

ACTION
MINUTES OF THE SPECIAL BOARD MEETING
OF THE
HOUSING AUTHORITY OF THE COUNTY OF MONTEREY
HELD SEPTEMBER 24, 2004

Commissioners met at the Central Officer. The meeting was called to order by Chair Michael Nichols at 12 p.m. Present: Chair Michael Nichols, Vice Chair Alan Styles and Commissioners: York Gin, Timothy Escamilla, Carol Schneider, and John Dalessio. Absent: Commissioner Josh Stewart. Also Present: Jim Nakashima, Executive Director; Mary Jo Zenk, Deputy Executive Director/Chief Financial Officer; Barry Phillips, Chief Administrative Officer; Starla Warren, Director of Housing Development; Richard Johnston, IT Associate, and Cheryl Ontiveros, Attorney. Recorder: Sandy Tebbs

COMMENTS FROM THE PUBLIC

Helaine Clark commented I'd like to request that when you have meetings on very short notices specifically about Rippling River that you schedule them at Rippling River because the Rides Bus has to have way more notification—at least a week's notice. We have to pick up the residents and one of the residents isn't physically capable of transfer from her battery-operated chair and she always wanted to be at these meetings so it's not ADA compliant when the residents can't attend. Thank you. I'm Helaine Clark as you know.

Joe Hertlein commented I've been here at times to be critical about this place so I just wanted to say thank you and to compliment you on the project that is being proposed which is vacant at the Tynan Lumber Company; I've been by there a number of times and actually said something good ought to happen to this site. And I'm glad to see that the Housing Authority and Starla (Warren) and others have been working on making something good happen to that property. I wish you all success on it. Thank you.

NEW BUSINESS

A. Staff Recommendations on Next Steps for Rippling River

During a lengthy discussion, Ms. Warren reported that staff recommends the Board accept the Corps of Engineers' report on Rippling River with clarifications regarding Type M copper tubing, metal decking, walkways should be ADA compliant, and accommodation percentage of current level of accessibility for current tenants as outlined in her report. Ms. Warren pointed out that attached to her report is a letter from HACM's Architect, Wald, Ruhnke & Dost, regarding the Corps of Engineers report and Mr. Ruhnke is willing to come to the regular Board meeting if the Board desires. Staff has had discussions with the insurance firm who will buy off on a temporary approach to prevent the insurance from being cancelled on December 7th; the County, the insurance company, and our staff are obtaining structural engineers to go to the site to define the scope of work necessary to make the buildings safe, to oversee the work, and to then certify the buildings as safe; that should be completed by December 7th. The RFP has gone out and is targeted to all structural engineers.

Ms. Warren stated that the Housing Authority Finance/Development Committee wanted it to be clear that any items concerning monetary issues needs to go through the Finance/Development Committee. Commissioner Escamilla clarified that when the Joint Ad Hoc Subcommittees go public and makes recommendations regarding finances that these would go through the Finance/Development Committee.

Commissioner Dalessio stated he would like to solicit a public comment from Joe Hertlein about the pipe issue in the Salinas area.

Mr. Hertlein commented that he would recommend someone go through the work orders on leaks if there are 30 or more a year because there is a class action suit currently taking place in the Salinas area against a builder regarding defective pipe. He stated it didn't surprise him because he had his own problem with a batch of type M copper piping and reiterated that there is, in fact, a problem with that piping and the Housing Authority is in an excellent position to recruit compensation against the supplier of that type of pipe. Mr. Nakashima asked do you support that action of rescinding the previous motion. Mr. Hertlein replied on the rescinding—well thinking of rescinding all previous motions to that you know not rehabbing Rippling River, yes I would agree with that but I've also specifically been asked to comment on the pipe issue. I would definitely urge you to look into that to be consistent.

Helaine Clark commented that is what Kim (Blackseth) said is the fact that you still have time to sue the companies because our Attorney, Dan Devries, found out talking with the engineer. Our attorney could help you get the money back.

