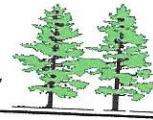


RIVER PINES PUBLIC UTILITY DISTRICT



REGULAR MINUTES

Wednesday, September 13, 2017  
ACTION MINUTES

AGENDA ITEM 7

- 1. **CALL TO ORDER:** The meeting was called to order by Chairman Landgraf at 5:30 p.m.
- 2. **ROLL CALL:**

Director Cathy Landgraf  
 Director Rene' Walden-Qualls  
 Director Anita Ebbinghausen  
 Director Michael Gardner  
 Director Richard Miller

Candi Bingham, General Manager  
 Gisele Wurzbarger, Board Clerk

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

4. **AGENDA:**

Chairman Landgraf requested 11 e. Cooperative Agreement Between AWA and RPPUD Concerning Water and Wastewater Facility Services be added to the Agenda for discussion and action because it was received after posting of the agenda.

**Motion by Board Member Ebbinghausen, seconded by Board Member Miller, and carried by a 5 to 0 vote to add 11 e. Cooperative Agreement Between AWA and RPPUD Concerning Water and Wastewater Facility Services be added to the Agenda for discussion and action. Motion passed by the following vote:**

**AYES:** Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**Motion by Board Member Gardner, seconded by Board Member Miller, and carried by a 5 to 0 vote to approve the Regular Agenda dated August 9, 2017 as amended. Motion passed by the following vote:**

**AYES:** Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

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

Dennis Hook, was present to inquire about lot line adjustment. General Manager Bingham reported the District was still waiting for the cost split figures from the surveyor to complete this lot line adjustment. That staff would contact Mr. Hook once the additional information is provided for discussion and consideration by the Board.

Anne Sheeting was present to inquire if there were any additional fee that would have to pay once she paid the impact fee to be connected to the District water and sewer service. General Manager Bingham stated once the impact fee is paid and your service has been connected she would have to pay the \$112.64 base rate,

Mark Etter stated it would be Ms. Sheeting responsibility to pay for the installation from the water meter to her home.

#### **6. BOARD CANDIDATES:**

Chairman Landgraf stated this item was an opportunity for the Board Candidates to address the public and that there would be a three (3) minute limit.

Ann Schieding read Candidate Patrick Henry's letter of introduction to the Board and members of the public in attendance.

Candidate Lee King stated for the record he would speak more at the next meeting because there weren't a lot of public at this meeting. General Manager Bingham stated this item was duly noticed on the Agenda posted for this meeting. That the next meeting scheduled on October 11<sup>th</sup> was only an opportunity for the public to question each candidate, not the candidate's time to address the public.

Candidate Mark A. Etter took the opportunity to introduced himself to the Board and members of the public in attendance.

Candidate Rene' Walden-Qualls took the opportunity to introduced herself to the Board and members of the public in attendance.

Candidate Roscoe "Rocky" Raymond took the opportunity to introduced himself to the Board and members of the public in attendance.

#### **7. MINUTES: Discussion / Approval.**

A. August 9, 2017 Regular Meeting.

**Motion by Board Member Gardner, seconded by Board Member Walden-Qualls, and carried by a 5 to 0 vote to approve the Minutes dated August 9, 2017 as amended. Motion passed by the following vote:**

**AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

B. August 9, 2017 Special Meeting.

**Motion by Board Member Gardner, seconded by Board Member Walden-Qualls, and carried by a 5 to 0 vote to approve the Special Minutes dated August 9, 2017 as amended. Motion passed by the following vote:**

**AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**



**8. MONTHLY FINANCIAL STATEMENTS** - Period Ending August 31, 2017.

**Motion by Board Member Gardner, seconded by Board Member Miller, and carried by a 5 to 0 vote to approve the Financial Statements ending July 31, 2017 as amended. Motion passed by the following vote:**

**AYES:** Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**9. EXPENDITURE REPORT: Discussion / Approval.** Submitted Check Approval through August 31, 2017.

**Motion by Board Member Gardner, seconded by Board Member Walden-Qualls, and carried by a 5 to 0 vote to approve the Expenditure Report ending July 31, 2017 as presented. Motion passed by the following vote:**

**AYES:** Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**10. MONTHLY OPERATIONS REPORT: Discussion.**

**A. Monthly Operations Report.**

The report included updates from AWA staff, construction, wastewater and water – see report for complete details.

**August Water Production/Sold Information:**

Well 2 - 702,700 gallons	Total Produced - 1,325,756 gallons
Well 3R - 598,700 gallons	Total Sold – 960,633 gallons
Well 6R - 24,356 gallons	Total Lost - 27.6%

**B. Monthly General Manager Report.**

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

**11. BOARD MATTERS: Discussion / Action / Direction to Staff.**

For the record: Action minutes provide the necessary documentation of Board actions audio recordings are retained for those desiring more detail on agenda item discussion. These audio recordings provide an accurate and comprehensive backup of the Board deliberations and citizen discussion.

**a. Purchase a Tuff Shed to Replace Sewer Pond Shed. - Discussion/Action.**

The Board was provided additional information/specifications for the consideration of the purchase of a Tuff Shed to replace the current Sewer Pond Shed.

Chairman Landgraf opened the public discussion. Several members of the public spoke regarding this item. Hearing no further comments from the public, Chairman Landgraf closed the public discussion.

**Motion by Board Member Gardner, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to approve the purchase of Home Depot Tuff Shed Sundance SR-600 in the amount of \$2,637.00. Motion passed by the following vote:**

**AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**b. Update on Distribution Project – Discussion.**

The Board was provided an update on the Distribution Project - RPPUD Water System Improvement Project DWSRF Project No. 0310006-002P. Which included KASL - Storm Drain Culverts, Cost Estimate/Engineer's Estimate of Quantities and Construction Costs. Also provided an email from Pete Stamos State Waterboard that included comments, questions and concerns sent to Jack Scroggs KASL, RPPUD and David Remick, Water Board. A detailed discussion ensued with no action taken – informational only.

