



AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
District Board Room, 2890 Mosquito Road, Placerville, California
January 8, 2018 — 9:00 A.M.

Board of Directors

Michael Raffety—Division 3
President

Alan Day—Division 5
Vice President

George Osborne—Division 1
Director

Greg Prada—Division 2
Director

Dale Coco, MD—Division 4
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

Margaret Washko
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.

CALL TO ORDER

Roll Call
Pledge of Allegiance
Moment of Silence

ADOPT AGENDA

COMMUNICATIONS

General Manager's Employee Recognition

PUBLIC COMMENT

COMMUNICATIONS

General Manager
Clerk to the Board
Board of Directors

Brief reports on community activities, meetings, conferences and seminars attended by the Directors of interest to the District and the public.

APPROVE CONSENT CALENDAR

Action on items pulled from the Consent Calendar

CONSENT CALENDAR

1. Finance (Pasquarello)

Ratification of EID General Warrant Registers for the periods ending December 5, December 12, December 19, and December 26, 2017, and Board and Employee Expense Reimbursements for these periods.

Option 1: Ratify the EID General Warrant Registers as submitted to comply with Section 24600 of the Water Code of the State of California. Receive and file Board and Employee Expense Reimbursements, and approve \$17.12 in expenses more than 60 days old.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

2. Clerk to the Board (Sullivan)

Approval of the minutes of the December 11, 2017 regular meeting of the Board of Directors.

Option 1: Approve as submitted.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

3. Operations / Engineering (Washko/Mueller)

Consideration to ratify Resolution No. 2017-014 to maintain the emergency declaration as a result of ongoing storm activities.

Option 1: Ratify Resolution No. 2017-014 (*thus maintaining the emergency declaration*).

Option 2: Decline to ratify Resolution No. 2017-014 (*thus terminating the emergency declaration*) or take other action as directed by the Board.

Option 3: Take no action (*thus terminating the emergency declaration*).

Recommended Action: Option 1 (*four-fifths vote required*).

4. Board of Directors (Raffety)

Discussion of 2018 association and community organization assignments.

Option 1: Concur with Board President Raffety's recommendation of 2018 association and community organization assignments.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

END OF CONSENT CALENDAR

PUBLIC HEARING — 9:00 A.M.

5. Office of the General Counsel (Poulsen)

Draft Amendments to Board Policy 9020 Establishing New Service.

Option 1: Adopt the proposed amendments to Board Policy 9020.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

DIRECTOR ITEM

6. Board of Directors (Prada)

Agendize Board consideration of Sewer rate cut.

Option 1: Agendize Board consideration of 10% Sewer rate cut for January 22, 2018 board meeting.

Option 2: Take other action.

Option 3: Take no action.

Director's Recommended Action: Option 1.

ACTION ITEM

7. Office of the General Counsel (Poulsen)

Consideration of filing a complaint with the El Dorado County Grand Jury requesting an investigation of whether Director Greg Prada has violated the California Public Records Act.

Option 1: File a complaint with the El Dorado County Grand Jury requesting an investigation of whether Director Greg Prada has violated the California Public Records Act.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Board decision.

CLOSED SESSION

A. Conference with Real Property Negotiators – Real Property Negotiations (Poulsen)

Real Property Negotiations pursuant to Government Code Section 54956.8.

Property: Assessor's Parcel Number 115-400-22

District negotiators: General Manager, General Counsel

Under negotiation: price and terms of payment for sale

Negotiating parties: El Dorado Hills Community Services District

REVIEW OF ASSIGNMENTS

ADJOURNMENT

EL DORADO IRRIGATION DISTRICT

January 8, 2018

General Manager Communications

Awards and Recognitions

- a) Welcome to the District, Steven Laguna. Steven has been hired to the position of Construction and Maintenance Worker I in the Operations Department.
- b) Welcome to the District, Ryan Deakyne. Ryan has been hired to the position of Senior Buyer in the Finance Department.
- c) We received an email from Stacy Long in appreciation of the “top notch” service provided by Justine Teurman. Ms. Long also wrote “It’s nice to receive great customer service.” Great job, Justine!

Staff Reports and Updates

None

EL DORADO IRRIGATION DISTRICT

Subject: Ratification of EID General Warrant Registers for the periods ending December 5, December 12, December 19, and December 26, 2017, and Board and Employee Expense Reimbursements for these periods.

Previous Board Action

February 4, 2002 – The Board approved to continue weekly warrant runs, and individual Board member review with the option to pull a warrant for discussion and Board ratification at the next regular Board meeting.

August 16, 2004 – Board adopted the Board Expense Payments and Reimbursement Policy.

August 15, 2007 – The Board re-adopted the Board Expense Payments and Reimbursement Policy as Board Policy 12065 and Resolution No. 2007-059.

Board Policies (BP), Administrative Regulations (AR) and Board Authority

Section 24600 of the Water Code of the State of California provides no claim is to be paid unless allowed by the Board.

Summary of Issue

The District's practice has also been to notify the Board of proposed payments by email and have the Board ratify the Warrant Registers. Copies of the Warrant Registers are sent to the Board of Directors on the Friday preceding the Warrant Register's date. If no comment or request to withhold payment is received from any Director by the following Tuesday morning, the warrants are mailed out and formal ratification of said warrants is agendaized on the next regular Board agenda.

On April 1, 2002, the Board requested staff to expand the descriptions on the Warrant Registers and modify the current format of the Warrant Registers.

On July 30, 2002, the Board requested staff to implement an Executive Summary to accompany each Warrant Register which includes all expenditures greater than \$3,000 per operating and capital improvement plan (CIP) funds.

Staff Analysis/Evaluation

Warrant registers submitted for December 5, December 12, December 19, and December 26, 2017 totaling \$6,080,991.95, and Board and Employee Expense Reimbursements for these periods.

Current Warrant Register Information

Warrants are prepared by Accounts Payable; reviewed and approved by the Accounting Manager; the Director of Finance and the General Manager or their designee.

<u>Register Date</u>	<u>Check Numbers</u>	<u>Amount</u>
December 5, 2017	664377 – 664513	\$ 1,033,988.64
December 12, 2017	664514 – 664697	\$ 944,187.67
December 19, 2017	664698 – 664831	\$ 2,208,193.62
December 26, 2017	664832 – 665016	\$ 1,894,622.02

Current Board/Employee Expense Payments and Reimbursement Information

The items paid on Attachment B and C are expense and reimbursement items that have been reviewed and approved by the Clerk to the Board, Accounting Manager and the General Manager before the warrants are released. These expenses and reimbursements are for activities performed in the interest of the District in accordance with Board Policy 12065 and Resolution No. 2007-059.

Additional information regarding employee expense reimbursement is available for copying or public inspection at District headquarters in compliance with Government Code Section 53065.5.

Board Decision/Options

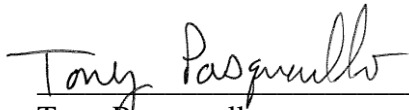
- Option 1: Ratify the EID General Warrant Registers as submitted to comply with Section 24600 of the Water Code of the State of California. Receive and file Board and Employee Expense Reimbursements, and approve \$17.12 in expenses more than 60 days old.
- Option 2: Take other action as directed by the Board.
- Option 3: Take no action.

Staff/General Manager’s Recommendation

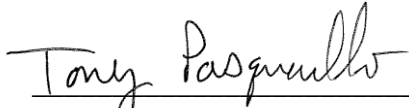
- Option 1.

Support Documents Attached

- Attachment A: Executive Summaries
- Attachment B: Board Expenses/Reimbursements
- Attachment C: Employee Expenses/Reimbursements totaling \$100 or more
- Attachment D: Board Expenses Over 60 Days



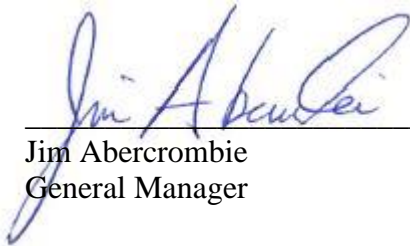
Tony Pasquarello
Finance Manager



for
Mark Price
Finance Director (CFO)



Jennifer Sullivan
Clerk to the Board



Jim Abercrombie
General Manager

Executive Summary for December 26, 2017 -- \$1,894,622.02:

This summary highlights significant disbursements made by major business activity:

General District Operations (Fund 110)

- \$18,611—AT&T for phone service
- \$5,286—C & H Motor Parts, Inc. for miscellaneous vehicle repair parts
- \$6,632—CDW Government for software licenses and computer supplies
- \$8,521—Dataprose, LLC for November billing services
- \$5,128—DSA Technologies, Inc. for software and configuration services
- \$17,121—Hunt & Sons, Inc. for card lock fuels and fuel deliveries at various locations
- \$3,376—Jasper Engine Exchange, Inc. for a gas engine and installation kit
- \$3,255—Meritage Homes of Ca., Inc. for a credit balance refund on customer account
- \$8,043—Pace Supply Corporation for warehouse inventory
- \$4,088—Ski Air Incorporated for semi-annual HVAC maintenance
- \$3,059—Water Education Foundation for annual membership dues

Engineering Operations (Fund 210)

- \$3,654—Blue Ribbon Personnel Services for temporary labor for engineering
- \$6,250—River City Fire Equipment Company, Inc. for annual testing of backflow assemblies

Water Operations (Fund 310)

- \$4,536—Grainger for a water heater and miscellaneous supplies
- \$4,189—HERC Rentals, Inc. for an excavator rental
- \$112,382—PG&E for electric service
- \$19,546—State Water Resources Control Board for administrative civil liability fees
- \$4,295—U.S. Bancorp Services, Inc. for conference lodging and a laptop computer
- \$3,549—Univar USA, Inc. for caustic soda at Reservoir A

Wastewater Operations (Fund 410)

- \$5,381—Charter Machine Company for belt press belts
- \$6,366—Edward R. Bacon Company, Inc. for a submersible grinder pump
- \$8,246—El Dorado County Community Development Agency for utility encroachment services
- \$6,085—Holt of California for generator load bank testing
- \$9,625—Hunt & Sons, Inc. for generator fuel
- \$7,755—Industrial Electrical Company for ABS pump repair labor and materials
- \$3,637—Pearpoint for pipeline inspection camera repairs
- \$91,857—PG&E for electric service
- \$16,426—Seco Controls, LLC for a magnetic flow meter
- \$73,624—State Water Resources Control Board for annual permit fees
- \$7,500—Tesco Controls, Inc. for a sump termination panel
- \$14,605—Univar USA, Inc. for caustic soda at EDHWWTP and DCWWTP
- \$5,834—Xylem Water Solutions USA, Inc. for pump repair kits and plastic housing

Recycled Water Operations (Fund 510)

- \$6,190—PG&E for electric service
- \$14,929—State Water Resources Control Board for annual permit fees

Hydroelectric Operations (Fund 610)

- \$21,328—GHD, Inc. for construction services on Rock Crusher road
- \$4,558—PG&E for electric service

