



**CALAVERAS PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING: 3:00 PM  
November 9, 2021**

President J.W. Dell 'Orto  
President of the Board

Director Richard Blood  
Director Jack Tressler

Director Brady McCartney

Calaveras Public Utility District hereby provides notice that it will convene its regularly scheduled public meetings of the Board of Directors exclusively by telephone conference until further notice. No attendance will be permitted by the public at the District office until further notice.

Based on guidance from the California Governor's Office and the Department of Public Health, to minimize the potential spread of the COVID-19 virus, please do the following:

- **Join the Conference Call meeting**
- **Dial-in number (US): 1(669)900-9128**
- **Join the online ZOOM meeting:**  
<https://us02web.zoom.us/j/81514083058?pwd=UWdBT0FOMHlORlBzQU5tZnZVcHdEUT09>
- **Meeting ID: 815 1408 3058**
- **Meeting Passcode code: 075725**

*Please mute your call before joining. This will limit technical difficulties with audio. Only unmute your call if the President has requested public comment on an item. Upon completing your comments, please mute your call again. Do not put the call on hold, as hold music can ruin the call for all other participants. If that occurs, or in the event of disruptive conduct, staff reserves the right to disconnect that caller. Do no talk over the top of any other callers. Conversations must be one at a time.*

**AGENDA**

**1. CALL THE MEETING TO ORDER**

**2. ROLL CALL OF DIRECTORS**

- a. President J.W. Dell 'Orto
- b. Director Richard Blood
- c. Director Brady McCartney
- d. Director Jack Tressler

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENT (Limit: 3 min/person)**

*At this time, members of the public may address the Board on any matter within its jurisdiction which is not on the agenda. The public is encouraged to work with staff to*

*place items on the agenda for Board consideration. No action can be taken on matters not listed on the agenda. Comments are limited to 3 minutes per person.*

**5. CONSENT ITEMS**

*Consent items should be considered together as one motion. Any item(s) requested to be removed will be considered after the motion to approve the Consent Items.*

- a. Claim Summary
- b. Approve California Special District's Association (CSDA) annual membership invoice \$7,615

Action: Roll call Vote

Consider motion to approve consent items for items a-b.

**ITEMS FOR BOARD DISCUSSION AND/OR ACTION**

*Board action may occur on any identified agenda item. Any member of the public may directly address the Board on any identified agenda item of interest, either before or during the Board's consideration of that item.*

**6. RESOLUTION NO. 2021-12 OF THE BOARD OF DIRECTORS OF CALAVERAS PUBLIC UTILITY DISTRICT HONORING SCOTT SPEER FOR HIS SERVICE AS BOARD DIRECTOR TO CALAVERAS PUBLIC UTILITY DISTRICT**

Action Requested: Roll Call Vote

Adopt Resolution No. 2021-12 honoring Scott Speer for his service as Board Director to Calaveras Public Utility District.

**7. DECLARATION OF VACANCY ON THE BOARD OF DIRECTORS AND ESTABLISH PROCEDURE AND SCHEDULE FOR APPOINTMENT OF DIRECTOR TO SERVE THE BALANCE OF THE TERM**

Action Requested: Roll Call Vote

Declare a vacancy on the Board of Directors due to the resignation of Director Speer; direct staff to post the vacancy and collect applications from prospective candidates; and establish a schedule for Board interviews and appointment of a new Director to fill the vacancy as provided by law.

**8. CONSIDERATION TO ADOPT RESOLUTION NO. 2021-13 TO UPDATE BOARD OF DIRECTOR COMPENSATION**

Action Requested: Roll Call Vote

Adopt Resolution No. 2021-13, which will update the Board Director compensation as per Board Policy 4215 to include \$100 per authorized meeting and medical/dental insurance coverage offered to District employees.

## 9. REVIEW OF DISTRICT COMMITTEE AND ASSIGNMENTS

### Action Requested: Roll Call Vote

- a. Consider the vacant committee member positions, make assignments.
- b. Authorize staff to attend and participate at each of the Committees/Conferences, as applicable (e.g., ACWA, MCWRA, UMRWA, LAFCO).
- c. District AdHoc - Committee members to first work with staff and develop applicable ground rules and duties and return to the Board for approval.
- d. Direct Board Committee members to summarize a report after each meeting at the next regularly scheduled Board meeting.

## 10. CONSIDERATION TO PREPARE AND SUBMIT GRANT APPLICATION FOR FUNDING THROUGH THE UPPER MOKELUMEN RIVER WATERSHED AUTHORITY (UMRWA)

### Action Requested: Roll Call Vote

Authorize staff to work with Director Blood (UMRWA Board representative) to consider conceptual project/s for possible grant funding through UMRWA.

## 11. STATUS REPORT/CLEARWELL PROJECT

Clearwell Tank Project Status Report

## 12. DISTRICT INTERESTS AND ISSUES BOARD REPORT

Review of the district's critical issues and direction moving forward

## 13. RESOLUTION NO. 2021-14: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALAVERAS PUBLIC UTILITY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE CALAVERAS PUBLIC UTILITY DISTRICT FOR THE PERIOD NOVEMBER 9, 2021 TO DECEMBER 10, 2021 PURSUANT TO BROWN ACT PROVISIONS.

### Action Requested: Roll Call Vote

Approval of Resolution No. 2021-14 Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors Due to the Covid-19 Emergency.

#### 14. **REPORTS**

*The purpose of these reports is to provide information on projects, programs, staff actions, and committee meetings that are of general interest to the Board and public. No decisions are to be made on these issues.*

- a. Legal Counsel's Report
- b. Water System Superintendent's Report
- c. Interim General Manager's Report
- d. Director's Comments: Directors may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

#### 15. **CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Government Code Section 54957) Title: Interim General Manager

#### 16. **ADJOURNMENT**

If there is no other Board business the President will adjourn the meeting to its next regular meeting December 14, 2021, at 3:00 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office at (209) 754-9442. Notification in advance of the meeting will enable CPUD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the Board before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items, will be made available at CPUD for review by the public.

**CALAVERAS PUBLIC UTILITY DISTRICT**

**CLAIM SUMMARY # 757**

**DATE: October 2021**

The claims listed on the schedules attached to this summary have been examined and found to be correct and proper demands against the Calaveras Public Utility District.

Claims Submitted	\$ 354,628.27
Payroll Submitted	\$ 38,137.00
P/R Tax Deposits	\$ 16,133.07
<b>Sub-total</b>	<b>\$ 408,898.34</b>

Net Additions	
Net Deductions	
Claim Summary Approved for	<b>\$ 408,898.34</b>



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Clerk of the Board, Calaveras Public Utility District

# Calaveras Public Utility District Expenses by Vendor-Board Packet Report

October 2021

Name	Date	Memo	Amount
<b>A-1 Sharpening</b>			
	10/06/2021	Patched front, left tire on Truck #9 JC	20.00
	10/22/2021	Truck #9 Tire Repair	20.00
Total A-1 Sharpening			<u>40.00</u>
<b>ACWA</b>			
	10/06/2021	2022 Annual Dues	11,140.00
Total ACWA			<u>11,140.00</u>
<b>ACWA-Health</b>			
	10/06/2021	Dental, Vision, & Life November	858.10
Total ACWA-Health			<u>858.10</u>
<b>ACWA/JPIA</b>			
	10/22/2021	2021-2022 Liability Deposit Premiums	19,304.00
Total ACWA/JPIA			<u>19,304.00</u>
<b>Alpha Analytical Labs, Inc.</b>			
	10/06/2021	Lab Fees	735.00
Total Alpha Analytical Labs, Inc.			<u>735.00</u>
<b>Amsterdam Printing &amp; Litho</b>			
	10/22/2021	2022 Calendars	190.32
Total Amsterdam Printing & Litho			<u>190.32</u>
<b>AT &amp; T</b>			
	10/06/2021	Phone Service - San Andreas Tank	198.31
	10/06/2021	Phone Service - Hydro #3	200.18
	10/06/2021	Phone Service - Shop to San Andreas Tank	33.34
	10/06/2021	Phone Service - San Andreas Tank	54.77
	10/22/2021	Shop Internet & Phone	90.24
Total AT & T			<u>576.84</u>
<b>AT&amp;T</b>			
	10/22/2021	Hydro # 3 Phone	72.33
Total AT&T			<u>72.33</u>
<b>Banks Glass</b>			
	10/06/2021	Window for Main Office (To replace air conditioner)	132.99
Total Banks Glass			<u>132.99</u>
<b>Blood, Richard</b>			

# Calaveras Public Utility District Expenses by Vendor-Board Packet Report

October 2021

Name	Date	Memo	Amount
	10/22/2021	9/10/21 Meeting	25.00
	10/22/2021	9/14/21 Meeting	25.00
	10/22/2021	9/27/21 Meeting	25.00
	10/22/2021	10/19/21 Meeting	25.00
Total Blood, Richard			<u>100.00</u>
<b>Bob Murray &amp; Associates</b>			
	10/22/2021	Inv #9209	699.67
Total Bob Murray & Associates			<u>699.67</u>
<b>Brady McCartney</b>			
	10/22/2021	9/10/21 Meeting	25.00
	10/22/2021	9/14/21 Meeting	25.00
	10/22/2021	10/19/21 Meeting	25.00
Total Brady McCartney			<u>75.00</u>
<b>Brawner Automotive Repair</b>			
	10/22/2021	#008 Truck Routine Maintenance	238.09
Total Brawner Automotive Repair			<u>238.09</u>
<b>Cal PERS</b>			
	10/01/2021	PEPRA Pay Period	1,451.97
	10/01/2021	Classic Pay Period	2,193.93
	10/01/2021	PEPRA Pay Period	1,451.97
	10/01/2021	Classic Pay Period	2,193.93
	10/15/2021	CalPERS Classic Pay Period 10/15/21	2,193.93
	10/15/2021	CalPERS Pepra Pay Period 10/15/21	1,451.97
Total Cal PERS			<u>10,937.70</u>
<b>Calaveras County</b>			
	10/04/2021	Gambi Disposal-Shop Yard Clean-up	50.00
Total Calaveras County			<u>50.00</u>
<b>Calaveras Lumber Company</b>			
	10/06/2021	Material & Supplies	167.15
Total Calaveras Lumber Company			<u>167.15</u>
<b>Calaveras Public Power Agency</b>			
	10/06/2021	CPUD Warehouse	55.03
	10/06/2021	Billed Date 10/05/2021	273.37

**Calaveras Public Utility District  
Expenses by Vendor-Board Packet Report**

October 2021

Name	Date	Memo	Amount
	10/06/2021	Billed Date 10/05/2021	234.22
	10/06/2021	Billed Date 10/05/2021	717.20
Total Calaveras Public Power Agency			<u>1,279.82</u>
<b>Campbell Construction</b>			
	10/22/2021	Progress Payment #2 for Clearwell Tank Project Phase I	165,594.50
Total Campbell Construction			<u>165,594.50</u>
<b>Care Free Lawns</b>			
	10/06/2021	Yard Services	150.00
Total Care Free Lawns			<u>150.00</u>
<b>CD &amp; Power</b>			
	10/22/2021	Glencoe Pump Station	2,080.00
	10/22/2021	Jeff Davis WTP	2,080.00
Total CD & Power			<u>4,160.00</u>
<b>Comcast</b>			
	10/22/2021	Phone & Internet	206.63
Total Comcast			<u>206.63</u>
<b>Computer Firemen</b>			
	10/06/2021	IT Professional Service	920.00
Total Computer Firemen			<u>920.00</u>
<b>Crawford Bookkeeping</b>			
	10/22/2021	Training	375.00
Total Crawford Bookkeeping			<u>375.00</u>
<b>Datco Billing</b>			
	10/06/2021	Professional Services	147.00
Total Datco Billing			<u>147.00</u>
<b>De Lage Landen Financial Services Inc.</b>			
	10/22/2021	Copy Machine Lease Charge	87.85
Total De Lage Landen Financial Services Inc.			<u>87.85</u>
<b>Dell'Orto, J.W.</b>			
	10/22/2021	9/14/21 Meeting	25.00
	10/22/2021	9/27/21 Meeting	25.00
	10/22/2021	10/19/21 Meeting	25.00
Total Dell'Orto, J.W.			<u>75.00</u>



**Calaveras Public Utility District  
Expenses by Vendor-Board Packet Report**

October 2021

Name	Date	Memo	Amount
<b>First Foundation Bank</b>			
	10/08/2021	Clearwell Tank Loan Principal Payment	38,500.79
	10/08/2021	Clearwell Tank Loan Interest Payment	27,981.25
Total First Foundation Bank			<u>66,482.04</u>
<b>Fischer, Merle</b>			
	10/06/2021	October Reimbursement	496.18
Total Fischer, Merle			<u>496.18</u>
<b>Grainger</b>			
	10/22/2021	Material & Supplies	236.02
	10/22/2021	Material & Supplies	33.09
Total Grainger			<u>269.11</u>
<b>Henwood Associates, Inc.</b>			
	10/22/2021	Don Moss	1,152.64
Total Henwood Associates, Inc.			<u>1,152.64</u>
<b>Hill Rivkins Brown &amp; Associates</b>			
	10/22/2021	Legal Services	6,342.50
Total Hill Rivkins Brown & Associates			<u>6,342.50</u>
<b>Hobgood's Cleaning Service</b>			
	10/22/2021	Janitorial Services	160.00
Total Hobgood's Cleaning Service			<u>160.00</u>
<b>Hunt &amp; Sons Inc.</b>			
	10/22/2021	Fuel	1,070.16
Total Hunt & Sons Inc.			<u>1,070.16</u>
<b>Lehigh Hanson</b>			
	10/06/2021	Materials & Supplies - Road Base	1,461.05
Total Lehigh Hanson			<u>1,461.05</u>
<b>Lowe's</b>			
	10/22/2021	Salt for WTP	1,933.33
	10/22/2021	Material & Supplies-Shop	40.73
Total Lowe's			<u>1,974.06</u>
<b>Matrix Trust Company</b>			
	10/13/2021	457 Plan. Payroll dates 9/30/21 & 10/15/21	600.00
Total Matrix Trust Company			<u>600.00</u>

**Calaveras Public Utility District  
Expenses by Vendor-Board Packet Report**

October 2021

Name	Date	Memo	Amount
<b>Motherlode Answering Service</b>			
	10/06/2021	Answering Service	401.92
Total Motherlode Answering Service			401.92
<b>PG&amp;E - ENERGY STATEMENT</b>			
	10/06/2021	Main Office	8.11
	10/06/2021	San Andreas Tank	0.12
	10/06/2021	Warehouse Light	0.01
	10/06/2021	Warehouse Light	0.01
	10/06/2021	Schaads	413.80
	10/22/2021	Hydro # 2	78.37
	10/22/2021	Hydro # 3	191.68
Total PG&E - ENERGY STATEMENT			692.10
<b>PGE-NON ENERGY INVOICES</b>			
	10/22/2021	Schaads	214.01
	10/22/2021	Hydro 1	7.75
	10/22/2021	Hydro 2	7.75
	10/22/2021	Hydro 3	7.75
Total PGE-NON ENERGY INVOICES			237.26
<b>Postmaster</b>			
	10/06/2021	October Postage	700.00
Total Postmaster			700.00
<b>Rovera, Wyatt</b>			
	10/22/2021	Drinking Water Distribution Operator Cert. Renewal	90.00
Total Rovera, Wyatt			90.00
<b>Sam Berri Towing</b>			
	10/06/2021	Tow Services Truck #007	187.50
Total Sam Berri Towing			187.50
<b>San Andreas Sanitary District</b>			
	10/06/2021	Sewer Services - Shop	97.04
	10/06/2021	Sewer Services - Main Office	97.04
Total San Andreas Sanitary District			194.08
<b>Scott Speer</b>			
	10/22/2021	9/10/21 Meeting	25.00

