

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  
Matt Ospital, District Engineer  
Tyla Daries, District Engineering Technician

OTHERS PRESENT: Rich Sanchez, GEI Consultants  
Tammy Hebrard  
Dane Wadle  
Amy Gedney

1. CALL THE MEETING TO ORDER: The regular meeting was called to order by President Dell'Orto at 3:03 P.M.
2. ROLL CALL OF DIRECTORS: Directors Blood, Speer, and McCartney were present.
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT (Limit 3 minutes per person/15 minutes per subject): None

\*John Kingsbury, Interim General Manager asked to remove item #6 from the agenda. Mr. Kingsbury asked for the crew to be present during the meeting to allow Mathew Roberts, Water System Superintendent, to thank the crew for their efforts, as well as give an update on the incident at the Water Treatment Plant that happened on September 10, 2021. Mr. Roberts gave an overview of the incident and thanked his crew as well as TSI for their work on the incident. Director Blood asked for clarification on how the incident happened and expressed his concerns with the way the Treatment Plant went into failure mode. Mr. Roberts assured Director Blood that the crew was investigating the issue. Mr. Kingsbury asked for all further questions to be held until later in the meeting, explaining that he wanted to use this time to thank the crew for their efforts. The Directors thanked the crew.

5. CONSENT ITEMS
  - a) Claim Summary

President Dell'Orto asked for clarification on CTC's bill. Carissa Bear, Clerk of the Board clarified. Director Blood questioned as to why no minutes were being presented. Mrs. Bear explained. A motion was made by Director Speer, seconded by Director McCartney, to approve consent item a. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

#### 6. PUBLIC EMPLOYEE APPOINTMENT

Pulled from the agenda at the Interim General Manager's request.

#### 7. STATUS REPORT/CLEARWELL PROJECT

Mr. Kingsbury thanked Matt Ospital and Tyla Daries for attending. Mrs. Daries shared a time lapse of the progress with the Clearwell Tank Project. Construction by Campbell Construction for Phase I started on August 23, 2021. Phase II's pre-construction meeting is scheduled for September 15, 2021, with Farr Construction. Director Blood asked if an inspection of the existing piping will be done once removed. Mrs. Daries confirmed.

#### 8. SCHAADS – FERC – ANNUAL INSPECTION AND PART 12D SAFETY INSPECTION AND REVIEW FOR THE SUBJECT DAM IN THE MIDDLE FORK HYDROELECTRIC PROJECT

Mr. Kingsbury went over the contract that is currently in place from the previous General Manager. A number of tasks need to be approved. He turned it over Rich Sanchez, GEI Consultants. Mr. Sanchez reminded that some of the items he will be discussing were presented to the Board back in May. He has a meeting with FERC on September 30, 2021. He's hoping to get some questions answered at that time. Mr. Sanchez presented a slide show that went over the pending items for FERC. He has been in contact with Slate Geotechnical Consultants, Inc. (SLATE) to put together a contract to perform the FERC Part 12D. Director Blood inquired as to how long it would take to wrap up the Part 12D. Mr. Sanchez believes it will be completed by the end of the first quarter of 2022. A motion was made by Director Speer, seconded by Director McCartney, to authorize staff to execute contract with Slate Geotechnical Consultants, Inc. in the amount of \$57,080. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

#### 9. MOTHERLODE JOB TRAINING (MLJT) WORKSITE

Mr. Kingsbury discussed the opportunity to partner with Motherlode Job Training. This opportunity will give the District a no cost partnership. Motherlode Job Training provides temporary employees up to 29 hours a week allowing for these temporary employees get on the job training. Director Blood inquired as to how it worked out in the past for the District. Mr. Kingsbury informed Director Blood that we would follow up with staff. Discussion ensued between the Directors and Mr. Kingsbury. A motion was made by Director Speer, seconded by Director McCartney, to authorize staff to partner with Motherlode Job Training and to execute the Worksite Agreement. A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

