



MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
EL DORADO IRRIGATION DISTRICT
District Board Room, 2890 Mosquito Road, Placerville, California
July 14, 2008 ~ 9:00 a.m.

Board of Directors

GEORGE W. OSBORNE
BOARD PRESIDENT
Division I

George A. Wheeldon
Board Vice President
Division IV

John P. Fraser
Division II

Bill George
Division III

Harry J. Norris
Division V

**General Manager and
Executive Staff**

TOM GALLIER
GENERAL MANAGER

Thomas D. Cumpston
General Counsel

Alison Costa, Clerk to the Board

Robert DiNunzio, Human Resources

Deanne Kloepfer, Strategic Management and
Communications

Philip Knapik, Finance and Management
Services

Don Pearson, Recreation

Steve Setoodeh, Facilities Management

David Witter, Environmental Compliance and
Water Policy

PUBLIC COMMENT: *Anyone wishing to comment about items not on the Agenda may do so during the public comment period. Public comments are limited to five minutes per person. Those wishing to comment about items on the Agenda may do so when that item is heard and when the Board calls for public comment.*

PUBLIC RECORDS DISTRIBUTED LESS THAN 72 HOURS BEFORE A MEETING:
Any writing that is a public record and is distributed to all or a majority of the Board of Directors less than 72 hours before a meeting shall be available for immediate public inspection in the office of the Clerk to the Board at the address shown above. Public records distributed during the meeting shall be

CALL TO ORDER

President Osborne called the meeting to order at 9:00 a.m. Directors Osborne, Fraser, George, Wheeldon, and Norris present. General Manager Gallier, General Counsel Cumpston, and Clerk to the Board Costa present. President Osborne led the Pledge of Allegiance and a moment of silence in honor of nine servicemen and women who recently lost their lives in Afghanistan.

ADOPT AGENDA

President Osborne pulled Consent Item 7 for discussion. Agenda was subsequently adopted.
WGOFN

APPROVE CONSENT CALENDAR

Consent Item 7 pulled. The Consent Calendar was approved as amended.

WGOFN

PUBLIC COMMENT

None

BOARD OF DIRECTORS / CLERK TO THE BOARD COMMUNICATIONS

Vice-President Wheeldon was chosen as the 2008 Honorary Awardee from the California Federation of Mineralogical Societies for the American Federation of Mineralogical Societies' Scholarship Foundation. Vice-President Wheeldon's award was accompanied by an \$8,000 scholarship to be divided between two graduate students in the earth sciences; Matthew Lesh of Sacramento State University and Ben Schumer of University of Nevada, Reno.

Director George and President Osborne and Don Pearson attended the Sugar Loaf Camp opening at Sly Park.

President Osborne attended the Environmental Review Committee meeting at Kirkwood the second week of July.

GENERAL MANAGER'S COMMUNICATIONS

- 1) Awards and Recognitions:
 - a) Welcome to the District, David Robinson. David has been hired as a replacement to the position of Water Plant Mechanic I. David will report to Kurt Mikkola in the Drinking Water Division within the Facilities Management Department.
 - b) Welcome to the District, Janice Ster. Janice has been hired as a replacement to the position of Assistant Engineer. Janice will report to Elizabeth Wells in the Wastewater - Engineering Division within the Facilities Management Department.
 - c) Happy Birthday Vice President George Wheeldon and Director Harry Norris!
- 2) Staff Reports and Updates:
 - a) May 2008 Financial Update - Summary and PowerPoint presentation by Mark Price
 - b) May and June 2008 Power Generation Revenue Report - Summary by Dan Downey and Gary Buzby
 - c) 2008 Water Supply Conditions for EID - Summary by Brian Mueller
- 3) Jenkinson Lake at Sly Park:

As of July 7, Jenkinson Lake has 34,112 acre-feet of storage which is 83% of full capacity.

CONSENT CALENDAR

- 1. Finance and Management Services (Frankhouser)**
Ratification of EID General Warrant Registers for the periods ending June 17, 2008, and June 24, 2008, and Board expense reimbursements for these periods.

Action: Option 1: Ratified the EID General Warrant Registers as submitted to comply with Section 24600 of the Water Code of the State of California.
Received and filed Board expense reimbursements. NGOFW

- 2. Clerk to the Board (Costa)**
Approval of Minutes of the June 23, 2008, Regular Board Meeting and July 1, 2008, Special Meeting of the Board of Directors.