Recreation Operations (Fund 710) none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$8,374—All Electric Motors, Inc. for pump motor rebuilding and parts – Sly Park Hills Pump Rehabilitation (Project #17044.01)
- \$47,944—Bonkowski and Associates, Inc. for evaluation services to locate well site – FERC:50.2 Caples Lake Campground (Project #15016.01)
- \$311,472—CDW Government for servers and computer hardware – VM Hardware Replacement (Project #17043.01)
- \$5,198—Domenichelli and Associates, Inc. for engineering design services – Reservoir 3 Tank Upgrade (Project #14003.01)
- \$3,512—El Dorado County Community Development Agency for utility encroachment services – DOT Construction Project-Water (Project #16016.01)
- \$65,002—GEI Consultants, Inc. for engineering services – Forebay Dam Modifications (Project #17013.01)
- \$4,568— GHD, Inc. for construction services – FERC:C50.8 Pacific Crest (Project #06081H.01)
- \$105,529—Golden State Flow Measurement, Inc. for meter transceivers – AMR/Small Meter Replacement (Project #17001.01)
- \$32,533—HydroScience Engineers, Inc. for engineering design services:
 - >Project #14038.01 – EDHWWTP Dissolved Air Floatation Tank (\$4,175)
 - >Project #16040.01 – Carson Creek 2 and Business Park 3 Lift Stations Abandonment (\$28,358)
- \$4,209—Mining Construction, Inc. for construction services – Esmeralda Tunnel (Project #14029.01)
- \$161,717—Rapid Construction, Inc. for construction services (\$170,228)
Retention held \$8,511
 - >Project #15029.01 – Polaris Road Waterline Replacement (\$72,527)
 - >Project #15030.01 – Gilmore Road Waterline Replacement (\$97,701)
- \$309,955—Resource Development Company for construction services (\$326,268) – Reservoir 3 Tank Upgrade (Project #14003.01). Retention held \$16,313
- \$4,905—RMC, a Woodard & Curran Company for a design report – Sly Park Intertie Improvements (Project #15009.01)
- \$8,006—SAGE Engineers, Inc. for engineering services – FERC:C50.8 Pacific Crest (Project #06081H.01)
- \$48,861—Syblon Reid for engineering services (\$244,307) – SAD Bridge (Project #17003.02)
Pre-paid released \$195,445

- \$7,500—Tesco Controls, Inc. for a sump termination panel – Waterford 7 Lift Station Upgrade (Project #16007.01)
- \$3,417—TNT Powdercoating for blast and powdercoating service – Hazardous Mitigation at Flume 5 (Project #17004.01)
- \$113,306—Weber General Engineering, Inc. for construction services (\$119,269) – Town Center Force Main Phase 2 (Project #16025.01). Retention held \$5,963

Executive Summary for December 5, 2017 -- \$1,033,988.64:

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105)

- \$24,833—Domenichelli and Associates, Inc. for construction inspection services

General District Operations (Fund 110)

- \$6,842—California Special Districts Association for 2018 agency dues
- \$61,756—Doug Veerkamp General Engineering, Inc. for retention release for patching and paving services
- \$11,432—Hunt & Sons, Inc. for card lock fuels and fuel deliveries at various locations
- \$9,500—Reeb Government Relations, LLC for December 2017 retainer
- \$5,674—U.S. Bancorp Services, Inc. for conferences, training, and job postings
- \$5,000—U.S. Postal Service for postage for warehouse meter

Engineering Operations (Fund 210)

- \$5,050—River City Fire Equipment Company, Inc. for annual testing of backflow assemblies
- \$3,344—Stratus Environmental, Inc. for pollution prevention inspection services

Water Operations (Fund 310)

- \$19,550—California State Board of Equalization for annual water rights fees
- \$114,350—Doug Veerkamp General Engineering, Inc. for asphalt patching and paving services (\$127,055). Retention held \$12,705
- \$7,957—E & M Electric & Machinery, Inc. for a security camera and two DVR computers
- \$6,825—Empire Safety & Supply for a gas monitor warranty
- \$7,912—Price Geographic Consulting for mapping services
- \$3,646—R&B Company for valve and impeller repair parts

Wastewater Operations (Fund 410)

- \$3,427—Cintas Corporation for uniform services at DCWWTP, EDHWWTP, and Bass Lake
- \$3,074—CLS Labs for regulatory lab testing
- \$5,923—Doug Veerkamp General Engineering, Inc. for manhole repairs on Green Valley road
- \$11,004—Suez Treatment Solutions, Inc. for 375 arc lamps
- \$4,885—Univar USA, Inc. for caustic soda at EDHWWTP
- \$10,451—Watershed, LLC for 21 rain suites

Recycled Water Operations (Fund 510) none to report

Hydroelectric Operations (Fund 610)

- \$10,062—Alpine County for property taxes
- \$22,784—Amador County for property taxes
- \$7,231—GEI Consultants, Inc. for dam safety assessment at Silver Lake spillway
- \$3,900—YSI, Inc. for inspections, calibrations, and repairs for multiple dataloggers

Recreation Operations (Fund 710) none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$17,848—Aecom Technical Services, Inc. for monitoring services – FERC:C37-1 Fish Monitoring (Project #06087H.01)
- \$143,788—Dell Marketing, LP for six servers – VM Hardware Replacement (Project #17043.01)
- \$88,695—Doug Veerkamp General Engineering, Inc. for construction services – Flume 45A Wall/Slide #3 (Project #17007.03)
- \$5,520—Dudek for environmental engineering services – Wastewater Collection Facility Relocation (Project #17034.01)
- \$20,793— GEI Consultants, Inc. for engineering services:
 - >Project #06082H.01 – FERC:C50.1 Silver Lake Campground (\$9,707)
 - >Project #15016.01 – FERC:C50.2 Caples Lake Campground (\$11,086)
- \$4,890—HDR Engineering, Inc. for project design services – WW Collection Facility Relocation (Project #17034.01)
- \$11,732—ICM Group, Inc. for on-call construction inspection services :
 - >Project #16007.01 – Waterford 7 Lift Station Upgrade (\$7,524)
 - >Project #15019.01 – Sly Park Reservoir Intake (\$4,208)
- \$267,176—Preston Pipelines, Inc. for engineering services (\$281,238) – Carson Creek 2 Lift Station/BP3 Abandonment (Project #16040.01). Retention held \$14,062

Executive Summary for December 12, 2017 -- \$944,187.67:

This summary highlights significant disbursements made by major business activity:

General District Operations (Fund 110)

- \$4,253—C & H Motor Parts, Inc. for miscellaneous vehicle parts
- \$27,529—Doug Veerkamp General Engineering, Inc. for retention release for patching and paving services
- \$5,922—Hunt & Sons, Inc. for fuel deliveries at various locations
- \$8,477—Les Schwab Tire Centers of California, Inc. for tires and a service call

Engineering Operations (Fund 210)

- \$41,025—Innovyze, Inc. for InfoWorks software maintenance 3 year plan
- \$8,833—Tully & Young, Inc. for water hydrology support services

Water Operations (Fund 310)

- \$11,623—Doug Veerkamp General Engineering, Inc. for asphalt patching and paving
- \$5,890—Remote Site Products, LLC for an air conditioner (\$6,296). Sales tax payable \$406
- \$3,854—U.S. Forest Service for special use permits

Wastewater Operations (Fund 410)

- \$11,934—Denali Water Solutions, LLC for sludge hauling and disposal at EDHWWTP
- \$5,412—GHD, Inc. for geotechnical services related to the 2017 storm events
- \$3,514—Industrial Safety Supply Corporation for a docking station and flow regulator
- \$3,902—Watson-Marlow, Inc. for hose pump elements

Recycled Water Operations (Fund 510) none to report

Hydroelectric Operations (Fund 610)

- \$10,194—Watershed, LLC for 30 rain suites (\$10,927). Sales tax payable \$733

Recreation Operations (Fund 710)

- \$20,852—Doug Veerkamp General Engineering, Inc. for asphalt patching and paving

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$47,520—Controlpoint Engineering, Inc. for engineering services:
 - >Project #17040.01 – Strawberry System Equipment (\$4,800)
 - >Project #16035.01 – EDHWWTP Programmable Logic Controller 2 Replacement (\$42,720)
- \$3,897—Evoqua Water Technologies, LLC for a biofilter – Promontory 1 Odor Control (Project #16029.01)
- \$69,789—GEI Consultants, Inc. for engineering services – Forebay Dam Modifications (Project #17013.01)
- \$107,224—GHD, Inc. for engineering services:
 - >Project #17027.01 – Spill 3 Crib Wall Replacement (\$5,530)
 - >Project #15019.01 – Sly Park Reservoir Intake (\$3,009)
 - >Project #11032.01 – Main Ditch-Forebay to Reservoir 1 (\$3,252)
 - >Project #14024.01 – Flume 44 Replacement (\$89,584)
 - >Project #14029.01 – Esmeralda Tunnel (\$5,849)
- \$33,289—ICM Group, Inc. for on-call construction inspection services – Hazardous Mitigation at Flume 5 (Project #17004.01)
- \$401,983—Syblon Reid for engineering services – SAD Bridge (Project #17003.02)
- \$6,465—Teledesign Systems, Inc. for radio modems and data cables – Project 184 SCADA Hardware Replacement (Project #14041.01)
- \$4,418—Tully & Young, Inc. for modeling support services – Development Services Water Model (Project #12029.01)

Executive Summary for December 19, 2017 -- \$2,208,193.62:

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105)

- \$6,164—ITW Rippey for a refund on a deposit payment
- \$3,059—Tim Smith for a refund on a deposit payment

General District Operations (Fund 110)

- \$3,475—Les Schwab Tire Centers of California, Inc. for tires
- \$4,198—Life Insurance Company of North America for December life insurance premiums
- \$4,229—Pace Supply Corp. for warehouse inventory
- \$10,360—PG&E for electric service
- \$3,225—Pro-Line Cleaning Services, Inc. for November janitorial services
- \$3,657—Sierra Office Supply & Printing, Inc. for printing and mailing Waterfront newsletter

Engineering Operations (Fund 210)

- \$8,500—River City Fire Equipment Company, Inc. for annual testing of backflow assemblies

Water Operations (Fund 310)

- \$3,704—Eurofins Eaton Analytical, Inc. for analytical lab services
- \$6,170—Motion Industries for 16 V-belts
- \$3,080—PG&E for electric service
- \$1,633,889—Syblon Reid for construction services
- \$34,583—U.S. Bureau of Reclamation for Sly Park restoration fees and Folsom water deliveries

Wastewater Operations (Fund 410)

- \$7,860—CLS Labs for regulatory lab testing
- \$10,927—Denali Water Solutions, LLC for sludge hauling and disposal at DCWWTP
- \$3,195—El Dorado Disposal Service, Inc. for grit hauling and disposal at DCWWTP and EDHWWTP
- \$3,217—Industrial Electrical Company for softstart motor controllers
- \$3,535—Industrial Safety Supply Corporation for winch inspection and certification
- \$58,227—PG&E for electric service
- \$5,674—Polydyne, Inc. for clarifloc at DCWWTP
- \$4,842—Univar USA, Inc. for caustic soda at EDHWWTP

Recycled Water Operations (Fund 510)

- \$6,100—PG&E for electric service
- \$7,261—Solenis, LLC for praestol at EDHWWTP

Hydroelectric Operations (Fund 610)

