



MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

6425 Main Street,
Georgetown, California 95634

TUESDAY, FEBRUARY 14, 2023
2:00 P.M.

BOARD OF DIRECTORS

Mitch MacDonald, President

Donna Seaman, Vice President

Mike Thornbrough, Treasurer

Michael Saunders, Director

Robert Stovall, Director

MISSION STATEMENT

It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies.
 - Ensure high-quality drinking water.
 - Promote stewardship to protect community resources, public health, and quality of life.
 - Provide excellent and responsive customer services through dedicated and valued staff.
 - Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.
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1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

President MacDonald called the meeting to order at 2:03 PM.

Roll Call: Director Stovall, Director Seaman, Director Thornbrough, Director Saunders, Director MacDonald were all present.

Pledge of Allegiance: Director Stovall led the Pledge of Allegiance.

2. ADOPTION OF AGENDA

General Manager Nicholas Schneider requested Item 5A Financial Reports be included with Item 8A Budget six-month review.

Director Thornbrough motioned to adopt the Agenda as amended; Director Seaman seconded the motion. President MacDonald called for a vote by consensus.

Motion Passed Unanimously

3. PUBLIC FORUM

President MacDonald read the Public Forum pursuant to the Government Code Section 54954.3 (The Brown Act), then called for Public Comment. Noting that if Board members answer or respond to the public comment, we are out of order,

Public Comment: Steve Dowd noted leaks on Church Street that may be associated with the Automatic Meter Readers. Cherie Carlyon commented on the Closed Session stating the Board should not be doing a six-month review of the General Manager when he has not been on staff a full six months. Natalie Barta expressed concern regarding proposed trips (to ACWA

Conferences) one to Washington D.C. and one to Monterey, CA. She was asked to discuss her concerns when the agenda item was discussed. Bonnie Neely, commented on the inadequacy of the porta-potty for public use during public meetings. She was concerned it was not approved by the Board, and she questioned why the general office is restricted to the public. She also questioned whether the emergency exit is a fire door up to code. Cherie Carlyon commented lighting is a particular concern in the porta-potty and surrounding area.

Staff responded they would investigate the lighting issue and noted the building is slated for an upgrade, but we do not have a specific timeline.

4. **CONSENT CALENDAR** — Any member of the public may contact a Board member prior to the meeting to request an item be pulled from the Consent Calendar

A. Approval of Minutes of Regular Meeting of January 10, 2023.

Director Seaman requested the Minutes be pulled for correct spelling of Cherie Carlyon's last name.

No additional corrections. Director Seaman motioned the January 10, 2023, Minutes be approved as corrected; Director Thornbrough seconded the motion. With no objection, **Motion Carried Unanimously.**

5. **FINANCIAL REPORTS** — Up to December 31, 2022 — Item was combined with Item 8A.

A. Budget to Actuals Report

B. Pooled Cash Report

C. Monthly Check Report

D. Year to Date Vendor Report

6. **INFORMATIONAL ITEMS**

A. Board Reports

Director Saunders reported:

- He received a Certificate of Completion for the California Special Districts Association (CSDA) 2023 Ethics AB 1234 Compliance Training. (Attachment 1)
- Regional Water Authority Meeting — January 12, 2023 (Attachment 2)
- Grant Committee Meeting — February 1, 2023

Director Thornbrough attended the El Dorado County Water Agency (EDWA) meeting. The General Manager gave a presentation on the Mosquito Fire and the expenses involved.

Director Seaman attended the EDWA meeting on February 8th. Met with the Optum Investment group to discuss the investment policy.

President MacDonald reported he interviewed with Optum Investment Partners Administrator. Mr. MacDonald is in the process of arranging the Auburn Lake Trails (ALT) community town hall. The purpose of this meeting is to build confidence that the District can perform as a trustworthy, and competent service provider. The General Manager, Operations Manager and Water Resources Manager will be present to field questions.

Public Comment: Bonnie Neeley addressed an article in the Gazette that talked about water transfer. It is very difficult for the public to see the transfer policy is about selling water. There are individuals who find it unacceptable to sell our water. She feels if the community objects to selling water, the Board will represent the community's feeling.

Director Saunders noted there will come a time when we will be forced to reimburse the Central Valley Project with water. We want to be ahead of the game so that when we are reimbursing this water, it is not that we are giving the water for free. We must set up

agreements so that it is given for revenue benefit to the District.

Mr. Schneider stated he understood water transfers may be looked upon unfavorably. The reason we are exploring them, is to help limit rate increases. Transfers are a way to bring revenue to the District so we can complete capital improvement projects without having to use general or reserve funds.

Karen Bartholomew stated in years where we have water available, there should not be a problem with a transfer.

B. Legislative Liaison Report — Director Saunders (Attachment 3)

1. Actionable Items

- a. Opposition (CSDA) Initiative #21-0042A1 (aka #1935) Limits ability of voters State and Local Governments to raise revenues for Government Services,

This ballot initiative would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State to fund services and infrastructure.

The initiative includes provisions that would retroactively void *all* state and local taxes or fees adopted after January 1, 2022, if not aligned with provisions of this initiative. It amends the State Constitution, including portions of Propositions 13, 218, and 26 amongst others.

Local districts are encouraged to join the coalition opposing the initiative by a Board resolution and forwarding it to the CSDA advocacy.

- b. Recommended advocacy: Support (ACWA) SB 23 (Caballero) — would streamline the regulatory permitting process for water supply and flood risk reduction projects. Would help ensure critical water infrastructure projects are built at the pace and scale needed to prepare climate change.

2. Bills/Propositions to watch on written report.

C. General Manager's Report

Mr. Schneider summarized his written report noting work has begun on preparing the FY 23-24 budget. Further, he stated a considerable amount of work has been expended to secure grants for the District to recoup costs associated with the Mosquito Fire and future capital improvement projects.

He met with Sloan Sakai Consultants regarding the salary survey.

The Grant Committee is currently working with the Forest Resource Collaborative to secure a potential CAL FIRE Wildfire Mitigation Grant.

He attended the CSDA – HR Boot Camp education session (Part of the Certified Special District Managers curriculum).

Attended the CSDA — Ratepayer Assistance Funding and Water Shut–Off Laws, Regulations, and Executive Orders education session.

Good news updates —The District received additional payments for the surplus equipment being sold. We received a grant from the USBR Small Scale Water Efficiency grant program to do about 1500' of canal lining.

Mr. Schneider will be presenting along with Office/Finance Manager Jessica Buckle at the Divide Rotary Club on February 22nd giving an overview of the District and some of the fire challenges faced recently.

Public Comment: Cherie Carlyon asked if meetings attended were on zoom or in person. Mr. Schneider replied some of both. He can make a notation on his written report.

Ms. Carlyon asked what account the funds from surplus items go into. Staff replied it goes into a surplus fund account—a preexisting fund called “Sale of Assets”. She further asked about the \$80,000 for the CIP if the CIP budget would be increased by that amount. Mr. Schneider replied it is a two-year program and some of the work will be done this year, some of it next year. It will go into a grant account, and we will transfer it to the project when completed. It is a reimbursement grant.

Karen Bartholomew asked how a person knows what is for sale. Mr. Schneider responded we have an on-line auction site utilized by public agencies. It is also on our website.

D. Operation Manager’s Report

Adam Brown, Operations Manager, reported that as of February 1, 2023, Stumpy Meadows was at 21,206 acre feet, in other words filled to capacity. He noted, all finished water is in compliance with drinking water standards. He has ordered pump control valves approved at the last Board meeting – (Estimated delivery 6–8 weeks).

