

**BEFORE THE BOARD OF DIRECTORS OF THE
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

RESOLUTION

NO. MMX-_____

**RESOLUTION AMENDING THE BOARD OF DIRECTORS PROCEDURES
PERTAINING TO THE APPOINTMENT AND REMOVAL OF COMMITTEE
MEMBERS**

Whereas, the Board of Directors desires to amend its rules to provide that committee members serve at the pleasure of the Committee Chair;

NOW, THEREFORE, BE IT RESOLVED that Rule 36 of the Rules of Procedures before the Board of Directors amended to read:

Rule 36. Committee Appointments. The President shall appoint Board members to committees with the concurrence of the Board. The Board member first appointed to each committee shall act as its chair. When a committee has public members, the committee chair shall appoint the public members. Committee members serve at the pleasure of the committee chair and may be removed at any time by the committee chair.

BE IT FURTHER RESOLVED that the District Counsel is directed to prepare a new copy of the Rules of Procedure dated this date and deliver to the General Manager for distribution.

PASSED AND ADOPTED this _____ day of _____, 2010, by the following vote of the Board of Directors of the Mountain House Community Services District, to wit:

AYES:

NOES:

ABSENT:

ANDY K. SU, PRESIDENT
Board of Directors of the Mountain House
Community Services District, County of San
Joaquin, State of California

ATTEST: MIMI DUZENSKI
Secretary of the Board of Directors
of the Mountain House Community
Services District, County of San
Joaquin, State of California

By: _____

ADMINISTRATION

PAUL M. SENSIBAUGH
General Manager

MICHAEL F. McGREW
Counsel

MIMI DUZENSKI
Secretary

**BOARD MEMBERS**

ANDY SU
President

ERIC PAYNE
Vice President

MATTHEW BALZARINI

JIM LAMB

BERNICE KING TINGLE

BOARD OF DIRECTORS**MINUTE SUMMARY**

Meeting of February 10, 2010

AGENDA

Call to Order

The President called the meeting to order at 6:30 pm and the Board adjourned to Closed Session - Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation under subdivision (b) of Section 54956.9. (one case)

CLOSED SESSION

The Board returned from closed session at 7:00 pm and District Counsel, regarding Municipal Utility late fees, announced that on next month's Board Agenda, the Board will set forth a refund process for making claims for people that feel they have been improperly charged late fees.

PLEDGE OF ALLEGIANCE

Boy Scout Pack 511 led the Pledge of Allegiance.

Roll Call

Present: DIRECTOR BALZARINI , DIRECTOR LAMB, VICE PRESIDENT PAYNE, DIRECTOR TINGLE, and PRESIDENT SU.

Recognition, Announcements, or Presentations - President

1. Presentation of the Laboratory Technician of the Year Award from the San Joaquin Section of the California Water Environment Association (CWEA) by Darren Greenwood, CWEA President, to Bonnie Dennedy of SouthWest Water Company

Mr. Darren Greenwood presented Bonnie Dennedy with the Laboratory Technician of the Year Award.

2. Presentation by San Joaquin Regional Transit Authority - Unmet Transit Needs - Nate Knodt, Planning Services Manager

Nate Knodt of the San Joaquin Regional Transit Authority, gave a presentation regarding transit needs in Mountain House. Mr. Knodt stated that funding for SJRTA operations has been cut by 21% in the past year. For Mountain House to have a separate route to Mountain House and a separate route to Delta College, it would require a partnership and discussions with SJRTA, the MHCS, Delta College, City of Tracy, and possibly Tracy High School to determine how to share the annual estimated cost of approximately \$225,000 per year.

If a member of the audience wishes to address the Board of Directors during the Public Comment portion of the agenda, no action or discussion shall be taken on any item raised during Public Comment, except that Board members or staff members may briefly respond to statements or questions. Public Comment forms are located on the table at the back of the Board Room. If a member of the public wants to comment on an agenda item, Public Comment forms must be submitted prior to the time the item is announced. Please turn off all cell phones and pagers.

Public Comments

There were no public comments.

Action Items

1. Renting Facilities to Private Businesses (Board Order)

The Development Manager presented a staff report.

The Board discussed the use of the various facilities and possible fees for use of the facilities. The goal is to set fees that are not prohibitive, but still cover costs such as custodial services. The Board directed the General Manager to modify policy to 1. Determine what businesses can come in. 2. Charge deposits of \$100 or \$200. 3. Keep current policy for one-time events, such as birthday parties. 4. Set tiers for businesses, but not cost prohibitive. The General Manager was directed to bring back this item on a future agenda.

Jennifer Funk - Stated that she is interested in renting MHCS facilities for Weight Watchers meetings.

2. Establish Deposit Policy for All New Municipal Utility Accounts - (Resolution)

The Business Manager presented a staff report.

The Board, District Counsel, and General Manager discussed the agenda item.

Action: 2. Establish Deposit Policy for All New Municipal Utility Accounts - (Resolution)

Motion: DIRECTOR LAMB

Second: DIRECTOR TINGLE

Vote: Unanimously approved.

Note: This motion was reconsidered later in the meeting and was amended to reflect that the deposit will be applied to the account after payments of twelve months in a row without any past due bills.

3. Reconsideration of Deposits for Delinquent Municipal Utility Accounts - (Resolution)

The Business Manager presented a staff report.

Rigoberto Ramirez - Stated that he is willing to pay late fees because of the way his pay periods fall, but objected to the deposit. Mr. Ramirez referred to a code section regarding contacting residents prior to shut off.