**c. Possible Sale of the 2002 Toyota Tacoma - Discussion/Action Adopt Resolution 2017-03.**

General Manager Bingham recommended the Board approve Resolution 2017-03 declaring the 2002 Toyota Tacoma as surplus and dispose of said property.

Chairman Landgraf opened the public discussion. Several members of the public spoke regarding this item. Hearing no further comments from the public, Chairman Landgraf closed the public discussion.

**Motion by Board Member Gardner, seconded by Board Member Miller, and carried by a 5 to 0 vote to approve Resolution 2017-03 Declaring Equipment Surplus and Authorizing the Sale of Surplus District Property. Staff was directed to advertise a Closed Bid for the 2002 Toyota Tacoma “As Is” starting with a minimal amount of \$2,000. Motion passed by the following vote:**

**AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**d. Increase 48 Hour Door Hanger Notice – Discussion/Action Adopt Resolution 2017-04.**

General Manager Bingham recommended the Board approve Resolution 2017-04 to implement charges to distribute 48-hour notice to customers with past due accounts.

Chairman Landgraf opened the public discussion. Several members of the public spoke regarding this item. Hearing no further comments from the public, Chairman Landgraf closed the public discussion.

**Motion by Board Member Gardner, seconded by Board Member Walden-Qualls, and carried by a 5 to 0 vote to approve Resolution 2017-04 to Implement Charges to Distribute 48 Hour Notice to Customers with Past Due Accounts as amended. Motion passed by the following vote:**

**AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**



**e. Cooperative Agreement Between AWA and RPPUD Concerning Water and Wastewater Facility Services. Discussion/Action.**

The Board was provided a copy of the proposed Cooperative Agreement Between AWA and RPPUD Concerning Water and Wastewater Facility Services. Staff also provided an Excel spreadsheet comparison between RPPUD Operator Cost and AWA Contracted Cost.

Chairman Landgraf opened the public discussion. Several members of the public spoke regarding this item. Hearing no further comments from the public, Chairman Landgraf closed the public discussion.

**Motion by Board Member Gardner, seconded by Board Member Miller, and carried by a 5 to 0 vote to approve the Cooperative Agreement between AWA and RPPUD Concerning Water and Wastewater Facility Services for one year and to amend Section 5. Termination of Agreement to 120 days advance written notice. Motion passed by the following vote:**

<b>AYES:</b>	<b>Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

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

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

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

**14. FUTURE AGENDA TOPICS:** This is an opportunity for Board Members and District Staff to request matters to be placed on upcoming agendas.

**15. ADJOURNMENT:** The meeting adjourned at 7:30 p.m.

Respectively submitted,  
Gisele Wurzbarger, Board Clerk

**River Pines Public Utility District**  
**Profit & Loss by Class**  
**September 2017**

**AGENDA ITEM 8**

	Sewer	Water	TOTAL
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Base Fee Income</b>			
Sewer	10,166.28	0.00	10,166.28
Stanby	455.00	455.00	910.00
Voluntary Lock-Off	140.00	140.00	280.00
Water	0.00	10,744.03	10,744.03
<b>Total Base Fee Income</b>	10,761.28	11,339.03	22,100.31
Interest Income	0.00	0.61	0.61
Town Hall Rental	20.00	20.00	40.00
<b>Variable Income</b>			
Door Hanger Fee	0.00	102.00	102.00
Late Fees	308.41	308.41	616.82
Reconnection Fee	0.00	120.00	120.00
Service Connection Fee	32.86	32.89	65.75
Water - Usage	0.00	4,412.02	4,412.02
<b>Total Variable Income</b>	341.27	4,975.32	5,316.59
<b>Total Income</b>	11,122.55	16,334.96	27,457.51
<b>Gross Profit</b>	11,122.55	16,334.96	27,457.51
<b>Expense</b>			
<b>Board Members</b>			
Stipends	37.50	37.50	75.00
<b>Total Board Members</b>	37.50	37.50	75.00
<b>Contracted Expenses</b>			
Manager	2,416.66	2,416.68	4,833.34
<b>Total Contracted Expenses</b>	2,416.66	2,416.68	4,833.34
<b>Sewer Expenses</b>			
Amador Water - Routine Service	1,274.06	0.00	1,274.06
Amador Water Agency-State Repor	31.30	0.00	31.30
Amador Water Agency - Electric	808.64	0.00	808.64
Amador Water Agency - Repairs	2,227.83	0.00	2,227.83
Electricity - Sewer	4,240.67	0.00	4,240.67
Sewer - Parts/Supplies	694.99	0.00	694.99
Telephone - Sewer	83.66	0.00	83.66
<b>Total Sewer Expenses</b>	9,361.15	0.00	9,361.15
<b>Town Hall Expenses</b>			
Supplies	10.36	10.36	20.72
<b>Total Town Hall Expenses</b>	10.36	10.36	20.72
Void - Misprint	0.00	0.00	0.00
<b>Water Expenses</b>			
Amador Water-Fire Assist	0.00	485.77	485.77
Amador Water Agency-Electrical	0.00	1,654.03	1,654.03
Amador Water Agency-Meter Read	0.00	448.80	448.80
Amador Water Agency-Routine	0.00	3,054.77	3,054.77
Amador Water Agency-State Repor	0.00	416.27	416.27
Amador Water Agency - Repairs	0.00	1,694.02	1,694.02
Electricity - Water	0.00	1,347.77	1,347.77
Supplies	0.00	80.43	80.43
Telephone - Water	0.00	86.95	86.95
Water Testing	0.00	934.00	934.00
<b>Total Water Expenses</b>	0.00	10,202.81	10,202.81
63300 - Insurance Expense	-322.41	-322.41	-644.82
Workers' Compensation	-322.41	-322.41	-644.82



