

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 8, 2022
AGENDA ITEM NO. 8A**



AGENDA SECTION: NEW BUSINESS

SUBJECT: CONSIDER CREATION OF RETIRED ANNUITANT - LIMITED TERM JOB CLASSIFICATION

PREPARED BY: Adam Coyan, General Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

Staff has identified the need for occasional limited-term or as-needed assistance with completing necessary District business due to turnover in permanent staff as well as challenges related to the COVID-19 pandemic and its continued effect on the District. The District has previously utilized temporary staffing agencies as well as personal services agreements to obtain workers to ensure that customers' and the District's needs are met.

DISCUSSION

In recent months, GM Adam Coyan, District Staff and the Board have been grappling with a solution to address the staffing needs of the District. In addition to normal recruitment and retention challenges, the COVID-19 Global Pandemic has created additional demands on District Staff to ensure the continuity of service to customers. Recently, the District had engaged a professional services agreement with an outside contractor who is a retiree, which allowed for the contractor to assist in completing some tasks which would have been handled by permanent staff, if not for the vacancies, as well as working on special projects and assisting in conducting District Board meetings because the permanent employees who had previously handled these duties were dealing with increased responsibilities in their positions related to the Pandemic.

In January 2022, CalPERS informed the District that the personal services agreement which had been in existence for over two years created conflicts with CalPERS regulations for retired persons, so that personal services agreement was terminated by the Board in February 2022.

While the District is working toward filling vacant positions with permanent employees, it continues to have the need for assistance on what is hoped to be a short-term basis. During the February 2022 District Board meeting, the Board discussed options for addressing this circumstance. The Board directed Staff to explore the possibility of creating a Retired Annuitant job classification which would allow the General Manager to quickly fill vacant positions by appointing qualified persons to those positions for limited time frames and on a part-time basis in order to ensure that the District's work can be completed. While the title of the position is Retired Annuitant – Limited Term, these limited term employees may either be retired former District (or other public or private sector) employees or other qualified persons who want to work part-time for the District as needed. Whichever position the person fills would be on a part-time basis, and no benefits would be provided to the appointees. Salary would be consistent with the salary schedule for whichever position the person is filling. Those who are CalPERS retirees will be restricted to working no more than nine hundred sixty (960) hours

per fiscal year. CalPERS allows retirees to engage in part-time work while collecting their pensions, provided they work within the 960 fiscal hour limitation. Retirees from non-CalPERS public service or from private service do not have the strict limitations the CalPERS has on their members, but this job classification has been drafted to allow for a retired person from any previous employment to be eligible to fill a vacancy on a limited basis.

As required by State law, General Manager Adam Coyan met and conferred with the labor union which represents the employees who would be affected by the creation of the Retired Annuitant - Limited Term position. The union voiced no objection to the creation of the job classification.

FISCAL IMPACT

The fiscal impact will be minimal, if any. A person hired as a Retired Annuitant - Limited Term would be filling a vacant position which would already be budgeted by the District. There might be occasional budgetary overages if the Retired Annuitant were to stay on with the District briefly after permanent personnel are hired, possibly in order to assist in training the new permanent employee, but the lack of any benefits being provided to the Retired Annuitant – Limited Term would more likely than not result in no budgetary increase or a reduction in the amount of salary expenditure overall during the limited term of an appointment.

CEQA ASSESSMENT

This action is not a CEQA Project.

RECOMMENDED ACTION

Staff recommends the Board of Directors approve the job classification of Retired Annuitant - Limited Term.

ATTACHMENTS

1. Draft Job Description
2. Draft Resolution 2022-XX

RETIRED ANNUITANT - LIMITED TERM

Status: Hourly, Part-Time
Supervises: N/A

Reports To: General Manager
Salary Range: Depends on Appointment

Definitions/Summary

Under general supervision, a position in the Retired Annuitant - Limited Term class is limited to individuals who are retired from regular employment in the public service and available to work a maximum of Nine Hundred Sixty (960) hours per fiscal year.

Appointees are assigned the full range of duties of another presently existing class and perform those duties in the capacity of a limited term appointee to the Retired Annuitant Limited Term class.

The class will be filled on an as needed basis, subject to budgetary and other considerations and with the discretion of the General Manager.

The class exists to facilitate the temporary employment of retirees with special skills pursuant to California Government Code Sections 31680.2 and 31680.6, thereby effecting appointment without reinstating the appointee to active status in a retirement system and without termination or suspension of his/her retirement allowances. The nature of this class, including its unique appointment standards and limitations as to the nature and duration of incumbency, reflects the requirements of those sections of the Government Code.

Minimum Qualifications

To be appointed to this class, a proposed appointee must meet all of the following requirements:

1. The proposed appointee must be retired from a regular appointment to a position in District or other public agency service.
2. The proposed appointee must have current and continuing status as a retiree for purposes of CalPERS.
3. The proposed appointee must meet all other requirements for employment in the District class that ordinarily performs the duties that are to be assigned to the Retired Annuitant Limited Term position in question (including but not limited to education, licensure, certification, or experience requirements imposed by regulatory agency rules, federal, state or local law, ordinance or regulation.)

Knowledge and Abilities

Appointees to this class must possess the knowledge, skills and abilities described in the specification for the District class that ordinarily performs the duties that are to be assigned to the Retired Annuitant Limited Term position to which his/her appointment is made. The level and scope of the knowledge, skills and abilities required of the proposed appointee are related to the duties listed in the “Essential Functions”, “Other Duties”, “Job Standards/Specifications” and other requirements of the job class.

Benefits

N/A

RESOLUTION NO. 2022-xx
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVING THE JOB DESCRIPTION FOR THE POSITION OF
RETIRED ANNUITANT - LIMITED TERM

WHEREAS, the District has identified the need for occasional, part-time assistance in temporarily vacant job classifications while recruiting for permanent staff, during emergencies or when workloads become unmanageable for current staff, and

WHEREAS, creating a Retired Annuitant Limited Term position will allow the District to fill these needs on an as-needed basis subject to budgetary and other considerations by the General Manager;

WHEREAS, on March 3, 2022, pursuant to California Government Code Section 3505, the District's General Manager met and conferred with the Public Employees Union, Local One (the "Union") over the addition of and the job description for the Retired Annuitant Limited Term position; and

WHEREAS, the Union has indicated they have no opposition to the creation of the new position and its job description. **Attachment 1** to this Resolution is the signed agreement, with the job description contained as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS that the job description for the position of Retired Annuitant Limited Term is approved.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utilities District at a meeting of said Board held on the 8th day of March 2022, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Michael Saunders, President Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Adam Cohan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2022-XX, duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this XXXX day of MONTH 2022.

