

Regular Meeting

3:00 pm

DIRECTORS PRESENT: J.W. Dell’Orto  
Richard Blood  
Scott Speer  
Brady McCartney \*

MEMBERS ABSENT: None

STAFF PRESENT: John Kingsbury, Interim General Manager  
Adam Brown, District Legal Counsel  
Carissa Bear, Clerk of the Board  
Mathew Roberts, Water System Superintendent  
Wyatt Rovera, Chief Water Treatment Plant Operator

OTHERS PRESENT: Tammy Hebrard  
Charlie Hebrard  
Scott Ratterman  
Brad Arnold  
Michael Minkler

1. CALL THE MEETING TO ORDER: The regular meeting was called to order by President Dell’Orto at 3:07 P.M.
2. ROLL CALL: Directors Dell’Orto, Blood and Speer were present. Director McCartney was absent.
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT (Limit 3 minutes per person/15 minutes per subject): None

\* Brady McCartney entered the meeting at 3:08pm.

5. CONSENT ITEMS
  - a) Minutes of Regular Board meeting of April 13, 2021
  - b) Minutes of Regular Board meeting of April 27, 2021
  - c) Minutes of Regular Board meeting of May 11, 2021
  - d) Claim Summary

Interim General Manager Kingsbury asked Carissa Bear, Clerk of the Board, to explain the differences the Board will see on the new claim summary correspondence. Mrs. Bear gave a brief overview. The Board was pleased with the changes. President Dell’Orto inquired about the payment made to Moyle Excavation, Inc. Mrs. Bear clarified that it was the retention payment from the FEMA storm project. Mrs. Hebrard commended Mrs. Bear on the more in-depth meeting minutes as well as the clearer claim summary correspondence. A motion was made by Director Speer,

seconded by Director Blood, to approve the Consent Items as presented. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

\*Moved to item # 10 Proposed Water Transfer Agreement Amendment with Calaveras County Water District

## 6. REVIEW OF DISTRICT COMMITTEE AND ASSIGNMENTS

Mr. Kingsbury believes that it is a great time to change who is on the current committees and to create some new committees now that there is a 4<sup>th</sup> Board member. He is recommending adding an Engineering/Planning Committee, a Budget/Finance Committee, and a CPUD/CCWD Water Ad Hoc Committee. These committees are geared to streamlining meetings in the future. The CPUD/CCWD Water Ad Hoc Committee is being created to build unity between the two districts. Ground rules will be established to ensure productive meetings. The Directors all agree with the recommendation for the new committees. The Engineering/Planning Committee will be Director Blood and Director McCartney. The Budget/Finance Committee will be President Dell'Orto and Director Speer. President Dell'Orto believes the sitting President should be on the CPUD/CCWD Water Ad Hoc Committee. Director Speer is interested in being on LAFCO. He will attend their next meeting to see if he can. The Directors agreed to remove the Calaveras County Airport Land Use Committee from the list as they all believe that committee has dissolved. Mr. Kingsbury suggested that all Board members be a part of ACWA/JPIA. They only meet a couple times of year.

\*Mr. Kingsbury asked for item #12 Status Report/Clearwell Tank Project be moved to item #7a. and for item #7 Clearwell Project Status and Consideration to Approve Change Order to be moved to #7b.

7.

