



MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
EL DORADO IRRIGATION DISTRICT
District Board Room, 2890 Mosquito Road, Placerville, California
December 14, 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

Jesse Saich, Communications

Brian Mueller, Engineering

Mark Price, Finance

Jose Perez, Human Resources

**Tim Ranstrom, Information
Technology**

Tom McKinney, Operations

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 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, Coco, and Day

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 for our troops protecting us around the world.

ADOPT AGENDA

MOTION: Main motion by Director Osborne and seconded by Director Coco to adopt agenda.

MOTION: Substitute motion by Director Prada and seconded by Director Day to continue Information Item No. 13 on this agenda to a future Board meeting. Directors Prada and Day later withdrew the motion and second.

ACTION: Agenda was adopted.

MOTION CARRIED

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

NOMINATION AND ELECTION

Public Comment: Joe Fuller, Cameron Park
Ed Willyard, El Dorado Hills

ACTION: Main motion by Director Osborne nominating Director George as Board President. Director Coco seconded the motion.

MOTION CARRIED

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

MOTION: Main motion by Director Prada nominating Director Day as Board Vice President. Director Day seconded the motion.

MOTION FAILED

Ayes: Directors Prada and Day

Noes: Directors Osborne, George, and Coco

ACTION: Main motion by Director Coco nominating Director Osborne as Board Vice President. Director George seconded the motion.

MOTION CARRIED

Ayes: Directors Osborne, George, and Coco

Noes: Directors Prada and Day

COMMUNICATIONS

General Manager's Employee Recognition

1) Awards and Recognitions

- a) Congratulations to Rafael Cardoza, who is retiring after 36 years of service. We appreciate his dedication and service. We wish him continued success and happiness in his retirement journey.
- b) Congratulations to Cappie Jones, who is retiring after 23 years of service. We appreciate his commitment to public service, and hope that retirement brings him the contentment and relaxation he has earned.
- c) Congratulations to Buddy Tanner, who retired after 20 years of service. We appreciate all of his contributions to the District's success. We wish him great health and happiness in his well-deserved retirement.
- d) Congratulations to Bob Rice, who is retiring after 7 years of service. He is a dedicated public servant, and proudly represented the District's guiding principles. We wish him great health and relaxation as he begins his retirement journey.
- e) Congratulations, Casey Steel. Casey has been promoted as a replacement to the position of Senior Layout and Fabrication Welder in the Fleet Maintenance Division.
- f) Welcome to the District, Alex Williams. Alex has been hired as a replacement to the position of Industrial Painter in the Fleet Maintenance Division.
- g) Welcome to the District, Ashley Sanne. Ashley has been hired as a replacement to the position of Finance Assistant I in the Utility Billing Division.
- h) Welcome to the District, Heather Lovejoy-Valdez. Heather has been hired as a replacement to the position of Finance Assistant I in the Utility Billing Division.
- i) We received a letter from William C. Lebeck, retired Los Angeles Fire Department Captain in appreciation of Noel Russell, Martin Humbird, Andy Ault, Mark Haverson, and Jorge Lopez for a recent repair to a water main near his home. He wrote "I was immediately impressed by their work and team spirit. There were not wasted efforts or complaints. Just good team activity." He also wrote "I have seen many great emergency teams and some not so great. I believe the crew that arrived at my residence from EID is one of the best." He expressed his "sincere thanks and appreciation to each member for their combined efforts in solving a problem quickly, accurately and in a most professional manner."

APPROVE CONSENT CALENDAR

ACTION: Director Prada pulled Item Nos. 4 and 6. Consent Calendar was then approved as amended.

MOTION CARRIED

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

PUBLIC COMMENT

Ed Willyard, El Dorado Hills

Joe Fuller, Cameron Park

Sherry Petersen, El Dorado Hills

COMMUNICATIONS

Board of Directors

Director Osborne mentioned that he spoke to several residents regarding the proposed tree removal for the District's Forebay Dam remediation project.

Director George reported on a number of sessions he attended during the Association of California Water Agencies (ACWA) Fall Conference.