- \$3,321—PG&E for electric service

Recreation Operations (Fund 710) none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$21,311—Aecom Technical Services, Inc. for environmental services – Sly Park Intertie Improvements (Project #15009.01)
- \$3,600—BT Consulting, Inc. for engineering services:
 - >Project #17003.01 – Hazardous Mitigation Canal Failure Downstream Flume 10 (\$2,400)
 - >Project #17008.01 – Hazardous Mitigation Flume 9 (\$1,200)
- \$3,990— Garcia and Associates for monitoring services – FERC:C37-2 Macroinvertebrate (Project #06088H.01)
- \$3,886—Meyers, Nave, Riback, Silver & Wilson for legal representation – Camp 2 Bridge Replacement (Project #06030H.01)
- \$111,531—Shimmick Construction Company, Inc. for construction services (\$117,401) – Forebay Dam Modifications (Project #17013.01). Retention held \$5,870
- \$153,352—TCB Industrial, Inc. for engineering services (\$161,423) – Tank 7 In-Conduit Hydro Assessment (Project #13013.01). Retention held \$8,071

Board Expenses/Reimbursements
Warrant Registers dated 12/05/17 - 12/26/17

DESCRIPTION	George Osborne	Michael Raffety	Greg Prada	Dale Coco, MD	Alan Day	Total
Personal Vehicle Expense	\$144.46	\$120.16	\$64.20			\$328.82
Hotel	\$185.87	\$1,146.15				\$1,332.02
Meals or Incidentals Allowance	\$30.00	\$168.41				\$198.41
Airfare, Car Rental, Misc Travel	\$29.12	\$60.00				\$89.12
Fax, Cell or Internet Service		\$40.00	\$80.00			\$120.00
Meeting or Conference Registration						\$0.00
Meals with Others	\$26.16					\$26.16
Membership Fees/Dues						\$0.00
Office Supplies						\$0.00
Reimburse prepaid expenses						\$0.00
Miscellaneous Reimbursements						\$0.00
	\$415.61	\$1,534.72	\$144.20	\$0.00	\$0.00	\$2,094.53

Employee Expenses/Reimbursements

Warrant Registers dated 12/05/17 - 12/26/17

EMPLOYEE	DESCRIPTION	AMOUNT
Abbie Tompkins	Enterprise Software Training Expenses	\$362.03
Jayzackaria Leonard	Wastewater Treatment Plant Operator Exam Fee	\$180.00
Ryan Fortin	Tuition Reimbursement	\$120.55
Jesse Saich	ACWA Conference Expenses and Mileage Reimbursement	\$582.83
Brian Poulsen	ACWA Conference Expenses	\$843.88
Dianne Matteson	Training Expenses	\$178.78
Elizabeth Leeper	State Bar Course Fees and ACWA Conference Expenses	\$1,247.00
Jonathan Beall	Water Treatment Plant and Distribution Operator Certification and Training Fees	\$425.65
Margaret Washko	ACWA Conference Expenses	\$440.55
Ronald Kilburg	Operator Safety Meeting Meal Expenses	\$135.48
Dustin Stoneback	Wastewater Treatment Plant Operator Certification and Exam Fees	\$305.00
Radenko Odzakovic	North American Water Loss Conference Expenses	\$147.00
Daniel Corcoran	Fire-Rated Clothing, Parking, and ACWA Conference Expenses	\$1,100.90
		\$6,069.65

Special Late Reported Expenses
 Required Board Approved Prior to Reimbursement
 Warrant Registers dated 12/05/17 - 12/26/17

DESCRIPTION	George Osborne	Michael Raffety	Greg Prada	Dale Coco, MD	Alan Day	Total
Personal Vehicle Expense		\$17.12				\$17.12
Hotel						\$0.00
Meals or Incidentals Allowance						\$0.00
Airfare, Car Rental, Misc Travel						\$0.00
Fax, Cell or Internet Service						\$0.00
Meeting or Conference Registration						\$0.00
Meals with Others						\$0.00
Membership Fees/Dues						\$0.00
Office Supplies						\$0.00
Reimburse prepaid expenses						\$0.00
Miscellaneous Reimbursements						\$0.00
	\$0.00	\$17.12	\$0.00	\$0.00	\$0.00	\$17.12



MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
 District Board Room, 2890 Mosquito Road, Placerville, California
 December 11, 2017 — 9:00 A.M.

Board of Directors

Michael Raffety—Division 3
 President

Alan Day—Division 5
 Vice President

George W. Osborne—Division 1
 Director

Greg Prada—Division 2
 Director

Dale Coco, MD—Division 4
 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

Margaret Washko
 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.

CALL TO ORDER

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

Roll Call Board

Present: Directors Osborne, Prada, Raffety, Coco and Day

Staff

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

Pledge of Allegiance and Moment of Silence

President Osborne led the Pledge of Allegiance followed by a moment of silence dedicated to the selfless work of the Salvation Army and its volunteers.

ADOPT AGENDA

ACTION: Agenda was adopted.

MOTION PASSED

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

COMMUNICATIONS

General Manager's Employee Recognition

Awards and Recognitions

- a) We would like to recognize the following employees for their years of service to the District. Your dedication and service to our customers is truly appreciated.

30 YEARS

Tilde Diaz

25 YEARS

Carl Certiberi

20 YEARS

Mark Haverson

15 YEARS

Russell St. Thomas

Matt Keeler

Mike Fernandes

10 YEARS

Dustin Stonebeck

Lee Notaro

Glenn Eberhard

Glenn Gough

Marty Humbird

Mark Cumbra

Dana Strahan

Lucina Vidales

Jason Ide

5 YEARS

Jess Leanos

Dan Stevenson

Adam Walsh

Becky Belgram

- b) Welcome to the District, Ales Volcansek. Ales has been hired to the position of Supervising Electrical and Control Systems Engineer in the Operations Department.
- c) Congratulations, Lucina Vidales. Lucina has been promoted to the position of Administrative Technician in the Engineering Department.

Communications continued

- d) We received a note from Lois Beane in appreciation of the “courteous and helpful” service Recently provided by Wayne Spars. She wrote “Thank you for hiring such great people. Wayne is a real asset to our EID.” Thank you for your great customer service, Wayne.
- e) We received an email from Laura Pyper in appreciation of James Balay, Clay Wicks, James Kowalla, Paul Waldow and Jene Hayden. She wrote “Kudos to the EID crew who fixed our water line this afternoon in such a courteous and expeditious manner. Much appreciated!” Well done!
- f) We received a voicemail from April Vanderploeg in appreciation of the “wonderful and professional” service provided by Ashlee Ferrill during her recent call to the District. Nice job, Ashlee.

NOMINATION AND ELECTION

Public Comment: Richard Boylan
Paul Raveling, El Dorado Hills

MOTION: Main motion by Director Coco and seconded by Director Osborne nominating Director Raffety as President and Director Osborne as Vice President.

ACTION: Substitute motion by Director Prada and seconded by Director Day nominating Director Raffety as President and Director Day as Vice President.

MOTION PASSED

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

PUBLIC COMMENT

Paul Raveling, El Dorado Hills
Chuck Vanderpool
Raymond Curtis
Sue Taylor
Marilyn Curtis

COMMUNICATIONS

General Manager

Staff Reports and Updates

- a) Deer Creek Wastewater Treatment Plant Zinc Compliance and Permit Renewal Update – Summary by Elizabeth Wells

Clerk to the Board

Clerk to the Board Sullivan reported that the District received 46 emails in opposition of either or both Action Item Nos. 9 and 13 on this agenda. Copies of the emails were provided to each Board member.

Board of Directors

Director Coco reported on his meeting with the Taxpayers Association of El Dorado County regarding the proposed California Water Fix Plan, proposed legislation regarding water conservation and the Low-Income Water Rate Assistance (LIRA) Act. He additionally commented on an Assistance League of Sierra Foothills holiday event he recently attended.

Director Osborne reported on several sessions he attended during the Association of California Water Agencies (ACWA) Fall Conference. He also congratulated Brian Poulsen, General Counsel on his recent appointment as Chairman of ACWA's State Legislative Committee.

Director Raffety reported on the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA) committee meeting and several programs that he attended during ACWA's Fall Conference. He thanked and congratulated District staff members Brian Poulsen and Jesse Saich on their outstanding presentations made during the ACWA conference.

Director Prada commented on the Bass Lake Action Committee holiday party that he recently attended.

APPROVE CONSENT CALENDAR

ACTION: Director Prada pulled Item No. 1. Consent Calendar was then approved as amended.

MOTION PASSED

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

CONSENT CALENDAR

1. Finance (Pasquarello)

Ratification of EID General Warrant Registers for the periods ending November 7, November 14 November 21 and November 28, 2017, 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 PASSED

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

2. Clerk to the Board (Sullivan)

Approval of the minutes of the November 13, 2017 regular meeting of the Board of Directors.

ACTION: Option 1: Approved as submitted.

MOTION PASSED

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

Consent Calendar continued

3. Finance (Pasquarello)

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

ACTION: Option 1: Authorized funding for the CIP projects as requested in the amount of \$115,500.

MOTION PASSED

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

4. Operations / Engineering (Washko/Mueller)

Consideration to ratify Resolution No. 2017-014 to maintain the emergency declaration as a result of ongoing storm activities.

ACTION: Option 1: Ratified Resolution No. 2017-014 (*thus maintaining the emergency declaration*).

MOTION PASSED

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

5. Clerk to the Board (Sullivan)

Consideration to adopt the proposed 2018 Board meeting schedule, rescheduling Board meetings that fall on either legal holidays or present scheduling conflicts.

ACTION: Option 1: Adopted the proposed 2018 Board meeting schedule, rescheduling Board meetings that fall on either legal holidays or present scheduling conflicts.

MOTION PASSED

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

END OF CONSENT CALENDAR

PUBLIC HEARING — 9:00 A.M.

6. Finance (Pasquarello)

Appropriations Limit for Fiscal Year 2018.

Public Hearing opened at 1:45 P.M.

ACTION: Option 1: Adopted the proposed Appropriations Limit Resolution for Fiscal Year 2018.

MOTION PASSED

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

INFORMATION ITEM

7. Office of the General Counsel (Leeper)

Presentation of Annual Report by Reeb Government Relations, LLC for 2017.

Public Comment: Paul Raveling, El Dorado Hills
Richard Boylan

Action: None – Information only.

8. Office of the General Manager (Abercrombie)

Update on *Key Performance Indicators and Goals* report.

Public Comment: Sue Taylor

Action: None – Information only.

ACTION ITEMS

9. Finance (Price)

Consideration to adopt the 2017-2018 Mid-Cycle Operating Budget and 2018-2022 Financial Plan, including the implementation of previously approved 3% rate increases for 2018 for water, wastewater, and recycled water.

Public Comment: Paul Raveling, El Dorado Hills
Richard Boylan
Charlet Burcin
Ryan Gunstream, Honeywell
Craig Schmidt, Placerville
Sue Taylor
Chuck Vanderpool

MOTION: Main motion by Director Osborne and seconded by Director Raffety to approve option 1 to allow discussion. Director Raffety later withdrew his second and motion then failed due to lack of a second.

MOTION: Main motion by Director Raffety and seconded by Director Osborne to approve option 2 and take other action as directed by the Board to adopt the El Dorado Irrigation District 2017-2018 Mid-Cycle Operating Budget and 2018–2022 Financial Plan, including the implementation of a 3% rate increase for water and 2% for wastewater and recycled water for 2018.

ACTION: Substitute motion by Director Day and seconded by Director Prada to approve option 2 and take other action as directed by the Board to adopt the El Dorado Irrigation District 2017-2018 Mid-Cycle Operating Budget and 2018–2022 Financial Plan, without any rate increases for water, wastewater and recycled water in 2018.

