

SAN JUAN WATER DISTRICT

Board of Director's Board Meeting Minutes
August 24, 2022 – 6:00 p.m.

BOARD OF DIRECTORS

Ken Miller	President
Dan Rich	Vice President
Ted Costa	Director
Pam Tobin	Director
Manuel Zamorano	Director

SAN JUAN WATER DISTRICT MANAGEMENT AND STAFF

Paul Helliker	General Manager
Andrew Pierson	Director of Engineering Services
Devon Barrett	Customer Service Manager
Greg Zlotnick	Water Resources Manager
Teri Grant	Board Secretary/Administrative Assistant
Ryan Jones	General Counsel

OTHER ATTENDEES

Mitchell Dion	Customer
Sandra Harris	Customer
Craig Locke	Sacramento Suburban Water District

AGENDA ITEMS

- I. Roll Call**
- II. Public Forum and Comments**
- III. Consent Calendar**
- IV. Old Business**
- V. New Business**
- VI. Information Items**
- VII. Directors' Reports**
- VIII. Committee Meetings**
- IX. Upcoming Events**
- X. Closed Session**
- XI. Open Session**
- XII. Adjourn**

President Miller called the meeting to order at 6:00 p.m.

I. ROLL CALL

The Board Secretary took a roll call of the Board. The following directors were present: Ted Costa, Ken Miller, Dan Rich, Pam Tobin and Manuel Zamorano.

II. PUBLIC FORUM

Mr. Mitch Dion addressed the Board and announced that the Mountain County ACWA Region 3 is having a Water, Wildfire and Wine event on October 20th and an ACWA Fall

reception will be held on the same date as well. In addition, he mentioned that there was an announcement that Cal OES received funding for the FEMA BRIC.

III. CONSENT CALENDAR

All items under the consent calendar are considered to be routine and are approved by one motion. There will be no separate discussion of these items unless a member of the Board, audience, or staff request a specific item removed after the motion to approve the Consent Calendar.

1. Minutes of the Board of Directors Special Meeting, August 3, 2022 (W & R)

Recommendation: Approve draft minutes

2. 3-Year Computer Maintenance Management System (CMMS) Service Contract (W & R)

Recommendation: Authorize and approve renewed 3-year computer maintenance management system (CMMS) service agreement with Azteca Systems, LLC - Cityworks

3. Vehicle #6 Replacement (R)

Recommendation: Authorize the purchase of a replacement vehicle for vehicle #6 with a Ford F750 with dump bed, from Ron DuPratt Ford

4. Eureka Road Pipeline Replacement Project (R)

Recommendation: Authorize a construction contract amendment with Flowline Contractors, Inc. for the Eureka Road Pipeline Replacement Project

Director Rich moved to approve the Consent Calendar. Director Costa seconded the motion and it carried unanimously.

In response to Director Costa's comment regarding obtaining a long-term agreement for CMMS, Mr. Barela will discuss that with the vendor.

IV. OLD BUSINESS

1. Extension of Appointment of a Critically-Needed Position (W & R)

GM Helliker informed the Board that an extension of the agreement with Mr. Rob Watson is needed due to the Hinkle Reservoir Replacement Project. He explained that since Mr. Watson is beyond six months after his retirement date, approval for the extension is not a requirement; however, at the time the agenda was posted, staff was researching the CalPERS requirements and elected to have this on the agenda for the Board's approval as a precaution that it might be required.

Director Costa moved to adopt Resolution No. 22-17 approving an agreement to extend the appointment of Rob Watson to a critically-needed engineering position as a retired annuitant. Director Tobin seconded the motion and it carried unanimously.

2. 2022 Hydrology and Operations Update (W & R)

GM Helliker reviewed data on Folsom Reservoir, which included the current storage level at 85% of historical average and storage projections, and current reservoir conditions across the state. In addition, he reviewed the State Water Board's data on the progress towards the Governor's 15% voluntary conservation request.

V. NEW BUSINESS

1. Baldwin Channel Property Transfer to San Juan Water District (W)

Mr. Barela informed the Board that the resolution is for the transfer of historic North Fork Ditch Company canal property that traverses the District property from the United States of America to the District . The property was inadvertently left out of the documents created when the property was transferred to the District in 1956. He explained that he has been working on the transfer of the Baldwin Channel Property from Reclamation to the District and everything is in order for the transfer at this time.

Director Tobin moved to adopt Resolution 22-18 accepting a deed from United States of America for the Historic North Fork Ditch Company Canal Property and authorize staff to accept and process the documents for the transfer of ownership. Director Costa seconded the motion and it carried unanimously.

