

6a



## REGULAR MINUTES

Wednesday, November 18, 2020

## ACTION MINUTES

In Compliance with Executive Department State of California  
Executive Order N-29-20

Join Hangouts Meet: [meet.google.com/xhx-btmk-dxr](https://meet.google.com/xhx-btmk-dxr)

Join by Phone: +1 617-675-4444 PINL 569 172 3260#

1. **CALL TO ORDER:** The meeting was called to order by Chairman Henry at 6:04 p.m.

2. **ROLL CALL: Via Phone**

Candi Bingham, General Manager

Director Roscoe Raymond  
Director Karla Christensen  
Director Patrick Henry  
Director John Chapman

Director Anita Ebbinghausen arrived at 6:16 p.m.

Gisele Wurzbarger, Board Clerk - Absent

3. **PLEDGE OF ALLEGIANCE:** Chairman Henry led the Pledge of Allegiance.

4. **AGENDA:**

Motion by Chairman Henry, seconded by Board Member Raymond, and carried by a 4 to 0 vote to approve the Regular Agenda dated November 18, 2020 as presented. Motion passed by the following vote:

**AYES:** Chapman, Christensen, Henry, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Ebbinghausen

5. **PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA:**

None.

6. **MINUTES: Discussion / Approval.**

A. October 21, 2020 Regular Meeting.

Motion by Chairman Henry, seconded by Board Member Chapman, and carried by a 4 to 0 vote to approve the Minutes dated October 21, 2020 as submitted. Motion passed by the following vote:

**AYES:** Chapman, Christensen, Henry, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Ebbinghausen

**7. CONSENT ITEMS:**

- a. Monthly Financial Statements - Period Ending October 31, 2020.
- b. Expenditure Report - Submitted Check Approval through October 31, 2020.

Chairman Henry opened the public discussion. Hearing no further comments from the public, Chairman Henry closed the public discussion.

Motion by Board Member Raymond, seconded by Vice-Chairman Christensen, and carried by a 5 to 0 vote to approve the Consent Items - Period Ending September 30, 2020. Motion passed by the following vote:

**AYES:** Chapman, Christensen, Ebbinghausen, Henry, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**8. MONTHLY OPERATIONS REPORT: Discussion.** Any matter requiring action will be placed on an upcoming agenda for consideration.

**A. Monthly Operations Report.**

The report included updates from AWA staff, construction, wastewater and water – see report for complete details for Regulatory Compliance Specialist, Wastewater, Water, Distribution and Electrical.

**October 1 thru October 31, 2020 Water Production/Sold Information:**

Well 2 - 305,800 gallons      Total Produced – 903,782 gallons  
Well 3R – 453,100 gallons      Total Sold  
– 785,410 gallons  
Well 6R - 144,882 gallons      Unaccounted Loss - 21%  
Staff Hours: Water.69.75 hours

**October 1 thru October 31, 2020 Wastewater Production:**

Influent flow: 1,236,600 gallons      Effluent Discharged: 574,000 gallons  
Staff Hours: Wastewater 68.00 hours

Chairman Henry opened the public discussion. Hearing no comments from the public, Chairman Henry closed the public discussion.

**B. Monthly General Manager Report.**

The Monthly General Manager Report included updates from the General Manager – see report for complete details.

Chairman Henry opened the public discussion. Hearing no comments from the public, Chairman Henry closed the public discussion.

**9. BOARD MATTERS:** Discussion/Action.

**a. Appoint Chairman and Vice-Chairman.** Discussion/Action.

Chairman Henry opened the public discussion. Hearing no further comments from the public, Chairman Henry closed the public discussion.

After considerable discussion amongst the Board, the following motion was made:

**Motion by Board Member Henry, seconded by Board Member Chapman, and carried by a 5 to 0 vote to appoint Karla Christensen as Chairman and Rocky Raymond as Vice-Chairman of the River Pines Utility District. Motion passed by the following votes:**

**AYES: Chapman, Christensen, Ebbinghausen, Henry, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**b. Purchase District Untreated Water from the Pond.** Discussion/Action.

