



# Welcome

## Shadow Brook Meeting

June 26, 2018  
Almaden Country School

# Agenda

- Open & Welcome
- Board vs Homeowner Meeting
- Pool Incident
- Pool/Facility Remodel Project
- Open Forum/Q&A



# TONIGHT'S MEETING

# Board Meeting vs Homeowner Meeting

Tonight's meeting is not a Board meeting as a 30-day notice is required to schedule an HOA Board Meeting

- No votes are scheduled, no official business
- Board did not want to wait 30 days to have a Shadow Brook meeting with Homeowners
- Date & Location, Insurance Cert finalized on Wednesday June 20
- Website updated, Signs posted at pool & throughout neighborhood on Thursday June 21
- Splasher created, printed on Friday with distribution on Friday & Saturday

## Q&A

- The Board will attempt to answer all questions, however we are limited due to HIPAA Compliance, ongoing investigations and advice of counsel

# POOL INCIDENT

# Context

- A serious incident involving chemicals occurred at our facility
- Children, teenagers and adults were effected with 35 being taken to 9 hospitals
- Employees and patrons were severely impacted

# What Happened

- Shadow Brook has two above-ground tanks that contain two chemicals used to treat the pool
- An employee of a Shadow Brook Supplier/Vendor added Chlorine to the Muriatic Acid tank





## Resulting In..

- A gas cloud being produced that was concentrated in and around the chemical storage area
- 5 different Emergency Responders/Agencies
- 9 hospitals
- 10 ambulances
- 35 patients decontaminated and transported
- 1 patient self decontaminated and self transported
- All were released within 1 hour on average; One person 6 hours due to pre-existing condition for precautionary reasons

# Additional Information – June 14

- No explosion, no smoke
- No injuries. Medical assistance limited to eye and throat irritation, coughing and vomiting
- Employees were well-trained and all procedures were successfully implemented
- All First Responders commented that Employees were calm and followed established procedures. No injuries due to the quick evacuation of facility.
- No injuries. Medical assistance limited to eye and throat irritation, coughing and vomiting (2)
- No corrective action to Shadow Brook as a result of the incident

# Going Forward

- Perspective at this point will focus on post-incident
- Chronological vs Milestone – Not an easy way to compile and communicate information

# Thursday post-incident

- Media
  - SJFD PIO Officer on scene from 12:15 to 7 pm
  - Shadow Brook declined all interviews and inquiries
- Command Post Set Up from 2pm to 10 pm
  - Phone calls were made to most who were transported to hospitals to inquire about their condition
  - Communication Plan and Next Steps planned with Staff & Volunteers
  - Belongings left aside were assembled and sorted for retrieval
  - Initial inquiry responses created – How do I retrieve my things, Swim Lesson schedule, refunds, what happened, was my child there etc.

## **Shadow Brook Pool Update**

On Thursday June 14, an incident occurred at the pool where two chemicals inadvertently came into contact with each other. The result was a reaction that produced a gas cloud that was initiated in the chemical storage area. The pool water was unaffected. The entire pool facility has been cleared by public health to open and deemed safe.

### **Was the pool water affected?**

No, the water in both pools was not affected.

### **Are there any unresolved issues or safety concerns?**

No, there are no open issues or safety concerns. All public agencies have inspected the facility and Shadow Brook is cleared for full use.

### **Why was the pool closed on Friday June 15?**

Shadow Brook closed the pool to allow full inspection by all public agencies to ensure full safety compliance prior to reopening.

If you have further questions please feel free to email [president@shadowbrook.org](mailto:president@shadowbrook.org).

Thank You.

