



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

## MEETING MINUTES

SHAVER LAKE CITIZENS ADVISORY COMMITTEE  
March 9, 2017

**Members Present:** Peter Van Vleet  
Darryl Moore  
Jerry Sandstrom  
Alice Knapp  
Eric Tallberg

**County Staff Present:** Sebastian Artal  
Jeff Weldon  
Saul Zamora  
Jerod Weeks

**Call to Order:** Meeting started at approximately 2:00 pm

### **Agenda Item 1: Review and Approve Minutes from the November 17, 2016 Meeting**

The minutes for the previous meeting were approved.

### **Agenda Item 2: WWD 41W Asbestos Project Update**

The CAC previously requested that sample sections of the A/C pipe not experiencing the same levels of velocity or water flow be analyzed for signs of deterioration in an attempt to remove specific sections of A/C pipe from the project. Mr. Artal explained the increased costs due to a loss of economies of scale and potential controversial political ramifications associated with removal of only specific sections. The CAC approved a motion to keep all affected areas within the scope of the project in place.

Mr. Strahm from Strahm Engineering discussed the benefits of both a stacked and parallel pipe configuration. A stacked configuration would require a temporary water connection during certain phases of the project and would add additional costs. A parallel configuration may incur significant additional costs if blasting in hard rock areas is required. The County has no opinion as to which configuration to use. From a technical viewpoint, either configuration would meet the needs of the community. Total cost will not be determined until bids are received from approved construction contractors. Mr. Strahm believes that both the stacked and parallel preliminary cost estimates fit within his proposed estimate provided to the County during his plans and specifications submission.

The question was asked if the construction contractor will have the authority to change which configuration is used. Mr. Artal stated that the County must approve any changes requested by

the contractor. If a change is approved, a new set of plans and specifications would be required in order to avoid any complications with future maintenance/construction needs.

The County has requested a legal opinion regarding the Proposition 218 process. More information will be provided once the County receives direction from Counsel. However, the CAC expressed their concern over the loss of tax revenue from WWD 41W should Counsel's opinion include the dissolution of the District. WWD 41W receives funds from the State in various amounts. The County has no discretion in determining the amount of funds the District receives or which districts will receive funds. Since Fiscal Year 12-13 the District has received no less than \$380,000 per year. A dissolution of WWD 41W would eliminate this benefit.

Mr. Artal discussed the proportionality requirements in the Proposition 218 process. WWD 41W provides water service to the District itself as well as five zones of benefit located just outside of the WWD 41W boundaries. The California Constitution states that "[u]nder Proposition 218, no assessment may be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel." Therefore, if a zone of benefit were to oppose the increase the District or zones of benefit that approved the assessment would be required to pay a disproportionate share, violating the proportionality requirements.

The question of whether or not the District must move forward with the project was asked. Mr. Weeks explained that the A/C pipes have shown signs of deterioration and should be replaced. Although sample test results have shown levels of asbestos well below the maximum limit allowed, any test that results in a level that exceeds the maximum contaminant limit can result in fines, for which the District would be responsible.

### **Agenda Item 3: Needs of the Community**

Ms. Knapp discussed the need for additional community facilities including porta-potty and garbage dumpster rentals to accommodate the increase in population during certain times of the year. A discussion was had that included the benefits of paying for these services through the Shaver Lake Civic League. Doing so would eliminate various restrictions the County places on vendor selection and payment however, as Mr. Murray, President of the Shaver Lake Civic League, explained any funds paid out through the Shaver Lake Civic League for the benefit of County Service Area 31 would decrease the amount available to the Shaver Lake Civic League per Agreement 16-397 which can be found here:

<https://fresnocounty.legistar.com/LegislationDetail.aspx?ID=2751679&GUID=AF0D43A1-4F4D-4E57-8EC7-9322E6436FEC&Options=&Search=>

### **Agenda Item 4: Comments/Other Items**

Mr. Weldon discussed the pond failures at the Shaver Lake Wastewater Treatment Plant that occurred during the most recent heavy rainfalls. A berm between two ponds has begun to separate and will require added support. This will be completed when the berm is less saturated and is safe to hold heavy equipment.

### **Next Meeting Date:**

Next meeting is tentatively scheduled for **TBD**.  
Meeting adjourned at approximately 3:30 p.m.