

Regular Meeting of the Board of Directors
9751 Merced Falls Road
November 21, 2016, at 1:00 p.m.

Mission Statement: *The Lake Don Pedro CSD is dedicated to providing our customers with ample quantities of high quality water meeting all standards, in a fiscally responsible manner.*

AGENDA

1. **CALL TO ORDER:** Presiding Officer: Establish Quorum, Pledge of Allegiance:
2. **PUBLIC COMMENT:** Any person may address the Board at this time on any matter within the jurisdiction of the Board that is **NOT ON THE AGENDA**. A maximum of three minutes is allowed each person and a maximum of 20 minutes per topic. Any person wishing to address the Board on an item **ON THE AGENDA** will be given the opportunity at that time. Speakers are encouraged to consult District Management or Directors prior to agenda preparation regarding any District matters, as no action will be taken on non-agenda issues.
3. **PRESENTATION ONLY:**
 - a. Presiding Officer's Report
 - b. General Manager's Report: Peter J. Kampa
 - c. Chief Plant Operator's Report: R. Gilgo
4. **APPROVAL OF CONSENT AGENDA:** The following items may all be approved in one motion or considered separately as determined appropriate by the President
 - a. Read and file the October 2016 Treasurer's Report
 - b. Approval of the Minutes of the Regular Board Meetings September 21, 2016 and October 17, 2016
5. **DISCUSSION AND ACTION ITEMS**
 - a. Adoption of a Resolution initiating the formal bid process and authorizing the award of contracts for Intake Booster Pump Installation and Related Work
 - b. Adoption of a Resolution authorizing unbudgeted expenditures not to exceed \$7,500 for the auditing, testing, troubleshooting and repair of the District automated meter reading system, and execution of related contracts
 - c. Adoption of a Resolution authorizing unbudgeted expenditures not to exceed \$20,000 for renovations to the emergency pump barge system and execution of related contracts
 - d. Adoption of a Resolution clarifying medical benefits provided to certain employees upon retirement from the District
 - e. Adoption of a Resolution amending the District's Policy on Board Meeting Minutes
 - f. Discussion Regarding Status of Implementation of the approved Maintenance Plan
 - g. Adoption of a Resolution supporting the Merced River S.A.F.E. Plan and opposing the State Water Resources Control Board's adoption of the Bay Delta Supplemental Environmental Document

6. DIRECTORS COMMENTS:

Any Director may address the Board on any item of interest that is within the subject matter and jurisdiction of the District. Generally, no discussion or comment by other Board members should be expected on non-agenda items, except to properly place the matter on a future agenda for review, discussion or action as appropriate.

7. ADJOURNMENT:

Meeting agendas and written materials supporting agenda items, if produced, can be received by the public for free in advance of the meeting by any of the following options:

- A paper copy viewed at the District office, 9751 Merced Falls Rd., La Grange, CA 95329 during business hours or mailed pursuant to a written request and payment of associated mailing fees
- An electronic copy received by email. Note - a form requesting email delivery of agendas and/or meeting materials must be completed a minimum of one week in advance of the meeting
- Viewed on the Board page of the District's website
- A limited number of copies of agenda materials will also be available at the meeting

Americans with Disabilities Act Compliance: If you require special assistance to participate in Board Meetings, please contact the LDPCSD Board Secretary at (209) 852-2251 Ext. 2. Advance notification will enable the District to make reasonable arrangements to insure accessibility.



Lake Don Pedro Community Services District General Manager's Report

November 21st, 2016

The GM report will be delivered separately by email and posted on the website as soon as it is completed.



LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

OPERATIONS SUPERVISOR REPORT

Board of Directors Meeting
Monday, November 21st 2016

This report will be available at the Board Meeting.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

4. APPROVAL OF THE CONSENT AGENDA

- a. Read and File the October 2016 Treasurer's Report
- b. Approval of the Minutes of the Regular Board Meetings of September 21, 2016 and October 17, 2016

Recommended Motion

Staff recommends the following motion:

I move to approve the Consent Agenda as presented.

Background

The October 2016 Treasurer's report and September 21, 2016 and October 17, 2016 Board Meeting minutes are attached hereto for your review. The September 21, 2016 meeting minutes were pulled from the October 17, 2016 Consent Agenda and their approval tabled until this meeting. The existing policy of the Board states as follows regarding preparation of the minutes:

*In addition to other information that the Board may deem to be of importance, the following information (**if relevant**) shall be included in each meeting's minutes....*

Date, place and type of each meeting;

Directors present and absent by name;

Administrative staff present by name;

Call to order;

Time and name of late arriving Directors;

Time and name of early departing Directors;

Names of Directors absent during any agenda item upon which action was taken;

Summarial record of staff reports;

Summarial record of public comment regarding matters not on the agenda, including names of commentators;

Approval of consent calendar;

Consent Calendar to consist of:

Minutes or amended minutes from previous meeting;

Treasurer's report on all Districts' financial activity;

Record of the vote of each Director on every action item for which the vote was not unanimous;

Resolutions and ordinances described as to their substantive content and sequential numbering;

Record of all contracts and agreements, and their amendment, approved by the Board;

Approval of the annual budget;

Approval of all polices, rules and/or regulations;

Approval of all dispositions of District assets;

Approval of all purchases of District assets; and,

Time of meeting adjournment.

Board meetings are intended as public venues in which the Board takes action on district matters. The law requires the Board to take public comment on agenda items before action is taken, and to allow an opportunity for the public to comment on items not on the agenda, but within the subject matter and jurisdiction of the District. The Board Secretary is charged with preparing the meeting minutes, which are the official record of District actions.

The determination of whether public comments received on agenda or non agenda items is “relevant” as described by the existing minutes policy, is extremely subjective and leaves the District exposed to potential liability, criticism and “not considering public comment” when public comment is left out of the minutes, or summarized in the words of the Secretary or Board. Public comment is intended to guide and inform the Board’s decision at meetings, or in the case of non-agenda items, for the Board to consider delegating certain actions to the General Manager, for Board or committee review, or adding items to future agendas for discussion.

Recording of all public comments received, in verbatim fashion, can significantly lengthen minutes and cloud the actions and minutes of the Board. Based on extensive training and certification as Board Secretaries, staff recommends that the Board’s policy on Meeting Minutes be amended to limit the amount of information included in the official minutes to the amount necessary to adequately document the Board’s deliberations, decisions and actions. A draft revised policy as recommended by the CSDA Leadership Academy is included in this agenda.

The meeting minutes as presented in this agenda packet accurately depict the actions and deliberations of the Board at the respective meetings, and are recommended for approval as presented.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

Treasurer's Report

Reporting Period: October 2016

The district ended the month of October 2016 with the following balances in our accounts:

* All bank accounts verified against bank statements

Restricted:		
Investment - LAIF	\$	163,144
Total Restricted:		\$ 163,144
Unrestricted:		
Checking	\$	44,127
Money Market - Working Capital	\$	662,349
Petty Cash	\$	125
Total Unrestricted:		\$ 706,601
Total Restricted & Unrestricted:		\$ 869,745

The district ended October 2016 with the following amounts affecting our financial status:

	Oct-2016	Year to Date
Sales & Business Revenue:	\$ 119,911	\$ 511,326
Total Operating Expenses:	\$ (94,717)	\$ (416,894)
Non-Operating Income/Expense:	\$ (11,327)	\$ (44,894)
Water Drought Income/Expense:	\$ 197,634	\$ 187,971
Change in Net Assets (P&L):	\$ 211,501	\$ 237,509
Net Cash Flow:	\$ 22,426	\$ 245,501

Accounts Receivable:

Billing Time Frame	Utility Billing	Availability Billing	A/R Other	A/R Accrue	A/R Water Drought Reimb
Current	\$ 34,933	\$ -	\$ 73	\$ 103,615	\$ 201,922
> 30 Days	\$ 1,227	\$ -	\$ -	\$ -	\$ -
> 60 Days	\$ 10,799	\$ -	\$ -	\$ -	\$ -
> 90 Days	\$ 6,608	\$ 188,094	\$ -	\$ -	\$ -
> 120 Days	\$ 8,796	\$ -	\$ 5,241	\$ -	\$ -
Credits	\$ (23,473)				
Total	\$ 38,890	\$ 188,094	\$ 5,314	\$ 103,615	\$ 201,922
Total Combined	\$ 330,599		\$ 5,314		\$ 201,922
 G/L Balance	 \$ 330,599		 \$ 5,314		 \$ 201,922
Difference	\$ -		\$ -		\$ -

* Amount of availability payments received: \$0

* Amount of availability payments outstanding: \$188,094

Accounts Payables:

Payable Time Frame	A/P Trade	A/P Accruals	A/P Water Accrual
Current	\$ 34,087	\$ -	\$ 6,136
> 30 Days	\$ -	\$ -	\$ 7,821
> 60 Days	\$ -	\$ -	\$ 9,002
> 90 Days	\$ -	\$ -	\$ 7,026
Credits	\$ -	\$ -	\$ -
Total	\$ 34,087	\$ -	\$ 29,985
 G/L Balance	 \$ 34,087	 \$ -	 \$ 29,985
Difference	\$0	\$0	\$0

Name

Title

Date

Statement of Revenues and Expenses (P&L)
 October 2016 & Year-To-Date Versus 6/30/17 Budget

