

MINUTES

CALAVERAS COUNTY WATER DISTRICT SPECIAL BOARD MEETING

NOVEMBER 15, 2023

Directors Present: Scott Ratterman, President
Russ Thomas, Vice-President
Cindy Secada, Director
Bertha Underhill, Director

Directors Absent: Jeff Davidson, Director

Staff Present: Michael Minkler, General Manager
Matt Weber Esq, General Counsel
Rebecca Hitchcock, Clerk to the Board
Damon Wyckoff, Director of Operations
Jeff Meyer, Director of Administrative Services
Stacey Lollar, Human Resources Manager
Mark Rincon Ibarra, District Engineer
Pat Burkhardt, Construction and Maintenance Manager
Kelly Richards, Customer Service Supervisor
Kelly Gerkenmeyer, Water Resources Technician
Kate Jesus, Human Resources Tech
Kate Darby, Customer Service
Kevin Williams, Senior Civil Engineer
Dylan Smith, IT Technician
Corinne Skrbina, Customer Service
Kelly Soulier-Doyle, Accounting Tech
Tiffany Burke, Administrative Technician
Catherine Eastburn, Accountant

Others Present: Karl Brustad, PBI
Ralph Copeland
Justin Downing
Stacie Walker
Francisco de la Cruz
Michael Rodgers
Michael Castro

ORDER OF BUSINESS

CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. ROLL CALL

President Ratterman called the Regular Board Meeting to order at 1:01 p.m. and led the Pledge of Allegiance. Director Davidson was absent.

2. PUBLIC COMMENT

Justin Downing addressed the Board regarding the variance deposit. He would like a variance from the variance policy.

Randy Scheit addressed the Board regarding how the District assesses business. His business had made modifications to the fixture count and would like a reassessment done. He also asked for the District to clean up an empty lot in his neighborhood.

Jake Eymann from NCPA introduced himself to the Board.

Mark Rincon-Ibarra, District Engineer introduced the new Engineer Juan Maya.

Francisco de la Cruz asked the Board about agency negotiations and benchmarking other agencies. He would also like an update on the progress of the District metrics.

3. CONSENT AGENDA

**MOTION: Directors Thomas/Secada-Approved Consent Agenda Item:
3a, 3b, and 3d as presented.**

3a Approval of Minutes for the Board Meetings of September 6 and September 13, 2023
(Rebecca Hitchcock, Clerk to the Board)

3b Approval of Additional Ground Space Lease Agreement Between Calaveras County
Water District and New Cingular Wireless PCS, LLC.
(Rebecca Hitchcock, Clerk to the Board) **RES 2023-57**

Director Underhill pulled Item 3c from the Consent Agenda
3c Ratify Claim Summary #620 Secretarial Fund in the Amount of \$1,913,258.74 for
October 2023
(Jeffrey Meyer, Director of Administrative Services) **RES 2023-_____**

3d Report on the Monthly Investment Transactions for October 2023
(Jeffrey Meyer, Director of Administrative Services)

AYES: Directors Thomas, Secada, Underhill, and Ratterman

NOES: None

ABSTAIN: None

ABSENT: Director Davidson

OFF CONSENT AGENDA

Director Underhill pulled Item 3c from the Consent Agenda
3c Ratify Claim Summary #620 Secretarial Fund in the Amount of \$1,913,258.74 for
October 2023
(Jeffrey Meyer, Director of Administrative Services) **RES 2023-58**

**MOTION: Directors Underhill/Thomas-Adopted Resolution No. 2023-58-Ratifying
Claim Summary #620 Secretarial Fund in the Amount of \$1,913,258.74
for October 2023.**

DISCUSSION: Jeff Meyer explained the new chart at the end of the Claim Summary. He stated the Board previously asked for a CIP percentage of budget report. He stated that the full picture of

this is presented at the Engineering Committee meetings and the budget status report monthly at the Finance Committee meetings. There was significant discussion regarding the projects on the chart.