#### 10. LIABILITY, PROPERTY, AND WORKERS' COMPENSATION PROGRAMS RISK ASSESSMENT

Mr. Kingsbury asked all of the Board Members to review the Certificate of Excellence provided by ACWA/JPIA and to coordinate with staff to sign it. Mr. Kingsbury would like to display the completed certificate in the office. Mr. Kingsbury informed the Board that there is a \$10,000 Risk

Control Grant available from ACWA/JPIA. ACWA/JPIA visited the office recently and held a discussion about safety. Director McCartney recommend getting in contact with Fawn McLaughlin for assistance with applying for the grant. Director Blood informed the Board that he would have to abstain as there is a conflict of interest with him and Ms. McLaughlin. President Dell'Orto expressed that he may have a conflict of interest with her as well. Mr. Brown, District Legal Counsel informed the Board that since they're not voting on a contract at this time that it should not be an issue. He did request to speak with Director Blood and President Dell'Orto outside the meeting to determine if there will be conflicts of interest. A motion was made by Director Speer, seconded by Director McCartney, to authorize staff to partner with Fawn McLaughlin on the Risk Control Grant application and to return in October with a proposed contract. A roll call vote was taken. Directors Dell'Orto, Speer, and McCartney voted yes; Director Blood abstained due to conflict of interest; none opposed. Motion carried 3-0-1.

#### 11. REDHAWK DAM – TREE ASSESMENT

Mr. Kingsbury stated that there has been some concern with the health/status of some of the trees at Redhawk. It is important that the District assess the integrity of the dam. He suggested that the Board discuss the possibility of transferring the existing water rights and possibly selling Redhawk. He informed the Board that the property is currently for sale. President Dell'Orto expressed his interest in seeing a bid for the removal of the at-risk trees. Director Speer would like to entertain the idea of selling Redhawk as he believes it will cost more to retain than the District gains by having it. Mr. Kingsbury reminded the Board that he is only looking for direction at this time. Discussion between Mr. Kingsbury and the Board took place.

#### 12. DISCONTINUED WATER SERVICES AND BILLING PRACTICES RELEVANT TO RESOLUTION NO. 2003-7

Mr. Kingsbury reminded the Board that it was previously decided that the District would start billing for locked off accounts. At the Board's request, Mr. Kingsbury has worked with Mr. Brown, District Legal Counsel, to create a new resolution. Mr. Brown informed the Board that this new resolution will rescind the previous resolution. President Dell'Orto inquired as to how the locked off accounts would be notified, he also inquired about agreements with landowners for taps that have not been fulfilled yet. Mr. Kingsbury stated that he would notify the accounts with meters that are currently in the ground by letter. Unused taps will not be affected at this time. He will work with Mr. Brown on the unused taps. A motion was made by Director Speer, seconded by Director McCartney, to Adopt Resolution 2021-9 (Modifying Resolution 2003-27). A roll call vote was taken. Directors Dell'Orto, Blood, Speer, and McCartney voted yes; none opposed. Motion carried 4-0.

#### 13. REPORTS

##### a) Legal Counsel's Report:

Mr. Brown stated that his report will be covered in closed session.

##### b) Water System Superintendent's Report:

- i. Mr. Roberts went over the Monthly Maintenance Report. He stated that Jeff Davis is 10 feet below spill. For the last few years at this time Jeff Davis was about 12-13 feet below spill. President Dell'Orto inquired as to why the District provides water to Schaads customer and why is there a meter on it. Mr. Roberts explained that apparently CPUD and the landowner had an arrangement, but staff is looking into the specifics and whether an actual

agreement exists. President Dell'Orto inquired as to how much they can take. Mr. Roberts informed him that according to the customer they can take as much as they would like (which is not likely), but staff would investigate. President Dell'Orto would like staff to look into the water rights, stating that there's a lot of water being used. Mr. Roberts informed the Board that at this time the Schaads customer is out of water due to the low water levels.

