



# RIVER PINES

PUBLIC UTILITY DISTRICT

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## REGULAR MINUTES November 20, 2024 ACTION MINUTES

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

2. **ROLL CALL: Via Phone**

Candi Bingham, General Manager -Via Phone  
Leslie Garrett, Office Manager  
Gisele Wurzburger, Board Clerk – Via Phone

Director Karla Christensen  
Director Anita Ebbinghausen  
Director Roscoe Raymond

**ABSENT:**

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

4. **AGENDA:**

**Motion by Board Member Ebbinghausen, seconded by Chairman Raymond and carried by a 3 to 0 vote to approve the Regular Agenda dated November 20, 2024.**

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

**For the Record: Due to the multiple individuals speaking at the same time and additional excessive noise during the meeting the Minutes will be “Action Minutes” only.**

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

**For the Record: No action can be taken on items discussed not on the current agenda.**

1. Serenity Nelson requested the District Board meeting be conducted on Zoom.
2. Member of Public request – Proposition 218 be discussed.
3. Member of Public request \$704.41 reimbursement.

**MINUTES: Discussion / Approval.**

- a. October 16, 2024, Regular Meeting.

**Motion by Board Member Ebbinghausen, seconded by Chairman Raymond and carried by a 3 to 0 vote to approve the Minutes dated October 16, 2024, as presented. Motion passed by the following vote:**

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

a. November 6, 2024, Special Meeting.

**Motion by Chairman Raymond, seconded by Board Member Ebbinghausen and carried by a 3 to 0 vote to approve the Minutes dated November 6, 2024, as presented. Motion passed by the following vote:**

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

**6. CONSENT ITEMS:**

a. Monthly Financial Statements and Bank Accounts - Period Ending October, 2024.

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

b. Expenditure Report - Submitted Check Approval through October 31, 2024.

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

**Motion by Chairman Raymond, seconded by Board Member Ebbinghausen and carried by a 3 to 0 vote to approve the Monthly Financial Statements and Expenditure Report – Period Ending October 31, 2024. Motion passed by the following vote:**

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

**7. CONSENT ITEMS:**

a. Monthly Financial Statements and Bank Accounts - Period Ending October 31, 2024.

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

b. Expenditure Report - Submitted Check Approval through October 31, 2024.

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

**Motion by Chairman Raymond, seconded by Board Member Ebbinghausen and carried by a 3 to 0 vote to approve the Monthly Financial Statements and Expenditure Report – Period Ending October 31, 2024. Motion passed by the following vote:**

**AYES: Christensen, Ebbinghausen, 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.

**October 1, thru October 31, 2024 Water Production/Sold Information:**

Well 2 - 347,100 gallons      Total Produced - 1,494,963 gallons

Well 3R – 735,500 gallons      Total Sold – 1,044,341 gallons

Well 6R      406,665 gallons      Unaccounted Loss – 49%

Staff Hours: Water 110.5 hours

**October 1 thru October 31, 2024 Wastewater Production:**

Influent flow: 1987,500 gallons      Effluent Discharged: 249,400 gallons

Staff Hours: Wastewater 37.5 hours

b. Monthly General Manager Report – Period Ending October/November 2024.

The Monthly General Manager Report included updates from the General Manager. The following items were discussed - see report for complete details.

1. Distribution Reimbursement
2. Lead Line Service Report
3. Spay Field Clearing
4. Audit.
5. FEMA Grant
6. Holiday Office Hours. Office will be closed Thanksgiving Day and December 23, 2024 thru January 3, 2025. Office will be open January 7, 2025.

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

**a. Appoint New Board Member – Replacing Board Member Rewitzer.** Discussion/Action.

General Manager Bingham reported no one submitted interest to be on the Board with the Amador County Elections Department. Therefore there were no elections for the River Pines Board positions.

District received two letters, Anita Ebbinghausen to continue her position on the Board and Alan Black to replace Board Member Rewitzer. The last vacant position will be on the January 15, 2025 Agenda for consideration.

