

Approve an Agreement with Vavrinek, Trine, Day & Co. in the Not to Exceed Amount of \$16,200 to Conduct a Review of Yosemite West Financial Transactions and Authorize the Chairman of the Board of Supervisors to Sign the Agreement

Rick Benson/County Administrative Officer presented the staff report, noted the receipt of a letter over the weekend, and recommended that the matter be continued so that he can address its issues with the contractor.

Supervisor Stetson discussed the recent communications to the Board, and noted his agreement with refining the Scope of Services. Chair Cann also expressed his agreement, and noted that this review is being done to satisfy the concerns of the maintenance committee. Board discussion ensued regarding changing the scope, and that it may change the price of the services. Peter Rei/Public Works Director remarked that the situation has been challenging for both parties; and noted that he encourages any action that will resolve the issue of what happened in the past, and along the path of deciding what to do about the problems. Supervisor Carrier noted his agreement with Mr. Rei; and discussed his hope that everyone will accept the results of the report so that repairs can be undertaken.

Public comment opened.

Barry Turner thanked the Board for the consideration of the community's concerns; and remarked that this is going down the right path.

John Mock noted that the letter he sent was at the direction of the Yosemite West Advisory Committee; discussed the letter from Derek Cole, and encouraged that his recommendations also be included in the scope of services; remarked that there is no single fix, and discussed various options; discussed the collaboration between Yosemite West, Public Works and the rest of the County; and remarked that he thinks that this is just a question of verbiage.

Robert Kroon discussed the three letters to the Board, noting that they covered everything; discussed past representations that the money was to be forgiven; discussed the scope of services clause, and expressed his reservations regarding term number 5 regarding documentation being supplied by the County; remarked that the scope should go before the maintenance advisory board when it is rewritten; and noted that he thinks the engineer's report and the Grand Jury's report should be included in the contract so that the contractor is fully advised of issues and concerns.

Public comment closed.

CAO noted that the County will provide whatever documentation that it has, but noted his concern with language that seems to suggest that the County will provide documents that it doesn't have. He also remarked that they will need to supply any documents that they possess, and which the County does not, for inclusion. CAO also stressed that this is a financial review and not an audit, as a complete audit would be much more expensive.

Public comment reopened.

Richard Long noted that they have the documents; remarked that the County was given the roads; noted that the issue here is more involved than just today's item; and noted that he just wants answers.

John Mock noted that he thinks this is an important process question; and requested that the CAO provide a list of the documents that was given to the financial consultant so that they can compare them against what they have.

Barry Turner requested clarification that any documentation that he forwards to the CAO will be provided to the financial analyst. Chair Cann responded that either procedure is acceptable; that we can provide them with a list of the documents that we have provided to the analyst, or that they can supply their documentation to us to be forwarded to the

contractor; and we are providing direction to the contractor to meet with them.

Public comment closed.

Chair Cann noted that the Board has given direction; and remarked that the draft is going to be provided to the advisory group chairman, who will circulate it among their members. Mr. Rei noted that he will communicate with Chairman Mock to get this before the advisory board members as soon as possible.

RESULT: CONTINUED

1:18 PM Chair Cann recessed the meeting for lunch, and announced that it would reconvene at 2:45 pm.

2:47 PM Chair Cann reconvened the Board meeting.

4. Public Works (ID # 3320)

Discussion and Direction Regarding Funding for a Contract with Advanced Reliability Technologies for Preparation of a Spill Prevention Plan at the Coulterville Wastewater Treatment Plant 4/5ths Vote Required

Peter Rei gave the staff presentation, noting that a spill prevention plan has not been required in the past, but now is as a result of the spill at Coulterville; discussed the scope of the agreement; noted there is only a little over two thousand dollars available; and noted that the Coulterville balance is now zero.

Board clarification was sought regarding the implementation of new fees, any delinquent accounts, whether Coulterville's Zone of Benefit (ZOB) can be undertaken first, the spill prevention plan, whether everything can be priced out at once, and Water Quality Board due dates. Barbara Carrier/Public Works Assistant Director - Support Services responded from the audience, noting that accounts are fairly current. Mr. Rei responded to all other concerns, noting that this was due this week; that Public Works requested an extension two weeks ago; that another letter can be written to ask for another extension; and that we have responded to everything. Supervisor Cann noted that it is essential to respond to them immediately, and to act quickly to meet their needs; and remarked that this should be ordered tomorrow. The Board required further clarification regarding the spill plan and the importance of moving forward with it, the impact of Yosemite West issues on this one, the time table for a Coulterville fee increase, that any money from the General Fund should be clearly delineated as a loan, and whether Public Works engineering staff can be used instead of contracting out. Mr. Rei responded to all issues, noting that they will address the staff issues with the next budget.

Chair Cann noted we can use the General Fund, or perhaps the Water Agency, but that a loan from the General Fund is the most immediate.

Discussion ensued between Supervisor Bibby and Mr. Rei regarding whether the County can do the fee increases in house. Mr. Rei noted that he doesn't feel confident doing it with the staff that he has, and would prefer using someone who does this all the time. Supervisor Bibby noted that her other concern is that the water agency money is already committed. Mr. Rei responded, noting that there is already a water agency loan to Coulterville and that is still six years away from being paid off; but that he is concerned with accruing penalties, as they will add up quickly. Supervisor Stetson remarked that this plan needs to be done quickly while any kind of fee increase will take some time, and he requested options from the CAO. Rick Benson responded it is either coming from the Water Agency or the General Fund; but if it comes from the General Fund, a special loan fund has to be established. Supervisor Stetson inquired as to the time frame. Mr. Benson responded that the Board can only give direction today. Supervisor Cann expressed his concerns. Mr. Rei offered that he has the ability to authorize contracts up to \$15,000 but, in this instance, he doesn't know how he will pay for it. Supervisor Cann noted that his