



MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS

May 11, 2020 — 9:00 A.M.

Board of Directors

George Osborne—Division 1
President

Pat Dwyer—Division 2
Vice President

Michael Raffety—Division 3
Director

Lori Anzini—Division 4
Director

Alan Day—Division 5
Director

Executive Staff

Jim Abercrombie
General Manager

Brian D. Poulsen, Jr.
General Counsel

Jennifer Sullivan
Clerk to the Board

Jesse Saich
Communications

Brian Mueller
Engineering

Mark Price
Finance

Jose Perez
Human Resources

Tim Ranstrom
Information Technology

Dan Corcoran
Operations

PUBLIC COMMENT: Anyone wishing to comment about items not on the Agenda may do so during the public comment period. Those wishing to comment about items on the Agenda may do so when that item is heard and when the Board calls for public comment. Public comments are limited to five minutes per person.

PUBLIC RECORDS DISTRIBUTED LESS THAN 72 HOURS BEFORE A MEETING: Any writing that is a public record and is distributed to all or a majority of the Board of Directors less than 72 hours before a meeting shall be available for immediate public inspection in the office of the Clerk to the Board at the address shown above. Public records distributed during the meeting shall be made available at the meeting.

AMERICANS WITH DISABILITIES ACT: In accordance with the Americans with Disabilities Act (ADA) and California law, it is the policy of El Dorado Irrigation District to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation for this meeting, please contact the EID ADA coordinator at 530-642-4045 or email at adacoordinator@eid.org at least 72 hours prior to the meeting. Advance notification within this guideline will enable the District to make reasonable accommodations to ensure accessibility.

Please take notice, as a result of the COVID-19 pandemic, California Governor Gavin Newsom issued Executive Order (EO) N-29-20, which waives certain requirements of the Ralph M. Brown Act (Brown Act). Specifically, EO N-29-20 waives the requirements that local public agencies (1) notice each teleconference location from which a board member will participate, (2) make each teleconference location accessible to the public, (3) allow the public to address the agency from each teleconference location, (4) post the agenda at each teleconference location, and (5) ensure that a quorum of the board participate in locations within the boundary of the agency. EO N-29-20 requires local public agencies that conduct public meetings telephonically to allow members of the public to observe and address the meeting telephonically or otherwise electronically.

In order to protect the health and safety of the public and District employees, District facilities, including the headquarters building located at 2890 Mosquito Road, Placerville, CA 95667 will be closed to the public until further notice. In accordance with EO N-29-20, the public may participate in the District's Board meeting by teleconference or web conference via the instructions provided below. Members of the public who observe the meeting via teleconference or web conference will be given the opportunity to speak and address the Board, and their comments will be included in the audio recording of the meeting. The meeting materials will be available for download from the District's website at www.eid.org.

PUBLIC PARTICIPATION INSTRUCTIONS

Instructions to join the Board Meeting by telephone only

No accompanying computer or mobile device required. This option will allow participants to listen to Board meeting audio and address the Board during public comment periods by pressing *9 on the telephone keypad.

Dial **1.669.900.6833** and enter Meeting ID **945 6360 8941** when prompted.

Instructions to join the Board Meeting from your computer or mobile device

Click the following join link or copy and paste into your browser <https://zoom.us/j/94563608941>

If the device being used *is* equipped with a microphone and speaker, participants may view the presentation live and listen to Board meeting audio. You may address the Board during public comment periods by clicking on the "raise a hand" button.

If the device being used *is not* equipped with a microphone, participants may view the presentation live and listen to Board meeting audio using the link above. Participants may address the Board during public comment periods by using the call in instructions above and pressing *9 on the telephone keypad.

Additionally, please note that before joining a Zoom meeting on a computer or mobile device, you can download the Zoom app from <https://zoom.us/download>. Otherwise, you will be prompted to download and install Zoom when you click a join link. You can also visit <https://zoom.us/test> at any time to familiarize yourself with Zoom.

CALL TO ORDER

President Osborne called the meeting to order at 9:00 A.M.

Roll Call Board

Present: Directors Osborne, Dwyer, Raffety, Anzini and Day. Director Day participated via teleconference.

Staff

Present: General Manager Abercrombie, General Counsel Poulsen and Board Clerk Sullivan

Pledge of Allegiance and Moment of Silence

President Osborne led the Pledge of Allegiance and Moment of Silence dedicated to all first responders.

ADOPT AGENDA

ACTION: Agenda was adopted.

MOTION PASSED

Ayes: Directors Raffety, Dwyer, Osborne, Anzini and Day

COMMUNICATIONS

Awards and Recognitions
None

PUBLIC COMMENT

None

COMMUNICATIONS

General Manager

a) District's response to COVID-19

Clerk to the Board

None

Board of Directors

Director Raffety reported that the Association of California Water Agencies' (ACWA) Spring Conference will be a virtual conference. He also reported that he has recently participated in several virtual ACWA committee meetings.

Director Osborne reported that he has received a considerable amount of inquiries on the reopening of EID's Sly Park recreation area.

APPROVE CONSENT CALENDAR

ACTION: Consent Calendar was approved.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

CONSENT CALENDAR

1. Finance (Pasquarello)

Ratification of EID General Warrant Registers for the periods ending April 21 and April 28, 2020, and Employee Reimbursements for these periods.