**Calaveras Public Utility District  
Expenses by Vendor-Board Packet Report**

October 2021

Name	Date	Memo	Amount
	10/22/2021	9/14/21 Meeting	25.00
	10/22/2021	9/27/21 Meeting	25.00
	10/22/2021	10/19/21 Meeting	25.00
<b>Total Scott Speer</b>			<u>100.00</u>
<b>SEIU Local 1021</b>			
	10/22/2021	Union Dues Pay Period 10/15/21	354.98
<b>Total SEIU 1021</b>			<u>354.98</u>
<b>Sender's Market Inc.</b>			
	10/06/2021	Materials & Supplies	654.03
<b>Total Sender's Market Inc.</b>			<u>654.03</u>
<b>Shampain, Ben</b>			
	10/29/2021	Safety Shoe Reimb.	96.96
<b>Total Shampain, Ben</b>			<u>96.96</u>
<b>Staples Credit Plan</b>			
	10/06/2021	Materials & Supplies	2,118.07
<b>Total Staples Credit Plan</b>			<u>2,118.07</u>
<b>Treat's General Store</b>			
	10/06/2021	Materials & Supplies	224.12
<b>Total Treat's General Store</b>			<u>224.12</u>
<b>Tressler, Jack</b>			
	10/22/2021	10/19/21 Meeting	25.00
<b>Total Tressler, Jack</b>			<u>25.00</u>
<b>USA Blue Book</b>			
	10/22/2021	WTP Materials & Supplies	258.77
<b>Total USA Blue Book</b>			<u>258.77</u>
<b>USA of Northern California and Nevada</b>			
	10/22/2021	California State Fee for Regulatory Costs	539.74
<b>Total USA of Northern California and Nevada</b>			<u>539.74</u>
<b>Volcano Telephone</b>			
	10/06/2021	Schaads Phone	93.38
	10/06/2021	Pump Station	52.58
	10/06/2021	Treatment Plant Phone	67.25
	10/06/2021	Hydro # 2	52.58

**Calaveras Public Utility District  
Expenses by Vendor-Board Packet Report**

October 2021

Name	Date	Memo	Amount
	10/06/2021	Treatment Plant Phone	51.17
	10/06/2021	Treatment Plant Phone	109.53
	10/06/2021	Schaads Hydro Phone	52.58
	10/06/2021	Hydro # 3	52.58
Total Volcano Telephone			<u>531.65</u>
<b>Weber, Ghio &amp; Associates</b>			
	10/22/2021	Clearwell Tank Design, Phase I Const. Management, Phase II Const. Management	41,814.12
	10/22/2021	General Engineering Services, Storm Damage-FEMA, SRF Application	4,474.00
Total Weber, Ghio & Associates			<u>46,288.12</u>
<b>Wells Fargo Bank - C. Bear</b>			
	10/22/2021	Materials & Supplies	213.38
	10/22/2021	WTP Materials & Supplies	65.89
	10/22/2021	Postage	25.00
	10/22/2021	Quickbooks & Zoom Monthly Due	86.42
	10/22/2021	Materials & Supplies	196.40
	10/22/2021	Materials & Supplies	2,026.15
Total Wells Fargo Bank - C. Bear			<u>2,613.24</u>
			<u><u><b>354,628.27</b></u></u>



**California Special  
Districts Association**  
*Districts Stronger Together*

California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, CA 95814  
Phone: 877.924.2732 Fax: 916.520.2470  
www.csda.net

**2022 CSDA MEMBERSHIP RENEWAL**

To:  
Calaveras Public Utility District  
PO Box 666  
San Andreas, CA 95249

Membership ID: 2360  
Issue Date: October 1, 2021  
Due Date: December 31, 2021

RM-Regular Member	<b>\$7,615.00</b>
<b>Optional Purchases</b>	
\$25 2022 Required State & Federal Labor Law Poster	\$
\$225 CSDA Sample Policy Handbook	\$
Total	\$
<b>PAYMENT</b>	
Account Name:	Account Number:
Expiration Date	Auth Signature

Please return this form with payment to CSDA Member Services, 1112 I Street, Suite 200, Sacramento, CA 95814, fax: 916.520.2470. To pay by ACH, please contact membership@csda.net.

OBRA 1993 prohibits taxpayers from deducting, for federal income tax purposes, the portion of membership dues that are allocable to the lobbying activities of trade organizations. The nondeductible portion of your dues is estimated to be 8%. To view dues categories, please visit the CSDA transparency page at www.csda.net

***Thank you for being a CSDA Member!***

**RESOLUTION 2021-12**  
**RESOLUTION OF THE BOARD OF DIRECTORS OF**  
**THE CALAVERAS PUBLIC UTILITY DISTRICT HONORING**  
**SCOTT SPEER FOR HIS SERVICE TO**  
**THE CALAVERAS PUBLIC UTILITY DISTRICT**

**WHEREAS**, the Calaveras Public Utility District is an unincorporated Special District formed in 1934 as a result of a general election of Calaveras county voters, and

**WHEREAS**, the Board of Directors of the District consists of five members who are elected from the registered voters that reside in the District, and

**WHEREAS**, Directors of the Board are required to give considerable personal time to perform the duties of Director, and

**WHEREAS**, Scott Speer dedicated himself to service in the position of Director on the Board of Directors for two years beginning in 2019, and

**WHEREAS**, improvements made to the Calaveras Public Utility District facilities during Director Speers' service will directly benefit the District's ratepayers and the community for many decades to come, and

**WHEREAS**, the Board of Directors wishes to commend Scott Speer for his years of dedicated service to the Calaveras Public Utility District and his dedication to the community in which he has served.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of Calaveras Public Utility District that this Resolution is entered in full upon the permanent Minutes of the Calaveras Public Utility District and that a copy bearing the seal of the District is presented to Scott Speer.

The foregoing Resolution was duly passed and adopted by the Board of Directors of the Calaveras Public Utility District at a Regular Meeting on November 9, 2021, by the following vote:

AYES:           Directors:

NOES:           Directors:

ABSENT:        Directors:

ABSTAIN:       Directors:

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J.W. Dell'Orto President of the Board of Directors

ATTEST:

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Carissa Bear, Secretary/Clerk of the Board

**CALAVERAS PUBLIC UTILITY DISTRICT**

**MEMORANDUM**

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NOVEMBER 9, 2021

TO: BOARD OF DIRECTORS

FROM: JOHN KINGSBURY, INTERIM GENERAL MANAGER/  
ADAM BROWN, DISTRICT LEGAL COUNSEL

SUBJECT: CONSIDERATION TO ADOPT RESOLUTION TO UPDATE BOARD OF  
DIRECTOR COMPENSATION

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This is to consider updating the Board of Director compensation.

Historically, the District has paid each member of the Board of Directors \$25 per authorized meeting. The purpose of this memorandum is to analyze the statutory basis of Director compensation, the rationale for it and to recommend adjustments to Director compensation to reflect the amount of work required of Directors and the legal and fiduciary responsibilities associated with the office.

The Directors are responsible and legally accountable as the fiduciaries who steer the organization towards a sustainable future by adopting sound and ethical policies to address the needs of the District for providing long-term sustainability, safe and reliable water service, and excellent customer service in a responsible and professional manner. Such responsibilities involve policy oversight of District budgets, investments, employee policies, capital improvements and maintenance of District-production and distribution systems to ensure the District's ratepayers and being served and protected.

In order to properly execute the duties of the office, each Director must devote a substantial amount of time and study in the position in order to make considered policy decisions affecting the District and its customers. This is not, and has never been, a volunteer position for these reasons. Further, it is critical that the District attract and retain individuals within the community that can steer the District towards this sustainable future. For all of the foregoing reasons, it is prudent that the District afford just and appropriate compensation for each Director.

Section 16002 of the California Public Utilities Code provides that the Board of Directors of a public utility district may be compensated up to \$4,800 per year, or, up to \$100 per meeting per day as defined therein (which includes essentially attendance at any meeting of the Board, committee meeting, public event authorized by the Board or otherwise required as a Director), up to a maximum of ten (10) meetings per month. Further, with respect to a public utility district which is also a water purveyor, California Water Code Section 20200 *et seq.*

authorizes the Board to increase the per meeting compensation above \$100 per day, but is effectively limited to an annual increase of no more than 5% from the last adjustment.

Directors are also entitled to reimbursement of expenses related to the performance of their duties in accordance with Government Code Section 53232.2 and 53232.3.

Finally, Government Code Section 53201 provides that Directors may receive group insurance benefits (medical, dental, vision and life insurance) on the same terms as offered to District employees.

While the District is small and has limited resources, Directors have significant legal and fiduciary responsibilities and should consider an adjustment to Director compensation.

The suggested Director compensation update would be as follows in compliance with state law:

1. Increase the \$100 per meeting per day. This includes:
  - a. Regular and special Board meetings;
  - b. Board committee meetings;
  - c. Director assignments as approved by the Board of Directors;
  - d. Attendance at regional and statewide meetings/forums as approved by the Board of Directors.
2. Director (only) medical and mental insurance coverage on the same terms offered to District employees.

**Staff Recommendation:**

Adopt Resolution No. 2021-13, which will update the Board Director compensation as per Board Policy 4215 to include \$100 per authorized meeting and medical/dental insurance coverage offered to District employees.



## RESOLUTION 2021-13

### RESOLUTION ADOPTING BOARD POLICY 4215 REGARDING DIRECTOR COMPENSATION, BENEFITS AND EXPENSE REIMBURSEMENT

**WHEREAS**, the Board of Directors of the Calaveras Public Utility District, a public agency formed and existing under the California Public Utility District Act, Public Utilities Code Section 15501, *et seq.*, is responsible for the governance of the District pursuant to its statutory authorization; and

**WHEREAS**, the Board of Directors is statutorily authorized to adopt District ordinances, resolutions, policies and procedures to ensure the proper and orderly function of the District, its services and operations in providing a safe and reliable drinking water supply to its residents; and

**WHEREAS**, the Board of Directors of the Calaveras Public Utility District has determined to update and revise District policies pertaining to the proper governance, function and operation of the District; and

**WHEREAS**, the Board of Directors finds that it is in the best interests of the District and the public to update District policies from time to time to bring them into compliance with existing law and best practices, and to promote public participation, transparency and consistency; and

**WHEREAS**, in light of the substantial time commitment required to serve on the Board of Directors, and the legal and fiduciary responsibilities attendant thereto in the performance of their obligations to the District and its ratepayers, the Board of Directors finds that it is in the best interests of the District to adopt the attached Policy 4215 regarding Director Compensation, Benefits and Expense Reimbursement, in order to update Director compensation, provide for Director participation in District employee health benefits and to establish procedures for the reimbursement of expenses incurred in connection with District business in accordance with applicable state law;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors of the Calaveras Public Utility District as follows:

1. That the attached Policy 4215, **Director Compensation, Benefits and Expense Reimbursement Policy**, is hereby adopted by the Board of Directors; and
2. That the aforesaid Policy 4215 hereby amends, restates and supersedes any and all prior and currently existing policies of this District pertaining to the subject matter set forth therein; and
3. That unless otherwise amended, restated or superseded herein, all other District policies and procedures presently in existence shall remain unaltered and shall continue in full force and effect.

The foregoing resolution was duly approved and adopted by the Board of Directors of the Calaveras Public Utility District at a regular meeting on the 9<sup>th</sup> day of November 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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J.W. Dell'Orto, President  
Calaveras Public Utility District

Attest:

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Carissa Bear, Secretary/Clerk of the Board

## CALAVERAS PUBLIC UTILITY DISTRICT POLICIES

Policy Name:	4215 – DIRECTOR COMPENSATION, BENEFITS AND REIMBURSEMENT OF EXPENSES		
Approval Authority:	CPUD BOARD OF DIRECTORS	Adopted:	11/9/21
Resolution No.	Resolution No. 2021-13	Revised:	

### 4215.1 Purpose of the Policy

This document sets forth the policy of the Calaveras Public Utility District concerning Directors’ compensation, benefits and the payment of actual and necessary expenses incurred in the performance of official duties and is intended to comply with the requirements of Government Code sections 53201 *et seq.*; 53232 through 53232.4; and California Public Utilities Code Section 16002.

### 4215.2 Directors’ Compensation

Each member of the Board of Directors of the District will be entitled to receive \$100 per day for each day’s attendance at meetings of the Board, or for each day’s service rendered as a member of the Board by request of the Board, in accordance with Public Utilities Code section 16002(b).

### 4215.3 Types of Service for Which Compensation Will Be Provided

Applicable law (Public Utilities Code section 16002 and Government Code section 53232.1) permits the District to compensate Directors for each day’s attendance at meetings of the Board, or for each day’s service rendered as a Director, subject to a written policy adopted in a public meeting. A Director can be compensated for up to 10 days per calendar month of service in accordance with the Board’s adoption of Resolution No. 2021-13. The District encourages Directors to take advantage of opportunities to be informed concerning matters of interest to the District, and to inform others of the activities and interests of the District. The General Manager or his or her designee will provide to the Board on a monthly basis a list of meetings attended by each Director for which the Director was compensated under this policy. Directors will be compensated (for up to 10 days per calendar month) for attending the following types of meetings:

- (A) A meeting conducted pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).
- (B) Representation of the District at a public event, if that representation has been previously approved at a meeting of the Board and the member delivers a written report regarding the

member's representation to the Board at the board meeting immediately following the public event.

(C) Representation of the District at a public meeting or a public hearing conducted by another public agency, if that representation has been previously approved at a meeting of the Board and the member delivers a written report regarding the member's representation to the Board at the board meeting immediately following the public meeting or public hearing.

(D) Representation of the District at a meeting of a public benefit nonprofit corporation on whose Board the District has membership if that representation has been previously approved at a meeting of the District's Board and the member delivers a written report regarding the member's representation to the Board at the Board meeting immediately following the corporation's meeting.

(E) Participation in a training program on a topic that is directly related to the District if that representation has been previously approved at a meeting of the Board and the member delivers a written report regarding the member's participation to the Board at the Board meeting immediately following the training program.

(F) Committee meetings of the Board, attended as a member of the committee;

(G) Other meetings necessary for the disposition of duties assigned to a Board committee, attended by a member of the committee;

(H) Meetings, water industry events or office visits of a substantial duration concerning substantive District business as requested and approved for payment by the General Manager or the Board President; and

(I) In connection with business, educational and ceremonial meetings, functions and conferences for which the District has prepaid for a Director's attendance, the Director shall attend such events. If the Director is unable to attend the pre-paid event, the Director shall immediately notify the District. If the District cannot obtain a refund of fees paid, then the District shall bill the Director for reimbursement for all amounts paid, unless the Director's failure to attend the event arises from circumstances beyond the control of the Director.

#### **4215.4 Health and Welfare Benefits**

The District is authorized under California Government Code section 53200 *et seq.* to provide health and welfare benefits to its employees, retired employees, Directors and retired Directors of the District. Internal Revenue Code section 3401(c) requires Directors of the District to be considered employees for income reporting purposes. Under this policy, each active Director is entitled to receive a monthly health benefit plan allowance in an amount sufficient to cover the employee-only premium for medical, dental and vision insurance coverage, as such may be changed from time to time, and, subject to the foregoing, to participate in such health benefit plan(s) on the same terms as District employees.

## **4215.5 Reimbursement of Directors' Expenses**

### **Policy and General Rules**

The District encourages Directors to attend conferences, seminars and other meetings that require their participation or provide an opportunity to be informed concerning matters of interest to the District. Each Director is entitled to reimbursement for the amount of the reasonable and prudent expenditures (i.e., registration fees, travel, meals, lodging, and other actual and necessary expenses) incurred in the performance of his or her official duties. When a Director pre-pays expenses (e.g. registration, airfare, hotel), the Director may submit such items for expense reimbursement prior to the meeting occurrence.

A Director may use his or her personal funds for meeting registration. The District will reimburse the Director for the actual amount of the registration, if properly reported and documented in accordance with this policy.

The District's annual budget will set an appropriate level of funding for payment of Directors' expenses.

Any exceptions for expenses that do not come within the District's expense reimbursement policy must be approved by the Board in a public meeting in advance of the time when the expense will be incurred. (Government Code, §53232.2, subd. (f).) Any question concerning the propriety of a particular expense should be resolved by the Board before the expense is incurred.

## **4215.6 Reimbursable Expenses**

Directors' direct expenses for attendance at meetings and events authorized by this policy, including registration fees, reasonable travel, lodging, and meal costs, and other actual necessary expenses, will be paid by the District in accordance with the guidelines and per diem rates for an accountable expense reimbursement plan as defined in the United States Internal Revenue Service's Publication 463 ("Travel, Entertainment, Gift and Car Expenses") and Publication 1542 ("Per Diem Rates (For Travel Within the Continental United States)") (collectively, the "IRS Publications"), as such may be amended from time to time.