Upon motion by Commissioner Escamilla, seconded by Commissioner Styles, the Board rescinded their motion to rehabilitate Rippling River made at the June 23, 2003 Board meeting. Motion carried with the following vote:

AYES: Nichols, Styles, Gin, Escamilla, Dalessio
NOES: Schneider
ABSENT: Stewart

The Board tabled Action #2, present new motions and provide staff with direction, until further direction from the Joint Ad Hoc Subcommittees Meeting, staff consideration, and public hearing.

B. Investigative Subcommittee

Commissioner Dalessio stated that he would like to start out by saying (item) 4B doesn't state what he asked for. He stated he asked for a general investigation of what happened with Rippling River. There was no specification of staff and, in fact, the primary purpose he wanted to start this was that he thought there may also be a lot of money recoverable based upon the Ruhnke report. Commissioner Dalessio stated, first of all, why did Mr. Ruhnke's figures come out so differently? He stated he had read his (Ruhnke) letter and he wasn't satisfied by that in the least. Commissioner Dalessio continued, and if he overstated—he missed the point. We have also spent a fortune since then on studies and reports that were based upon Ruhnke's figures. If he missed the ball by about five times, he would be liable for negligence. The preparation of his (Ruhnke) report and that reliance would carry through to all the money HACM has spent after that. Commissioner Dalessio stated and, as Commissioners and the caretakers of the resources and assets of this Housing Authority, we have an absolute obligation to look into this and see whether in fact we can recover for what's gone on. So it was not aimed at staff in particular, it was aimed at how do we look at this? How do we come to a resolution as to what happened? And can we recover money by doing this?

Commissioner Escamilla stated that as Commissioner Dalessio tried to clarify what this said, I spent a lot of time, particularly the past few days, to submit some information to enlighten. So rather than get into a whole lot of arguments I have prepared a statement because I wanted to be clear on what I said and I wanted to try to maintain some sense of dignity. Commissioner Escamilla asked the Chair to give him three minutes to read his statement and talk about it afterwards. Commissioner Escamilla read from a written statement, "as I review Commissioner Dalessio's request to establish a sub-committee to 'investigate Staff's Actions' regarding Rippling River, I asked myself; to what extent did the Commissioners direct staff's action and to what extent did we as Commissioners try to implement the mission statement of the Housing Authority? The answer is clear. As the public record shows, the Board of Commissioners gave all direction taken by staff with respect to Rippling River. Our decisions and actions were taken in the pursuit of the execution of our Mission Statement, 'To provide, administer and encourage quality affordable housing and related services to eligible residents of Monterey County.'"

Commissioner Escamillia continued I will accept criticism that the Board of Commissioners' scope of work is more ambitious than that of HUD, the County, residents of Carmel Valley, some residents of Rippling River and that of Commissioner Dalessio. However, I will not accept nor will I support any action that gives perception in any manner that questions staff's competence or integrity. I have received Commissioner Dalessio's email to some of his closest friends and colleagues and due to the content of this email, I now have to question Commissioner Dalessio's agenda.

One of Commissioner Dalessio's recipients of his email is a prospective employer of a current staff member of the Housing Authority. This cruel and harmful message was sent and received as an unsolicited evaluation of the staff member's performance. Commissioner Dalessio sent this email with the cruel intention of derailing our staff member's hopes, aspirations and ambition to pursue a happy prestigious position outside the Housing Authority. If Commissioner Dalessio's actions privately, through a public appointment, have such venom as to cause harm to a lawful employee of the Housing Authority, then what are his intensions privately through a public investigation? I believe he will publicly try to humiliate and disgrace some of the outstanding careers of our staff members, and therefore, I will not support him or his hidden agenda. Furthermore, at the appropriate time, my motion will be to decline Commissioner Dalessio's request with extreme prejudice through a roll call vote. I

believe this will provide our staff member the opportunity to rebut Commissioner Dalessio's unsolicited evaluation of one Commissioner."