GM Helliker commended Mr. Barela for his hard work on this project.

VI. INFORMATION ITEMS

1. GENERAL MANAGER'S REPORT

1.1 General Manager's Monthly Report (W & R)

GM Helliker provided the Board with a written report for July which will be attached to the meeting minutes.

1.2 Miscellaneous District Issues and Correspondence

GM Helliker informed the Board that the water transfer continues with Fair Oaks, Citrus Heights and Sacramento Suburban water districts, Sacramento County, and the city of Sacramento pumping the expected amount of groundwater for the transfer in July, with expectations to do the same for August (no data has been received yet from Carmichael Water District).

GM Helliker reported that the conserved water transfer project that was placed on hold last fall will be restarted, now that the 2022 groundwater substitution transfer is organized and the conveyance agreement has been signed by him and will soon be signed by DWR.

GM Helliker reported that Orange Vale Water Company (OVWC) received some state grant funding for their well project and they are in the process for some federal funding. He informed the Board that the District will assist OVWC by being the lead on the CEQA documentation, since they are not a public agency.

GM Helliker reported that the Governor has incorporated some of the requests from the Solve the Water Crisis coalition into his new water plan.

2. DIRECTOR OF FINANCE'S REPORT

2.1 Miscellaneous District Issues and Correspondence

No report.

3. DIRECTOR OF OPERATIONS' REPORT

3.1 Miscellaneous District Issues and Correspondence

Mr. Barela reported that he and Director Rich attended the Fair Oaks Water District (FOWD) board meeting to present the request on operations for the Hinkle Reservoir Replacement Project. He explained that close coordination is needed between the District and the other water agencies, so staff is reaching out to each agency.

Mr. Barela informed the Board that one message that the District wants to push out is the need for customers to stop outdoor irrigation in November so that the peak hour demands are reduced. He reported that the FOWD board voiced reluctance in requesting their customers comply with this request since FOWD has wells. He explained that it is very important that their groundwater production capacity be available to provide water supply, in case there is an extended outage. Director Rich stated that FOWD is willing to "soft-peddle" the message requesting customers not to irrigate and the message will be worked on.

Mr. Barela informed the Board that messaging for the project will start in September. GM Helliker mentioned that he and Mr. Barela attended board meetings for FOWD, CHWD, and OVWC a couple months ago to provide a status update on the project and presented the communication plan, and relayed the importance of coordination during the project. GM Helliker stated that this topic will be on the September Board meeting agenda then the mailer will be finalized and sent out immediately after the Board meeting. Mr. Barela reviewed some data regarding demands and precipitation last year, and the need to be consistent with messaging regardless of the weather forecast or demands. GM Helliker discussed the messaging and the need for a very clear message.

In response to Director Costa's comment, GM Helliker explained that the FOWD board discussed their desire to notify the FOWD customers regarding the project, and that FOWD has refused to participate in the planning of this project, including discussions for the emergency operations plan and developing the communication strategy and the operations strategy. GM Helliker stated that the plan was originally to send out a wholesale mailer then the Wholesale Customer Agencies would follow up with emphasizing the same messaging. GM Helliker stated that the District will need to communicate a critical message to customers within our wholesale service area.

President Miller requested, and the rest of the Board agreed, that GM Helliker inform FOWD General Manager Tom Gray to remove him from email distribution lists and if Mr. Gray wants to address the Board, then he should address the Board in the proper manner. GM Helliker will request that Mr. Gray direct his emails to him only and if GM Helliker needs to involve the Board then he will do so as needed.

In response to Director Rich's question, Mr. Barela explained that if demands are too high during the project, then the operation plan might be to turn on wells to draw down demand, operate the Antelope Pump-Back Station with water delivered from Sacramento Suburban Water District, and/or operate the inter-tie with PCWA.

4. DIRECTOR OF ENGINEERING SERVICES' REPORT

4.1 Miscellaneous District Issues and Correspondence

No report.

5. LEGAL COUNSEL'S REPORT

5.1 Legal Matters

Legal Counsel Jones had no report. Director Tobin stated that GM Helliker sent her the legal expenses spreadsheet and she added up the columns and stated that the District spent \$509,431.84 in legal fees. She voiced concern that the legal invoices that she requested were not sent to her and she was informed that she was not entitled to receive them. Director Costa informed the Board that the previous law firm instructed the District not to distribute the invoices since they are sensitive in nature and would then become a public record; however, any Board member can review the invoices with the Director of Finance. GM Helliker reviewed the legal expense spreadsheet showing that the District spent \$347,198 in total for FY 2021-22 based on invoices received to date.