The following expenses are authorized business-related expenditures:

- a. **Personal Vehicle Mileage.** A Director will be reimbursed for actual vehicle travel miles at the rate authorized under the IRS Publications for all meetings attended and services provided. A Director will be considered to have accounted for personal vehicle expenses by indicating the actual miles traveled, the business purpose of the travel, and the date of travel on the approved District expense reimbursement form and submitted. The District will not reimburse Directors for any other personal vehicle expenses.

- b. **Hotel Expenses.** A Director will be reimbursed for reasonable lodging expenses incurred in accordance with this Policy when a Director attends conferences, seminars or meetings, if the Director stays at the hotel or other lodging listed in the event's registration materials at the group rate obtained for the event. If a Director travels on District business for which no hotel is designated or is unable to book lodging at a specified conference rate, he or she may either (a) be reimbursed at the per diem hotel rate provided in the IRS Publications for the city in which the hotel is located; or (b) use the Director's personal funds to pay for hotel charges, in which case the District will reimburse the Director for actual charges, but only up to three times the maximum per diem hotel rate provided for in the IRS Publications for the event location.
- c. **Meals.** A Director may be reimbursed for the cost of meals while attending authorized conferences, seminars or meetings away from the District based on the per meal rate provided for in the IRS Publications. A Director may either (a) report meals at the IRS per diem rate or (b) use the Director's personal funds to pay for meals, in which case the District will reimburse the Director for actual charges, but only up to three times the maximum per diem meal rates provided for in the IRS Publications. If a Director is not traveling for a full day, defined as from 12:01 a.m. to 12:00 Midnight, the per diem meal/incidental allowance will be prorated according to the actual hours of travel unless a Director uses his or her personal funds to pay for meals, in which case the District will reimburse the Director for actual charges for meals incurred while traveling, but only up to three times the maximum meal rate provided for in the IRS Publications. If the District prepays the cost of one or more meals with a meeting, function or conference registration, a Director must attend the prepaid meals. If a Director fails to attend a pre-paid meal, a Director may not submit a claim for reimbursement for an alternative meal taken in lieu of the pre-paid meal.
- d. **Incidental Allowance.** Tips for meals will be reimbursed up to a maximum of 15% of the cost of the reimbursable portion of any meal in accordance with the tip shown on the receipt attached to an expense reporting form. The District will reimburse a Director for tips actually given to transportation drivers, baggage porters, bellhops and hotel housekeepers that are reasonable and customary for the area. A Director may be reimbursed for toll charges and parking fees up to the actual amount expended.
- e. **Common Carrier Travel.** When personal vehicle use for District business is impractical due to time and/or distance, a Director may use regularly scheduled commercial carriers for travel. Consistent with scheduling needs and the most-direct route, a Director traveling by plane, train, rental vehicle, bus, or taxi will travel by the least-expensive fare actually available for the date and time of the travel. When possible, travel should be planned in advance to permit use of advance fares. Long-term parking must

be used at airports for travel exceeding 24 hours. The District will reimburse the Director for the actual amount of the fare and related, necessary expenses (e.g., baggage fees), if properly reported in accordance with this policy.

- f. Telephone/Fax/Cellular/Internet. A Director will be reimbursed for actual telephone, fax and reasonable internet expenses incurred for District business. Telephone bills should identify which calls were made for District business. For cellular calls when the Director has a particular number of minutes included in the Director's plan, the Director can identify the percentage of calls made for District business.

#### **4215.7 Types of Expenses for Which Reimbursement Will Not be Provided**

**Director expenses that are not deemed to be reimbursable business expenses may include, but are not limited to:**

- a. Barber and/or beauty shop charges;
- b. Fines for traffic or parking violations;
- c. Expenses of any person accompanying a Director on a District-approved trip or event;
- d. Personal telephone calls;
- e. Fitness/Health Facility or Massages;
- f. Alcoholic beverages;
- g. Entertainment expenses (movies, sporting events, etc.);
- h. Non-Mileage vehicle expenses; and
- i. Charitable contributions

#### **4215.8 Expense Reporting Procedures**

In order to be reimbursed for any expense authorized under this Policy, within 60 days of incurring the expense, a Director must fill out and sign a District-provided expense report form. The expense report form is designed to ensure that Directors' expense reimbursements comply with the requirements of Government Code section 53232.3 and the IRS Publications. Accordingly, the General Manager will review each expense report form, and sign it to indicate compliance with the requirements of this policy. In all cases when a Director seeks reimbursement for expenses incurred while attending a conference, seminar or other meeting, a copy of the conference registration form must either be attached to his or her expense report or on file at the District (e.g. copy attached to check request or purchasing card paperwork). In addition, a Director will be required to attach the following documentation to his or her expense reimbursement report as a condition of receiving reimbursement for an appropriately-incurred business expense:

- a. Personal Vehicle Mileage. To verify mileage, the General Manager or designee will document personal vehicle mileage, using tools such as Google or MapQuest, which will be attached to the Director's expense report.

- b. **Lodging Expenses.** If a Director wishes to be reimbursed for lodging expenses, he or she must attach to the expense report an itemized bill issued by the hotel and a copy of the credit card receipt or other proof of the Director's payment. Except when attending a conference, seminar or other meeting and using the available group rate booked for the event, the District will reimburse a Director only for the actual amount of the hotel expenses incurred up to a maximum amount equal to three times the applicable per diem rate shown in the IRS Publications.
- c. **Meal Expenses.** If a Director wishes to be reimbursed for meal expenses at the IRS per diem rate, he or she may fill out the expense report form and claim the expense without further documentation. If a Director pays for meals with his or her own funds, he or she must attach to the expense report an itemized bill, copy of a credit card receipt or other proof of the Director's payment. In such cases, the District will reimburse a Director only for the actual amount of the meal expense incurred up to a maximum amount of three times the applicable per diem rate shown in the IRS Publications.
- d. **Common Carrier Travel.** A Director must attach to his or her expense report the fare, coupon, or itemized bill from a travel agency, airline, rental vehicle, bus or train showing the actual amount expended for such travel. A boarding pass, conference badge, business receipt from the destination or other documentation indicating the travel occurred must be attached to the Director's expense report.
- e. **Incidental Expenses.** Whenever possible, a Director should obtain a receipt for incidental expenses such as tolls and parking fees. For incidental expenses where no receipt is available, such as tips and parking meter costs, a reimbursement request for such expenses may be claimed on the District approved expense report. Certification that such expenses were related to District business, reasonable, appropriate, and actually incurred by the Director is made when signing the District approved expense report form.

In all cases, the Director will remain responsible for filing an expense report and attaching the appropriate documentation obtained by the Director in conformance with paragraphs a. through e. above. Flat-rate advances or payments of expenses are prohibited under Government Code section 53232.2, except for per diem payments authorized in accordance with the IRS Publications.

A Director must substantiate all expenses on an expense report with the appropriate documentation attached within 60 days of incurring or paying the expense. An expense report submitted after the 60 days will only be paid if approved by the Board at a regular meeting. Any mis- or late-reported expenses incurred by a Director will not meet the requirements of the IRS Publications and will be considered income to the affected Director. To comply with the applicable tax laws, the District will issue to a Director a Form W-2 including all mis- or late-reported expenses as income.



#### **4215.9 Disclosure**

To comply with reporting requirements of Government Code section 53232.3, the District will prepare a list of the meetings attended by each Director for which the District provided compensation, and a list of the amount and purpose of each expense reimbursement paid by the District to each Director. This information will be included with the agenda materials for each regular monthly Board of Directors meeting. At the next regular Board meeting, Directors also must provide either an oral or written report of meetings and other authorized events attended for which they were compensated by the District. If multiple officials attended the same event, a joint report may be made.

All expenses are subject to verification that they comply with this Policy. Directors should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All District expenditures are public records subject to disclosure under the Public Records Act, except that the District will ensure that no Director personal information, such as credit card numbers and home addresses, is provided to the public in the event of a request for such records.

#### **4215.10 Penalties**

Government Code Section 53232.4 defines the penalties for falsifying or misusing public funds. The penalties include: (1) loss of the violator's reimbursement privileges; (2) restitution of misused District funds; (3) civil penalties of up to \$1,000 per day for each day of violation and three times the value of the public resources misused; and (4) criminal prosecution and lifetime bar from holding public office. The Board will report any violation of this Policy to the appropriate authorities.

#### **4215.11 Payment of Compensation and Expenses**

All reimbursable expenses as outlined in this policy will be paid within the next payroll cycle upon receipt of a completed expense reporting form approved by the General Manager or designee.

#### **4215.12 Policy Review**

This Policy shall be reviewed at least biennially.

## Cal Wat Code § 20201.5

Deering's California Codes are current through Chapter 1-100, 102, 103, 105-112, 114, 115, 117-123, 125-142, 145-160, 164, 173, 174, 177, 180-184, 276, 294, and 307 of the 2021 Regular Session, including all urgency legislation effective July 22, 2021 or earlier.

*Deering's California Codes Annotated* > *WATER CODE (§§ 1 — 150010)* > *Division 10 Financial Supervision of Districts (Chs. 1 — 3)* > *Chapter 2 Compensation of Water District Directors (§§ 20200 — 20207)*

### § 20201.5. Reimbursement of expenses

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Reimbursement for expenses of members of a governing board of a water district is subject to Sections 53232.2 and 53232.3 of the Government Code.

### History

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Added Stats 2005 ch 700 § 28 (AB 1234), effective January 1, 2006.

Annotations

### Research References & Practice Aids

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#### Hierarchy Notes:

Cal Wat Code Div. 10, Ch. 2

Deering's California Codes Annotated

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## Cal Wat Code § 20201

Deering's California Codes are current through Chapter 1-100, 102, 103, 105-112, 114, 115, 117-123, 125-142, 145-160, 164, 173, 174, 177, 180-184, 276, 294, and 307 of the 2021 Regular Session, including all urgency legislation effective July 22, 2021 or earlier.

*Deering's California Codes Annotated* > *WATER CODE (§§ 1 — 150010)* > *Division 10 Financial*

*Supervision of Districts (Chs. 1 — 3)* > *Chapter 2 Compensation of Water District Directors (§§ 20200 — 20207)*

### § 20201. Authorization to provide and to increase compensation

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Notwithstanding any other provision of law, the governing board of any water district may, by ordinance adopted pursuant to this chapter, provide compensation to members of the governing board, unless any compensation is prohibited by its principal act, in an amount not to exceed one hundred dollars (\$100) per day for each day's attendance at meetings of the board, or for each day's service rendered as a member of the board by request of the board, and may, by ordinance adopted pursuant to this chapter, in accordance with Section 20202, increase the compensation received by members of the governing board above the amount of one hundred dollars (\$100) per day.

It is the intent of the Legislature that any future increase in compensation received by members of the governing board of a water district be authorized by an ordinance adopted pursuant to this chapter and not by an act of the Legislature.

For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

### History

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Added Stats 1984 ch 186 § 1. Amended Stats 1988 ch 397 § 1; Stats 2005 ch 700 § 27 (AB 1234), effective January 1, 2006.

Annotations

### Notes

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**Prior Law:**

**Amendments:**

**Prior Law:**

Former Wat C § 20201, relating to commission, was added Stats 1943 ch 371 § 1 and repealed Stats 1945 ch 321 § 2.

**Amendments:**

**1988 Amendment:**

(1) Amended the first paragraph by (a) substituting “may, by ordinance adopted pursuant to this chapter, provide compensation to members of the governing board, unless any compensation is prohibited by its principal act, in an amount not to exceed one hundred dollars (\$100)” for “which is authorized under its principal act to provide compensation to members of the governing board in the amount of one hundred dollars (\$100) or more”; (b) adding “and” after “request of the board,”; (c) adding “, in accordance with Section 20202,”; and (d) deleting “or more” before “per day” at the end of the paragraph; and (2) deleted “above that amount” after “water district” in the second paragraph.

**2005 Amendment:**

Added the last paragraph.

## **Research References & Practice Aids**

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**Hierarchy Notes:**

Cal Wat Code Div. 10, Ch. 2

Deering's California Codes Annotated

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## Cal Wat Code § 20202

Deering's California Codes are current through Chapter 1-100, 102, 103, 105-112, 114, 115, 117-123, 125-142, 145-160, 164, 173, 174, 177, 180-184, 276, 294, and 307 of the 2021 Regular Session, including all urgency legislation effective July 22, 2021 or earlier.

*Deering's California Codes Annotated* > *WATER CODE (§§ 1 — 150010)* > *Division 10 Financial Supervision of Districts (Chs. 1 — 3)* > *Chapter 2 Compensation of Water District Directors (§§ 20200 — 20207)*

### § 20202. Yearly ceiling on compensation increase; Limitation on number of compensable days

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In any ordinance adopted pursuant to this chapter to increase the amount of compensation which may be received by members of the governing board of a water district above the amount of one hundred dollars (\$100) per day, the increase may not exceed an amount equal to 5 percent, for each calendar year following the operative date of the last adjustment, of the compensation which is received when the ordinance is adopted.

No ordinance adopted pursuant to this chapter shall authorize compensation for more than a total of 10 days in any calendar month.

### History

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Added Stats 1984 ch 186 § 1. Amended Stats 1988 ch 397 § 2; Stats 1989 ch 111 § 1.

Annotations

### Notes

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**Prior Law:**

**Amendments:**

**Prior Law:**

Former Wat C § 20202, defining “commission”, was added Stats 1943 ch 371 § 1 and repealed Stats 1945 ch 321 § 2.

**Amendments:**

**1988 Amendment:**

Added “above the amount of one hundred dollars (\$100) per day” in the first paragraph.

**1989 Amendment:**

Substituted “10 days” for “six days” in the second paragraph.

**Research References & Practice Aids**

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**Hierarchy Notes:**

Cal Wat Code Div. 10, Ch. 2

Deering’s California Codes Annotated

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## Cal Gov Code § 53201

Deering's California Codes are current through Chapter 1-30, 32-38, and 40 of the 2021 Regular Session, including all urgency legislation effective June 29, 2021 or earlier.

*Deering's California Codes Annotated > GOVERNMENT CODE (§§ 1 — 500000–500049) > Title 5 Local Agencies (Divs. 1 — 5) > Division 2 Cities, Counties, and Other Agencies (Pts. 1 — 3) > Part 1 Powers and Duties Common to Cities, Counties, and Other Agencies (Chs. 1 — 14) > Chapter 2 Officers and Employees (§§ 53200 — 53300–53309) > Article 1 Group Insurance (§§ 53200 — 53210)*

### **§ 53201. Legislative body authorized to provide health and welfare benefits**

(a) The legislative body of a local agency, subject to conditions as may be established by it, may provide for any health and welfare benefits for the benefit of its officers, employees, retired employees, and retired members of the legislative body, as provided in subdivision (b), who elect to accept the benefits and who authorize the local agency to deduct the premiums, dues, or other charges from their compensation, to the extent that the charges are not covered by payments from funds under the jurisdiction of the local agency as permitted by Section 53205.

(b) The legislative body of a local agency may also provide for the continuation of any health and welfare benefits for the benefit of former elective members of the legislative body who (1) served in office after January 1, 1981, and whose total service at the time of termination is not less than 12 years, or (2) have completed one or more terms of office, but less than 12 years, and who agree to and do pay the full costs of the health and welfare benefits.

(c)

(1) Notwithstanding any other provision of law, a legislative body of a local agency that provided benefits pursuant to subdivision (b) to former elective members of the legislative body January 1, 1995, shall not provide those benefits to any person first elected to a term of office that begins on or after January 1, 1995, unless the recipient participates on a self-pay basis, as provided in subdivision (b).

(2) A legislative body of a local agency that did not provide benefits pursuant to subdivision (b) to former elective members of the legislative body before January 1, 1994, shall not provide those benefits to former elective members of the legislative body after January 1, 1994, unless the recipients participate on a self-pay basis.

(3) A legislative body of a local agency that provided benefits pursuant to subdivision (b) to former elective members of the legislative body before January 1, 1994, may continue to provide those benefits to those members who received those benefits before January 1, 1994.