**River Pines Public Utility District**  
**Profit & Loss by Class**  
**September 2017**

	<u>Sewer</u>	<u>Water</u>	<u>TOTAL</u>
Total 63300 · Insurance Expense	-322.41	-322.41	-644.82
64900 · Office Expenses			
Filing Fees	26.83	26.83	53.66
Software	7.49	7.50	14.99
Website Service	50.00	50.00	100.00
Total 64900 · Office Expenses	84.32	84.33	168.65
66700 · Professional Fees			
Legal Fees	99.50	99.50	199.00
Security Service/Maintenance	140.00	140.00	280.00
Total 66700 · Professional Fees	239.50	239.50	479.00
68600 · Utilities			
Disposal	40.81	40.81	81.62
Electricity - Office	0.00	24.86	24.86
Electricity - Town Hall	24.86	0.00	24.86
68100 · Telephone - Office	30.18	30.19	60.37
Total 68600 · Utilities	95.85	95.86	191.71
Total Expense	11,922.93	12,764.63	24,687.56
Net Ordinary Income	-800.38	3,570.33	2,769.95
Other Income/Expense			
Other Income			
Grant Income - DWSRF	0.00	72,739.00	72,739.00
Wireless Site Lease	250.00	250.00	500.00
Total Other Income	250.00	72,989.00	73,239.00
Other Expense			
DWSRF - Environmental Study	0.00	16,376.18	16,376.18
DWSRF Grant - Surveying	0.00	56,461.68	56,461.68
Total Other Expense	0.00	72,837.86	72,837.86
Net Other Income	250.00	151.14	401.14
Net Income	<u>-550.38</u>	<u>3,721.47</u>	<u>3,171.09</u>

**River Pines Public Utility District**  
**Account QuickReport-Board Meetings**  
 As of September 30, 2017

**AGENDA ITEM 9**

Type	Date	Num	Name	Memo	Amount	Balance
<b>Bank Accounts</b>						
<b>El Dorado Checking</b>						
Bill Pmt -Check	09/01/2017	12784	Anita Ebbinghausen	Sept. 2017 Stipend		40,658.12
Bill Pmt -Check	09/01/2017	12785	California Bank & T...	1030264749	-75.00	40,658.12
Bill Pmt -Check	09/01/2017	12786	Candi Bingham	September 2017 Services	-890.00	40,583.12
Bill Pmt -Check	09/01/2017	12787	Cathy Landgraf	Sept. 2017 Stipend	-2,416.67	39,693.12
Bill Pmt -Check	09/01/2017	12788	Michael Gardner	Sept. 2017 Stipend	-75.00	37,276.45
Bill Pmt -Check	09/01/2017	12789	Rene Walden-Qualls	Sept. 2017 Stipend	-75.00	37,201.45
Bill Pmt -Check	09/01/2017	12790	Richard Miller	Sept. 2017 Stipend	-75.00	37,051.45
Deposit	09/05/2017			Deposit	36,976.45	36,976.45
Bill Pmt -Check	09/06/2017	12794	Aces Waste Servic...	1175	140.92	37,117.37
Bill Pmt -Check	09/06/2017	12795	Amador Water Age...	30018	-81.62	37,035.75
Bill Pmt -Check	09/06/2017	12802	AT&T - Sewer	209 245-3984 701 9	-12,095.49	24,940.26
Bill Pmt -Check	09/06/2017	12796	Ferguson Enterprises	6 Valve Repair Kits - Spray Fields - Invoi...	-83.66	24,856.60
Bill Pmt -Check	09/06/2017	12797	Mission IT Solutions	Security Cameras	-355.58	24,501.02
Bill Pmt -Check	09/06/2017	12798	PG&E - Officer/Tow...	6898952032-2	-280.00	24,221.02
Bill Pmt -Check	09/06/2017	12799	AT&T - Water	209 245-4011 722 0	-49.72	24,171.30
Bill Pmt -Check	09/06/2017	12800	PG&E - Water 2	2458584137-2	-86.95	24,084.35
Bill Pmt -Check	09/06/2017	12801	PG&E - Water	3357284549-4	-1,177.98	22,906.37
Deposit	09/06/2017			Deposit	-169.79	22,736.58
Deposit	09/07/2017			Deposit	861.77	23,598.35
Check	09/07/2017		Adobe PDF		3,975.55	27,573.90
Deposit	09/07/2017				-14.99	27,558.91
Deposit	09/07/2017				242.20	27,801.11
Deposit	09/07/2017				364.43	28,165.54
Check	09/08/2017		Digital Deployment		113.00	28,278.54
Deposit	09/08/2017				-50.00	28,228.54
Bill Pmt -Check	09/11/2017	12803	Amador County Ass...	Information/Property Report - 2017	125.83	28,354.37
Bill Pmt -Check	09/11/2017	12804	Candi Bingham	September 2017 Services	-53.66	28,300.71
Bill Pmt -Check	09/11/2017	12805	california Laborator...	August 2017 - Water Testing	-2,416.67	25,884.04
Bill Pmt -Check	09/11/2017	12806	Law Office of Wayn...	August 2017 Services	-934.00	24,950.04
Bill Pmt -Check	09/11/2017	12807	Mt. Aukum Store		-199.00	24,751.04
Bill Pmt -Check	09/11/2017	12808	PG&E - Sewer	8721806002-5	-101.15	24,649.89
Bill Pmt -Check	09/11/2017	12813	Baracco & Associates	Submittal No. 7 state non-reimbursable ...	-4,240.67	20,409.22
Check	09/11/2017	12809	Void		-98.86	20,310.36
Check	09/11/2017	12810	Void		0.00	20,310.36
Check	09/11/2017	12811	Void		0.00	20,310.36
Check	09/11/2017	12812	Void		0.00	20,310.36
Deposit	09/11/2017				3,958.06	24,268.42
Bill Pmt -Check	09/12/2017	12814	Ferguson Enterprises	Solenoid Assembly Kit - Sewer	61.32	24,329.74
Deposit	09/13/2017				-339.41	23,990.33
Deposit	09/14/2017				132.20	24,122.53
Deposit	09/18/2017				7,743.85	31,866.38
Check	09/18/2017				156.10	32,022.48
Deposit	09/19/2017		Digital Deployment	Website - September 2017	-50.00	31,972.48
Check	09/21/2017		Home Depot	Deposit	3,867.96	35,840.44
Deposit	09/21/2017			Tuff Shed - Sewer Pond	-2,650.01	33,190.43
Deposit	09/22/2017			Deposit	509.50	33,699.93
					1,000.82	34,700.75