### a. STATUS REPORT/CLEARWELL TANK PROJECT

Mr. Kingsbury and Water System Superintendent Mathew Roberts and Chief Water Treatment Plant Operator Wyatt Rovera gave a status report. Mr. Roberts gave a brief overview of where the project is at and where it is heading. Currently the project is in Phase 1. The mandatory pre-bid walk was held, and four contractors attended. The base bid is \$351,000, with an additive cost of \$143,000 to include the storm drain work. Mr. Kingsbury notified the Board that the current storm drain situation poses as a safety issue. The big trucks needed for construction can possibly get stuck with how it is currently. Bids will be open June 17<sup>th</sup> at WGA. Director Blood asked for clarification on Phase 1 and expressed his concerns with not being notified of the project being split into phases. Mr. Roberts gave more details and discussion was had regarding the timeline of the project. Mr. Roberts reported that construction of the tank is set to take place in early 2022. Director Blood expressed dissatisfaction with that timeline, stating the engineers quoted the fall of 2021. Director Speer asked for clarification the delay. Mr. Roberts will follow up with WGA. Mr. Kingsbury informed the Board of the weekly meetings happening with WGA. Mr. Roberts went over the phase 2 alternatives. WGA and staff have been working together to see if there is a way to capitalize some pending items at the same time work is being done. Option #1 is filter to waste. This is not a high priority at this time. Option #2 is the motor control (MCC). This option is of high importance. This is the heart of the treatment plant. During the SCADA project it was recommended to upgrade due to parts no longer being made. Director Blood asked if the current company, TSI, who is handling our SCADA could do the job. Mr. Roberts believes the quote is coming from them already. Director Blood asked the cost of the filter to waste. Mr. Roberts informed the board the cost is estimated at

\$110,000. Further back and forth discussion took place. It was decided that once bids are received that it will be brought back to the Board.

b. CLEARWELL PROJECT STATUS AND CONSIDERATION TO APPROVE CHANGE ORDER

This was discussed in item #7a. It was decided that both alternatives will be looked at once the bids are received.

8. CONSIDERATION TO CHANGE JOB DESCRIPTION AND TITLE OF THE WATER UTILITY WORKER I, II, III, IV

Mr. Kingsbury would like to change the titles from Water Utility Worker to Water Distribution/Treatment Operator, which he feels matches their duties better. There was some discussion back and forth regarding the requirement for the Water Distribution/Treatment IV. No changes were made. A motion was made by Director Speer, seconded by Director McCartney, to approve the change of the job description and title of the Water Utility Worker I, II, III, IV. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

9. CONSIDERATION OF MODIFICATION TO BOARD POLICY 2160 – INTERNAL CONTROLS

Currently the Interim General Manager and Clerk of the Board are not allowed to sign checks. Mr. Kingsbury is looking for the Board to modify the policy to include the Interim General Manager and the Clerk of the Board. A motion was made by Director Speer, seconded by Director Blood, to approve to modify Policy 2160 - Internal Controls. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

10. PROPOSED WATER TRANSFER AGREEMENT AMENDMENT WITH CALAVERAS COUNTY WATER DISTRICT

Mr. Kingsbury gave a brief overview of the current agreement with Calaveras County Water District (CCWD) which is set to expire on July 11, 2021. The new agreement will be similar to the previous one, with the main difference being the price per acre foot. CCWD is willing to pay \$55 per acre foot now, opposed to the previous agreement of \$40 per acre foot. Mr. Kingsbury wanted to remind the Board that this is not an action item. It is on the agenda for discussion purposes only. Action will be taken at a special meeting to be scheduled before the next regular Board meeting. District Legal Counsel, Adam Brown, clarified that this is a brand-new contract. There are some similarities, but there needed to be a lot of clean up to make the agreement clearer. CCWD General Manager, Michael Minkler, gave some background information to the Board on the use of the water, explaining that this water is the primary source of water for their customers in West Point. West Point's water comes from Bear Creek, which is insufficient to meet their water demands. With the current drought conditions, there is concern that the creek will dry up quickly, leaving CCWD to rely on this agreement with Calaveras Public Utility District (CPUD). Director McCartney inquired as to how the \$55 per acre foot was decided. Mr. Minkler explained how this is a unique agreement, but they did look at the amount other agencies are paying for agricultural water and he feels that this is a fair price. Mr. Kingsbury agrees that it is a fair price. President Dell'Orto questioned the cost CPUD incurs, and whether the \$55 per acre foot will cover that cost. Mr. Kingsbury assured the Board that CPUD's costs would be covered. President Dell'Orto believes it is a fair contract. Director Blood had some questions regarding the water rights. After some discussion, Mr. Minkler said he will gather more information for Director Blood. Tammy Hebrard, member of the public,

went over some concerns she has. President Dell'Orto thanked her for her comments and let her know the Board will take her concerns into consideration. Mr. Kingsbury recommended setting up an ad hoc committee in order to work out these concerns offline. Directors Blood and McCartney volunteered to be on the Ad Hoc Committee. A special meeting was scheduled for June 29, 2021, at 3 p.m. to consider approval of the water transfer agreement.