(d) The legislative body of a local agency that is a local hospital district may provide for any health and welfare benefits for the benefit of (1) members of its medical staff, employees of the medical staff members, and the dependents of both groups on a self-pay basis; and (2) employees of any entity owned, managed, controlled, or similarly affiliated with, the legislative body of the local hospital district, and their dependents, on a self-pay basis.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

## History

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Added Stats 1949 ch 81 § 1. Amended Stats 1957 ch 944 § 2; Stats 1963 ch 1773 § 1; Stats 1979 ch 415 § 1; Stats 1980 ch 129 § 1; Stats 1982 ch 64 § 1; Stats 1985 ch 141 § 1, effective July 1, 1985; Stats 1990 ch 1542 § 1 (SB 2187); Stats 1992 ch 1358 § 1 (SB 1852); Stats 1994 ch 615 § 1 (SB 1893); Stats 1995 ch 529 § 5 (SB 614), effective October 4, 1995.

Annotations

## Notes

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### Derivation:

### Amendments:

### Note—

### Derivation:

Stats 1939 ch 250 § 1.

### Amendments:

### 1957 Amendment:



(1) Substituted “provide for any health and welfare benefits” for “adopt and execute a system of group life, accident, and health insurance, or any of them,”; (2) substituted “local agency” for “legislative body”; (3) deleted “insurance” before “premiums”; (4) added “, dues or other charges”; and (5) added “, to the extent that such charges are not covered by payments from funds under the jurisdiction of the local agency as permitted by Government Code Section 53205”.

**1963 Amendment:**

Added (1) “, subject to such conditions as may be established by it,”; and (2) “and retired employees”.

**1979 Amendment:**

Substituted “, retired employees, and retired members of the legislative body” for “and retired employees”.

**1980 Amendment:**

(1) Designated the former section to be subd (a); (2) added the comma after “premiums, dues” in subd (a); and (3) added subd (b).

**1982 Amendment:**

Substituted “is not less than” for “exceeds” after “termination of service” near the end of subd (b).

**1985 Amendment:**

Amended subd (b) by substituting (1) “(1) served” for “serve” after “body who”; and (2) “is not less than 12 years, or (2) have completed one or more terms of office, but less than 12 years, and who agree to and do pay the full costs of the health and welfare benefits” for “of service is not less than 12 years” at the end of the subdivision.

**1990 Amendment:**

Added subd (c).

**1992 Amendment:**

(1) Amended subd (a) by (a) deleting “such” after “subject to”; and (b) substituting “the” for “such” after “the extent that”; and (2) amended subd (c) by adding (a) “(1)” after “the benefit of”; and (b) “; and (2) employees of any entity owned, managed, controlled, or similarly affiliated with, the legislative body of the local hospital district, and their dependents, on a self-pay basis” after “self-pay basis”.

**1994 Amendment:**

(1) Amended subd (a) by (a) adding “, as provided in subdivision (b),”; and (b) deleting “Government Code” after “as permitted by”; (2) added subd (c); and (3) redesignated former subd (c) to be subd (d).

**1995 Amendment:**

(1) Amended subd (c)(1) by (a) substituting “January 1, 1995” for “before the effective date of Senate Bill 1893 of the 1993–94 Regular Session of the Legislature”; and (b) deleting “or was fully vested prior to January 1, 1995,” after “self–pay basis,”; and (2) added subd (e).

**Note—**

Stats 1994 ch 615 provides:

SEC. 2. If any provision of this act or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

## **Notes to Decisions**

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### **1. Construction with Other Law**

Under Ed C § 44922, which allows school districts to establish part-time schedules for certain certificated employees, such employees, while paid the prorated share of their full-time salaries, retain the insurance benefits accorded to full-time employees, as long as they make the benefit payments that would be required if they remained in full-time employment. Gov C § 53201’s relevance in the § 44922 scheme is simply that if a particular school district chooses to offer its employees health benefits, the § 44922 part-time employees will receive health benefits in the same manner as full-time employees, as long as the part-time employees make the health benefit payments that would be required had they remained full-time employees. If no such payments would be required as a full-time employee, no such payments are required as a § 44922 part-time employee. In this way, § 44922 part-time employees receive health benefits in the same manner as full-time employees. *Praiser v. Biggs Unified School Dist.* (Cal. App. 3d Dist. Feb. 28, 2001), 87 Cal. App. 4th 398, 104 Cal. Rptr. 2d 551, 2001 Cal. App. LEXIS 134.

## **Opinion Notes**

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**Attorney General's Opinions**

Authority of Board of State Harbor Commissioners to pay portion of premiums for group life or disability insurance of employees. 7 Ops. Cal. Atty. Gen. 8.

Authority of school districts to combine for purpose of adopting system of group insurance for benefit of their officers and employees; agency provided by agreement to administer or execute the agreement. 23 Ops. Cal. Atty. Gen. 146.

Superior court judge, commissioner, reporter, or municipal court judge as not authorized to be included in group insurance plan of county under this section. 27 Ops. Cal. Atty. Gen. 338.

Plan by which city employees permitted to purchase individual life or annuity policies with privilege of payroll deduction, where authorized by employee, as not violating code provisions respecting group life insurance coverage. 33 Ops. Cal. Atty. Gen. 103.

Payment of county of part of premiums of group insurance policy for supervisors, auditor, and district attorney. 38 Ops. Cal. Atty. Gen. 116.

Authority for school district to purchase annuities for its teachers; possible adverse effect on employees' retirement benefits. 44 Ops. Cal. Atty. Gen. 130.

Adoption of "Deposit Administration Group Annuity" plan without resorting to pension trust requirements of § 53216. 48 Ops. Cal. Atty. Gen. 17.

Power of school districts to purchase annuity contracts from override tax funds available for purchase of health and welfare benefits; power to adopt tax sheltered annuity program providing additional income to teacher under annuity policy. 56 Ops. Cal. Atty. Gen. 68.

Multiple matters respecting purchase of tax-sheltered annuities by public school employees. 57 Ops. Cal. Atty. Gen. 166.

A school district that does not provide a pension plan for members of its Board of Trustees may not provide health and welfare benefits to former members of its board of trustees pursuant to Government Code, § 53201, which permits health and welfare benefits to be provided only to former members who are "retired". 62 Ops. Cal. Atty. Gen. 631.

Cal Gov Code § 53201

A hospital district may use district funds to provide family health insurance for the members of its board of directors. The compensation limits established for hospital district board members in H & S C § 32103 would not be affected by a district providing family health insurance to its directors. 66 Ops. Cal. Atty. Gen. 13.

School district presently providing health and life insurance benefits to eligible former and present board members may not, in absence of constitutional justification, discontinue such benefits under certain circumstances. 67 Ops. Cal. Atty. Gen. 510.

City council of general law city may provide for its members during their current terms of office prepaid whole life insurance policy providing member on resignation or termination direct and immediate cash benefit, provided that such benefits are available to large number of city's employees. 73 Ops. Cal. Atty. Gen. 296.

General law county may enter into agreement with recognized employee organization to administer jointly a county-funded employee health benefits trust. 74 Ops. Cal. Atty. Gen. 159.

School board may grant fully paid health and welfare benefits to age 65 to its former elective members who have served at least 12 years on board after January 1, 1981, if such benefits are a continuation of grant made or in effect during members' respective terms of office and benefits are provided to large numbers of school district's employees. 77 Ops. Cal. Atty. Gen. 50.

The city council of a general law city may not reduce the health and welfare benefits of its members, including the elected mayor, during their current terms of office. 80 Ops. Cal. Atty. Gen. 119.

The board of trustees of a school district may extend health and welfare benefits to current members of the district's personnel commission. 83 Ops. Cal. Atty. Gen. 6.

A city has a contractual obligation to provide paid health benefits to a former city council member who has served more than twelve years, but not to one who has served less than twelve years, where each was a member of the council in 1994 when the council adopted a resolution providing paid health benefits to former council members who serve at least five consecutive years, with benefits continuing up to twelve years based upon the number of years served. 83 Ops. Cal. Atty. Gen. 14.

A city has a contractual obligation to provide paid health benefits to a former city council member who has served more than twelve years, but not to one who has served less than twelve years, where each was a member of the council in 1994 when the council adopted a resolution providing paid health benefits to former council members who serve at least five consecutive years, with benefits continuing up to twelve years based upon the number of years served. 83 Ops. Cal. Atty. Gen. 14.

The city council of a general law city that provides benefits to its members while in office, and which has never continued such benefits to its members after leaving office, may now provide for the continuation of such benefits for its currently serving members after they leave office only if the recipients participate on a self-pay basis. 85 Ops. Cal. Atty. Gen. 63.

## **Research References & Practice Aids**

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### **Cross References:**

State Employees' group insurance salary deductions: Gov C § 1151.

Adoption of insurance system by county: Gov C § 31003.

Contracts with admitted insurers: Gov C §§ 53202, 53202.1.

Payment of part of premium out of public funds: Gov C § 53205.

Authorization for payment of premiums: Gov C § 53210.

School district regulations allowing reduction of certificated employees' workload to part-time duties: Ed C § 44922.

Group disability insurance extended to employees of the state or agencies: Ins C § 10270.5.

### **Hierarchy Notes:**

Cal Gov Code Title 5, Div. 2

Cal Gov Code Title 5, Div. 2, Pt. 1, Ch. 2

Cal Gov Code Title 5, Div. 2, Pt. 1, Ch. 2, Art. 1

Deering's California Codes Annotated

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## Cal Pub Util Code § 16002

Deering's California Codes are current through Chapter 1-30, 32-38, and 40 of the 2021 Regular Session, including all urgency legislation effective June 29, 2021 or earlier.

*Deering's California Codes Annotated > PUBLIC UTILITIES CODE (§§ 1 — 240323) > Division 7 Public Utility District Act (Chs. 1 — 11) > Chapter 3 Internal Organization of Districts (Arts. 1 — 7) > Article 2 Terms and Compensation of Directors (§§ 16001 — 16004)*

### § 16002. Compensation of members

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(a) Each member of the board may receive the compensation that the board by ordinance provides, not exceeding four thousand eight hundred dollars (\$4,800) a year.

(b)

(1) As an alternative to subdivision (a), the board may provide, by ordinance or resolution, that each of its members receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board shall not receive compensation for more than 10 days of service in a month.

(2) For the purposes of this subdivision, a “day of service” means any of the following:

(A) A meeting conducted pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(B) Representation of the district at a public event, if that representation has been previously approved at a meeting of the board and the member delivers a written report regarding the member’s representation to the board at the board meeting immediately following the public event.

(C) Representation of the district at a public meeting or a public hearing conducted by another public agency, if that representation has been previously approved at a meeting of the board and the member delivers a written report regarding the member’s representation to the board at the board meeting immediately following the public meeting or public hearing.

(D) Representation of the district at a meeting of a public benefit nonprofit corporation on whose board the district has membership if that representation has been previously approved at a meeting of the district’s

board and the member delivers a written report regarding the member's representation to the board at the board meeting immediately following the corporation's meeting.

(E) Participation in a training program on a topic that is directly related to the district if that representation has been previously approved at a meeting of the board and the member delivers a written report regarding the member's participation to the board at the board meeting immediately following the training program.

(c) Notwithstanding subdivisions (a) and (b), the board of directors of a water district, as defined in Section 20200 of the Water Code, may increase the amount of compensation that may be received by members of the board by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code.

(d) The board may provide, by ordinance or resolution, that its members receive their actual and necessary traveling and incidental expenses incurred while on official business. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

(e) A member of the board may waive any or all of the payments permitted by this section.

(f) For purposes of this section, the determination of whether a member's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

## History

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Added Stats 1953 ch 72 § 2. Amended Stats 1983 ch 83 § 1; Stats 2005 ch 700 § 25 (AB 1234), effective January 1, 2006; Stats 2007 ch 213 § 1 (AB 490), effective January 1, 2008.

Annotations

## Notes

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### Derivation:

### Amendments:

### Derivation:

Stats 1921 ch 560 § 27 last par p 916.

**Amendments:**

**1983 Amendment:**

Substituted “four thousand eight hundred dollars (\$4,800)” for “three thousand six hundred dollars (\$3,600)”.

**2005 Amendment:**

(1) Substituted “the” for “such” before “compensation”; (2) substituted “that” for “as”; and (3) added the last sentence.

**2007 Amendment:**

(1) Designated the former section to be subd (a); (2) substituted “may” for “shall” after “the board”; (3) deleted the former last sentence of subd (a) which read: “For purposes of this section, the determination of whether a director’s activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.”; and (4) added subs (b)–(f).

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**California Special  
Districts Association**



*Districts Stronger Together*

## **UNDERSTANDING SPECIAL DISTRICT BOARD MEMBER COMPENSATION**

By: Richard D. Pio Roda and Anthony Felix, Meyers Nave

This paper is intended to help you understand compensation for special district board members in California. Specifically, it describes (1) the statutory authority behind board member compensation, (2) the maximum compensation board members can receive, (3) how board members can increase compensation, (4) board member reimbursements for job-related expenses, (5) the extent to which board members may receive benefits, and (6) how small community services districts typically compensate board members.

### **Under what authority can special districts compensate board members?**

Typically, special district board member compensation is set by the Legislature. Special districts have the general authority to compensate board members for attendance at meetings under the California Government Code.<sup>1</sup> However, this general authority is limited by statutes specific to particular types of districts, which prescribe rates and conditions for board member compensation. Special districts are granted authority either under principal acts or special acts. Principal acts are codified in state laws and are generic statutes that apply to all special districts of a particular type. Special acts are often uncoded and are narrowly focused on governing one or a few special districts to fit the unique needs of those districts. A board member interested in learning more about their district's authority to compensate its board members should first reference their district's formation or enabling documents to determine whether the district is governed by a principal act or a special act. Identifying which statutes govern a district is important because such statutes often vary in provisions for the maximum amount of compensation a board member may receive, how and if board members can increase compensation, and provisions regarding reimbursements and board member benefits.

### **What is the maximum amount of compensation a special district board member may receive?**

Principal act districts that have been codified in state law vary on the maximum amount a board member may be compensated. Most code sections set the maximum compensation rate at \$100 for each meeting attended by a board member or each day in which a board member is engaging in official duties. This includes special districts such as county water districts,<sup>2</sup> recreation and park districts,<sup>3</sup> community services districts,<sup>4</sup> public cemetery districts,<sup>5</sup> and more. Other code sections explicitly provide that special district board members are to receive no compensation in their roles as board members. These

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<sup>1</sup> Gov. Code § 53232.1(a).

<sup>2</sup> Water Code § 30507.

<sup>3</sup> Pub. Res. Code § 5784.15(a).

<sup>4</sup> Gov. Code § 61047(a).

<sup>5</sup> Health and Safety Code § 9031(a).

districts include pest abatement districts,<sup>6</sup> police protection districts,<sup>7</sup> citrus pest control districts,<sup>8</sup> port districts,<sup>9</sup> river port districts,<sup>10</sup> and memorial districts.<sup>11</sup> Many districts set maximum compensation rates at amounts smaller than \$100, such as \$10,<sup>12</sup> \$25,<sup>13</sup> or \$50<sup>14</sup> per meeting attended by the board member. Some code sections authorize a flexible compensation rate to be determined by the board members themselves. The California Water Code sections governing levee districts<sup>15</sup> and reclamation districts<sup>16</sup> provide that each board member shall receive compensation for their services "... as the board determines to be just and reasonable..." Generally, these districts still compensate board members at a rate under \$100 per meeting.

### **Can special district board members increase their compensation? If so, how can board members do so?**

In addition to attending regularly scheduled board meetings, board members often must attend the meetings of other agencies or travel to conferences in order to better understand and fulfill their roles. In order to meet these often demanding and time-consuming duties, some special districts consider increasing the compensation of its board members. If a special district board is considering increasing the compensation of its board members it is important it starts by referencing its governing statutes or acts. A district's governing statutes or acts will determine whether board members can increase compensation, to what extent compensation can be increased, and how to increase compensation.