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 8, 2022
AGENDA ITEM 9.A.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: ACKNOWLEDGE RECEIPT OF AWARD LETTER FOR FUNDING THROUGH THE 2021 AMERICAN RESCUE PLAN ACT (ARPA) IN THE AMOUNT OF \$50,000

PREPARED BY: Adam Brown, Operation Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

The County of El Dorado received an allocation of \$37,457,492 from the American Rescue Plan Act of 2021 (ARPA) in March 2021, and requested that the El Dorado Water Agency (EDWA) assist in identifying investments in water resource infrastructure.

EDWA invited interested parties to submit potential projects for consideration. The District submitted the proposed project, Water System Condition Assessment and Water System Reliability Study Update.

DISCUSSION

The District received a letter from EDWA informing the District that the El Dorado County Board of Supervisors has authorized up to \$50,000 for this project (Attachment 1).

FISCAL IMPACT

This will provide \$50,000 for the above-referenced project.

CEQA ASSESSMENT

This is not a CEQA project.

POSSIBLE ACTIONS

Authorize District Staff to execute the agreement between GDPUD and EDWA for the project.

ATTACHMENTS

1. Award Letter from El Dorado County Water Agency



George Thornbrough
Georgetown Divide PUD

David Peterson
South Tahoe P.U.D.

Lori Parlin
Board of Supervisors

Wendy Thomas
Board of Supervisors

George Turnboo
Board of Supervisors

Kenneth V. Payne, P.E.
General Manager

December 10, 2021

Adam Coyan, General Manager
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634

SUBJECT: American Rescue Plan Act of 2021, Coronavirus State and Local Fiscal Recovery Funds for the County of El Dorado: Investments in Water and Wastewater Infrastructure: *Water System Condition Assessment and Water System Reliability Study Update*

Dear Mr. Coyan,

On behalf of the County of El Dorado (EDC), the El Dorado Water Agency (Agency) is pleased to inform you that your proposed project, *Water System Condition Assessment and Water System Reliability Study Update* (Project), has been selected to receive a portion of the \$37,457,492 funding that has been allocated to EDC as part of the water and wastewater investment projects under the federal American Rescue Plan Act of 2021 (ARPA).

The Agency will be sending an agreement between Georgetown Divide Public Utility District (GDPUD) and the Agency for the Project. The EDC Board of Supervisors has authorized up to \$50,000 for this project subject to the agreement approved by both our board of directors and includes the 5% administration costs to EDWA for the ARPA program management.

Please note that although the APRA does not require NEPA for projects funded under ARPA; CEQA may be required, and it will be GDPUD's responsibility for compliance with CEQA for the Project. The NEPA exception only applies to the portions of the project that is funded with these U.S. Treasury's ARPA funds.

Once the agreement has been executed, ARPA funds can be made available under the terms of our agreement. Generally, the terms will comply with the requirements outlined in the ARPA and other requirements necessary to administer the ARPA funds. The Fiscal Recovery Funds will generally be subject to the requirements of the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200*.

TIMELINE FOR ARPA FUNDS

The use of the funds may be used to cover costs incurred on March 3, 2021 and onward. ARPA funds in El Dorado County have until December 31, 2024 to allocate the funds received. Each funded Project must be completed no later than December 31, 2026. ARPA funds allocated to

the Project that are not spent by these deadlines will require a repayment to U.S. Treasury by GDPUD. Financial records and supporting documents must be kept by GDPUD for five years after all funds are expended.

REPORTING REQUIREMENTS

The ARPA funds will generally be subject to the requirements of the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200*. EDWA will be required to submit semi-annual financial reports, through the SF-425 form. Thus, GDPUD will be required to provide the necessary Project and associated financial data as required to submit a draft financial report SF-425 form on a semi-annual basis (every 6 months). The details of the reporting will be included in the final agreement. The next SF-425 reports will be on April 30, 2022 and will require GDPUD to provide financial data by April 1, 2022 to cover 8 months, covering the period from August 1, 2021 to March 31, 2022. The subsequent SF-425 forms will be due by EDWA on October 31, 2022, and April 30, 2023; thus, GDPUD will need to provide necessary and complete financial data to EDWA 30 days in advance.

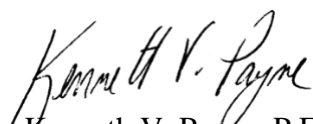
INELIGIBLE USES of ARPA FUNDS

Water and wastewater infrastructure funds are under a separate eligible-use category and may not be used for utility assistance. ARPA funds used for ineligible purposes must be reported to the U.S. Treasury by the EDWA and will required to be repaid to U.S. Treasury. Ineligible uses of the ARPA funds include the following:

- a) Offset tax cuts
- b) Recover lost revenue to local water/wastewater/stormwater utilities
- c) Deposit into pension funds or rainy-day funds
- d) Funds debt service, legal settlements, or matching funds (unless allowed by the federal program)
- e) Paying interest, principle, servicing or redeeming notes, or fees
- f) General infrastructure spending (outside of broadband, water/sewer) unless under revenue loss provision

EDWA looks forward to moving forward with your project and is pleased to be providing this assistance on behalf of the County of El Dorado. We will be drafting the agreement for this effort and are targeting to have the agreements in place by January 2022. If you have questions regarding this process, please contact me or Kyle Ericson at kyle.ericson@edcgov.us or (530) 621-5403.

Regards,
EL DORADO WATER AGENCY


Kenneth V. Payne, P.E.
General Manager

Copy: DeeAnne Gillick, Sloan Sakai Yeung & Wong LLP, EDWA Counsel
Kyle Ericson, EDWA

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 8, 2022
AGENDA ITEM 9.B.**



AGENDA SECTION: NEW BUSINESS

**SUBJECT: CONSIDER CUSTOMER GARY HEINZ CLAIM FOR REFUND
DUE TO LACK OF IRRIGATION SERVICES**

PREPARED BY: Adam Brown, Operations Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

The District received on February 2, 2022, a letter from irrigation customer Gary Heinz (Attachment 1) outlining his efforts to request an adjustment to his account due to lack of irrigation service due to clogged irrigation lines. (Mr. Heinz' letter is dated January, 31, 2021, but he confirms it was misdated and should be January 31, 2022.)