Commissioner Escamilla continued, I didn't bring up the email because I didn't want to invite that one person. And I want to protect somebody's private choice on this direction, but I think its something we have to address again. And I know that here he (Commissioner Dalessio) says he doesn't (plan) to conduct it at staff, but in that email he clearly says that he wants to investigate staff's competence and honesty and that's questioning their integrity. And I'm not here to be part of that. So when it comes time to take the motion, that will be my motion. Chair Nichols asked, is that your motion? Commissioner Escamilla replied the motion stated. Commissioner Escamilla replied to query that this is a public meeting and we have to protect private individual choices. They chose not to be in public and they have every opportunity in public comments to make it public and they chose not to. Commissioner Escamilla stated to Commissioner Dalessio, it was really harmful what was done. And I'm going to respect that individual's silence and them keeping it personal and private. That being said, I think if you truly wanted to know, you could easily have investigated yourself and found out.

Commissioner Dalessio replied, well I can't respond to it unless I know. You know, basically, you have accused me of doing things that I have literally talked about. Commissioner Escamilla responded, you know what I'm talking about with reference to staff and I think I want to quote something to the effect that staff's competence and honesty and so as you try to qualify this, right here, knowing that you spent time, I really question—and I want to tell you something—I was going to wait until public comments and I'll say it right now—I have many friends just as you do—some people have said well you're on board with John (Dalessio) and I said wait a minute. I have defended you to my personal colleagues and friends about your perception because I've had respect for you. I think that this action taken is very personal and particularly since it was taken outside the realm of what we're trying to accomplish here. I respect the position you've taken with Rippling River and I respect you totally, but what you've done beyond that, I think is way beyond what your appointment says. As I said in my statement, and now we can question what—because you're qualifying what you're saying in terms of staff but in that email that you sent to a lot of people, you talk about staff competencies and their honesty so I'm questioning a sub-committee that's going to investigate this issue. I totally think, as I mentioned, its about trying to discuss whether it be Ruhnke because he's a member of our hired staff or whether it be Starla (Warren) or Mary Jo (Zenk), Jim (Nakashima)—whomever our staff is—and I'm not going to participate in that. I couldn't address it any other time; this gave me the forum I needed to address it. And that's my position.

Commissioner Dalessio responded, to some degree you are correct in that if Ruhnke really did work those to put all this stuff into his report then I think it does, in fact, have to be investigated. Because things are—we're looking at a million or more dollars and we're also looking at the ultimate result of what happened to Rippling River.

Commissioner Styles stated it does not come back to staff; it comes back to this Board. We had to approve the RFP; we as a Commission approved the scope; staff didn't do that. This Board gave staff permission to go out with an RFP and we as a Commission are the only ones that can do that; they just can't go out on their own and get an RFP and they did not. So that part is this Commission, every single one of us on here that—you weren't here—had the opportunity to review it; had the opportunity to ask questions about it; had the opportunity to do whatever we wanted to do with it and then we approved it. So its not staff. What staff did was took the RFP, put it on the street, brought back the information to this Commission and again staff asked us to approve it. And with many, many hours of discussions, reviews, and comments, this Commission approved it. So it's not staff; it's got nothing to do with staff. They did exactly what this Commission told them to do. So anytime somebody says, we need to look at the integrity or honesty of staff, they are going to have a problem with me because the staff can only do what we allow the Executive Director to have them to do. And so, I'm not going to let staff take the blame for any of this. I think it's our responsibility and the buck stops here and if there are any questions about it, then you need to start right here.

Commissioner Nichols commented the thing on the issue is because we changed the perspective right there—it's an open investigation. Does that mean that we're going to look at certain individuals at County level that represented the County supposedly for two years. Do we look at all of their records to see if any reports were given? When all the assumptions were that the County would be accepting in tone and two years later I haven't seen anything and in two months we're settling this issue; we could have settled two years ago if somebody would have done his job and reported it to the County. If we're going to investigate, we're going to investigate, but I don't think we need to get into it. I agree with Commissioners Escamilla and Styles that we directed staff; everything leads to us.