Many special districts can increase board member compensation pursuant to California Water Code section 20201, which both sets the maximum amount of compensation per meeting at \$100 but also authorizes board members to increase compensation above \$100.<sup>17</sup> Although this may be welcome news to districts interested in increasing compensation, there are three notable restrictions on a district's ability to do so. If a special district board can increase compensation via section 20201: (1) it must do so via ordinance,<sup>18</sup> (2) the increase may not exceed 5% for each calendar year,<sup>19</sup> and (3) voters may petition for a referendum on the ordinance increasing compensation.<sup>20</sup> As part of the ordinance requirement, special district boards must hold a public hearing for discussion of the compensation increase and publish a notice of the hearing.<sup>21</sup> Special districts should also note voter referendums may result in the ordinance appearing on a regular election or special election ballot for voter approval.<sup>22</sup> If the ordinance is struck down by voters, the special district board will be prohibited from adopting a new compensation increase ordinance for at least one year.<sup>23</sup>

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<sup>6</sup> Health and Safety Code § 2851

<sup>7</sup> Health and Safety Code § 20069

<sup>8</sup> Food and Ag. Code § 8508

<sup>9</sup> Har. and Nav Code § 6251.

<sup>10</sup> *Id.* at § 6836.

<sup>11</sup> Mil. and Vet Code § 1197.

<sup>12</sup> Wat. Code § 56031.

<sup>13</sup> Pub. Res. Code § 13041(b).

<sup>14</sup> Har. and Nav. Code § 7047.

<sup>15</sup> Wat. Code § 70078.

<sup>16</sup> *Id.* at § 50605(a).

<sup>17</sup> *Id.* at § 20201.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at § 20202.

<sup>20</sup> *Id.* at § 20204.

<sup>21</sup> *Id.* at § 20203

<sup>22</sup> Wat. Code § 20206.

<sup>23</sup> *Id.*

On the other hand, many statutes and acts governing special districts are silent on a district's authority to adjust board member compensation. As a result of lacking a statutory authority to adjust board member compensation, special districts falling into this category may be unable to do so. Therefore, it is important that special districts interested in increasing board member compensation reference its district's formation documents to identify if its governing statutes or acts allow such actions.

### **Can board members be reimbursed for job-related expenses?**

Special district board members are often expected to attend a variety of events in the performance of their duties, including trainings, community outreach events, conferences, and local agency meetings. The expenses associated with these activities, including travel, lodging, and food costs, can be significant. Fortunately, the Legislature has recognized the costs associated with serving as a board member and granted special districts with the authority to provide reimbursements. In fact, the vast majority of special districts have the authority to reimburse board members for expenses related to fulfilling their duties as board members.

Again, the most important starting point to determine whether a special district may reimburse its board members is identifying the governing acts or statutes. Most districts have the statutory authority to reimburse board members but are required to abide by the reimbursement procedures set out in Government Code sections 53232.2- 53232.4. In order to comply with Government Code section 53232.2, special districts generally must only reimburse board members for actual and necessary expenses incurred in the performance of official duties and adopt a written policy that specifies the types of expenses that may be reimbursed. Other requirements on board members include the filing of expense reports with special district boards and providing brief reports on the meetings requiring reimbursement.<sup>24</sup> Special districts should note the misuse of reimbursement funds can result in the loss of reimbursement privileges, civil penalties, and even criminal penalties.<sup>25</sup> Therefore, special districts governed by Government Code sections 53232.2- 53232.4 should ensure its reimbursement policies are consistent with these sections and that board members are only being reimbursed for actual and necessary expenses.

Some districts are not directly governed by the statutory requirements of Government Code sections 53232.2- 53232.4 but instead follow a less stringent reimbursement procedure. For example, in reclamation districts a board member's claims for expenses incurred are to be presented to the board and then paid in the same manner as other indebtedness of the district.<sup>26</sup> Although citrus pest control district board members are not entitled to any compensation, they may be reimbursed for actual and necessary expenses when claims for those expenses have been approved by the board.<sup>27</sup> Still, other districts lack the statutory authority to provide any reimbursements for board members, including police protection districts.<sup>28</sup>

### **To what extent can special district board members receive benefits?**

Although only some special district board members may be entitled to compensation, all special district board members may receive group insurance benefits if the board elects to do so. Under Government Code section 53201 and 53205.1, a special district board may provide benefits to its board members,

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<sup>24</sup> Gov. Code § 53232.3(a); Gov. Code § 53232.3(d).

<sup>25</sup> *Id.* at § 53232.4.

<sup>26</sup> Wat. Code § 50606.

<sup>27</sup> Food and Ag. Code § 8508.

<sup>28</sup> Health and Saf. Code § 20000 *et seq.*

retired board members, and the families of board members and retired board members. Benefits can include medical, dental, vision, and life insurance.<sup>29</sup>

California state law is relatively silent on the procedures a special district must take to adopt a benefits policy for its board members. The Office of the Attorney General provides some guidance on the issue by declaring that no official declaration of policy is required for a special district to provide health benefits to its elective officers.<sup>30</sup> The Attorney General's opinion noted that no procedure or mode for providing the benefits is set forth in Government Code section 53201.<sup>31</sup> The Attorney General concluded that a special district board may take action in any appropriate manner, whether by ordinance, resolution, motion, or otherwise.<sup>32</sup> Therefore, whether a district must approve a benefits plan by ordinance or resolution comes down to what the enabling or principal act governing it requires. Beyond that, the Brown Act requires changes in compensation, including fringe benefits, to be made during an open meeting.<sup>33</sup>

Special district boards should note that districts considering providing benefits to its board members have often received pushback from the community.<sup>34</sup> If a special district is considering providing a benefits program to its board members, it may be prudent for them to be transparent about the program's estimated costs and expected beneficiaries so the public is aware of the district's proposed expenditures.

With that being said, most of the principal acts governing special districts make no explicit mention of a board's authority to provide benefits to its board members. This is not to say these special districts may not provide benefits to its board members as Government Code section 53201, which grants districts the authority to provide benefits, still applies to them as well. The few special districts with principal acts that mention benefits separately (such as regional park and/or open space districts) note that board members are eligible for the same group medical or dental plans available to permanent employees of the district.<sup>35</sup>

### **How do small community service districts typically compensate board members?**

In addition to applicable statutory restrictions, board member compensation for a small district may also be restricted if the district has a small budget. If a particular community services district is governed by the principal act requirements set out in Government Code section 61047, it may provide its board members with \$100 each day for services provided. Community services districts may also increase board member compensation above \$100 in accordance with the authority and requirements set out in Water Code section 20201.

Most community services district do not compensate board members. Some community services districts compensate its board members as much as \$10,000 per year including the Phelan Pinon Hill Community

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<sup>29</sup> Gov. Code § 53205.16.

<sup>30</sup> 86 Cal. Att'y Gen. Op. No. 92-1008 (May 5, 1993).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> Gov. Code § 5493(c)(3).

<sup>34</sup> Brad Branan, *Health benefits boost board compensation at Sacramento area special districts*, The Sacramento Bee (March 6, 2015, 6:20 PM), <https://www.sacbee.com/news/investigations/the-public-eye/article12892430.html>.; Paul Rogers, *Santa Clara Valley Water District considers idea for lifetime medical benefits for board members*, (August 27, 2012, 1:19PM), <https://www.mercurynews.com/2012/08/27/santa-clara-valley-water-district-considers-idea-for-lifetime-medical-benefits-for-board-members/>.

<sup>35</sup> Pub. Res. Code § 5536.

Services District<sup>36</sup> and the Rosamond Community Services District.<sup>37</sup> Many community services districts compensate board members at a rate consistent with Government Code section 61047, which amounts to \$4,800 a year assuming board members provide services or attend meetings four days a month.

How a small district compensates its board members will come down to what the district's budget and needs are. Although all community services districts have the statutory authority to compensate board members at a rate more than \$100 for each meeting attended, most small districts elect to compensate less than \$100 per meeting or not at all.

## **Moving Forward**

The California Government Code, through principal or special acts, generally provides special districts with the authority to compensate its board members. Although most districts set the maximum board member compensation rate at \$100 for each meeting attended by a board member, some districts offer a flexible compensation rate, compensation under \$100, or no compensation at all. Many special districts can increase board member compensation pursuant to California Water Code section 20201, which both sets the maximum amount of compensation per meeting at \$100 but also authorizes board members to increase compensation above \$100. The vast majority of districts have the authority to reimburse board members for the actual and necessary expenses incurred on the job, subject to those districts and board members meeting certain requirements. All special districts board members may receive group insurance benefits, including medical, dental, vision, and life insurance. Lastly, most small community services districts compensate board members at a rate less than \$100 for each meeting attended or not at all, despite having the authority to compensate board members more than \$100. Moving forward, a special district interested in compensating its board members should reference its enabling statutes because such statutes will often determine the maximum amount of compensation a board member may receive, how and if board members can increase compensation, and whether board members may be provided reimbursements and benefits.

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<sup>36</sup> Government Compensation in California, <https://publicpay.ca.gov/Reports/PositionDetail.aspx?employeeid=19490354>, (last visited June 19, 2019).

<sup>37</sup> Government Compensation in California, <https://publicpay.ca.gov/Reports/PositionDetail.aspx?employeeid=19955885>, (last visited June 19, 2019).

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Richard D. Pio Roda is a Principal at the Meyers Nave law firm. Richard's legal practice is focused on strategic advice and counsel, and transactional legal services for municipalities and special districts throughout California. Richard is General Counsel to the Rodeo Hercules Fire Protection District, and the Mendocino County Community Development Commission. Richard also serves as Special Counsel to numerous special districts, including the West County Wastewater District, Rincon del Diablo Municipal Water District, San Ramon Valley Fire Protection District and the Twain Harte Community Services District. Richard frequently provides advice on a variety of issues that range from General Manager performance evaluation, negotiating all types of transactions from complex technology purchases to property leases, to emergency declarations, policies and procedures, to public official conflicts of interest. He can be contacted at 510.808.2000 or [rpioroda@meyersnave.com](mailto:rpioroda@meyersnave.com)

Anthony Felix is a second year law student at the University of California, Hastings College of the Law. During his second year at UC Hastings, Anthony will serve as the Admissions Chair for the UC Hastings La Raza Law Students Association and will be a staff editor of the Hastings Law Journal. Prior to attending law school, Anthony graduated from the University of California, Santa Barbara with a bachelor's degree in Political Science. Anthony is originally from National City, California and has interned at the City Attorney's office in National City. During the summer of 2019, Anthony was a Summer Fellow at Meyers Nave where he worked closely with Meyers Nave's Municipal and Special District Law Practice Group. He is interested in practicing municipal law after he graduates law school.

# CALAVERAS PUBLIC UTILITY DISTRICT



## Board of Directors

J.W. Dell'Orto – President  
 Richard Blood – Director  
 Scott Speer – Director  
 Brady McCartney – Director  
 Vacant – Director

## Director Assignments

### District AD HOC Committees

Engineering/Planning Committee	Richard Blood	Brady McCartney
Budget/Finance Committee	J.W. Dell 'Orto	Scott Speer

### Joint Power Authorities

	<b>Primary</b>	<b>Alternate</b>
ACWA/JPIA	All Board Members	
Calaveras-Amador Mokelumne River Authority (CAMRA)	J.W. Dell 'Orto	Richard Blood
Calaveras Public Power Agency (CPPA)	Scott Speer	J.W. Dell 'Orto
Upper Mokelumne River Watershed Authority (UMRWA)	Richard Blood	Scott Speer

### Local/Regional Organizations of Interest

CPUD/CCWD Water AD HOC Committee	J.W. Dell 'Orto	Brady McCartney
Association of California Water Agencies (ACWA)	_____	
Calaveras LAFCO		Scott Speer
Mokelumne River Association (MRA)		All Board Members
Mountain Counties Water Resources Association (MCWRA)		All Board Members

# CALAVERAS PUBLIC UTILITY DISTRICT

## MEMORANDUM

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NOVEMBER 9, 2021

TO: BOARD OF DIRECTORS

FROM: JOHN KINGSBURY, INTERIM GENERAL MANAGER/

SUBJECT: DISTRICT INTERESTS AND ISSUES BOARD REPORT

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At its last meeting, the Board and staff reviewed the Interim General Manager's observations and suggestions/recommendations, included herein, to help move the District forward in a positive proactive direction.

Given the two recent Board appointments, a vacant Board Director position, a new general manager to start next month, and aging infrastructure, adds to the complexity of lacking resources and funding to provide a sustainable environment for the district.

The Directors are responsible and legally accountable as the fiduciaries who steer the organization towards a sustainable future by adopting sound and ethical policies to address the needs of the District for providing long-term sustainability, safe and reliable water service, and excellent customer service in a responsible and professional manner.

I applaud the Board's recent support for additional staff with which comes improved morale and set a new tone for the District moving forward. Once staff has been hired, trained, and equipped with tools and equipment to do their job, it will reduce outside repair costs, provide time for preventative maintenance, the updating of Diamond Maps (for the Water Model) improved office coverage, and service to our customers and your constituents. Additionally, as shown below, the Board recently approved contracts to set the tone to advance positive opportunities on several fronts.

- Approved task order change for dam safety engineer services
- Approved proposal to upgrade the District's business server
- Approved proposal to upgrade the District's network
- Approved proposal for a High-level SCADA Assessment
- Approved proposal for water rights compliance and hydropower generating plant evaluation
- Approved professional services agreement to complete the ACWA/JPIA Risk Control grant application
- Approved professional services agreement to complete the annual financial audit

Previously, Board members spent most of its time debating the challenges of the Clearwell Project and a small one-year water sale to CCWD. The Interim General Manager's take away message specific to the water sale is:

1. District's need to put its pre-14 water right water to beneficial use, including the County's Area of Origin water or risk losing it. Groups are actively working to change water right law, which ultimately could affect the District and its water rights.



2. Entities demonstrating an unwillingness to help its neighbors long term will risk consolidation. As reported in the Los Angeles Times on October 30, 2021, the town of Tooleville had no drinking water and unable to get it from the City of Exeter. On August 23, 2021, the State Water Resources Control Board (SWRCB) sent a letter to officials warning that if they did not have a voluntary plan for consolidation within six months, the state would step in.

At the Board's last meeting, with focus and discussion on additional staff, Director Blood told the Interim General Manager that he should be working on the Capital Improvement Program (CIP). While of high importance to the Board and staff, limited resources and multiple priorities prevented direct attention to this point. With several contracts approved and staffing issues addressed at the last Board meeting, the Interim General Manager, absent a Board adopted Strategic Plan, initiated and implemented steps to move forward the next series of priorities, including a CIP.

There are several sequential steps necessary before operations and engineering can produce a prioritized CIP list for committee discussion and Board consideration.

First and foremost, the Water Model needs to be updated, Water Loss Report needs to be reconciled and updated, infrastructure assets need to be identified, projects inventoried and prioritized based on age and risk of failure, and the document reviewed and analyzed in advance of discussion with the Finance and Engineering Adhoc Committees.

In addition, as previously directed by the Board, the AdHoc Committees need Board approved ground rules and duties to help direct the conversation in an effective and efficient manner consistent with the interest and direction of the Board.

In summary and in advance of a CIP:

1. Staff established a "MONTHLY" ENGINEERING AND OPERATIONS coordination meeting separate and distinct from the Clearwell Project meeting.
2. Coordinating with staff and our district engineer to update Diamond Maps essential to update the Water Model.
3. Ground truth the Water Model
4. Engineering to update the AWWA Water Loss Audit in coordination with Operations.
5. Ground truth the Water Loss Audit Report
6. Engineering to produce existing CIP as a template to add projects in coordination with Operations.
7. Develop a risk assessment valuation and scale for each proposed project
8. Develop justification and estimated cost on each proposed project

Active and collaborative coordination with WGA and Operations, working "together" will go a long way to getting the reports necessary to flush out a CIP and ultimately a "Cost of Service Study". A through process, along with bringing along the customers and providing the Board with sufficient information to make an informed decision, will advance the district in a positive direction.

The following are project examples being considered by district Engineering and Operations for Capital Improvement Consideration (CIP) consideration. Once complete and in draft form by recommended priority, staff will meet with and provide the draft CIP to the Board's AdHoc Engineering Committee and Finance Committees for discussion/support and Board approval. This is one of the critical elements necessary for the district to initiate and complete a Cost-of-Service Rate Study.

The Report, “**CALAVERAS PUBLIC UTILITY DISTRICT FACILITIES - ISSUES AND INTERESTS**” is to keep Board members informed of some, but is not limited to, the significant and costly projects that staff is and will be considering for potential inclusion in the CIP.