**River Pines Public Utility District**  
**Account QuickReport-Board Meetings**  
**As of September 30, 2017**

Type	Date	Num	Name	Memo	Amount	Balance
Invoice	09/23/2017	67647	McGinness, Diana	Bank Fee for Non-Sufficient Funds.	-10.00	34,690.75
Invoice	09/23/2017	67647	McGinness, Diana	Returned Check	-57.75	34,633.00
Invoice	09/23/2017	67647	McGinness, Diana	Returned Check	-85.90	34,547.10
Deposit	09/25/2017			Deposit	371.31	34,918.41
Check	09/26/2017	eft	RingCentral	Office Phone	-60.37	34,858.04
Deposit	09/26/2017			Deposit	139.92	34,997.96
Deposit	09/27/2017			Deposit	131.68	35,129.64
Deposit	09/30/2017			Interest	0.61	35,130.25
Total EI Dorado Checking					-5,527.87	35,130.25
Total Bank Accounts					-5,527.87	35,130.25
<b>TOTAL</b>					<b>-5,527.87</b>	<b>35,130.25</b>

## River Pines Dept. Report

### August Water Production/Sold

Well 2: 549,000 gallons

Total Produced: 957,161 gallons

Well 3R: 385,700 gallons

Total Sold: 950,920 gallons

Well 6R: 22,461 gallons

Total Lost: 0.7 % \*

### **Operations Manager-**

- Worked with AWA staff to complete leak repairs on various service lines
- Discussion and review of SCADA controls and Telemetry objectives with River Pine's GM and AWA's Electrical Supervisor

### **Admin Assist III-**

- Completed September monthly reporting for water and wastewater.

### **Wastewater-**

- Influent flow: 764,900 gallons      Effluent Discharged: 439,700 gallons (Flow meter may be reading incorrectly. Will conduct flow meter testing. Pond is actually empty and discharging is equal to or greater than influent flow)..
- Emptied Storage pond
- Continued to maintain the wastewater system

### **Water-**

- Completed routine sampling for September
- Investigated a leak on Circle View Drive for customer
- Created new generator log for Wells 2/3R
- Monitored Well 6R facility operations
- Investigated Jaybird tank site and put on list for grounds maintenance (weedeating, cut up brush, spraying etc...)

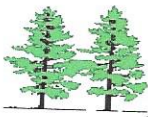
**Distribution-** Dropped and picked up lead and copper bottles for triennial sampling

### **Electrical/Instrumentation-**

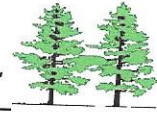
- Discussion and review of SCADA controls and Telemetry objectives with River Pine's GM and AWA's Op's Manager
- Wastewater treatment plant- motor install and testing.

\* Total lost is inaccurate. Typically we see we see approximately 28% - 32% loss between produced and sold. AWA is investigating the anomaly. There were some meter reading discrepancies that we will need to look into.





# 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 – 10B

### GENERAL MANAGER'S REPORT

**For the Month of: September 2017**

1. Submitted monthly payment request for DWSRF Grant
2. Income Survey Update – Received email from Pete Stamos SWRB – state has signed approval for MHI – should hear from RCAC, Kim Strong by October 13<sup>th</sup> to get MHI underway
3. Bruce Baracco who is providing the District with the Environmental Report has submitted Amendment No. 1 which increases his estimate by \$6,188.00 – see attached
4. Received Cost for Monitoring Well Plan – See Attached – Took Pat out to sewer ponds for evaluation and pictures to produce plans
5. Anticipate having Construction Grant Application submitted by the end of November – waiting for Environmental Report
6. Requested/Received yearly parcel list from Amador County Assessor's Office – Updated accounts for billing
7. Meeting with FEMA – closed out reimbursable expenses from 2017 storm – River Pines PUD is currently in the Que for payment
8. Attended Amador County Board of Supervisors meeting for information on the Community Development Block Grant – Grant funds available - five million – Environmental Report not finished, therefore, could not qualify – AWA to receive Grant Funds for Pine Grove area – only one project in same category could qualify for funds
9. Ordered Tuff Shed for Sewer Pond – to be installed October 25<sup>th</sup>
10. Ordered Ten new meters – meters are very scratched and difficult to read
11. Several customers will not have “water usage” charges on their September invoices – meters were misread in previous month
12. Updated District Website – also added Bylaws, LAFCO and Special District Governing Information
13. Putting packets together for new Board of Directors – packets will update them on everything currently going on within the District, Board Member Handbook, Brown Act Book and requirement AB1234
14. Working on Office Manual

15. Order New Master Locks for facilities
16. Weekly Bank Deposits
17. Monthly Service Billing
18. Monthly Late Notices
19. Monthly 48 Hour Notices
20. Agenda & Packets

AMENDMENT NO 1

**PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE RIVER PINES PUBLIC UTILITY DISTRICT AND  
BARACCO AND ASSOCIATES**

THIS AGREEMENT for professional services ("Agreement") between the River Pines Public Utility District ("District"), and Baracco and Associates, a Professional Consulting Firm ("Consultant") is hereby amended as of October 2, 2017 as follows:

**Section 1. SERVICES.** In addition to those services set forth in the Agreement dated December 14, 2016, additional services are required related to changes in the project, and as more particularly described in the attached Contract Modification, attached hereto as Exhibit 1 and incorporated herein by reference.

