



MINUTES

CALAVERAS COUNTY WATER DISTRICT REGULAR BOARD MEETING

FEBRUARY 8, 2023

Directors Present: Russ Thomas, Vice-President
Cindy Secada, Director
Bertha Underhill, Director
Jeff Davidson, Director

Directors Absent: Scott Ratterman, President

Staff Present: Michael Minkler, General Manager
Rebecca Hitchcock, Clerk to the Board
Damon Wyckoff, Director of Operations
Stacey Lollar, Human Resources Manager
Jessica Self, External Affairs Manager
Kate Jesus, Engineering Coordinator
Pat Burkhardt, Construction and Maintenance Manager
Charles Palmer, District Engineer
Kevin Williams, Senior Civil Engineer
Tiffany Burke, Administrative Technician Senior
Kelly Gerkenmeyer, Water Resources Specialist
Carol Bowen, Customer Service
Kate Darby, Customer Service
Deja Howarth, HR Technician
Mike DuBurg, Distribution

Others Present: Ralph Copeland

ORDER OF BUSINESS

CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. ROLL CALL

Vice-President Thomas called the Regular Board Meeting to order at 1:00 p.m. and led the Pledge of Allegiance.

2. PUBLIC COMMENT

There was no public comment.

3. CONSENT AGENDA

**MOTION: Directors Secada/Davidson-Approved Consent Agenda Items:
3a, 3b, 3c, 3d, and 3f as presented**

- 3a Approval of Minutes for the Board Meetings of January 11, 2023 and January 25, 2023.
(Rebecca Hitchcock, Clerk to the Board)
- 3d Review Board of Directors Monthly Time Sheets for January 2023
(Rebecca Hitchcock, Clerk to the Board)
- 3c Ratify Claim Summary #611 Secretarial Fund in the Amount of \$2,222,136.54 for January 2023
(Jeffrey Meyer, Director of Administrative Services) **RES 2023-06**
- 3d Re-Authorizing Remote Teleconference Meetings of the Board of Directors of the Calaveras County Water District for the Period of February 8, 2023 through February 28, 2023 Pursuant to AB 361
(Rebecca Hitchcock, Clerk to the Board) **RES 2023-05**
- Director Secada pulled Item 3e from the Consent Agenda*
- 3e Nomination of Scott Ratterman to the Executive Committee of the ACWA/JPIA
(Michael Minkler, General Manager) **RES 2023-_____**
- 3f Approval of the Transfer of Funds on Unclaimed Checks to the General District Fund
(Jeffrey Meyer, Director of Administrative Services) **RES 2023-07**

OFF CONSENT AGENDA

- Director Secada pulled Item 3e from the Consent Agenda*
- 3e Nomination of Scott Ratterman to the Executive Committee of the ACWA/JPIA
(Michael Minkler, General Manager) **RES 2023-08**

**MOTION: Directors Secada/Underhill-Approved Resolution No. 2023-08
Nominating Director Scott Ratterman to the Executive Committee of the ACWA/JPIA**

DISCUSSION: Director Thomas wanted this item pulled to bring attention to the fact that President Ratterman is putting his nomination in for the ACWA Executive Committee. He has been the District's representative for ACWA JPIA, and it would be a big accomplishment for him to be on the Executive Committee.

PUBLIC COMMENT: There was no public comment.

AYES: Directors Secada, Underhill, Davidson, and Thomas
NOES: None
ABSTAIN: None
ABSENT: Director Ratterman

4. NEW BUSINESS

- 4a Discussion/Action regarding District Position on Ballot Initiative 21-0042A1 Taxpayer Protection & Government Accountability Act
(Jessica Self, External Affairs Manager) **RES 2023-09**

MOTION: Directors Davidson/Secada-Adopted Resolution No. 2023-09 taking a Oppose Position on Ballot Initiative 21-0042A1 Taxpayer Protection & Government Accountability Act

DISCUSSION: Jessica Self described the details of the proposed ballot initiative "Taxpayer Protection and Government Accountability Act," a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable. This is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 and Proposition 26. If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs. Ballot Initiative 21-0042A1 includes the following: 1) Change of Proposition 218 Fees: redefined to be the minimum amount necessary to provide services. Potentially preventing the ability to save for the future, including reserves and planned projects scheduled for implementation in the next 3-5 years; 2) Must provide clear and convincing evidence for the need of services, with a higher legal threshold; and 3) Fees must be reasonable to the ratepayers. This initiative could lead to an annual rate study and rate approval requirement. CSDA is asking Special Districts to take an oppose position and the Legal Affairs Committee recommends the same. Director Davidson commented on the vagueness of the initiative and the cost involved with an annual rate study. There was discussion on the ballot initiative process.

PUBLIC COMMENT: There was no public comment.