No written report was submitted on this item.

Chairman Christensen opened the public discussion. Hearing no further comments from the public, Chairman Christensen closed the public discussion.

After considerable discussion amongst the Board, General Manager Bingham was directed to check on State requirements for selling sewer treated water.

**c. RPPUD Water System Improvement Project – Bid Progress.** Discussion/Action.

General Manager Bingham reported she had spoke to Jack Scroggs, KASL Engineering on November 9<sup>th</sup> regarding the bid timeline for the project. KASL will have the bid packet distributed no later than November 30, 2020. Bids will be closed mid-January. Bid proposals will be put before the Board at the March 17, 2021 Regular Meeting. Following Board approval/decision to award, the "Notice to Proceed" will be sent.

There will be a clause in the bid packet top allow the District a 120-day extension for bid acceptance in hopes of USDA funding for the Circle Tank. Projected projects stat date is approximately April 15, 2021 (bid acceptance in mid-March allows the two to three weeks for permits. Project state date could be earlier or later depending on how wet of a winter River Pines has. There is approximately 150 working days (7 months) in season 2021. Project should be finished by that time. If not, contractor will have time per the contract to finish first part of 2022.

Chairman Christensen opened the public discussion. Hearing no comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**d. USDA \$1,300,000 Loan Options – Public Comment.** Discussion.

No written report was submitted on this item. General Manager Bingham report if money becomes available, it won't be until March/April 2021.

Chairman Christensen opened the public discussion. Hearing no comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**e. Attorney Contact – Public Hearing Rate Increase Update.** Discussion.

No written report was submitted on this item. General Manager Bingham asked that this item be continued.

Chairman Christensen opened the public discussion. Hearing no comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**f. Salvage Generator Update.** Discussion.

No written report was submitted on this item. The salvage generator was found in the old firehouse building when it was cleaned. This salvage generator can only be used for short quick repairs. Not good enough for long term use.

Chairman Christensen opened the public discussion. Hearing no comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**g. A-Teem SCADA Contract Update.** Discussion/Action.

General Manager Bingham reported Erik Burns, PE provided a quote for the radios at \$1,312 each which will put the total cost of the 12 radios around \$17,000 before shipping costs. Antennas, cables, and masts will be another \$500. He recommended installing a radio at Jaybird tank instead of Circle Tank because the Circle tank is more difficult to reach and is covered with radios. It might be necessary to place 2 radios at Jaybird tank and make the site the Master/Repeater.

The radio license filing will be around \$1,000. The list of cost below does not include a Cellular Internet connection:

Budgetary Cost:		
Radios	\$19,000	
FCC License	\$ 1,000	
Hardware	\$ 6,000	
Radio Installation	\$12,000	Increased because of the Number of locations
SCADA Programming	\$ 6,880	
Setup Contingency	\$ 2,000	
Total	\$46,880	\$20,000 Originally Approved

The system will take approximately 4 years to break even, Brent Stewart currently \$12,00 per year.

Chairman Christensen opened the public discussion. Hearing no comments from the public, Chairman Christensen closed the public discussion.

The Board directed Board Member Henry to speak with Brent Stewart regarding the SCADA system.

General Manager Bingham asked that this item be continued.

No action taken.

**h. Dam Concrete Repair. Discussion/Action.**

No written report was submitted on this item.

Chairman Christensen opened the public discussion. Hearing no further comments from the public, Chairman Christensen closed the public discussion.

After considerable discussion amongst the Board, the following motion was made:

**Motion by Board Member Henry, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to authorize the River Access Dam Committee to purchase concrete not to exceed \$100 in cost for the Dam Concrete Repair. Motion passed by the following votes:**

**AYES: Chapman, Christensen, Ebbinghausen, Henry, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**i. River Access Dam Committee Update. Continued Discussion.**

No written report was submitted on this item.

Chairman Christensen opened the public discussion. Hearing no further comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**j. Community Clean Up Committee Update. Continued Discussion.**

No written report was submitted on this item.

Chairman Christensen opened the public discussion. Hearing no further comments from the public, Chairman Christensen closed the public discussion.