		Oct-16	October vs Budget %	2016-2017 YTD	YTD vs Budget %	2016-2017 Budget	Remaining Budget
Revenue							
01-0-3010-302	Donated Capital - Meters Curre	5,000	#DIV/0!	20,000	#DIV/0!	-	(20,000)
01-0-4010-400	Water Sales Residential	24,352	11.53%	126,000	59.65%	211,229	85,229
01-0-4010-402	Water Availability Revenue	15,631	8.23%	62,350	32.82%	190,000	127,650
01-0-4010-403	Water Service Charges	78,956	8.41%	315,150	33.56%	939,101	623,951
01-0-4020-410	Interest Income - LAIF	248	33.67%	469	63.79%	735	266
01-0-4020-413	Int Inc Penalties - Customer	2,070	9.48%	8,187	37.50%	21,830	13,643
01-0-4020-414	Transfer Fee Income	400	5.63%	1,800	25.35%	7,100	5,300
01-0-4020-415	Other Income	0	0.01%	835	21.98%	3,800	2,965
01-0-4020-416	Meter Set Fee	500	10.00%	4,500	90.00%	5,000	500
01-0-4020-417	Interest Income Guaranty Fed	-	0.00%	9	6.07%	144	135
01-0-4020-901	Hydrant Rental	40	#DIV/0!	40	#DIV/0!	-	(40)
01-0-4020-902	Hydrant Consumption	33	#DIV/0!	33	#DIV/0!	-	(33)
01-0-4020-999	Avail Fee Income	-	0.00%	1,453	111.75%	1,300	(153)
01-0-4040-100	Lease Fee	900	4.41%	3,600	17.65%	20,400	16,800
01-0-4050-575	Office Fire Reimbursement	-	0.00%	-	0.00%	32,000	32,000
	Transfer From Reserve					-	
TOTAL REVENUE		128,130	8.94%	544,425	38.00%	1,432,639	888,214
Expenses							
01-1-5010-100	Regular Pay - Plant	6,518	5.01%	39,130	30.07%	130,147	91,017
01-1-5010-101	Overtime Pay	2,217	11.08%	7,660	38.30%	20,000	12,340
01-1-5010-102	Sick Pay	303	5.28%	1,710	29.84%	5,730	4,020
01-1-5010-104	Vacation Pay	485	4.39%	2,539	22.99%	11,044	8,505
01-1-5010-105	Holiday Pay	290	3.71%	1,384	17.75%	7,796	6,412
01-1-5010-200	PERS	650	5.92%	3,093	28.19%	10,972	7,879
01-1-5010-201	FICA/Medicare	844	6.26%	3,980	29.53%	13,477	9,497
01-1-5010-202	SUI	-	0.00%	-	0.00%	1,641	1,641
01-1-5010-203	Health Insurance	3,895	8.14%	15,581	32.58%	47,828	32,247
01-1-5010-204	Workers Compensation	468	6.37%	1,451	19.75%	7,345	5,894
01-1-5010-206	Dental Insurance	390	7.94%	1,561	31.74%	4,917	3,356
01-1-5010-207	Vision Care	-	0.00%	-	0.00%	300	300
01-1-5010-546	Travel, Meetings & Mileage	-	0.00%	-	0.00%	1,000	1,000
01-1-5020-501	Lease Of Equipment	-	0.00%	-	0.00%	2,211	2,211
01-1-5020-510	Repair & Maintenance - Plant	476	2.75%	35,468	204.94%	17,307	(18,161)
01-1-5020-511	Repair & Maintenance - Vehicle	4,392	17.84%	6,582	26.74%	24,614	18,032
01-1-5020-512	Repair & Maintenance - Distribution	6,881	11.47%	10,806	18.01%	60,000	49,194
01-1-5020-515	R&M Transmission - Intake	-	0.00%	13,670	126.57%	10,800	(2,870)
01-1-5020-520	Small Tools & Equipment	12	0.40%	12	0.40%	3,000	2,988
01-1-5020-522	Gas, Oil & Lubricant - Plant	999	6.82%	3,980	27.19%	14,637	10,657
01-1-5020-524	Health & Safety	41	0.71%	1,191	20.92%	5,695	4,504
01-1-5020-529	Telephone - T & D	754	9.75%	2,069	26.75%	7,733	5,664
01-1-5020-544	Water Testing Fees	575	4.70%	3,805	31.07%	12,247	8,442
01-1-5020-545	Water System Fees	-	0.00%	-	0.00%	14,709	14,709
01-1-5020-548	Water Testing Materials	-	0.00%	-	0.00%	2,909	2,909
01-1-5021-521	Water Treatment Chemicals	8,683	18.82%	27,104	58.73%	46,151	19,047
01-1-5021-524	P G & E Power - Office	261	10.61%	1,259	51.12%	2,462	1,203
01-1-5021-525	P G & E Power - Intake	9,438	14.90%	35,005	55.27%	63,332	28,327
01-1-5021-526	P G & E Power - Well	21	0.23%	90	0.94%	9,523	9,433
01-1-5021-527	P G & E Power - Water Treatment	3,112	12.53%	12,005	48.34%	24,836	12,831
01-1-5021-528	P G & E Power - Distribution	2,389	11.63%	11,686	56.91%	20,533	8,847
01-1-5021-529	P G & E Power - Well 2	654	16.34%	1,478	36.95%	4,000	2,522
01-1-5021-530	P G & E Power - Medina	(1,068)	-26.70%	778	19.44%	4,000	3,222
01-1-5021-532	P G & E Power - Well 5/6	(1,068)	-26.70%	778	19.44%	4,000	3,222
01-1-5021-561	Purchased Water Actual-mid-p	6,136	11.31%	27,297	50.33%	54,232	26,935
01-1-5023-533	Outside Services	427	9.36%	807	17.70%	4,559	3,752
01-1-5023-535	Fire Protection/Weed Control	-	0.00%	-	0.00%	500	500
01-1-5023-537	Pest Control	32	7.94%	128	31.76%	403	275
01-1-5023-538	Engineering Services	1,645	10.97%	10,638	70.92%	15,000	4,362
01-1-5023-539	Employee Education	-	0.00%	-	0.00%	3,000	3,000
01-1-5024-540	Memberships	-	0.00%	328	31.11%	1,055	727
01-1-5024-542	Publications	-	0.00%	-	0.00%	500	500

		October	2016-2017	YTD vs	2016-2017	Remaining
		Oct-16	YTD	Budget %	Budget	Budget
				vs Budget %		
01-1-5024-543	Licenses, Permits & Cert.	-	-	0.00%	1,200	1,200
01-1-5032-583	Depreciation Expense	13,789	54,712	8.62%	160,000	105,288
01-2-6010-100	Regular Pay - Administration	7,835	28,369	10.02%	78,211	49,842
01-2-6010-101	Overtime Pay	362	1,990	6.24%	5,800	3,810
01-2-6010-102	Sick Pay	2,197	3,011	927.03%	237	(2,774)
01-2-6010-104	Vacation Pay	1,465	2,329	31.19%	4,697	2,368
01-2-6010-105	Holiday Pay	275	773	7.44%	3,692	2,919
01-2-6010-200	PERS	543	1,723	9.47%	5,730	4,007
01-2-6010-201	FICA/Medicare	665	2,425	9.18%	7,248	4,823
01-2-6010-202	SUI	-	192	0.00%	1,176	984
01-2-6010-203	Health Insurance	1,656	6,623	8.28%	20,005	13,382
01-2-6010-204	Workers Compensation	46	144	6.36%	727	584
01-2-6010-206	Dental Insurance	159	637	7.94%	2,007	1,370
01-2-6010-207	Vision Care	-	-	0.00%	200	200
01-2-6010-546	Travel, Meetings & Mileage	-	-	0.00%	1,200	1,200
01-2-6020-512	Propane	-	66	0.00%	432	366
01-2-6020-515	Customer Billing Supplies	-	927	0.00%	979	52
01-2-6020-529	Telephone - Admin	294	1,272	7.17%	4,099	2,827
01-2-6020-530	Office Supplies	302	988	7.27%	4,153	3,165
01-2-6020-531	Postage	670	2,747	7.31%	9,172	6,425
01-2-6023-531	Computer IT	2,057	14,358	9.54%	21,576	7,218
01-2-6023-533	Outside Services	8,707	41,480	6.97%	125,000	83,520
01-2-6023-535	Office Cleaning Serv	140	600	8.42%	1,663	1,063
01-2-6023-536	Legal Services	1,916	3,835	12.77%	15,000	11,165
01-2-6023-537	Audit Services	-	-	0.00%	7,000	7,000
01-2-6023-539	Employee Education	-	575	0.00%	1,000	425
01-2-6024-540	Memberships	400	1,120	7.37%	5,428	4,308
01-2-6024-542	Publications	320	430	33.18%	966	536
01-2-6024-547	County Fees	80	80	8.00%	1,000	920
01-2-6024-999	County Avail Fee	-	1,460	0.00%	1,651	191
01-3-6025-100	Regular Pay	900	2,400	10.82%	8,316	5,916
01-3-6025-201	FICA/Medicare	69	184	10.83%	636	452
01-3-6025-546	Travel, Meetings & Mileage	-	-	0.00%	2,000	2,000
01-3-6025-550	Board Meeting Expense	-	-	0.00%	1,000	1,000
01-3-6025-555	Board Election Expenses	-	-	0.00%	3,000	3,000
01-9-6030-569	Credit Card Service Charges	466	1,735	10.34%	4,503	2,768
01-9-6030-572	Business Insurance Expense	2,343	9,370	6.94%	33,757	24,387
01-9-6030-576	Misc Other Expense	25	91	0.33%	7,478	7,387
01-9-6030-577	Retired Employee Health	1,913	7,287	#DIV/0!	-	(7,287)
01-9-6030-580	Retired EE Benefit Expense	-	-	0.00%	148,142	148,142
01-9-6031-580	Interest Long Term Debt	3,800	15,664	7.28%	52,173	36,509
01-9-6032-583	Depreciation Expense	18	239	0.71%	2,500	2,261
TOTAL EXPENSES		114,262	494,887	7.88%	1,450,899	956,012
IRWMP (DWR) GRANT PROJECT EXPENSE						
TBD	Water Service Line Replacement	-	-	0.00%	721,287	721,287
01-9-6030-589	IRWMP Regional Water Use Efficiency	788	788	0.75%	105,156	104,369
TOTAL IRWMP GRANT PROJECT EXPENSE		788	788		826,443	825,656
IRWMP GRANT PROJECT REVENUE						
TBD	IRWMP Service Line Replacement			0.00%	721,287	721,287
TBD	IRWMP Regional Water Use Efficiency			0.00%	87,630	87,630
TBD	IRWMP Grant Administration			0.00%	85,000	85,000
TOTAL IRWMP GRANT REVENUE		-	-	0.00%	893,917	893,917
CARRYOVER WELL PROJECT EXPENSES						
01-1-5020-535	Water Supply Emergency 2014	-	42	#DIV/0!	-	(42)
01-9-6030-584	Well 2	478	1,356	#DIV/0!	-	(1,356)
01-9-6030-585	Medina Well	3,022	9,111	#DIV/0!	-	(9,111)
01-9-6030-586	Well 3/4	-	-	#DIV/0!	-	-
01-9-6030-587	Well 5	-	2,654	#DIV/0!	-	(2,654)
01-9-6030-588	Well 6	-	-	#DIV/0!	-	-
TOTAL CARRYOVER PROJECTS EXPENSE		3,500	13,163	#DIV/0!	-	(13,163)

	Oct-16	October vs Budget %	2016-2017 YTD	YTD vs Budget %	2016-2017 Budget	Remaining Budget
Net Income / (Loss)	211,501	429.76%	237,509	482.60%	49,214	13,627

* Total income and expenses are different from the Statement of Revenue & Expenses due to how the finance and non-operating income are combined. Net income is identical.