Commissioner Dalessio requested the question be called because it's very obvious where it sits and then we'll figure some things.

Merri Bilek stated I think any opportunity you have to investigate yourself is far favorable to what other people would view as an investigation of you. And I'm speaking about through the press, through the grand jury—I think it would be to your benefit to find out how and why this went wrong so that we can figure out how to prevent it in the future. That's all I have to say.

Helaine Clark stated many times we felt we had been lied to and this is a good opportunity—but by you—to say you have been looking at staff—investigating--depending on what staff has been saying—did staff lie to you—are they incompetent—deliberately not looking for competent staff? Here's a report that Mr. Ruhnke made that is \$8M over what the Corps report indicated to you. I do not believe you aren't willing to look at yourselves to learn why this happened? If you don't look at yourselves, a lot of other people, who really want to, will look at you and they'll monitor you. That looks pretty bad in the public eye.

Joe Hertlein stated, ladies and gentlemen I can appreciate your unwillingness to hold the microscope to yourselves, but I have to reinforce what the previous two speakers have said. You've been given an opportunity to do that. And to do it yourselves is bound to be a lot less painful than if it is being done by the outside. And with every breath I have I will do everything possible to make sure that the issue isn't dropped—at least not right here. At least be serious—there is a horrendous mistake in the way that's been made. If you want to avoid it, then you have (inaudible). So it's in your best interest—its in the book, how did it happen And to that—and maybe—and I haven't seen an email, but everything was in the email, maybe there was a comment that was made that was bad, but everything (inaudible) how many times blamed on one individual or another—you can forget all that. You can say, let's phrase the question appropriately now—which the Board has the option to do and say how can we, as the Board of Commissioners, best look at what happened here? What went wrong? How did our report—I'm not sure we—we are the Housing Authority but whether its Ruhnke or with the staff is irrelevant in a way. You don't look at it and say, how did that report get so far a field from what the Army Corps is. What needs to be is more appropriate realistic figure with what the media has been telling you from the git-go. And we have nothing but proof from private contractors and private engineers to support all that. So somewhere something is really out of whack here and to help you make sure that this doesn't happen somewhere else on some other project, I think really it is in your best interest to take a look—really hard—more privately. If you've got to have it done in the public arena, we can help accommodate that, but that's not really—I think you really want staff's interest—if you continue (inaudible)- a lot of finger pointing—and that's not the intent. I don't want to see that happen. I wanted to make sure that you people were doing—the contractor's job in so many regards—this is such an outstanding industry—that has so many people perplexed because how can you be doing such a great job over here on almost every one of your projects and yet somehow at Rippling River things just fell apart giving you a whole holy mess. What do you do to explain that and make sure it doesn't happen again. As competent as they be, try and do this investigation within yourselves because you have (inaudible) other avenues out there to proceed this investigation. And people are going to want to push it. I don't think you really meant to but what you said, Mr. Chair, a moment ago was kind of put the finger on somebody else—trying to say it was the County's fault. It's really no one person's fault—no one organization's fault. I would ask you to bring this question in a way that specifically states, we're not trying to blame anybody; we're not trying to blame the Commissioners; we're not trying to blame your staff, your prior consultant—we're not trying to blame the County; we're not trying to blame anybody—it just happened—let's accept that. And when you find out it sort of unraveled and where it went wrong and what would you do to prevent it from happening (inaudible). You'd go a long ways towards bolstering your overall credibility, which on so many regards is good and yet on Rippling River has fallen apart completely. Please do something internally to bolster that opinion out in the community. And part of that is for a simple apology. And maybe you can't go there today, but I would encourage you as soon as possible to prepare to do something because during those miles you'd get much farther head, much faster by simply doing that. Even the President could come visit inspections—people are forgiving you something—if you hide it out—if you hide it and try to prevent it from coming to the light of day, that will not heal and it will come to fester and get worse and worse and you will someday look back and say I wish that on September 24th we agreed to take a little look at this ourselves and not let it get under the microscope of the wider community. Its probably going to be maybe part of (inaudible) make this internal (inaudible).

