



**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**EL DORADO IRRIGATION DISTRICT**  
**District Board Room, 2890 Mosquito Road, Placerville, California**  
**July 13, 2015 ~ 9:00 A.M.**

**Board of Directors**

**BILL GEORGE**  
**BOARD PRESIDENT**  
Division III

**GEORGE W. OSBORNE**  
**BOARD VICE PRESIDENT**  
Division I

**Greg Prada**  
**Board Director**  
Division II

**Dale Coco, MD**  
**Board Director**  
Division IV

**Alan Day**  
**Board Director**  
Division V

**General Manager and  
Executive Staff**

**JIM ABERCROMBIE**  
**GENERAL MANAGER**

**THOMAS D. CUMPSTON**  
**GENERAL COUNSEL**

**Jennifer Sullivan, Clerk to the Board**

**Mary Lynn Carlton**  
**Communications/Community Relations**

**Jose Perez, Human Resources**

**Tom McKinney, Operations**

**Brian Mueller, Engineering**

**Mark Price, Finance**

**Tim Ranstrom, Information  
Technology**

*In accordance with the Americans with Disabilities Act and California law, it is the policy of the 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 e-mail at [adacoordinator@eid.org](mailto: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.*

***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.

## CALL TO ORDER

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

### Roll Call

#### Board

Present: Directors Osborne, Prada, George, and Day  
Absent: Director Coco

#### Staff

Present: General Manager Abercrombie, General Counsel Cumpston, and Clerk to the Board Sullivan

### Pledge of Allegiance and Moment of Silence

President George led the Pledge of Allegiance followed by a Moment of Silence dedicated to our troops serving throughout the world.

## ADOPT AGENDA

**ACTION:** Agenda was adopted.

### MOTION CARRIED

Ayes: Directors Osborne, Prada, George, and Day  
Absent: Director Coco

## COMMUNICATIONS

General Manager's Employee Recognition

### 1) Awards and Recognitions

- a) Welcome to the District, Margaret Washko. Margaret has been hired as a replacement to the position of Wastewater/Recycled Water Manager in the Operations Department.
- b) The District received an email from Verne Terwilliger in appreciation of Marty Humbird, thanking him for the excellent customer service he provided during a recent field visit.
- c) Congratulations to Mary Lynn Carlton, who is retiring from the District. We wish her joy in her retirement.

## CLOSED SESSION

### A. Closed session pursuant to Government Code section 54956.8 (Cumpston)

Conference with Real Property Negotiators – Real Property Negotiations pursuant to Government Code Section 54956.8.

Properties: Assessor's Parcel Numbers 043-03-011 and -012, 048-160-04

District negotiators: General Counsel

Under negotiation: terms

Negotiating party: Walker Land Company

*This Closed Session item occurred prior to the consideration of a related item on the Consent Calendar.*

**ACTION:** The Board met with and received information from its negotiator but took no reportable action.

## **APPROVE CONSENT CALENDAR**

**ACTION:** Director Prada pulled Item No. 8. Consent Calendar was then approved as amended.

### **MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

## **PUBLIC COMMENT**

Ed Willyard, El Dorado Hills

## **COMMUNICATIONS**

### **Board of Directors**

Director Osborne commented on the District's recent public meeting on the main ditch he attended as well as his presentation to the Leadership El Dorado class hosted by the District.

### **Clerk to the Board**

None

### **General Manager**

2) Staff Reports and Updates

a) Drought Update and Conservation Progress – Summary by Brian Mueller

## **CONSENT CALENDAR**

### **1. Finance (Pasquarello)**

Ratification of EID General Warrant Registers for the periods ending June 16, June 23, and June 30, 2015, and Board and Employee Expense 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 Board and Employee Expense Reimbursements.

### **MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**2. Clerk to the Board (Sullivan)**

Approval of the minutes of the June 22, 2015, regular meeting of the Board of Directors.

**ACTION:** Option 1: Approved as submitted.

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**3. Office of the General Counsel (Cumpston)**

Ratification of Resolution No. 2015-010, to maintain emergency declaration, and ratification of Stage 4 Drought Emergency for Outingdale.

**ACTION:** Option 1: Ratified Resolution No. 2015–010 (*thus maintaining the general drought emergency declaration for purposes of bidding, contracting, and CEQA compliance*), and ratified the Stage 4 Drought Emergency for Outingdale.

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**4. Engineering (Noel)**

Consideration to award a contract to Diamond Pacific Lumber in the not-to-exceed amount of \$127,763.15 for the Canal and Flume Upgrades; Project No. 14014.

**ACTION:** Option 1: Awarded a contract to Diamond Pacific Lumber in the not-to-exceed amount of \$127,763.15 for the Canal and Flume Upgrades; Project No. 14014.

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**5. Finance (Ruiz)**

Consideration to award contracts to Brenntag Pacific, Inc. and Univar USA, Inc. to supply as-needed liquid sodium hypochlorite and liquid sodium hydroxide for water and wastewater treatment for one year at an estimated cost of \$350,000, and authorize the General Manager to award two additional one-year contract extensions.

**ACTION:** Option 1: Awarded contracts to Brenntag Pacific, Inc. and Univar USA, Inc. to supply as-needed liquid sodium hypochlorite and liquid sodium hydroxide for water and wastewater treatment for one year at an estimated cost of \$350,000, and authorized the General Manager to award two additional one-year contract extensions.

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**6. Finance (Downey)**

Consideration of a resolution to set the tax rate for the General Obligation bonds, approve non-ad valorem charges, and authorize El Dorado County to place and collect charges for the 2015/2016 tax roll year; and resolution to set the Annexation Impact Fee Rate.