**Section 2. COMPENSATION.** District hereby agrees to pay Consultant, an additional sum of \$6,188.00 for services to be performed to address changes to the environmental document caused by changes to the project. Total payment to Consultant is now a not-to-exceed amount of \$54,148.

**Section 3. TERM OF THE AGREEMENT.** The term of this agreement shall be extended from July 27, 2017 to December 31, 2017, unless terminated earlier in accordance with Paragraph 9 (Termination for Cause), Paragraph 10 (Termination for Convenience, or Paragraph 22(a) (Covenant of No Disclosed Conflict) as spelled out in the Agreement.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment No. 1 to the Agreement as of the day and year first set forth above, which date shall be considered by the Parties to be the effective date of this Amendment.

**River Pines Public Utility District,**  
an independent special district

**Baracco and Associates,**  
a professional consulting firm

BY: \_\_\_\_\_  
Candi Bingham, General Manager

BY: \_\_\_\_\_  
Bruce C. Baracco, Principal Planner

Date: \_\_\_\_\_

Date: October 2, 2017

Attachment:  
Exhibit 1: Contract Modification



**RIVER PINES PUD WATER REHABILITATION PROJECT  
MITIGATED NEGATIVE DECLARATION  
CONTRACT MODIFICATION  
October 2, 2017**

**Exhibit 1**

Description	Labor Category	Hourly Rate	Man Hours	Total Labor
<b>TASK 1</b>				
Edit applicable sections of IS	Sr. Environmental Planner/PM	\$106.00	34	\$3,604.00
Edit sections of Federal Cross Cutter Repot	Reg Specialist/SR EDITOR	\$76.00	8	\$608.00
	Project Admin	\$70.00	2	\$140.00
			Subtotal	\$4,352.00
<b>TASK 2</b>				
Coordination: PUD, KASL, subs, state, feds				
Resource Field Studies, Reports	Sr. Environmental Planner/PM	\$106.00	6	\$636.00
			Subtotal	\$636.00
<b>TASK 3 - No Change</b>				
Prepare MND and Address Comments				
			Subtotal	\$0.00
<b>TASK 4 - No Change</b>				
Prepare Mitigation, Monitoring, Reporting				
			Subtotal	\$0.00
<b>TASK TOTALS</b>				Subtotal
				\$0.00
<b>REIMBURSABLE COSTS</b>				\$4,988.00
ESR, Inc, Biological Resources Evaluation - return to new tank site; edit report				\$1,200.00
<b>TOTAL REIMBURSABLE COSTS</b>				\$1,200.00
<b>TOTAL COST ESTIMATE</b>				\$6,188.00

NV5

September 30, 2017

Ms. Candi Bingham  
General Manager  
River Pines Public Utility District  
PO Box 70  
River Pines, CA 95675

Via Email

Re: Proposal for Environmental Consulting and Hydrogeological Services related to the Monitoring Well Installation and Sampling Plan (MWISP) for RWQCB and County Permit Submittal

Dear Candi:

NV5 appreciates the opportunity to present this Proposal to River Pines Public Utility District (RPPUD) for professional services at your facility in Amador County, California. This proposal is based on plan preparation to install up to four application monitoring wells (MWs) near the land application area. Extreme restrictions with regard to drilling access will be clearly referenced in communications and follow up to the Regional Water Quality Control Board (RWQCB) correspondence.

NV5 is very familiar with the regulators and the ongoing issues related ground water in the foothills. We are prepared to bring our experience to bear on the design of monitoring wells with longer screen lengths to facilitate long term use and eventual reduced monitoring cost. This proposal is provided to you for the plan approval and acquire permits for the MWISP, per the following Scope of Services

### SCOPE OF SERVICES

#### Task 1 –MWISP Development

Under this task and as per the RWQCB request, a Monitoring Well Installation and Sampling Plan (MWISP) will be submitted to respond to the need for monitoring wells with drilling method details and a proposed project schedule. Construction and abandonment methods will follow the RWQCB guidance, California Bulletin 74-90, 94-

81 and Stanislaus County requirements. NV5 with our previous work in the area has completed the site hydrogeologic conceptual model and it appears that drilling deeper at the dry locations can be drilled another 30 feet deeper with a requested screen length over 25 feet. Typically the RWQCB does not allow screen lengths over 15 feet.

Deliverable for Task 1:

One (1) draft and final copy of the Monitoring Well Installation and Sampling Plan for RPPUD and the RWQCB.

**Task 2 – Coordinate with Driller, RWQCB and County Involvement**

As per the MWISP, NV5 will coordinate with the driller and County to initiate work and finalize permits. Locations will be finalized and targeted for within 50 feet of existing monitoring wells. Access agreements for replacement wells will be completed as necessary. Final locations of on-site monitoring wells will be determined with RPPUD's approval. Off-site monitoring well locations will be determined with RPPUD approval and access approval from area land owner's if needed.

After permits are acquired and approved by the County, NV5 will provide services for MWISP implementation or hydrogeologic oversight (provided under separate proposal).

**SCHEDULE**

Services described in Tasks 1 through 2 can be initiated immediately. Depending on delays in the permitting process, we anticipate approval for April start pending weather delays.

**COMPENSATION**

NV5 proposes to furnish the services in Tasks 1 through 2 for an Estimated Professional Fee of \$3,550 with direct costs detailed below. This estimated fee does not include the drilling contractor and related direct costs. The fee is based on hourly billing rates and direct expenses. Direct costs will be charged at cost plus 10%. The hourly rates are as follows: Project Manager - \$150 hr, Senior Hydrogeologist - \$150 hr, Project Scientist - \$105 hr, Staff Scientist - \$95 hr, Field Technician - \$85 hr.



Task No.	Task Description	Estimated Hours	COST			Total
			Labor	Direct Cost	Drilling Cost	
Task 1	MWISP Development	32	\$2,900	\$50	\$0	\$2,950
Task 2	Coordination and Permitting Efforts	3	\$350	\$250	\$0	\$600
	<b>Total</b>					\$3,550

If this proposal meets your satisfaction, we will assist in developing a purchase order a master agreement. We appreciate the opportunity to serve your environmental needs and look forward to working with you on this project. Please contact us if you have any questions or require clarification on any item.