Mr. Brown reported the Canal/Maintenance Crew worked on vegetation removal along the Kelsey Ditch; STP Treatment Plant; and Pilot Hill Ditch.

Asset Management/Work Order Software (Cartegraph) — Departments 5100, 5200, 5400 started task activities January 16, 2023; Office staff began issuing service orders/requests February 3, 2023; and Department 5300 entering assets into the system.

Automated Meter Project — 3,770/3,781 meters installed. The total project budget was \$2,074,137. We are currently working on cost development for Angel Camp installation of the AMI Meter Infrastructure.

Mr. Brown noted some projects are on hold due to the weather.

Director Stovall asked how Gross Water Use vs. Time the gallons per capita per day, relates to the targeted 50 gallons a day the State mandates. Mr. Schneider stated the 50 gallons per day only relates to indoor water use it is not a requirement per household, it is a per person per day use.

Director Seaman asked how many hydrants are normally flushed and are the flushed more in areas of breaks to remove the debris out? Mr. Brown responded they are all flushed at the breaks, but we are probably deficient in a flushing program.

Director Thornbrough asked about paying off the water meter project. Mr. Brown replied not paying it off, the last reimbursement is what he meant.

Public Comment: Cherie Carlyon asked about the 36-meter replacements. Mr. Brown replied they were part of the AMR project; ones Ferguson couldn’t do so we did them. They were not new meters that broke. She also asked if when flushing the fire hydrants, the water is measured? Mr. Brown replied yes, it is a requirement.

E. Water Resources Manager’s Report

Alexis Elliott, Water Resources Manager reported last month we had 160 routine inspections, two of those were escrows. The monthly Sanitary Sewer Overflow (SSO) – Spill Certification was submitted electronically to California Regional Water Quality Control Board on California Integrated Water Quality System (CIWQS) February 1, 2023.

One of our employees renewed his certification with the National Association of Wastewater Technicians (NAWT). We replaced a pump moisture sensor at the lift station in Cool and took the other one in to get it rebuilt.

Ms. Elliott attended the American River Watershed Plan meeting.

Along with Adam Brown, Ms. Elliott met with the County, the State and the District engineer Bennett Engineering for the Wastewater Disposal Requirement (WDR) update. Separation of the two permits from the Community Disposal System (CDS) and non-CDS

homes was discussed. If the County approves the proposal Bennett Engineering is preparing the non-CDS homes would fall under the County's Local Agency Management Plan (LAMP). If that were to happen, we would work with the County to correct the verbiage relating to how much the District's involvement would be with the non-CDS systems. We would remain the sole management of the CDS homes.

Director Stovall asked if the spikes in the Wastewater Discharge was due to the storms. Ms. Elliott replied yes—we had 14.66 inches of rainfall.

7. COMMITTEES

A. Finance Committee – Steve Miller, Chairman – Meeting Date February 23, 2023

- **Board Liaisons:** Directors MacDonald and Stovall

Chairman Miller reported the January meeting was cancelled and the Committee was scheduled to meet February 23rd.

B. Irrigation Committee – Ray Griffiths, Chairman – Next Meeting Date February 16, 2023

- **Board Liaisons:** Directors Seaman and Thornbrough

In Chairman Griffiths absence, Mr. Schneider reported the Committee has been working on proposed amendments to the Irrigation Ordinance 2005-02 which governs the Districts Irrigation system. They will be looking at the letter sent out every year to previous irrigation customers addressing some language changes.

C. Ad Hoc Grant Writing Committee – Next Meeting April 5, 2023

- **Board Liaisons:** Directors Saunders and Stovall
Community members: Stephany Root, Morgan Galliano
Grant Consultant: Greg Young, Zanjero
Staff: Nicholas Schneider, Adam Brown, Alexis Elliott

Director Saunders stated the Committee met on February 1st to discuss the following (See Attachment 2):

1. FEMA grant in conjunction with CalOES with the Mosquito Fire
2. Wildfire Grant; California Climate Investments Wildfire Prevention Grant
3. Natural Resources Conservation Services
4. Planning/Strategy—capitalize on infrastructure funding (Federal/State)

D. Ad Hoc Committee for Policy Manual – Next Meeting February 23, 2023

- **Board Liaisons:** Director Saunders, Seaman

The Committee met on February 9, 2023. Director Saunders submitted a written summary of the meeting. (Attachment 4)

Director Seaman also the California Environmental Quality Act (CEQA) Policy will be reviewed. The County has just updated their CEQA policy so it's a good time to work on the District policy so we get done in conjunction with the County.

Public Comment: Kathy Otermat asked if there is a policy for travel cost limits? Director Saunders replied there is a travel cost policy, and it is posted online in the Board of Directors Policy Manual. Bonnie Neely asked why policies on the web randomly change at night or on weekends, when policy changes are supposed to be agenzized and come before the Board?

Mr. Schneider responded changes are not being made without Board approval. The Policy Committee is reviewing each policy and making recommendations for updates to the Board for final approval. Cherie Carlyon commented it's not clear when things are changed, it should say "revised" with a date.

Cherie Carlyon noted the Ad-Hoc committees do not have to follow the Brown Act, and the public could attend on the phone if on zoom, or are they private meetings?

Christine Pritchard, Legal Counsel replied it is a policy question if the Board wants to open ad-hoc committees to the public. Ad-hoc committees are not subject to the Brown Act and are not required to follow Brown Act guidelines. The District could develop a policy for certain ad-hoc committees to meet publicly.

E. Ad Hoc Committee for the Audit Committee – No Meeting Scheduled

- **Board Liaisons:** Director Saunders, Thornbrough

F. Ad Hoc Labor Negotiation Committee – No Meeting Scheduled

- **Board Liaisons:** Director MacDonald, Thornbrough

8. ACTION ITEMS

A. Budget to Actuals 6-month Review

In a PowerPoint presentation the General Manager gave a detailed report on the status of the FY 2022-2023 Budget (July 1, 2022 to December 31, 2022).

Mr. Schneider reported some unanticipated expenses were incurred due to the Mosquito Fire emergency. However, we are pursuing grants for full or partial reimbursement for those expenses. Further, he stated some areas need to be closely monitored and may go over budget. However, overall, the budget is on track. The complete report is posted on the District website (<https://www.gd-pud.org/2023-02-14-regular-board-meeting>).

Director Thornbrough asked about the grant money received for the generator at Walton. Mr. Schneider said it was received last fiscal year.

Director Stovall asked if it is correct, we received funds for power generation and sold to PG&E. Mr. Schneider replied it is correct it is found in Hydro.

Director Seaman asked on the flume repair near the tunnel, is there more debris in the tunnel? Mr. Schneider said the tunnel is not closed off; however, it has been blocked to prevent further debris from entering. We are currently unable to get up there for an inspection. We are still seeing some silt coming into Lake Walton. The work we did is working to keep the big debris out.

Director Stovall questioned the overtime payroll tax attached to materials and supplies—will that be addressed in the future with the litigation with PG&E? Mr. Schneider replied, correct. Director Stovall asked given the settlement of those funds, how will they be reintegrated into future budgets? Mr. Schneider replied: currently, we are paying those costs out of the general fund, so the settlement money will go back into the general fund.

Public Comment: Cherie Carlyon stated in reviewing previous budgets, there was an “actual” column to show what was spent. Mr. Schneider said he could include the actuals in the future. She questioned the receipt on the 5100—Source of Supply and why it has not increased the budget? Mr. Schneider stated we haven’t received it yet and we don’t need to increase the budget, unless the budget is going to be over.