No action taken.

**10. BOARD OF DIRECTORS COMMENTS/REPORTS: Discussion Only.**

A. Capital Improvements and general repairs necessary at the District. Continued Item.

No action taken.

**11. COMMITTEE COMMENTS/REPORTS: Continued Item.**

a. Solar Panel Committee. Discussion/Possible Action.

No action taken.

b. Water Rights Committee. Discussion/Possible Action.

No action taken.

**12. FUTURE AGENDA TOPICS:**

- a. Purchase District Untreated Water from the Pond. Discussion/Action.
- b. RPPUD Water System Improvement Project: Bid Progress. Discussion.
- c. Public Comment - USDA \$1,300,000 Loan Options. Discussion
- d. Attorney Contact - Public Hearing Rate Increase Update. Discussion.
- e. A-TEEM SCADA Contract Update. Discussion/Action.
- f. River Access Dam Committee Update. Continued Discussion.

**13. ADJOURNMENT:** The meeting adjourned at 7:17 p.m.

DRAFT

**River Pines Public Utility District**  
**Profit & Loss**  
 November 2020

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	Nov 20
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Amador County Auditor's Warrant</b>	
Secured Appointment	831.00
Unsecured Appointment	186.40
<b>Total Amador County Auditor's Warrant</b>	1,017.40
<b>Base Fee Income</b>	
Maintenance Fees	670.00
Sewer	16,089.30
Voluntary Lock-Off	280.00
Water	12,679.80
<b>Total Base Fee Income</b>	29,719.10
<b>Variable Income</b>	
Block Meter	50.00
Water - Usage	2,918.03
<b>Total Variable Income</b>	2,968.03
<b>Total Income</b>	33,704.53
<b>Gross Profit</b>	33,704.53
<b>Expense</b>	
<b>Bank Charges</b>	
Paymentus Fees	218.30
<b>Total Bank Charges</b>	218.30
<b>Board Members</b>	
Stipends	375.00
<b>Total Board Members</b>	375.00
<b>Contracted Expenses</b>	
Board Clerk	300.00
Manager	4,833.34
<b>Total Contracted Expenses</b>	5,133.34
<b>Sewer Expenses</b>	
<b>Amador Water Agency</b>	
After Hour On-Call	247.00
Mandated State Reporting	74.12
Routine Service	1,499.80
<b>Total Amador Water Agency</b>	1,820.92
Electricity - Sewer	2,789.24
SCADA Service	700.00
Sewer - Parts/Supplies	24.87
Telephone - Sewer	177.21
Testing - Sewer	62.00
<b>Total Sewer Expenses</b>	5,574.24
<b>Water/Distribution Expenses</b>	
<b>Amador Water Agency</b>	
After Hour On-Call	494.00
Customer Service	33.80
Mandatory State Reporting	148.26
Meter Reading	310.90
Rountine Service	3,302.74
<b>Total Amador Water Agency</b>	4,289.70
Electricity - Water	1,065.35
Parts/Supplies	1,961.39

**River Pines Public Utility District**  
**Profit & Loss**  
November 2020

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	Nov 20
SCADA Service	300.00
Water Testing	196.00
<b>Total Water/Distribution Expenses</b>	<b>7,812.44</b>
<b>64900 · Office Expenses</b>	
Membership Dues	1,457.00
Postage/Shipping	229.55
Software	50.99
<b>Total 64900 · Office Expenses</b>	<b>1,737.54</b>
<b>68600 · Utilities</b>	
Electricity - Office	18.49
Electricity - Town Hall	18.48
Electricity - Street Lights	116.92
68100 · Telephone - Office	58.28
<b>Total 68600 · Utilities</b>	<b>212.17</b>
<b>Total Expense</b>	<b>21,063.03</b>
<b>Net Ordinary Income</b>	<b>12,641.50</b>
<b>Other Income/Expense</b>	
Other Income	
Wireless Site Lease	500.00
<b>Total Other Income</b>	<b>500.00</b>
<b>Other Expense</b>	
Distribution Project	430.00
Monitor Wells - Sewer	1,692.00
<b>Total Other Expense</b>	<b>2,122.00</b>
<b>Net Other Income</b>	<b>-1,622.00</b>
<b>Net Income</b>	<b>11,019.50</b>