Action: Option 1: Approved as submitted. NGOFW

- 3. Office of the General Counsel (Hilton)**
Consideration of one Resolution approving and authorizing the execution of an Easement Quitclaim to Toll Land XXIII, a California Limited Partnership, affecting APN: 124-380-38, for a sewer line easement recorded in error.

Action: Option 1: Adopted Resolution 2008-050 approving and authorizing the execution of the Easement Quitclaim as submitted. NGOFW

- 4. Office of the General Counsel (Hilton)**
Consideration of seven Resolutions accepting Grants of Easement for water pipelines:

 - A. Promontory Phase I Water T-Main/APN: 124-380-038
 - B. Valley View Tank & Pump Station/APN: 108-160-17
 - C. Valley View Tank & Pump Station/APN: 118-160-16
 - D. Valley View Tank & Pump Station/APN: 118-160-24
 - E. Valley View Tank & Pump Station/APN: 083-453-16
 - F. Ponderosa High School Hydrant/APN: 070-090-01
 - G. Stumpf Industrial Complex/APN: 331-020-03

Action: Option 1: Adopted Resolutions 2008-051, 2008-052, 2008-053, 2008-054, 2008-055, 2008-056, and 2008-057 respectively, accepting Grants of Easements as submitted. NGOFW

- 5. Finance and Management Services (Chun/Frankhouser)**
Resolutions Certifying Signatures on District's Checking Accounts.

Action: Option 1: Adopted Resolutions 2008-059, 2008-060, and 2008-061 respectively, re-authorizing the accounts and certifying signatures for the Bank of America, El Dorado Savings Bank, and Columbia Bank and Trust. NGOFW

- 6. Environmental Compliance and Water Policy (Betancourt)**
Consideration of a Resolution authorizing the General Manager to enter into contract with the California Department of Conservation for Proposition 50 and 84 monies totaling \$240,350, funding El Dorado Irrigation District's Watershed Coordinator position.

Action: Option 1: Adopted Resolution No. 2008-058, authorizing the General Manager to enter into contract with the California Department of Conservation for Proposition 50 and 84 grant monies, totaling \$240,350, funding El Dorado Irrigation District's Watershed Coordinator position. NGOFW

7. Office of the General Counsel (Cumpston)

Ratification of Resolutions Nos, 2008-048 and 2009-049 to maintain emergency declarations for the Caples Lake Dam outlet works and Silver Lake outlet works, respectively.

Action: Option 2: Item 7 pulled from Consent Calendar. Under Government Code Section 54952.4(b)(2), the Board of Directors adopted an amended Resolution 2008-048 with respect to Caples Lake, with Paragraph 4 of that Resolution 2008-048 modified as follows (underlined):

“4. The Board of Directors hereby delegates, authorizes, and directs the District General Manager and his designees to procure by negotiation engineering and construction services, materials, and supplies necessary to formulate and execute a plan for remediating the emergency conditions declared herein. The General Manager or his designees shall report to and seek ratification of the Board of Directors for each action taken in excess of their normal authority, at the first regular Board of Directors meeting held after each such action.”

Resolution No. 2008-049, with respect to Silver Lake, was ratified in its existing form.

WNOFG

END OF CONSENT CALENDAR

DIRECTOR ITEMS

8. Director Item (Osborne)

Presentation by Robert Laurie on Employer Support of the National Guard and Reserve.

Action: No action - information only.

ACTION ITEMS

9. Environmental Compliance and Water Policy (Witter)

State Legislative Update.

Action: Option 3: Take no action.

No changes to recommendations were made, therefore no action was required.

10. Facilities Management (Megerdigian)

Consideration of award of a contract to T & S Construction in the not-to-exceed amount of \$4,142,650, a contract to Carlton Engineering in the not-to-exceed amount of \$122,750, staff time at \$248,000, and approve funding in the amount of \$4,513,400 for the Flume 31 and 31A Replacement Project No. 06036H.01.

Action: Option 1: Authorized award of a construction contract to T & S Construction in the not-to-exceed amount of \$4,142,650, a contract to Carlton Engineering in the not-to-exceed amount of \$122,750, staff time at \$248,000, and approved funding in the amount of \$4,513,400 for the Flume 31 and 31A Replacement Project No. 06036H.01.

WFOGN

Action Items (Continued)

11. Facilities Management (Sizelove/Megerdigian)

Consideration of award of a contract to Golden State Construction in the not-to-exceed amount of \$297,020, additional \$80,000 for staff time, and approve funding in the amount of \$377,020 for the FERC C43: Canal Wildlife Fencing Project No. 06093H.01.