MOTION PASSED

Ayes: Directors Day, Prada and Coco

Noes: Directors Osborne and Raffety

10. Finance (J. Downey)

Consideration to implement a low-income assistance program for District residential wastewater customers only.

MOTION: Main motion by Director Osborne to approve option 2 and take other action as directed by the Board to continue this item until after the State of California implements the AB 401 Low-Income Water Rate Assistance (LIRA) Act. Motion failed due to lack of a second.

ACTION: Main motion by Director Raffety and seconded by Director Day to approve option 2 and take other action as directed by the Board to authorize staff to implement a low-income assistance program for up to 1,500 qualifying residential wastewater customers utilizing funds as directed by the Board commencing April 1, 2018 through December 31, 2019, at which time staff will bring this program back to the Board for further review and consideration.

MOTION PASSED

Ayes: Directors Raffety, Day, Prada and Coco

Noes: Director Osborne

11. Operations (Strahan)

Consideration to award a contract to Atlantic Machinery, Inc. for the purchase of a Vac-Con vacuum excavation truck in the not-to-exceed amount of \$413,193; and authorize total funding of \$413,193 to Project No. 17049.

Public Comment: Marilyn Curtis

ACTION: Option 1: Awarded a contract to Atlantic Machinery, Inc. for the purchase of a Vac-Con vacuum excavation truck in the not-to-exceed amount of \$413,193; and authorized total funding of \$413,193 to Project No. 17049.

MOTION PASSED

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

12. Engineering (Wilson)

Consideration to award a contract to Advanced Industrial Services Inc. in the not-to-exceed amount of \$353,300 for rehabilitation of the existing Swansboro Tank; and authorize total funding of \$498,630 for the Swansboro Tank Rehabilitation, Project No. 17012.01.

Public Comment: Craig Schmidt, Placerville

ACTION: Option 1: Awarded a contract to Advanced Industrial Services Inc. in the not-to-exceed amount of \$353,300 for rehabilitation of the Swansboro Tank; and authorized total funding of \$498,630 for the Swansboro Tank Rehabilitation, Project No. 17012.01.

MOTION PASSED

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

13. Office of the General Manager / Office of the General Counsel (Abercrombie/Poulsen)

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

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

Public Comment: John Wilson
Richard Boylan

MOTION: Main motion by Director Raffety and seconded by Director Coco to approve option 2 and take other action as directed by the Board and form an advisory committee of Directors Coco and Day to negotiate employment contract term amendments and compensation with the General Manager and bring back a recommendation to the Board for consideration no later than the first meeting in March 2018; and permanently move the evaluation of the General Manager's performance to the first quarter of each year.

MOTION: Substitute motion by Director Day and seconded by Director Coco to approve option 2 and take other action as directed by the Board and continue this item so that an advisory committee of Directors Day and Coco be formed to negotiate employment contract term amendments and compensation with the General Counsel and General Manager; and bring back a recommendation to the Board for consideration no later than the first regular Board meeting in March 2018. Additionally, extending the expiration date of the General Counsel's existing contract through December 31, 2018, subject to negotiations.

MOTION: Substitute motion by Director Coco and seconded by Director Raffety to approve option 2 and take other action as directed by the Board and continue this item so that an advisory committee of Directors Day and Coco be formed to negotiate employment contract term amendments and compensation with the General Manager; and bring back a recommendation to the Board for consideration on the first regular Board meeting in March 2018.

ACTION: Subsidiary motion by Director Osborne and seconded by Director Raffety to approve option 2 and take other action as directed by the Board and separate the vote to consider the General Manager and General Counsel's employment contracts separately.

MOTION PASSED

Ayes: Directors Osborne, Raffety and Coco

Noes: Directors Prada and Day

ACTION: Substitute motion by Director Coco and seconded by Director Day to approve option 2 and take other action as directed by the Board and continue this item so that an advisory committee of Directors Day and Coco be formed to negotiate employment contract term amendments and compensation with the General Manager; and bring back a recommendation to the Board for consideration on the first regular Board meeting in March 2018.

MOTION PASSED

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

MOTION: Main motion by Director Raffety and seconded by Director Osborne to approve option 2 and take other action as directed by the Board and approve a year-end \$10,000 bonus as part of the General Counsel's 2017 compensation; amend the General Counsel's employment contract to incorporate the 10,000 bonus into his base salary for 2018; extend the General Counsel's existing contract through December 31, 2018, subject to negotiations; form an advisory committee of Directors Day and Coco to negotiate employment contract term amendments and compensation with the General Counsel; and bring back a recommendation to the Board for consideration no later than the first regular Board meeting in March 2018.

ACTION: Substitute motion by Director Day and seconded by Director Prada to approve option 2 and take other action as directed by the Board and approve a year-end \$10,000 bonus to the General Counsel's 2017 compensation; extend the General Counsel's existing contract through December 31, 2018, subject to negotiations; form an advisory committee of Directors Day and Coco to negotiate employment contract term amendments and compensation with the General Counsel; and bring back a recommendation to the Board for consideration no later than the first regular Board meeting in March 2018.

MOTION PASSED

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

CLOSED SESSION

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

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

ACTION: The Board met with the General Counsel and reviewed his performance, provided feedback and 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 met with the General Manager and reviewed his performance, provided feedback and took no reportable action.

C. Closed session pursuant to Government Code section 54956.9(d)(2) and (e)(3) (Poulsen)

Conference with General Counsel – Significant Exposure to Litigation: Receipt of claim dated November 3, 2017, from Darwin Throne, Claim NO. 17-1796

ACTION: The Board met and conferred with counsel and staff but took no reportable action.

REVIEW OF ASSIGNMENTS

None

ADJOURNMENT

President Raffety adjourned the meeting at 4:14 P.M.

Michael Raffety
Board President
EL DORADO IRRIGATION DISTRICT

ATTEST:

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

Approved: _____

EL DORADO IRRIGATION DISTRICT

Subject: Consideration to ratify Resolution No. 2017-014 to maintain the emergency declaration as a result of ongoing storm activities.

Previous Board Actions

February 13, 2017 – Board adopted Resolution No. 2017-007 declaring an emergency under the Public Contract Code and Public Resources Code as a result of recent and ongoing storm activities; ratified a construction contract to Doug Veerkamp General Engineering for emergency replacement of a failed section of the Town Center force main; ratified a pumping and hauling contract to Doug Veerkamp for emergency pumping of raw sewage from the El Dorado lift station; ratified a pumping and hauling contract with Advance Septic for emergency pumping of raw sewage from the Camino Heights wastewater treatment plant; and authorized and directed the General Manager and his designees to take all further actions reasonably deemed necessary to respond to the emergency.

February 27, 2017 – Board ratified Resolution No. 2017-007 to maintain the emergency declaration and ratified contracts awarded to Doug Veerkamp for landslide stabilization and Syblon Reid General Engineering Contractors (SRC) for drainage diversion, access road development, landslide stabilization and canal repair near Flumes 5 and 10.

March 13, 2017 – Board ratified Resolution No. 2017-007 to maintain the emergency declaration; ratified a professional services contract with GHD Inc. in the amount of \$150,000 for geotechnical and engineering services; awarded a construction contract to Syblon Reid Contractors in the not-to-exceed amount of \$5,780,386 and approved total project funding in the amount of \$8,855,343 for Flume 10 construction.

March 27, 2017 – Board ratified Resolution No. 2017-007 to maintain the emergency declaration.

April 10, 2017 –

- Ratified Resolution No. 2017-007 to maintain the emergency declaration;
- Ratified professional services Change Order No. 1 with GHD Inc. in the not-to-exceed amount of \$600,224;
- Ratified construction contract Change Order No. 1 for Doug Veerkamp General Engineering in the not-to-exceed amount of \$300,000;
- Approved Change Order No. 2 with GHD Inc. in the not-to-exceed amount of \$1,310,016;
- Approved a construction contract Change Order No. 1 to SRC in the not-to-exceed amount of \$4,024,404;
- Awarded a construction contract to Doug Veerkamp General Engineering in the not-to-exceed amount of \$1,462,479 for slides at Flume 45A; and
- Approved project funding of \$5,970,595 for the following projects:
 - \$3,044,560, Project No. 17004.01 (Hazard Mitigation at Flume 5);
 - \$987,030, Project No. 17008.01 (Hazard Mitigation at Flume 9);
 - \$568,588, Project No. 17007.01 (Hazard Mitigation #1 downstream Flume 45A);
 - \$1,220,417, Project No. 17007.03 (Hazard Mitigation #3 downstream Flume 45A);
 - \$150,000, Project No. 17002.01 (Town Center Force Main Emergency Replacement Phase 2 Schedule B).

May 22, 2017 – Board adopted Resolution 2017-014 to update the emergency declaration resulting from the 2017 storm activity.

June 12, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration.

July 24, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration as a result of the 2017 storm activity and ratified the construction contract with Mining Construction Inc. in the not-to-exceed amount of \$539,677.

August 14 and August 28, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration.

September 11, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration and ratified a contract amendment to GHD in the not-to-exceed amount of \$55,000 for inspection services on the Montclair Townhome sewer repair project.

October 10, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration as a result of ongoing storm activities, and was updated on the status of the SAD bridge repair.

October 23, November 13 and December 11, 2017 – Board ratified Resolution No. 2017-014 to maintain the emergency declaration.

Board Policies (BP), Administrative Regulations (AR), and Board Authority

Public Contract Code section 22050(a)(1) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. Subsection (c)(1) of that statute requires the governing body to review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action.

Public Contract Code sections 1102, 20567, and 22050 authorize the District to forgo public bidding requirements in emergency circumstances.

Public Resources Code section 21080(b) and CEQA Guidelines section 15269 exempt emergency projects from the requirements of the California Environmental Quality Act (“CEQA”).

Summary of Issue(s)

On February 13, 2017, the Board unanimously adopted Resolution 2017-007 declaring an emergency as a result of the severe storms during January and February and subsequently adopted Resolution 2017-014 to update the declaration. For the emergency declaration to remain in effect, the Board must find (by four-fifths vote for bidding and contracting purposes) at each regular board meeting that the need for the emergency action still exists. The Board can do so today by ratifying Resolution No. 2017-014.

Staff Analysis/Evaluation

There have been over 40 separate storm related work tasks that have been documented since January 7, 2017. The remaining work is primarily related to the repair of the failure near Flume 10. However, due to oversaturated soil conditions, ongoing construction work has been limited to inspection and maintenance of erosion control systems required by the State Water Resources Control Board. The remaining work includes completion of the final site grading, access road, Alarm 3, permanent fencing, security gate, and permanent erosion control. As long as active construction work authorized under the emergency declaration continues, staff recommends the Board continue to maintain the emergency declaration.

Board Decisions/Options

Option 1: Ratify Resolution No. 2017-014 (*thus maintaining the emergency declaration*).

Option 2: Decline to ratify Resolution No. 2017-014 (*thus terminating the emergency declaration*) or take other action as directed by the Board.

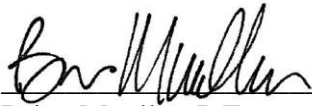
Option 3: Take no action (*thus terminating the emergency declaration*).