Director Seaman asked about Account 5300—Water Treatment regarding professional services if it included sampling costs. Staff replied, sampling costs are under regulation fees, including account 5400 – Transmission and Distribution of Treated Water.

Public Comment: Cherie Carlyon asked why Vector trailer rental is in materials and supplies. Staff replied it is in Materials Other.

Public Comment: Account 5600—Administration — Bonnie Neeley asked if the Executive Assistant position had been filled? Mr. Schneider replied we have an offer on the table. Cherie Carlyon asked about the difference between material & supplies, materials other, and office supplies? Staff replied, materials & supplies are hard goods (typically electronics); materials other are rentals, hard goods we don't keep; office supplies are consumables.

Director Thornbrough disagreed with the way materials & supplies is used. Some items such as computers should come under a separate equipment account. Mr. Schneider stated he anticipates some categorical changes.

Director Thornbrough expressed concern over switching the phone system to Voice over IP (VoIP Phone System). Mr. Schneider noted we are making the switch the same time we are getting an upgrade in our internet connection and do not anticipate any problems.

Capital Improvement Plan Budget Update — Comments

Director Thornbrough asked how we can consider a pump station for the Pilot Hill water without having any place to pump the water to? Mr. Schneider stated if it is a project determined to be needed, we would look at grant funding in the future, not that we can do anything now.

Director Seaman on the canal lining, are we including the vegetation removal? Staff reply, it is not included—this is upgrading facilities only; the vegetation removal is done under general budgets.

Director Stovall stated he understood we were taking money from the waterwheel project for a pressure relief valve. Mr. Schneider noted the waterwheel was originally budgeted for \$150,000 and nothing has been purchased for them to date. We are having someone come out and we're just listening at this point. Director Stovall asked if we get rights to the American River water, is it possible to sell it? Mr. Schneider stated getting rights to it means we must use it.

Salary Survey Comments

Director Seaman stated wastewater takes more education and certifications making the costs significantly higher. Mr. Schneider stated the wastewater we have is not a traditional plant. We have to find a like agency with a similar system to gather more data for wastewater classes. Three additional agencies providing wastewater services will be added to the survey universe for those positions.

Director Saunders wanted to be sure when we do the actual budget, we do not put things in the budget that can be covered elsewhere—for example, tractor rentals can come from the emergency fund. Some things came out of CIP needs to be corrected and we are not charging the CIP budget. Jessica Buckle explained the 8000 accounts are gone, that has all been corrected.

Item 5 A—D Financial Reports

Director Saunders asked about the State Water Resources Control Board charges of \$349,947.35. Jessica Buckle replied it is two charges put into one check. One was the Stumpy loan repayment, and the water system annual fees.

Public Comment: Cherie Carlyon asked about check #34240, Del Paso Pipe & Steele for \$15,714.38. Adam Brown replied it was for the tunnel project and a different structural steel. Then check # 34250 Lance, Soll & Lunghard (LSL), for \$30,761.25. Jessica Buckle replied it was for them having to start from the beginning of when Tyler was implemented. Check # 34319 Ca. Dept. Of Tax & Fee Ad for \$14,645.96 Jessica Buckle will look it up. Cherie asked if the auditors are done with their review? Jessica the annual auditors are working with LSL directly. They have not completed the audit yet. Ms. Carlyon submitted a written comment for staff clarification questioning inconsistencies between the budget

review and the financial reports with a purported \$288,000 difference (Attachment 5).

B. Presentation by Cal Trust

Todd Winslow presented information about the CalTRUST investment pool. CalTRUST is a public agency; having been formed as a Joint Powers Authority (JPA). It is a local government investment pool. It is only open to California public agencies, so the investment policy mirrors California investment code. CalTRUST administration and leadership is fully independent to the JPA and not tied to any for-profit, non-profit, or private entity.

If an agency opens an account with CalTRUST, they are not required to fund. It is a tool available to use as needed or ready to do so.

Director Saunders stated this is one of the options to deal with unfunded liabilities we could use it as a tool in the toolbox.

C. Interview Potential Financial Advisor and approve a PSA to begin services.

Each of the Board members were able to meet with Mr. David Bilby of Optum Investment Partners individually. We have an updated Investment Policy that gives direction on how the District can utilize its investment funds.

Director Thornbrough noted the Investment Policy referenced utilizing debt service funds as being eligible for investment. Mr. Schneider and Mr. Bilby stated the District can invest Debt Service Funds and gave examples.

Director Saunders mentioned internal controls have been added to the policy which brings up the question to the Board on investment decisions and the General Manager—i.e., should the Board decide first and provide direction, or should it just come from the General Manager? Mr. Schneider stated it would be a general overview of what the Board approves. Some decisions must be made quickly because of the market as things change. We have internal controls, and no one has the sole responsibility.

Director Seaman stated some of the funds would be less than one year and suggested having a review for the specified time. Mr. Schneider noted the Investment Policy spells out the review process (page 9). It provides for regular investment reports plus, the Investment Policy will be reviewed every year.

Public Comment: Bonnie Neeley ask how much we are talking about investing? Mr. Schneider replied we have approximately \$10,000,000 to invest.

Cherie Carlyon expressed the opinion that on Item 15, page 8 of the Investment Policy the General manager should make investment decisions in consultation with the Board President.

Director Saunders when we go from where we are now to investments, that is where the Board is going to be involved the most. The accounts not restricted the funds we can use and the Board will decide what percentage based on the investment, then decide how much and where to invest. All those decisions will be made publicly and transparently, and involving input from the Finance Committee. Once we get to that point the General Manager already has the parameters for investment decisions.

Mr. Bilby gave a presentation on how Optum Investment would work with the GDPUD District. In Summary, Government agencies must comply with California Government Code (GC) Section 53600. There will be monthly (or quarterly) reports to the District outlining cash assets invested, investment types, purchases, sales, market conditions, and affirming agency projection of sufficient cash availability to meet operating needs (GC Section 53607). There will be an annual Investment Policy update (GC Section 53646) In compliance with GC Section 53600.3. There must be a prudent Investor Standard—Safeguarding of principal and liquidity.

Public Comment: Cherie Carlyon asked who wrote the Investment Policy? Mr. Schneider replied, staff, with direction from CSDA's draft investment policy, and we received some direction from Mr. Bilby as to clean up some areas.

Director Seaman motioned to adopt the Investment Policy; motion seconded by Director Thornbrough. President MacDonald called for the vote by consensus.

Motion Passed Unanimously.

Director Saunders motioned to authorize the General Manager to enter into a Professional Service Agreement with Optum Investment Partners; motion seconded by Director Stovall. President MacDonald called for the vote by consensus.

Motion Passed Unanimously.

D. District Implementation of Service Fees

Mr. Schneider stated these service fees would provide a service to a customer outside normal cost of service. There was a public comment emailed to him regarding the backflow preventing he would like to address. The District does not want to effect small businesses by our ability to provide these services. We would be a secondary option if no one else was available. That is why the general service fee rate was set high, so as not to compete with small businesses.

Director Seaman stated the backflow certification has nothing to do with what GDPUD does in their normal operation and should not be listed. There should be an outside, third party doing the certification.

Director Stovall noted the resolution refers to these service fees as rates and questioned if it would fall under Proposition 218.

Legal Counsel, Christine Pritchard, it is not a Proposition 218 issue because it is not an assessment, or a fee directly related to property gifts.

