

**CONFORMED AGENDA  
REGULAR MEETING  
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS  
6425 MAIN STREET, GEORGETOWN, CA,  
TUESDAY, April 14, 2015  
2:00 P.M.**

**MISSION STATEMENT**

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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
  - Insure 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** *The meeting is called to order at 2:00 PM. Directors Present: Krizl, Hoelscher, Capraun, Hanschild, Uso. Staff Present: General Manager Wendell Wall, Operations Manager Darrell Creeks, Assistant to GM Diana Michaelson. General Counsel: Barbara Brennan of Churchwell-White*

**2. ADOPTION OF AGENDA**

**A. Board Action**

*Motion to Amend and adopt the Agenda so item 9 can be placed after item 4 and item 13 placed after item 8, approval of minute by Director Capraun,, 2<sup>nd</sup> by Director Hoelscher. Public Comment: Pat Snelling, from the community, voices concern that nothing was placed on the agenda regarding the signature form for LAIF transactions and also notes that the agenda posted on the Internet was confusing. Vote: Motion Carries 5 Ayes (Krizl, Hoelscher, Capraun, Hanschild, Uso)*

**3. PUBLIC FORUM** – Any member of the public may address the Board on any matter within the jurisdictional authority of the District. Public members desiring to provide comments must be recognized by the Board President, and speak from the podium. Comments must be directed only to the Board. The public should address the Board members during the public meetings as President, Vice President, or Director followed by the Board members individual last name. The Board will hear communications on matters not on the agenda, but no action will be taken.

No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the President, of that person's privilege of address.

*Johanna Friesen of Garden Valley speaks on behalf of her husband, Erik Jacoby, former bookkeeper at GDPUD. Erik Jacoby of Garden Valley speaks on his own behalf. Pat Snelling makes a public records request regarding the District's LAIF account. Bonnie Neeley urges the community to come together for the highest good of the community. Carla Sutton of Garden Valley speaks on behalf of farmers who are dependent on irrigation water. Another community member urges precaution so the community does not run out of potable water. Jennifer Johnston of Georgetown points the Board to its ordinances and laws, speaks on behalf of agricultural uses of water. Rick Gillespie of the Finance Committee urges interested community members to attend next Finance Committee meeting and consider volunteering to help with the Committee which currently is short staffed. Michael Raymond of Georgetown speaks in favor of no irrigation season this year in order to assure adequate treated water for residents. Bonnie Neeley speaks to the unsigned defamatory flyers being posted on people's cars and urges the community to not allow these tactics to inflame it. Paul Doms,*

Greenwood, speaks to the disconnect between water districts and building departments regarding hookup moratoriums. Emily Johnston of Georgetown speaks of Central California water usage versus water usage in Georgetown. Zina Vitcar from Cool asks why we are in the 35% cutback requirements. Carla Sutton notes that we are under mandatory cutbacks while the aquaduct is full of our water flowing to Southern California. Unidentified person asks about Loon Lake water rights that were sold. George Sanders provided some background regarding the District's water rights. GM Wendell Wall reads a letter from Elizabeth Sorensen, GDPUD customer, regarding zone fees and usage rates. Mr. Wall reads an email from Tom Koler, a geologist, who offers to help the District, as a volunteer, to find solutions to water issues.

#### **4. APPROVAL OF MINUTES**

- A. Regular Meeting of March 10, 2015
- B. Board Action to approve and file minutes.

*Motion to receive and file the minutes for March 10, 2015, by Director Uso, 2<sup>nd</sup> by Director Hoelscher, Public Comment: None, Vote: Motion Carries 5 Ayes (Hoelscher, Capraun, Hanschild, Uso) (Krizl).*

#### **5. FINANCIAL REPORTS:**

- A. Accounts Payable for April 2015
- B. Expense Summary for February 2015
- C. Cash and Investment Reports for February 2015
- D. Board Action to accept and adopt financial reports

*Director Hoelscher asks if the \$16,000 that was transferred from LAIF in January was transferred back. The funds are still in the El Dorado Savings account. Discussion follows. Director Uso asks about the Wells Fargo credit card that the District applied for earlier. The GDPUD was denied the \$15,000 credit card based on credit unworthiness, and that the finances long before today leave a lot to be desired. This is unacceptable. The past GMs have been using their own credit card in order to conduct day-to-day business. As GM, Mr. Wall has been and still is trying to get this situation rectified. Pat Snelling asks for explanation of the \$3,808 listed as "other" on the Expense Summary.*