Clerk to the Board

None

General Manager

2) Staff Reports and Updates

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

Public Comment: Joe Fuller, Cameron Park
Ed Willyard, El Dorado Hills

CONSENT CALENDAR

1. Finance (Pasquarello)

Ratification of EID General Warrant Registers for the periods ending November 3, November 10, November 17, November 24, 2015 and December 1, 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 Osborne, Prada, George, Coco, and Day

2. Clerk to the Board (Sullivan)

Approval of the minutes of the November 9, 2015, regular meeting of the Board of Directors.

ACTION: Option 1: Approved as submitted.

MOTION CARRIED

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

3. Office of the General Counsel (Cumpston)

Ratification of Resolution No. 2015-010, to maintain emergency declaration, and ratification of change from Stage 4 Drought Emergency to Stage 2 Water Warning 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 change from Stage 4 Drought Emergency to Stage 2 Water Warning for Outingdale.

MOTION CARRIED

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

4. Clerk to the Board (Sullivan)

Proposed 2016 Board meeting schedule, rescheduling Board meetings that either fall on legal holidays or present scheduling conflicts.

ACTION: Option 2: Took other action as directed by the Board.

Adopted the proposed 2016 Board meeting schedule and added two tentative Board meeting dates on Monday, May 23 and Monday, July 11, 2016

MOTION CARRIED

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

5. Office of the General Counsel (Cumpston)

Consideration of three Purchase and Sale Agreements to transfer surplus District properties.

ACTION: Option 1: Approved three Purchase and Sale Agreements to transfer APNs 079-160-68, 317-240-08, and 323-530-03 to adjoining property owners; authorized 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 CARRIED

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

6. Finance (Pasquarello)

Funding approval for District Capital Improvement Plan (CIP) Projects.

Public Comment: Joe Fuller, Cameron Park

Prior to approval of this item, staff requested that Project No. 15008 be corrected to Project No. 15032. The correction does not change the project or funding amount.

ACTION: Option 2: Took other action as directed by the Board.

Separated the vote on the consideration of the CIP Projects listed in this agenda item into three votes as follows. 1) FERC C37.8 Water Temperature, Project No. 06021H; FERC C37.1 Fish Monitoring, Project No. 06087H; FERC C37.2 Macroinvertebrate Monitoring, Project No. 06088H; FERC C37.3 Amphibian Monitoring, Project No. 06089H; FERC C37.7 Geomorphology Evaluation, Project No. 06092H; FERC C37.9 Water Quality, Project No. 07003H; FERC C15 Pesticide Use, Project No. 07010H; FERC C38 Adaptive Management Program, Project No. 07011H; and FERC C44 Noxious Weed Monitoring, Project No. 08025H, 2) Enterprise GIS, Project No. 14035, and 3) Power Mitigation, Project No. 15032.

MOTION CARRIED

Ayes: Directors Osborne, Prada, George, and Day

Noes: Director Coco

ACTION: Option 2: Took other action as directed by the Board.
Authorized funding for nine CIP projects in the amount of \$461,000; FERC C37.8 Water Temperature, Project No. 06021H; FERC C37.1 Fish Monitoring, Project No. 06087H; FERC C37.2 Macroinvertebrate Monitoring, Project No. 06088H; FERC C37.3 Amphibian Monitoring, Project No. 06089H; FERC C37.7 Geomorphology Evaluation, Project No. 06092H; FERC C37.9 Water Quality, Project No. 07003H; FERC C15 Pesticide Use, Project No. 07010H; FERC C38 Adaptive Management Program, Project No. 07011H; FERC C44 Noxious Weed Monitoring, Project No. 08025H.

MOTION CARRIED

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

ACTION: Option 2: Took other action as directed by the Board.
Authorized funding for one CIP project in the amount of \$65,000 Enterprise GIS, Project No. 14035.

MOTION CARRIED

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

ACTION: Option 2: Took other action as directed by the Board.
Authorized funding for one CIP project in the amount of \$63,500 Power Mitigation, Project No. 15032.

MOTION CARRIED

Ayes: Directors Coco, Osborne, and George
Noes: Directors Prada and Day

7. Office of the General Counsel (P. Johnson)

Consideration of a resolution to quitclaim easement (APN: 117-010-20).

ACTION: Option 1: Adopted Resolution No. 2015-027 to quitclaim the easement.