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

**Motion by Chairman Raymond, seconded by Vice-Chairman Christensen and carried by a 3 to 0 vote to appoint Alan Black to this vacant position. Motion passed by the following vote:**

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

Board Clerk Wurzburger administered the Oath of Office with Board Member Black.

**b. Appoint New Chairman and Vice-Chairman.** Discussion/Action

**Motion by Board Member Ebbinghausen, seconded by Board Member Ebbinghausen and carried by a 3 to 0 vote to appoint Roscoe Raymond as Chairman. Motion passed by the following vote:**

**AYES: Black, Christensen, Ebbinghausen**  
**NOES: None**  
**ABSTAIN: Raymond**  
**ABSENT: None**

**Motion by Board Member Ebbinghausen, seconded by Chairman Raymond and carried by a 3 to 0 vote to appoint Karla Christensen as Vice-Chairman. Motion passed by the following vote:**

**AYES: Black, Ebbinghausen, Raymond**  
**NOES: None**  
**ABSTAIN: Christensen**  
**ABSENT: None**

**c. Property Outside of Service Area Requests the District go through LAFCO to have Parcel added to the District Service Area.** Discussion/Action.

**For the Record: Due to the multiple individuals speaking at the same time and additional excessive noise during the meeting the Minutes will be "Action Minutes" only. The information for this item was provided on the staff report submitted in the Agenda Packet.**

General Manager Bingham reported that the District went through LAFCO process to legally add and service all customers in El Dorado County that were already being served and those customers at the end of Emigrate Trail approximately five years ago. This process cost the District approximately \$20,000 to complete.

There is now 70 acres across the river on Emigrant that are asking to be added to the District for water service so that they can sell their property. There is no water in those hills to drill a well, therefore, they only water source that this property has is the River Pines Public Utility District.

Staff has concerns about the District current water production. Currently the District has two wells that produce approximately 30 gallons a minute, which in the summer cannot keep up with demand. Also Well 6R is under the influence of ground water which requires a special filtration system that costs the District \$18,000/year for filters. This well is often taken offline to winter contamination from the rainwater, then the District is solely relying on Well 2 & 3R. Also how does the District control how this property uses their water if hooked up? If the District adds these 70 acres, than what about the Standby Lots already within the District's service area and that they have been paying their fees for future service.

The property owner was present.

No action was taken.

**d. Distribution Project Update.** Discussion/Action.

**For the Record: Due to the multiple individuals speaking at the same time and additional excessive noise during the meeting the Minutes will be “Action Minutes” only.**

General Manager Bingham reported the reduced project plans were submitted to the State approximately three weeks ago. In the submission, plans were sent and an inquiry if there were any contingency funds over above what funds the District was awarded. KASL engineer has been working with the contractor on the reduced plans and trying to figure if they can adjust some line items on their bid.

Board Member Black stated the Board needs to conduct the meeting in accordance with Robert’s Ruled of Order and the Brown Act which provides guidance for public comment during the meeting.

No action was taken.

**e. Managerial Consolidation with AWA Update.** Discussion/Action.

General Manager Bingham stated the studies for this consolidation have not been started. She contacted the State and Amador Water Agency for an update. The State informed her they were waiting for the Amador Water Agency’s letter of approval. Amador Water Agency General Manager reported this Board was waiting for a written letter of approval from the River Pines Board. They sent a letter asking Chairman Raymond to address this matter and still have not heard back from him. If the Board is not going to respond to AWA’s letter, she needs to let the State that the District will just be in the mix with all of the other District’s.

General Manager Bingham stated at the August meeting she reported Briain Kidwell was requesting a letter from the District approving Amador Water Agency’s request for Technical Assistance for Potential Managerial Consolidation of River Pines Public Utility District into Amador Water Agency.

Chairman Raymond stated he had not submitted the letter as requested and stated he would send it out tomorrow.

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

No action was taken.