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# River Pines Public Utility District

## Account QuickReport-Board Meetings

As of November 30, 2020

Type	Date	Num	Name	Memo	Amount	Balance
<b>Bank Accounts</b>						
<b>El Dorado Checking</b>						
Check	11/02/2020					44,419.35
Deposit	11/02/2020		Google Services		-36.00	44,419.35
Deposit	11/03/2020				472.52	44,383.35
Deposit	11/03/2020				673.07	44,855.87
Deposit	11/03/2020				300.87	45,528.94
Deposit	11/03/2020				622.26	45,829.81
Check	11/04/2020		PG&E - Street Lights		-116.92	46,452.07
Check	11/04/2020		PG&E - Office/Town Hall		-36.97	46,335.15
Check	11/04/2020		PG&E - Water		-326.75	46,298.18
Check	11/04/2020		PG&E - Water 2		-738.60	45,971.43
Check	11/04/2020		PG&E - Sewer		-2,789.24	45,232.83
Deposit	11/04/2020				445.58	42,443.59
Check	11/04/2020		Candi Bingham		-2,416.67	42,889.17
Deposit	11/04/2020				301.11	40,472.50
Deposit	11/05/2020				955.10	40,773.61
Deposit	11/06/2020				-14.99	41,728.71
Check	11/09/2020		Adobe PDF		496.00	41,713.72
Deposit	11/09/2020				150.23	42,209.72
Deposit	11/10/2020				140.22	42,359.95
Deposit	11/10/2020				152.03	42,500.17
Deposit	11/10/2020				1,092.66	42,652.20
Deposit	11/10/2020				1,567.38	43,744.86
Deposit	11/12/2020				150.00	45,312.24
Deposit	11/12/2020				117.00	45,462.24
Deposit	11/13/2020				117.00	45,579.24
Check	11/15/2020		Candi Bingham		-2,416.67	43,162.57
Check	11/15/2020		Ferguson Enterprises		-1,043.20	42,119.37
Deposit	11/16/2020			Distribution Repair	12,190.88	54,310.25
Bill Pmt -Check	11/16/2020	13587	Amador Water Agency	30018	-7,053.68	47,256.57
Bill Pmt -Check	11/16/2020	13588	Anita Ebbinghausen	November Stipend - 2020	-75.00	47,181.57
Bill Pmt -Check	11/16/2020	13589	Brent Stewart, P.E.	October Alarm Monitoring	-1,000.00	46,181.57
Bill Pmt -Check	11/16/2020	13590	California Bank & Trust	1030264749	-890.00	45,291.57
Bill Pmt -Check	11/16/2020	13591	california Laboratory Services	Water/Sewer Testing	-1,575.00	43,716.57
Bill Pmt -Check	11/16/2020	13592	California Special District Ass...	Yearly Membership Renewal	-1,457.00	42,259.57
Bill Pmt -Check	11/16/2020	13593	Gisele L. Wurzbarger	November 2020 - Board Clerk	-300.00	41,959.57
Bill Pmt -Check	11/16/2020	13594	John Chapman	November Stipend - 2020	-75.00	41,884.57
Bill Pmt -Check	11/16/2020	13595	Karla Christensen	November Stipend - 2020	-75.00	41,809.57
Bill Pmt -Check	11/16/2020	13596	KASL Consulting Engineers	Reimbursible Expense from Proj...	-430.00	41,379.57
Bill Pmt -Check	11/16/2020	13597	NV5, Inc.	Monitoring Well Report	-375.00	41,004.57
Bill Pmt -Check	11/16/2020	13598	Patrick Henry	November Stipend - 2020	-75.00	40,929.57
Bill Pmt -Check	11/16/2020	13599	Rocky Raymond	November Stipend - 2020	-75.00	40,854.57
Check	11/16/2020		AT&T - Sewer	209 245-3984 701 9	-177.21	40,677.36
Deposit	11/16/2020			Deposit	148.27	40,825.63
Check	11/17/2020		USPS	Postage	-221.80	40,603.83
Check	11/17/2020		USPS		-7.75	40,596.08
Deposit	11/17/2020			Deposit	159.69	40,755.77
Deposit	11/17/2020			Deposit	335.63	41,091.40
Deposit	11/18/2020			Deposit	957.29	42,048.69
Deposit	11/19/2020			Deposit	327.68	42,376.37