Respectfully submitted,

**N|V|5**



Patrick F. Dunn, MS, PG, CHg

PFD/



September 27, 2017

**AGENDA ITEM 11A**

CANDI BINGHAM  
GENERAL MANAGER  
RIVER PINES PUBLIC UTILITY DISTRICT  
PO BOX 70  
RIVER PINES, CA95675

Subject: Winterization of Incomplete Disaster Repair Projects Under 2017 Winter Storms  
(FEMA-4301-DR-CA, FEMA-4305-DR-CA, and/or FEMA-4308-DR-CA)

Dear CANDI BINGHAM:

The California Governor's Office of Emergency Services (Cal OES) provides the following recommendation for subrecipients included in one or more of the 2017 Winter Storms presidentially declared disasters (FEMA-4301-DR-CA, FEMA-4305-DR-CA and/or FEMA-4308-DR-CA) with eligible Public Assistance (PA) project(s) that will not be completed prior to the 2017/2018 inclement weather season (October – March).

Cal OES recommends subrecipients perform winterization measures to prevent exacerbation of damages at those sites identified as eligible in the 2017 Winter Storms events. Typically, winterization consists of cost-effective measures to prevent further damage, such as covering slope failures with visqueen (sheet plastic), stacking sand bags, etc. These types of cost-effective measures may be eligible for reimbursement under a subrecipient's existing 2017 disaster application. Subrecipients should work closely with FEMA and Cal OES field staff to request inclusion of winterization measures into existing Project Worksheets, or request a new Project Worksheet be prepared to include winterization measures at each site. Those subrecipients with incomplete projects that do not choose to employ cost-effective winterization measures and incur additional damage to these projects as a result of the 2017/2018 winter season, may jeopardize existing Federal and State reimbursement.

We will continue to work closely with your team during the recovery efforts. If you have any additional questions or if you would like to discuss this matter further, feel free to contact your State liaison directly or you can call (916) 845-8200 and be directed to the appropriate Disaster Assistance Programs Specialist.

Sincerely,

JONATHAN MOORE  
Deputy State Coordinating Officer



3650 SCHRIEVER AVENUE, MATHER, CA 95655  
RECOVERY SECTION, PUBLIC ASSISTANCE DIVISION  
(916) 845-8200 TELEPHONE (916) 845-8388 FAX  
[www.CalOES.ca.gov](http://www.CalOES.ca.gov)

River Pines Public Utility District  
 PO Box 70  
 River Pines, CA 95675

# Bill

Date	Ref. No.
03/07/2017	Invoice #11139

Vendor
Shenandoah Excavating PO Box 71 Fiddletown, CA 95629

**PAID**

Bill Due	03/17/2017
Terms	
Memo	2.5 inch Rock & Grading - Emigrant Trail - Storm Damage

## Expenses

Account	Memo	Amount	Customer:Job	Class
Storm Damage/Repair		2,900.00		Sewer

Expense Total : 2,900.00

**Bill Total : \$2,900.00**



# Preserving Public Assistance Funding

1

## Procurement

Procurement records must include the rationale for selecting the type of procurement method, the basis for contractor selection or rejection, and the contract price basis.

Contracts must generally be bid competitively, with a clear description of the approved scope of work.

Contracts must comply with local, state, and federal procurement requirements including contracting with small and minority firms, women's business enterprise, and labor surplus area firms; strict avoidance of suspended or debarred contractors is required.

Ensure the contractor complies with all terms and conditions of the contract, along with the approved scope of work.

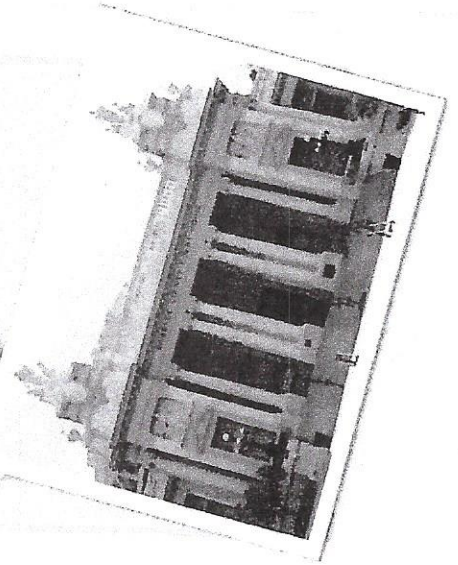
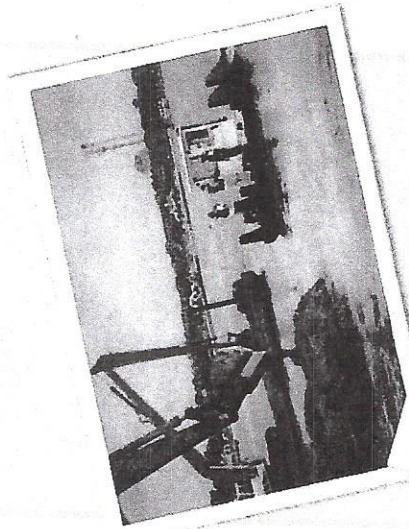
Cost plus percentage contracts are specifically prohibited, while sole source contracts should be avoided without sufficient-significant rationale.

Commencing permanent work projects without required environmental permits along with FEMA environmental-historic clearance is prohibited.

Emergency work is not necessarily exempted from permitting requirements, especially the Endangered Species Act.