President Saunders responded to Mr. Heinz by email on February 2, 2022, to inform him that his claim for a refund would be considered by the Board of Directors during the regular Board meeting of March 8, 2022.

In his letter, Mr. Heinz referenced Section 3(e) of Irrigation Ordinance 2005-001, which states: "When interruption to irrigation service due to failure of the District Works extend beyond five (5) days, proportionate adjustments for such water loss will be made." He declares that he did not receive irrigation service for the entire 2021 irrigation season.

Mr. Heinz also attached copies of his email exchange with former Operations Manager Darrell Creeks describing how ditch repairs by the District crews clogged his irrigation line reducing the volume of irrigation water supply. The emails also describe the unsuccessful efforts by the District to clear the blockage. (Note: Some of the emails is to/from willmelater@yahoo.com. Mr. Heinz confirms that is his other email address.)

DISCUSSION

Mr. Heinz is requesting a refund and "full offset" of his 2021 irrigation fees paid and invoiced. He declares they were "basically without irrigation service for nearly the entire season." He does not specify an amount of the refund, but included a \$154.20 payment with his letter to avoid the shut off of his irrigation service. According to District records, the total payments on this account for the irrigation season was \$771.

Mr. Heinz further requests that the District clear or replace his irrigation line. Board President Saunders and General Manager Adam Coyan are working with Mr. Heinz to review his ability to receive service for the 2022 Irrigation season.

**CUSTOMER CLAIM FOR REFUND OF PAYMENT FOR
LACK OF IRRIGATION SERVICES**

Board Meeting of March 8, 2022
Agenda Item # 9.B.

FISCAL IMPACT

The total payments made by Mr. Heinz for the 2021 irrigation season is \$771.

CEQA ASSESSMENT

This is not a CEQA project.

POSSIBLE BOARD ACTION

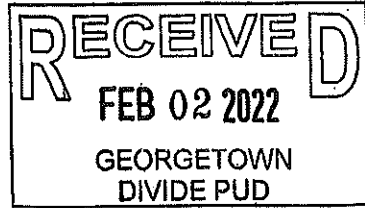
The Board can confirm with Mr. Heinz the exact amount of his claim, and approve or deny it.

ATTACHMENTS

1. Letter from Gary Heinz received February 2, 2022, with attachments

Gary Heinz
6931 Fools Canyon Road
Georgetown CA 95634
530.344.2755

General Manager
GDPUD
6425 Main Street
Georgetown CA 95634



January 31st, 2021

RE: Account #087-0080-001

The purpose of this letter is to respond to a demand for payment from the District for our irrigation service at the above listed address.

Attached you will find a copy of the email I sent to the previous General Manager, Darrell Creeks and also his response with the District Irrigation Ordinance 2005-001. I have also attached page 5 from the Ordinance with Section 3(e) highlighted, which pertains to service interruptions exceeding 5 days in length to be adjusted proportionally to the length of interruption. I assumed that Mr. Creeks had made such adjustment to our account, since we were basically without irrigation service for nearly the entire season, following the ditch repair while the ditch was in full service and no effort was made to close or otherwise protect our service from the sludge and aggregates washed down the ditch from the repair at our neighbor's property which is also the service immediately upstream from our own.

Mr. Creeks did send out a crew of two (2) ditch tender personnel to attempt to see if they could clear our clogged service. Unfortunately, they were unsuccessful and he followed that attempt with the email in which he cited section 1(b) of the ordinance, basically relying on that section to absolve the District from any liability for our loss of service and the clogging of our supply line between our newly installed meter and our pond. While I understand his reference and desire to rely upon this section as a release from liability for the damages caused, unfortunately the courts have found that local municipalities and utility districts are not free from liability for Gross Negligence, of which I am quite confident the actions of the personnel who performed the ditch repair on behalf of the District and therefore the District, are fully liable for.

I hereby formally request the refund and full offset of our 2021 irrigation fees paid and invoiced. I would also like to formally request that your personnel either clear or replace our irrigation line.

I would like to come to an amicable agreement over this, however, should this not be possible, I am prepared to file a claim against the District for service charged and not delivered and also for both Gross Negligence for the damage to our irrigation service underground piping (actual damages) and I will also request an award of punitive damages.

Again, I would prefer to resolve this reasonably and amicably. To that end, I have included a check for the \$154.20 your office is threatening to pull our irrigation service for. I do this as an act of good faith and an interim escrow. However, if I receive no response from you and I see the check deposited from our account, I will assume that you do not intend to resolve this amicably and I will proceed with the legal option.

Sincerely,

Gary Heinz

(d) Irrigation service is provided for the entire irrigation season. Customers shall pay for irrigation service for the entire irrigation season regardless of their interest or ability to use water.

(e) When interruptions to irrigation service due to failure of the District Works extend beyond five (5) days, proportionate adjustments for such water loss will be made.

(f) Irrigation customers shall pay a proportionate amount for irrigation service when the irrigation season is extended or shortened by the Board of Directors.

(g) Unauthorized connections or the taking of water in an amount greater than applied and paid for, by any means, is a misdemeanor under California Penal Code Section 498 and shall be subject to criminal prosecution under Section 498 and any other applicable laws. In addition, the District may bring a civil action for damages and may refuse future service to the parcel.

(h) Irrigation customers shall prevent any unnecessary or wasteful use of water. Should a customer permit wasteful use of water, the District may discontinue service if such condition is not corrected within five (5) days after giving the parcel owner written notice of intention to terminate service.

(i) No more than one parcel shall be served through each Irrigation Service Account except with the prior written approval of the Board of Directors. Any such approval shall be recorded against each parcel with the caveat that the agreement expires upon any change of ownership. Each Irrigation Service Account shall have independent service lines and sumps.