Director Saunders noted for the service fees, we have the ability to use Cartegraph where we can track and get the actual cost. The fee part is something we should table and get further information from Cartegraph.

Director Thornbrough motioned to approve the backflow certification tabling the service call fees until we get more information; motioned seconded by Director Saunders.

President MacDonald called for the vote. Directors Stovall, Thornbrough, Saunders and MacDonald voted Aye; Director Seaman Opposed.

Motion Passed.

Public Comment: Steve Proe objected to the manner the Board runs a meeting alleging the public was being denied the opportunity to make comment.

Mr. Proe called a point of order. Legal Counsel, Christine Pritchard, stated as a member of the public, Mr. Proe does not have a point of order. He is limited to public comment.

Director Saunders commented on the motion concerning the service fees and backflow certification stating tabling the fees and approving the backflow certification cannot be combined into one resolution.

Christine Pritchard, said an amended resolution was adopted with a portion of it tabled. If you want to change that, you need to vote to withdraw the resolution as amended. Director Thornbrough asked if the amended resolution was ok. Ms. Pritchard indicated it was fine; her understanding was that Director Saunders was not ready to vote and wanted more discussion on the backflow certification.

Director Saunders motioned to open the item back up for discussion; Director Seaman seconded the motion. President MacDonald called for a vote by consensus.

Motion Approved as Revised.

Director Saunders wanted to make it clear the backflow certification was an optional service, it is not a service customers have to take from GDPUD, they can get the service elsewhere. It was set at this price point to not undercut other businesses.

Public Comment: Steve Proe stated the community is entitled to a 72 notice if there is going to be a change such as the Board is suggesting at this time. He believes the Brown Act maybe in violation if you go ahead with this. He suggested the entire item be tabled until it can be put together in an understandable package.

Christine Pritchard stated the backflow charge and the reasoning behind it was included in the 72-hour notice. All that has occurred today was the removal of other items that were also noticed. There is not a substantial change to what was provided to the public. A portion is being tabled with more than enough notice on the potential fees that will be imposed there is no Brown Act violation. There may be some confusion with the way the process went, but with the General Manager's recitation of exactly what the amended resolution is going to be is clear enough. The process is completed.

E. Review Urban Water Management Plan (UWMP)

Adam Brown noted during the January 10, 2022, board meeting staff presented proposed changes to the 2020 UWMP to meet DWR requirements and needs of the District. The changes have been and published on the District's website at <https://www.gd-pud.org/2020-urban-watermanagement-plan>.

We will give public notice during the next month for a public hearing at the next Board meeting before adoption.

F. Accessory Dwelling Units (ADU) General Fees

Adam Brown stated currently, if you propose or build another unit on your property, it is required to install a second meter. Legislation (SB 229) allows for ADUs with certain criteria.

This amends Ordinance 07-01 which was amended by 2016-02. This proposed amendment states if your ADU meet the criteria, we will not charge a capital facilities connection fee. We currently require a 1" meter if you have two dwellings.

This is the first reading of the proposed ordinance change. Due public notice will be given for a public hearing.

Director Thornbrough asked about the requirement of a 1' meter for two dwellings on the property, is that if both dwellings are coming off the same meter? Mr. Brown replied, he mis-spoke when he stated two dwellings, he should have said a multifamily connection requires a 1' meter. They may have to upgrade to a 1' meter to meet the County requirement of sprinklers with sufficient fire flow.

Director Seaman asked if you add an ADU, is it a permitted structure with a separate septic system, fire sprinklers, then there would not be a charge for meter unless they have to upgrade?

Mr. Schneider stated they have to meet all the building requirements for the County. We would be approving only our portion of the building permits, with the exception of Auburn Lake Trails (ALT) which is currently under State jurisdiction.

Director Saunders proposed a change in the ordinance. Under Article 5, subsection 2 of the ordinance, rather than having a, b, and c which is permitting outside of what we do, have a line that reads "County permitted accessory dwelling units". It will automatically capture that

the ADU was permitted by the County. This will include ALT when ALT comes under the County.

Also correct the typo in the sentence after section c—change “we” to ‘will’

Director Stovall noted on page 9 of SB 229, states the ADU shall not be required to provide fire sprinklers if they are not required for the primary residence. How do we account for that. Adam Brown replied we have to follow the County—we do not set the requirement, the County does.

Public Comment: Cherie Carlyon, if someone is required to upgrade to a 1' meter, what is the base rate? Staff replied the base rate is the same for all meters.

Steve Proe commented he believes no action can be taken on ADUs without first complying with the Federal Clean Water Act.

Christine Pritchard stated the ADU law specifically states public localities can pass their own ordinances to effectuate the ADU law. As a sovereign entity, the State can make its own laws, If you're referring to a Federal regulation that specifically states ADUs cannot be approved unless the Clean Water Act is complied with, I have no way of evaluating your comment.

Director Saunders noted the language of the law states we cannot stop anyone from building an ADU, we have to acknowledge what we can provide. On Page 5 of SB 229, the law we must follow, in essence says ADUs shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges. That is the issue this ordinance addresses.

G. Sale of Surplus Equipment

Adam Brown said we have four items that have exceeded their useful life for the District. They are:

1. (2) Wacker Neuson
2. (4) Hide/Honda Pumps
3. (2) Durablue 1000/Honda Pump
4. Homelite Vac Attack II

Director Saunders motioned to adopt the resolution to Approve Sale of Surplus Equipment; motion seconded by Director Thornbrough. President MacDonald called for a vote by consensus.

Motion Passed Unanimously.

H. Wildfire Safety and Community Water Protection Grant

Mr. Schneider reported we are applying for a grant that will allow us to purchase equipment including a drone to help with the fire impact observation on the canal. It is a no cost grant to the District. It is asking for between \$650,000 and \$985,000. Director Saunders added the grant includes vegetation management on sites that either contain water facilities or are parcels owned by the District.

Director Stovall recommended item 5 in the resolution be amended to read “General Manager or designee” rather than Adam Brown.

Public Comment: Cherie Carlyon asked are you talking about chemical vegetation treatment? Staff response, no we cannot use chemicals.

Director Seamon motioned to adopt the resolution to Approve Submission of Wildfire Safety Grant; motion seconded by Director Saunders with the amended verbiage in section 5. President MacDonald called for a vote by consensus.

Motion Passed Unanimously.

I. Approve Temporary Mobile Home Permit

Adam Brown reported the District currently allows us to waive the second meter requirement for a second single family dwelling when submitting an approved Residential Temporary Home Hardship issued by the County. It comes into play when you have mobile home on a temporary foundation. APN:060-121-012-000 has received a permit from the County. These applications are reviewed each year.

Public Comment: Cherie Carlyon asked if there is a requirement for a 1" meter? Staff replied, only if the County required fire sprinklers for the mobile unit.

Director Saunders motioned to adopt the resolution to Approve Temporary Mobile Home Permit; motion seconded by Director Thornbrough. President MacDonald called for a vote by consensus.

Motion Passed Unanimously.

J. Professional Service Agreement (PSA) Water Transfer Consultant

Mr. Schneider reported we issued a Request for Proposal (RFP) to develop a water transfer policy. We receive one proposal from Zanjero Inc. They have experience with the District especially on developing a water portfolio. One of their principals, Michael Prezler, worked with Georgetown Divide for the better part of ten years to develop the prior study to the KASL study. He is very much aware of our challenges and the water situation we have here.