* Plant Repairs over budget due to \$18,500 in HVAC repairs

New Capital Improvement Projects

TBD	Intake Booster #2 Installation	175	0.35%	175	0.35%	50,000	49,825
TBD	Intake Pump Control Replacements	-	0.00%	-	0.00%	85,000	85,000
TBD	Intake Raw Water Pipeline Replacements	-	0.00%	-	0.00%	250,000	250,000
TBD	Ranchito Well #1 Renovation	-	0.00%	-	0.00%	37,611	37,611
TBD	Office Server Installation w/Software	-	0.00%	-	0.00%	107,000	107,000
TOTAL NEW CAPITAL IMPROVEMENT PROJECTS		175	0.03%	175	0.03%	529,611	529,436

01-0-2040-233	Muni Finance Loan (Principal Payments)	-	0.00%	35,609	50.51%	70,500	34,891
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Recap of water drought related projects to show remaining budget amounts:

Account #	Account	2014-2015 YTD	2015-2016 YTD	2016-2017 YTD	Activity from Inception	Total Budget	Remaining Budget
01-9-6030-584	Water Supply Emergency 2014	132,505	142,608	42	275,155	21,000	(254,155)
01-9-6030-584	Well 2	142,298	236,703	878	379,880	392,760	12,881
01-9-6030-585	Medina Well	32,328	394,640	6,089	433,057	599,950	166,893
01-9-6030-586	Well 3/4	66,152	57,951	-	124,103	257,000	132,897
01-9-6030-587	Well 5	-	178,944	2,654	181,599	329,820	148,221
01-9-6030-588	Well 6	-	8,577	-	8,577	329,820	321,243
01-9-6030-589	Grant Application Services	-	79,907	-	79,907	80,000	93
01-9-6030-590	NBS rate evaluation	-	1,786	-	1,786	54,000	52,214
		373,283	1,101,117	9,663	1,484,063	2,064,350	580,287

Outstanding Well Grant Revenue

01-0-4020-418	Well 2 Grant Revenue	59,970	24.23%	59,970	24.23%	247,471	187,501
01-0-4020-419	Medina Well Grant Revenue	141,952	25.77%	141,952	25.77%	550,785	408,833
01-0-4020-421	Well 5 Grant Revenue	-	0.00%	-	0.00%	407,135	407,135
		201,922		201,922		1,205,391	1,003,469

*Outstanding Well Grant Revenue is included with Net Income above

LDPCSD Financials**Statement of Net Assets (Balance Sheet)
for the month ending October 2016****Asset :**

Cash and investments	\$	869,745
Restricted cash	\$	-
Accts Receivable net of res	\$	210,517
Water Drought Receivable	\$	201,922
Inventory	\$	69,931
Prpd expense & deposits	\$	31,897
Deferred Outflow of Resources	\$	1,112
Total current assets	\$	1,385,124
Property, plant & equipment	\$	9,081,656
less depreciation	\$	(6,720,170)
C I P	\$	924,636
Net P P & E	\$	3,286,122
Other L T Assets		
Total Assets	\$	4,671,246
Liabilites:		
Accounts payable	\$	34,087
Interest payable	\$	5,700
Water Accrual	\$	29,985
Accrued Payroll	\$	46,756
L T debt, current	\$	73,884
Total current liab	\$	190,412
L T debt		
Post Retirement Benefit	\$	830,950
Net Pension Liability	\$	184,975
Deferred Inflow of Resources	\$	56,405
Muni Loan	\$	929,797
less current above	\$	(73,884)
Total Liabilites	\$	2,118,655
Net assets	\$	2,552,591
Total liab & net ass't	\$	4,671,246

<u>Vendor</u>	<u>Check Amount</u>
000012 AQUA LAB	575.00
000047 LAWSON & SON BACKHOE & GRADIN	2,340.00
000059 MARIPOSA GAZETTE	110.00
000065 KKI CORPORATION	922.00
000076 USPS	447.37
000091 VALERO MARKETING & SUPPLY	975.98
000105 PACIFIC GAS & ELECTRIC	17,420.82
000106 BINKLEY ASSOCIATES, INC	2,607.50
000118 D & D PEST CONTROL *	32.00
000121 UNION DEMOCRAT*	278.68
000136 AT&T	413.95
000165 ACWA/JPIA	7,464.14
0002321 STREAMLINE	400.00
000263 Brenntag	646.57
0003221 KAMPA COMMUNITY SOLUTIONS LLC	6,250.00
0003478 The Source Group Inc	2,429.78
000383 BUSINESS CARD	1,318.24
000442 KAMPS PROPANE INC.	66.00
000550 LUIS'S HOUSEKEEPING / YARDS	140.00
000564 TOTAL WASTE SYSTEMS MARIPOSA	126.72
000585 MO CAL OFFICE SOLUTIONS	248.16
000596 MARIPOSA CO. HEALTH DEPARTMENT	114.00
000606 BARRY ELECTRIC	330.00
000615 MARIPOSA COUNTY TAX COLLECTOR	80.00
000635 Contractor Compliance And Monitoring Inc	488.75
000700 Merced Chevrolet	3,708.60
00071 Mother Lode Answering Service	482.70
0030204 US Postal Service	215.00
019970 NJIRICH & SON'S INC	13,913.85
660108 VERIZON WIRELESS	156.04
702 Warmerdam CPA Group	2,457.00
UB*10482 SEAY VAJ	27.00
Report Total:	67,185.85

Regular Meeting Minutes of the Board of Directors

9751 Merced Falls Road
September 19th, 2016, at 1:00 p.m.

1. **CALL TO ORDER:** Presiding Officer: Establish Quorum, Pledge of Allegiance:
The Board of Directors of the Lake Don Pedro Community Services District held a regular meeting at 3090 Merced Falls Rd., La Grange, CA 95329.
President Johnson called the meeting to order at 1:03 p.m.
Directors present: Johnson, Hankemeier, Sult, Ross, and Warren
Also present: IGM P. Kampa
Also present: Staff S. Marchesiello
Also Present: Staff R. Gilgo
2. **PUBLIC COMMENT:**
One public member spoke
3. **PRESENTATION ONLY:**
 - a. Presiding Officer's Report
President Johnson reported that he listens to public comments and they are important. He stated that some of the comments are brought back and placed on future agendas. He referred to chemical purchases and outside place of use. He stated that we need to focus on the positives and moving the District forward. He said that when comments appear to attack then people get resistive; but if they try to encourage, coach and mentor it is more receptive.
 - b. General Manager's Report: Peter J. Kampa
Presented by G.M. P. Kampa
 - c. Chief Plant Operator's Report: R. Gilgo
Presented by R. Gilgo
4. **APPROVAL OF CONSENT AGENDA: The following items may all be approved in one motion or considered separately as determined appropriate by the President**
 - a. Read and file the August 2016 Treasurer's Report
 - b. Approval of the Minutes of the Regular Board Meeting Aug 15, 2016
 - c. Read and File California Environmental Quality Act (CEQA) Notice of Exemption Filed for the Water Service Line Replacement Project and Intake Booster Pump Installation Project

Motion: To approve items a & b of the consent calendar with modifications to the minutes

Votes: Carried 5-0

First: Hankemeier Second: Warren

Ayes: Hankemeier, Warren, Ross, Sult, and Johnson

Nays: None

5. DISCUSSION AND ACTION ITEMS

- a. Adopt Resolution Approving a New District Policy on Merit Salary Increases

Motion: To approve the resolution approving the policy of Merit Salary Increases

Votes: Carried 5-0

First: Ross Second: Hankemeier

Ayes: Ross, Hankemeier, Warren, Sult, and Johnson

Nays: None

- b. Review and Discussion Regarding Implementation of a Maintenance Program and Standards for District Infrastructure

No action taken. Direction for the GM to bring the item back including time and cost associated with the maintenance plan

- c. Status Update Report on the Implementation of the Intake Booster Pump Installation and Approval of Addition of an Intake Surge Tank Bypass Pipeline Connection.

No action taken

- d. Status Update Report on the Implementation of the Water Service Line Replacement Project

No action taken

- e. Review a report of the Emergency Groundwater Well Project Budget to Actual Expenses and Consideration of Approval of a Related 2016-17 Budget Amendment

No action taken. Direction to have the item on next month's agenda

- f. Status Update Report Regarding the Determination of Applicability of Retiree Medical Benefits for Certain Employees

No action taken

- g. Informational Presentation Regarding the establishment and location of District Boundaries, Sphere of Influence and Lake McClure Place of Use Boundaries.

Consensus for G.M. P. Kampa to conduct research on the current maps of the District with legal descriptions and overlays and placed as an item on a future agenda

6. DIRECTORS COMMENTS:

Director Warren: - Read an article titled "from the cities and County of Merced, the cities and County of Stanislaus, and Irrigation Districts" and would like this item placed on a future agenda. Please see attached article.

7. ADJOURNMENT: 5:13 p.m.

Respectfully submitted by,

***S. Marchesiello
Board Secretary***

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- a. Adoption of a Resolution initiating the formal bid process and authorizing the award of contracts for Intake Booster Pump Installation and Related Work

Recommended Motion

Staff recommends the following motion:

I move to adopt a Resolution authorizing the informal bid process and award of contracts for Intake Booster Pump Installation and Related Work.

Background

In 2015 the District purchased a new 125 HP booster pump to be installed at the Lake McClure Intake. The Booster pump provides redundancy and lead/lag pumping capabilities for the one existing pump, which is used to push water to the treatment plant from the Intake surge tank, which in turn receives water from the floating barge pumps.

Due to the drought emergency, low lake levels and high demand when the lake level was recently up, the installation of the booster pump was delayed until this winter. District Engineer Elizabeth Binkley has also evaluated the pumping curves of the existing barge pumps and determined that over a large range of lake elevations, the barge pumps will operate at peak efficiency by bypassing the surge tank and booster pump system. With a tank bypass installed, the barge pumps will push water all the way to the treatment plant efficiently under a variety of conditions.

Binkley has completed preparation of plans and specifications for installation of the Booster pump, controls and valves, as well as installation of the surge tank bypass system. While the contractor is on site, the project plans also include the repair of the damaged perimeter fence and removal of an out-of-service electrical panel. The project bid schedule lists each of the above items separately, so in the event the bids come in too high, we can remove portions of the work from the contract.

The preliminary budget for the project is \$160,000 with \$135,000 for the Booster pump installation and \$25,000 for the surge tank bypass. Unfortunately, the tank bypass concept, plans and cost estimate was developed after the 2016/17 budget was adopted, therefore the funding for the bypass was not included. To save electrical costs, extend

the life of the barge pumps and complete the work during low water demand periods (winter), staff recommends proceeding with this project immediately.

Approval of the attached resolution establishes the total project budget of \$160,000, adding the surge tank bypass as approved in the 2016/17 fiscal year budget and authorizing the GM to award construction contracts, if within the preliminary project budget. The total project is estimated to cost \$160,000, which is close to the maximum informal bid limit of \$175,000 and is not an emergency project, therefore we are required to use the formal bidding process required in the Public Contract Code. The bidding process will start following the Board meeting, and conclude on December 30, 2016, with a contract expected to be awarded by January 7, 2016.