2

## Environmental

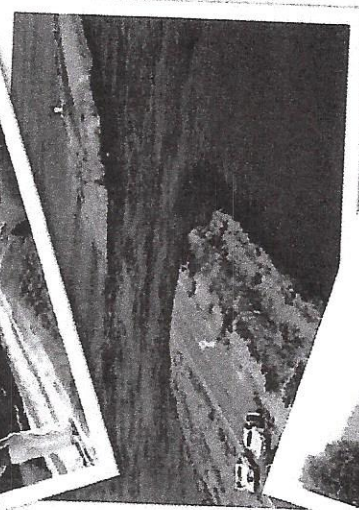


Any deviation from the approved scope of work is prohibited unless approved by FEMA.



3

## Scope of Work





# Four Steps to Success

## Protecting Your Public Assistance Disaster Funding

For more information about preserving Public Assistance funding, contact the California Governor's Office of Emergency Services at:

3650 Schriever Avenue

Mather, CA 95655

(916) 845-8200

(916) 845-8388 (fax)

DisasterRecovery@caloes.ca.gov

www.caloes.ca.gov

Claimed costs must be compiled on a per project basis.

Specified program deadlines, e.g., work-related deadlines and appeals for net small project overruns (NSPO) must be met.

Payroll records for each employee must account for all daily disaster-related activities performed, with time sheets signed and certified by the employee and supervisor.

Source documentation, such as paid invoices, contracts, change orders, is required for all funding expenditures.

Funding recipients must be monitored.

Comprehensive records retention is required.



### 1 Procurement

### 2 Environmental

### 3 Scope of Work

### 4 Record-keeping

Obtain further program information for protecting your Public Assistance disaster funding from the Federal Emergency Management Agency at:

[www.fema.gov/public-assistance-frequently-asked-questions](http://www.fema.gov/public-assistance-frequently-asked-questions)

For minimizing the loss of program funding through audits, contact the Office of Inspector General at:

[http://www.oig.dhs.gov/assets/Audit\\_Tips.pdf](http://www.oig.dhs.gov/assets/Audit_Tips.pdf)

Version 01-16





ALL for Ando RPS



### Sension+ PH1 Portable pH Kit for general use

Product #: LPV2550T.97.002

USD Price: \$540.00

Call for ship date

AGENDA ITEM 11B

540<sup>00</sup>  
+ Tax  
585<sup>90</sup>

#### Hach Sension+: Fast and simple measurements

##### Hach Sension+ family:

Fast results: Provided by the right choice of quickly responding electrodes for your application, integrated laboratory systems or unique multi probes with up to 4 parameters by 1 click for field applications.

Maximum simplicity: Sension+ systems come complete with everything you need to start testing.

Ease of use operation, either with superior field usability or fully integrated laboratory set up:

Sension+ simplifies your measurement tasks!

##### Fast pH measurements

Fast performing electrode for drinking water and general aqueous samples.

Maximum simplicity: Sension+ kits come complete with everything you need to start testing.

Sension+ portable kits include meter, probe, carrying case and all required accessories.

##### Sension+ kits offer superior field usability

Sension+ carrying cases work as complete, portable labs.

Screw-on calibration tubes and probe storage tubes simplify use in field.

##### Designed for field use

IP67 - protected.

##### One hand operation

Instruments are ergonomically shaped and can easily be operated single-handed.

Total Cost per  
Approval  
\$1,567<sup>72</sup>

#### Specifications

AC and USB Operation:	No
Accuracy:	ORP: 1 mV
Automatic Buffer Recognition:	pH 2.01, 4.01, 7.00, 9.21, 10.01 ✓
Battery Requirements:	3, AA
Benchtop:	No
Brand:	HACH
Calibration Curves Display:	Slope and assymetry potential displayed
Compliance Certifications:	CE
Dimensions (H x W x D):	38 mm x 73 mm x 186 mm
Display:	Backlit LCD with pictograms
Display Type:	128 x 64 pixel, simultaneous readings
Inputs:	MP-5



Interface Languages:	Icon based, no language needed
IP Rating:	IP67
Manual Languages:	more than 20 languages
mV Accuracy:	1 mV
mV Resolution:	0.1 mV (0 to 200 mV) 1 mV (for rest of range)
Operating Humidity:	< 80 % relative humidity (non-condensing)
Operating Interface:	Keypad
Operating Temperature:	0 - 50 °C
Parameter:	pH, mV, Temperature
pH Accuracy:	≤ 0,02 pH (± 1 števka)
pH Electrode calibration:	1 - 3 points calibration
pH Measurement:	-2 - 19.99 pH
pH Resolution:	0.01 pH
Power Supply:	Batteries (see Battery Requirements)
Temperature Accuracy:	0.2 °C (± 1 digit)
Temperature Compensation:	With temperature probe Pt 1000 or by keypad
Temperature Measurement:	-20 - 150 °C
Temperature Resolution:	0.1 °C
Warranty:	2 years
Water Resistance:	IP67
Weight:	0.3 kg

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### What's in the box?

Includes: Sension+ pH1 meter, Sension+ 5050T pH electrode with temperature sensor, Sension+ portable field carrying case, 125mL of pH4, pH7 and pH10 calibration standards, color coded screwable calibration tubes, sample and measurement containers, electrode storage solution and user documentation.

# Enviro-Tech Services Company FIXED

4851 Sunrise Drive  
Suite 101  
Martinez, CA 94553

Voice: 925-370-1541  
Fax: 925-370-8037

# QUOTATION

Quote Number: TL 9/20 AMADOR  
Quote Date: Sep 20, 2017  
Page: 1

**Quoted To:**  
Amador Water Agency  
12800 Ridge Rd.  
Sutter Creek, CA 95685  
USA

Customer ID	Good Thru	Payment Terms	Sales Rep
AMADORWAT-SC	10/20/17	Net 30 Days	TODD

Quantity	Item	Description	Unit Price	Amount
1.00		YSI PRO 20 Meter # 6050020	511.00	511.00
1.00		1 METER Cable, DO- Temp #60520-1	230.00	230.00
1.00		DO Sensor #605202	147.00	147.00
attn: Ryan Tesch				
<i>DO meter Rocky Pines</i>				
Subtotal				888.00
Sales Tax				68.82
Freight				25.00
<b>TOTAL</b>				<b>981.82</b>

# River Pines Public Utility District Bylaws

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Provisions of the Bylaws, and Administrative Policy and Procedures, for the River Pines Public Utility District, shall not conflict with the provisions of the principal act known as the Public Utility District Act, Division 7, Section 15501 et seq. of said code.