Upon motion by Commissioner Escamilla, seconded by Commissioner Nichols, the Board rejected the request for an investigative subcommittee by a Roll Call vote. Motion carried with the following vote:

AYES: Nichols, Styles, Gin, Escamilla, Schneider
NOES: Dalessio
ABSENT: Stewart

COMMISSIONERS COMMENTS

Commissioner Escamilla commented I would like to apologize. You wanted an apology on Rippling River and I'd like to apologize for me wanting to give you a scope of work, meaning a facility that is modern, new that met all of the tenants and future tenants—I apologize for believing that was everybody's wishes. And I apologize for that because I was wrong in making that assumption. I apologize for not wanting to have construction around where you live in your day-to-day lives. And I apologize for that—I do—because that's what I think I wanted—was a new facility for all of you that could be built safely and that we could keep you all together. And it's clear to me today that this scope of work that the Corps has brought—because that's the difference—the difference in scope of work—the money difference is a difference in scope of work and its clear that that is what many people in our community and many people who are residents wanted. And I apologize for wanting something more than that for you. Secondly, and I want to preface this statement, including my own comments in the past—because it's been brought to my attention that a lot of our comments as Commissioners—and I say our comments because I have made them as well—have been hurtful in the sense of –to staff members as their perceptions—I've had various staff members bring it to my attention—once about my own comments and now about other Commissioners' comments and I recommend that we get official training and set up a process for staff members to have the ability—the process—to address us Commissioners in a private manner with respect to either it be sexual harassment, racial discrimination—whatever it may be—because I don't think there's a current process established that if any of the staff members had a problem with us, as Commissioners, there is no mechanism for them to come to us. And I think we need that mechanism and I want to include myself because I know that I've said things and made statements and I may find humor, but its been brought to my attention that many of you don't find humor and I apologize for that, but I think we need to implement a system that way. So those are the two comments I have.

Commissioner Nichols commented you're right on the second thing. I echo Commissioner Escamilla; I apologize for wanting to give you a new facility. It was really my wish out there—to come out there and put a new facility out there because I felt it was needed—from all the reports. The democratic process is not needed and by the scope of work it can last twenty years, then it will last twenty years. Eventually it will have to be replaced out there--sometime in the future—you can't keep patching things. It will have to be eventually replaced. If we can use this approach and give us time then it can be planned a little better and thoroughly done and done a little differently—in the future because you know its coming—don't know when—twenty years maybe. And I'll apologize for any hurts or hurt feelings or misconceived wrongs that I might have created by my desire to have a new building because I truly believe our mission statement. We try to do our best for everybody in the County. And you have to realize that we do field 62 different programs. We have a lot of things we have to learn; a lot of things we have to do and sometimes you make the best decision you can. If there were any hurts or what, I am sorry; I didn't mean it. I still truly feel a new facility would be best for you, but we will go with the scope of the Corps.

Commissioner Styles commented I'll apologize to Rippling River folks. We, as a Commission, and myself included tried to do something that we thought would be beneficial and better for the residents out there and it is the scope that we put out—that we approved as a Commission that went out—was much more than that and so I can apologize for that. However, one of the things that I think we—it almost sounds like folks are taking this Corps report and saying \$2.7M we're going to get this thing done and its all going to be over with. We have not put this out for RFP yet; we do not know what those numbers are going to be. When they come back, it may be a whole lot more than \$2.7M or it could be less so I can't say at this point in time that the Ruhnke numbers are all wrong because I don't know that they are. And I won't know that until this RFP comes back to this Commission or back to the County once it's finally cleared out. Then we can take a look at what is the difference, but I will tell you right now part of the difference—a major portion of the difference is the difference in scope that the Corps had versus what we gave our staff—it's a huge difference and from that there's a huge difference in costs—but I'm very anxious to see the numbers that come back. The Corps went in to do an estimate and that's all those are. What are our construction folks going to do? Is that volunteer labor all going to

be out there? And I'm trying to be very positive and say yes it will be and I'm praying that it's all going to come back the way it's supposed to come back, but I won't know that until it comes back. But I certainly will apologize to the residents of Rippling River for anything that I may have done or to cause them any kind of anguish and I know they have had some and I know there's issues out there. I certainly didn't mean for that to happen; I certainly wouldn't want anybody to do that to me. So I will apologize for that. But I will not apologize at this point in time for anything that Ruhnke may have done until I see those numbers come back from the RFP.

