



MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
District Board Room, 2890 Mosquito Road, Placerville, California
February 12, 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

President Raffety 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 Raffety led the Pledge of Allegiance followed by a moment of silence dedicated to Eric Christopher Schenck, Army Staff Sergeant who recently died in a military convoy accident while deployed in South Korea. President Raffety then read a Sophocles, Antigone quote: "Then, do not have one mind, and one alone that only your opinion can be right. Whoever thinks that he alone is wise, his eloquence, his mind, above the rest, come unfolding, shows his emptiness. A man, though wise, should never be ashamed of learning more, and must unbend his mind."

ADOPT AGENDA

ACTION: Agenda was adopted.

MOTION PASSED

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

COMMUNICATIONS

General Manager's Employee Recognition

None

PUBLIC COMMENT

Raymond Curtis, Pollock Pines

COMMUNICATIONS

General Manager

Staff Reports and Updates

None

Clerk to the Board

None

Board of Directors

Director Raffety reported on a recent Regional Water Authority (RWA) Board decision to participate in the acquisition of aerial imagery for the purpose of evaluating landscape water use in our region. He also reported on a recent Association of California Water Agencies' (ACWA) Water Management Committee meeting he attended where they discussed the State Water Resources Control Board's proposed regulations on conservation and the prevention of waste and unreasonable use. Additionally, he mentioned Senate Bill 998 (Dodd), which would restrict the ability of public utilities to shut off utilities for nonpayment, if passed.

Communications continued

Board of Directors

Director Prada reported that he and Director Day attended a recent meeting of the Bass Lake Action Committee.

APPROVE CONSENT CALENDAR

ACTION: Director Day pulled Item No. 6 and Director Prada pulled Item No. 9. Consent Calendar was then approved as amended.

MOTION PASSED

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

CONSENT CALENDAR

1. Finance (Pasquarello)

Ratification of EID General Warrant Register for the period ending January 16, January 23 and January 30, 2018, and Employee Expense Reimbursements for this period.

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

MOTION PASSED

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

2. Clerk to the Board (Sullivan)

Approval of the minutes of the January 22, 2018 regular meeting of the Board of Directors.

ACTION: Option 1: Approved as submitted.

MOTION PASSED

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

3. Operations / Engineering (Washko/Mueller)

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

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

MOTION PASSED

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

4. Finance (Pasquarello)

Investment Report for the quarter ended December 31, 2017.

ACTION: Option 1: Received and filed the Investment Report for the quarter ended December 31, 2017.

MOTION PASSED

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

5. Finance (Downey)

Consideration to authorize funding for CIP Project No. 17001 for AMR/Small Meter Replacement as requested in the amount of \$200,000 and authorize the General Manager to approve purchases throughout the year in the not-to-exceed amount of \$200,000.

ACTION: Option 1: Authorized funding for CIP Project No. 17001 for AMR/Small Meter Replacement as requested in the amount of \$200,000 and authorized the General Manager to approve purchases throughout the year in the not-to-exceed amount of \$200,000.

MOTION PASSED

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

6. Finance (Pasquarello)

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

Public Comment: Chuck Vanderpool, Pollock Pines

ACTION: Option 1: Authorized funding for the CIP project as requested in the amount of \$88,500.

MOTION PASSED

Ayes: Directors Osborne, Coco and Raffety

Noes: Director Prada and Day

7. Information Technology (Ranstrom)

Consideration to authorize the General Manager to renew four existing software support and maintenance agreements for the District's utility operations and information technology (IT) infrastructure software suites with current vendors Infor, E and M, and CDW-G for one-year terms not to exceed the budgeted amount of \$380,000.

ACTION: Option 1: Authorized the General Manager to award renewals during this calendar year of existing software support and maintenance agreements for the District's core utility operations and information technology infrastructure software suites with current vendors Infor, E and M, and CDW-G for one-year terms not to exceed the budgeted amount of \$380,000.

MOTION PASSED

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

8. Information Technology (Ranstrom)

Consideration to award a contract to Proud Audio-Visual in the not-to-exceed amount of \$49,998.49 for audio-visual equipment and services; and authorize project funding of \$55,000 for the Sly Park Conference Room Audio-Visual System Replacement Project.

ACTION: Option 1: Awarded a contract to Proud Audio-Visual in the not-to-exceed amount of \$49,998.49 for audio-visual equipment and services; and authorized project funding of \$55,000 for the Sly Park Conference Room Audio-Visual System Replacement Project.

MOTION PASSED

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

9. Board of Directors (Raffety)

Consideration to appoint Director Osborne to the temporary advisory committee established by the Board on December 11, 2017, to negotiate employment contract amendments with the General Manager and General Counsel.

ACTION: Option 3: Took no action.

MOTION PASSED

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

END OF CONSENT CALENDAR

ACTION ITEMS

10. Finance (Downey/Price)

Consideration to change the funding for the low-income assistance program for District residential wastewater customers only.