*Motion to receive and file financial reports by Director Uso 2<sup>nd</sup> by Director Hoelscher. Public Comment: None. Vote: Motion Carries 5 Ayes (Krizl, Hoelscher, Capraun, Hanschild, Uso).*

#### **6. PRESIDENTS REPORT**

*Director Krizl speaks to the drought situation and the need for everyone to conserve and reiterates that the District is not in the business of determining land use, and how the water is being used, the job of the District is to provide water. Director Krizl reports that the two special meetings April 8 and 9 were well attended.*

#### **7. BOARD REPORTS**

*Director Capraun submits an expense report for mileage reimbursement for the JPIA conference that she will be attending. Director Capraun reported on the Water Agency meeting that she recently attended. There was a presentation by SMUD regarding cloud seeding. Due to topography and weather patterns, it is not feasible for GDPUD to participate because the district would not receive any benefit. Director Capraun reports money is available to the District and requests staff to bill the Agency for money that is due. She then requests authorization to use three hours of legal counsel time to draft a letter regarding make-up of the agency and the issue of seating on the Water Agency Board be put on the May agenda.*

*Director Uso discusses the offer from geologist Tom Koler, a resident of Kelsey, and asks staff to meet with Mr. Kohler to discuss it further and to possibly have Mr. Koler make a presentation to the Board.*

*Director Uso also reports that he recently met with Chief Schwab and Chief Decker and they asked if the District could consider putting a system into place at Stumpy where they could draw water for fire suppression and then replenish it. Director Uso requests that staff pursue this idea with Chiefs Schwab and Decker.*

## **8. GENERAL MANAGER REPORT**

*GM Wendell Wall reads a letter from Auburn Lake Trails resident commending employee Kendell Smith for outstanding service. Next item concerns defamatory flyers circulating around the community. GM Wall shares point-by-point and debunks statements on the flyers.*

## **9. PRESENTATION, GEORGETOWN RECREATION FACILITY & KING FIRE RECOVERY**

- A. Discussion** – Two members of the US Forest Service will be giving a presentation. Jonathan Jue, the District Resource Officer will be giving a 10 minute presentation on the Georgetown Fire Recovery Project. Following his presentation, Jennifer Chapman, the Public Affairs Officer will be giving a 10 minute presentation on the status of the King Fire Recovery Project involving the Eldorado National Forest lands. Questions can be answered during or at the end of the presentation.

*During Mr. Jue's presentation a suggestion is made that due to low water levels at Stumpy, perhaps some grant funding could be found to modify the boat ramp. A question is then posed regarding collecting fire wood from the burned areas of the King Fire. Mr. Jue responds that with a permit, the wood can be collected for fuel purpose. The next question relates to soil changes and runoff due to last year's fire. The next question regards wood currently being harvested from the forest and whether it is being sold in the US or overseas. The wood that is harvested from federal lands is required to be processed in the U.S., but wood that is harvested from private lands is not restricted to sale in the U.S. The next question relates to the water tank that was destroyed in the fire and who is responsible for replacing it. The campground insurance is taking care of it. Question regarding replanting of trees if this drought continues. Any replanting will not be until 2016 or 2017. Audience member thanked USFS for their work. General applause from audience.*

*Following Ms. Chapman's presentation, Director Uso inquires regarding dead trees left behind after the fire that potentially become fuel for another fire. Harvestable trees could be used to pay for reforestation. The dead trees have ecological benefits. USFS is focusing on areas that were 90% or more destroyed. Director Krizl asks what the total acreage of USFS destroyed. Of the total 97,717 acres destroyed, 63,000 acres are on federal forest. Another question is posed regarding the disposition of revenues from sale of timber. Pat Trimble, District Ranger states that most of the salvage sale money comes back to El Dorado forest, however, the recovery costs will exceed the revenues, so that will be looked at, too.*

## **10. RESOLUTION NO. 2015-04, KID'S FISHING DERBY**

- A. Discussion** – Annually, the United States Forest Service (USFS) requests that the District provide support for children in the community by allowing Lake Walton to be utilized for the fishing derby and by requesting that other individuals refrain from using Lake Walton in preparation for and during the fishing derby. The District has supported this activity for many years and has found the USFS preparation for the fishing derby and cleanup after the fishing derby to be satisfactory.
- B. Possible Board Action** – Approval of Resolution 2015-04  
*Motion to approve by Director Capraun 2<sup>nd</sup> by Director Uso. Public Comment: None. Vote: Motion Carries 5 Ayes (Krizl, Hoelscher, Capraun, Hanschild, Uso).*

## **11. FINANCE COMMITTEE, CHANGE FROM STANDING COMMITTEE TO AD HOC COMMITTEE**

- A.** Discussion – Current membership in the Finance Committee is such that maintaining a quorum is problematic. Staff recommends dissolving the “standing” finance committee and reconstituting it as an “ad hoc” committee.