(j) The minimum irrigation service for each Irrigation Service Account shall be one miner's inch, from the open ditch system, and one-half miner's inch from the irrigation pipeline system. In the future, the District may consider reducing the minimum irrigation service to one-half miner's inch from the open ditch system and one-quarter miner's inch from the irrigation pipeline system.

(k) All pumped services shall utilize a sump provided by the customer and acceptable to the District.



Gary Heinz <gary.c.heinz@gmail.com>

Irrigation Supply - 6931 Fools Canyon Road, Georgetown

1 message

Wed, Sep 8, 2021 at 9:07 PM

Gary Heinz <gary.c.heinz@gmail.com>
To: "dacreeks@gd-pud.org" <dacreeks@gd-pud.org>

This has been our irrigation supply volume since your crews clogged our service when they repaired the ditch levy upstream at our immediate neighbors property without first closing our and local downstream services and/or taking any measures at all to avoid intake of the large amounts of solids produced during their backhoe work into an operational and fully flowing ditch.

This could have and should have been done by at least simply closing the newly installed PVC ball valves you recently installed. I tried to close it once I discovered it, but it was already too late and the depth of the new ball valve prevents its operation simply by hand. Unfortunately the valve cannot even be manipulated using a curb key tool, since it is a compression fitting that just spins when any pressure is applied, precluding proper operation of the valve.


Not only have your crews not cleared the blockage they caused, they have hampered and purposely hindered my attempts to clear it and restore the flow. Removing/stealing components I used to attempt to clear the blockage and restore the flow and implying I am somehow stealing more water than I pay for.

Consequently, I request that you have your crews clear the blockage, restore the flow I pay for and reduce my bill and refund, or credit me for irrigation water for which I have been charged, paid for, yet never received. I would also like them to replace or otherwise secure the valve so it can be operated and closed when you have substantial debris flowing with the ditchwater volumes.

Thank you

Gary Heinz
530.344.2755 mobile

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 20210908_122224.mp4
7774K

RE: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

From: Darrell Creeks (dacreeks@gd-pud.org)
To: willmelater@yahoo.com
Cc: gm@gd-pud.org
Date: Tuesday, September 21, 2021, 04:04 PM PDT

Hi Bill, I am sorry to hear that it is still not working. Unfortunately, the District has done all we can to help you. See attached Ordinance 2005-01. The water in the canals gets dirty for many reasons including us working on it in the summer. Each individual customer needs to take precautions to protect their system from dirty water. Maybe some type of filter in the line would help you out. We can come back out anytime to make sure the water is getting through the service to your line.

Darrell Creeks
Operations Manager
Georgetown Divide PUD
530-333-3494

From: Bill Melater <willmelater@yahoo.com>
Sent: Tuesday, September 21, 2021 12:22 PM
To: Darrell Creeks <dacreeks@gd-pud.org>
Subject: Re: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

Hi Darrell,

Your guys were out and tried to clear the blockage - mostly by the same means I did: also unsuccessfully. So, still do not have a supply we have been paying for and not receiving nearly all season (since the repair of the ditch via backhoe at our neighbor, Doug Austin's property.

What do you suggest?

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From: Bill Melater <willmelater@yahoo.com>
Sent: Wednesday, September 8, 2021 1:01:11 PM
To: Darrell Creeks <dacreeks@gd-pud.org>
Subject: Re: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

I resent you another video showing our pond supply discharge pipe from my gmail account.

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From: Bill Melater <willmelater@yahoo.com>
Sent: Wednesday, September 8, 2021 12:58:07 PM
To: Darrell Creeks <dacreeks@gd-pud.org>
Subject: Re: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

I have tried repeatedly. With water and using a compressor that delivers substantially more pressure than a hose bib. This has been made more difficult, if not impossible due to the way in which my service has been reworked and my efforts have been hindered, rather than aided by poor construction, direct sabotage and even theft of the tools I tried to use, by your employees.

Accordingly, none of my efforts have been sufficiently fruitful to restore my full miner's inch of delivery: 11.5 gpm for which I pay.

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From: Darrell Creeks <dacreeks@gd-pud.org>
Sent: Wednesday, September 8, 2021 7:31:00 AM

To: Bill Melater <willmelater@yahoo.com>
Subject: RE: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

Have you flushed your system? Water is coming out which means it is not completely plugged. You need to flush the system through the biggest valve on it.

From: Bill Melater <willmelater@yahoo.com>
Sent: Tuesday, September 7, 2021 10:49 PM
To: Darrell Creeks <dacreeks@gd-pud.org>
Subject: Re: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

Ok, let me try again in the morning.

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From: Darrell Creeks <dacreeks@gd-pud.org>
Sent: Tuesday, September 7, 2021, 7:11 PM
To: willmelater@yahoo.com
Subject: Re: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer

The video isn't working. I just see a picture of water coming from a pipe.

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From: WeTransfer <noreply@wetransfer.com>
Sent: Tuesday, September 7, 2021 7:07:41 PM
To: Darrell Creeks <dacreeks@gd-pud.org>
Subject: willmelater@yahoo.com sent you 6931 Fools Canyon Road Irrigation Supply via WeTransfer



willmelater@yahoo.com
sent you 6931 Fools Canyon Road Irrigation Supply

1 item, 93.5 MB in total · Expires on 15 September, 2021

6931 Fools Canyon Road Irrigation Supply Here is what we have been getting since your crews clogged our service without protecting it during ditch repair work.

[Get your files](#)

Download link

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1 item

GDPUD Irrigation Supply cmprsd.mp4

93.5 MB

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 2005-01 Irrigation Ordinance.pdf
503kB

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 8, 2022
AGENDA ITEM 9.C.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: RECEIVE AN UPDATE ON THE WATER TRANSFER REFILL AGREEMENT

PREPARED BY: Adam Brown, Operations Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

On May 12, 2020, the Board of Directors approved Resolution 2020-25, to execute agreements associated with temporary water transfer of up to 2,000 acre-feet (ac-ft) (Attachment 1). Specific agreements included:

- Water Purchase and Sale Agreement between Westlands Water District and the District;
- Refill Agreement between California Department of Resources (DWR), United States Bureau of Reclamation (USBR) and the District; and
- Professional Services Agreement with Western Hydrologics Consulting.

The transfer resulted in gross revenue of \$700,000 with a consulting cost of \$63,800 and associated legal counsel fees, the District's net revenue was estimated at \$600,000 applied to the District Capital Improvement Program.