Fiscal Impact:

Funding for the project will be made up of the following:

1. Budgeted Intake Booster Installation - \$50,000
2. Budgeted Intake Electrical Control Upgrades - \$85,000
3. Transfer from unrestricted fund balance - \$25,000

RESOLUTION 2016 -__

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
INITIATING THE FORMAL BID PROCESS AND AUTHORIZING THE AWARD OF CONTRACTS
FOR THE
INTAKE BOOSTER PUMP INSTALLATION AND RELATED WORK

WHEREAS, the Lake Don Pedro Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction, pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, one of the powers of the District is to provide water for beneficial use for residents within District boundaries {Govt. Code §61100(a)}; and

WHEREAS, the District has installed a surge tank, booster pump and related controls to allow for use of an emergency floating pump system operated during lake level conditions where lake water levels are below the District's existing fixed surface water pumping system; and

WHEREAS, due to drought and regulatory requirements, the water level of Lake McClure has been below the District fixed pumps for nearly three years, and due to currently proposed regulations on water flows required downstream of Lake McClure the lake level is expected in the future to be below these pumps much more frequently than it has in the past; and

WHEREAS, the governing body of the District intends to install a second booster pump and related site improvements to improve water supply and transmission system reliability, and efficiency during drought and recurring low lake water level conditions; and

WHEREAS, the Project is located at the existing District Barrett Cove pumping facility on Lake McClure, which is owned and operated by the Merced Irrigation District; and

WHEREAS, the District filed a Notice of Exemption under the California Environmental Quality Act on November 7, 2016, declaring that the Booster project is not subject to further environmental review; and

WHEREAS, the District purchased in the 2015/16 fiscal year the pump and motor for the booster pump project and the work contemplated under this Resolution is the installation of the pump, related piping and electrical work, site fence repairs and installation of a pipe bypassing the existing surge tank, and

WHEREAS, the District has prepared Engineering Plans and Specifications detailing the necessary construction work and has established a preliminary project budget of \$160,000; and

WHEREAS, the District finds these improvements are necessary to ensure that public health and safety standards will continue to be met in the future and has directed Staff to move forward with the formal bidding process in accordance with the California Public Contract Code and the Uniform Construction Cost Accounting Act as adopted by the District.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the above recitals are true and correct; and
2. Set the date for receipt of Construction Bids as December 30, 2016; and

3. Set the date the District intends to award the construction contract to lowest responsive bidder, as January 6, 2017.
4. The General Manager is authorized to execute all contracts, construction change orders, notices and requests related to the Intake Booster Project, within the preliminary project budget detailed above.
5. The total budget of \$160,000 for the project is hereby approved for completion within the 2016/17 fiscal year budget.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
STATE OF CALIFORNIA
COUNTY OF MARIPOSA

I, Syndie Marchesiello, the duly appointed Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- b. Adoption of a Resolution authorizing unbudgeted expenditures not to exceed \$7,500 for the auditing, testing, troubleshooting and repair of the District automated meter reading system, and execution of related contracts

Recommended Motion

Staff recommends the following motion:

I move to adopt the Resolution authorizing unbudgeted expenditures not to exceed \$7,500 for the auditing, testing, troubleshooting and repair of the District automated meter reading system, and execution of related contracts.

Background

It has been discussed in the Operations Report over the past several months and reported as an agenda item during the October 17, 2016 Board meeting that the drive by meter reading system has been experiencing some problems in approximately 60 to 80 meters being incorrectly read by the handheld data collection device. According to the meter manufacturer's representative, it is very unusual for any automatic system to incorrectly read, rather these meters normally read correctly, or do not read at all.

You will remember that this meter system was installed by district employees over a relatively long period of time approximately four years ago, and never placed into service. Over one year ago, we completed the programming and initialization of the meters to begin using the system, which has saved tremendous staff time.

Unfortunately we have also experienced a variety of small issues each month since the beginning. The problems were varied, and troubleshooting difficult since our staff was not trained in their operation and testing. Through field investigation, we have discovered that we had some failed transmitters, and some problems in the wiring between the meter and transmitter. The meters are mostly functioning correctly.

The transmitters are covered by a 10 year warranty, which is still valid. Unfortunately, we selected a meter manufacturer that is now out of business and no longer supports their product. Therefore, having two different products involved in this troubleshooting exercise adds to the complexity of the solution. Staff is all now working actively together with the transmitter representative on solutions to the problems. We have received a price for a qualified meter system installation contractor to go through each of the malfunctioning meters and complete a fix on each, under the direction of the meter

transmitter representative. If the transmitter is found to be bad in any meter, the parts will be replaced free of charge.

An interesting fact to understand; as with any technology, several upgrades to the transmitters have occurred since they were installed four to five years ago. The new transmitters now have a data port and data storage capabilities that allow for up to 40 days of water usage data to be stored. With the new transmitters, we can now download on a drive by report, the minute by minute water usage for the property. This can be very helpful in terms of customer service to find leaks in customer plumbing, troubleshoot irrigation and high water usage.

At a bulk rate, the new transmitters cost approximately \$85 each. In the case of any failed transmitter in our system, they will be replaced with the new version with the data logging capabilities. At this point, the proposed work involves installing the new transmitter only to replace those that have failed, and not purchasing new ones to replace those that are functioning correctly.

Attachments:

1. National Meter Proposal
2. Resolution approving the expenditure



November 14, 2016

Lake Don Pedro CSD
9751 Merced Falls
La Grange, CA 95329

Re: Meter ERT survey and repair proposal

Scope of Work:

Visit individual meter sites identified by CSD.

1. Non-responsive endpoints – estimate 59 sites
 - a. Confirm endpoint serial #
 - b. Check installation
 - c. Read with handheld “Check ERT” function
 - d. If non-responsive, replace with new endpoint

2. Endpoints with suspect meter reads – estimate 32 sites
 - a. Read with handheld “Check ERT” function
 - i. If reporting a Tamper (cut wire), determine if splice is an option
If YES – splice wire, reprogram, re-read
If NO – report to District – schedule for meter replacement
 - ii. If read does not correlate (register vs. radio), and no cut-wire tamper alarm, replace with new endpoint

The estimated number of sites is based on reports submitted 10/13.

New endpoints will be supplied by National Meter as warranty replacements.

Splice kits will be invoiced to CSD at end of project based on actual number used (\$6 ea.)

District will supply use of FC300 handheld and provide CSD staff to assist with locating hard to find meters.

District will be invoiced at a rate of \$1,500 per day, not to exceed 4 days.

Regards,

Kathy Richards, Sales Manager

PO Box 8339 Santa Rosa, CA 95407
707-575-0700 Phone 707-575-3786 Fax

RESOLUTION 2016 -__

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
AUTHORIZING UNBUDGETED EXPENDITURES NOT TO EXCEED \$7,500 FOR THE AUDITING,
TESTING, TROUBLESHOOTING AND REPAIR OF THE DISTRICT AUTOMATED METER
READING SYSTEM, AND EXECUTION OF RELATED CONTRACTS

WHEREAS, the Lake Don Pedro Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction, pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, one of the powers of the District is to provide water for beneficial use for residents within District boundaries {Govt. Code §61100(a)}; and

WHEREAS, the District has installed a drive-by meter system that is currently in need of professional troubleshooting and repair; and

WHEREAS, proper function of the meter system is critical to quality customer service, as well as timely and accurate billing and revenue collection; and

WHEREAS, District staff has exhausted its options and technical capabilities in the troubleshooting and repair of the meter system and staff time required to respond to meter rereads, inspection and troubleshooting has increased significantly; and

WHEREAS, the District finds these improvements are necessary to ensure that District staff time is put to the most efficient use and customer billing is accurate, timely and consistent.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the above recitals are true and correct; and
2. The proposal by National Meter is hereby approved and the work to be authorized immediately; and
3. The project budget is set at not to exceed \$7,500 without further Board authorization; and
4. The General Manager is authorized to execute all contracts, construction change orders, notices and requests related to the Meter System Repair Project, within the preliminary project budget detailed above.
5. The total budget of \$7,500 for the project is hereby approved for completion within the 2016/17 fiscal year budget.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of

the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
STATE OF CALIFORNIA
COUNTY OF MARIPOSA

I, Syndie Marchesiello, the duly appointed Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- c. Adoption of a Resolution authorizing unbudgeted expenditures not to exceed \$20,000 for renovations to the emergency pump barge system and execution of related contracts

Recommended Motion

Staff recommends the following motion:

I move to adopt the Resolution authorizing unbudgeted expenditures not to exceed \$20,000 for renovations to the emergency pump barge system and execution of related contracts

Background

Last month, we were notified that the emergency pump barge appeared to be sinking on Lake McClure. An attempt was made to install floatation under the barge to raise it enough to perform repairs on the water. Unfortunately the barge pontoon(s) were leaking badly enough and barge sinking enough to require removal of the barge from the water.

The barge is currently in the Lake McClure maintenance shop at Barrett Cove, and the cost of repairs and options being evaluated. The pumps and controls will actually be moved from the old barge to the new barge, and the old barge decommissioned. Firm repair costs may be available for the meeting, but in the even they are not, staff has estimated the worse case scenario costs at \$20,000.

RESOLUTION 2016 -__

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
AUTHORIZING UNBUDGETED EXPENDITURES NOT TO EXCEED \$20,000 FOR RENOVATIONS TO
THE EMERGENCY PUMP BARGE SYSTEM AND EXECUTION OF RELATED CONTRACTS

WHEREAS, the Lake Don Pedro Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction, pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, one of the powers of the District is to provide water for beneficial use for residents within District boundaries {Govt. Code §61100(a)}; and

WHEREAS, the District has installed a surge tank, booster pump and related controls to allow for use of an emergency floating pump system operated during lake level conditions where lake water levels are below the District's existing fixed surface water pumping system; and

WHEREAS, due to drought and regulatory requirements, the water level of Lake McClure has been below the District fixed pumps for nearly three years, and due to currently proposed regulations on water flows required downstream of Lake McClure the lake level is expected in the future to be below these pumps much more frequently than it has in the past; and

WHEREAS, the current barge to which the pumps are mounted is failing causing the barge to be unsafe and pumps exposed to complete submersion; and

WHEREAS, renovations and repairs to the barge are estimated to cost between \$5,000 and \$20,000 to complete and must be done immediately; and

WHEREAS, the District 2016/17 fiscal year budget did not include funding for repair and renovation of the pump barge and therefore Board authorization is required to provide immediate funding for the repairs.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the above recitals are true and correct; and
2. The General Manager is authorized to execute all contracts, construction change orders, notices and requests related to the Barge Pump Renovations, within the preliminary project budget detailed herein.
3. The total budget of \$20,000 for the repairs are hereby approved for completion within the 2016/17 fiscal year budget.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
STATE OF CALIFORNIA
COUNTY OF MARIPOSA

I, Syndie Marchesiello, the duly appointed Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- d. Adoption of a Resolution clarifying medical benefits provided to certain employees upon retirement from the District

Recommended Motion

Staff recommends the following motion:

I move to adopt the Resolution clarifying medical benefits provided to certain employees upon retirement from the District.

Background

On April 18, 2016 the Board was presented with a report of historical Board meeting discussions and actions related to medical benefits for LDPCSD retirees. In September 2016 the District's General Counsel reviewed the historical medical benefits report and reviewed District records to determine how a court may view the situation of whether two existing District employees are due medical benefits on retirement. The attorney prepared a confidential memorandum to the Board of Directors detailing his position on the matter. The memorandum is on file with the District but is not eligible for public disclosure due to its attorney-client privileged nature and potential ability to jeopardize the district's position in any related litigation.

As a result of receiving this attorney memo, the Board can now take action approving the previously considered Resolution, attached, clarifying medical benefits provided to certain employees upon retirement from the District. The Report referenced in the Resolution is not included again in this agenda packet, as it was included in the Board's April 18, 2016 Board meeting packet and available on the LDPCSD website on the Meetings page at

<http://www.ldpcsd.org/files/f8d4e2d38/Item%205c,History%20of%20Health%20Care%20Benefits%20Report.pdf> . If additional copies are needed, please contact the office.