Director Zamorano requested that the Board review the Rules and Procedures at a future Board meeting to make the meetings more efficient. Legal Counsel Jones suggested that he review the Board policies and make some suggestions for best practices. The Board directed Legal Counsel Jones to review the policies and return with some suggestions.

VII. DIRECTORS' REPORTS

1. SACRAMENTO GROUNDWATER AUTHORITY (SGA)

Director Costa informed the Board that SGA decided not to consider consolidation with SCGA.

2. REGIONAL WATER AUTHORITY (RWA)

Director Rich reported that there was an Executive Committee meeting this week and the notes were distributed in the Board packet. In addition, the RWA Board meeting is next week.

Director Tobin reported that she attended the RWA Executive Committee meeting to do some damage control, stating that she asked how the District could be in a better place with RWA. She stated that comments were made stating the commitment for San Juan to maintain confidential information and that the District needs to speak with one voice and focus on the group efforts, respecting the agreement as to who has been determined to be the responsible spokesperson. In addition, she stated that the District has burned so many bridges and is still setting fires, when we should just work collaboratively. She stated that until the District can do that, then this Board and agency is headed in the wrong direction.

President Miller asked her to be more specific and not use open ended terminology. She referenced the eight signatories on the letter, other elected officials who have come to the District Board meetings to discuss these issues, along with problems at RWA and SGA, to be more specific, relationship problems. Director Zamorano requested more specific information as well and Director Tobin stated that she would provide written information such as minutes of the meetings.

President Miller cautioned Director Tobin for speaking at the RWA meeting on behalf of the District when she is not the appointed representative. She commented that she spoke as a member of the public; however, President Miller pointed out that she spoke as a San Juan Water District Director. He pointed out that the assigned representative should speak to an issue on behalf of the District with the buy-in of all four other directors. Legal Counsel Jones informed the Board that any member of the public can speak at a meeting; however, he suggested that a Board member, who is not the assigned representative, should clarify that they are speaking as a member of the public and not the District representative.

GM Helliker addressed the Board and informed them that at the RWA meeting Kerry Schmitz stated that San Juan divulged confidential information/documents; however, GM Helliker stated that no confidential information/documents have been divulged and that claim was incorrect. In addition, he stated that he will point out the erroneous statements that were made in the letter that Director Tobin mentioned and will provide a document to the Board regarding this.

3. ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA)

3.1 ACWA - Pam Tobin

Director Tobin provided a couple handouts that were included in the Board packet. She reviewed a list of events that she attended in August.

3.2 Joint Powers Insurance Authority (JPIA) - Pam Tobin

Director Tobin reported that Melody McDonald is the acting President since she was the Vice President.

3.3 Energy Committee - Ted Costa

No report.

4. CVP WATER USERS ASSOCIATION

No report.

5. OTHER REPORTS, CORRESPONDENCE, COMMENTS, IDEAS AND SUGGESTIONS

Director Costa voiced concern regarding the SGA/SCGA merger due to the cost and the extra votes that are being suggested going to environmental and agricultural members. He suggested that discussions should still continue with SGA and SCGA so that the message of sound management can be heard.

VIII. COMMITTEE MEETINGS

1. Engineering Committee – August 16, 2022

The committee meeting minutes will be attached to the original board minutes.

2. Finance Committee – August 23, 2022

The committee meeting minutes will be attached to the original board minutes.

IX. UPCOMING EVENTS

1. 2022 ACWA Fall Conference

November 29 - December 2, 2022
Indian Wells, CA

President Miller announced that there would be no Closed Session.

X. CLOSED SESSION

- 1. Conference with legal counsel** – existing litigation (Government Code §54956.9(d)(1), (d)(4)) - *California Natural Resources Agency v. Raimondo*, Eastern District of California case no. 1:20-cv-00426 and *Pacific Coast Fed'n of Fishermen's Assn. v. Raimondo*, Eastern District of California case no. 1:20-cv-00430.
- 2. Conference with legal counsel** – existing litigation (Government Code §54956.9(d)(1), (d)(4)) - *Center for Biological Diversity, et al. v. U.S. Bureau of Reclamation*, Eastern District of California case no. 1:20-cv-00706.

XI. OPEN SESSION

There was no reportable action since there was no Closed Session.

XII. ADJOURN

The meeting was adjourned at 7:14 p.m.

ATTEST:

TERI GRANT, Board Secretary

KENNETH MILLER, President
Board of Directors
San Juan Water District