**CALAVERAS PUBLIC UTILITY DISTRICT FACILITIES**  
**ISSUES AND INTERESTS**

November 9, 2021

The infrastructure issues list and those reflected in ATTACHMENT A below, are being considered by district Engineering and Operations for Capital Improvement Consideration (CIP) consideration. Once complete and in draft form by recommended priority, staff will meet with and provide the draft CIP to the Board’s AdHoc Engineering Committee and AdHoc Finance Committee for discussion and support with later submission for Board approval. Completion of a CIP is one of the critical elements necessary for the district to initiate and complete a Cost-of-Service Rate Study and/or acquire a loan or obtain bond financing. However, this should not preclude the Board authorizing funding for those projects identified herein of an urgent nature brought forward due to the high risk of failure and consequences of each. Nor, should the Board exclude pursuing projects such as creating a JPA with partners and build the pipeline/hydro project (Kasl Engineering Study) or installing flashboards on reservoirs to store winter water, as examples.

Due to Clearwell Project costs and other issues, districtwide planning essentially stopped as was the CIP, the Water Model, and Master Plan, etc. This is not sustainable nor acceptable and the planning and prioritizing process has been reinstated.

The Board’s support of hiring additional office and operations staff at its last meeting, once hired and trained, will help to stop the bleeding on daily operations and maintenance. Most importantly, however, that Board action set a new tone and direction for the District moving forward.

As the Directors know, the Board is responsible and legally accountable as the fiduciaries who steer the organization towards a sustainable future for providing long-term sustainability, safe and reliable water service in a responsible and professional manner. Therefore, it is critical for staff to inform the Board of outstanding issues and interests to help make informed decisions. This document, in addition to last month’s Interim General Manager Board Report, included in

this agenda, provides the Board with a comprehensive list of long-standing project related issues.

**Note:** *The following 13-page document was produced by a previous employee, recently surfaced and brought to my attention, which I want to share with the Board for its information. The narrative reflects a perspective of the magnitude of significant infrastructure issues facing the District. Operations and Engineering will be evaluating the merit of each issue for consideration in the CIP. The text of this document has not been edited.*

*Further, **ATTACHMENT A**, developed and reported by Mat~ Roberts, the District's current water treatment superintendent, reflects his assessment, of issues not dissimilar from his predecessor.*

*Also, taking a page from both current and past water superintendent's, there is also a write up and picture from John Cunnngham, Water Distribution/Treatment Operator III. This write-up describes the lack of a safe working environment to perform maintenance that in time if not fixed will inhibit the ability to pump water to Jeff Davis.*

*The common thread shown by duplication in the lists, is that District appeared frozen in time. Vision, direction, and the fortitude to provide resources and funding will be challenging, but necessary if the Board is to steer the organization towards a sustainable future. This will hopefully provide the Board with new view of the overall landscape of the aging infrastructure at the District.*

*Respectively,  
John Kingsbury  
Interim General Manager*

**SCHAAD'S RESERVOIR/HYDRO:**

1. **HYDRO GENERATORS:** The district is entering an agreement with MarTech to pull and evaluate the large and small units, to include the valve actuators. I believe MarTech will be able to rebuild the pumps and replace the valve actuator or actuators. It may be wise to replace the hydraulic system to either an electric or pneumatic driven actuator to reduce potential water contamination. Other upgrades and repairs to the generators and motor controls should be explored as well. The district has lost valuable revenue from this system

being down, and potentially exposing itself to scrutiny from FERC for not maintaining the hydro system.

2. **PENSTOCK:** The 30” steel penstock is severely corroded, resulting in numerous leaks and repairs in the past decade. Because of the corrosive nature of the snow melt water and soils surrounding the pipe, I would expect this to continue to get worse to the point of failure. Slip lining the penstock should be studied as well as total replacement, and possibly using the lower outlet as an alternate location to plumb from. One advantage for using the lower outlet, even for just running the small unit is colder water temperatures, thus allowing longer generation into the summer, and meeting fish flows at the same time. The eight-inch fish flow line could easily be plumbed into the penstock. If the penstock is not addressed shortly, I predict continued leaks and eventual catastrophic failure, possibly causing erosion and potential property and environmental damage from a large leak flooding the hydro and surrounding areas. If the District is successful with a slip lining project in the distribution system, this might be the next logical location to use that technology.
3. **SCHAAD’S CPUD OWNED HIGH VOLTAGE LINES:** The District is entering an agreement with ACRT to inspect trees on a regular (Annual or Biannual basis). Tree work will be completed by a certified contractor with follow up inspection. It is critical to keep the lines cleared and PUC compliant. In addition, the District needs to contract with a high voltage line contractor to evaluate and repair/maintain the lines and poles to meet PUC regulations. Based on what has happened with PG&E, this is a “no brainer”.
4. **LOWER OUTLET/DAM DRAIN:** The plank to access the dam drain is unsafe and needs replaced ASAP.
5. **SCHAAD’S UPPER OUTLET: Medium Priority:** Both FERC and DODS have expressed interest in the condition of the upper outlet. The District did send a dive team down to find the screen inlet. Heavy silt and wood debris were found around the inlet. It was recommended the upper outlet be abandoned and filled with concrete. If the upper outlet were to fail and start to leak, it could lead to erosion of the groin and dam face on that side.
6. **DAM:** The maintenance of the dam has been good and all faces and groins appear in good shape. The interior and exterior Piezometer readings stay within normal range, except during heavy rainfall years, where they drift into the action level area. The outside Piezometer will need repaired at some point, but staff is still able to get consistent readings.
7. **SCHAAD’S SPILLWAY:** The spillway was repaired by staff filling obvious cracks in the concrete in 2018. Because of high water flows, the spillway could not be inspected in 2019. Several trees are currently over the bottom of the spillway, and floating debris are caught on the log boom above, and are identified as a FEMA project and will be removed. FERC has

asked that all trees be removed at least 30ft back from the spillway on either side. Some but not all of this work has been completed. Continued proactive maintenance is needed to maintain the spillway. The old spillway is a hazard and filling it in should be considered in the future.

8. **SCHAAD'S SCADA:** SCADA upgrades will be necessary at some point to remotely monitor and operate the hydro system, and to be compliant with FERC and DODS requirements. Phone line communication and cellular are not reliable in that area, so radio repeaters will likely be what is needed to communicate. CCWD has successfully used VHF type radios for this type of terrain around the County, and that option should be considered.
9. **SCHAAD'S RESERVOIR SILT:** History shows us that Schaad's has a problem with siltation at the headworks. This should be evaluated and added to the Master Plan. Tuolumne Utility District is currently doing a similar project that might be worth looking at.
10. **SCHAAD'S FOREST MANAGEMENT:** The property at Schaad's has endured extensive tree mortality, and this infestation is still active. Originally most of the dead trees were on the recreation side, but a new kill has started between the spillway and dam access road. The latest tree infestation should be dealt with, especially with another drought year pending. Ladder fuels in and around the hydro station should be treated regularly to reduce fire danger.
11. **Access Road:** Recent repairs have the roads in pretty good shape, continued annual maintenance is recommended to keep them in good shape. Some FEMA work is still pending.

#### **RED HAWK:**

1. **DAM:** The large pine trees on the dam will eventually cause major grief for the District. Several have died from bark beetles and should be removed. One live tree has uprooted and fell into the reservoir, causing minor damage to the interior of the dam. This is an upcoming FEMA project tied to a storm event, to remove the tree and repair the dam. The problem is, this is just the beginning, at least 20 more large pines will eventually do the same. The District needs to evaluate Red Hawk, and decide the value of this facility, and determine what the course of action is in the future.
2. **ACCESS ROAD:** Recently staff reestablish the original legal access for CPUD, we have improved it for reasonable access and it should be kept up.

#### **MOKELUMNE RIVER PUMP STATION:**

1. **400HP TURBINE PUMP:** The District is entering an agreement with RF MacDonald to pull and evaluate, rebuild the pump and motor this Spring. RF Mac Donald has already rebuilt the first pump and motor, which insures the District's ability to seasonally pump water to Jeff Davis Reservoir. I would suggest the District creates a long term plan to monitor pump and motor

performance, including a predictive plan to pull and check both pumps in ten years, or whatever is recommended. The Motor Control Center (MCC) should be evaluated and improved within 5 years, which would go well with future SCADA upgrades.

2. **RIVER SILT AND GRAVEL INFILTRATION:** Through the years during flooding periods, large amounts of sand, gravel and rocks have traveled downstream, filling the impoundment for the intake behind the dam. Emergency removal has occurred to allow the pumps to operate. The District needs to work on creating a scope of work for a project to remove the debris. This should be accomplished within 5 years or less. Other past practices of leaving the intake screens up during rainy periods caused large amounts of silt and woody debris to build up inside the wet wells. It is very important to close the gates prior to storm events to minimize the amount of silt inside. Removing the silt requires low flows and manually removing the debris. This leads to the importance of exercising the slide gate within the dam annually, along with making any repairs. Currently the top portion needs rebuilt in order to lift the gate with the tripod. A diversion wall should be built during the river clean out to minimize build up directly in front of the station.
3. **PERMANENT MAG METER:** While the Flexim Meter works, it is not the best application for this style of meter, and needs upgraded. A Mag Meter could be cut in outside the station where the old mechanical meter exists. Coupled with this project, the Raw water line under the river should be evaluated with TV technology. This potentially could be another slip line candidate if corrosion is found. An additional isolation valve would be recommended downstream of the new meter.
4. **RAW WATER LINE:** As mentioned previously, the Raw Water line needs evaluated under the river, and depending on what is found, the rest of the line likely needs checked out based on its age of almost 50 years. Using camera technology to inspect and record the inner pipe condition would be the best practice. The ARV's on this line should be rebuilt or replaced, it is likely many are not functioning as intended after many years of service. This can cause air build up in the line and reduce the efficiency of the pumping, resulting in wasted dollars spent on extra pumping to fill the reservoir.
5. **VOLCANO TREE:** Volcano Telephone was supposed to remove a large pine tree uphill from our road that they cut down several years ago, between our gate and the station. To date they have not, and it could roll down on our road causing harm to anyone passing through. I would suggest having Timber Tech deal with the tree if Volcano is not responsive.
6. **PUMP STATION ROOF:** The removable portion of the roof was rebuilt last year, but the rest of the roof should be repaired or replaced before it starts leaking and causing structural damage. Exterior painting should be included.

7. **SCADA:** Coupled with MCC upgrades, the station should be modernized to include full remote monitoring and operation through SCADA. This would include river turbidity monitoring, and gate improvements to allow for remote shutdown, alarms, and other operation and data collection. This would reduce the need to travel to the station and give real time monitoring of the river conditions. Interior lighting and painting should be included.
8. **ACCESS ROAD:** Recent repairs have the road in pretty good shape, continued annual maintenance is recommended to keep it in good shape. Some FEMA work is still pending.

### **JEFF DAVIS RESERVOIR:**

1. **INTAKE:** Like the rest of the 1972 Water System Project, the Intake is approaching 50 years of age. I would recommend the structure and valves be inspected with divers and/or some other submersible TV technology. I would anticipate corrosion beginning to take its toll on the structure and valves. We do cycle the valves annually and have not had any issues to date.
2. **RAW WATER LINE:** (Intake to WTP): 50-year inspection is recommended. Using camera technology to inspect and record the inner pipe condition would be the best practice.
3. **MAIN DAM:** Continue good maintenance practices, consider improving some of the groin areas with new concrete within ten years.
4. **SADDLE DAM:** Continue good maintenance practices.
5. **Diversion Ditch:** Continue good maintenance practices, consider improving several know areas where overtopping has occurred in the past.
6. **SPILLWAY AND UNDERDRAIN PLUMBING:** 50-year inspection is recommended. Using camera technology to inspect and record the inner pipe/drains condition would be the best practice. Some FEMA work is still pending.
9. **ROADS:** Recent repairs have the road in pretty good shape, continued annual maintenance is recommended to keep it in good shape. Some FEMA work is still pending.
7. **FENCE:** The fence needs patrolled at least weekly, continued cutting of the fence needs to be kept up on. Maybe a letter to repeat offenders is in order. AKA Buzz from Cal Fire. The District spent a lot of time and money on that fence.
8. **FOREST MANAGEMENT:** Continued good forestry practices by using Cal Fire to thin and maintain the property is recommended. A healthy forest also acts as a nice watershed buffer. Losing the protection of the forest from a wildfire could result in greater run off, causing water quality problems if the Diversion Ditch is overwhelmed.

## **JEFF DAVIS WATER TREATMENT PLANT (WTP):**

1. **SCADA:** The first phase of SCADA is complete and functions very well. Future phases need identified and planned accordingly. Much of it is plug and play, coupling the work in conjunction with other projects identified below. Considerable time was spent writing up each site location and the general tags associated with them systemwide, hopefully this will serve to assist with future planning and frameworks for projects. The radio survey is also a valid survey, but with 5G becoming a reality, some communications may work well using cellular technology. Continued outside support will be required to keep SCADA working as desired, plus when you need help with a glitch in SCADA, it is important to have someone to call right away.
2. **CLEAR WELL:** With the structural issues identified with the original clear well/tank, it is my opinion a second twin tank should be constructed just north west of the existing one. All plumping between the WTP and tanks should be replaced, a new Mag meter and related pressure transducers installed. Once the new tank is in operation, then the old tank would be repaired and brought up to modern OSHA safety standards. Both tanks would ultimately work together, and either tank could easily be taken out of service for future maintenance. All related SCADA upgrades would commence with the tank project. The current overflow must be redesigned to incorporate an airgap and screen, per the State.
3. **RECYCLE:** This project should couple with the Clear Well and SCADA projects and should be completed within 5 years. The District is exposing itself to a serious liability if this is not pursued. I would carefully weigh out the pros and cons of recycling to the reservoir vs. the raw water line headworks. Off the cuff I believe the reservoir option would be easier operationally. Construction costs would be similar with more controls on the raw line system, and more trenching and pipe for the reservoir option. The backwash ponds will need sludge removed within a few years; this could also be included in the project. The first pond has far more material than the second.
4. **FILTERS AND FILTER PIPING:** Recent inspections have shown some minor mud balls and one surface wash sprayer issue. These items need monitored and addressed accordingly. Quarterly filter spot checks are advised, along with an increased backwash rate. ERS should evaluate and repair the spray bar problem identified on the report. I am pretty confident if the district stays on top of these issues, the life expectancy of the media should be good until 2025. I would recommend interior epoxy repairs next time the filters are taken down, and exterior repaint ASAP to prevent further corrosion. The hatch lids will need replaced as well. New gaskets need made now for spares. All spares were used up during recent inspections.



5. **AUXILIARY EQUIPMENT:** This includes chemical feed pumps, surface wash pump, compressors, emergency generator. The emergency generator needs preventative maintenance on regular intervals to include in house and professional inspections. Because of PSPS and other frequent power outages, a portable generator plug should be installed to protect the District and its customers from a generator failure during these events. The District may want to consider purchasing a portable generator for these events for added redundancy. Since we added cooling to the room, the compressors have become far less troublesome, continued maintenance and keeping a spare at the WTP is a must. The surface wash pump system should be evaluated, and a redundant two pump system considered, since it is a critical component in keeping the filters clean. The chemical pumps need evaluated and possibly replaced; all they are used for now is poly carrier water. The plumbing feeding the carrier water to the poly line is in very poor shape and has leaked in the attic from time to time and needs replaced. Some of these upgrades would fit nicely into SCADA upgrade #2, and some could be inhouse projects.
6. **SEPTIC SYSTEM:** Pump and inspect septic system. Locate drain fields.
7. **PLUMBING:** Interior plumbing issues still need corrected. Ideally the WTP should be plumbed to the new OSG water service, and get rid of the raw and post clear well cross connections.
8. **EXTERIOR:** Roof repairs, including fascia board replacement and painting are overdue. This work will protect the structure and provide aesthetically pleasing results, better matching the new storage building color.
9. **INTERIOR:** In the past two years, staff has made great progress with painting. Continued painting, floor work and a lab revamp is needed. The lighting and heat/ac is also a great addition. The heat/ac should be maintained to get maximum life.
10. **ROADS:** The roads are in pretty good shape, continued annual maintenance is recommended to keep them it in good shape. Some FEMA work is still pending.
11. **FOREST MANAGEMENT:** Continued good forestry practices by using Cal Fire to thin and maintain the property is recommended. By keeping the forest park like surrounding the WTP, it is less likely a wildfire will destroy any infrastructure. A Fire Hydrant off the Railroad Flat Pump Station would also help protect the WTP in the event of a wildfire.