PUBLIC COMMENT:

Francisco de la Cruz asked about Corp Yard expenditure of \$4000.00 over budget.

Mike Rodgers recommended changes to this new chart that gives a column for the project budget and a column for the fiscal year budget. He also asked something that shows if the project is being managed internally or externally.

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

4. NEW BUSINESS

4a Discussion/Action regarding Acceptance of Ebbetts Pass Redwood Water Tanks Wildfire Hazard Mitigation Project
(Kevin Williams, Senior Civil Engineer)

- Accepting the Ebbetts Pass Redwood Water Tank Wildfire Hazard Mitigation Project, CIP #11095 and Larkspur Water Storage Tank Replacement CIP#11083L-120 **RES 2023-59**

MOTION: Directors Thomas/Secada Adopted Resolution No. 2023-59- Accepting the Ebbetts Pass Redwood Water Tank Wildfire Hazard Mitigation Project, CIP #11095 and Larkspur Water Storage Tank Replacement CIP#11083L-120

DISCUSSION: Kevin Williams reviewed the project with the Board. All work has been completed, tested and disinfected and is fully operational in accordance with the Contract Drawings and Specifications.

He explained the District had been notified that Cal-OES has additional unused funds available as part of this Hazard Declaration, and the District is working with the State Representative to secure these funds for our Project. The District has requested additional funding in the amount of \$949,798.42 from Cal-OES to make up for the shortfalls in Project Budget developed in 2017 during the grant application process.

The additional Project cost can be attributed to yearly construction cost increases (ENRI) since the original estimate of the Project as well as extra work that was necessary during construction. This Project was designed and managed in house by District staff without outside design or construction management services.

The original budget approved by Cal-OES was \$2,843,432 total with \$2,132,574 (75%) grant and \$710,858 (25%) matching funds.

PUBLIC COMMENT: There was no public comment.

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

- Accepting the Ebbetts Pass Redwood Water Tank Wildfire Hazard Mitigation Project Tank Materials and Erection, CIP #11095A and Larkspur Water Storage Tank Materials and Erection CIP#11083L-120

RES 2023-60

MOTION: Directors Thomas/Secada-Adopted Resolution No. 2023-60- Accepting the Ebbetts Pass Redwood Water Tank Wildfire Hazard Mitigation Project Tank Materials and Erection, CIP #11095A and Larkspur Water Storage Tank Materials and Erection CIP#11083L-120

DISCUSSION: There was no additional discussion on this item.

PUBLIC COMMENT: There was no public comment.

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

- 4b Discussion/Action regarding Approval of Contract Amendment for PBI, Inc. Engineering Services During Construction for Copper Cove Phase 1 & 2 Tank B and Clearwell Project, CIP # 11083C
(Charles Palmer, Senior Civil Engineer)

RES 2023-61

MOTION: Directors Thomas/Underhill-Adopted Resolution No. 2023-61- Approving Contract Amendment for PBI, Inc. Engineering Services During Construction for Copper Cove Phase 1 & 2 Tank B and Clearwell Project, CIP # 11083C

DISCUSSION: Mark Rincon-Ibarra stated through the construction phase, staff needs engineering assistance to assure successful project delivery. It's a common practice for services of the design engineer to carry over into the construction phase. Staff recommends an amendment to its contract with PBI to add engineering services during construction. The initial award of the design contract to PBI was secured through a competitive process. The additional scope of work to be added to PBI's contract includes reviewing shop drawings, responding to requests for information, assisting with change orders, leading construction meetings, preparing as-built drawings, performing materials testing and special inspections, and conducting environmental pre-construction surveys. PBI's estimated fees for the added scope of work is \$257,615.

