

# Minutes: Lake Canyon Mutual Water Company Board Meeting

Tuesday, June 16, 2020 7:00 p.m.

## Held via Zoom Audio and/or Video Conference

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PUBLIC FORUM: Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, if the matter is not on the agenda or pending before the Board.

**Roll Call:** Jim DiZoglio, Mindi Porebski, Rebecca Cabral, Susan Ady, Casey Farrand  
Also in attendance: Bud Everts, Phil Abel, Barbara Abel, Kirk Epperly, Terry Truong, Kenji Morita, Wais Achak, Vu Dang, John Lipka, Don Kirk, Erick Rector, Debby Cunningham

Rebecca calls meeting to order at 7:06 pm

### Financial Reports / Budget 2019 - 2020

Annual budget shared, [see link here](#)

Recommendation for monthly report

Susan motions to approve the annual LCMWC budget for 2020-2021

Jim seconds

Motion passes 3-0

Mindi motions to approve the monthly financial reports

Susan seconds

Motion passes 3-0

Question from resident on spend to-date on lawyer fees: \$3888

Suggestion the board stop spend on lawyer fees

Jim motions to pause lawyer spend in light of recent communication from the homeowner at 19388

Beardsley. We would meet in a special session to reinstate the original motion would we need to continue with Jen's assistance

Motion passes 3-0

### Business

1. Hear public commentary: 2 minute limit per speaker
  - a. It has pretty much all been said at this point
  - b. Asked about item #1 on the agenda
2. Present findings from previous board actions in regards to survey and letter for 19388 Beardsley Road
  - a. Information shared about Curt coming out, referencing Lake Canyon Map #2, and replacing two pins to find the center of the road. Curt has also placed that information on a map for us
  - b. Resident expresses his dissatisfaction at the line and pin we put in the road and that we used Alpha Surveys as he does not agree with their survey and believes it is incorrect
  - c. Resident shares that homeowner at 19388 Beardsley agreed to use Alpha Surveys Inc. in their discussion with Santa Clara County
  - d. Point of view shared that board is just trying to get authoritative information in order to make a decision
  - e. Information shared from the first meeting with the lawyer that moving the easement might be an option
  - f. Information shared that the second meeting with the lawyer was primarily questions we

could not answer, and resulted in the recommendation that we hold this executive session

3. Hold Executive Session: Lake Canyon Mutual Water Company Request for Easement Agreement at 19388 Beardsley Road
  - a. Mindi makes a motion to adjourn to Executive Session: Lake Canyon Mutual Water Company Request for Easement Agreement at 19388 Beardsley Road
  - b. Casey seconds
  - c. Votes: 4-0
    - i. Executive session begins at 7:57p.m.
      1. Susan makes a motion to authorize Jen to obtain more information including but not limited to reaching out to the county, at a cost of no more than \$3500
      2. Casey seconds
      3. Vote 3-0, with two abstain
    - ii. Executive meeting ends at 9:30 p.m.
4. Consideration of Formation of Subcommittee regarding Lake Canyon Right of Way Easements
  - a. No action was taken on this item
5. Update on unimproved lot charges: follow up from last meeting Action Item on letter to send to attorney before sending to known addresses before start of fiscal year
  - a. Legal counsel has approved the letter
  - b. Bud will send this out within the week

***All below topics adjourned to the next special meeting on Tuesday June 23rd at 7p.m.***

#### **Reports: Water, Staff, Projects, Maintenance**

#### **Communication and Correspondence**

6. Capital Improvement plan and rate study
7. Earthquake and fire emergency evacuation plan:
  - a. Review Oak Rd emergency Exit photos
  - b. Review back of canyon emergency exit path photos and videos
    - i. Determine next steps for both emergency paths, including: signage, consideration of personal property when accessing Oak Ct exit, communication to community and posting on web, combination to open gate at end
  - c. Firewise presentation
8. Plan for Lake Canyon shed update: review proposed plan from Susan and agree on next steps

#### **Review Meeting Minutes**

Susan motions to approve the minutes

Jim seconds

Motion passes 3-0

**Create next meeting agenda items:** Tuesday, July 21, 2020 7:00 p.m. via Zoom conference

1. Conversations with San Jose water on hookup next steps
2. Labor costs: consider wage rate changes
3. Laurel Curve safety improvement project: status of signs and community discussion/committee
4. Hardship policy, including leak adjustments: review proposal

**Adjourned at 10:21 p.m.**