ACTION: Option 1: Authorized staff to change funding for low-income rate assistance program for sewer customers from property taxes to first use Board wastewater discretionary revenue funds and then property taxes when those funds are exhausted.

MOTION PASSED

Ayes: Directors Coco, Day, Prada and Raffety

Noes: Director Osborne

11. Finance (Price)

Consideration of a 3% reduction in the District's wastewater rates for 2018 or an adjustment to the forecasted 3% wastewater rate increases for 2019-2022 down to 2% annually.

Public Comment: Ali Ghorbanzadeh, El Dorado Hills
Tom Heflin, Camino

MOTION: Main motion by Director Raffety and seconded by Director Coco to approve option 2 and adjust the District's wastewater rate increases in the financial forecast to 2% for 2019-2022.

MOTION FAILED

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

MOTION: Substitute Motion by Director Day and seconded by Director Prada to approve option 3 and take other action as directed by the Board to reduce the District's wastewater rates by 7 ½% in 2018.

MOTION FAILED

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

ACTION: Subsidiary motion by Director Day and seconded by Director Raffety to 'call the question' which ends debate of this item and calls for an immediate vote on the motion on the table.

MOTION PASSED

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

MOTION: Main motion by Director Osborne and seconded by Director Raffety to approve option 4 and take no action.

MOTION FAILED

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

MOTION: Main motion by Director Coco and seconded by Director Day to approve option 3 and take other action as directed by the Board to continue this item to future meeting of the Board.

MOTION PASSED

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

12. Office of the General Counsel / Engineering (Leeper/Corcoran)

Consideration to award a contract to Ascent Environmental Inc. in the not-to-exceed amount of \$157,409, for professional technical services in support of the District's proposed project to establish additional authorized points of diversion for Water Right Permit 21112, and authorize total funding of \$192,409 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

Public Comment: Chuck Vanderpool, Pollock Pines

ACTION: Option 1: Awarded a contract to Ascent Environmental Inc. in the not-to-exceed amount of \$157,409, for professional technical services in support of the District's proposed project to establish additional authorized points of diversion for the District's Water Right Permit 21112, and authorized total funding of \$192,409 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

MOTION PASSED

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

CLOSED SESSION

Prior to convening into Closed Session, General Counsel Poulsen announced that any Board Member with a conflict of interest should publically declare, during open session, the conflict and recuse himself. None of the Board Members declared a conflict of interest.

A. Conference with General Counsel – Existing Litigation

Government Code Section 54956.9(d)(1): *Throne et al. v. El Dorado Irrigation District*, Superior Court of El Dorado County, Case No. 20180026

ACTION: The Board met with General Counsel to confer on existing litigation as set forth on the agenda; it received information and consulted with General Counsel but took no reportable action.

B. Conference with Real Property Negotiators

Government Code Section 54956.8:

Property: 7355 Highway 50, Assessor's Parcel Number 009-600-03

District negotiators: General Manager, General Counsel

Under negotiation: price and terms of payment for purchase

Negotiating parties: Novasel & Schwarte Invest, Inc., and Tom Roslee, Listing Agent

ACTION: The Board met with General Counsel and its real property negotiators. On a motion by Director Prada, seconded by Director Osborne and on unanimous 5-0 vote, the Board ratified the offer made by the General Manager and authorized the District to purchase APN 009-600-03 for the purchase price of \$65,000, and directed staff to conclude real property negotiations on that matter.

C. Conference with General Counsel – Existing Litigation

Government Code Section 54956.9(d)(1): Petition requesting change in water rights of the Department of Water Resources and the U.S. Bureau of Reclamation for the California WaterFix Project, State Water Resources Control Board, no case number

ACTION: On a motion by Director Osborne, seconded by Director Coco and on unanimous 5-0 vote, the Board approved Addendum No. 3 to the Joint Defense and Cost-Sharing Agreement to Preserve and Protect the American River Water Supply between the following parties: City of Roseville, City of Sacramento, El Dorado Irrigation District, Placer County Water Agency, Sacramento County Water Agency, Sacramento Suburban Water District and San Juan Water District.

D. Conference with General Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): (one potential case involving the death of an individual in the District’s Camino conduit pipeline)

ACTION: The Board met with General Counsel to confer on existing litigation as set forth on the agenda; it received information but took no reportable action.

E. Conference with General Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (h): (one potential case: District and Director Prada responses to California Public Record Act requests from Tom Cumpston)

ACTION: The Board met with General Counsel to confer on anticipated litigation as set forth on the agenda; it received information and consulted with General Counsel but took no reportable action.

REVIEW OF ASSIGNMENTS

None

ADJOURNMENT

President Raffety adjourned the meeting at 12:37 P.M.

Michael Raffety
Board President
EL DORADO IRRIGATION DISTRICT

ATTEST:

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

Approved: _____