#### 11. DISCONTINUED WATER SERVICES AND BILLING PRACTICES RELEVANT TO RESOLUTION NO. 2003-27

Mr. Kingsbury explained that under the current resolution, there are 124 meters that are locked off. Those accounts do not accrue a monthly charge. It is critical that the District generate revenue to maintain those connections. At any time, those customers can call in to request their meters to be turned back on. At that time, a \$35 new account fee is charged, and the meter is unlocked within 48 hours. On the District's end, we must make sure that those services are maintained to the standards that allow those meters to be turned on at a moment's notice, therefore we should be charging at least the minimum. Most other water agencies do not allow their customers to ever turn off their water to avoid charges. Back and forth discussion was had and it was decided to write a new resolution that rescinds the current resolution. Mr. Kingsbury and Mr. Brown will work together to prepare a new resolution and present it at the July Board meeting.

#### 12. STATUS REPORT/CLEARWELL PROJECT

This item was moved to 7a.

#### 13. REPORTS

##### 1. Legal Counsel's Report:

Nothing to report at this time. His report will be covered in closed session.

##### 2. Water System Superintendent's Report:

Mr. Roberts went over the monthly maintenance report touching on a few main items, one of those items being that Jeff Davis Reservoir is full. President Dell'Orto inquired about the quality of the water at the pump station and if there are plans to run the pumps again. Mr. Roberts informed him that water quality is good, and he does plan to run the pumps again. Currently the South Fork Pump Station is 2" over spill.

##### 3. Interim General Manager's Report:

Interim General Manager Kingsbury gave a report on all items he is currently working on and some items that are coming up. He is looking to set up some meetings with the local fire chiefs in order to build a relationship with the local fire districts and CPUD. Mr. Kingsbury is working with staff to come with procedures on how to make things run smoother. One item he is working on with Mrs. Bear is a deadline to assist with getting Board packets. Mr. Kingsbury would like for the Board to have access to the packets 7 days prior to the Board meetings. In order to do that Mrs. Bear and Mr. Kingsbury have come up with the deadline of receiving agenda item request to be in by noon the Friday before the Board packet goes out. Mr. Rovera and Mrs. Bear are working together to get this year's Consumer Confidence Reports out. The office staff and crew are working together to find a new billing software that will integrate meter reading and work orders as well. Mr. Kingsbury would like to update the District's mission statement. Director Blood informed Mr. Kingsbury that a new mission statement was done in 2020. Mrs. Bear assured the Board she would find the new mission statement and update the website. Mrs. Hebrard informed the Board that she is very impressed with the direction the District is going. She praised Mr. Kingsbury and Mrs. Bear for their work on the meetings, packets, and minutes. Mentioning that she sees a huge difference from a year ago, she believes the way things are going there will be a decrease in issues.

4. Director's Comments:  
Nothing to report.

\*The Board went into closed session at 6:20 pm.

14. CLOSED SESSION

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)  
Title: Interim General Manager

No closed session was held regarding the Interim General Manager performance evaluation.

- b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

The Board heard a report from the Interim General Manager and Legal Counsel. No action was taken.

15. ADJOURNMENT. There being no further business to come before the Board, a motion was made by Director Blood, seconded by Director Speer, to adjourn the meeting. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted to adjourn the meeting at 7:00p.m. Motion carried 4-0. Next Regular Board Meeting will be held on June 13, 2021 at 3:00pm

Respectfully Submitted,



Carissa Bear, Clerk of the Board

