

MINUTES OF REGULAR MEETING

April 7, 2020

VIA TELECONFERENCE

ROLL CALL:

Board President Rodriguez called the meeting to order at 5:02 P.M. Those in attendance: Board President Rodriguez, Director Brown, Director Peranick, Director Aguilera, Director Mackey, Frank Daniele, Jason Franklin and JoAnn Vierra. Also in attendance: Dirk Poeschel & Rich Rathbone, representing the River Bluff West Development project.

CONSENT CALENDAR:

March meeting minutes were unanimously approved as submitted. Bills payable report was not presented and was therefore removed from the Agenda.

PUBLIC ADDRESS: NONE

PUBLIC HEARINGS: NONE

NEW BUSINESS: NONE

DEFERRED BUSINESS:

7.1 Discussion & Necessary Action on Review of River Bluff West Development Plans & Conditions Placed on Development by PCWD:

MANAGER'S REPORT: 9.1.1 GM Jason & Secretary JoAnn met with District Counsel Mike Slater regarding rate increase for solid waste. The District wants to increase disposal rates by 6% annually, with the option of implementing less of an increase based upon the annual increases by Waste Management. If Waste Management's increases going forward are small enough to warrant the District implementing a lower increase than projected, the District will have the option to do so. The District office will have on file, for public inspection, an explanation regarding the need for the increase & Jason will email a copy of this explanation to each Board member. Motion was made by Director Mackey, seconded by Director Peranick, to approve the Prop 218 disposal increase as presented. All voted in favor, with none absent, to approve the Prop 218 disposal increase as presented.

ENGINEER'S REPORT: Per Frank Daniele, he has reviewed the submitted plans for the River Bluff West Development, and returned the plans to the development team with comments that need to be addressed. Per Rich Rathbone, site plans have not yet been redone, with Architect's office closure due to COVID-19. Discussion ensued regarding easements, with Frank stating that the District requested a 20-foot easement, which was reduced to a 10-foot easement. Frank noted that the District will not allow planting of trees over District's main line in the easement. Rich will talk to the landscape designer regarding alternatives. A parking lot redesign isn't feasible due to parking ratio requirements for the building square footage. Per Frank, if onsite improvements within the easement are needed, removal/replacement of landscaping would be owner's responsibility & the District would be responsible for repair/replacement of asphalt only. Director Rodriguez asked for confirmation that Dirk Poeschel & Rich have the same understanding regarding improvements within the easement, to which Dirk replied that yes, this was their understanding. Director Peranick requested clarification regarding the boundary line to which they were referring; it's the south boundary line & west boundary line at the property, per Rich (south boundary line is adjacent to Derrel's Mini Storage). Per Frank, drawings indicate parking area along south & west boundary lines with an easement typically only 10 feet off of the property line & everything outside the easement is shown as parking lot, with trees in the easement. Rich confirmed his agreement with Frank's description. Rich will research alternative solutions and get back to everyone via email to keep this moving forward (instead of waiting until the next board meeting). Regarding hazmat cleanup on the property, Rich states that regulatory agencies did not require the cleanup; it was done at the owner's discretion & they'll get a letter from the Engineer who conducted the evaluation & testing for the District. Frank commented that

we'll need input from District Counsel regarding this, as our understanding has been that the District was restricted from drilling a well at the site due to contamination. Frank questioned why the cleanup would ever have been done if not required by any regulatory agency. Director Rodriguez interjected to clarify, posing the question "Rich, does that mean you're saying that Mr. Smith took care of the cleanup without having to be required to do it by a regulatory agency?", to which Rich replied, "That is correct". Rich further stated that regarding the District's well site area, historic records show the area to be outside of the footprint of what used to be the old Pinedale dump, and in fact the new building they're doing had only a 1-foot layer of asphalt, wood & concrete which had to be removed. He stated that the dump's footprint doesn't reach as far as the District's well site. Frank stated he was uncertain whether TCE contamination was the result of the old dump or the old Army Air Base which was on the property, as TCE contamination is usually a result of some type of degreaser utilized in servicing military equipment, etc. Per Rich, he confirms owner will be responsible for irrigation of the landscape for the proposed trail area (this falling under property owner's responsibility).