*GM Wall states that on April 6, 2015, due to the resignation of one member and the absence of another member, the Finance Committee did not have a quorum. Since the seating of the new GDPUD Board of Directors, some members of the finance committee have resigned. This paucity of membership has created a situation where having meetings is problematic. Currently there are three members of this committee: Rick Gillespie, Ray Kringel, and Dane Wadle. Staff recommends dissolving the Finance Committee as a standing committee and reconstituting it as an ad hoc committee. The function of this newly formed ad hoc committee would be to work with staff on the Proposition 218 rate increase and the 2015-2016 Budget. Once these processes are completed, the committee would be dissolved. Board Directors and Finance Committee members discuss and compare the merits of ad hoc and standing committees. Legal Counsel summarizes characteristics, roles, and responsibilities of the two types of committees, and suggests that the Board formalize the current standing committee at the next regular meeting in May. GM to work with General Counsel, and Director Uso will send some information that he has already prepared.*

- B.** Possible Board Action – No Board Action

## **12. GENERAL MANAGER AUTHORITY TO HIRE AND FIRE STAFF**

- A.** Discussion – General Manager wants clarification on his authority.

*GM Wall asks for clarification as to the authority individual Board members have on hiring, and or insisting that the GM hire or fire a staff member. General Counsel Brennan notes that the duties of the GM are spelled out in his employment contract. She also notes that the current contract has the wrong exhibit attached and recommends that this clerical error be rectified. GM Wall, reiterates his question, Director Krizl confirms that it is the responsibility of the GM to hire, fire, recruit staff, and it is the Board's responsibility to hire, fire, and recruit the GM. Director Capraun states that the Board creates the organizational chart and sets the salaries while the GM fills the positions the Board has created. Director Uso asks if the Board members are in any way restricted from insisting that the GM hire or fire somebody that Board members either really like or don't like. General Counsel states that that is not the role of the Board.*

- B.** Possible Board Action - No Board Action Required

## **13. RESOLUTION 2015-05, DECLARING STAGE 3 DROUGHT**

- A.** Discussion – The 2010 GDPUD Urban Water Management Plan stipulates that a stage 3 drought be declared if the Stumpy Meadows reservoir level is between 10,000 and 13,000 acre feet on the second Tuesday in April.

*Director Krizl states that with water levels at the lowest level since the 1976-77 drought, we will be in big trouble if we continue to consume the normal amount of water. The District is required by the State to cut consumption of treated water by 35%. The State mandate does not cover the untreated water. Operations Manager Darrell Creeks provides update on current water levels at*

Stumpy compared with last year, and how much water is typically consumed during irrigation season.

**B. Possible Board Action – Approval of Resolution 2015-05**

*Motion to declare State 3 Drought by Director Uso 2<sup>nd</sup> by Director Hanschild. Public Comment: Several community members voice their opinions regarding irrigation season and the need for all to conserve water, urging fairness in determining how to achieve the necessary overall reduction of water consumption. George Sanders informs the Board and the public that when the resolution was drafted, the water level at Stumpy was 12,350 acre feet. However, according to the District 2010 Urban Water Management Plan, the water level measured on the second Tuesday of April is the benchmark to be used. The water level measured today is 12,397 acre feet.*

*Director Uso amends his motion to change the value from 12,350 to 12,397 acre feet in the last "Whereas" of the resolution. Director Hanschild agrees. Vote: Motion as amended Carries 5 Ayes (Krizl, Hoelscher, Capraun, Hanschild, Uso).*

*Director Krizl proposes, and remainder of Board members concur, that staff be directed to start irrigation season on June 1, with minimum cutback of 50%, and that the Board will likely set the minimum floor of what we will not go below in May at the next regular meeting. Letters need to go out to customers to let them know that water will not be turned on until June 1, and not May 1 as it has been in previous years.*

**14. AUBURN LAKE TRAILS WATER TREATMENT PLANT**

**A. Discussion – Recap and extension of prior month report on progress towards plant replacement.**

*Former Interim General Manager George Sanders provides update on this topic.*

*Fire Marshall – The Fire Marshall has completed the plan review, the necessary corrections have been made to the plans, the fees have been paid for their inspection and of the work. This activity is deemed complete.*