RESOLUTION NO. 2016-XXX

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
CLARIFYING MEDICAL BENEFITS PROVIDED TO EMPLOYEES UPON
RETIREMENT FROM THE DISTRICT**

WHEREAS, the Lake Don Pedro Community Services District ("District") is a California community services district formed and existing under the provisions of the California Community Services District Law, codified at Government Code §§ 61000-61144, and all acts and laws amendatory thereof or supplementary thereto, and possessing all the powers thereof; and

WHEREAS, the district provides certain medical benefits to active employees and certain employees on retirement from the District; and

WHEREAS, the expense of covering costs associated with retiree medical expenses must now be reported on the agency's financial statements pursuant to GASB 45; and

WHEREAS, to ensure accuracy of the calculation of the cost of said retiree medical benefits, the stated accuracy of the policy of the district for providing its employee benefits is of utmost importance; and

WHEREAS, the board of directors has directed the preparation of a report detailing the history of the district's medical benefits policies and other Board actions on which District management's declaration of said medical benefits policy is based, for the purpose of development of the actuarial valuation establishing the retiree medical benefit long term cost; and

WHEREAS, a document titled Report of Actions related to Lake Don Pedro CSD Medical Benefits (herein referred to as Report) is on file with the District and has been presented to the Board for public review; and

WHEREAS, the Report was submitted for final review by the District's legal counsel for the purpose of determination of the District's policy in effect at the time of hiring of certain employees in the last five years, and our obligation to them with regard to medical benefits upon retirement; and

WHEREAS, Counsel has determined that the Report presents unclear policies and actions of prior Board(s) with regard to a proposed action to rescind retiree medical benefits and therefore has opined that the retiree medical benefits remained in place and applicable to employees hired until January 1, 2016, at which time the benefit was formally rescinded by Board Resolution; and

WHEREAS, said Report is hereby adopted and approved as a true representation of the position of the district with respect to medical benefits provided to active employees as of January 1, 2016.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, BE IT RESOLVED by the Board of Directors of the Lake Don Pedro Community Services District, that the District hereby adopts the Report of Actions related to Lake Don Pedro CSD Medical Benefits as of the date herein signed.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
STATE OF CALIFORNIA
COUNTY OF MARIPOSA

I, Syndie Marchesiello, the duly appointed Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- e. Adoption of a Resolution amending the District's Policy on Board Meeting Minutes

Recommended Motion

Staff recommends the following motion:

I move to adopt a Resolution amending the District's Policy on Board Meeting Minutes

Background

The current District policy prescribing the preparation of meeting minutes contains a requirement that the District Secretary (and Board) determine the "relevancy" of public comments received during the Board meeting. Persons commenting at a Board meeting submit their thoughts to the Board as relevant, and therefore for the District to not include in the minutes every public comment received would appear to the public as saying "your comments are not relevant here".

The determination of whether public comments received on agenda or non agenda items is "relevant" as described by the existing minutes policy, is extremely subjective and leaves the District to potential liability, criticism and "not considering public comment" when public comment is left out of the minutes, or summarized in the words of the Secretary or Board. Public comment is intended to guide and inform the Board's decision at meetings, or in the case of non-agenda items, for the Board to consider delegating certain actions to the General Manager, for Board or committee review, or adding items to future agendas for discussion.

Board meetings are intended as public venues in which the Board takes action on district matters. The law requires the Board to take public comment on agenda items before action is taken, and to allow an opportunity for the public to comment on items not on the agenda, but within the subject matter and jurisdiction of the District. The Board Secretary is charged with preparing the meeting minutes, which are the official record of District actions.

Recording of all public comments received, in verbatim fashion, can significantly lengthen minutes and cloud the actions and minutes of the Board. Based on extensive training and certification as Board Secretaries, staff recommends that the Board's policy on Meeting Minutes be amended to limit the amount of information included in the official minutes to the amount necessary to adequately document the Board's deliberations, decisions and actions.

A draft revised policy as recommended by the CSDA Leadership Academy and adopting Resolution are attached to this agenda report.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

Policy and Procedures Manual

POLICY TITLE: Minutes of Board Meetings
POLICY NUMBER: 5060
ADOPTED:
AMENDED:

5060.1 The Secretary or Deputy Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as a part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

5060.1.2 Any recording of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. Consistent with Government Code Section 54953.5(b), the District will maintain the recordings for a 30-day period after the recording. During the 30-day period, the District will provide, without charge, the necessary equipment for inspection of said recordings at the District Office during regular business hours. In addition to the 30-day requirement, the District will maintain the recordings in accordance with its current Records Retention Policy.

~~**5060.1.3**—Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:~~

5060.1.3 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads.

5060.14 The minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions, or motions.

5060.15 The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 4.4 and 4.6 below, shall not be required to record any remarks of Directors or any other person.

5060.16 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board during general public comment.

5060.17 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include the names of speakers who provided public comment on each agenda item and a summary of the Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the General Manager, District Counsel, the Board President, or any Director.

5060.18 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

5060.19

~~Date, place and type of each meeting;~~
~~_____ Directors present and absent by name;~~
~~_____ Administrative staff present by name;~~
~~_____ Call to order;~~
~~_____ Time and name of late arriving Directors;~~
~~_____ Time and name of early departing Directors;~~
~~_____ Names of Directors absent during any agenda item upon which action was taken;~~
~~_____ Summarial record of staff reports;~~
~~_____ Summarial record of public comment regarding matters not on the agenda, including names of commentators;~~
~~_____ Approval of consent calendar;~~
~~_____ Consent Calendar to consist of:~~
~~_____ Minutes or amended minutes from previous meeting;~~
~~_____ Treasurer's report on all Districts' financial activity;~~
~~_____ Record of the vote of each Director on every action item for which the vote was not unanimous;~~
~~_____ Resolutions and ordinances described as to their substantive content and sequential numbering;~~
~~_____ Record of all contracts and agreements, and their amendment, approved by the Board;~~
~~_____ Approval of the annual budget;~~
~~_____ Approval of all policies, rules and/or regulations;~~
~~_____ Approval of all dispositions of District assets;~~
~~_____ Approval of all purchases of District assets; and,~~
~~_____ Time of meeting adjournment.~~

RESOLUTION 2016 -__

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
APPROVING A REVISED POLICY ON BOARD MEETING MINUTES

WHEREAS, the Lake Don Pedro Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction, pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, California Government Code Sections 61050 and 61051 require that the Board of Directors adopt policies governing the operation of the District, and require the General Manager to implement these policies; and

WHEREAS, the District's current policy prescribing the preparation and content of Board meeting minutes is overly descriptive and can be easily misapplied; and

WHEREAS, the existing Meeting Minutes policy requires that public comments made at the meeting be summarized and included in the permanent record of the District, which can cause confusion and misunderstandings of the record; and

WHEREAS, clear, concise and accurate records of Board actions are paramount to the successful and efficient operation of the District, and the Board wishes to revise its policy to become consistent with current industry practices for meeting minutes preparation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT that the revised Meeting Minutes policy attached hereto shall be approved and effective immediately, and that prior policies on Meeting Minutes are hereby repealed.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
(STATE OF CALIFORNIA)
(COUNTY OF MARIPOSA)

I, Syndie Marchesiello, the duly appointed Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro

Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- f. Discussion Regarding Status of Implementation of the approved Maintenance Plan

Recommended Motion

Staff recommends the following motion:

This is a discussion item only and does not need a motion at this time.

Background

The Board recently reviewed the draft maintenance plan prepared to describe the frequency and level of maintenance required to keep the District water system in reliable order. Staff is now working on various steps to implement the Plan including:

1. Completion of a time study to determine the number of staff and the qualifications and training required for employees
2. Purchase and population of the Asset Management software (SEMS) that includes all major district facilities, infrastructure and equipment
3. Evaluation of the maintenance and repair work best completed by contractors or trained technicians
4. Identification of the maintenance tasks currently being completed by District staff

Software - We have purchased the software and have held two meetings with the vendor responsible for data entry of our assets. We are actively sending specific site and equipment information to SEMS for entry, and it is expected that the software will be fully populated within four to six weeks. Once all of the information is entered, the logic needs to be written, which is the maintenance practices and frequency from the maintenance plan and equipment manuals. Once completely populated, SEMS will be on site for two days of staff training on its use.

Contracting - Staff has also determined that the following work is best completed by contractor or specialized technician. The determination is made based on importance of equipment operation, time required to perform the work, specialty equipment required, employee safety, level of traffic control, ability to stop and restart the work, training and skills required to correctly perform the work.

Contracted work is recommended to be:

1. Initial street valve well cleaning, completion of repairs and non-operable valve replacements. After the initial contracted project, district staff will operate the valves annually
2. Leak repairs requiring immediate repair and work in the roadway and potential traffic control or extended time for repair
3. Pipeline replacements in the roadway, or those that cannot be shut off for long periods
4. Rebuilding and recalibration of mainline pressure regulating valves
5. Major electrical wiring or control work
6. SCADA major repair or programming

7. Vertical turbine booster pump or motor replacements including Intake pumps
8. Master Meter calibration and testing
9. Major construction projects such as building roofing, siding, or new building construction
10. Pesticide application where certification is required
11. Main line valve, pump control valve replacements
12. Fire hydrant replacements
13. Tank inspections (internal), cleaning and repair
14. Major (one time) projects such as fence installation

The above work happens infrequently for the most part, and if frequent, a larger renovation project should be planned to reduce work and cost, such as the Service Line Replacement Project. Hiring, training and maintaining public employees to perform major, infrequent specialty construction work is typically more expensive than hiring a good contractor. The above work can be packaged into replacement or upgrade projects of a size within our informal bidding limits to keep the costs under control.

Current Level of Maintenance – With two employees in the field, we can complete on system operation and responding to customer calls. Operation is simply keeping the tanks full of safe water. Maintenance is only occurring as we respond to emergencies or failing system components. Illness, vacation and Holidays become a major impediment to keep up with the normal workload. Customer response is suffering with days of delay in some cases. Currently only basic vehicle safety inspections are occurring, with no routine maintenance.

Once we are restored with three employees in the field, we will have operational redundancy once the new operator is trained and certified, which could be May or June 2017 at the earliest. Employees can take sick days and vacation and we can keep up with the Operations of the District, and perform some minor system maintenance including inspections, documentation, contractor coordination and more rapid customer response. Adequate vehicle maintenance should be able to occur and be coordinated, as well as minor facility maintenance such as fence and building repairs, weed whacking, pruning and trash control.

Monthly status reports will be provided until the program is fully implemented, at which time the reports will provide affirmative (or negative) indications that maintenance is being performed per schedule, and if not, what needs to be put in place to get there.

Lake Don Pedro Community Services District

Regular Meeting of November 21, 2016

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- g. Adoption of a Resolution Opposing the State Water Board's 2016 Revised Draft Substitute Environmental Document and Calling for Support for the Merced River S.A.F.E. Plan.

Recommended Motion

Staff recommends the following motion:

I move to approve Resolution 2016-___ Opposing the State Water Board's 2016 Revised Draft Substitute Environmental Document and Calling for Support for the Merced River S.A.F.E. Plan.

