



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: _____