*State Water Board (CDPH) Environmental Document. The review of the revised site plan, a revision prompted by the change in design, was completed in Sept 2014 by Foothill Associates and submitted to the State in October of 2014. Staff has been in contact with the State on multiple occasions. Review completed by State with final approval pending response from Federal Fish & Wildlife. State has indicated that we can bid project without Federal approval but cannot award contract. May be a controlling factor for construction.*

*State Water Board (CDPH) Plan Review - The review of the plans have been ongoing for more than a year. To date the District has received no response. It is likely this activity will move forward once the District has completed Prop 218 and the State Funding (loan) is in place. Likely not a controlling factor for construction...anticipate their review and approval complete once funding is secure.*

*Utility Reviews and Design – A construction application had been made with PG&E, as required to gain service to the new facility. That application had expired due to no construction activity on the facility and the deposit of approximately \$5,000 was returned to the District. Staff submitted a new application early this year (2015) along with a new deposit and PG&E is working with staff in an effort to expedite the new application in preparation for construction. This activity appears to be on schedule and not a controlling factor for construction.*

Funding – A summary of the funding for this project is derived from a prior submittal to the State (CDPH) as generated by Director Capraun. A funding application was made around June 2014 and the State has confirmed that the subject application is currently valid. Key elements of that funding included the following sources:

- District Reserves.....approx \$700,000 General Fund plus \$1,590,000 CIP Fund. This funding is currently in place.
- EPA Grant.....approx \$1,081,599 in grant funds. District has made request to extend these grant funds. Federal has authority to approve or deny request. Staff currently working with EPA to extend. Funding may be in jeopardy.
- Prop 50 Grant.....approx \$239,000. These funds were part of a larger grant amount of \$685,000 that date back to 2006. They were earmarked for a SCADA system which would provide communication between the District Office and other District Facilities. All work, design and construction, must be completed by 2016. To date none of the design or construction have been completed for any of the projects. Staff working to save \$446,000 of funding. Likely funding for ALT will be lost due to inability to complete prior to grant deadline (\$239,000).
- State Loan.....initially estimated at \$8,000,000. Loan amount will likely require increase to \$8,500,000 based on project needs and loss of Prop 50 (\$239,000). Recommend that the Board bump the loan up to 48.5M. Loan approval subject to activity on Prop 218 Rate Increase.

Bid Documents – PSOMAS, working under a prior contract amendment, is preparing the bid documents. It is likely significant progress will be made in this area over the next 30 days.

Other – Prior to construction the District will need to contract for outside services in the areas of Construction Management, Construction Staking (Surveying), Materials testing (Soils and Concrete) and wildlife biologists to review and monitor the activities of nesting birds and other forms of fish and wildlife. A majority of the costs for these services have been considered in the overall project budget.

#### B. Possible Board Action – No Board Action Required

### 15. BOARD MEMBER COMMENTS, REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS AND REQUESTS FOR INFORMATION OR RESEARCH TO BE COMPLETED BY STAFF - 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 Krizl wants to see something on the agenda regarding the water level at Stumpy and the water level that we want to stop at.*
- *Director Capraun requests that staff set up a Prop 218 workshop prior to the May regular meeting; Director Krizl instructs staff to set up workshop within the next two weeks.*
- *Director Capraun 1) requests an explanation of the District's water rights, and 2) requests Board consideration for her to work with Legal Counsel to write a letter to the State water agency regarding seating on the State board.*

### 16. CLOSED SESSION

#### A. CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code §54957.6)

District Representative: Wendell Wall and Director Lon Uso

### 17. ADJOURN TO OPEN SESSION - Announcement of action taken in closed session

*The Board returns to open session at 6:58 PM and announces that no actions were taken.*

**18. NEXT MEETING DATE AND ADJOURNMENT** – The next regular meeting is scheduled for May 12, 2015, at 2:00 PM at the Georgetown Divide Public Utility District office.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact Wendell Wall by telephone at 530-333-4356 or by fax at 530-333-9442. Requests must be made as early as possible and at least one-full business day before the start of the meeting. In accordance with Government Code Section 54954.2(a), this agenda was posted on the District's bulletin board at the Georgetown Divide Public Utility District office, at 6425 Main Street, Georgetown, California, on April 10, 2014.

Signed Wendell B. Wall

Date May 12, 2015

Wendell B. Wall, General Manager