**ACTION:** Option 1: A. Adopted Resolution No. 2015-014, setting the tax rate for the voter-approved debt, approving non-ad valorem charges, authorizing El Dorado County Auditor/Controller's Office to place said charges on the tax roll and the Tax Collector's Office to collect said charges for the tax roll year 2015/2016. (Attachment F)  
B. Adopted Resolution No. 2015-015, setting the Annexation Impact Fee rate for the tax year 2015/2016. (Attachment G)

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**7. Finance (Pasquarello)**

Exercise 2 year option with Richardson & Company, LLC for 2015 and 2016 auditing services.

**ACTION:** Option 1: Authorized the Director of Finance to enter into a professional service agreement with Richardson & Company, LLC for the fiscal years ending December 31, 2015 and 2016 not-to-exceed \$71,600. Contract to include an additional provision for the Single Audit not to exceed \$5,500 for year 2015 and \$5,500 for year 2016, to be costed out separately.

**MOTION CARRIED**

Ayes: Directors Day, Prada, Osborne, and George

Absent: Director Coco

**8. Office of the General Counsel (Cumpston)**

Consideration of a Purchase and Sale Agreement and Joint Escrow Instructions for the sale of the Blakeley Reservoir real property to Walker Land Company.

**Public Comment:** Ed Willyard, El Dorado Hills

**MOTION:** Motion by Director Prada to approve option 2 and continue this item for 9 months so that the District can solicit real estate brokers to market the property during that period. Motion failed due to lack of a second.

**MOTION:** Motion by Director Osborne and seconded by Director George to approve option 1 and approve a Purchase and Sale Agreement and Joint Escrow Instructions to sell the Blakeley Reservoir surplus property to Walker Land Company; authorize the General Manager to execute the agreement and take all other necessary actions, upon approval as to form by General Counsel, to effectuate the property sale.

**MOTION FAILED**

Ayes: Directors Osborne and George

Noes: Directors Prada

Abstain: Director Day

Absent: Director Coco

**ACTION:** Motion by Director Day and seconded by Director Prada to approve option 2: took other action as directed by the Board and continued this item to the regular meeting of the Board of Directors on August 10, 2015; directed staff to solicit offers from El Dorado Hills-based realtors to market the property.

**MOTION CARRIED**

Ayes: Directors Day, Prada, and Osborne

Noes: Director George

Absent: Director Coco

**END OF CONSENT CALENDAR**

## **ACTION ITEMS ~ TIMED ITEM 9:30 A.M.**

This item began at 10:08 A.M. with Director Coco participating in this item only via teleconference from Business Center, Marriott's Maui Ocean Club, 100 Nohea Kai Dr., Lahaina Maui, HI 06761 pursuant to Government Code section 54953, subdivision (b).

### **9. Engineering (Mueller)**

Consideration of revisions to the Drought Action Plan related to non-irrigation pond filling and recycled water supplementation restrictions.

**Public Comment:** Ed Willyard, El Dorado Hills

Joe Fuller, Cameron Park

John Bowman, General Manager, Serrano El Dorado Owners' Association

**MOTION:** Substitute motion by Director Osborne and seconded by Director Prada to approve option 1 and maintain prohibition on non-irrigation pond filling with potable or recycled water, and revise drought action plan to remove the prohibition on potable water supplementation in Stage 2.

### **MOTION FAILED**

Ayes: Directors Osborne and Prada

Noes: Directors George, Coco, and Day

**ACTION:** Motion by Director Day and seconded by Director Coco to approve Option 3: took other action as directed by the Board and eliminated the recycled water pond-filling prohibition; resumed potable water supplementation of the recycled water system with total potable water supplementation not to exceed 50% of the 2013 supplementation amount; and continue to seek voluntary 28% conservation from recycled water customers.

### **MOTION CARRIED**

Ayes: Directors Day, Coco, and George

Noes: Directors Osborne and Prada

## **CLOSED SESSION** continued

### **B. Closed session pursuant to Government Code section 54956.9 (Cumpston)**

Conference with General Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a). *United States and States of California, Delaware et al. ex rel. Hendrix v. J-M Manufacturing Co, Inc. et al.*, United States District Court, Central District of California, Case No. ED CV-06-0055-GW; and *State of Nevada, et al. v. J-M Manufacturing Company, Inc., et al.*, Los Angeles County Superior Court, Case No. BC459943.

**ACTION:** On a motion by Director Day, seconded by Director Prada, and passed on a unanimous 4-0 vote, with Director Coco not participating, the Board approved the allocation of the initial settlement proceeds in the subject litigation and authorized General Counsel to report that to outside Counsel.

Closed Session continued

**C. Closed session pursuant to Government Code section 54956.9 (Cumpston)**

Conference with General Counsel – Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2) - Potential resumption of water diversions on the Middle Fork Cosumnes River.

**ACTION:** The Board conferred with and gave direction to counsel but took no reportable action.

**REVIEW OF ASSIGNMENTS**

During the regular meeting on August 10, 2015, Director Osborne requested that staff review the District’s Administrative Regulation 9024 - Small Farm and Agricultural Metered Irrigation and provide clarification on its requirements during Board-declared drought conditions.

Director Coco requested that staff bring the District’s recycled water program to the Board for discussion at an upcoming Board meeting.

**ADJOURNMENT**

President George adjourned the meeting at 12:29 P.M.

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Bill George, President  
Board of Directors  
EL DORADO IRRIGATION DISTRICT

ATTEST:

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Jennifer Sullivan  
Clerk to the Board  
EL DORADO IRRIGATION DISTRICT

Approved: \_\_\_\_\_