**River Pines Public Utility District**  
**Account QuickReport-Board Meetings**  
 As of November 30, 2020

Type	Date	Num	Name	Memo	Amount	Balance
Deposit	11/20/2020			Deposit	384.05	42,760.42
Deposit	11/23/2020			Deposit	884.91	43,645.33
Deposit	11/24/2020			Deposit	1,088.25	44,733.58
Deposit	11/24/2020			Deposit	629.63	45,363.21
Deposit	11/24/2020			Deposit	796.67	46,159.88
Deposit	11/25/2020			Deposit	1,034.51	47,194.39
Check	11/27/2020	debit	RingCentral	Office Phone	-58.28	47,136.11
Deposit	11/27/2020			Deposit	166.42	47,302.53
Total EI Dorado Checking						
					2,883.18	47,302.53
Total Bank Accounts					2,883.18	47,302.53
<b>TOTAL</b>					<b>2,883.18</b>	<b>47,302.53</b>

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## River Pines Department Report

November 1 – November 30, 2020

### Water Production/Sold

Well 2 270,000 gallons

Well 3R: 400,900 gallons

Well 6R: 268,652 gallons

Total Produced: 939,552 gallons

Total Sold: 625,110 gallons

Unaccounted Loss: 33%

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### **Regulatory Compliance Specialist-**

- Submitted monthly water report
- Submitted wastewater report

### **Wastewater-**

- Influent flow **1,207,300 gallons**. Effluent Discharged **488,100 gallons**.
- Continue to monitor collection system.
- Continued to keep storage pond as low as possible.

Staff Hours: 41.00 Water

87.00 WW

Prepared by: Linda Nafus, Administrative Assistant II

Reviewed by: Rick Ferriera, Operations and Maintenance Manager



# RIVER PINES PUBLIC UTILITY DISTRICT



22900 Canyon Ave., PO BOX 70, River Pines, CA 95675  
Phone: (209) 245-6723 Fax: (209) 245-5710 Email: RPPUD@RPPUD.org

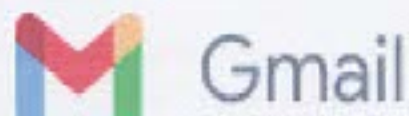
## AGENDA ITEM – 8B

### GENERAL MANAGER'S REPORT

#### For the Month of November 2020

1. **Distribution – major leak on 8” pipe.** Customer's water in areas was disrupted. AWA looked at distribution maps and do not understand why water was disrupted, according to mapping, shouldn't have been (spoke with distribution supervisor).
2. **Distribution Project** – bid notice have been delayed. KASL is waiting for Davis & Bacon documents from the state. Should have by this week, however, KASL and myself decided to wait until after New Years to put out for bid due to holiday distractions.
3. **November Invoices** – according to many customers, they had not received their invoices by December 10<sup>th</sup>. Invoices were mailed December 1<sup>st</sup> and emailed on November 30<sup>th</sup>. Not sure why the delay in mail service. Those who contacted me, I emailed them an invoice for their records.
4. Bank Deposits
5. Monthly Billing & Monthly Late Notices
6. Monthly 48 Hour Notices – Currently No 48 Hour Notices being done
7. Updated Website
8. Agenda & Packets

Merry Christmas!