#### **RAILROAD FLAT (RFF) WATER SYSTEM:**

1. **SCADA:** This is a fairly simple upgrade to bring RRF Pump station into the new SCADA system. The scope of work and a price has already been given by TSI, the price will only increase over time. I would recommend doing this ASAP, Budget 20/21.

2. **DISTRIBUTION/TANK:** This system is fairly new, but regular maintenance for the tank, hydrants, ARV's, pump station, valves and fill station need kept up with. The walkway has been damaged from past flooding. FEMA project should repair this to avoid trip hazard.
3. **PUMP STATION EXTERIOR/INTERIOR:** The building is due for paint, if it is delayed any longer, the structure and exterior trim could become damaged. To avoid costly damage and to increased aesthetic appearance, this should be completed ASAP. The interior is in good shape, a coat of paint would be good prior to the SCADA improvements.
4. **METERING:** Good candidate for radio read or drive by technology.

### **GLENCOE WATER SYSTEM:**

1. **PUMP STATION:** Glencoe pump station is a poor at best water system, and is only reliable for normal residential water use. Any wildland fire or structure fire will cause the system to go dry and fail, resulting in property damage and public health issues from loss of pressure in the water system. Several ideas have been tossed around to improve the system, all of which if designed carefully should work. More careful engineering is needed to find the best solution for this system. RRF Tank would serve all but the highest customers, which they could have smaller booster pump systems installed for specific residences, but the biggest drawback is probably the distance to link the two system together. A new pump station turnout off the Transmission Line, utilizing pressure control, designed to handle likely fire flows is probably the best route. Additional tank storage onsite might be desirable for fire flow and emergency storage. Metering should be installed to track pumping rate and totals.
2. **SCADA:** Linking the Glencoe Pump Station to SCADA would provide real time monitoring and control for the system, and should be included with the upgrade described above.
3. **GENERATOR:** The emergency generator needs preventative maintenance on regular intervals to include in house and professional inspections. Because of PSPS and winter storm events, a portable generator plug should be installed to protect the District and its customers from a generator failure during these times. The District may want to consider purchasing a portable generator for these events for added redundancy.
4. **DISTRIBUTION:** The system is circa 1975-80 and is subpar. The hydrants are older, and we have experienced multiple water leaks along Independence Road area. We have installed a couple isolation valves during leak repairs that have proven to be worth having already. Continued maintenance will help preserve the system.
5. **BUILDING EXTERIOR/INTERIOR:** Depending on the station upgrade planning, this building could use paint outside. But if the station is replaced within 5 years, then that work could possibly be deferred, otherwise it should be done soon to preserve the integrity of the siding.

6. **METERING:** Good candidate for radio read or drive by technology.

#### **TRANSMISSION LINE TO MCV (UPPER):**

1. **LEAK AUDIT:** The District is gearing up to conduct a water audit and should be able to collect accurate data with better metering at the WTP. Old customer meters play a role and should continue to be replaced. But the aging Transmission Line must be looked at closely, especially in areas that have history of leaks, any areas with taps, and high-pressure zones. The most recent Rich Gulch leak may be an example of a leak that has been going for a long period of time undetected because of its location. Leak detection technology is available and should be used. It is very effective finding leaks with steel pipe construction.
2. **HYDRO #1:** All Hydro Stations serve two critical roles. Pressure reduction is critical to the protection of the transmission line infrastructure, and hydro revenue serves to offset operating costs. Better Cla-Val maintenance has helped reduce water hammer to the line and overpressure blow off episodes resulting in undocumented water losses. Upgrades to the hydro facilities need to continue to maximize efficiency and reliability to get the best revenue stream possible. High voltage power lines must be maintained and clearances kept to avoid wildfire. The District must stay proactive with maintaining these facilities. The structures need some major maintenance. Isolation valves and possible bypass lines around the stations need explored. Hydro #1 power pole outside the station needs evaluated and possibly replaced. Once the Turbine and electrical controls are upgraded, the inside walk way and interior concrete damage and paint need evaluated. The 6" bypass isolation valve needs replaced. Confined space issues need addressed.
3. **MAIN CONTROL VALVE (MCV) HYDRO #2:** All Hydro Stations serve two critical roles, but MCV has a third role. Pressure reduction is critical to the protection of the transmission line infrastructure, and hydro revenue serves to offset operating costs. The MCV also serves as the fill valve for Mokelumne Hill Tank and is controlled through the WTP SCADA. Better Cla-Val maintenance has helped reduce water hammer to the line and overpressure blow off episodes resulting in undocumented water losses. Upgrades to the hydro facilities need to continue to maximize efficiency and reliability to get the best revenue stream possible. High voltage power lines must be maintained and clearances kept to avoid wildfire. The District must stay proactive with maintaining these facilities. The structures need some major maintenance and repair. Isolation valves and possible bypass lines around the stations need explored. The Turbine will need evaluated at this location within the next few years, and possibly rebuilt like the other two will be soon. Once the Turbine and electrical controls are

upgraded, the inside walk way and interior concrete damage and paint need evaluated. Confined space issues need addressed.

4. **TRANSMISSION LINE:** Continued right of way vegetation maintenance, sign posting and patrols need to be done on a regular basis. Furthermore, ARV maintenance and replacement must happen to preserve the integrity of the water line. Trapped air in a water line can result in water hammer in the line, causing damage. Increased focus on the line is time well spent. Historical problem areas should be visited more frequently.

#### **TRANSMISSION LINE TO GARAMENDI (MIDDLE):**

1. **LEAK AUDIT:** The District is gearing up to conduct a water audit and should be able to collect accurate data with better metering at the WTP. Old customer meters play a role and should continue to be replaced. But the aging Transmission Line must be looked at closely, especially in areas that have history of leaks, any areas with taps, and high-pressure zones. The most recent Rich Gulch leak may be an example of a leak that has been going for a long period of time undetected because of its location. Leak detection technology is available and should be used. It is very effective finding leaks with steel pipe construction.
2. **HYDRO #3:** All Hydro Stations serve two critical roles. Pressure reduction is critical to the protection of the transmission line infrastructure, and hydro revenue serves to offset operating costs. Better Cla-Val maintenance has helped reduce water hammer to the line and overpressure blow off episodes resulting in undocumented water losses. Upgrades to the hydro facilities need to continue to maximize efficiency and reliability to get the best revenue stream possible. High voltage power lines must be maintained and clearances kept to avoid wildfire. The District must stay proactive with maintaining these facilities. The structures need some major maintenance. Isolation valves and possible bypass lines around the stations need explored. Once the Turbine and electrical controls are upgraded, the inside walk way and interior concrete damage and paint need evaluated. The 6" bypass isolation valve needs replaced. **The 2" bypass at this location must be repaired as soon as possible** before it fails, resulting in a high-pressure leak inside the building, causing damage and possible harm to someone if present. Confined space issues need addressed.
3. **TRANSMISSION LINE:** Continued right of way vegetation maintenance, sign posting and patrols need to be done on a regular basis. Furthermore, ARV maintenance and replacement must happen to preserve the integrity of the water line. Trapped air in a water line can result in water hammer in the line, causing damage. Increased focus on the line is time well spent. Historical problem areas should be visited more frequently.

## **MOKELUMNE HILL WATER SYSTEM:**

1. **TANK:** All tanks have been recently inspected by a diving company and CPUD conducts quarterly inspections. Each tank has deficiencies identified in the reports. The tanks need exterior and interior recoating to prevent further corrosion. The ladder systems need to be brought up to current OSHA standards in conjunction with the other described work. A new electrical service at the tank location needs installed. Solar backup power should be installed to keep the level transducer and future SCADA radio equipment operating during power outages. PSPS events will continue for ten years, so it is recommended the Solar backup be installed soon. Careful consideration and planning will be required to take this tank out of service. It would be wise to wait until the second Clear Well is built to increase system capacity prior to taking this tank out of service.
2. **DISTRIBUTION LINE:** This distribution system is a mix of old and older piping. The areas with 2" and 4" steel are in the worst condition. Pipe bursting and or slip lining may be a good option in some cases, rather than digging up the entire street. This technology is available and if the District can find a reputable contractor, I believe it may be a great way to replace water lines in some cases. Main Street may be an excellent place to start. Areas that have asbestos concrete pipe are still in relatively good shape, my advice would be to audit these areas, and identify any trees that may be impacting the line (Within 25 feet). Like we saw recently, tree roots will find the pipe and wrap around it, eventually breaking the line in search for water. Pipe bursting may be an excellent replacement option for AC pipe to avoid the removal of the materials and save the trees. Normal maintenance routines need to continue, but will only be achieved if CPUD can avoid further turnover and keep normal staffing levels.
3. **PRESSURE REDUCING STATION:** The pressure station at the Fire Station has been maintained recently, which protects the Mokelumne Hill system from higher-than-normal pressures. Like all Pressure Stations it is a confined space, requiring special measures when entered. The District needs to continue to strive for a strong safety culture and not fall back on old habits.
4. **METERING:** Good candidate for radio read or drive by technology.

## **PALOMA WATER SYSTEM:**

1. **TANK:** This tank will need upgraded or replaced in the future. It is undersized for any future growth if it occurs. Like Golden Hills Tank, it is not regularly monitored and has a tar interior lining, and is subject to going dry without warning. At a minimum, a pressure transducer and solar power for SCADA level monitoring should be installed. The ladder system is antiquated

and should be brought up to current OSHA standards. I suspect at some point tar lined tanks will become an issue with the State.

2. **DISTRIBUTION LINE:** The Distribution system downstream of the tank, while older seems to be fairly stable, requiring normal maintenance. The water line feeding the Paloma tank has a track record of leaking because of poor pipeline construction practices, and should be evaluated and replaced.
3. **PRESSURE REDUCING STATION MAINTENANCE:** The pressure reducing station feeding the Paloma Line was repaired recently, and was found to be in very poor operating condition, including the overpressure bypass actually shut off. Since the station was rebuilt, we have not had a leak on the line feeding the Paloma Tank. This is an excellent example of how proper maintenance preserves infrastructure, and actually will reduce expensive repairs. Continued regular maintenance intervals will be needed to keep the system from having overpressure and water hammer events.

#### **TRANSMISSION LINE TO SAN ANDREAS (LOWER):**

1. **LEAK AUDIT:** The District is gearing up to conduct a water audit and should be able to collect accurate data with better metering at the WTP. Old customer meters play a role and should continue to be replaced. But the aging Transmission Line must be looked at closely, especially in areas that have history of leaks, any areas with taps, and high-pressure zones. The most recent Rich Gulch leak may be an example of a leak that has been going for a long period of time undetected because of its location. Leak detection technology is available and should be used. It is very effective finding leaks with steel pipe construction.
2. **TRANSMISSION LINE:** Continued right of way vegetation maintenance, sign posting and patrols need to be done on a regular basis. Furthermore, ARV maintenance and replacement must happen to preserve the integrity of the water line. Trapped air in a water line can result in water hammer in the line, causing damage. Increased focus on the line is time well spent. Historical problem areas should be visited more frequently.
3. **PRESSURE REDUCING STATION:** While the lower section does not have any inline PRV's, several exist coming off the line feeding specific pressure zones, these must continue to be maintained.

#### **GOLDEN HILLS WATER SYSTEM:**

1. **TANK:** This tank needs replaced or abandoned. It is feasible to pressurize the system solely off the Transmission line, but if a tank is ultimately deemed desirable, then the 2" fill line should be upsized to 6 " to keep up with fire flows for structure or wildland fires in that area. A

larger tank is not desirable because of lack of use during the winter, resulting in loss of cl2 residual in the tank.

2. **DISTRIBUTION LINE:** This system has had few leaks, but continued good distribution maintenance will serve the District well. Fire hydrant, ARV maintenance, valve exercising, and flushing. All need continued systemwide.
3. **PRESSURE REDUCING STATION:** This station serves several geographic areas besides Golden Hills, it is critical it be kept working properly because of the line it feeds across the highway, AKA Marler line, which has a history of problems. Also, it is worth mentioning that pipe bursting or slip lining a problem line like this, especially when it crosses under a highway should be considered before a leak occurs.
4. **METERING:** Good candidate for radio read or drive by technology.

### **SAN ANDREAS WATER SYSTEM:**

1. **TANK:** All tanks have been recently inspected by a diving company and CPUD conducts quarterly inspections. Each tank has deficiencies identified in the reports. The tanks need exterior and interior recoating to prevent further corrosion. The ladder systems need to be brought up to current OSHA standards in conjunction with the other described work. A new electrical service at the tank location needs installed. Solar backup power should be installed to keep the level transducer and future SCADA radio equipment operating during power outages. PSPS events will continue for ten years, so it is recommended the Solar backup be installed soon. Careful consideration and planning will be required to take this tank out of service. It would be wise to wait until the second Clear Well is built to increase system capacity prior to taking this tank out of service. The overflow must be redesigned to incorporate an airgap and screen, per the State.
2. **DISTRIBUTION LINE:** The San Andreas distribution system much like Mokelumne Hill is a mix of old and older piping with some newer installations. The areas with 2" and 4" steel are in the worst condition, however larger steel lines along highway 49 have also shown signs of aging. Pipe bursting and or slip lining may be a good option in some cases, rather than digging up the entire street. This technology is available and if the District can find a reputable contractor, I believe it may be a great way to replace water lines in some cases. Main Street may be an excellent place to start. Main Street and the connecting bridge are a ticking time bomb and must be addressed right away. Another issue in San Andreas is lack of good looping, both Court Street and Pixley Street are good candidates for improved looping of the system. My experience with inhouse pipeline replacements from the past have not been positive. The installations did not always follow best practices, many times depth, bedding and

backfill was incorrect, and old service lines were not replaced. Lewis Avenue is an excellent example of poor construction and poor service lines left in service. We had a catastrophic pipe failure on this 12" watermain in 2016 from poor bedding and flexing or bending the pipe beyond what it's tolerances can handle, resulting in a 20-foot lateral crack. The steel service lines were exposed in that same area during the PG&E project. Several of which had leaks and were clamped, but this will be an area of concern in the future. Watermain replacement is better left to professional contractors, and utilize CPUD staff to operate and maintain the system. There is plenty of maintenance to do. While we did really well valve exercising and flushing when fully staffed, we never complete San Andreas, and there is a long list of follow up repairs for the rest of the system. Leak detection and GIS mapping need to be pursued.

3. **PRESSURE REDUCING STATION:** Leonard Road Pressure Station needs immediate attention. This station tees off the Transmission Line with very high pressure. The upstream isolation valve needs repair, and is not accessible from the street. The first item is to core an additional opening to allow operators access to the valve from above. The pressure reducing valve and over pressure bypass valve are due for maintenance. Better access and visibility is needed for safety reasons with this particular vault, which is critical to the safety of those who make entry. As mentioned before all pressure stations are critical to keeping the system at proper operating pressures, and avoiding premature failures due to water hammer and high pressure. We have made good progress in the San Andreas area, and it is critical the District continue to maintain the stations. Other stations like the Cemetery need attention this year. Staff has a list of priority stations
  
4. **METERING:** Good candidate for radio read or drive by technology



## ATTACHMENT A

***Mat~ Roberts, CPUD Water Superintendent and his operations staff have also identified, and reported significant maintenance and operational issues that the District.***

### **SOUTH FORK PUMP STATION**

- Main Dam slide gate replacement
- Concrete dam re-surface or reinforce (see 2020 photos)
- River debris cleaned out in 2020, needs reoccurring plan.
- Sumps cleared of sand and Debris reoccurring maintenance.
- Sump Gate screen encloser replacement x2
- Raw Water line condition unknown (camera?)
- Tie controls to Scada
- Major electrical panel upgrade
- Road maintenance
- Paint interior and exterior
- Heat and lighting upgrade to energy efficient
- Surge tank assessment and or removal

### **JEFF DAVIS WATER TREATMENT PLANT**

- Intake structure and Raw Water line assessment (Camera?)
- Backwash recycle, up to state standards
- Paint interior and exterior
- Filter media replacement 2023/24?
- pressure filter maintenance interior and exterior epoxy, spray arms, paint
- Scada, continue adding facilities like R.R flat P.S. chem feed pumps, tank com.
- Laboratory upgrade cabinetry
- Filter to waist after Backwash
- Backwash pond maintenance.