Staff/General Manager's Recommendation

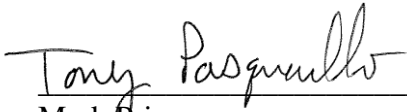
Option 1 (*four-fifths vote required*)

Supporting Documents Attached

Attachment A: Resolution No. 2017-014



Brian Mueller, P.E.
Engineering Director



Mark Price for
Finance Director



Margaret P. Washko, P.E. for
Operations Director



Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EL DORADO IRRIGATION DISTRICT
DECLARING AN EMERGENCY**

WHEREAS, El Dorado County received intense rainfall during the early months of 2017, saturating soils and causing collapses, soil failures, and earth movement all around the County; and

WHEREAS, multiple significant collapses of soil occurred on the District’s El Dorado Canal, resulting in the canal being taken out of service; and

Whereas, multiple slope failures occurred on District property off of 8-mile Road in Pollock Pines; and

WHEREAS, such storm activity has overwhelmed the District’s wastewater collections facilities at the El Dorado Lift Station and the Camino Heights Wastewater Treatment Plant increasing the risk of sanitary sewer overflows; and

WHEREAS, the District has encountered a break of a sanitary sewer collection main pipeline, the Town Center force main; and

WHEREAS, slope failure over a District sewer line near Montclair Road in Cameron Park has put the sewer pipeline at unacceptable risk of failure; and

WHEREAS, District staff have undertaken over 40 separate storm related work tasks since January 7, 2017 as a result of the incidents described above; and

WHEREAS, on February 13, 2017, the District’s Board of Directors adopted Resolution No. 2017-007, declaring an emergency within the meaning of several statutes included in the Government, Public Resources, and Public Contract Codes and directed the District General Manager and his designees to take all actions reasonably deemed necessary to respond to the emergency declared therein; and

WHEREAS, the District’s Board of Directors ratified Resolution No. 2017-007 at its regularly held Board meetings on February 27, March 13, March 27, and April 10; and

WHEREAS, as a result of continuously developing conditions, there exists real and reasonable potential for the District to discover and/or experience additional damage to critical infrastructure necessitating immediate repair; and

WHEREAS, all of these occurrences require prompt action to prevent or mitigate impairment to life, health, safety, property, and/or essential public services; and

///

1 WHEREAS, Government Code section 54956.5(a)(1) defines “emergency” as “a work stoppage,
2 crippling activity, or other activity that severely impairs public health, safety, or both, as determined by
3 a majority of the members of the legislative body;” and

4 WHEREAS, Government Code section 54956.5(a)(2) defines “dire emergency” as “a crippling
5 disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate
6 and significant that requiring a legislative body to provide one-hour notice before holding an
7 emergency meeting may endanger the public health, safety, or both, as determined by a majority of the
8 members of the legislative body;” and

9 WHEREAS, Public Contract Code section 1102 defines “emergency” as “a sudden, unexpected
10 occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate
11 the loss or impairment of life, health, property, or essential public services;” and

12 WHEREAS, CEQA Guidelines section 15359 defines “emergency” as “a sudden, unexpected
13 occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate
14 loss of, or damage to life, health, property, or essential public services;” and

15 WHEREAS, Government Code section 54956.5(b)(1) and (2) authorize legislative bodies to hold
16 emergency meetings in the case of an emergency or dire emergency involving matters upon which
17 prompt action is necessary due to the disruption or threatened disruption of public facilities; and

18 WHEREAS, District Board Policy 2050 authorizes the District’s General Manager to act “in
19 emergency situations where no Board Policies or Administrative Regulations exist;” and

20 WHEREAS, Public Contract Code sections 22050(a)(1) and 20567 authorize irrigation districts
21 to let contracts without notice for bids in case of an emergency; and

22 WHEREAS, Public Contract Code section 22050(b)(1) authorizes the Board of Directors, by a
23 four-fifths (4/5ths) vote, to delegate to the General Manager the authority to order any action pursuant
24 to paragraph (1) of subdivision (a); and

25 WHEREAS, District Board Policy 3060, delegates to the General Manager authority to approve
26 any and all contracts necessary to abate an emergency after first informing the President of the Board
27 of Directors and scheduling an emergency meeting of the Board of Directors at the earliest possible
opportunity; and

WHEREAS, Public Resources Code section 21080(b)(2) exempts from the California
Environmental Quality Act (CEQA) emergency repairs to public service facilities necessary to
maintain services; and

1 WHEREAS, Public Resources Code section 21080(b)(4) and CEQA Guidelines section 15269(c)
2 exempt from CEQA specific actions necessary to prevent or mitigate an emergency from CEQA;

3 NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Directors of the
4 El Dorado Irrigation District (Board) as follows:

- 5 1. The Board finds and declares that an emergency situation exists within the meaning of the
6 enactments listed below:

7 Public Contract Code section 11102

8 CEQA Guidelines section 15359

9 Public Contract Code section 20567

10 District Board Policy 3060

11 Public Contract Code section 22050(a)(1)

12 Public Resources Code section 21080(b)(2)

13 Public Resources Code section 21080(b)(4) and CEQA Guidelines section 15269(c)

- 14 2. The foregoing findings and declarations are based upon written, oral, and visual evidence,
15 including both facts and professional opinions, presented to the Board at the hearing of this
16 Resolution and upon the Minutes of the meeting at which this Resolution was adopted.

- 17 3. The Board hereby ratifies all actions taken by the District General Manager and his
18 designees, prior to the adoption of this Resolution, which the General Manager and his
19 designees reasonably deemed necessary to respond to the emergency declared herein.

- 20 4. The Board hereby delegates, authorizes, and directs the District General Manager and his
21 designees to take all further actions reasonably deemed necessary to respond to the
22 emergency declared herein. The General Manager or his designees shall report to and seek
23 ratification of the Board of Directors for each action taken in excess of their normal
24 authority, at the first regular Board of Directors meeting held after each such action.

- 25 5. This Resolution shall take effect immediately upon adoption, and shall supersede
26 Resolution No. 2017-007. Subject to the ratification

27 required by Public Contract Code sections 22050(b)(3), (c)(1), and (c)(2), and by Board
Policy 3060, this Resolution shall remain in full force an effect until rescinded by a
subsequent Resolution of the Board of Directors.

///

///

1 The foregoing Resolution was introduced at a regular meeting of the Board of Directors of the
2 EL DORADO IRRIGATION DISTRICT, held on the 22nd day of May 2017, by Director Day who
3 moved its adoption. The motion was seconded by Director Prada and a poll vote taken which stood
4 as follows:

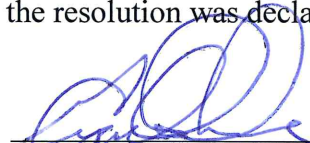
5 AYES: Directors Day, Prada, Osborne, Raffety and Coco

6 NOES:

7 ABSENT:

8 ABSTAIN:

9 The motion having a majority of votes "Aye", the resolution was declared to have been
10 adopted, and it was so ordered.



George W. Osborne, President
Board of Directors
EL DORADO IRRIGATION DISTRICT

11
12 ATTEST:

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14 Jennifer Sullivan
15 Clerk to the Board
16 EL DORADO IRRIGATION DISTRICT

17 (SEAL)

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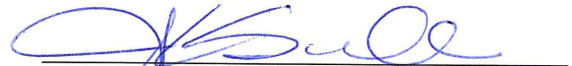
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1 I, the undersigned, Clerk to the Board of the EL DORADO IRRIGATION DISTRICT
2 hereby certify that the foregoing resolution is a full, true and correct copy of a Resolution of the
3 Board of Directors of the EL DORADO IRRIGATION DISTRICT entered into and adopted at a
4 regular meeting of the Board of Directors held on the 22nd day of May 2017.



Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

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EL DORADO IRRIGATION DISTRICT

SUBJECT: Discussion of 2018 association and community organization assignments.

Previous Board Action

The Board President annually acts on nominations, appointment, and ongoing participation in associations and community organizations.

Board Policies (BP), Administrative Regulations (AR), and Board Authority

BP 12100 states that the President, with concurrence by the Board, may appoint Board representatives to various organizations and associations. These entities shall be identified in AR 12101 and updated annually in consultation with the General Manager and General Counsel.

Summary of Issue(s)

Listed below are current appointments and ongoing participation in association and community organizations. President Raffety wishes to have a public discussion of any prospective changes before taking action.

- **Association of California Water Agencies (ACWA)**
Director Michael Raffety
- **Association of California Water Agencies (ACWA) / Joint Powers Insurance Authority (JPIA)**
Director George Osborne
Director Michael Raffety, Alternate
- **Association of California Water Agencies (ACWA) Region 3**
Director Michael Raffety
- **El Dorado County Chamber of Commerce**
Director Dale Coco, MD
- **El Dorado County Citizens for Water**
Director Michael Raffety
Director Dale Coco, MD
- **El Dorado County Fire Chiefs Association**
Director George Osborne
- **El Dorado Local Agency Formation Commission (LAFCO)**
Director Dale Coco, MD
- **Mountain Counties Water Resources Association**
Director Michael Raffety, Representative

- **El Dorado Water and Power Authority (EDWPA)**

Director George Osborne

Director Greg Prada

Director Michael Raffety

Director Dale Coco, MD

Director Alan Day

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- **El Dorado County Water Agency (EDCWA)**

Director Dale Coco, MD

- **Regional Water Authority (RWA)**

Director Michael Raffety, Representative

Director Dale Coco, MD, Alternate

- **Taxpayers Association of El Dorado County**

Director Michael Raffety

Director Dale Coco, MD

Board Decisions/Options

Option 1: Concur with Board President Raffety's recommendation of 2018 association and community organization assignments.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Board President's Recommendation

Option 1

Support Documents Attached

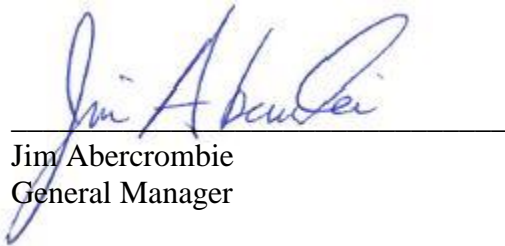
None



Jennifer Sullivan
Clerk to the Board



Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

 for

Michael Raffety
Board President

EL DORADO IRRIGATION DISTRICT

Subject: Draft Amendments to Board Policy 9020 Establishing New Service.

Previous Board Actions

September 11, 2006 – Board adopted Board Policy 9020.

October 23, 2017 – Board held an informational workshop regarding draft amendments to Board Policy 9020.

Board Policies (BP), Administrative Regulations (AR), and Board Authority

BP 9020 sets forth requirements pertaining to establishing new service.

BP 1030 states the Board of Directors may amend the Board Policies by an affirmative vote of at least three members at a publicized public hearing.

Summary of Issue

Presently, Board Policy 9020 requires that to establish new service, a customer must be located within the District's annexed service area. Existing law, however, allows water districts to provide out-of-district service in limited circumstances such as where there is a threat to public health and safety. Staff recommends that the Board revise Board Policy 9020, as reflected in Attachment A, to allow the District to provide out-of-District service to address a documented health and safety concern.

Staff Analysis/Evaluation

Board Policy 9020 declares as follows:

The District provides drinking water, recycled water, and wastewater services to residential, municipal, commercial, industrial, and agricultural customers within the District's service area. These services are subject to the provisions of all Board Policies and applicable Administrative Regulations and to the payment of appropriate rates, fees, deposits, and charges.