From May 12, 2020, to current, hydrologic conditions within the Pilot Creek Watershed and District demand resulted in Stumpy Meadows Reservoir storage level ranging between 10,992 and 20,000 acre-feet. As of February 28, 2022, the reservoir is at full capacity.

DISCUSSION

Upon completion of the temporary water transfer the District and Western Hydrologics have been engaged with DWR and USBR for the tracking of refill criteria. This tracking process is submitted monthly to DWR and USBR. Based on criteria outlined in the *Refill Agreement for Stumpy Meadows*¹, as of February 1, 2022, the District has satisfied 455 ac-ft of the 2,000 ac-ft. Refill tracking spreadsheets for December 2021 and January 2022 are included as Attachment 2.

¹https://www.gd-pud.org/files/5ded511b1/Final_20741_Georgetown_Refill_20200814.pdf

A previous discussion regarding the refill agreement occurred during the July 13, 2021, regular board meeting. For reference, an excerpt from meeting minutes is included as Attachment 3.

FISCAL IMPACT

No fiscal impact.

CEQA ASSESSMENT

This is not a CEQA project.

RECOMMENDED ACTIONS

The District Staff recommends that the Board of Directors receive the update on the Water Transfer Refill Agreement and provide Staff direction, if necessary.

ATTACHMENTS

1. Resolution 2020-25 Authorizing Temporary Water Transfer Agreements
2. Re-Fill Tracking Spreadsheets
3. July 13, 2021, Meeting Minute Excerpt

RESOLUTION NO. 2020-25
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
AUTHORIZING THE INTERIM GENERAL MANAGER TO EXECUTE AGREEMENTS
RELATED A TEMPORARY TRANSFER OF UP TO 2,000 ACRE-FEET OF WATER

WHEREAS, the Georgetown Divide Public Utility District ("District"), has negotiated the terms of agreements that provide for a temporary water transfer with Westlands Water District ("WWD") to allow WWD to supplement its water supply; and

WHEREAS, beginning on July 1, 2020, the District will make available a total of up to 2,000 acre-feet of water to WWD on a schedule mutually agreeable to the District and WWD; and

WHEREAS, the District will operate Stumpy Meadows Reservoir to allow for releases of water that will be delivered to Folsom Reservoir; and

WHEREAS, the transferred water will be conveyed though the State Water Project by the Department of Water Resources under a Conveyance Agreement to WWD; and

WHEREAS, WWD, under the Water Purchase and Sale Agreement By and Between Westlands Water District and Georgetown Divide Public Utility District for 2020 Temporary Water Purchase will purchase water from the District at Three Hundred Fifty Dollars (\$350.00) per acre foot of water received and reimburse the District for its costs associated with the transfer;

WHEREAS, Revenue generated from the temporary water transfer will be exclusively appropriate to fund capitol improvement projects;

WHEREAS, Conduct public education outreach; and

WHEREAS, the Board of Directors finds that the agreement is in the best interest of the District, and is therefore willing to sell and temporarily transfer WWD, District water as provided in the temporary water sale agreement.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT as follows:

1. The Interim General Manager is authorized to execute the agreements between: a) the Water Purchase and Sale Agreement by and between Westlands Water District and Georgetown Divide Public Utility District for 2020 Temporary Water Purchase; b.) a Refill Agreement between the United States Bureau of Reclamation and the District; c) a Conveyance Agreement with the Department of Water Resources; and d) a professional services agreement with Western Hydrologics Consulting.

2. The Interim General Manager or his or her designee is authorized to enter into minor amendments to the aforementioned agreements subject to approval as to form by the District General Counsel.
3. The Board of Directors hereby authorizes the Interim General Manager to submit a petition to the State Water Resources Control Board for the temporary transfer of water, and the Interim General Manager is authorized to take such other administrative actions as may be necessary to effectuate the transfer and sale of the water. This includes any minor administrative actions necessary to provide fair administration of the District's reimbursable administrative expenses.
4. The Board of Directors find that the temporary water transfer from the District to WWD is exempt from CEQA under California Water Code sections 1725 and 1729, the general exemption provided under the CEQA Guidelines section 15061, 15301 (class 1), 15304 (class 4), and the statutory exemption set forth in section 15282(u), and is not barred by any exceptions to CEQA exemptions. The transfer involves the operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the proposed action, which is categorically exempt from CEQA. The Board of Directors authorizes the Interim General Manager to sign and file a Notice of Exemption if deemed appropriate or desirable, in his discretion.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the Twelfth day of May, 2020, by the following vote:

AYES: SOUZA, SAUNDERS, WADLE, HALPIN

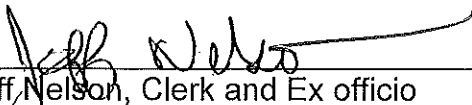
NOES: GARCIA

ABSENT/ABSTAIN:



Dave Souza, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT


Attest:



Jeff Nelson, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2020-25 duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this Twelfth day of May 2020.



Jeff Nelson, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Records for December 2021
Georgetown Divide Public Utility District
2020 Water Transfer: Stumpy Meadows Reservoir
Tabulation of Reservoir Refill

