

RESOLUTION NO. 2018-42  
RESOLUTION NO. PFA-03  
ORDINANCE NO. 2018-02

## MINUTES

### CALAVERAS COUNTY WATER DISTRICT REGULAR BOARD MEETING

August 8, 2018

Directors Present: Scott Ratterman, President  
Russ Thomas, Vice President  
Bertha Underhill, Director  
Jeff Davidson, Director  
Terry Strange, Director

Staff Present: Dave Eggerton, General Manager  
Rebecca Hitchcock, Clerk to the Board  
Jeffrey Meyer, Director of Administrative Services  
Peter Martin, Manager of Water Resources  
Robert Creamer, Engineering Analyst

Others Present: Elaine St. John

### ORDER OF BUSINESS

#### CALL TO ORDER / PLEDGE OF ALLEGIANCE

##### 1. ROLL CALL

President Ratterman called the Regular Board Meeting to order at approximately 1:01 p.m. and led the pledge of allegiance.

##### 2. PUBLIC COMMENT

There was no public comment.

##### 3. CONSENT AGENDA

MOTION: Directors Davidson / Underhill – Approved Consent Agenda Items:  
3a, Board of Directors Monthly Time Sheets for July 2018, 3b, Ratify  
Claim Summary #557 Secretarial Fund in the Amount of \$1,937,855.03  
for July, 2018, Approve to File a California Environmental Quality Act  
Notice of Exemption for Water Deliveries to the Existing Land  
Ownership under the Frank B. Smith and Heather Ann Smith Family  
Trust

- 3a Review Board of Directors Monthly Time Sheets for July 2018
- 3b Approve to Ratify Claim Summary #557 Secretarial Fund in the Amount of \$1,937,855.03 for July, 2018  
(Jeffrey Meyer, Director of Administrative Services) **RES 2018-42**
- 3c Approve to File a California Environmental Quality Act Notice of Exemption for Water Deliveries to the Existing Land Ownership under the Frank B. Smith and Heather Ann Smith Family Trust  
(Peter Martin, Manager of Water Resources) **RES 2018-43**

**AYES: Directors Davidson, Thomas, Strange, Underhill, and Ratterman**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**4. NEW BUSINESS**

- 4a Annual High School Senior Scholarship Winners  
(Joel Metzger, Manager of External Affairs, Conservation, and Grants)

**DISCUSSION:** Mr. Metzger reported on the Annual High School Senior Scholarship Program that the District awards each year. Two seniors were chosen for their essays submitted to CCWD and awarded \$500 each. High school seniors Claudia Loomis and Sierra Stephens of Bret Harte High School were selected. Ms. Loomis and Ms. Stephens were present and read their essays to the Board. The Board thanked them and wished them both well in their studies at college.

**PUBLIC COMMENT:** There was no public comment.

- 4b Discussion/Direction Regarding Sewer Fund Repayment Agreement between the Sewer Fund (Fund 500) and the Water Fund (Fund 300)  
(Jeffrey Meyer, Director of Administrative Services) **RES 2018-44**

**MOTION:** **Directors Davidson / Underhill – Adopted Resolution No. 2018-44 Approving the Sewer Fund Repayment Agreement between the Sewer (Fund 500) and the Water Fund (Fund 300)**

**DISCUSSION:** Mr. Meyer reviewed the agreement, which was discussed in depth at previous meetings. There was a brief discussion on the terms of the loan.

**PUBLIC COMMENT:** There was no public comment.

**AYES: Directors Davidson, Underhill, Strange, Thomas, and Ratterman**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

- 4c Discussion/Action Regarding the Authorization of the General Manager to enter into contracts for sale of contracted water supplies from New Hogan Reservoir  
(Peter Martin, Manager of Water Resources) **RES 2018-45**



**MOTION: Directors Davidson / Thomas - Adopted Resolution No. 2018-45  
Authorizing the General Manager to enter into contracts for sale of  
contracted water supplies from New Hogan Reservoir**

**DISCUSSION:** Mr. Martin explained the need for the General Manager to have authorization to sign contracts for the District regarding the provision of water supplies from New Hogan Reservoir to local agriculturists. Mr. Martin responded to questions from the Board on the matter.

**PUBLIC COMMENT:** There was no public comment.

**AYES:** Directors Davidson, Ratterman, Strange, Thomas, and Underhill  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

4d Discussion/Action Regarding State Legislation in the 2018/19 Session  
(Joel Metzger, Manager of External Affairs, Conservation, and Grants)

**DISCUSSION:** Mr. Metzger discussed the proposed SB 998 (Dodd) Water Service Shut-Off Bill. Mr. Metzger stated that ACWA has officially moved its position on the bill from “oppose unless amended” to “oppose.” He reviewed the proposed new rules for shutting off water for non-payment. This bill creates very stringent requirements for all water agencies to follow before they would be able to turn off water service, and it could also create some Prop 218 challenges for the District. There was significant discussion between the Board and staff. Mr. Metzger recommended the Board take an “oppose” position on this bill. Director Strange commented that he could only agree if it was “oppose unless amended” as he sees some good qualities in the bill for disadvantaged communities.