AYES: Directors Davidson, Secada, Underhill, and Thomas
NOES: None
ABSTAIN: None
ABSENT: Director Ratterman

- 4b Discussion/Action regarding District Position on Assembly Bill 338: Prevailing Wage for Fuels Management
(Jessica Self, External Affairs Manager)

MOTION: Directors Davidson/Secada-By Minute Entry Oppose Assembly Bill 338: Prevailing Wage for Fuels Management

DISCUSSION: Jessica Self stated Assembly Bill 1717 was bill was drafted and approved by the State Legislature in 2022. This bill would have changed the definition of public works to include fuels treatment projects, and thus require payment of prevailing wage. Numerous water agencies, including CCWD joined together to oppose AB 1717, which Governor Newsom opposed in Fall, 2022. In January 2023, AB 1717's author reintroduced the bill as AB 338. Unfortunately, AB 338 would raise the costs of imperative forest health and wildfire mitigation projects needed to protect the District's infrastructure, improve watershed health, and protect the surrounding communities. Like AB 1717, AB 338 would likely result in serious adverse impacts on the District's ability to fund wildfire mitigation projects. The Legal Affairs Committee recommends the Board adopt an Oppose position on AB 338. There was discussion between the Board and staff regarding the cost increase this bill would cause. Director Davidson asked if projects already under contract would be affected.

PUBLIC COMMENT: There was no public comment.

AYES: Directors Davidson, Secada, Underhill, and Thomas
NOES: None
ABSTAIN: None
ABSENT: Director Ratterman

4c Discussion/Action regarding Sale of Surplus Vehicles per the District's Surplus Policy
(Damon Wyckoff, Director of Operations) **RES 2023-10**

MOTION: Directors Secada/Underhill Adopted Resolution No. 2023-10 Approving
the Sale of Surplus Vehicles per the District's Surplus Policy

DISCUSSION: Damon Wyckoff presented the list of recommended surplus vehicles. He reviewed the surplus process with the Board and responded to questions. Mike Crank, Purchasing Agent, answered questions from the Board on the vehicles listed.

PUBLIC COMMENT: There was no public comment.

AYES: Directors Secada, Underhill, Davidson, and Thomas
NOES: None
ABSTAIN: None
ABSENT: Director Ratterman

4d Discussion/Action Regarding Awarding and Authorizing a Construction Contract for
the Jenny Lind Water Treatment Plant Filters 1 and 2 Rehabilitation CIP #1113
(Damon Wyckoff, Director of Operations) **RES 2023-11**

MOTION: Directors Secada/Underhill Adopted Resolution No. 2023-10 Approving
Construction Contract for the Jenny Lind Water Treatment Plant Filters
1 and 2 Rehabilitation CIP #1113

DISCUSSION: Damon Wyckoff reviewed the details of the rehabilitation project. There was one bid submitted by ERS Industrial Services Inc. for a cost of \$906,260. The District budgeted \$450,000 in the 2022-23 Fiscal Year CIP Budget for this Project. At the January Engineering Committee meeting, staff discussed the project and recommended rehabbing one filter this fiscal year and the other filter in the 2023-24 fiscal year due to the ongoing increase in material costs. The Committee directed staff to bring the approval to the full Board.

PUBLIC COMMENT: There was no public comment.

AYES: Directors Secada, Underhill, Davidson, and Thomas
NOES: None
ABSTAIN: None
ABSENT: Director Ratterman

5. **REPORTS**

5a Report on the January 2023 Operations and Engineering Departments
(Damon Wyckoff, Director of Operations)

DISCUSSION: Mr. Wyckoff presented the January 2023 Monthly Operations and Engineering reports. He reviewed items of interest and answered questions from the Board.

PUBLIC COMMENT: There was no public comment.

5b General Manager's Report
(Michael Minkler)

DISCUSSION: Mr. Minkler reported on the following activities: 1) CCWD is coordinating work with CalAM on another forest thinning project; 2) the enormous amount of work going in the 5-year CIP and rate study; 3) the Town Hall meeting in Valley Springs on Feb 16th at 5:30; 4) a meeting with the Tuolumne County Water Agency regarding shared interests; 5) a meeting with the Interim CAO of Calaveras County; 6) ACWA JPIA reported they are using their catastrophic reserve due to range of issues such as wildfires and floods; 7) Scott Ratterman was voted President of the Mountain Counties Board and Cindy Secada is now on the Mountain Counties Governance Committee; 8) the UMRWA meeting last week; and 9) this meeting is Jessica Self's last Board meeting before she leaves the District.

6. BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS

Director Secada reported the T-Stan IRWM is meeting on the 15th and Director Thomas will attend in her place due to the CCWD Finance Committee meeting. She will also miss the March 8th Board meeting. She requested future agenda items on FERC and the status of the Bond funding.

Director Underhill thanked our field staff for their efforts during the atmospheric river storms, stated how talented our staff is, and commented on how much work the electricians are doing.

Director Davidson had nothing to report.

Director Thomas asked about the spill on 6-mile Rd and the updated Records Retention Policy. He would like adoption date of Strategic Plan listed on the agenda with a link to read it.

7. NEXT BOARD MEETINGS

- Wednesday, February 22, 2023, 1:00 p.m., Regular Board Meeting
- Wednesday, March 8, 2023, 1:00 p.m., Regular Board Meeting

8. CLOSED SESSION

Closed session was cancelled.

8a Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9. 1 potential case

9. ADJOURNMENT

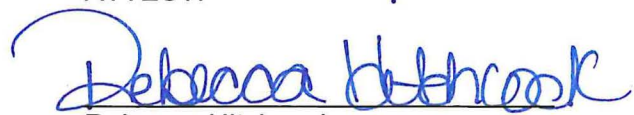
With no further business, the meeting adjourned at 2:27 p.m.

Respectfully Submitted:



Michael Minkler
General Manager

ATTEST:



Rebecca Hitchcock
Clerk to the Board