFD) FOR PAGE MILL TANK RETROFIT** The General Manager reported that he attended the March 18, 2014 LAHCFD Commission meeting, and presented two options for the Page Mill Tank: 1) seismically retrofit the existing tank; and 2) build a new 900,000 gallon tank. The Commission appointed a subcommittee to further discuss the benefits and costs of the project. The Engineer explained that the project has several retrofit options depending on the water level in the tank. As the water level rises, more retrofit improvements are needed, which raises the price. A water level of 15' requires the lowest retrofit and lowest cost. The Engineer and the General Manager will present the options to the LAHCFD Commission at their April 22, 2014 meeting.

## **6. MANAGER'S REPORT**

**A. DROUGHT STATUS.** The General Manager attended the April 3<sup>rd</sup> Bay Area Water Supply and Conservation Association (BAWSCA) meeting and reported that March rainfall was less than normal and the demand reduction of 10% was not being achieved. The San Francisco Public Utility Commission (SFPUC) will continue to request a voluntary 10% reduction in water use through 2014.

**B. WATER TANK SITES** The La Cresta Tank site was paved.

## **C. FIELD REPORT**

- Continue with the installation of the new main section on Lupine Rd. Project is moving slow due to subterranean water from the rains, and single lane shared driveway.
- Install new 1 ½" service and meter and 2" backflow
- Bought new 2006 Ford F450 truck w/contractor bed and boxes.
- Worked with Mountain Cascade for sampling, flushing and shutdowns.
- Moved a meter out of pathway and add backflow.

**D. METERS WITH LEAK NOTIFICATIONS** The General Manager explained that the District's meters report through the billing system potential leaks by identifying a continuous flow through the customers' meters. Using this data, the District's Conservation Specialist, Mary Dateo, contacts customers and investigates the potential leaks and fixes.

## **7. ATTORNEY'S REPORT**

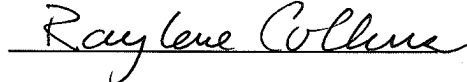
**A. NEW PUBLIC RECORDS ACT CASE.** The Attorney summarized a recent appellate court opinion regarding the California Public Records Act that is significant for all public agency directors and employees: *City of San Jose v. Superior Court of Santa Clara County*. The court held that the Public Records Act does not require the disclosure of communications between public officials using exclusively private devices (e.g. smart phones) or personal email accounts that are inaccessible to the government agency, and does not require that those private devices and accounts of its officials and employees be searched in response to a Public Records Act request for messages relating to agency business. The Attorney cautioned that while this case represents the current state of the law, it could be overturned on appeal by the California Supreme Court, or by the California legislature through new legislation.

**8. DIRECTORS' REPORT**

- A. BAY AREA WATER SUPPLY AND CONSERVATION AGENCY (BAWSCA), ACWA/JPIA, AND OTHER AGENCY ISSUES.** Director Anderson reported that BAWSCA will not call for a mandatory 20% reduction in 2014, though the request for a 10% voluntary reduction will continue through the end of the year.
- B. DIRECTORS' COMMENTS.** Director Solomon commented that the recent Comcast outage that affected the District and residents throughout the Town of Los Altos Hills showed that the District's telephone and internet communication would be compromised in an emergency. The General Manager responded that he is interviewing new IT service providers who have proposed improvements to security such as multiple independent telephone and internet cable feeds into the District office.
- C. AGENDA ITEMS FOR MAY 14, 2014 BOARD MEETING**
  - Open Space Bond
  - Water Waste Ordinance
  - June meeting change of date

**9. ADJOURNMENT** Meeting adjourned at 8:38 pm.

Respectfully submitted



Raylene Collins, District Secretary

Approved: \_\_\_\_\_



Gary Kremen, President