Submitted on: 1/12/2022

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|----------|----------------------------|--|--------------------------------------|---|--|-------------------------------|---------------------|--------------------------------------|--------------------------------|--|---------------------|------------------------------------|--------------------------------------|
| Date | Actual Storage, end of day | Transfer Account Balance, beginning of day | Transfer Account Balance, end of day | Theoretical Storage, end of day (without Daily Refill Volume) | Theoretical Storage, end of day (with Daily Refill Volume) | Allowable Storage, end of day | Daily Refill Volume | Cumulative Refill Volume, end of day | Delta Condition ^[1] | Excess American Release ^[2] | Daily Refill Impact | Release to Eliminate Refill Impact | Cumulative Refill Impact, end of day |
| | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | | | (AF) | (AF) | (AF) |
| 11/30/21 | | | 2,000 | | | | | 0 | | | | | 0 |
| 12/1/21 | 13,037 | 2,000 | 2,000 | 15,037 | 15,037 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/2/21 | 13,037 | 2,000 | 2,000 | 15,037 | 15,037 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/3/21 | 13,065 | 2,000 | 2,000 | 15,065 | 15,065 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/4/21 | 13,065 | 2,000 | 2,000 | 15,065 | 15,065 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/5/21 | 13,093 | 2,000 | 2,000 | 15,093 | 15,093 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/6/21 | 13,121 | 2,000 | 2,000 | 15,121 | 15,121 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/7/21 | 13,121 | 2,000 | 2,000 | 15,121 | 15,121 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/8/21 | 13,148 | 2,000 | 2,000 | 15,148 | 15,148 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/9/21 | 13,176 | 2,000 | 2,000 | 15,176 | 15,176 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/10/21 | 13,204 | 2,000 | 2,000 | 15,204 | 15,204 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/11/21 | 13,204 | 2,000 | 2,000 | 15,204 | 15,204 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/12/21 | 13,260 | 2,000 | 2,000 | 15,260 | 15,260 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/13/21 | 13,400 | 2,000 | 2,000 | 15,400 | 15,400 | 20,000 | 0 | 0 | B | N | 0 | 0.0 | 0 |
| 12/14/21 | 13,652 | 2,000 | 2,000 | 15,652 | 15,652 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/15/21 | 13,793 | 2,000 | 2,000 | 15,793 | 15,793 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/16/21 | 13,933 | 2,000 | 2,000 | 15,933 | 15,933 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/17/21 | 13,989 | 2,000 | 2,000 | 15,989 | 15,989 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/18/21 | 14,073 | 2,000 | 2,000 | 16,073 | 16,073 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/19/21 | 14,129 | 2,000 | 2,000 | 16,129 | 16,129 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/20/21 | 14,185 | 2,000 | 2,000 | 16,185 | 16,185 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/21/21 | 14,241 | 2,000 | 2,000 | 16,241 | 16,241 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/22/21 | 14,325 | 2,000 | 2,000 | 16,325 | 16,325 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/23/21 | 14,828 | 2,000 | 2,000 | 16,828 | 16,828 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/24/21 | 15,389 | 2,000 | 2,000 | 17,389 | 17,389 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/25/21 | 15,752 | 2,000 | 2,000 | 17,752 | 17,752 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/26/21 | 16,032 | 2,000 | 2,000 | 18,032 | 18,032 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/27/21 | 16,262 | 2,000 | 2,000 | 18,262 | 18,262 | 20,000 | 0 | 0 | E | N | 0 | 0.0 | 0 |
| 12/28/21 | 16,416 | 2,000 | 2,000 | 18,416 | 18,416 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 12/29/21 | 16,571 | 2,000 | 2,000 | 18,571 | 18,571 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 12/30/21 | 16,695 | 2,000 | 2,000 | 18,695 | 18,695 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 12/31/21 | 16,757 | 2,000 | 2,000 | 18,757 | 18,757 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |

Notes

Enter value in the cell
 [1] B = Delta in Balanced Conditions
 E = Delta in Excess Conditions

[2] Y = Excess American Release in effect
 N = Excess American Release not in effect

Records for January 2022
Georgetown Divide Public Utility District
2020 Water Transfer: Stumpy Meadows Reservoir
Tabulation of Reservoir Refill

Submitted on: 3/1/2022

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|----------|----------------------------|--|--------------------------------------|---|--|-------------------------------|---------------------|--------------------------------------|--------------------------------|--|---------------------|------------------------------------|--------------------------------------|
| Date | Actual Storage, end of day | Transfer Account Balance, beginning of day | Transfer Account Balance, end of day | Theoretical Storage, end of day (without Daily Refill Volume) | Theoretical Storage, end of day (with Daily Refill Volume) | Allowable Storage, end of day | Daily Refill Volume | Cumulative Refill Volume, end of day | Delta Condition ^[1] | Excess American Release ^[2] | Daily Refill Impact | Release to Eliminate Refill Impact | Cumulative Refill Impact, end of day |
| | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | (AF) | | | (AF) | (AF) | (AF) |
| 12/31/21 | | | 2,000 | | | | | 0 | | | | | 0 |
| 1/1/22 | 16,850 | 2,000 | 2,000 | 18,850 | 18,850 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/2/22 | 16,943 | 2,000 | 2,000 | 18,943 | 18,943 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/3/22 | 17,005 | 2,000 | 2,000 | 19,005 | 19,005 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/4/22 | 17,098 | 2,000 | 2,000 | 19,098 | 19,098 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/5/22 | 17,160 | 2,000 | 2,000 | 19,160 | 19,160 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/6/22 | 17,253 | 2,000 | 2,000 | 19,253 | 19,253 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/7/22 | 17,346 | 2,000 | 2,000 | 19,346 | 19,346 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/8/22 | 17,408 | 2,000 | 2,000 | 19,408 | 19,408 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/9/22 | 17,470 | 2,000 | 2,000 | 19,470 | 19,470 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/10/22 | 17,564 | 2,000 | 2,000 | 19,564 | 19,564 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/11/22 | 17,626 | 2,000 | 2,000 | 19,626 | 19,626 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/12/22 | 17,688 | 2,000 | 2,000 | 19,688 | 19,688 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/13/22 | 17,750 | 2,000 | 2,000 | 19,750 | 19,750 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/14/22 | 17,814 | 2,000 | 2,000 | 19,814 | 19,814 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/15/22 | 17,878 | 2,000 | 2,000 | 19,878 | 19,878 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/16/22 | 17,974 | 2,000 | 2,000 | 19,974 | 19,974 | 20,000 | 0 | 0 | E | Y | 0 | 0.0 | 0 |
| 1/17/22 | 18,038 | 2,000 | 1,962 | 20,038 | 20,000 | 20,000 | 38 | 38 | E | Y | 0 | 0.0 | 0 |
| 1/18/22 | 18,102 | 1,962 | 1,898 | 20,064 | 20,000 | 20,000 | 64 | 102 | E | Y | 0 | 0.0 | 0 |
| 1/19/22 | 18,134 | 1,898 | 1,866 | 20,032 | 20,000 | 20,000 | 32 | 134 | E | Y | 0 | 0.0 | 0 |
| 1/20/22 | 18,198 | 1,866 | 1,802 | 20,064 | 20,000 | 20,000 | 64 | 198 | E | Y | 0 | 0.0 | 0 |
| 1/21/22 | 18,262 | 1,802 | 1,738 | 20,064 | 20,000 | 20,000 | 64 | 262 | E | Y | 0 | 0.0 | 0 |
| 1/22/22 | 18,294 | 1,738 | 1,706 | 20,032 | 20,000 | 20,000 | 32 | 294 | E | Y | 0 | 0.0 | 0 |
| 1/23/22 | 18,358 | 1,706 | 1,642 | 20,064 | 20,000 | 20,000 | 64 | 358 | E | Y | 0 | 0.0 | 0 |
| 1/24/22 | 18,423 | 1,642 | 1,577 | 20,065 | 20,000 | 20,000 | 65 | 423 | E | Y | 0 | 0.0 | 0 |
| 1/25/22 | 18,455 | 1,577 | 1,545 | 20,032 | 20,000 | 20,000 | 32 | 455 | E | Y | 0 | 0.0 | 0 |
| 1/26/22 | 18,487 | 1,545 | 1,513 | 20,032 | 20,000 | 20,000 | 32 | 487 | E | N | 32 | 0.0 | 32 |
| 1/27/22 | 18,551 | 1,513 | 1,449 | 20,064 | 20,000 | 20,000 | 64 | 551 | E | N | 64 | 0.0 | 96 |
| 1/28/22 | 18,615 | 1,449 | 1,385 | 20,064 | 20,000 | 20,000 | 64 | 615 | E | N | 64 | 0.0 | 160 |
| 1/29/22 | 18,647 | 1,385 | 1,353 | 20,032 | 20,000 | 20,000 | 32 | 647 | E | N | 32 | 0.0 | 192 |
| 1/30/22 | 18,712 | 1,353 | 1,288 | 20,065 | 20,000 | 20,000 | 65 | 712 | E | N | 65 | 0.0 | 257 |
| 1/31/22 | 18,744 | 1,288 | 1,256 | 20,032 | 20,000 | 20,000 | 32 | 744 | E | N | 32 | 0.0 | 289 |