Administrative Regulation 9021 requires the customer applying for new service to be "annexed to the District." This Board Policy and Administrative Regulation allow the District to provide new service only to customers located within the District's annexed service area. In limited circumstances, however, there is a public interest in allowing the District to provide out-of-District services, such as when there is a documented health and safety issue.

As previously discussed during the Board's October 23, 2017 informational item discussion on this topic, a parcel owner, Kenneth Welsh, whose parcel is located immediately adjacent to the District's Bass Lake tank facility in El Dorado Hills, lacks adequate water supply and has sought out-of-District service. Notwithstanding the close proximity of Mr. Welsh's parcel to District infrastructure, the parcel is not within the District's annexed service area. Relying on the authority above, District staff informed Mr. Welsh that the District would not accept an application for out-of-District service, unless the applicant initiated the annexation process

through the El Dorado County LAFCO. The process of annexation for Mr. Welsh's parcel is lengthy and expensive in light of its location within the United States Bureau of Reclamation's Central Valley Project Unit service area.

Government Code section 56133(a) authorizes the District to provide out-of-District service by contract or agreement, but the District must first submit the contract or agreement to LAFCO for approval. LAFCO may authorize the District to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a future annexation or even outside of its sphere of influence "to respond to an existing or impending threat to the health and safety of the public or the residents of the affected territory." (Gov. Code § 56133(b)-(c).) In other words, existing law allows the District to provide out-of-District service if there is a documented health and safety concern, subject to the approval of the LAFCO. Currently, however, Board Policy 9020 provides no such option.

On December 7, 2017, District staff met with staff from the El Dorado County LAFCO to discuss Mr. Welsh's water needs. LAFCO staff informed the District that they were working directly with Mr. Welsh to address his water needs and supported the establishment of an out-of-District service without the need to annex the Welsh parcel. On December 11, 2017, LAFCO staff provided the District with documentation supporting LAFCO staff's determination that Mr. Welsh's circumstances constitute a threat to health and safety and qualifies for out-of-District service under Government Code section 56133(c)(1). (See email from Erica Sanchez to Brian Poulsen, attached as Attachment B). On December 20, 2017, LAFCO staff provided the District with further information, including a letter from the El Dorado County Environmental Management Department setting forth the County's minimum well standards for new construction. (See email from Erica Sanchez to Mike Brink, attached as Attachment C).

Based on this information, staff proposes to amend Board Policy 9020 by authorizing the District to provide out-of-District service when approved by the Board and found necessary to address documented health and safety concerns. Staff has noticed this public hearing for adoption of amendments to Board Policy 9020. If amendments are adopted, staff will revise Administrative Regulation 9021 to make it consistent with the revised Board policy. All proposed out-of-District service connections will come to the Board for approval. Staff will also draft an out-of-District service agreement with Mr. Welsh for the Board's consideration as an action item at its next regularly scheduled meeting on January 22, 2017.

Board Decision/Options

Option 1: Adopt the proposed amendments to Board Policy 9020.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Staff/General Manager's Recommendation


Option 1

Supporting Documents Attached

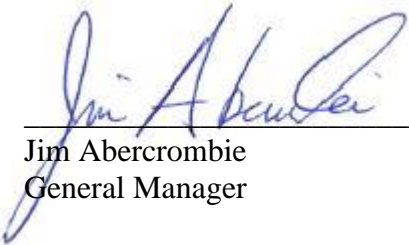
Attachment A: Draft Amendments to Board Policy - BP 9020 Establishing New Service

Attachment B: Email from Erica Sanchez, El Dorado County Local Agency Formation Commission, to Brian Poulsen, El Dorado Irrigation District, dated December 11, 2017, re: Welsh – Well Report & EDC Minimum Standards

Attachment C: Email From Erica Sanchez, El Dorado County Local Agency Formation Commission, to Mike Brink, El Dorado Irrigation District, dated December 20, 2017, re: EDC Environmental Health Letter re Walsh



Brian D. Poulsen, Jr.
General Counsel



Jim Abercrombie
General Manager

BP 9020 Establishing New Service

Adopted: November 11, 2006

Supersedes: Regulation Nos. 1, 5, 6, 8, 12, 14, 17, 18, 22

The District provides drinking water, recycled water, and wastewater services to residential, municipal, commercial, industrial, and agricultural customers within the District's service area, or outside the annexed service area but within the District's sphere of influence when allowed by law and approved by the Board in response to documented health and safety concerns. These services are subject to the provisions of all Board Policies and applicable Administrative Regulations and to the payment of appropriate rates, fees, deposits, and charges.

Poulsen, Brian

From: Erica Sanchez <ESanchez@edlafco.us>
Sent: Monday, December 11, 2017 1:09 PM
To: Poulsen, Brian
Cc: Brink, Mike; Mueller, Brian; Jose Henriquez
Subject: Welsh--Well Report & EDC Minimum Standards
Attachments: 8-15-17 Welsh Well Report.pdf; Environmental Management Policy 800-02--Water Requirements.pdf; Welsh Statement re Water Situation.pdf

Hi Brian,

This is a follow-up to our meeting last week regarding Ken Welsh's property and the possibility of EID extending service through an out of agency service agreement (OASA). I spoke with staff from EDC Environmental Health to determine the County's minimum acceptable well production rates and with Mr. Welsh, who has an existing well production report from August 2017. The following documents are attached:

- Well production report for Mr. Welsh's property
- EDC Environmental Management (Environmental Health) Policy 800-02 re adequate water supplies
- Statement from Ken Welsh re his water situation

According to Env. Health staff, the County doesn't prepare well production reports, the report is done by a certified well driller and then submitted to Env. Health for review for minimum production rates. Minimum production rates are 5 gpm without additional storage; 1 gpm with additional storage. Mr. Welsh has a well production report prepared by a well drilling company in August 2017, which shows his well only produces 0.8 gpm. Based on this information, LAFCO (staff) has determined that Mr. Welsh's situation qualifies as a threat to health and safety for the purposes of extending water service via an OASA under Govt. Code §56133(c)(1).

If there is any additional information you may need, please feel free to contact José or me. Also, please notify us when this matter will be considered by the EID Board; we would be happy to attend the meeting if you think there may be questions for LAFCO.

Sincerely,
Erica

Erica Sanchez
Policy Analyst

El Dorado LAFCO
550 Main Street, Suite E
Placerville, CA 95667
(530) 295-2707
www.edlafco.us

Well Production Test

BY: TOM

WELL LOCATION: **3021 CRYSTAL VIEW, 95762** Date of Test: **8/15/17**

Ordered By: NORM BROWN	Ph: 916.966.3456
Bill To:	Em:
	Ph:
Instructions:	Gate:

TIME	METER READING	GALLONS PUMPED	PUMP RATE
1:25			6
1:55		4	
2:00		158	BROKE SUCTION

Depth of Well:	<u>N/A</u>	feet	Bacterial/Mineral:	<u>N/A</u>	day
Final Yield:	<u>0.8</u>	gpm	Gallons Pumped:	<u>158</u>	gal
Pump Duration:	<u>35</u>	min	Storage Tank:	<u>YES</u>	gal
Broke Suction:	<u>YES</u>	y/n	Filtration:	<u>NO</u>	y/n

*Pump Operation:	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Electrial/Well Head:	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Pressure Tank:	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Plumbing/Well Head:	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Storage Tank	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Booster Pump	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Filtration	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>
*Fire Hydrant System	<input type="checkbox"/>	Functional	Deficient	<input type="checkbox"/>	Not Observed	<input checked="" type="checkbox"/>

COMMENTS/RECOMMENDED REPAIRS:

1. THIS WELL PRODUCES .8 GALLONS PER MINUTE AND IS UNDER THE MINIMUM GPM ALLOWED BY EL DORADO COUNTY FOR A LEGAL PRODUCING WELL

Approved by: *Tom Lang, Officer*

Date: **8/21/2017**

Rumsey Lang Well Drilling & Pump Inc.

Lic #936606

PO BOX 1021, SHINGLE SPRINGS, CA 95682

WWW.RUMSEYLANG.COM

12-8-17

MY NAME IS KENNETH D. WELSH AND I HAVE BEEN A HOME OWNER IN EL DORADO COUNTY SINCE 1986. I LIVE IN A SINGLE DWELLING ON 10 ACERS IN EL DORADO HILLS, CA. FOR YEARS MY WIFE & I HAVE STRUGGLED WITH THE PROBLEMS OF HAVING A POOR WATER SUPPLY. TWO OF OUR WELLS ARE DRY AND THE THIRD IS BELOW COUNTY STANDARDS. I AM ASKING THAT EID ALONG WITH LAFCO TO INSTALL AN OUT OF DISTRICT METER FOR ONE DWELLING. I REALIZE THE COST OF THE METER AS WELL AS THE OUT OF DISTRICT RATE I WILL BE CHARGED AND I'M FINE WITH THAT. AS OF NOW I AM PART OF THE BASS LAKE HILLS SPECIFIC PLAN WHICH DECLARES THAT MY 10 ACRE PARCEL MAY BUILD OUT SOME DAY TO INCLUDE MORE HOMES. I HAVE NO DESIRE TO DEVELOPE OR CHANGE MY LAND USE TO INCLUDE MORE HOMES. IF I MUST OPT OUT OF THE BASS LAKE HILLS SPECIFIC PLAN I AM PERFECTLY AGREEABLE TO THAT. I WISH TO CONTINUE LIVING ON MY 10 ACRES WITH A SINGLE DWELLING ONLY. ONCE A METER IS INSTALLED I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO BRING THE 3/4" WATER LINE TO MY RESIDENCE. I AM REQUESTING THIS

OUT OF DISTRICT METER BECAUSE THE UNDER GROUND WATER SUPPLY IS ONLY GETTING WORSE AND TRUCKING POTABLE WATER ONTO MY PROPERTY IS EXPENSIVE. THERE ARE TWO EID WATER LINES ON MY PROPERTY AND TWO 5 MILLION WATER TANKS LOCATED BEHIND MY 10 ACRE PARCEL. AT MY AGE (66) ITS BECOMING TOO DIFFICULT FOR ME TO HANDLE THE WATER SITUATION ANY LONGER. AN OUT OF DISTRICT WATER METER WOULD BE THE ANSWER TO MY WATER PROBLEMS WE HAVE BEEN DEALING WITH ALL THESE YEARS. THE EID BOARD MEMBERS ARE ALL AWARE OF MY SITUATION AND DR. DALE COCO, EID BOARD MEMBER FOR DISTRICT 4 ALONG WITH JOSE HERRIQUETZ AND ERICA SANCHEZ FROM LAFCO ARE ASSISTING ME WITH THE PROCESS AND I AM THANKFUL FOR THEIR EFFORTS. HOPEFULLY IN THE NEAR FUTURE OUR COMBINED EFFORTS AND HARD WORK WILL PAY OFF AND I WILL HAVE AN ADAQUIT WATER SUPPLY IN THE FUTURE.

THANK YOU

Shemitt D. Welsh

**ENVIRONMENTAL MANAGEMENT DEPARTMENT
POLICIES AND PROCEDURES MANUAL**

POLICY #:	800-02	<u>SUBJECT</u> WATER SUPPLIES
ISSUED:	October 8, 2003	
EFFECTIVE:	October 8, 2003	
CANCELLATION DATE:		
SUPERSEDES:	800-02 (4-15-93)	

Pursuant to Section 15.16.050, Section 106.4.1, of the El Dorado County Code, no building permit shall be issued for the construction of a building having plumbing facilities therein, or the placing of a mobile home, until proof of an adequate water supply is provided by the applicant to the Division of Environmental Health.