This item will authorize entering a PSA with Zanjero to develop a water transfer policy. This would also implement touch points in the community so that everyone is fully aware of what is happening. This policy will layout the public forums utilized to inform the public. Finally, it will lay out criteria to allow the District to make a decisions within established parameters. The proposed policy would go to the Policy Committee for vetting first, then go to the Board for final approval.

Director Stovall noted it was his understanding water saved through personal water conservation and lining the ditches would be available for sale. Mr. Schneider replied, lining the ditches yes, personal conservation not so much.

Director Saunders reiterated the need for transparency. We need to see the refill agreement before approving any transfer. Mr. Schneider said we will have preliminary language to use during negotiations and we would be in a stronger position.

Director Stovall motioned to approve the Water Transfer Consultant and Issue Professional Service Agreement; motion seconded by Director Thornbrough. President MacDonald called for a vote by consensus.

Motion Passed Unanimously

K. Directors To Attend Federal Conference in Washington D.C. and Discuss the Association of California Water Agencies (ACWA) Spring Conference

Mr. Schneider amended the staff report to remove the Washington D.C. conference as Director Saunders is unable to attend. Director Saunders noted that even if he were able to attend, he was only going submit a refund for the cost of the conference. He pointed out the importance getting out to these conferences in person is the reason we are getting some funding. It is important to meet our Congressmen, our Senators and Administrators face to face for the opportunity to introduce them to the challenges of a small water district.

The second part of this relates the AWCA Spring Conference in Monterey, California. We can designate two Directors to attend. Director Saunders is attending as he is an ACWA Regional Board member. He is also running for ACWA Vice President, and he would get the conference fees covered.

Public Comment: Kathy Otermat expressed concern over how the Board was spending taxpayer money by attending these conferences. She noted the GDPUD policy states expenditures for food and lodging will be the same as the current State per diem guidelines. She suggested the Board adhere to this policy.

Director Saunders reiterated this Board is very conscience and frugal with tax payer money.

Christine Pritchard, there is a little ambiguity in the policy because it generally references the State per diem. However, under the State per diem, if there is no lodging available at that rate, the State does allow an approval in excess, it is departmental approval. Potentially, there should be clarification in the policy. If it simply references the State per diem, it also by inference references the potential for an approval above that if there is no lodging available at that rate.

Cherie Carlyon stated the reason she posted the conferences on Facebook was because of the \$5000 and \$3500 estimated costs. Also, the District hired a Federal Lobbyist, so why do you have to go to Washington D.C.?

Mr. Schneider replied we have not yet hired a Federal Lobbyist. Further, part of the reason we would go this one time is a good opportunity to get in front of these people and let a Federal Lobbyist to introduce us around and allow us to express our needs face to face. The lobbyist is who sets things in motion for us.

Director Saunders motioned to approve the resolution to send two directors to the ACWA Spring Conference; motion seconded by Director Stovall. President MacDonald called for a vote by consensus.

Motion Passed Unanimously

L. Teleconferencing Policy Change

Mr. Schneider stated the new policy is in lieu of AB 361 was on the consent calendar. The COVID emergency action is no longer valid. The bill being implemented is AB 2449 which sets rules for a Board member's remote participation. It offers similar ability to videoconference a Board meeting, however it does have limitation as to how many times a Board member can attend through teleconferencing. At least a quorum of the members of the Board must participate in person from a singular physical location identified on the agenda, which location will be open to the public and within the District.

This a policy change. The policy we have is directly from the California Special District Association (CSDA) manual, they wrote the policy for us to adopt.

Director Saunders has several amendments to the policy.

Director Seaman suggested this go to the Policy Committee for review. Recommended changes can be made at their next meeting and presented to the Board at the March meeting.

Director Seaman motioned to table this item and refer it to the Policy Committee; Director Saunders seconded the motion. President MacDonald called for a vote by consensus.

Motion Passed Unanimously Resolution tabled until next Board meeting.

9. PUBLIC HEARING — NONE

10. BOARD MEMBER REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS

A. Opportunity for Board members to discuss matters of interest to them and provide input for future meetings as well as report on their District-related meeting attendance.

- Director Saunders — LAFCO nominations need to be in by March.
- Director Saunders motioned to table the discussion of the General Manager evaluation

until next session; President MacDonald seconded the motion. President MacDonald called for a vote by consensus.

Motion Passed Unanimously

Public Comment: Kathy Otermat asked that future agendas be more explicit in their descriptions, so the public is aware of what is being discussed.

11. CLOSED SESSION

- A. GOV. Code § 54956.9(a) – Pending Litigation regarding Mosquito Fire.
- B. GOV. Code § 54956.9(a) – Pending Litigation Craig v. GDPUD
- C. GOV, Code § 54967, Subd. (b)(1) – Personnel Matters - General Manager evaluation 6-month review

No report out of closed session.

12. NEXT MEETING DATE AND ADJOURNMENT

- A. The next Regular Meeting will be March 14, 2023, at 2:00 PM., at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.



Nicholas Schneider, General Manager



Date

Attachments

- 1. Certificate of Completion — Director Saunders
- 2. Board Report — Director Saunders
 - a. Regional Water Authority
 - b. Grant Committee Report
- 3. Legislative Report — Director Saunders
- 4. Policy Committee — Director Saunders
- 5. Public Comment — Cherie Carlyon

Amendments Log

Item 8K. Directors To Attend Federal Conference in Washington D.C. and Discuss the Association of California Water Agencies (ACWA) Spring Conference

Mr. Schneider amended the staff report to remove the Washington D.C. conference as Director Saunders is unable to attend. Director Saunders noted that even if he were able to attend, he was only going submit a refund for the cost of the conference. He pointed out the importance getting out to these ~~junkets~~ conferences in person is the reason we are getting some funding.

The use of the word Junket was incorrectly attributed. It was not Director Saunders who used this term in regard to the Washington D.C. conference, but rather Cherie Carlyon during her public comment.

Certificate of Completion



2023 Ethics AB 1234 Compliance Training
1/25/2023

Michael Saunders

Georgetown Divide Public Utility District

A handwritten signature in black ink, which appears to read "Neil C. McCormick", is written over a horizontal line.

Neil C. McCormick, CSDA Chief Executive Officer

California Special Districts Association



Board Report
Director Michael Saunders
President, GDPUD
Feb 14, 2023

Regional Water Authority Meeting - Jan 12

(Board Members: Nicholas Schneider, Adam Brown, Michael Saunders)

The RWA serves the Greater Sacramento Region and Northern California. The Regional Water Authority (RWA) is a joint powers authority representing two dozen water providers and affiliates. Its mission is to serve, represent and align the interests of regional water providers and stakeholders for the purpose of improving water supply reliability, availability, quality and affordability. RWA members include cities, water and irrigation districts, mutual water companies, investor-owned water utilities and community services districts. One of RWA's greatest strengths is the diversity of its membership united for collective action.

Regional Water Authority Meeting - Jan 12

Approved

- 2022 RWA Financial Audit Report
- Revisions to RWA Policy 200.3
- 2023 Policy Principles
- 2023 Federal Affairs Platform

Elected the RWA Executive committee, Chair and Vice-Chair for 2023

I was elected to the RWA Executive Committee

RWA Coffee and Conversation Event - Jan 19

Executive Director Jim Peifer engaged Felicia Marcus in a virtual discussion about what it will take for California to adapt its water system to climate change and how initiatives like the Sacramento Regional Water Bank could be part of the solution. Felicia Marcus is the William C. Landreth Visiting Fellow at Stanford University's Water in the West Program, an attorney, consultant and member of the Water Policy Group. She most recently served as chair of the California State Water Resources Control Board

Some key discussion points:

Dealing with stormwater: Best solution is to get it into ground storage for recharge and reserves

For Flood control: best solution is to get water to where it needs to go; diverting it to storage basins, reservoirs, recharge , etc...