Shadow Brook Board

Posted at pool,  
[shadowbrook.org](http://shadowbrook.org)  
and staff trained

# Friday June 15 post-incident

- Tank Clean-out
  - Acid Tank was cleared of any remaining chemicals
- Onsite Inspections/Investigations
  - Santa Clara County
    - District Attorney's Office
    - Fire Department
    - Office of Environment Health – Consumer Protection Division
    - Office of Environment Health – Hazardous Materials
    - Office of Environment Health – Agriculture Division
  - City of San Jose
    - Hazardous Materials
    - Fire Inspection
  - State of California
    - Department of Pesticide Regulation

# What's been done to date

- Shadow Brook Insurance Carriers Notified
  - D&O, General Liability
- Shadow Brook Workers Comp Claim Opened
- Retained Attorney
- Obtained chemical company's Insurance information
- Continued follow up with public agencies
- Review with Staff on procedures

## In Progress

- Chemical Company's Insurance Carrier is assessing incident and policy is in Legal review
- Awaiting Claims process and direction on how to proceed
- Questions/Process needs to be communicated [FAQ] to patrons & employees once known
- Shadow Brook is tracking all expenses incurred due to incident

Objective: The Board will be aggressive in resolving this incident and ensure all costs are recoverable. This will be a long process.

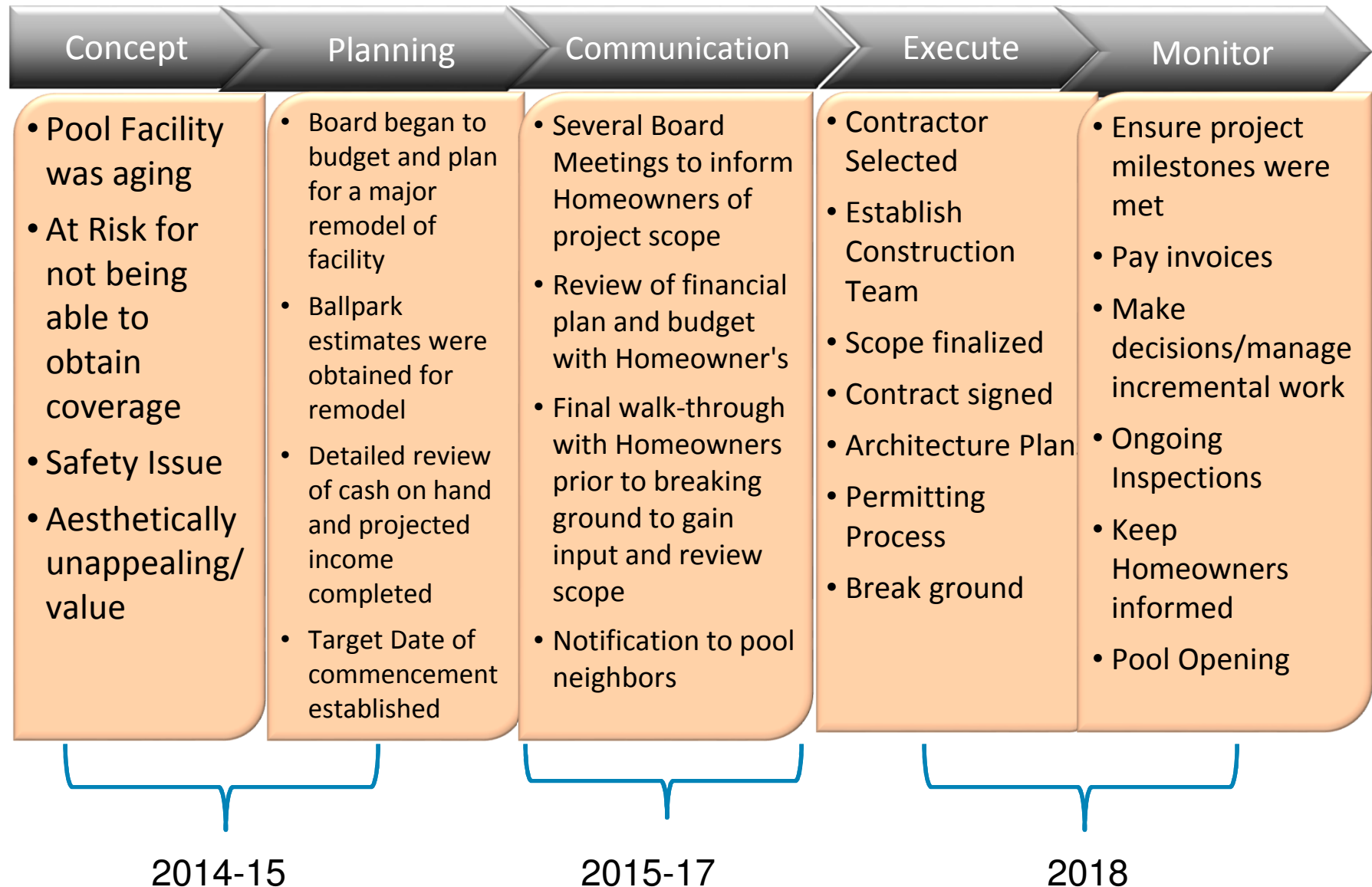




# OPEN FORUM AND QUESTIONS

# **POOL & FACILITY REMODEL PROJECT**

# Project Timeline



# Budget - \$300k\*

## Guiding Principles

- Code & Safety
- Quality
- Cost
- Long-term: invest where it makes sense

## Approach

### Construction Team

- 6 Volunteers to consult, advise and monitor project from a construction and design perspective

### Technology Team

- 4 Volunteers to focus on Technology [Audio, Video, Data] requirements and improvements

# Scope

## In Scope

- Arch Plans & Permits
- Removing all fixtures
- Demolition
- Hauling/Excavation
- Surveying/Soil
- Base Rock, Rebar
- Piping/Drainage system
- New Concrete