MOTION CARRIED

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

8. Office of the General Counsel (P. Johnson)

Adopt a resolution declaring District property surplus and approving sale or other disposal of surplus property (APN: 327-270-09).

ACTION: Option 1: Adopted Resolution No. 2015-028, declaring District property surplus and approved sale or other disposal of surplus property.
(APN: 327-270-09).

MOTION CARRIED

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

9. Office of the General Counsel (P. Johnson)

Consideration of a resolution to authorize release and disposal of sewer easements due to relocation (APNs: 120-700-04 and -05).

ACTION: Option 1: Adopted Resolution No. 2015-029, approving and authorizing execution of the abandonment of easement submitted.

MOTION CARRIED

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

10. Office of the General Counsel (P. Johnson)

Consideration of a resolution authorizing the grant of an Irrevocable Offer of Dedication for Drainage Easements to the County of El Dorado (APN: 117-570-11).

ACTION: Option 1: Adopted Resolution No. 2015-030, authorizing the grant of an Irrevocable Offer of Dedication for Drainage Easements to the County of El Dorado.

MOTION CARRIED

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

END OF CONSENT CALENDAR

PUBLIC HEARINGS ~ 9:00 A.M.

11. Office of the General Counsel (Cumpston)

Proposed amendment of Board Policy 1010 regarding redistricting.

Public Hearing opened at 10:54 A.M.

ACTION: Option 1: Approved amendment to Board Policy 1010 as presented by staff.

MOTION CARRIED

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

12. Finance (Pasquarello)

Appropriations Limit for Fiscal Year 2016.

Public Hearing opened at 11:05 A.M.

ACTION: Option 1: Adopted Resolution No. 2015-031, Appropriations Limit Resolution for Fiscal Year 2016.

MOTION CARRIED

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

INFORMATION ITEMS

13. Office of the General Counsel (Poulsen)

Presentation of Annual State Legislative Report by Reeb Government Relations, LLC for 2015.

Prior to the presentation of this item, staff requested that the Board continue this item to a future Board meeting date.

ACTION: Motion by Director Coco and seconded by Director Prada to continue this item to the January 25, 2016 regular Board meeting.

MOTION CARRIED

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

14. Finance / Engineering (Price/Mueller)

Staff response to November 9, 2015 handout regarding the District's Facility Capacity Charge setting policy.

Public Comment: Ed Willyard, El Dorado Hills
Craig Petersen, El Dorado Hills
Bob Leidigh, Rescue

ACTION: None – Information only.

15. Office of the General Manager (Abercrombie)

Update on *Key Performance Indicators and Goals* report.

ACTION: None – Information only.

DIRECTOR ITEMS

16. Board of Directors (George)

Parliamentary Procedures.

Public Comment: Ed Willyard, El Dorado Hills
Joe Fuller, Cameron Park

ACTION: None – Information only.

ACTION ITEMS

17. Fleet (Warden)

Consideration to award an addendum to Utility Vehicles Contract RFB P15-02 to purchase two additional vehicles from Ron DuPratt Ford for the original contract price of \$93,503.70, including sales tax, and authorize funding in the not-to-exceed amount of \$425,000, Project No. 16001.01.

ACTION: Option 2: Took other action as directed by the Board.

Awarded an addendum to contract RFB P15-02 to purchase two 1-ton 4x4 utility vehicles from Ron DuPratt Ford for the original contract price of \$93,503.70, including sales tax, Project No. 16001.01 and authorized funding in the contract amount of \$93,503.70.

MOTION CARRIED

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

18. Operations (Washko)

Consideration to award a five-year contract to Denali Water Solutions for Sludge Hauling and Disposal Services from the Deer Creek and El Dorado Hills Wastewater Treatment Plants for an estimated contract total of \$1,362,900.

ACTION: Option 1: Awarded a five-year contract to Denali Water Solutions for as-needed wastewater sludge hauling and disposal from the Deer Creek and El Dorado Hills Wastewater Treatment Plants for an estimated contract total of \$1,362,900.