Action: Option 1: Authorized award of a construction contract to Golden State Construction in the not-to-exceed amount of \$297,020, additional \$80,000 for staff time, and approved funding in the amount of \$377,020 for the FERC C43: Canal Wildlife Fencing Project No. 06093H.01. FGOWN

12. Finance and Management Services (Price/Foote/Massey)

Funding Approval of the 2008 CIP Equipment Replacement Program, Project # 08016G.

Action: Option 1: Approved funding for the 2008 CIP Equipment Replacement Program, Project # 08016G in the amount of \$353,200. NWOFG

13. Finance and Management Services (Frankhouser/Noceti)

Funding approval for District Capital Improvement Plan (CIP) Projects.

Action: Option 2: Take other action as directed by the Board. Item 7: Energy Recovery Study, pulled for clarification of funding in the amount of \$50,000. Authorized remaining funding for the CIP Projects as requested in the amount of \$773,599. ONFGW

14. Environmental Compliance and Water Policy (Deason)

Consideration of award of on-call task in the amount of \$74,580 to ASM Affiliates, Inc. to perform an Archaeological Evaluation of 21 Prehistoric Sites at Silver Lake (Project 06096H) under the existing on-call contract and authorize \$15,000 in associated staff time for a total funding request in the amount of \$89,580.

Action: Option 1: Awarded on-call task in the amount of \$74,580 for Archaeological Evaluation of 21 Prehistoric Sites at Silver Lake (Project 06096H) to ASM Affiliates, Inc. and authorized \$15,000 in associated staff time for a total funding request amount of \$89,580. WGOFN

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15. Finance and Management Services (Foote/Ruiz)

Award Bid #08-008 for the purchase of One (1) Three-Axle Dump Truck.

Action: Option 1: Awarded Bid #08-008 to Riverview International Trucks for one (1) new three-axle dump truck for the amount of \$124,076.50, including sales tax.

WGOFN

INFORMATION ITEM

16. Facilities Management (Mueller)

Preliminary Data for the 2008 Water Resources and Service Reliability Report.

Action: No action - information only.

Public Comment:

Albert Hazbun, El Dorado Hills

CLOSED SESSION

- A. Closed Session pursuant to Gov. Code Section 54956.9 (Cumpston/Eggerton)**
Conference with General Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a). *Yubacon, Inc. v. El Dorado Irrigation District, et al.*, El Dorado County Superior Court Case No. PC 20070379.
- Action:** On Closed Session Item A, the Board conferred with and gave direction to counsel and staff but took no reportable action.
- B. Closed Session pursuant to Gov. Code Section 54956.9 (Cumpston/Eggerton)**
Conference with General Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a). *Save Caples Lake v. El Dorado Irrigation District*, Alpine County Superior Court Case No. C080280.
- Action:** On Closed Session Item B, the Board conferred with and gave direction to counsel and staff but took no reportable action.
- C. Closed Session pursuant to Gov. Code Section 54957 (Cumpston)**
Public Employee Employment pursuant to Government Code Section 54957(b)(1). Position Title: Administrative Technician III.
- Action:** On Closed Session Item C, the Board conferred with and gave direction to counsel and staff but took no reportable action.
- D. Closed Session pursuant to Gov. Code Section 54946.9 (Cumpston)**
Conference with General Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a) *Voices for Rural Living v. El Dorado Irrigation District*, El Dorado County Superior Court, Case No. PC 20080398.
- Action:** On a Motion by Director George and seconded by Director Wheeldon, with a vote of 5-0, the Board approved the retention of outside counsel in the matter of *Voices For Rural Living v. El Dorado Irrigation District*. Specifics on counsel retained can be obtained from the District's General Counsel.

**BOARD COMMENTS/
DIRECTION TO STAFF**

None

REVIEW OF ASSIGNMENTS

President Osborne requested that Alpine County be informed of timelines and schedules for dewatering of Caples Lake and any construction that will be taking place because of the economic impacts to them.

President Osborne requested that staff clarify funding for Item 7 of Action Item 13, Energy Recovery Study.

Vice-President Wheeldon requested that staff provide to him a listing of all 21 prehistoric sites at Silver Lake that are having an archaeological evaluation.

ADJOURNMENT

President Osborne adjourned the meeting at 1:50 p.m.

George Osborne
President, Board of Directors
EL DORADO IRRIGATION DISTRICT

ATTEST:

Alison Costa
Clerk to the Board
EL DORADO IRRIGATION DISTRICT