Notes

Enter value in the cell
 [1] B = Delta in Balanced Conditions
 E = Delta in Excess Conditions

[2] Y = Excess American Release in effect
 N = Excess American Release not in effect

C. General Manager's Report – Update on 2020 Water Refill Agreement (Jeff Meyer)

Mr. Creeks invited Jeff Meyer of Western Hydrologics to provide an update on the water transfer refill agreement.

Jeff Meyer began screen sharing a graph (Attachment 1) and prefaced his presentation by stating the District entered into a refill agreement last year associated with the water transfer and, although it was a very dry winter, Stumpy Meadows filled beyond the limit of the refill agreement.

Referring to the graph, Mr. Meyer pointed to the red line showing the maximum storage capacity of Stumpy Meadows Reservoir is 20,000 acre feet (ac-ft). He explained because the District sold (transferred) 2,000 ac-ft, the new storage capacity for this year is 18,000 ac-ft, unless Folsom Lake spills, and the Delta goes into excess conditions. Since neither of these things happened, the storage limit for this year remains at 18,000 ac-ft. The reservoir filled up to 18,505 ac-ft which means that storage limit was exceeded by 505 ac-ft. This is not a violation of any kind, stated Mr. Meyers, but means the District is required to repay the water that would have spilled had the transfer not been done. Mr. Meyer stated this refill agreement concept is common and other districts who have done a water transfer have the same condition in their agreement.

Mr. Meyer explained he completed a Refill Impact Report which he submits to the California Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (USBR) every month. The agencies acknowledged this was an impact and the refill agreement says the District has to pay back the amount the storage limit was exceeded. He talked to Darrell Creeks and Adam Brown about how to do that and also tried to negotiate on behalf of GDPUD a repayment schedule that was agreeable to DWR and USBR. He sent several emails to them and finally at 2:00 today received a reply.

Since 4 CFS is the minimum flow requirement in a normal year, Mr. Meyer said he and Staff decided a 4 CFS release would be adequate until they heard back from DWR and USBR. He further explained that because this is a dry year, the minimum flow requirement was reduced to 2 CFS to offer a little relief.

Mr. Meyer indicated DWR required a 4 CFS release, but the response just received from the USBR indicated they would like to see a 5 CFS release so the debt can be repaid by Labor Day. He stated this is a negotiating point and will work with Staff on a counteroffer.

Mr. Meyer summarized that as of today, the District has paid back approximately 100 ac-ft. With a release of 4 CFS, he calculated the District will still be able to pay back the remaining 400 ac-ft by Labor Day, which will be discussed with the USBR. Mr. Meyer then offered to answer any questions.

In response to Director MacDonald who shared his understanding of the refill agreement, Mr. Meyer stated the District does not owe any more than the refill impact when more water is stored than is allowed under the refill agreement. Mr. Creeks asked whether the District would meet the requirements of the refill agreement if it just automatically released whatever was in excess of 18,000 ac-ft.

Mr. Meyer said if he was turning the knobs on and off at the reservoir, he would try to capture everything he could and then wait to see what is happening at Folsom before releasing any water.

Director Saunders asked, "What is the point in time when we start having an impact to GDPUD when we're giving back more than we transferred?"

Mr. Meyer explained when the District did the transfer, the District reduced the capacity of its reservoir to 18,000 ac-ft. The District will have less capacity until Folsom Lake spills and the Delta goes into excess. That is the point when the District fulfills its obligation and is returned to its original storage capacity of 20,000 ac-ft. Until then, any excess of 18,000 ac-ft or water that flows into the reservoir is considered spill water in the same way that it would if the reservoir was completely full (or 20,000 ac-ft). This is how DWR and USBR view it. He noted that Folsom spills about two-thirds of the time so the odds are pretty good that it will spill.

Director Saunders stated water transfers puts a cap on Stumpy so moving forward, the District needs a water transfer policy. He cautioned that if the District transferred up to the allowed 3,500 ac-ft, that would put a cap on Stumpy at 16,500 ac-ft which automatically puts the District under the Urban Water Management Plan trigger for a drought emergency.

Director Thornbrough asked Mr. Meyer if the District could be paying back to Folsom more than the 2,000 ac-ft that was transferred. If we transferred 2,000 Folsom would have gotten that 2,000 ac-ft, if we give 500 then we only owe 1,500 more. He asked if this was correct.