Background

On September 15, 2016, the State Water Resources Control Board released a revised Substitute Environmental Document (SED) analyzing the proposed changes to the current Bay-Delta Water Quality Control Plan. The revised SED is a culmination of over 10 years and \$70,000,000 of effort. This document includes significantly more analysis and proposes more drastic measures than the December 2012 SED, even though local testimony and comments in 2013 stressed routinely that the 2012 estimated impacts were unsustainable for the fishery and the region.

The revised SED available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2016_sed/index.shtml is intended to analyze the impacts of proposed operational, temperature, and water quality requirements to allow for existing beneficial uses of water to continue in the lower San Joaquin River, but is primarily focused on the improvement of the salmon fishery in the basin. Included in this packet are the official notice of circulation of the revised environmental document, for which the comment deadline has been extended to the end of January 2017 and a number of public hearings scheduled. Also included for your information is a fact sheet prepared by the State Board. As a specific example of unrealistic regulations, the state plan requires that New Melones Reservoir have no less than 700,000 AF in storage at the end of each water year on September 30th, and 800,000 acre-feet in New Don Pedro to ensure enough cold water is available to release to the rivers in the fall for both spawning salmon and rainbow trout.

The revised SED document proposes to release approximately 40-percent of what would naturally flow down tributary watersheds like the Stanislaus, Tuolumne and Merced Rivers during the February - June period, which means that reservoirs on those water sheds would be restricted from storing water until 40-percent UIF (Unimpaired Flow) is bypassed down the river. In addition, the State Board proposes to adaptively manage unimpaired flows between a range of 30-50%, which means that effect can be more drastic than the 40% recommended scenario.

The State passed landmark legislation in 2014 to sustainably manage groundwater and prevent overdraft, yet they produce a document that takes away surface water and calls for additional groundwater pumping in a critically over-drafted basin. Furthermore, the plan does not analyze the

future groundwater supply limiting conditions placed on well pumpers when future sustainability plans are developed and enforced.

According to the plan, the East San Joaquin sub-basin is approximately 50,000 acre-feet over-drafted with an average annual groundwater pumping baseline nearly 79,000 AF. Under the 50% UIF, an additional 70,000 AF of groundwater would be pumped, increasing overdraft to approximately 120,000 AF (2.4 times more over draft).

The plan does not offer any proposals for mitigation to meet SGMA requirements, nor to counteract the significant economic losses in the region, considering the regional ag, urban, and business losses, and water resource losses. Instead, they just conclude these impacts are "significant and unavoidable."

Furthermore, the plan does not develop biological objectives for the fishery, and ignores the significance of other non-flow measures in restoring and supporting fishery habitat for salmon populations in tributaries. Measures such as habitat restoration, reduction of non-predatory flows, and coordinated timing of pulse flow releases that promote anadromous fish migration lack definition and focus in the state's plan.

As a result of the proposed increased Merced River flows out of Lake McClure, the Merced Irrigation District (MID) has initiated a push for the State Board to consider utilizing the existing extensive studies, engineering and evaluations completed by MID in its recent hydroelectric relicensing effort on Lake McClure. MID spent tens of millions of dollars completing very detailed studies to ensure protection of all resources and the state is paying absolutely no attention to these studies in the development and upcoming adoption of the SED for the Delta Water Quality Plan. The Merced River S.A.F.E. Plan (Salmon, Agriculture, Flows, and Environment) is intended to provide certainty for both the environment and for local water supply.

Their proposed Merced River S.A.F.E Plan puts years and millions of dollars of investment studying the Merced River into a practical proposal to improve the river with benefits for all stakeholders. The S.A.F.E. Plan seeks to provide certainty for our local community, improve salmon rearing and protect water quality.

The SED:

- Provides only increased flows
- Will result in the LDPCSD Intake pumps being dry a majority of years, which could devastate our local economy
- Harms local water quality and supply
- Does nothing to address salmon habitat or restoration

The Merced River SAFE:

- Provides increased flows using science to dictate the amounts and timing
- Restores miles of riparian habitat and substantially restores salmon habitat
- Protects local drinking water quality
- Provides predation control
- Improves salmon production and rearing at the state's Merced River Hatchery



Merced Irrigation District announces Merced River S.A.F.E. Plan

District proposes mutli-benefit alternative to Bay Delta Plan water diversion

For Immediate Release: Oct. 19, 2016

Contact: Mike Jensen

209-354-2856

mjensen@mercedid.org

In direct response to the State Water Board's Bay Delta water-diversion-only plan, today Merced Irrigation District released a comprehensive alternative proposal aimed directly at supporting salmon, agriculture, local water quality and the environment.

The [Merced River S.A.F.E Plan](#) (Salmon, Agriculture, Flows and Environment) seeks to put years of study – and tens of millions of dollars – in scientific research into immediate action. The S.A.F.E. Plan would serve as an alternative approach to furthering the State's Bay Delta goals while still providing protection and certainty to water supply and water quality in eastern Merced County. The plan can be viewed [here](#).

In September, the State Water Board released the long-anticipated Bay Delta Water Quality Control Plan Update, or SED. The plan calls for significant diversions of Merced River water away from eastern Merced County and sends it north toward the San Francisco Bay Delta for the purported benefit of salmon.

This water would normally be stored in MID's Lake McClure for use in eastern Merced County. Merced Irrigation District owns and operates Lake McClure – the District is not connected to the state or federal water projects like most other water agencies and communities in California. The State's diversion of water from the Merced area will have a devastating impact on local groundwater quality used by cities, rural residents and farmers alike, as well as cause peripheral harm to the local environment. It will cost the local economy in the Merced area more than \$230 million in economic activity and nearly 1,000 lost jobs.

MID has spent millions of dollars undertaking the most intense and in-depth scientific research on the Merced River that exists. MID has studied flows, temperatures, biological resources and habitats. MID is

poised to put this research into immediate and direct action through implementation of the S.A.F.E. Plan.

Under the S.A.F.E. Plan:

FLOWS – Flows on the Merced River would IMMEDIATELY increase over current obligations. However, the increased flows would rely on sound science and be coupled with eco-system improvements. Flow releases would be made at times proven to benefit migratory salmon. Unlike the State Bay Delta Plan, the S.A.F.E. Plan flow releases would occur in coordination with multiple other efforts to support salmon, including habitat restoration and predation management.

HABITAT RESTORATION – More than 5 miles of riparian and salmon-rearing habitat would be restored along the Merced River upstream of the Snelling community. This habitat was altered decades ago by large-scale aggressive dredge mining, which was not associated with MID or its activities. A technical advisory committee, comprised of MID and federal and state agencies, would oversee the comprehensive river restoration and enhancement, and coordinate this work with other ongoing restoration projects.

INCREASED SALMON HATCHERY PRODUCTION – MID, California Department of Fish and Wildlife, and other interested agencies would develop and implement a plan to modernize and expand the existing Merced River Salmon Hatchery, increasing production and survival.

PREDATION MANAGEMENT – Under the S.A.F.E. Plan, a technical advisory committee, comprised of MID and federal and state agencies, would oversee a comprehensive Merced River Salmonid Predator Management Plan. Key elements would include manually removing bass from the river, filling in bass spawning and rearing areas, many of which occur in isolated, off-channel ponds. All actions aimed at increasing salmonid survival will be considered.

“There is no question that more needs to be done for salmon,” said MID General Manager John Sweigard. “What can be questioned is the methodology. For decades we have sent more water toward the Delta and less water has been diverted for agriculture. It’s clear that salmon are being affected by more than just water.

“We are willing to step forward and try to bring solutions – not fist-pounding – to the table. We are willing to do our part. However, we cannot – and should not – bear the burden for all of the dredging, reclamation, and channelization that has occurred in the Bay Delta. Make no mistake: MID is fully prepared to defend its senior water rights.”

Merced Irrigation District provides surface water from Lake McClure to approximately 2,000 farms in eastern Merced County. The District’s only supply of water is from Lake McClure, which it built. The vast majority of the growers within Merced Irrigation District represent family farms with fewer than 50 acres.

Said MID’s Sweigard: “The Merced River S.A.F.E. Plan seeks to bring people together and create collaboration. It seeks tangible benefits based on taking a holistic approach to supporting the salmon lifecycle while still protecting our community’s agriculture and water quality. We are committed to

bringing forth these solutions and avoiding the kinds of regulatory and legal battles that are entirely too common as we all seek to balance environmental challenges.”

MID Board President Dave Long said that MID growers need certainty of their water supply.

“We are reasonable people,” said Long. “Without settlement on a comprehensive solution to ensure salmon and our community can survive, we will be locked in prolonged legal battles pitting all against all.”

Added Vice President Scott Koehn: “Legal challenges are a high-stakes game, in which one or more parties could potentially lose all. That is not a solution and it is not the way we would prefer to move forward, but we are prepared to do so if necessary. We believe we can work collaboratively to find truly sustainable solutions to these issues.”

###

State Water Resources Control Board

**SECOND REVISED NOTICE
COMMENT DEADLINE EXTENDED,
AND ADDITIONAL INFORMATION PROVIDED,
AND HEARING DATES CHANGED AND ADDITIONAL DATES ADDED**

NOTICE OF FILING AND RECIRCULATION, NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND NOTICE OF PUBLIC HEARING ON

AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY/SACRAMENTO-SAN JOAQUIN DELTA ESTUARY AND SUPPORTING DRAFT REVISED SUBSTITUTE ENVIRONMENTAL DOCUMENT

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) has filed and is recirculating a draft revised Substitute Environmental Document (SED), on the proposed updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The proposed updates (Plan Amendment) include new and revised San Joaquin River flow objectives for the protection of fish and wildlife beneficial uses, a revised salinity water quality objective for the protection of southern Delta agricultural beneficial uses, as well as a program of implementation for those objectives. The State Water Board is proposing to update the Bay-Delta Plan in accordance with a regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report (EIR) under the California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) and with other applicable laws and regulations.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will receive public comments on the proposed Plan Amendment and the SED in accordance with this notice.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will hold a public hearing to receive public comments on the proposed Plan Amendment and the SED. The hearing will begin ~~November 2, continue November 4, and conclude on November 10, 2016~~, on November 29, 2016, continue on December 16, 19, and 20, 2016, and conclude on January 3, 2017 ~~unless extended~~. The hearing will be held at the following locations:

November ~~2 and 10~~ 29, 2016 – 9:00 a.m.
Joe Serna Jr. – CalEPA Headquarters Building
Byron Sher Auditorium
1001 I Street, Second Floor
Sacramento, CA 95814

November 4, 2016 – 9:00 a.m.
~~Modesto Centre Plaza
Tuolumne River Room
4000 L Street
Modesto, CA 95354~~

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

December 16, 2016 – 9:00 a.m.
Stockton Memorial Civic Auditorium
Main Hall
525 N Center Street
Stockton, CA 95202

December 19, 2016 – 9:00 a.m.
Multicultural Arts Center
645 W. Main Street
Merced, CA 95340

December 20, 2016 – 9:00 a.m.
Modesto Centre Plaza
Tuolumne River Room
1000 K Street
Modesto, CA 95354

January 3, 2017 – 9:00 a.m.
Joe Serna Jr. – CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

~~Additional hearing dates may be scheduled and this notice will be further revised to provide notice of any additional hearing dates.~~

BACKGROUND

The Porter-Cologne Water Quality Control Act and the federal Clean Water Act require the State Water Board to regularly review and update the Bay-Delta Plan. The Bay-Delta Plan, last updated in 2006 (the 2006 Bay-Delta Plan), identifies beneficial uses of water in the Bay-Delta estuary, water quality objectives to protect those uses, and a program of implementation to achieve the water quality objectives. The proposed Plan Amendment would update the 2006 Bay-Delta Plan's San Joaquin River flow and southern Delta salinity water quality objectives and the program of implementation for those objectives. The proposed flow objectives would require increased flows from three eastside, salmon-bearing tributaries to the San Joaquin River: the Stanislaus, Tuolumne and Merced Rivers. The proposed Plan Amendment also includes non-regulatory updates.