Lorrene Salazar - Stated that it has been a challenge to deal with customers that object to paying the deposit and asked the Board to give a clear directive. (The General Manager clarified that Ms. Salazar commented as a Mountain House resident, although she is also an MHCS employee).

Ed Billeci - Appreciates the Board for re-evaluating the policy and had a question regarding the limit on the types of deposits one can be charged.

Action: Maintain the Security Deposit of \$300 for Customers that Have Had W Service Terminated for Non-Payment and Clarify it as a Single Occurrence for the Period of 12 months of On-Time Payments

Motion: DIRECTOR TINGLE
Second: VICE PRESIDENT PAYNE
Vote: Unanimously approved.

Motion to Reconsider Action Item #2 - Establish Deposit Policy for All New Municipal Utility Accounts

Action: Motion to Reconsider Action Item #2 - Establish Deposit Policy for All New Municipal Utility Accounts

Motion: VICE PRESIDENT PAYNE
Second: DIRECTOR TINGLE
Vote: Unanimously approved.

Action: Motion to Reconsider Action Item #2 to Amend the Resolution Establishing Deposit Policy for All New Municipal Utility Accounts to Change "Two Late Payments" to "Twelve Months of Consecutive, C Time Payments" in Order to Redeem the \$300 Security Deposit.

Motion: VICE PRESIDENT PAYNE
Second: DIRECTOR LAMB
Vote: Unanimously approved.

4. Consider Co-Sponsoring the Great Egg Hunt - (Board Order)

The General Manager presented a staff report.

The Board discussed this topic and it was determined that the MHCS will not co-sponsor the event, however, it will advertise the event in the newsletter and through an electronic notice to residents.

5. Adopt a Resolution Amending the Board's Rules of Procedure to Provide for Two-

Year Committee Terms (Resolution)

The General Manager gave a brief report and turned the item to the President.

Action: Adopt a Resolution Amending the Board's Rules of Procedures to Provide for Two-Year Committee Terms

Motion: VICE PRESIDENT PAYNE

Second: DIRECTOR LAMB

Vote:

AYES: DIRECTOR SU, VICE PRESIDENT TINGLE, DIRECTOR LAMB, and PRESIDENT PAYNE.

NOES: DIRECTOR BALZARINI .

ABSENT: None.

6. Enter into a Joint-Use Agreement with the Mountain House Little League (Board Order)

The Development Manager presented a staff report.

Action: Enter into a Joint-Use Agreement with the Mountain House Little League for the Installation and Maintenance of A Pitching Mound at Altamont Park, with Proper Measurements, and to Include Any Other Baseball Facilities such as Bleachers and Screens.

Motion: VICE PRESIDENT PAYNE

Second: DIRECTOR TINGLE

Vote: Unanimously approved.

7. Mid Year Budget Presentation, and Appropriation (4/5ths Vote Required)

The Business Manager presented a staff report.

Action: Approve Mid Year Budget and Appropriate \$10,000 for Board Training (4/5ths Vote Required)

Motion: DIRECTOR LAMB

Second: VICE PRESIDENT PAYNE

Vote: Unanimously approved.

Consent Calendar - (Motion)

Action: Approve Consent Calendar

Motion: VICE PRESIDENT PAYNE

Second: DIRECTOR BALZARINI

Vote: Unanimously approved.

Consent agenda items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any Board member, staff member or interested party may request removal of an item from the consent calendar for discussion.

1. Introduce and Waive Reading of an Ordinance Amending the Provisions for the Assessment of Penalties for Overdue Payment of Water Service Charges (Ordinance to be Adopted on March 10, 2010)

2. Approve the Minutes of the Board of Directors' Meeting of January 13, 2010

Committee Reports

1. Schools Committee Report - Director Balzarini

Director Balzarini reported that the monthly meetings with the General Manager and Superintendent Hansen have been established and the discussions include the Corp Yard Joint Use Agreement. Director Balzarini is working on coordinating a meeting with Delta College Trustee Teresa Brown.

2. Public Safety Advisory Committee - Director Balzarini - Minutes of February 3, 2010 Meeting

Director Balzarini reported that the committee met and recapped the information gathered from various public safety agencies. The monthly meetings will continue.

3. Mountain House Housing Advisory Board (County) - Director Balzarini

A meeting has not yet been set by San Joaquin County.

4. Parks and Recreation, Special Events and Youth Programs Committee - President Su

President Su reported that Vice President Payne has stepped down from the committee and asked if any of the other Board members were interested in assuming the role. A meeting has not yet been set.

5. Public Communications Committee - Director Lamb

Director Lamb reported that staff is making progress on the website and sometime in March there will be a soft roll out.

6. Youth Action Committee Report - Director Tingle

Director Tingle reported there are 16 young people that are interested in the committee. Director Tingle reported that the YMCA will be meeting with her and MHCS D staff on possible programs for youth in Mountain House. A tentative committee meeting is set for February 22, at 5:30 for the purpose of establishing a framework for the committee.

Board Comments

General Manager Comments

The General Manager requested that the Board submit their available dates for Budget Workshops to the Board Secretary. The General Manager announced the first Coffee and Tea Social on February 17 at 7:00 pm at the Trimark Information Center.

Adjourn to March 17, 2010, at 6:30 pm

Action: Adjourn to March 17, 2010, at 6:30 pm.
Motion: PRESIDENT PAYNE
Second: DIRECTOR BALZARINI
Vote: Unanimously approved.

Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Secretary of the Board of Directors at (209) 831-2300 at least 48 hours prior to the start of the meeting. Government Code Section 54954.2 (a).

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the MHCSD Offices at 230 S. Sterling Drive, during normal business hours.

Respectfully Submitted,

Mimi Duzenski
District Secretary