ADEQUATE WATER SUPPLIES:

The following types of water supplies may be approved by the Division of Environmental Health:

1. **PUBLIC WATER:** A public water supply holding a valid water permit issued by the Division of Environmental Health or the State Department of Health Services.
2. **WELLS:** Water wells which are constructed to the standards specified in "Water Well Standards", State of California, Department of Water Resources, Bulletin 74-81 (and supplements); and which are capable of providing to each connection a minimum of five (5) gallons per minute, either from the well itself or a combination of well and storage, at a minimum of fifteen (15) pounds per square inch pressure. Wells producing less than one (1) gallon per minute shall not be accepted as an adequate water supply.

The production capacity of a well shall be determined from a four (4) hour pump test or from a four (4) hour driller's air lift test. The production capacity is valid for two years from the date of testing and shall be certified with an original signature by a licensed well driller, licensed pump contractor, or other professional person approved by the Division of Environmental Health. Production reports that are over two years old may be accepted if additional information from the well driller or pump contractor provides documentation that the well production has not changed since the previous production test.

For wells producing less than five (5) gallons per minute, the following storage capacity must also be met:

- 4 GPM requires 240 gallons of storage
- 3 GPM requires 480 gallons of storage
- 2 GPM requires 720 gallons of storage
- 1 GPM requires 960 gallons of storage

Poulsen, Brian

From: Erica Sanchez <ESanchez@edlafco.us>
Sent: Wednesday, December 20, 2017 5:02 PM
To: Brink, Mike
Cc: Poulsen, Brian; Mueller, Brian
Subject: EDC Environmental Health Letter re Welsh
Attachments: Welsh Well v2.pdf

Hi Mike,

Please see the attached letter from EDC Env. Health regarding Mr. Welsh's well. The County doesn't have minimum well production standards for existing wells, only for new construction. Based on the new construction standards, Mr. Welsh's well would not be considered an adequate water supply; however Env. Health stops short of making the determination that the situation is a threat to health and safety (which they view as more of a threat to the general population or in a situation where a septic system is unable to function due to complete lack of water). A 4-hour test would likely yield the same results, but that even if that were the case, they couldn't make any stronger determination than what is included in this letter.

We'll follow-up with you after the first of the year to discuss how to proceed.

Have a merry Christmas!

Erica

Erica Sanchez
Policy Analyst

El Dorado LAFCO
550 Main Street, Suite E
Placerville, CA 95667
(530) 295-2707
www.edlafco.us



COMMUNITY DEVELOPMENT SERVICES

ENVIRONMENTAL MANAGEMENT DEPARTMENT

<http://www.edcgov.us/EMD/>

PLACERVILLE OFFICE:

2850 Fairlane Court
Placerville, CA 95667
(530) 621-5300
(530) 642-1531 Fax

LAKE TAHOE OFFICE:

924 B Emerald Bay Rd.
South Lake Tahoe, CA 96150
(530) 573-3450
(530) 542-3364 Fax

December 20, 2017

Jose Henriquez
Executive Officer
El Dorado Local Agency Formation Commission
5520 Main St. Suite E
Placerville, CA 95667

RE: APN 119-090-59-100 - 3021 Crystal View Drive, El Dorado Hills

Mr. Henriquez,

We understand that the above parcel is considering a connection to El Dorado Irrigation District (EID) for their potable water supply due to a low producing well. The well production report that was conducted on 8/21/17 resulted in a 0.8 GPM yield for a 35 minute test. Current well production requirements listed below are based on a four (4) hour driller's air lift test and are for new structures requiring a building permit. Wells producing less than 5 gallons per minute (GPM) are required to have a storage capacity of the following:

- 4 GPM requires 240 gallons of storage
- 3 GPM requires 480 gallons of storage
- 2 GPM requires 720 gallons of storage
- 1 GPM requires 960 gallons of storage
- < 1 GPM not accepted as an adequate supply (Policy 800-02)

Environmental Management (EMD) does not monitor well production capacity after the well has been approved. The responsibility for potable water supply is the sole responsibility of the owner of the property with the following options:

- Drill a new additional well
- Deepen the current well
- Connect to a public water system

Regarding the options above, EMD does not have any issues or concerns with the property connecting to a public water system (EID). Please feel free to contact us with any further questions.

Jeffrey Warren, REHS
Environmental Management Program Manager
Community Development Services
Environmental Management Department

EL DORADO IRRIGATION DISTRICT

SUBJECT: Agendize Board consideration of Sewer rate cut.

Previous Board Action

On December 11, 2017, the Board approved the 2018 Operating Budget and 2018-2022 Five Year Financial Plan adjusted for exclusion of a 3 percent rate increase for 2018.

Board Policies (BP), Administrative Regulations (AR), and Board Authority

BP 9050: The District's Board of Directors establishes charges and rates for water, recycled water, and wastewater services.

BP 11010: The Board will adopt changes in rates pursuant to Article XIII D Section 6 of the California Constitution (Proposition 218). The District is committed to provide capacity for a reasonable rate of growth within its service area. Existing customers will not share in these costs.

BP 12050: In exercising their oversight, and in order to maintain accountability for the performance of their duties and responsibilities, the Board shall provide for ongoing review and evaluation of current programs, services, and activities of the District.

AR 3014: The District will maintain operating reserves as approved by the board.

Background

For 23,000 EID sewer customers, receipt of their bi-monthly EID bill is more aptly described as their "sewer bill" than their "water bill". EID's average residential "sewer/water" customer pays rates of \$1,476 annually, 2.3 times the \$648 annually paid by EID's average residential "water-only" customer. Fifty-five percent of EID ratepayers say EID's sewer rates are not reasonable.

Director Analysis/Evaluation

The Wastewater Five Year Financial Plan presented on December 11, 2017 included a planned \$20 million growth in Wastewater cash surpluses from \$29 million currently to \$49 million. In contrast, AR 3014 provides for Wastewater cash reserves totaling a much lesser \$14 million.

The Financial Plan presented December 11, 2017 further provides for Wastewater debt service ratios substantially higher than Water debt service ratios in every of the next five years, a debt service ratio excess that is inequitable and financially onerous to sewer ratepayers. Management's Financial Plan presented on December 11, 2017 requires adjustment for two actions taken by the Board on that date: 1) Board decision for no 2018 sewer rate increase, and 2) Board approval of a sewer ratepayer low income assistance program. These two board actions reduce the planned Wastewater cash surplus by \$4 million but Wastewater cash still projects to increase to \$45 million, \$31 million more than cash reserves authorized by AR 3014.

From 2000-2009, the District invested more than \$105 million in upgrading and expanding its El Dorado Hills and Deer Creek Wastewater treatment facilities. These \$105 million of investments

increased wastewater treatment capacity to 44,000 sewer customers, almost double the 23,000 sewer customers EID has today. Further note that El Dorado County's General Plan calls for 14,000 additional new homes, or a total of 37,000 EID sewer customers at General Plan build out, considerably less than the 44,000 sewer customer wastewater treatment capacity EID put into place by its actions more than 10 years ago. *(As a separate issue, EID wastewater FCC calculations assume 44,000 sewer customers; FCC calculations should be revised to conform to the 37,000 sewer customer limit inherent in the General Plan.)*

Per an EID August 2010 report, from 2000-2009, EID incurred a \$42 million shortfall in Wastewater FCC revenues as compared to Wastewater FCC costs. This \$42 million FCC shortfall required EID to borrow extra funds the result of which is sewer ratepayers have been forced to pay \$3 million per year of extra debt service to finance excess capacity for Developers' new home growth. This sewer ratepayer-financed excess Wastewater capacity and extra debt service is non-compliant with BP 11010 which states; *"The District is committed to provide capacity for a reasonable rate of growth. Existing customers will not share in these costs."*

With the recovery from the recession, and more than \$20 million surge in 2015-2017 Wastewater hookup revenues, EID has accumulated unrequired cash surpluses now available to pay back sewer customers part of the \$42 million "2000-2009 Wastewater FCC IOU". Rather than creating a new (non-board approved) Wastewater FCC reserve with these extra 2015-2017 Wastewater FCC's, part of these extra revenues (i.e., at minimum the FCC buy-in portion plus accumulated debt service) can be used to pay down Wastewater debt (or for transfer to the Water Enterprise Fund to reduce part of the next planned \$50M Water bond). In any case: 1) planned Wastewater debt service ratios for the next five years inequitably exceed those planned for Water and 2) growing excess Wastewater cash surpluses are available for a 10 percent sewer rate cut.

Further note that EID's Financial Plan ultra-conservatively assumes 960 new sewer customers over the next 5 years; this is approximately half the 1,800 new sewer customers that would occur under the General Plan's 1.03% annual growth assumption. Should EID's Wastewater FCC's continue to exceed the District's financially planned 160 new homes per year, additional funds will be available to fully retire the \$42 million "2000-2009 Wastewater FCC IOU". In turn, a further 5 percent or more sewer rate cut may be possible in 2019 (as will a further sewer rate cut in 2021 when Wastewater debt costs are planned to decrease \$2 million annually.)

A 10 percent sewer rate cut will achieve the following: 1) reduce unnecessary, non-cost justified, Wastewater cash surpluses, 2) mitigate sewer rate non-compliance with BP 11010, 3) reduce inequitable debt coverage ratio excesses of the Wastewater Enterprise Fund as compared to the Water Enterprise Fund, and 4) reduce onerous and unnecessary excess rate burdens to EID sewer customers.

Board Decisions/Options

Option 1: Agendize Board consideration of 10% Sewer rate cut for January 22, 2018 board meeting.

Option 2: Take other action.


Option 3: Take no action.

Director's Recommended Action

Option 1

Support Documents Attached

Attachment A: Presentation Slides titled "Sewer Rate Cut - Agendize Board Consideration"


_____ for
Greg Prada
Board Director, Division 2

Sewer Rate Cut

Agendize Board Consideration

Financial justification for 10% sewer rate cut

- ▶ Wastewater now has a \$29M cash surplus, equivalent to more than 1.4 years of sewer rate revenues
- ▶ 2018–2022 Wastewater Financial Plan (as presented Dec 11, 2017) will generate an additional \$20M cash surplus...to a total \$49M Wastewater cash surplus
- ▶ Adjusting the Financial Plan for: a) removing the non-board-approved 3%/ \$600,000 2018 sewer rate hike, and b) adding the new \$225,000 low income program, Wastewater's \$29M cash surplus still will grow to \$45M...i.e., excessive cash reserves equivalent to more than 2 years of sewer rate revenues

Financial justification for 10% sewer rate cut (continued)

- ▶ With a 10% sewer rate cut, Wastewater cash surplus still will increase to a \$35M cash surplus...equivalent to 1.7 years of sewer rate revenues and produce \$21M cash surpluses above those needed to maintain full Wastewater cash reserves as per AR 3014.
- ▶ With a 10% sewer rate reduction, Wastewater debt coverage ratios still will remain inequitably higher than planned debt coverage ratios for Water in every of the next five years.

