



MINUTES

CALAVERAS COUNTY WATER DISTRICT REGULAR BOARD MEETING

AUGUST 23, 2023

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

Staff Present: Michael Minkler, General Manager
Matt Weber Esq, General Counsel
Rebecca Hitchcock, Clerk to the Board
Damon Wyckoff, Director of Operations
Jeff Meyer, Director of Administrative Services
Mark Rincon-Ibarra, District Engineer
Stacey Lollar, Human Resources Manager
Brad Arnold, Water Resources Manager
Jesse Hampton, Plant Operations Manager
Pat Burkhardt, Construction and Maintenance Manager
Kelly Richards, Business Services Manager
Kelly Gerkenmeyer, Water Resources Technician
Kate Jesus, Engineering Coordinator
Kate Darby, Human Resources Technician
Charles Palmer, Senior Civil Engineer
Kevin Williams, Senior Civil Engineer
Jared Gravette, Construction Inspector
Jason Knick, Construction Inspector
Sam Singh, Engineering Technician
Catherine Eastburn, Accountant
Kelly Soulier-Doyle, Accounting Technician
Dylan Smith, IT Technician
Tiffany Burke, Administrative Technician
Mike DuBurg, Distribution Operator

Others Present: Francisco de la Cruz
Lese Jensen
Don Jensen
Pat McGreevy
Approx 10 members of the public online

ORDER OF BUSINESS

CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. ROLL CALL

President Ratterman called the Regular Board Meeting to order at 1:00 p.m. and led the Pledge of Allegiance. Director Thomas was absent.

2. PUBLIC COMMENT: There was no public comment.

3. CONSENT AGENDA

**MOTION: Directors Davidson/Underhill-Approved Consent Agenda Item:
3a and 3b as presented**

3a Approval of Minutes for the Board Meetings of June 28, July 12, and July 26, 2023
(Rebecca Hitchcock, Clerk to the Board)

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

AYES: Directors Davidson, Underhill, Secada, and Ratterman

NOES: None

ABSTAIN: None

ABSENT: Director Thomas

4. NEW BUSINESS

4a Discussion/Action regarding the Douds Fuelbreak Project
(Kelly Gerkenmeyer, Water Resources Specialist)

**MOTION: Directors Underhill/Secada-By Minute Entry Authorized the General
Manager to execute the Douds Fuelbreak Project Cooperative
Agreement**

DISCUSSION: Kelly Gerkenmeyer gave a PowerPoint presentation on partnership between CCWD and the Cal Am Forestry Team on the Douds Fuelbreak. The USDA Forest Service awarded \$393,100 for the project. He explained the Douds Fuelbreak project would significantly reduce fire fuels on 148 acres of privately owned land within the Douds Landing subdivision located near Arnold, CA. This project would support and fill a gap between the much larger Hwy 4 Wildfire Defense System by connecting the Last Chance Fuelbreak on the southwest with the developing USFS, McKay's and Private Love Creek Forest fuelbreaks on the northeast. This system is under construction and aims to protect the Arnold Wildland Urban Interface that covers approximately 6,500 acres and includes about 4,000 buildings.

The goals of this grant application are to:

- Construct a shaded fuel break in the Douds footprint which ties into previously cleared areas, creating a continuous fuel break along the north rim of the Stanislaus River Canyon.
- Improve ingress for first responders and egress for evacuating residents by providing clearance on the only 2WD access road into the area.

This project benefits CCWD by improving watershed health in the Stanislaus River Watershed, as well as protecting critical water and wastewater infrastructure, and the surrounding Ebbetts Pass community. There was discussion with the Board regarding the specifics of the project.

Pat McGreevy thanked the Board for supporting the project.

PUBLIC COMMENT: There was no public comment.

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

- 4b Update/Discussion Regarding the Cost-of-Service Study for the Proposed Water and Wastewater Rates and the Proposition 218 Public Hearing (Jeffrey Meyer, Director of Administrative Services)

DISCUSSION: Jeff Meyer updated the Board on the public outreach efforts since the previous Board meeting. He reviewed the information that is available on the District's Rate Study webpage. He stated the town hall meetings were held in Ebbetts Pass (August 14), Copperopolis (August 16), and Valley Springs (August 17). Public outreach is also scheduled in West Point on Thursday August 24 at the Blue Mountain Center at 364 Main Street, which runs from 4:00 – 7:00 pm. Staff are also using traditional media and social media sources to provide informational updates about the process.

Director Davidson stated the Valley Springs Town Hall meeting was a failure. He discussed how the presentations should have been in a different order. He stated he did not want the presentation released online in the same order it was shown at the Town Hall meetings.