Candi Bingham &lt;rppud@riverpinespod.org&gt;

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**Re: rate increase**

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Gary B. Bell <gbell@chwlaw.us>  
To: Candi Bingham <rppud@riverpinespod.org>

Thu, Nov 19, 2020 at 1:54 PM

Hi Candi,

In the attached email, I previously advised that the tabulation process likely couldn't occur at the Prop 218 hearing since it was held by teleconference. At the time, this was cautious advice in anticipation of the stay-at-home orders being quickly lifted. And this of course has not occurred as we face potentially new stay-at-home orders in the near future.

For the Prop 218 ballots, state law requires a "date, time, and location" of the public hearing at which "the ballots be unsealed and tabulated in public view to permit all interested persons to meaningfully monitor the accuracy of the tabulation process." (Cal. Const., art. XIII D, § 6, subd. (a) (1); Gov. Code, § 53755.5, subd. (b)(3). And the hearing "may be continued to a different time or different location accessible to the public ... ." (Gov. Code, § 53755.5, subd. (b)(4).). When these sections are read together, they contemplate a location accessible to the public so interested persons may meaningfully monitor the accuracy of the tabulation process.

Under the current circumstances, a physical location – especially where all members of the public are present – is not possible. But the Governor's Executive Orders N-25-20 and N-29-20, which allow videoconference meetings, remain in effect and some jurisdiction do not wish to delay the tabulation process, or the Prop 218 process generally, any longer. Based on these, other jurisdictions are tabulating ballots by videoconference meeting. Essentially, the District holds a normal meeting by Go To Meeting allowing any member of the public to view the meeting, provide public comment, and participate. Additionally, the Clerk tabulates ballots alone in a room with a video showing all ballots and the opening/tabulation process. The video is some distance away from the clerk so that the process and all ballots may be viewed by anyone participating in the meeting. Anyone who wishes to participate can join the videoconference meeting to monitor the accuracy of the tabulation process. There is some risk in this approach because of the "location" requirement discussed above, but the risk may be low given these procedural steps. Whether to wait for a physical location or tabulate ballots by videoconference, as other jurisdictions are doing, is a business decision for the District.

Regarding water shutoffs, the Governor's Executive Order prohibiting discontinuation of water service for nonpayment of bills remains in effect (attached is a memo with additional detail). While this order prohibits discontinuing water service for nonpayment, it does not prohibit collection of past due accounts. The District may add the unpaid charges as an assessment against the land, which will be paid when other taxes are due, if the person who owns the land is the same person who owned the land when the charges were incurred. (Pub. Util. Code, §§ 16469, 16470, 16471, 16472.) The Board must take action by resolution to declare the past due amounts and request the County Auditor to add them to the assessment roll. If the district chooses this option, I recommend

reaching out to the County Auditor, citing the state law sections above, and asking that office what procedure they prefer for adding these charges as an assessment against the properties. This way the District follows the process required by the County from the start. If I can assist with this or drafting a resolution, please let me know.

The District may also collect delinquent water accounts using its existing policies, resolutions, and even an account application if it provides information regarding collection of past due amounts. This could be done through a third party collection agency, although they retain some portion of the money collected.

The District may also lien the properties for past due amounts. (Pub. Util. Code, § 16472.1.) The difference between a lien and an assessment (discussed above) is the timing of payment to the District. A lien is paid when the property is sold or when the property owner pays it. An assessment is paid when the property owner pays annual property taxes. Because the County will only accept full payment, the assessment is paid to the District more quickly when all other taxes are due. For this reason, many public agencies prefer an assessment to a lien.

If you have any questions, or if I can provide anything else on this, please let me know.

Thanks,

Gary

**Gary B. Bell**

*Shareholder*

**Colantuono, Highsmith & Whatley, PC**

420 Sierra College Drive, Suite 140 | Grass Valley, CA 95945

**Direct** 530-208-5346 | **Main** 530-432-7357 | **Fax** 530-432-7356

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**From:** Candi Bingham <[rppud@riverpinespubd.org](mailto:rppud@riverpinespubd.org)>  
**Sent:** Wednesday, November 18, 2020 1:00 PM  
**To:** Gary B. Bell <[gbell@chwlaw.us](mailto:gbell@chwlaw.us)>  
**Subject:** Re: rate increase

Hi Gary,

[Quoted text hidden]