Mr. Meyer stated that was not correct. Director MacDonald added the District pays back anything over the storage limit that would have spilled any way. He then expressed agreement with Director Saunders' concern about the threshold of 16,500 ac-ft and the reduced buffer.

Responding to Director MacDonald's inquiry, Mr. Meyer explained an overflow at Folsom Dam does not automatically mean the Delta is in flood stage because the Delta receives water from many sources. However, almost every time there is an overflow at Folsom, the Delta is in excess. There are only two times in history when that has not happened.

Director Stewart stated that the water belongs to the State and when the District sold 2,000 ac-ft, we were essentially telling the State that the District doesn't need that water. The District is now restricted to 18,000 until we get another flood condition so we're going to have to survive on 18,000 ac-ft. Director Saunders stated there wasn't that clarity last year.

After Mr. Meyer confirmed for Director Seaman her understanding that only the excess over 18,000 ac-ft has to be repaid, she stated the District needs to start looking at our water usage early on in the year to decide the most beneficial use of that water.

Responding to Director Seaman's concern about the 18,000 ac-ft limitation, Mr. Meyer stated, as a Water Resources Manager himself, he does not see this as a big deal. The

District has been able to make full deliveries to satisfy customers' needs, so the only issue is whether the District will need to refill next year, which is always the case when you do a transfer like this.

Mr. Creeks stated the District looks at water usage every year during the second week of April. Director Saunders said the District may be required to do look at usage additional times during the year. Mr. Creeks responded the District will do whatever the State requires.

Director Thornbrough stated he recalled the refill agreement had a four-year time frame and Mr. Meyer clarified there is no time limit on the refill agreement.

Public Comment: Steven Dowd commented that he thought he understood it perfectly when Mr. Meyer's gave his presentation on the water transfer last year, but he really clarified it now. He told Mr. Meyer he did a great job.

Mr. Dowd then asked why the water level is where it is now, just a few feet above where it was when the transfer ended last September. Last year when the transfer started in August, the water level was at the bottom of the spillway and now it's way out past the booms and it is only July 13. He said he measured and took pictures after the transfer. A lot of water is gone from that Lake, and I assume we're still using the same amount of irrigation and treated water for the customers. Mr. Dowd stated there is more than 100 ac-ft gone from the lake, and asked where it was going.

Mr. Myer replied there is the transfer on top of the 100 ac-ft release, irrigation demands and the minimum flow requirement. Mr. Dowd pursued his questioning, so Mr. Creeks offered to provide a simple explanation. First of all, stated Mr. Creeks, last year the Lake spilled all the way through May, this year it never spilled. We had a lot more water coming into the Lake last year. As we transferred and as we were using water, the streams were strongly flowing keeping the Lake full. In August of last year, we ended the month at 16,200 ac-ft which is more than what we have in the lake right now. Because we started out with less water, and we have far less water is coming into the Lake this year, it's not keeping it full and it's dropping faster than it did last year. Mr. Creeks added the Lake is 76% full today.

Cherie Carlyon asked about measurements in the Operation Manager's Report. Director Saunders stated she could comment on that when this report comes up on the agenda and at the end of the meeting when drought conditions is discussed.

John Duarte commented that he's not generally opposed to an annual water sale, but on these terms and with this arrangement, he does not think this can viewed very favorably in the future. It is a bad deal. He said having to keep Stumpy Meadows 2,000 ac-ft emptier every year until Folsom spills will cost the District severely.

Director Saunders said he invited Mr. Meyer to provide an update because there are four new Board members that were not on board when the transfer was done. He and Mr. Creeks thanked Mr. Meyer for his presentation that provided clarification and a clearer understanding of how a refill agreement works.

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 8, 2022
AGENDA ITEM 9.D.**



AGENDA SECTION: NEW BUSINESS
SUBJECT: CONSIDER ESTABLISHING A SCHEDULE FOR ADOPTING THE FY 2022-2023 BUDGET
PREPARED BY: Gloria Omania, Temporary Office Manager/Management Analyst
APPROVED BY: Adam Coyan, General Manager

BACKGROUND

In the past, the Board, the Finance Committee, and Staff have expressed the need to establish a schedule for adopting the budget so all participants in the process, including the public, have an understanding of their role and the timeline for the process.

This is particularly important as the re-established Finance Committee takes on a greater advisory role in the process with the adopted FY 2021-2022 Strategic Plan as a planning tool in the development of the budget. Establishing a schedule is also helpful in developing an effective public outreach strategy.

DISCUSSION

Staff requests the Board's consideration of the schedule below for adopting the FY 2022-2023 Operating Budget:

| Schedule of Meetings | | | | |
|---|---|---|---|---|
| March 24, 2022 Finance Committee Meeting | April 12, 2022 Regular Board Meeting | Last week of April or First week of May Special Board Meeting | May 10, 2022 Regular Board Meeting | June 14, 2022 Regular Board Meeting |
| General Manager presents draft working copy of FY 22-23 Budget for FC review and recommendations | GM and FC present proposed budget to Board of Directors | Joint Board and Finance Committee Workshop | Review Draft FY 22-23 Budget | Adopt Final FY 22-23 Budget |
| Public Outreach Strategy | | | | |
| <ul style="list-style-type: none"> • Agenda posted on website and emailed to list of customers registered to receive emails. • Press release announcing budget review schedule. | <ul style="list-style-type: none"> • Agenda posted on website and emailed to list of customers registered to receive emails. | <ul style="list-style-type: none"> • Agenda posted on website and emailed to list of customers registered to receive emails. • Article in Mar-Apr Newsletter • Press release | <ul style="list-style-type: none"> • Agenda posted on website and emailed to list of customers registered to receive emails. | <ul style="list-style-type: none"> • Agenda posted on website and emailed to list of customers registered to receive emails. • Article in May-Jun newsletter • Press release |

FISCAL IMPACT

There is no fiscal impact related to establishing this budget review schedule.

CEQA ASSESSMENT

This is not a CEQA project.

RECOMMENDED ACTIONS

It is Staff's recommendation that the Board set a date for the joint budget workshop and approve the schedule for adopting the FY 2022-23 Operating Budget