**MOTION: Directors Davidson / Underhill – by Minute Entry “Oppose” SB 998  
(Dodd) - Water Service Shut-Off Bill**

**PUBLIC COMMENT:** There was no public comment.

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

**DISCUSSION:** Mr. Metzger discussed the proposed AB 2649 (Arambula): Water Rights: Water Management Bill. This legislation would recognize groundwater recharge, in and of itself, as a beneficial use of water resources, subject to certain requirements necessary to achieve consensus within the water agency community. This bill could help local efforts to achieve groundwater recovery in compliance with the Sustainable Groundwater Management Act (SGMA). Mr. Metzger recommended the Board take a “support if amended” position to allow for additional amendments necessary to achieve consensus with export agencies. There was significant discussion on the bill.

**MOTION: Directors Davidson / Thomas – by Minute Entry “Support if Amended”  
AB2649 Water Rights: Water Management**

**PUBLIC COMMENT:** There was no public comment.

**AYES:** Directors Strange, Davidson, Thomas, Underhill, and Ratterman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**DISCUSSION:** Mr. Metzger updated the Board on additional legislature items. SB 623 Water Quality: Safe and Affordable Drinking Water Fund; Long Term Water Conservation; and the Mokelumne River Wild and Scenic Designation legislation.

5. **OLD BUSINESS**  
Nothing to Report

6. **GENERAL MANAGER REPORT**

Mr. Eggerton reported on the following activities: 1) CCWD staff are continuing to work with Snowshoe Springs HOA to develop a framework for providing their community with fire flow for hydrant installation and other improvements; 2) CCWD staff have continued to meet with representatives of Jenny Lind Elementary School regarding their desire to achieve state-funded wastewater system improvements for incorporation into CCWD's La Contenta wastewater system; and 3) the release of the Final Draft Supplemental Environmental Document for Phase 1 of the State Water Board's Bay-Delta Water Quality Control Plan Update. Additional information regarding this ongoing regulatory process will be provided at the next Board meeting.

7. **BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS**

Director Underhill is very pleased with the collaboration of CCWD staff with various local entities and stakeholders such as Snowshoe HOA. In addition, she mentioned that John Daniel Leary from Ebbetts Pass Fire District Board passed away and the memorial service had a large turnout.

Director Thomas attended the groundbreaking ceremony for La Cobra Mina Phase 2 in Copperopolis. He is very optimistic about what this means for the economic development of the area. In addition, he spoke about the concerns of various T-Stan agencies regarding the possible flow requirements from the State Water Board. Most agencies oppose the proposed new requirements.

Director Davidson expressed his concerns about the issuance of a comment letter from a Calaveras County Supervisor to the President of the United States apparently without coordination with the Board of Supervisors or local water purveyors.

Director Strange spoke about the Delta flow-setting process and associated environmental and water quality issues and the need for collaboration between many stakeholders to best address the underlying challenges.

Director Ratterman expressed his support for the two-by-two meetings with the County Board of Supervisors, which he thinks have been very beneficial. He also noted the CAMRA meeting is next week, and CPUD is having their rate hearing next week as well.

8. **NEXT BOARD MEETINGS**

- Wednesday, Aug 22, 2018, 1:00 p.m., Regular Board Meeting
- Wednesday, Sept 12, 2018, 1:00 p.m., Regular Board Meeting



Approved Sept 12, 2018

The Open Session ended at 2:30 p.m.

The meeting adjourned into Closed Session at approximately 2:31 p.m. Those present were Board Members: Scott Ratterman, Terry Strange, Russ Thomas, Bertha Underhill and Jeff Davidson, staff members Dave Eggerton, General Manager, Stacey Lollar, Director of Human Resources and Customer Service (for item 9c), and Matt Weber, General Counsel.

**9. CLOSED SESSION**

- 9a Conference with Legal Counsel – Existing Litigation  
Government Code § 54956.9(a) La Contenta Investors, LTD vs. CCWD (Calaveras County Superior Court #11CV37713)
- 9b Conference with Legal Counsel – Potential Litigation Government Code §54956.9(d)(4) – 1 case
- 9c Conference with Labor Negotiators, Management and Confidential Unit Government Code §54957.6 Negotiators: Dave Eggerton and Stacey Lollar

**10. REPORTABLE ACTION FROM CLOSED SESSION**

The Board reconvened into Open Session at approximately 3:30 p.m. There was no reportable action.

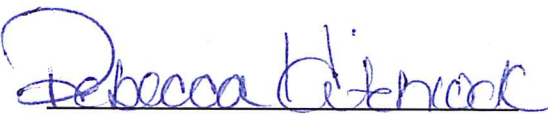
**11. ADJOURNMENT**

With no further business, the meeting adjourned at approximately 3:32 p.m.

By:

  
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Dave Eggerton  
General Manager

ATTEST:

  
\_\_\_\_\_  
Rebecca Hitchcock  
Clerk to the Board