Financial fairness to sewer customers

- ▶ EID's average residential "Sewer/Water" customer now pays EID \$1,476 in rates annually, 2.3 times and \$828 more than the \$648 annually paid by EID's average residential "Water-only" customer.
- ▶ Fifty-five percent of EID ratepayers say EID's sewer rates are not reasonable. (Source: EID 2017 survey)
- ▶ Sewer customers legally are entitled that Wastewater revenues do not exceed costs; the Financial Plan's \$20M further growth of existing excess Wastewater cash surpluses prove that sewer revenues are substantially exceeding sewer costs.

Sewer customers financing large excess capacity

- ▶ Wastewater capacity added by EID more than 10 years ago is enough to support 44,000 sewer customers (*as per 2016 FCC report*), almost DOUBLE EID's existing 23,000 sewer customers
- ▶ Existing sewer rates include almost \$3 million of debt costs annually to finance extra capacity for 21,000 future additional sewer customers
- ▶ Before establishing unnecessary new Wastewater FCC reserves, 23,000 existing sewer customers first should be returned their debt service financing costs on \$42M of FCC revenue shortfalls from Developers* for Wastewater capacity expansion during 2000–2009

(*Source: August 2010 EID report)

Sewer rate non-compliance

- ▶ BP 11010: *“The Board will adopt changes in rates pursuant to Article XIII D Section 6 of the California Constitution (Proposition 218). The District is committed to provide capacity for a reasonable rate of growth within its service area. Existing customers will not share in these costs.”*
- ▶ Article XIII D, Section 6 (B)(1&2): *“Revenues derived from the fee or charge shall not exceed the funds required to provide the property-related service. Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.”*
- ▶ AR 3014: *“The District will maintain operating reserves as approved by the board.”*

Financial results

with 10% sewer rate cut

- ▶ Wastewater cash will grow to \$21 million more than reserves required by AR 3014
- ▶ Wastewater debt service ratios will continue to exceed Water debt service ratios
- ▶ Average residential sewer customer will receive an \$83 annual bill reduction
- ▶ Average “Sewer/Water” residential customer still will receive annual EID bills \$745 more than the average “Water only” customer...\$1,393 vs. \$648 annually

Proposed Board Action:

- ▶ Option 1: Agendize Board consideration of 10% Sewer rate cut for January 22, 2018 board meeting
- ▶ Option 2: Take other action
- ▶ Option 3: Take no action

- ▶ Director's recommended action: Option 1

- ▶ Requested Direction to Staff: Prepare Pro-forma Wastewater Five Year Financial Plan adjusted for proposed 10% sewer rate cut effective February 1, 2018

EL DORADO IRRIGATION DISTRICT

Subject: Consideration of filing a complaint with the El Dorado County Grand Jury requesting an investigation of whether Director Greg Prada has violated the California Public Records Act (“CPRA”).

Previous Board Actions

September 11, 2017 – The Board adopted Board Policy 3075 regarding CPRA.

October 23, 2018 – The Board considered and provided feedback to the General Manager and General Counsel on draft Administrative Regulation 3075 regarding CPRA compliance.

Board Policies (BP), Administrative Regulations (AR), and Board Authority

BP 3075 states the District shall respond to requests for public records in accordance with the CPRA, Government Code section 6250 et seq, and the case law interpreting the CPRA.

AR 3075 implements BP 3075 and sets forth uniform procedures for responding to requests for public records made pursuant to the CPRA.

Summary of Issue

Notwithstanding multiple CPRA requests, Director Prada has declined to produce any potentially responsive public records and has declined to sign a declaration, as required by Administrative Regulation 3075 (AR 3075), indicating that he has performed a reasonable search for such records in compliance with the CPRA. This item is for the Board to consider whether or not to file a complaint with the El Dorado County Grand Jury (Grand Jury) requesting an investigation into whether Director Prada has violated the CPRA.

Staff Analysis/Evaluation

California Public Records Act

Under the CPRA, every “public record” must be disclosed upon request unless a statutory exception applies. The CPRA defines “public record” to include “any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”

In March of 2017, the California Supreme Court issued an important decision regarding the types of records that may be considered public records subject to possible public disclosure under the CPRA. (*City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.) The *City of San Jose* case involved a CPRA request for disclosure of public records contained on the private voicemails, e-mails, and text messages of the mayor and ten city council members of the City of San Jose. Despite such records being contained on personal accounts or personal devices, the Court ruled that when a city employee or officer uses a personal account to communicate about the conduct of public business, those writings may be considered public records subject to disclosure under the CPRA. The Court clarified that to qualify as a public record under the CPRA, at a minimum, “a writing must relate in some substantive way to the conduct of the public's business.” Thus, communications that are “primarily personal,” containing no more than “incidental mentions” of agency business, generally will not constitute public records.

The District is a public agency subject to the CPRA and therefore, the *City of San Jose* decision is binding precedent on the District regarding the scope of the CPRA. This means that if the District receives a CPRA request that seeks public records contained on the personal accounts or personal devices of a District employee or officer, the District has a legal obligation to ensure that a reasonable search is conducted for records that may be responsive to that request.

CPRA Policies and Procedures

In the *City of San Jose* decision, the Court made it clear that public agencies may develop their own internal policies for conducting searches in response to a CPRA request, and that an agency may reasonably rely on employees to search their own personal files, accounts, and devices for responsive material.

On September 11, 2017, during a noticed public hearing, the Board adopted Board Policy 3075 (BP 3075) regarding Public Records Act requests. That Board Policy requires District employees and officers to avoid sending or receiving written communication that relates to the conduct of the District's business on private electronic accounts. The Board Policy requires that the District respond to CPRA requests in accordance with the provisions of the CPRA and case law interpreting the CPRA and directs the General Manager and General Counsel to adopt an administrative regulation to implement the Board Policy.

On October 23, 2017, after consideration and feedback from the Board, the General Manager and General Counsel adopted AR 3075, which sets forth a uniform procedure for responding to CPRA requests. AR 3075 requires District officers and employees who receive CPRA requests for public records contained on their private accounts and devices to conduct a reasonable search of their own accounts and devices, document such a search, provide all potentially responsive public records to the District, and sign a declaration attesting that the employee or officer completed a reasonable search of his/her accounts and devices and provided all potentially responsive records to the District. AR 3075 requires that whenever an employee or officer withholds a potentially responsive record based on a determination that it is either not a public record, or not responsive to the request, the employee or officer shall describe, in the required declaration, additional facts sufficient to show that the withheld records are not public records, and are instead, personal materials.

Cumpston CPRA Requests

1. March 9, 2017 CPRA Request

On March 9, 2017, Tom Cumpston ("Cumpston") submitted a request to the District seeking records under the CPRA. He requested the following District records for the time period of December 2013 to the time the District completed the request: (1) all email messages and attachments sent or received on a private electronic device owned or used by Director Greg Prada, including but not limited to those sent or received via the email account gprada@comcast.net; (2) all postings to any internet address that were made via private electronic device owned or used by Director Prada; and (3) copies of all text messages sent or received on a private electronic device owned or used by Director Prada, including images and links to internet addresses.

On March 31, 2017, the District notified Mr. Cumpston that it had identified responsive public records located on the District's email server which were not otherwise exempt from disclosure. The response further stated that the District had delivered the March 9, 2017 request to Director Prada and requested that the Director search his own personal files, accounts, and devices for responsive public records. The response went on to state that the

District relied on Mr. Prada to search for responsive public records pursuant to the *City of San Jose* decision and that Mr. Prada had informed District staff that he had no communications involving the conduct of the District's official public business. The District provided Cumpston with all responsive records obtained from the search of its own email server but received and produced nothing from Director Prada.

2. May 12, 2017 CPRA Request

On May 12, 2017, Cumpston submitted a follow up request. Cumpston alleged that, based on the records that were provided in response to his March 9, 2017 request, he believed that Director Prada had records on his personal device or in his personal email account. Specifically, Cumpston alleged that records produced by the District showed that Director Prada had used his private email account to communicate with members of the public and District employees in his capacity as a member of the Board of Directors. In addition, Cumpston alleged that Director Prada "habitually" included his private email address as a recipient of email messages sent from his District email account and used his private email address to forward documents residing on his personal devices or email accounts to his District account.

On June 2, 2017, the District responded to Cumpston's May 12, 2017 letter, stating that the District had not yet formally adopted its own internal policies for responding to CPRA requests pursuant to the *City of San Jose* decision, but had endeavored to educate all of its Directors, including Director Prada, in how to distinguish between public and private records. The letter informed Cumpston that the District relied on Director Prada to search his own personal files, accounts, and devices for responsive public records, and that Director Prada informed the District on several occasions that he has searched his personal computer and, based on his interpretation of the Court's ruling in the *City of San Jose* case, found no communications involving the conduct of the District's official public business. The letter stated that Director Prada had declined to sign an affidavit attesting to his searches. The District's letter concluded by stating that in light of the discrepancies between Director Prada's representations and the allegations contained in Cumpston's May 12, 2017 letter, the District intended to continue to evaluate its obligations and limitations under the CPRA in light of *City of San Jose* decision. Thereafter, the District adopted BP 3075 and AR 3075, as described above.

3. November 8, 2017 CPRA Request

On November 8, 2017, Cumpston submitted another follow up request. The letter reiterated Cumpston's allegation that Director Prada had used his private email account to communicate with members of the public in his capacity as a Director. Cumpston indicated that he understood AR 3075 to require District officers to submit a declaration under oath that they conducted a reasonable search of their personal devices or accounts and provided all potentially responsive records to the District, upon receipt of a CPRA request for such records. Further, he understood the Administrative Regulation to require that if any such records are withheld, the declaration must state sufficient facts to demonstrate that the withheld records are personal, not public. As a result, Cumpston renewed his request of March 9, 2017 and requested a copy of Director Prada's declaration.

The District responded to Mr. Cumpston on November 17 and December 11, 2017. The District provided responsive records located on the District's email server, but informed Mr. Cumpston that Director Prada had neither provided any potentially responsive records, nor signed the declaration required by AR 3075.

Grand Jury Complaint

The Grand Jury is a body which has the right to, among other things, inquire into the willful or corrupt misconduct in office of public officers of every description within the County. The Grand Jury operates under the general supervision of the courts, and is deemed to be a judicial body or instrumentality of the courts. According to the Court of Appeals, “[o]ne of the basic functions of the grand jury is to act as the public's ‘watchdog’ by investigating and reporting on the affairs of local government.” (*City of Woodlake v. Tulare County Grand Jury* (2011) 197 Cal.App.4th 1293, 1300.)

District staff are not aware of any precedential judicial decisions regarding complaints to the grand jury regarding an elected official's failure to comply with the CPRA. However, because the Grand Jury has the right to investigate both willful misconduct of District officials, and operations, accounts and records of the District, the compliance with laws which apply to the District and its officials is within the Grand Jury's purview.

Board Decision/Options

Option 1: File a complaint with the El Dorado County Grand Jury requesting an investigation of whether Director Greg Prada has violated the California Public Records Act.

Option 2: Take other action as directed by the Board.

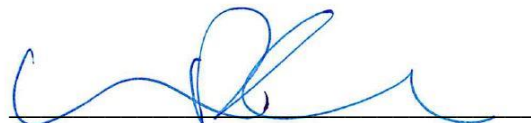
Option 3: Take no action.

Staff/General Manager's Recommendation

Board decision.

Supporting Documents Attached

None.



Brian D. Poulsen, Jr.
General Counsel



Jim Abercrombie
General Manager