Collective engagement for groundwater projects - Economy of scale.

Integration across agencies

Jan 23 - Filed Form 700 - Economic interests for 2022

Jan 24 - AB1234 Ethics Training Brown Act

LAFCO Meeting - Jan 25

Alternate Special District Commissioner

Election of Officers, Committee appointments; Mid-Year budget review
Chair: Brian Veerkamp; Vice-Chair: John Clerici
I was reappointed to the Budget committee
Special District Election is this year

Jan 31 - Colorado River Seven State Plan released
California did not present their agreement at this time

- What does this potentially mean for us

RWA Exec Board Meeting - Jan 31

Reviewed Strategic Plan Survey and Provided feedback for RWA priorities and Strategic Plan 2023
FY 2024 Budget

ACWA Region 3 Board meeting - Feb 1st

Appointed new Region 3 Board Member Rebecca Hitchcock, Calaveras County Water District
Discussed WUE issues for our Region

Mountain Counties Water Resources Association Water Use Efficiency standards meeting - Feb 1

GDPUD is a member of MCWRA. Their mission is to promote statewide importance of Sierra Nevada water resources through advocacy and collaboration. We met to discuss the challenges with the upcoming legislation for WUE standards that each agency is experiencing in the Mountain Counties. A meeting will be held in February with the State Water Resource control Board to provide our concerns.

Needed from GDPUD - Define our ask for SWRCB. Goal at this point or over the next few days to provide me with the issues we have and what we want from SWRCB.

GDPUD Optim Investment Financial Policy Presentation - Feb 1

GDPUD Grant Committee Meeting - Feb 1

See committee report

ACWA Bond measure

ACWA State Relations Advocates are in the process of exploring the potential of a water infrastructure bond that would be placed on the 2024 ballot. ACWA has already identified several critical areas of infrastructure need including surface water and groundwater storage, conveyance, dam safety, recycled water, and others.

To better demonstrate the need for significant investment in infrastructure, ACWA would like to solicit member input regarding specific surface water storage projects, groundwater storage projects, or conveyance projects that might benefit from competitive grants through an infrastructure bond.

I will send the contact information to the Directors and Staff. The public can contact staff or the Directors with any ideas.

ACWA Board Meeting Feb 3

Announcements of candidates for ACWA Board election (at present)

President - Cathy Green

Vice-President Ernie Avilla, Michael Saunders

Quench Ca marketing partnership program expanded more marketing materials for member agencies and a toolkit to use for water conservation strategies

Code of conduct for ACWA events (members, staff, third party participants, vendors, speakers, awardees)

GM summit - to also include senior level executives (Send the information to Nicholas)

Update on ACWA Foundation on DEI and Service agreement

ACWA Board Policy updated - major changes were to the Election of ACWA Officers, and, meetings/committees allowing for electronic virtual communications

California Budget will be in a **deficit** this year -

How to address infrastructure

Water Bond - previous bonds broad sweeping ; this time want to concentrate big investments into key water issues
10 to 15 billion bond

- Dam safety
- Storage - groundwater/surface
- Recycled water
- Safe drinking water - DAC/quality issues (inc PFAS)
- Flood protection
- Ag water infrastructure/conservation
- Wildfire Forest Management

I added a suggestion to include:

Water infrastructure for fire

(outside additions -

How much of Prop 1 bond money is left?

Bond 1 for storage is dedicated to storage only

Interregional approach is best

Permit streamlining SB 23 (spot bill not amended yet)

Priority Bill for Sen Caballero

(added in the Legislative Report)

This Bill creates a more structured/ standardized process

Deadlines, Access to tools, Provides Resources to State Agencies to help expedite applications

ACWA/JPIA had to pull 1.5 million from catastrophic funds to keep from increasing rates due to the number of catastrophic events that occurred. Won't have any rebates this year. Events included Wildfire, Electrocution.

LAFCO Budget Meeting - Feb 10

Reviewed updated Financial Policy for presentation at the Feb LAFCO meeting

ACWA Region 3 Mid-Term Board meeting - Feb 14th

Held at EID - will provide update

Senator Dahle - Provided Certificate of Appreciation for past Director Gerry Stewar

Grant Committee report - Feb 1st

Committee Members:

Board Members - Michael Saunders; Robert Stovall

Community Members - Stephanie Root; Morgan Galliano

GDPUD Staff and Grant Consultant (Zanjero): Nicholas Schneider, Adam Brown, Alexis Elliott, Greg Young

I. **FEMA Grant in conjunction with CALOES** - with Mosquito Fire (3.75 million 5% cost share)
— mitigation from further damage from the upcountry Ditch
Pipeline through the upcountry ditch and ravines with high fire damage potential mudslides and debris flow keep out of the pipeline
Jan 11th - received application request from FOI CALOES
36 month from period of award cost share
Determination money may not be available from 8 to 18 months after the award

II. **Wildfire Grant** - no match; **California Climate Investments Wildfire Prevention Grant**
Large excavator with masticating head
Skid steer with masticating head for ditches
Chainsaws
Walk behind weed eaters
Areas to include Parcel lines property lines and PUD ownage; Community benefit - Pilot Hill Cool Grange #1

Items needed:

Board resolution

Letters of Support

III. Nicholas and Adam met with **Natural Resources Conservation Service**, under US Dept of Agriculture
Watershed protection grant (same as the flume)
Utilize them in areas not addressed by the CalOES and Other grants

IV. Received an \$80k grant from **U.S. Bureau of Land Management** for canal lining caveat
Move funding to below tunnel where won't be piped (about 1500 feet of canal)

V. Plan/Strategy - Capitalize on Infrastructure funding (State/Federal)

Next meeting is scheduled for Feb 9th.



Board Report
Director Michael Saunders
President, GDPUD
Feb 14, 2023

LEGISLATIVE REPORT

Actionable Item

Recommended Advocacy: Opposition (CSDA)

Initiative [#21-0042A1](#) (aka #1935)

Link: [https://oag.ca.gov/system/files/initiatives/pdfs/21-0042A1%20\(Taxes\).pdf](https://oag.ca.gov/system/files/initiatives/pdfs/21-0042A1%20(Taxes).pdf)

Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services. Initiative Constitutional Amendment.

See attached sheet

Requested Actions:

1. Resolution to Oppose Initiative #1935
2. Join Coalition in opposition to Initiative #1935

Additional actions =

The ACWA Region 3 Board will be recommending that ACWA take a position on this Ballot measure

Recommended Advocacy: Support (ACWA)

SB 23 (Caballero)

ACWA is urging members to support SB 23, which would streamline the regulatory permitting process for water supply and flood risk reduction projects. Authored by Senator Anna Caballe, SB 23 would help ensure critical water infrastructure projects are built at the pace and scale needed to prepare for climate change.