- ii. The SAFER Program is a funding source for Districts with current violations. Funds are intended for technical assistance. In April, the Rural Water Association came out to do a leak detection program. By having them come out and do that it put CPUD on the short list for the funding program. They felt CPUD was in line with their guidelines. Mr. Roberts has asked for the tanks to be included. Director Blood asked if they will be evaluating the whole system. From Mr. Roberts' understanding they will be evaluating the whole system. Director McCartney was excited to hear this news.
  - iii. WGA and CPUD had an informational meeting in 2020 about projects for which the District will seek funding. Tyla at WGA has been following up on the SRF application monthly. This month Tyla has discovered that the District has been approved for funding for planning. The District will be able to ask for funding on already completed projects, such as the filter to waste project.
  - iv. All CPUD water has been curtailed. The District can only use the water that has been previously stored. Mr. Roberts has petitioned for an exemption for the District, as pulling from the river is the District's only means to serve its customers.
- c) Interim General Manager's Report:
- i. Mr. Kingsbury asked Carissa Bear, Executive Assistant/Clerk of the Board, to give an update on the survey she submitted. Mrs. Bear submitted the Arrearages Survey to the State Water Resources Control Board on September 10<sup>th</sup>. This will hopefully allow the District to collect some of the lost income from being impacted by COVID (past due accounts/late fees). Mrs. Bear also informed the Board that the Calaveras County Board of Supervisors will be appointing the District's next Board member at their September 28, 2021 meeting.
  - ii. The Governor has asked for everyone to voluntarily reduce 15% of water consumption. Mr. Kingsbury believes that CPUD's customers are using water wisely at this time. He believes a mandatory conservation will be in the near future. The District currently has a conservation plan in place that we will go into effect at the appropriate time. He has met with Calaveras County Water District and Tuolumne Utility District to see if they can work together to push back on water restrictions that are unreasonably restrictive in this region.
  - iii. Due to scheduling, Mr. Kingsbury asked to move the October Board meeting to October 19<sup>th</sup>. All Board members agreed.
  - iv. Mr. Kingsbury informed the Board that he has been in contact with a company that Director McCartney recommended to assess the District's SCADA system. He has also spoken with a water engineering consultant to assess the District's water rights and infrastructure. He hopes to bring contracts to the October meeting for approval. He has also been in contact with Tuolumne Utility District regarding their asbestos program. CPUD has

recently been approached by our insurance company regarding an old asbestos pipe. Tuolumne Utility District has offered to assist. Director Blood stated that CPUD went with TSI to do the upgrades to the water treatment plant because they were the best. He expressed his dissatisfaction that the treatment plant failed without the staff being aware of it. Mr. Kingsbury is looking to get the whole system assessed, and some safeguards need to be put in place. Director Blood and Mr. Kingsbury had some discussion regarding the failure. Director Blood requested before the District goes with another company that he would like to have further discussion of the failure.

d) Director's Comments:

Director McCartney reported that he and Mr. Kingsbury met with Scott Ratterman and Michael Minkler with Calaveras County. It was more of a meet and greet type of meeting. It was very informational.

President Dell'Orto thanked Director McCartney for passing on his contacts. He also reported that the CAMRA meeting was cancelled.

Director Blood did not have anything to report for UMRWA, but stated that he will start forwarding their agenda to Mr. Kingsbury and Mrs. Bear to distribute to the Board.

\* The Board went into closed session at 5:32 pm.

14. CLOSED SESSION – PUBLIC EMPLOYEE APPOINTMENT (Gov. Code § 54957)

Title: General Manager

*Meeting with Gary Phillips of Bob Murray & Associates, District negotiator/recruiter for General Manager position.*

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, President Dell'Orto adjourned the meeting at 5:57 P.M.

Respectfully Submitted,



Carissa Bear, Clerk of the Board