PBI is proposing other contract adjustments both cost increases and credits as shown in the attached budget reallocation. PBI is proposing another \$99,522 in additional scope of work items bringing the total extra fees to \$357,137. However, PBI is presenting a credit of \$215,947 for eliminating or reduced effort on other tasks. After accounting for all added costs and credits, PBI proposed a contact amendment of \$141,190 incorporating all changes in scope.

Karl Brustad from PBI addressed the Board regarding the contract adjustments.

PUBLIC COMMENT:

Ralph Copeland requested an agenda item to lower the General Manager's signing authority.

Michael Rodgers stated Engineering services should be included in the RFP process.

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

RECESS was called at 2:23 p.m. **SESSION RESUMED** at 2:33 p.m.

- 4c Update on Agreement Between Department of Army and the Calaveras County Water District for Design and Construction Assistance for the Copper Cove Wastewater Treatment Plant Project
(Charles Palmer, Senior Civil Engineer)

DISCUSSION: Mark Rincon-Ibarra stated on November 6, 2024, the District received an executed copy of the Letter Report and approved version of the initial Project Partnership Agreement (PPA) from the Department of Army (USACE). The General Manager signed and returned the initial PPA and certifications and returned the executed documents to USACE. This milestone allows the District and USACE staff to resume work on the project. There was discussion regarding the process and the pending appropriations.

PUBLIC COMMENT:

5. REPORTS

- 5a Report on the October 2023 Operations Department
(Damon Wyckoff, Director of Operations)

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

PUBLIC COMMENT:

Michael Rodgers would like to see information on break fix work compared to planned work.

- 5b General Manager's Report
(Michael Minkler)

DISCUSSION: Michael Minkler reported on the following items: 1) Damon Wyckoff is now in an advisory roll with the CA Air Resources Board Implementation Group; 2) the MCWRA meeting tomorrow; 3) The District's Water Resources water rights extensions are now coming due; 4) a town hall meeting in Copperopolis on December 6th; 5) the Engineering and External Relations Committee meetings last week; and 6) follow-up meeting from the Washington, D.C. meetings with USDA regarding Infrastructure Funding and the Office of Management and Budget.

PUBLIC COMMENT:

Francisco de la Cruz commented on available vehicle conversion grants from the San Joaquin County Air Resources Board.

6. BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS

Director Underhill asked about record keeping on leaks around the District. She spoke about the UPUD town hall meeting.

Director Secada had nothing to report.

Director Thomas asked for someone at the District to do an assessment on this facility to see what CCWD would charge this building for water and sewer service.

Director Ratterman reported the ACWA Conference is next week and the MCWRA 2023 Fall Water Forum is tomorrow.

7. NEXT BOARD MEETINGS

- Wednesday, December 13, 2023, 1:00 p.m., Regular Board Meeting
- Wednesday, January 10, 2024, 1:00 p.m., Regular Board Meeting

8. CLOSED SESSION

The meeting adjourned into Closed Session at approximately 3:31 p.m. Those present were Board Members: Scott Ratterman, Cindy Secada, Bertha Underhill, and Russ Thomas; staff members Michael Minkler, General Manager and Stacey Lollar (for item 8b); and Matt Weber, General Counsel.

- 8a Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9. 2 potential cases
- 8b Government Code § 54957.6 Agency Negotiators: General Manager Michael Minkler, HR Manager Stacey Lollar regarding Negotiations with Employee Organizations SEIU Local 1021 and Management and Confidential Unit

9. REPORTABLE ACTION FROM CLOSED SESSION

The Board reconvened into Open Session at approximately 4:33 p.m. There was no reportable action.

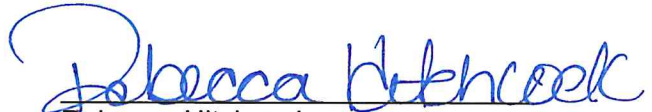
10. ADJOURNMENT

With no further business, the meeting adjourned at approximately 4:33 p.m.

By:


Michael Minkler
General Manager

ATTEST:


Rebecca Hitchcock
Clerk to the Board