Discussion ensued regarding driveway & approach, with Frank stating the District would be amenable to a 21 foot area to allow for curbs & to meet fire department requirements. The driveway approach indicates it's to be the width of the Pinedale easement, which is acceptable. However, it indicates a 3 to 5-foot encroachment onto Derrel's Mini Storage property. Per Rich, the conditions of approval from City of Fresno require a 15 foot driveway with 5 foot wings so he believes it should be fine. The overall outside-to-outside measurement including the wings is 25 feet. Per Rich the drive approach off of Harrison will be eliminated, with an approach being created from the property onto the District's well site, so the District will have 3 access points--from the property, from the street, and from the back of the property directly onto the well site. Per Rich, this will be reflected in the new site plans that will be drawn up. Dirk & Russ Smith are working on a written agreement with the City to update the site plans & get them approved. They will then provide the District with an updated set of plans reflecting all of the City's covenants & restrictions, including the items that the District requires. Frank states the District was hoping to have the driveway paved while the property paving is being done; however, Rich stated that he didn't think they would be paving the District driveway for us and that is a question currently on the table. Per Frank, the District would pay for the paving of our driveway but have it done at the same time. Rich asked for Dirk's input, to which Dirk replied that he doesn't think they'll have a problem with that. Director Rodriguez interjected for clarification, stating that his understanding is that Dirk doesn't think there will be a problem with the District's reimbursement to them for the driveway paving if it can be done simultaneously to when the property is being paved—to which Dirk replied that he doesn't think that's a problem. This would allow for paving consistency and a more seamless tie-in to the property.

Per Rich, regarding overall plan for onsite water facilities, they don't have that developed at this time. They will put in double check valves on both sides of the property & will have their own loop around the future phases. Frank stated that District personnel will need to be able to access the property for meter reading/repair purposes, etc., & this should be covered in some sort of agreement with the property owner. Dirk stated that would be fine.

Rich states they don't have an approved plan yet & are hoping to obtain building permits in the next 2 or 3 weeks. To facilitate this, they want to make an agreement with the District to pay the connection fees in the future (instead of waiting until they have an approved plan, which is the District's normal process) in order to not hold up the permit process. Per Frank, the water connection fees will need to be paid prior to occupancy and the District wants to reiterate that this will be the case. Frank also stated he needs the Engineer's estimate for water main work that will be done for the District & that there will be some plan check & inspection fees to accompany that.

The synopsis of items still to be resolved are: tree planting in the easement; TCE cleanup letter; landscape area for the trail; the reimbursement to the developer for the installation of asphalt driveway on the District's property; overall plan for the water system; an estimate for the line construction & an easement for access(which Rich states they have already agreed to & will provide a document for). Per Dirk, they have already agreed to

the reciprocal private easement & they added in the meter maintenance. No further comments being made, Director Rodriguez called for the board’s general consent for unresolved items to be discussed at a later date. Roll call was done by JoAnn, with all being in favor. Director Peranick inquired regarding a time frame; Rich states they’re hoping to be able to get back to us with an updated plan in the next 2-3 weeks. Frank stated any agreements will need to be examined by the District’s legal counsel prior to acceptance by the District.

There being no further business, Director Rodriguez called for motion to adjourn. Director Mackey motioned to adjourn, Director Peranick seconded. Meeting adjourned at 5:46 p.m.

DIRECTOR’S REPORTS: NONE

ATTORNEY’S REPORT: NONE

ADJOURNMENT: 5:46 p.m.

APPROVED BY	:	RESPECTFULLY SUBMITTED:
DAVID RODRIGUEZ		JOANN VIERRA
BOARD PRESIDENT		DISTRICT SECRETARY