**f. Resolution 2024-03 District Guidelines.** Discussion/Action.

**For the Record: Due to the multiple individuals speaking at the same time and additional excessive noise during the meeting the Minutes, the information for this item was provided on the staff report submitted in the Agenda Packet.**

General Manager Bingham reported after the last meeting and the Board’s decision to redo Proposition 218, staff contacted the District’s legal counsel asking him to outline Proposition 218 for a “Water District”. This did not cost the District much since he already had the Memorandum and Resolution completed for other Districts that have been seeking his legal expertise.

Legal counsel stated the State law leaves procedural gaps, therefore suggested the District adopt a Resolution to fill in those gaps so there are no misconceptions through the Proposition 218 process. In the Memorandum he suggests the District's complete a Rate Study in order to get a successful rate increase to pass. For the District to do a Rate Study it will cost a minimum of \$10,000. The last Rate Study was in 2014 and the District is still behind in their rates in 2024. For the new Proposition 218 letter a financial table that helps show the customers why this rate increase is necessary.

Please note according to the attached information provided from legal counsel, the District is not required to put "enclosed ballot" on the envelopes. Staff did everything correctly except for sending the ballots to the Board Chair, this can be done in the instance of other type of rate increase, but not water/sewer. There is room for the General Manager and Board to make final decisions on accepting legitimate ballots. Ballots must be mailed to the "property owner" as they are the one's held accountable with tax rolls and property liens. The General Manager must confirm the count, so General Manager Bingham will be in attendance at the January 15, 2025 meeting to perform this duty.

Chairman Raymond opened the public discussion. Chairman Raymond closed the public discussion.

**Motion by Board Member Ebbinghausen, seconded by Chairman Raymond, and carried by a 4 to 0 vote to approve Resolution 2024-03 Adopting Guidelines for the Submission and Tabulation of Protest in Connection with Rate Hearing Conducted. Motion passed by the following vote:**

**AYES: Black, Christensen, Ebbinghausen, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**g. Proposition 218 Rate Increase – Approve with Adopted Guidelines.** Discussion/Action.  
This information was provided in item f. Resolution 2024-03 District Guidelines.

Chairman Raymond opened the public discussion. Chairman Raymond closed the public discussion.

**Motion by Board Member Black, seconded by Chairman Raymond, and carried by a 4 to 0 vote to approve Proposition 218 Rate Increase with Adopted Guidelines Resolution 2024-03. Motion passed by the following vote:**

**AYES: Black, Christensen, Ebbinghausen, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**h. Account #73-002 Wants Water on with Large Account Balance.** Discussion/Action.  
**For the Record: Due to the multiple individuals speaking at the same time and additional excessive noise during the meeting the Minutes will be "Action Minutes" only.**

No staff report was submitted on this item. General Manager Bingham reported this property was purchased through a County Tax Sale and monies are owed to the District. The customer is requesting their water be turned on.

Customer Account #73-002 was present.

After considerable discussion this item was continued to the January meeting for further consideration. The customer was requested to bring documentation from the County articulating the purchase of the property and the lien information that has not been paid to the District.

**i. December 18, 2024 Meeting Cancellation.** Discussion Only.

Chairman Raymond opened the public discussion. Chairman Raymond closed the public discussion.

**Motion by Board Member Ebbinghausen, seconded by Vice-Chairman Christensen, and carried by a 4 to 0 vote to cancel December 18, 2024 Board Meeting. Motion passed by the following vote:**

**AYES: Black, Christensen, Ebbinghausen, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

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

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

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

a. Water Rights Committee. Discussion/Possible Action.

Chairman Raymond stated the dam boards have not been put away.

**12. FUTURE AGENDA TOPICS:**

1. Distribution Project Update. Discussion/Action
2. Proposition 218 Public Hearing. Discussion/Action
3. Account #73-002 Wants Water on with Large Account Balance. Discussion/Action

**ADJOURNMENT:** The meeting adjourned at 7:44 p.m. to be Meeting January 15, 2025.

After Chairman Raymond adjourned the meeting Serenity Nelson requested a copy of General Manager Bingham's job description.