### **RAILROAD FLAT PUMP STATION**

- Scada conduit and tie-in
- Building paint

### **GLENCOE PUMP STATION**

- Pump and service feed line upgrade, too small for application. (Water tank addition?)
- Engineering should access and give recommendation.

### **PRV (DISTRIBUTION)**

- Continue rebuilding program as recommended by manufacture.
- Rebuild vault lids to easy access and confined space declassify.

## **HYDRO**

- #1 (ponderosa) PRV and Valve replacements, Paint, Scada upgrade and Tie-in
- #2 (MCV) PRV and Valve replacements, Paint, Scada upgrade and Tie-in
- #3 (Garamendi's) PRV and Valve replacements, Paint, Scada upgrade and Tie-in
- All in need of bypass capabilities around current facilities to properly maintain facilities, no isolation valves upstream of locations.
- Paint interior and exterior
- Roof replacements/repairs
- CPUD power line vegetation removal

## **TANKS**

- Railroad Flat tank .5MG
- Clear Well .5 MG
- MokeHill Tank 1.5 MG
- Paloma 120K gallons (needs level indicator sleeve repaired ASAP)
- Golden Hills 40k Gallons
- San Andreas Tank 3 MG
- All tanks need and epoxy maintenance, continue diver inspections, ladder systems need upgrade including fall system to check air vents.
- Scada tied to all tanks.

(Reservoir dams' spillways)

## **SCHAADS**

- Hydro generation needs to be evaluated. Cost vs revenue?
- Penstock needs replacement/sleeve.
- Tied to Scada needed
- Continue spray and rodent control.
- DSOD and FERC compliance maintenance items

## **REDHAWK**

- Large pine trees that grow on dam will continue causing issues. Long term plan needed.
- Legal Access rd. debris and spray needed to keep up with access road.
- Continue Grubbing and rodent control.
- Keep spraying berries near the toe of dam. This area has dam seepage and needs to be watched for increased flow and conditions. Per DSOD

## **JEFF DAVIS RESERVOIR**

- Spill reservoir yearly to evaluate overflow underdrain system.
- Grub and rodent control both saddle and main dam
- Saddle dam seepage area needs debris removed to access and check monthly.
- Fence vandalism continues and should be looked at.
- Cal-fire continue to thin fuel around facility.

## **DISTRIBUTION SYSTEM**

- ALL of the system should have a leak study performed.
- Continue PRV preventative maintenance.
- Continued CLA-VaL training
- Prv lid replacements for operator access.
- Fire Hydrant CIP
- Water meter upgrades to capture water loss.

**TOP PRIORITY LINE REPLACEMENTS, BASED ON KNOWN CONDITION  
AND ALL THE PRIOR LEAK REPAIRS**

**SAN ANDREAS DISTRIBUTION – MIXED SIZED OLD STEEL**

- Under Main Street bridge, Line is exposed and dripping. It's incased in concrete from the bridge and cannot be clamped. This line continues up to Goonies bar and needs replaced as it floods the basements of the buildings including the Museum.
- Angels Rd. and Alfreda street. Line is 2"-8" deep. The line is undersized for feeding multiple residence.
- Russel rd. Finish line project. Half the road has been complete.
- 10" Line at the trailer Park. Very shallow and hard to clamp due to all the old clamps on it.
- Mariposa street (ties into Sunset replacement)
- 2" line undersized in ally between Mariposa & Broadway. Shallow and exposed
- Sunset St. Finish last half of project
- Pool Station rd. and 49 intersection to office on Pickle Patch side
- High School Street 1" line feeds 6 homes
- Rapetti 10" line, expensive repairs and long shutdowns
- Marshall rd. old steel, exposed near DMV.

**MOKEHILL DISTRIBUTION**

- Main street, Middle part was replaced. Needs finished both directions.
- Prospect street up to MokeHill Ball Park
- Stevenson street is 1.5" Undersized for flows.
- Bob Bock Line (not laid proper)

*Paloma Line*

- line needs to be replaced from MokeHill to Water tank (not laid properly)

**GLENCOE PUMP STATION**

- This station is Undersized. If a Fire Hydrant is opened it will drain the line and cause the pressure tank to stop working, this station pushes water from a 1.5" pipe and feeds into a 6" c900 system. Needs to be Engineered.

## **HYDROs**

- Building Maintenance, Paint and Roof Repair
- Power line Vegetation removal (on-going)
- PRV Cla-Val maintenance
- Bypass or valve isolation capabilities

## **TRANSMISSION MAIN**

The Transmission Main in Mokelumne Hill is showing signs of another leak. This location has had multiple leaks, including one in February of this year. The transmission main is the bloodline for our system. The bedding in this particular area of the leaks is likely the cause. There are three taps on this line that could be what is currently leaking. CPUD will have to contract this out to expose what's happening here; it is controlled and very small, but considering the history of this area could turn much larger quickly. The big picture will be replacing this section of the transmission main with proper taps and bedding. Hopefully, the board could understand the condition and importance of this facility and prepare for a long-term solution. (We have lots of supporting photos to share on the prior repairs.)

**South Fork Pump Station:** This is the location where our water source starts.

This station has a bad valve that leaks by and needs to be replaced on the interior incased in concrete; the dam is concrete and needs repair. The river lift-gate on the dam is also in need of repair; The high priority nature of these items is worthy of pointing out. The district opened the main gate in 2020. Debris was removed from the river bed, and the pump sumps were cleaned out. At this time, the items noted above were brought to the Prior manager's attention. We have pictures of this on the fileserver. CPUD had both Vertical turbine pumps and motors rebuilt and now it's time to look at the other parts of this station.

As identified by Mat~ Roberts above, John Cunningham, Water Distribution/Treatment Operator IIII provides his perspective on the lack of workplace safety and maintenance.

### **JOHN CUNNINGHAM, WATER DISTRIBUTION/TREATMENT OPERATOR III**

Here's a picture of the cat walk material platform that broke and fell into the center channel portion of the river dam. This is the platform that we worked off of to raise the river slide gate to dewater the bay to allow access to both pump sumps for annual sediment removal. Without a safe platform structure in place, CPUD is unable to drain river pump bay for necessary maintenance. The entire river dam structure should be assessed when a replacement platform is engineered. Over the course of two to four years without cleaning the sumps could lead to our inability to pump water into Jeff Davis reservoir which is the sole and primary source of the districts water supply for treatment and then distribution to its customers.



# CALAVERAS PUBLIC UTILITY DISTRICT

## Interim General Manager Board Report

### Observations/Comments/Suggestions

October 19, 2021

During the past six months as Interim General Manager, working with Board members, staff, and others, we have collectively identified significant issues and shortcomings at the District. In addition to responding to daily issues and activities, improvements are changing the fabric of the district moving forward. The support and effort of our truly dedicated and talented staff has helped to change the fabric and build trust and respect here at CPUD. Empowerment, support, and appreciation will achieve impressive results, provided that the Board has the short and long-term vision and provides staff the funding and resources essential to achieve the Board's goals and objectives.

Below is a list of observations, comments, suggestions for the Board and new general manager's consideration:

#### BOARD OF DIRECTORS

1. Fully understand and follow the role and responsibility of a director; follow the Brown Act, Roberts Rules of Order, and Board adopted policies.
2. Work through the general manager on issues or questions prior to a Board meeting.
3. Support, Trust and Respect staff.
4. Directors are public figures. Encourage directors to build positive relationships and partnerships in the community, and with other public agencies.
5. Be mindful that each member's action reflects the collective Board.
6. See MANAGEMENT #10

#### MANAGEMENT

1. Keep the Board of Directors informed.
  - i. Meet regularly with President and other Directors
2. Develop hiring and exit interview process to include retrieval of CPUD keys, cards, other information
3. Update Facility Capacity Charge (FCC) and Connection Charge
4. Develop Risk Management Program

- i. Risk assessment of all facilities (risk of failure)
- 5. Improve Safety and security for employees and at all facilities
- 6. Cyber security – considerable risk districtwide
- 7. Outsourcing considerations
  - i. Human resources
  - ii. Payroll
  - iii. Accounting
  - iv. Accounts Payable
- 8. Establish a Water Loss Control Program (Treated/Sold/Loss - monthly)
- 9. Implement Records Retention Program
- 10. Critical to long term viability (staff and directors)
  - i. Establish good relationship with newspaper
  - ii. Active participation in local community and with community groups (community/customer involvement)
  - iii. Memberships and active participation with organizations such as ACWA, MCWRA, UMWRA, CAMRA, MRA
  - iv. Partnerships with local, regional, and water organizations around the state; CCWD, AWA, TUD
  - v. Relationships with state and federal agencies; DWR, SWRCB, OES, USBR, USFW
  - vi. Relationship with state and federal representatives and their staff

## **FINANCIAL**

- 1. Annual Audit – Feb. 2022
- 2. Engage all employees from bottom to top (i.e. budgetary process)
  - i. Involve Finance Committee
- 3. Establish new charge through the Proposition 218 process and line item on bill “Renewal and Replacement” charge. This charge is strictly for line replacement
- 4. Develop an Asset Management Program
- 5. Develop Water Loss Control Program with Field Operations to monthly track and report total water treated, delivered, and loss
- 6. Monthly financial report to Directors
- 7. Provide funding for staff and equipment

## **FIELD OPERATIONS**

- 1. FERC and DSOD Compliance
  - i. Funding and Resources to bring into compliance
  - ii. Report to Board of Directors
- 2. Name top priority waterlines in need of replacement – Update CIP

3. Develop partnership with Cal Fire and local fire chiefs to reduce fuels protecting district assets
  - i. Fire Hydrant monthly usage tracking
  - ii. Establish relationship with Fire Chiefs to report usage
  - iii. Track every drop of water – set up Board reporting
4. Hydro-power generation - maximize generation – peak season
5. Review/Update the “Improvement Standards for Water Systems”
6. Leak Detection Program
7. Meter Replacement Program – District cash register
8. Water System Replacement – end of life cycle
9. Wildfire risk to infrastructure – fire danger high
10. Improve security at water plants – Alarms, Cameras, Fencing
11. Establish a system-wide Preventive Maintenance Program

### **STAFFING**

Grossly understaffed. Unable to sufficiently address all the daily activities. It is essential to add staff in the office and field. Employees ARE the greatest asset to CPUD. The direct line to the customer. The general manager and Board must continue to address and consider their interests moving forward (e.g., health, safety, training, trust, respect, morale, and sufficient office and field staff and equipment).

- i. Establish job/career enhancement opportunities and incentives
- ii. Develop a districtwide succession planning program

### **STRATEGIC DEVELOPMENT**

1. Develop Strategic Plan and review annually
2. Update 5-year Capital Improvement Plan (CIP)
3. Develop Water Master Plan
4. Initiate a thorough “Cost of Service Study”
5. Seek out and identify new funding sources
6. Long-term financial approach to prevent stranded assets
7. Establish an aggressive and robust grant writing program
8. Consider low interest loan to replace aging infrastructure
9. Partner with others and pursue County “Area of Origin” water rights
10. Consider “out of county water transfers”

*“Addressing the needs of the district for long-term sustainability, providing safe reliable water service and excellent customer service in a responsible and professional manner”*

*John Kingsbury, Interim General Manager*



**RESOLUTION NO. 2021-14**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALAVERAS PUBLIC UTILITY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RERATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE CALAVERAS PUBLIC UTILITY DISTRICT FOR THE PERIOD NOVEMBER 9, 2021 TO DECEMBER 10, 2021 PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Calaveras Public Utility District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District’s Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s Board of Directors conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 2021-10 on September 27, 2021, finding that the requisite conditions exist for the District’s Board of Directors to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, the Board of Directors reconsidered the circumstances of the state of emergency that exists in the District and adopted Resolution No. 2021-11 reaffirming the continued state of

emergency in the District and reauthorizing remote meetings of Board of Directors meetings through November 19, 2021; and

WHEREAS, emergency conditions persist in the District, specifically, the State of Emergency declared by the Governor on March 4, 2020 due to the Covid-19 pandemic; and

WHEREAS, guidance from the State of California, which has been followed by the Calaveras County Department of Public Health, recommends or mandates social distancing and face coverings in certain settings to prevent the spread of Covid-19; and

WHEREAS, the Board of Directors does hereby find that that the rise in SARS-CoV-2 Delta Variant during the Covid-19 pandemic has caused, and will continue to cause, conditions dangerous to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the Board of Directors of the District shall continue to conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District has implemented virtual meeting protocols which comply with the requirements of paragraph (2) of subdivision (e) of section 54953, by providing for public participation through online meeting attendance and the opportunity to provide comment during the Board meeting both verbally or via email.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE CALAVERAS PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and Covid-19 has caused, and will continue to cause, an unreasonable risk of harm to the safety of persons within the District that are likely to be beyond the control of the services, personnel, equipment and facilities of the District.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2021.

Section 4. Remote Teleconference Meetings. The General Manager and Board of Directors are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of

this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 10, 2021, or such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Calaveras Public Utility District this 9th day of November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Signed: \_\_\_\_\_  
J.W. Dell'Orto, President of the Board of Directors

Attest: \_\_\_\_\_  
Carissa Bear, Secretary/Clerk of the Board

# Monthly Maintenance Report

## OCTOBER 2021

LOCATION	DESCRIPTION OF WORK	STATUS
<b>Jeff Davis WTP</b>	Monthly operation and maintenance	Complete
	Routine water sampling and State reporting, WTP compliance Items	Complete
	Treated Water = 27,173,682 gallons	Complete
	Sold Water-Total 29,211,235 gallons	Complete
	ClearWell Project-Phase 1	Ongoing
	Below Spill 12'	
	Annual service and load bank Survey on Generator	Complete
<b>Warehouse Shop</b>	Routine Operation's	Ongoing
<b>South Fork Pump Station</b>	Weekly routine checks	Complete
	Raw Water Pumped = 40 Acre feet	ongoing
	Both pumps running	ongoing
<b>Schaads Reservoir</b>	Weekly checks	Complete
	Schaads metered customer 33,170 Gallons	Ongoing
	All Units are on	Ongoing
	1.5" Over Spill	Ongoing
	Schaads maintenance Ferc/DSOD items	Ongoing
	Verbatim Maintenance	Complete
	Hydraulic valve actuator seal kit	Complete
<b>Glencoe Pump Station</b>	Weekly checks - routine monitoring	Complete
	Annual service and load bank Survey on Generator	Complete
	Verbatim Maintenance	Complete
<b>Ponderosa PRV Hydro</b>	Weekly checks - routine monitoring	Complete
	PVC hydro feed and Sample line replacement	complete
<b>MCV PRV Hydro</b>	Weekly checks - routine monitoring	Complete
	Blown fuse @ transformer Fix (Running)	Complete
	Transformer/Fuse/Pole rebuild	Ongoing
	PVC Hydro feed and Sample Line replacement	Complete
<b>Garamendi's PRV Hydro</b>	Weekly checks - routine monitoring	Complete
	PVC Hydro feed line replacement	Complete
<b>San Andreas Distribution</b>	Routine operations, sampling	Complete
	Leak 2" Howell rd.	Complete
	1" Service install - Toma Ct	Complete
	1" service install Vista Verde Dr.	Complete
	1" service install - Lewis Ave	Complete
<b>Moke Hill Distribution</b>	Routine operations, sampling	Complete
<b>Glencoe Distribution</b>	Routine operations	Complete
<b>Paloma Distribution</b>	Routine operations, sampling	Complete
<b>Rail Road Flat Distribution</b>	Routine operations, sampling	Complete
<b>Red Hawk Res.</b>	Maintenance	Ongoing
<b>Safety/Training</b>	Routine Safety/pre-const. Talks	Ongoing
<b>Spray Program</b>		Ongoing

# Monthly Maintenance Report

## OCTOBER 2021

<b>Vehicle Maintenance</b>	Silver Toyota Back window replacement	Complete
<b>Other</b>	101 USA tags completed	Complete
	36 Customer service/work orders	Complete
	Monthly meter reading	Complete
	Complaints- Zero Odor	Complete
	Complaints - 1 Pressure	Complete
	Total Pending service inquiries =2	Ongoing
	Revision of Operations Plan	Pending
	Upper Mokelumne River Watershed Sanitary Survey (WSS) DRAFT	Pending
	Water Curtailment Updates (all 4 lifted)	Ongoing
	HAA5 & TTHM Samples	Complete