## Not in Scope

- Kitchen
- Bathrooms
- Spa
- BBQ Island/Gas
- Shower Area
- Solar

Unknowns: Pool Lights, Lifeguard chair,  
conduit replacement, pool skimmers

 \$30k+







# Expenses to Date

Date	Notes	Name	Memo	Amount
01/30/2018	Invoice #256	Aguirre and Assoc. Lanc	Pool Deck redo invoice #256	25,610.00
02/11/2018	257	Aguirre and Assoc. Lanc	Pool Deck redo invoice #257	23,510.00
02/11/2018	invoice #77867	Adams Stirling	invoice #77867	1,530.00
02/16/2018	293	Aguirre and Assoc. Lanc	Pool Deck redo invoice #293	47,020.00
02/25/2018	replace 8 skimmers	Aguirre and Assoc. Lanc	replace 8 skimmers	8,000.00
03/08/2018	The Park Catalog	Patrick Smith 2	8 benches	8,508.43
03/08/2018	Costco - Gazebo	Patrick Smith 2	Costco - Gazebo	1,644.85
03/08/2018	Costco - Gazebo	Staci Tenczar 2	Costco - Gazebo	1,474.85
03/08/2018	billing through 02/	Pratt & Associates	billing through 02/28/2018	1,831.20
03/22/2018	65959	Rayne Plumbing & Sew	Hydro flush	604.44
03/22/2018	65982	Rayne Plumbing & Sew	Hydro flush	2,314.28
03/22/2018	332	Aguirre and Assoc. Lanc	PVC conduits	8,375.00
03/31/2018	lifeguard chair	Lincoln Equipment, Inc.	lifeguard chair	2,964.31
03/31/2018	346	Aguirre and Assoc. Lanc	completion ruff drainage, forms & rebar	47,020.00
04/01/2018	wedge anchor	Lincoln Equipment, Inc.	wedge anchor	123.96
04/25/2018	invoice 349	Aguirre and Assoc. Lanc	install new pool light junction boxes and install n	16,444.00
04/25/2018	Invoice 378	Aguirre and Assoc. Lanc	completion of drainage, concrete patio and pool	74,040.00
06/02/2018		Staci Tenczar 2	Romys Lock & Key	476.94
06/02/2018	5825	Soltero Ornamental Inc	gates	7,420.00
06/02/2018	5973.05	Patrick Smith 2	drinking fountain	1,305.00
06/17/2018		Staci Tenczar 2	Magnolia Sounds	4,573.72
06/19/2018		Patrick Smith 2	Magnolia	4,500.00
				<u>289,290.98</u>
				<u>289,290.98</u>



# Remaining Work

- Reseal coping near diving blocks
- Minor electrical & wiring work
- Add gazebos [replacing old trellis]
- Final Inspection
- Final Payment/Installment to Contractor [\$20k]



# OPEN FORUM AND QUESTIONS