Recommended Actions:

Sign on to Coalition in Support of the Bill

Share experiences/examples of regulatory issues

Bills/Propositions to Watch

Recommended Advocacy: Support (RWA)

ACA 2 (Alanis) would require 3% of the state General fund to be appropriated to address wildfire and water supply. [In committee.](#)

AB 62 (Mathis) https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB62

would establish a statewide goal to achieve 4 million acre-feet of above and below ground storage as laid out in the Administration's August 2022 Water Supply Strategy. [In committee](#)

Recommended Advocacy: Support (CSDA)

AB 557(Hart) https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB557

Submitted Feb 8, 2023. This Bill would eliminate the January 1, 2024 sunset placed on the provisions added to California Government Code section 54953 by Assembly Bill 361 (R. Rivas, 2021), CSDA's earlier sponsored bill related to emergency remote meetings. Further, AB 557 would change the renewal window for resolutions passed by local agencies under the AB 361 framework from 30 days to 45 days.

Requests

ACWA

ACWA State Relations Advocates are in the process of exploring the potential of a water infrastructure bond that would be placed on the 2024 ballot. ACWA has already identified several critical areas of infrastructure needs including surface water and groundwater storage, conveyance, dam safety, recycled water, and others.

To better demonstrate the need for significant investment in infrastructure, ACWA would like to solicit member input regarding specific surface water storage projects, groundwater storage projects, or conveyance projects that might benefit from competitive grants through an infrastructure bond.

Status Updates

Teleconferencing options

Normal teleconferencing option per Brown Act

- Regular meeting has public access
- Director location noticed on agenda
- Public access and agenda posted at director site
- Noticed at start of meeting - verification of ability to hear director and vice versa
- All votes by roll call

Emergency teleconferencing AB 361 -Remains in effect until Jan 1, 2024 and while there is a declared state of emergency

The COVID emergency declaration will end on Feb 28, 2023. Thus the AB 361 will only be available for declared state of emergency by the District, County or State.

- Suspends rules for location noticing and physical public access
- All votes by roll call

Special circumstances teleconferencing AB 2449 - in effect until Jan 1, 2026

- At least a quorum of the members of the legislative body must participate in person from a singular physical location identified on the agenda, which location will be open to the public and within the boundaries of the local agency;
- A member may only teleconference for publicly disclosed "just cause" or in "emergency circumstances" approved by the legislative body; and
- A member may only teleconference for a limited number of meetings.

Member procedures

- the member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for "just cause" (as defined by AB 2449), including a general description of the circumstances relating to their need to appear remotely at the given meeting; or
- the member requests the legislative body to allow them to participate in the meeting remotely due to "emergency circumstances" and the legislative body takes action to approve the request. The legislative body must request a general description (generally not exceeding 20 words) of the circumstances relating to their need to appear remotely at the given meeting.

Just Cause/Emergency definitions

"Just cause" is limited to one or more of the following:

- a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely
- a contagious illness that prevents a member from attending in person
- a need related to a physical or mental disability as defined by statute
- travel while on official business of the legislative body or another state or local agency

"Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

Limitations:

AB 2449's teleconference procedures may not be used by a member of the legislative body to teleconference for a period of more than three consecutive months or 20% of the regular meetings within a calendar year, or more than two meetings if the legislative body meets fewer than 10 times per calendar year.

Members participating remotely must do so through both audio and visual technology and must publicly disclose whether any individual over the age of 18 is present at the remote location with the member.

AB 2449 also adds new requirements for legislative bodies. Legislative bodies must implement procedures for receiving and swiftly resolving requests for reasonable accommodations for individuals with disabilities, consistent with applicable civil rights and nondiscrimination laws. Further, no action can be taken if a disruption event prevents the legislative body from broadcasting the meeting. Lastly, a legislative body may take action on items of business not appearing on the posted agenda if the request to consider action was for a member to participate in a meeting remotely due to emergency circumstances and the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote.

AB 2449 does not amend the Brown Act's emergency teleconference procedures under AB 361

Background

Initiative #21-0042A1 (aka #1935):

Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services. Initiative Constitutional Amendment.

The purported "Taxpayer Protection and Government Accountability Act," a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable ("CBRT"), 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 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

On February 1, 2023, California Secretary of State Shirley Weber issued a memo to all county clerks/registrars of voters announcing that proponents of Initiative 21-0042A1, or Initiative 1935 as now numbered by the Secretary of State, had filed the necessary number of valid signatures to make it eligible for the November 5, 2024 General Election ballot. Proponents now have until June 27, 2024 to consider withdrawing the initiative before the Secretary of State officially certifies it for the ballot.

CSDA has joined a coalition of local government leaders in adopting an Oppose position on Initiative 21-0042A1 and encourages all special districts, partners, and community leaders to join the coalition by passing a board resolution. Once approved, please email your resolution to advocacy@csda.net and consider issuing a press release to local media. Individuals may also register their opposition with the growing coalition by emailing their name, title, and organization.

Quick Summary

Ballot Initiative [21-0042A1](#) would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.
- Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative's proponents and plaintiffs; creating new grounds to challenge these funding sources and disrupting fiscal certainty.
- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

The initiative includes provisions that would retroactively void *all* state and local taxes or fees adopted after January 1, 2022 if they did not align with the provisions of this initiative. This may also affect indexed fees that adjust over time for inflation or other factors. Effectively, it would allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.

JANUARY 2023

SB 23 (Caballero)

Streamlining Delivery of Critical Water Projects while Protecting the Environment to Meet Challenges of Climate Change

California is in a race against climate change. As the wets get wetter and dries get drier, our water systems must be prepared to ensure California can continue to thrive. Building water infrastructure for the 21st century requires regulatory frameworks to move quickly to keep up. SB 23 identifies opportunities to improve and streamline the regulatory permitting process, while preserving established environmental protections, so these critical infrastructure projects are built at the pace and scale needed to prepare for climate change.

The Challenge

While our weather patterns have always been variable, climate change has, and will continue to, exacerbate the weather whiplash that is intensifying both droughts and precipitation events. From 2020 to 2022, California experienced the driest three-year period on record. In 2023, this prolonged drought was met with a series of atmospheric rivers and a bomb cyclone that brought significant amounts of rain and snow, leading to widespread flooding, property damage, and evacuation orders for tens of thousands of residents.

While the need for water supply and flood protection infrastructure is evident, getting these critical, timely projects approved and built can be a significant challenge. Even after the California Environmental Quality Act (CEQA) process is complete, the permitting process can be mired in delays caused by overlapping jurisdictions of state and federal agencies, confusion over what's required for a completed application, and state agency and project applicant staffing issues. As delays occur, costs increase, and depending on the size of the project, delays can ultimately cost water rate payers and taxpayers tens of millions of dollars. This regulatory gridlock can also lead to worse environmental outcomes and delay projects that will benefit the environment.

How SB 23 Can Help

SB 23 would streamline the regulatory permitting of water supply and flood risk reduction projects in four ways:

- 1 Reform the process by which an application for a Section 401 Water Quality Certification is deemed complete;
- 2 Require the review and approval of Section 401 Water Quality Certifications and Lake and Streambed Alteration Agreements to be completed within 180 days of submittal of a complete permit application;
- 3 Avoid duplicative planning efforts by allowing certain watershed management plans that are already developed and implemented to be used for mitigation required through Section 401 Water Quality Certifications; and
- 4 Allow project applicants to voluntarily contribute resources to state permitting agencies in order to provide agencies with additional resources to meet the permitting deadlines established in the bill.

SB 23 Answers Governor Newsom's Call To Action

In August 2022, Governor Gavin Newsom unveiled a set of actions for increasing and diversifying California's water supply. The "Water Supply Strategy: Adapting to a Hotter, Drier Future" calls for a modernization of the state's water system through major investments in infrastructure to create new sources of water supply. The plan also sets specific goals for increasing the amount of water that is stored above and below ground, recycled and reused, and making new water available for use by capturing stormwater and desalinating ocean water and salty water in groundwater basins.