The SED has been prepared in accordance with the State Water Board's certified regulatory program in lieu of an EIR (Cal. Code Regs., tit. 23, § 3777) and is being recirculated in its entirety. The SED includes an analysis of the environmental impacts of the proposed Plan Amendment, reasonable alternatives and mitigation measures to avoid or reduce significant impacts, and the reasonably foreseeable methods of compliance, among other requirements. In 2012, the State Water Board released a draft substitute environmental document (2012 Draft SED) in connection with the proposed Plan Amendment then under consideration. The SED makes substantial changes to the 2012 Draft SED in consideration of the large number of public comments and in light of additional information.

DOCUMENT AVAILABILITY

The proposed Plan Amendment (included as Appendix K to the SED), the SED and references are available for public review during the comment period on weekdays from 8:30 a.m. to 5:00 p.m. at: Division of Water Rights Records Unit, State Water Resources Control Board, 1001 "I" Street, 2nd Floor, Sacramento, CA 95814.

The SED and its appendices (including the proposed Plan Amendment) will also be available for public review after September 19, 2016, at the following public libraries:

Markleeville Main Library and Archives, 270 Laramie St., Markleeville, CA 96120
Calaveras County Central Library, 1299 Gold Hunter Rd., San Andreas, CA 95249
Pleasant Hill Library, 1750 Oak Park Blvd., Pleasant Hill, CA 94523
Madera County Library – Madera Headquarters, 121 N G St., Madera, CA 93637
Mariposa County Library, 4978 10th St., Mariposa, CA 95338
Merced County Library, 2100 “O” St., Merced, CA 95340
Sacramento Central Library, 828 “I” St., Sacramento, CA 95814
Cesar Chavez Central Library, 605 N. El Dorado St., Stockton, CA 95202
San Francisco County Library Main Branch, 100 Larkin St., San Francisco, CA 94102
Stanislaus County Library, 1500 “I” St., Modesto, CA 95354
Tuolumne County Library, 480 Greenley Rd., Sonora, CA 95370
Alameda County Main Library, 2400 Stevenson Blvd., Fremont, CA 94538

A link to electronic copies of the SED and proposed Plan Amendment is available on the State Water Board’s website at: <http://www.waterboards.ca.gov/DeltaWQCP-Phase1>. Alternatively, for a reasonable cost for copying, you may obtain an electronic copy of the documents on disk by contacting the Division of Water Rights Records Unit at (916) 341-5421 or at dwr@waterboards.ca.gov.

Additional information on the public hearing can be found at the State Water Board’s website at http://www.waterboards.ca.gov/board_info/calendar.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept both written and oral comments on the proposed Plan Amendment and the SED. Written comments must be **received no later than 12:00 noon on November 15, 2016/January 17, 2017**, and addressed and submitted to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814-0100

Comment letters may be submitted electronically, in pdf text format (if less than 15 megabytes in total size) to the Clerk to the Board via e-mail at commentletters@waterboards.ca.gov. Please indicate in the subject line: “**Comment Letter – 2016 Bay-Delta Plan Amendment & SED.**” You may also submit your comments by fax at (916) 341-5620. Electronic submission is preferred, but not required.

Couriers delivering comment letters must check in with lobby security personnel, who can contact Jeanine Townsend at (916) 341-5600.

PROCEDURAL MATTERS

Since the SED is being recirculated in its entirety, new oral and/or written comments must be made and submitted for the SED. Previous comments to the 2012 Draft SED will be part of the administrative record, but do not require a written response. The State Water Board will only respond to those timely comments made and submitted in response to the recirculated SED.

The State Water Board will conduct the public hearing on the proposed Plan Amendment and the SED in accordance with California Code of Regulations, title 23, section 649 et seq. and section 3779. There will be no sworn testimony or cross-examination of participants. Speakers will have an opportunity to provide oral comments during the ~~three~~ **five**-day hearing. In order to ensure a productive, efficient and fair hearing in which all participants have an opportunity to be heard, oral

comments will be limited to **three minutes** per speaker or as otherwise directed by the hearing officer. Participants with similar comments are strongly encouraged to make joint presentations.

Joint presenters may request more than three minutes to present by submitting an email request to the State Water Board by no later than 12:00 noon on Friday, ~~October 14, 2016~~ **November 4, 2016**. Requests for additional time for a joint presentation shall include the name of each presenter, the individuals or entities being represented, the **one** date and location during the ~~three-five~~-day hearing where the comments are proposed to be presented, the total amount of time requested, and the justification for the time request. Requests shall be sent to Katheryn Landau via email at Katheryn.Landau@waterboards.ca.gov. If you have any questions, please contact her at (916) 341-5588. The State Water Board will respond to the requests by ~~October 21 Friday,~~ **November 18, 2016** and reserves the right to grant or modify requests for additional time and may schedule joint presentations for a time certain.

The Board is not required to consider any oral comment that is received after the public hearing. Although a quorum of the Board may be present at the hearing, the Board will not take an action at the conclusion of the hearing. Adoption of the proposed Plan Amendment and the SED will take place at a future Board meeting. Changes to the proposed Plan Amendment consistent with the general purpose of the amendment may be considered and adopted by the Board.

For presentation recommendations, please see information at the following link:
http://waterboards.ca.gov/board_info/meetings/board_presentations.shtml

FUTURE NOTIFICATIONS

The State Water Board will hold the public hearing at the times and places noted above. Any change in the date, time and place will be provided by notices sent via the Lyris e-mail list. Any person desiring to receive future notices concerning the proposed Plan Amendment and SED must sign up for the Lyris e-mail list. To sign up, access the E-mail List Subscription form, click on the "Water Rights" title bar, select the box for "Bay Delta Notices" and provide the required information. The form is located at:
http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml#rights

PARKING, ACCESSIBILITY AND SECURITY

For directions to the Joe Serna, Jr. CalEPA Building and public parking information, please refer to: <http://www.calepa.ca.gov/EPABldg/location.htm>. The CalEPA is accessible to people with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five working days prior to the hearing. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. ~~An audio~~ broadcast of the meetings held at the CalEPA building will be available via the internet and can be accessed at <https://video.calepa.ca.gov/>.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance. Valid picture identification may be required. Please allow adequate time to sign in before being directed to the hearing room.

For information regarding the Stockton Memorial Civic Auditorium, please refer to:
<http://www.stocktongov.com/government/departments/communityServices/specialEvent/facilities/stocktonCivic.html>.

For directions to the Multicultural Arts Center and public parking information, please refer to:
<http://www.multiculturalartscenter.org/contact/directions/>.

For directions to the Modesto Centre Plaza and public parking information, please refer to:
<https://www.modestogov.com/1163/Modesto-Centre-Plaza>.

On-site Spanish translation may be provided upon request. For more information, or to request translation accommodations, please contact Marina Perez at (916) 322-4265 no later than ~~Friday, October 14, 2016~~ November 4, 2016.

Para más información o para solicitar servicios de intérprete en español, puede contactar a Marina Perez (bilingüe) al (916) 322-4265 para el ~~Viernes, 14 de octubre del 2016~~ 4 de noviembre del 2016.

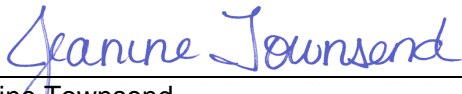
ADDITIONAL INFORMATION

An errata for the SED contains minor revisions to address typographical or clerical errors in the recirculated draft SED that were found after the SED was released for public comment. The errata may be periodically updated and can be found at: www.waterboards.ca.gov/DeltaWQCP-Phase1.

CONTACT INFORMATION

Please direct questions about this notice to Katheryn Landau at (916) 341-5588 or by email at Katheryn.Landau@waterboards.ca.gov, or to Timothy Nelson at (916) 445-5987 or by email at Timothy.Nelson@waterboards.ca.gov.

October 18, 2016
Date


Jeanine Townsend
Clerk to the Board

Revised Draft Substitute Environmental Document for Flow Objectives on the Lower San Joaquin River and Salinity Objectives for the Southern Delta

Overview

The San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) includes the Sacramento-San Joaquin Delta, Suisun Marsh, and San Francisco Bay. California's two major rivers, the Sacramento and the San Joaquin, converge in the Delta and meet incoming seawater from the Pacific Ocean in San Francisco Bay. Water diversions from the Delta supply a portion of the drinking water to more than two thirds of Californians and for millions of acres of farmland.

On Sept. 15, 2016, the State Water Resources Control Board (State Water Board) staff released a draft proposal to update water quality requirements for salinity in the southern Delta and water flows in major tributaries to the San Joaquin River (the Stanislaus, Tuolumne, and Merced Rivers), which drains into the southern Delta. The refined salinity requirements reflect updated scientific information about salt levels that reasonably protect farming in the southern Delta. The new flow requirements for the San Joaquin River's major tributaries recognize the vital role upstream water flows provide for habitat and migratory signals for native fish species. In summary, the draft proposes increasing flows for fish and wildlife and adjusts the salinity requirements to a slightly higher level to reflect updated scientific knowledge.

State Water Board Responsibility

The State Water Board holds dual responsibilities of allocating surface water rights and protecting water quality. The State Water Board allocates water through an administrative system that is intended to maximize the beneficial uses of water while protecting the public trust, serving the public interest, and preventing the waste and unreasonable use or method of diversion of water. This requires balancing of all of those interests.

State water quality law requires the adoption of water quality control plans that identify existing and potential beneficial uses of waters of the state and establish water quality objectives to protect these uses. The plans also contain implementation, surveillance and monitoring elements.

While most water quality control planning is done by the Regional Water Quality Control Boards, the State Water Board has authority to adopt statewide water quality control plans and adopts the *Water Quality Control Plan the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Bay-Delta* (Bay-Delta Plan) because of its importance as a major source of water supply for the state. The Bay-Delta Plan protects water quality in the region and includes water quality objectives to protect municipal and industrial, agricultural, and fish and wildlife beneficial uses.

The Bay-Delta Plan

The Bay-Delta Program resides in the State Water Board's Division of Water Rights because of the critical importance of flow objectives in the Bay-Delta Plan. Among taking other actions, the State Water Board may implement the Bay-Delta Plan through water right actions.