Director Ratterman stated the presentation would have been informative if staff had been able to get through it without interruption.

Director Ratterman discussed the order of the meeting on September 13th with staff. There was significant discussion on the structure of the public hearing both in the Boardroom and online. In addition to what presentation would be given by staff.

Director Secada agreed that the outreach failed and feels the public hearing should be moved to September 27th to allow more time for public outreach. Mr. Minkler stated that legally the hearing date could not be moved to the 27th because a new Prop 218 Notice would have to be sent out and it is already less than 45 days until that date. She discussed items on the CCWD website that she felt were not updated or accurate. She detailed some ideas for cutting costs such as lowering Board compensation, Board travel, or Board benefits.

Director Davidson stated the only way to cut costs could be to cut projects. He stated projects are the bulk of the budget increase, not the employee's union salaries and not the Board compensation. He asked what projects people would say should not be done and stated the Hwy 4 Corridor is probably one of the most at-risk places for wildfires in our state. The District has worked tirelessly to reduce risk such as replacing redwood tanks with steel tanks.

Director Thomas arrived at 1:52 p.m.

Mr. Minkler reminded the Board that the District has a budget deficit this year so delay would require significant budget cuts.

Director Davidson asked what flexibility the Board has to adopt lower rates or change the usage. There was discussion with staff regarding the restrictions on changing the usage tiers.

Matt Weber, General Counsel stated the Prop 218 process would have to start again if the rate structure was changed. Director Davidson asked what the Directors liability is to the District if they let things fail. Matt Weber responded that the Directors have a fiduciary responsibility to the agency and the public to continue to maintain and operate the District in a safe and efficient manner.

There was significant discussion between the Board members about various options they have when adopting new rates.

PUBLIC COMMENT:

Francisco de la Cruz addressed the Board and stated his observations. He recommended a District Dashboard that presents various metrics that track the performance of the District.

Donald Jensen discussed the Public Hearing and ways to help educate customers. He also commented on the current hardships and cost increases of everything for ratepayers.

5. REPORTS

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

DISCUSSION: Mr. Minkler reported on the following activities: 1) SRF Funding may be available for Arnold Wastewater Treatment Project; 2) the Larkspur Redwood Tank replacement is nearly complete and FEMA funding may be available for that project; 3) Senator Feinstein has pushed forward the District's request for the remaining \$11.2 million in appropriations for the Copper Cove Wastewater Treatment Plan Improvements; 4) negotiations with NCPA and Stockton East; 5) ACWA Committee requests are due in September; 6) the White Pines Park Committee Meeting; 7) emergency crews worked late over the weekend; 8) the Finance Committee Meeting; 9) the External Relations Committee Meeting; 10) the Engineering Committee Meeting is moving to September 21st ; 11) the Community Economic Resiliency Fund; 12) stated the Management Team and Public Relations Team have done a phenomenal job on the recent outreach efforts through all the criticism and he is proud of the team; and 13) the November 8th Board meeting will be moved to the 15th and the meeting on the 22nd will be cancelled due to the holidays.

6. BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS

Director Thomas asked about the tulle removal at White Pines Park.

Director Secada stated MSD did not receive the grant they applied for because the State wants to focus more on changing systems from septic to sewer systems.

Director Davidson stated his appreciation to staff for the town hall meetings.

Director Underhill thanked Kelly Gerkenmeyer and Damon Wyckoff for their heartfelt comments about the rate increase at the External Relations Committee Meeting. She also mentioned the car show at White Pines Park.

Director Ratterman would like an agenda item on the possibility of collecting wastewater payments on the property taxes. He mentioned the UTICA Tour on October 10th at 9am sponsored by Mountain Counties.

7. NEXT BOARD MEETINGS

- **Wednesday, September 13, 2023, 5:30 p.m., Public Hearing**
- Wednesday, September 27, 2023, 1:00 p.m., Regular Board Meeting

8. CLOSED SESSION

The meeting adjourned into Closed Session at approximately 3:26 p.m. Those present were Board Members: Scott Ratterman, Cindy Secada, Bertha Underhill, Russ Thomas, and Jeff Davidson; staff members Michael Minkler, General Manager; and Matt Weber, General Counsel.

- 8a Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9. 2 potential cases

9. REPORTABLE ACTION FROM CLOSED SESSION

The Board reconvened into Open Session at approximately 4:03 p.m. There was no reportable action.

10. ADJOURNMENT

With no further business, the meeting adjourned at 4:03 p.m.

Respectfully Submitted:



Michael Minkler
General Manager

ATTEST:



Rebecca Hitchcock
Clerk to the Board