Commissioner Schneider commented I am not going to apologize for wanting things clean and (inaudible) so that I could leave the coffee pot plugged in and not worry about the house catching on fire. The same way with falling off the cliff or the cliff falling down or anything else happen. There's a lot of major problems out there and I am concerned with winter coming on—I have been concerned all along about the safety of everyone out there—whether you believe it or not I have been. Ever since I became a Commissioner that was a big concern of mine. As it is with some of the other Commissioners because I brought it up to them. I do know from being involved in construction some times, albeit it small, but I do know you can go to fix a project and you can be testing the faucet three days later because you run into problems. And like Commissioner Styles said we have no idea of what kind of mess we will find behind those walls or under those floors—there's a lot of flooring that has fallen down out there. There's floors that sag and I don't remember hearing the Corps really addressing them and the ones that I personally know of were all on the first floor where they had someone above them for the ceiling. When the ceiling fell down, there was an apartment above them—they were not ground floor (inaudible) and yet there's been a number of occasions where the ceiling has fallen in. You people are just lucky that you didn't live underneath some of that ceiling when they caved in (inaudible). There are other places you can walk in their apartments and your feet will sag through the floor. And I know that for a fact also. And the Corps report didn't do that—the Corps report didn't say how unreliable the generator was; they haven't yet--the Corps report didn't address the heating system and the fact that the heat goes off quite frequently out there. And it's almost impossible to find parts for the heating system when it does go off—that's why it's off for long periods of time. They (Corps) didn't mention about the elevator parts—and it is out there yet, but how many times has it been inoperable—you get in—you press the button and it doesn't go any place. And when the elevator goes out, there again it's almost impossible to find parts for it because of the age of it and the condition of it. I can see where some of the cliff is falling off of the cliff in the back—you can tell by looking at it. End of comments.

Commissioner Dalessio commented I was a member of the Focus Group and I'm not about to sit here and have anybody tell me that the information that we received in the Focus Group was honest or straightforward because it was not. And everybody who sat in that group knew it. We didn't know it at the time, but we learned it as it went. And I have made this statement publicly many times—you know that—there's nothing going on behind anyone's back. We were lied to—Commissioner Dalessio asked Joe Hertlein—Joe, were we lied to? Mr. Hertlein replied numerous times. Commissioner Dalessio asked Merri Bilek? Merri Bilek replied actually yes. Commissioner Dalessio continued, hear that—because we sat there and listened to the lies and then we went out and researched it and found out that things were a lie. If any of you Commissioners—fellow Commissioners—I spend last night looking at some tapes of old meetings—at the July 23rd 2003 meeting, Starla Warren told you that 69 units had to be fully ADA compliance; she didn't say possibly—she said absolutely—not true. She (Ms. Warren) talked about the buildings being 30, 40 or 70 years old—she didn't talk about the total upgrade in the 1980's. We were told that we could not have people on site doing one building at a time because it might cause respiratory damage even though we are now proposing to do that. We were told that the airport had water—28,800 gallons a day from the wells—absolutely no mention was made of the nitrate concentration in that water that made it unusable. We were told that the object of some of this was to get Rippling River out of the HUD arena. You were told by Steve Radford, contractor, that in fact the alleged damage that was so terrible--was not-- because he had been under the buildings. I don't know if Mr. Ruhnke ever went under the buildings; I hope he did. You were told that there was a \$4M HUD loan with the implications that that had to be paid off. And that, therefore, the property couldn't transfer--but then in that same meeting Mr. Nakashima said he would sell it for a dollar and somebody, I don't know who, offered it to him. Commissioner Dalessio stated that Mr. Nakashima said that there were new setback laws and that we might only get 64 units back on site if we repaired. Commissioner Dalessio stated that Commissioner Escamilla said that the reason he was voting was that the architect had told him that it was not a matter of IF there would be structural failures, it was a matter of WHEN—not true. Commissioner Escamilla asked it's not? Commissioner Dalessio continued, not true. Commissioner Escamilla responded I disagree. Commissioner Dalessio continued not true; this is information on which you base decisions. Commissioner Escamilla replied I disagree with you. Commissioner Dalessio commented the Ruhnke report is called a damage survey report. It includes items like \$1,367,000 for soft costs without identifying what they are. He (Ruhnke) says architecture,