Developing the Bay-Delta Plan

The State Water Board is in the midst of developing and implementing updates to the Bay-Delta Plan and flow objectives for priority tributaries to the Delta to protect beneficial uses in the Bay-Delta Watershed. For administrative convenience, the various proceedings are referred to as phases. This phase (Phase 1) proposes amendments to the Bay-Delta Plan involving the Lower San Joaquin River flow objectives and southern Delta salinity objectives.

In a separate process, referred to as Phase 2, the State Water Board is reviewing and considering updates to other elements of the Bay-Delta Plan, including Delta outflows, Sacramento and tributary inflows (other than the San Joaquin River inflows), Suisun Marsh salinity, Delta Cross Channel Gate closure, export limits, and reverse flows in Old and Middle River. In Phase 3, the State Water Board will implement changes to the Bay-Delta Plan from Phases 1 and 2 through water right actions; in addition, the revised objectives may be implemented through water quality actions. Phase 4 focuses on the development and implementation of flows in the Sacramento River Watershed to address tributary-specific public trust needs, with consideration for other beneficial uses of water, and will be integrated with the Phase 2 effort. A draft scientific basis report for the Phase 2 proceeding was released Oct. 14, 2016; draft Phase 2 proposed amendments to the Bay-Delta Plan will be released in 2017.

Phase 1 Substitute Environmental Document

The State Water Board previously released a Draft Substitute Environmental Document (SED) in December 2012 (2012 Draft SED). This recirculated Draft SED, released on September 15, 2016, makes substantial changes to the 2012 Draft SED in consideration of the large number of oral and written public comments received concerning that document, and in light of additional information, including information learned from the recent drought.

Changes were also made in response to the state's adoption in 2014 of a state policy for sustainable groundwater management (Wat. Code, § 113) and passage of the Sustainable Groundwater Management Act (SGMA) (Wat. Code, §§ 10720 et seq.), which provide a roadmap and directive for sustainable local groundwater management.

Phase 1 Plan Amendments

In Phase 1, the State Water Board is proposing to update two elements of the 2006 Bay-Delta Plan:

- San Joaquin River flow objectives for the protection of fish and wildlife: the flow element of the proposed plan update would increase the required flows to be left in the rivers and would change the area currently protected by flow requirements by adding compliance locations on the Stanislaus, Tuolumne, and Merced Rivers, instead of only on the San Joaquin River at Vernalis.
- Southern Delta salinity objectives for the protection of agriculture: the salinity element of this proposal would adjust the salinity requirements to a slightly higher level to reflect updated scientific knowledge of salt levels that reasonably protect farming. Monitoring and compliance locations would be changed to better reflect overall salinity levels and protection of agriculture.

San Joaquin River Flow Objectives

- The recirculated Draft SED recommends increasing flow on the San Joaquin River and its tributaries to a range of 30 to 50 percent, with a starting point of 40 percent of unimpaired flow from February through June. Unimpaired flow represents the water production of a river basin, unaltered by upstream diversions, storage, or by export or import of water to or from other watersheds. Historical median February through June flows from 1984–2009 in the Merced, Tuolumne, and Stanislaus Rivers were, respectively, 26, 21, and 40 percent of unimpaired flow. In other words, half of the time more than 60 or 70 percent of each river's flow is diverted out of the river during these months.
- Scientific studies show that flow is a major factor in the survival of fish like salmon and that current flows are inadequate to protect many endangered and threatened species, as well as species relied upon by the commercial fisheries. The Draft SED recognizes that other factors, like predation and loss of habitat, affect fish populations, and those factors are also addressed in the Draft SED.
- The unimpaired flow requirement is designed to mimic the cues of nature that species have evolved to respond to, but is not intended to be a rigid and fixed percent of unimpaired flow. It is intended to provide a quantity of water as a

baseline, but the proposal provides for, and encourages, collaboration to use the flows as a block of water that can be “shaped” or shifted in time to provide more functionally useful flows that provide increased habitat, more optimal temperatures, or a migration cue. This type of targeted effort can provide more timely and efficient use of flows than a set regime.

- The Draft SED recognizes the financial and operational challenges to local economies of reduced diversions. The flow requirement considers the needs for fish and wildlife along with the needs of agriculture and local economies.
- Stakeholders are encouraged to work together to reach voluntary agreements that could implement Bay-Delta Plan objectives for fish and wildlife beneficial uses. Voluntary actions to implement non-flow measures to improve conditions for fish and wildlife may support a change in the flows within the 30 to 50 percent range.
- The proposal contemplates that the biological goals will be among the tools that inform future State Water Board decisions on whether to adjust the unimpaired flow percentage within the 30 to 50 percent range. Put another way, adaptive implementation will optimize flows and take into account actual improvements in biological conditions that support native fish. Adaptive implementation of flows will also allow a nimble response to changing information and changing conditions while minimizing unintended impacts.

Southern Delta Salinity Objectives

- The recommended amendment to the southern Delta salinity objective (southern Delta salinity proposal) would eliminate the seasonal element of the current objective by changing the objective to a higher salinity level (1.0 deciSiemens per meter [dS/m] year-round), from the current 0.7 dS/m April through August and 1.0 dS/m September through March.
- Analysis of southern Delta water quality and crop salinity requirements shows that the existing salinity conditions in the southern Delta are suitable for all crops and that the existing April through August salinity objective is actually lower than what is needed to reasonably protect agriculture.
- The United States Bureau of Reclamation will be required to continue to comply with the 0.7 dS/m salinity level for the San Joaquin River at Vernalis as a condition of its water rights.

- The revised water quality objectives coupled with the implementation measures included in the Bay-Delta Plan update would provide the same or better conditions for agricultural uses in the Delta, as compared to existing conditions through the continuation, or improvement, of existing management actions, including maintenance of water levels.
- The proposal includes requirements that the State Water Project and Central Valley Project address the impacts of their export operations on water levels and flow conditions that may affect salinity conditions in the southern Delta.
- The southern Delta salinity proposal would also replace the three current fixed points for monitoring southern Delta salinity compliance, and instead identifies three extended channel segments for monitoring conditions and measuring compliance.
- Increased February through June flows under the San Joaquin River flow element would improve salinity conditions in the southern Delta early in the irrigation season.

Next Steps

This is a draft staff proposal and SED. Comments on both the proposed Bay-Delta Plan amendments and the Draft SED are due by noon on Jan. 17, 2017. A public hearing will be held on Nov. 29, 2016 and Jan. 3, 2017 in Sacramento; Dec. 16, 2016 in Stockton; Dec. 19, 2016 in Merced; and Dec. 20, 2016 in Modesto, to receive additional oral comments.

Staff will prepare a draft final SED for consideration by the State Water Board's members. The Board members will consider the draft Final SED before approving the project, and the SED will become final upon project approval. The Board will consider approving the proposed Bay-Delta Plan amendments at a public meeting that will be held in 2017.

An expanded summary of the proposed updates to the Bay-Delta Plan is available [here](#).

(This fact sheet was last updated on Oct 18, 2016.)

RESOLUTION 2016 -__

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
SUPPORTING THE MERCED RIVER S.A.F.E. PLAN AND OPPOSING THE STATE WATER
RESOURCES CONTROL BOARD'S ADOPTION OF THE BAY DELTA SUPPLEMENTAL
ENVIRONMENTAL DOCUMENT

WHEREAS, the Lake Don Pedro Community Services District (herein "District") is a Local Governmental Agency formed and authorized to provide services within its jurisdiction, pursuant to Section §61000 et seq. of the California Government Code; and

WHEREAS, one of the powers of the District is to provide water for beneficial use for residents within District boundaries {Govt. Code §61100(a)}; and

WHEREAS, the District's water supply is derived from surface water diverted from its Lake McClure Intake at Barrett Cove, which provides the sole water supply for the community of 3200 including local schools, businesses, government and fire stations; and

WHEREAS, the District's pumping facilities on Lake McClure extend down to 700 feet above sea level, and below that level the District must utilize an emergency floating pump barge which can operate down to an elevation of approximately 560 feet above sea level, an elevation nearly reached in February 2015 and at which point the District's surface water supply is depleted; and

WHEREAS, in 2015 and 2016 as a result of the low Lake McClure water levels the District implemented emergency water conservation requirements for its customers and reduced water consumption in 2015 and 2016 by an average of 50% from the 2013 baseline year; and

WHEREAS, due to drought and regulatory requirements, the water level of Lake McClure has been below the District fixed pumps for nearly three years, and due to the projected impact of the increased instream flow required in the State Water Resources Control Board's Substitute Environmental Document (SED) prepared in support of the update of the Delta Water Quality Plan, Lake McClure is expected in the future to be below these pumps 40% to 50% more frequently than it has in the past; and

WHEREAS, the governing body of the District committed the investment of nearly its entire financial reserve beginning in 2015 for the development of a local groundwater supply adequate to meet the human consumption, sanitation and firefighting water needs of the community, all because the then required flows below New Exchequer Dam were draining the lake at up to one foot per day while our community's annual consumption amounted to less than ½ foot of lake elevation; and

WHEREAS, the District was able to only establish an emergency groundwater supply adequate to support 50% of the community's reduced (water conservation level) demand and Lake McClure surface water is absolutely critical to the survival of the Don Pedro community; and

WHEREAS, implementation of the Bay Delta SED will cause significant harm to our community's water supply and quality. Further, it will devastate our already-disadvantaged regional economy with losses reaching as high as \$231 million and nearly 1,000 jobs.

WHEREAS, the District has worked cooperatively with MID in its multi-million dollar effort, comprehensively studying the potential effects of continued operation of its New Exchequer hydroelectric facility under a new FERC license; and

WHEREAS, the District believes strongly that the studies performed by MID and now included within the Merced River S.A.F.E. Plan provide a balanced approach to water and related resources

management in the region, within the San Joaquin River Watershed and Delta.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. The District strongly opposes the diversion of water wisely used for 100 years in our community to benefit other areas of the state.
2. While attempting to improve water quality and fisheries in the southern Delta, the SED plan would in fact create more severe problems for the Don Pedro Community and entire region; including depletion of very limited emergency groundwater, increased incidence of total water supply outages, loss of property values, drastically increased electrical power consumption and water treatment costs.
3. The SAFE Plan (Salmon, Agriculture, Flows, Environment) provides a multi-benefit, and localized, approach to benefitting the salmon lifecycle.
4. The S.A.F.E Plan supports the Bay Delta water quality objectives while reducing the impacts to our local community.
5. The District has responsibly put Lake McClure water to beneficial use in our community since the 1960's and has invested millions in water conservation activities and leak reduction programs that resulted in a 50% reduction in water use in 2015.
6. The District supports the Merced River S.A.F.E. Plan and opposes the State Water Resources Control Board's adoption of the Bay Delta Supplemental Environmental Document

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on November 21, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Danny Johnson, President, Board of Directors

ATTEST:

Syndie Marchesiello, Secretary
CERTIFICATE OF SECRETARY
STATE OF CALIFORNIA
COUNTY OF MARIPOSA

I, Syndie Marchesiello, the duly appointed and Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District, duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on November 21, 2016.