The "Water Supply Strategy" identifies permitting delays as a problem that must be addressed and calls on the Legislature to streamline processes so projects can be planned, permitted, and built more quickly, while still protecting the environment.

SB 23 answers this call to action by proposing specific ideas for how California can streamline the regulatory permitting process for water supply and flood risk reduction projects without compromising environmental protection. This bill would set deadlines for processing applications for a multitude of projects, reduce duplicative planning efforts, broaden the use of existing streamlining tools, and provide permitting agencies with additional resources to meet the requirements of this bill.

Building 21st Century Infrastructure for a 21st Century Climate

Past investments in water storage have proven invaluable in managing extended periods of dry conditions. But we must recognize that new challenges require comprehensive, long-term solutions that will meet the needs of California's communities, economy, and environment through the 21st century. This means integrating modern infrastructure into multi-benefit water management approaches to improve water supply reliability and ecosystem resiliency.

SB 23 would streamline projects that utilize natural infrastructure, such as groundwater recharge to help achieve sustainable groundwater management. Regions of California, long dependent on imported water supplies, are making substantial investments in projects that will create new sources of supply. SB 23 will help accelerate recycled water, desalination, and stormwater capture projects so that these regions have access to a drought-proof sustainable supply of high-quality water.

Streamlining projects incentivizes investment in water projects. Infrastructure investments not only prepare California for a changing climate, they generate jobs and contribute to state and local economies through taxes and purchasing of products and services.

URGENCY FOR INFRASTRUCTURE



DROUGHT RESILIENCE

Water and land managers throughout California are facing steep challenges. The Sierra snowpack supplies about 30 percent of California's water storage, and climate scientists project by the 2040's the snowpack could disappear for years at a time. Prolonged droughts are straining our reservoirs and groundwater basins. The state needs more projects that capture, store, and recycle water amid declining opportunities for conservation and a rapidly changing climate.



FLOOD PROTECTION

Intensified atmospheric rivers can bring large accumulations of rain and snowfall causing severe flooding that disrupts travel and forces people to evacuate their homes. Warmer temperatures due to climate change increase the amount of precipitation that is possible, and late-season warmer, wetter storms can cause rapid melting of snowpack and the overwhelming of water and flood protection infrastructure. This year's storms illustrate the importance of widespread bolstering of flood risk reduction projects that protect life and property.



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gd-pud.org

AD HOC POLICY COMMITTEE

Director Michael Saunders and Director Donna Seaman

Thursday, February 9, 2023 @ 8:30 AM

GDPUD District Office

SUMMARY OF MEETING

1. Committee Purpose

The ad hoc Policy Committee was established in January of 2019 at the request of Director Saunders to standardize policies and procedures. The assignments to the committee have been expanded over time to include the development of an HR policy document, the updating of policies, posting of missing approved policies on the website, and the clarification and development of recommended policies related to the GM authority, procurement, water transfer, and the RFP process. This is the first meeting of the committee.

The committee found the purpose of the committee outlined above acceptable. All agreed the committee/staff would first determine the status of the District's policies (plans, and procedures), establish committee goals and timeframe, and determine how the committee will achieve its purpose.

2. Board Policies

Current policies are listed on the attached checklist sorted by category according to the CSDA Policy Manual model. Since the Policy Committee was formed, the following suggestions to improve and organize the policies have been received from the Board, staff and the public:

- *Standardize the writing and formatting style of policies*
- *Categorize the policies (review sample manuals)*
- *Establish a standard numbering system that reflects policy category*
- *Post all approved policies on the website*
- *Provide Directors with an updated Policy Manual (binder) and include it as part of Director Orientation material.*
- *Assign management of the policy manual to a Staff member.*

The committee reviewed the chart of policies (worksheet) sorted by section categories as defined in the model CSDA Policy Manual. Gloria will regularly update this worksheet to record the status of each policy and serve as a guide for prioritizing and organizing the committee's work.

As the committee identifies policy areas they want to review, Gloria will provide resource material and draft policy documents to support the committee's efforts to develop a recommendation to the Board. The committee will focus on the following policy areas for the first cycle of review: IIPP, Personnel Handbook, Procurement Policy, Water Transfer Policy, CEQA Policy, and Sexual Harassment Prevention. Gloria will update the worksheet with information on those policies and upload information and resource material to a drop box that is being created.

3. Required and Standard District Procedures and Plans

A partial list of the District's required and standard procedures and plans are included in the attached chart. Gloria is continuing her research of required and standard policies, procedures and plans. As a working document, the worksheet will be updated with information from this research and as requested by the committee. Through this process, the model CSDA Policy Manual will be tailored to the District's needs and requirements.

4. Update on Personnel Manual

The old version of the Personnel Manual has been approved by Local 39 and AFSCME Local 1. Legal Counsel is updating and is not expected to be done until the March Board Meeting.

Nicholas reported that the union reps reviewed the Personnel Manual of 2020 and Legal Counsel is updating it with new laws that have been implemented since then. He expects to present this to the Board in March.

5. Update on Injury/Illness Prevention Plan

The 2022 IIPP has been submitted to JPIA and will be provided for the Board's information.

Nicolas indicated this will be presented to the Board at the next meeting.

6. Special District Leadership Foundation

- District of Distinction Program*
- District Transparency Certificate of Excellence*

Nicholas indicated the District will complete the checklist to achieve these CSDA recognition awards.

7. Committee Work Plan *While it may be ambitious, Nicholas encouraged the committee to establish June 30, 2023 as the target date for completing the foundation of its work.*

8. Monthly Reporting To The Board *Gloria will provide a summary of the meeting to Michael and Donna for reporting to the Board.*

9. Next Meeting – *The committee agreed to meet on Thursday, Feb. 23, at 8:30 am, and every two weeks henceforth.*

2-14-2023 GDPUD Budget Review
Cherie Carlyon Public Comment

I compared GM Schneider's Budget Review and the Tyler accounting 12-31-22 financials from the 2-14-23 meeting packet. Why are these numbers inconsistent?

Depart #	Budget	12-31-22 Fin.	% rem	12-31-22 Budget review	% rem
5100	\$ 494,078	\$ 261,288.92	47.12%	\$ 323,846.32	34%
5200	\$ 805,223	\$ 430,437.27	46.54%	\$ 454,361.93	44%
5300	\$ 834,451	\$ 372,882.48	55.31%	\$ 417,228.44	50%
5400	\$ 998,252	\$ 538,045.83	46.10%	\$ 597,072.57	40%
5500	\$ 305,466	\$ 123,415.76	59.60%	\$ 130,019.80	57%
5600	\$1,388,980	\$ 915,619.87	34.08%	\$1,007,362.19	27%
	<hr/>				
	\$4,826,450	\$2,641,690.13	45.00%	\$2,929,891.25	40%
5601	\$ 80,789				
6100	\$ 20,981				

I also have a problem with the words mis budgeted mostly about the standby wages.

I reviewed the July meeting packet where the standby wages for Dept 5100 from FY 21/22 shows a budget of \$11,867 and \$7,530 as the total spent. That is under budget, not a mis budget. FY 22/23 has a budget of \$11,867 and \$8,950 as the total spent, that is heading towards an over budget.

Closed session comment.

I don't think that the board should be doing a 6 month review for the GM when he has been here less than 5 months as of 2-14-23.