MOTION CARRIED

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

19. Engineering (T. Sullivan)

Consideration to award a time and material professional services agreement in the not-to-exceed amount of \$127,230 to ArcSine Engineering, and authorize total funding of \$174,305 for the design of the Wastewater SCADA System Reliability Project; Project No.12021.01, RFP15-12.

ACTION: Option 1: Awarded a time and material professional services agreement in the not-to-exceed amount of \$127,230 to ArcSine Engineering, and authorized total funding of \$174,305 for the design of the Wastewater SCADA System Reliability Project; Project No. 12021.01, RFP15-12.

MOTION CARRIED

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

20. Office of the General Manager / Office of the General Counsel (Abercrombie/Cumpston)

Consideration of compensation and term amendments to General Manager's and General Counsel's employment contracts.

This item was heard after Closed Session Item Nos. A and B on this agenda were considered.

Clerk to the Board Sullivan reported that the District received seven emails opposing option 1 of this item. Craig Schmidt, Placerville requested that his email be entered into the record. A copy of his email was provided to all Board members.

Public Comment: Ed Willyard, El Dorado Hills
Joe Fuller, Cameron Park
Sherry Petersen, El Dorado Hills
Craig Petersen, El Dorado Hills
Kirk Smith, Placerville

MOTION: Main motion by Director Coco and seconded by Director Osborne to move option 1 and approve requested amendments to the General Manager's and General Counsel's employment contracts providing 5% merit increases to both and 5% and 4% equity increases, respectively, and extending their expiration dates to December 31, 2018 and December 31, 2016, respectively.

MOTION: Substitute motion by Director Prada to consider disciplinary action against the General Manager and General Counsel for willful failure to adhere to the District's Code of Ethics. Director Prada later withdrew the motion.

ACTION: Option 1: Approved requested amendments to the General Manager's and General Counsel's employment contracts providing 5% merit increases to both and 5% and 4% equity increases, respectively, and extending their expiration dates to December 31, 2018 and December 31, 2016, respectively.

MOTION CARRIED

Ayes: Directors Coco, Osborne, and George

Noes: Directors Prada and Day

CLOSED SESSION

A. Closed session pursuant to Government Code section 54957 (Cumpston)

Public Employee Employment/Performance Evaluation pursuant to Government Code Section 54957(b)(1). Position Title: General Counsel. Annual performance review.

ACTION: The Board reviewed the General Counsel's job performance but took no reportable action.

B. Closed session pursuant to Government Code section 54957 (Abercrombie)

Public Employee Employment/Performance Evaluation pursuant to Government Code Section 54957(b)(1). Position Title: General Manager. Annual performance review.

ACTION: The Board reviewed the General Manager's job performance but took no reportable action.

C. Closed session pursuant to Government Code section 54956.9(d)(2) (Poulsen)

Conference with Senior Deputy General Counsel – Significant Exposure to Litigation: Issuance of Civil Wage and Penalty Assessment by California Department of Industrial Relations, Division of Labor Standards Enforcement against Blue Ribbon Personnel Services.

ACTION: On a motion by Director Coco, seconded by Director Osborne, and approved on a unanimous 5-0 vote, the Board authorized counsel to deposit into escrow a total of \$160,314.88, representing wage and penalty assessment imposed by the Division of Labor Standards Enforcement against Blue Ribbon, a contractor of the District. The Board further directed counsel with regard to the defense or administrative review of this assessment. The Board took no other reportable action.

REVIEW OF ASSIGNMENTS

Director Osborne requested that an item be brought to the Board at the next regular Board meeting detailing Board compensation for all District Board members.

Director Coco requested that an action item be brought to the Board regarding Board compensation with the option to limit compensation for all District Board members.

Director Day requested a report on the cash balances of the District’s FCC funds.

Director Day requested a timeline of the repairs to the recent water line breaks on Ridgeview Drive and Rocky Ridge Way in El Dorado Hills.

Director Prada requested a report on the District’s real and apparent water losses, including data from this year versus last year.

Director Coco requested staff prepare a timeline of the District’s next review of the Cost of Services and Facility Capacity Charges (FCC) Studies.

ADJOURNMENT

President George adjourned the meeting at 3:45 P.M.

Bill George, President
Board of Directors
EL DORADO IRRIGATION DISTRICT

ATTEST:

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

Approved: _____