but we don't know how much—engineering--that might be reasonable, but architecture for repairs of buildings—what are we talking about? Construction management-- I thought we did that in-house. He (Ruhnke) has relocation figures of \$540,000 which would deem necessary because we couldn't do it one building at a time which we can.

Commissioner Dalessio continued, site work—he (Ruhnke) has landscaping. Now in a damage survey report where does landscaping come in? And what's wrong with the landscaping there? It's actually better than in most of the Housing Authority projects. Concrete walkway replacement and repair \$82,000 that the Corps of Engineers basically said that's not necessary. An entirely new septic system for \$250,000 the Corps of Engineers said it's pumped twice a year and it's okay. Complete ADA ramps--done before in the ADA assessment-- was made to determine if ADA requirements had to be met and by the way the Corps of Engineers did not have sufficient information at the time they did their report to do an ADA assessment and there's no evidence that they did. And I would strongly recommend that this joint committee hire someone. I would myself say Kim Blackseth would be the perfect person to hire because he's obviously competent as Mary Jo (Zenk) knows sitting with him. To find out what the actual ADA standards are—we may be way over what we have to spend on this-- because we may not have to meet some of those ADA standards. Take just one example, if the doors are two inches too narrow, but every single wheelchair in the place has gotten through those doors without any problem--forever, why do we fix them?

Commissioner Dalessio continued his comments, the utilities—new furniture \$670,000—they're six years old—six years—the Army Corps of Engineers said they were fine. Replace all the exterior lighting and what the Ruhnke report said was wrong with the exterior lighting is that there were some lenses that need replacing--\$192,000 worth of lenses. The Brooks Ranson Report attached to the Ruhnke report--they didn't even know what Rippling River was for. It assumes that Rippling River was a vocational and extended care facility. They found no problems. They said there was some storm water damage that showed and some grading was too high and needed to be toned down. They referred the structural components to soil surveys because they said that the one problem might be the hill. Well, soil surveys concluded that the site is suitable and safe for existing use. And they also concluded that the septic system was okay. Then there was something called archeological consultant. Now if this was a damage survey report, why in heavens name was anyone consulting an archeological firm when all you were going to do was repair? The archeological consultant firm also didn't know a lot about Rippling River. They said it was 100 units. But they did have something interesting in their statement and that is they referred to a proposed project at Rippling River—not damage survey.

Commissioner Dalessio stated, so I have—in the midst of this glut of apology--I have none to make. I'm sorry that we didn't do our own investigation and I hope somebody else picks it up and does it because something is bad here. On this project, something bad happened and the fact that we're going to put it under the rug, I have no choice but to say okay sweep it under the rug, but I think you do so at your own risk. That's my statement.

Commissioner Dalessio stated, one other thing—as I said I was looking at video tapes of this meeting—that's where I pulled all those things off—I don't have that kind of memory. But I do have video tapes of many of our meetings and if you want to go through them and see where you were misled, Commissioner Styles, to making these conclusions that you drew, I will be glad to make copies for you and give them to you --you can go through and look at them and see if you think you have been so well served because I don't think you have been. Commissioner Styles responded, it's your opinion and I have mine.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 1:20 p.m.