ACTION: Option 1: Ratified the EID General Warrant Registers as submitted to comply with Section 24600 of the Water Code of the State of California. Received and filed Employee Expense Reimbursements.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

2. Clerk to the Board (Sullivan)

Approval of the minutes of the April 27, 2020 regular meeting of the Board of Directors.

ACTION: Option 1: Approved as submitted.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

3. Office of the General Manager (Abercrombie)

Consideration to ratify Resolution No. 2020-006 to maintain emergency declaration.

ACTION: Option 1: Ratified Resolution No. 2020-006 to maintain emergency declaration.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

4. Finance (Pasquarello)

Consideration to receive and file the District's Investment Report for the quarter ending March 31, 2020.

ACTION: Option 1: Received and filed the District's Investment Report for the quarter ending March 31, 2020.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

5. Engineering

Consideration to authorize additional funding in the amount of \$50,000 for purchase of a prefabricated bridge for the Pacific Crest Trail Crossing Project, Project No. 06081; and authorize additional funding to construct improved roof access in the amount of \$15,000 for materials and services, and \$55,000 for capitalized labor for a total funding request of \$70,000 associated with the El Dorado Powerhouse Roof Project, Project No. 16046.

ACTION: Option 1: Authorized additional funding in the amount of \$50,000 for purchase of a prefabricated bridge for the Pacific Crest Trail Crossing Project, Project No. 06081; and authorized additional funding to construct improved roof access in the amount of \$15,000 for materials and services, and \$55,000 for capitalized labor for a total funding request of \$70,000 associated with the El Dorado Powerhouse Roof Project, Project No. 16046.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

6. Operations (Corcoran)

Consideration to approve a 2020 temporary water purchase agreement, in substantial form as presented, with Westlands Water District.

ACTION: Option 1: Approved a 2020 temporary water purchase agreement, in substantial form as presented, with Westlands Water District; and authorized the General Manager to execute the Agreement and any related documents necessary to complete the transfer.

MOTION PASSED

Ayes: Directors Dwyer, Raffety, Osborne, Anzini and Day

END OF CONSENT CALENDAR

PUBLIC HEARING

7. Engineering (Baron)

Consideration to adopt a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the Pacific Tunnel Rehabilitation Project, Project No. 16044.01.

Public Hearing opened at 9:21 A.M.

- ACTION:** Option 1:
- Adopted the proposed Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program.
 - Made the following findings pursuant to CEQA:
 - Based on the whole record, there is no substantial evidence that the Project will have a significant effect on the environment.
 - The mitigation measures required for the Project reduce potentially significant impacts to levels that are less-than-significant.
 - The Mitigated Negative Declaration reflects EID's independent judgment and analysis.
 - Specified that documents or other material, which constitute the record of proceedings upon which this decision is based, shall be in the custody of the Clerk to the Board at El Dorado Irrigation District Headquarters.
 - Approved the Project in accordance with CEQA.

MOTION PASSED

Ayes: Directors Raffety, Anzini, Osborne, Dwyer and Day

INFORMATION ITEMS

8. Engineering (Carrington)

Status Update on the Wastewater Collections Operations and Maintenance Facility Relocation Project, Project No. 17034.01.

ACTION: None – Information only.

CLOSED SESSION

A. Conference with General Counsel – Anticipated Litigation (Poulsen)

Government Code Sections 54956.9(d)(2) & (e)(2)

(one potential case: claim by Shimmick Construction regarding Forebay Dam Project)

ACTION: During its consideration of Closed Session A, the Board took the following action:
On a motion by Director Anzini, seconded by Director Dwyer, and a vote of 5-0, the Board approved two contract amendments: one with GEI in the not-to-exceed amount of \$246,858 for continued construction and claims management support; and one to Hansen Bridgett, LLP in the amount of 75,000 for legal support. The Board also authorized additional project funding of \$416,718 for the Forebay Dam Remediation Project, which will be applied to the above referenced contract amendments along with a construction change directive to Shimmick Construction in the amount of \$94,860.

Closed Session continued

B. Conference with General Counsel – Anticipated Litigation (Poulsen)

Government Code Section 54956.9(d)(2): (*In the Matter of Civil Wage and Penalty Assessment of MJT Enterprises, Inc. dba Blue Ribbon Personnel Services*, Case No. 15—498-PWH, DLSE Case No.: 40-44608-124)

ACTION: During its consideration of Closed Session B, the Board provided direction to counsel but took no reportable action.

REVIEW OF ASSIGNMENTS

Director Raffety requested staff provide the number of water and wastewater customer account delinquencies as well as the District’s low-income sewer program enrollment along with its funding source.

Director Dwyer requested that in an upcoming EID Waterfront Newsletter that staff include information on how to contact the District directly if they have concerns regarding water quality.

Director Dwyer requested that staff provide an analysis of costs on the Bass Lake relocation project at an upcoming Board meeting.

ADJOURNMENT

President Osborne adjourned the meeting at 11:38 A.M.

George Osborne
Board President
EL DORADO IRRIGATION DISTRICT

ATTEST

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

Approved: _____