## **ARTICLE I. NAME and FUNDAMENTAL ESTABLISHMENT:**

1. The name of this entity is the River Pines Public Utility District, a California Special District as designated pursuant to the provisions of The Public Utility District Act, Division 7, of the Public Utilities Code, Section 15794; there was received in the office of the State of California, Secretary of State, Sacramento, July 24, 1961, a roll, consisting of a Certificate signed by Harold E. Colburn, Chairman of the Board of Supervisors of the County of Amador entitled:

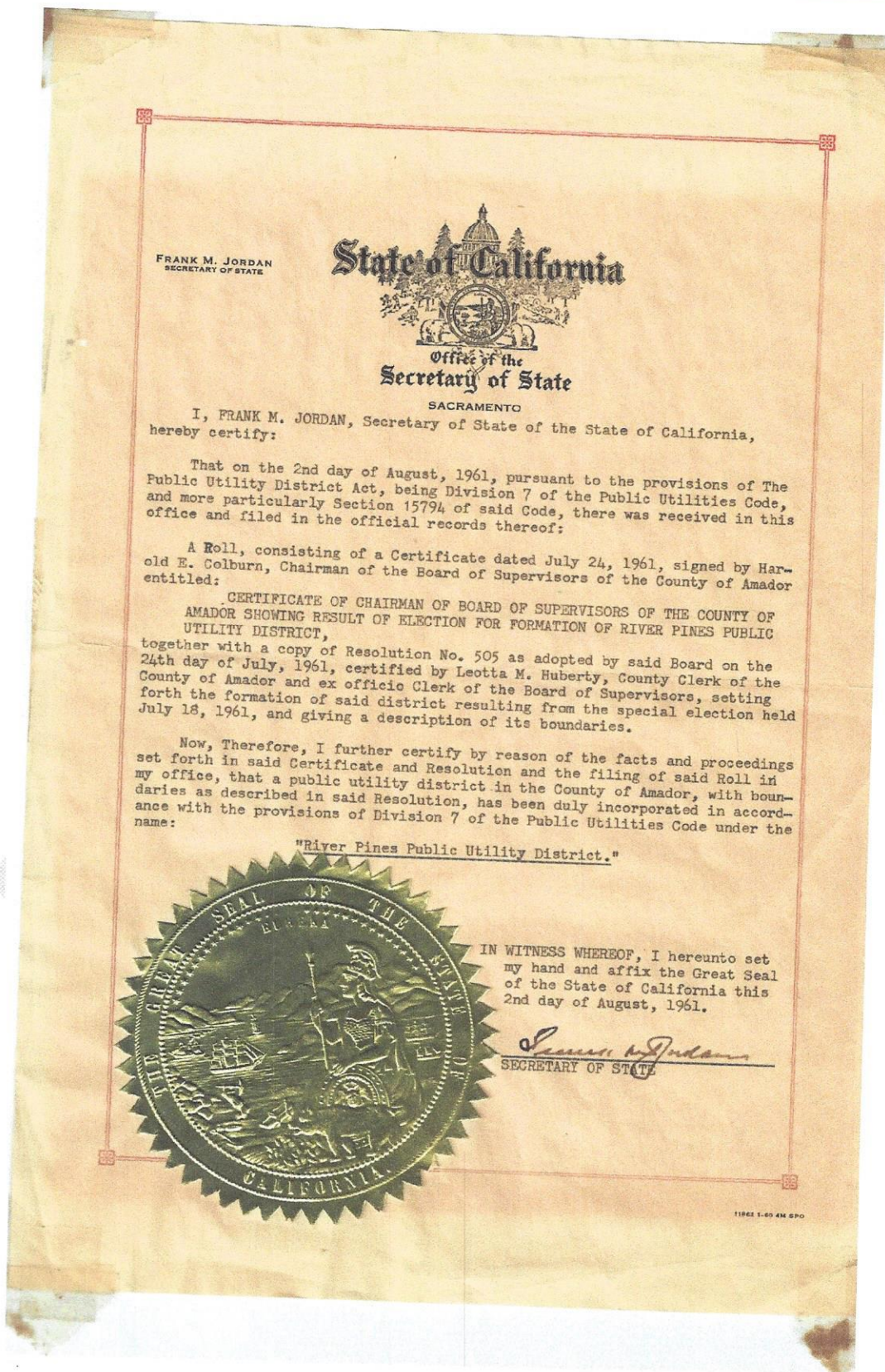
CERTIFICATE OF CHAIRMAN OF BOARD OF SUPERVISORS OF THE COUNTY OF AMADOR SHOWING RESULT OF ELECTION FOR FORMATION OF RIVER PINES PUBLIC UTILITY DISTRICT

Together with a copy of Resolution No. 505 as adopted by said Board and certified setting forth the formation of said district resulting from the special election held July 18, 1961, and giving description of its boundaries, has been duly incorporated in accordance with the provisions of Division 7 of the Public Utilities Code under the name "River Pines Public Utility District" witnessed August 2<sup>nd</sup>, 1961 with affixed seal and signature of Frank M. Jordan, Secretary of State as shown in the following Copy of Certificate. Hereinafter, for simplifying the written Bylaws, as well as the Administrative Policy and Procedures of the River Pines Public Utility District, from here forward will be referred to as The District.

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# River Pines Public Utility District Bylaws



- References – see supporting documents in reference guide



# River Pines Public Utility District Bylaws

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## ARTICLE II. PURPOSE OF BOARD-OBJECTIVES AND POWERS:

- a. The purpose of the District's Board of Directors is to operate in the best interest of the District; as well as maintain and revise or update as necessary comprehensive and complete current versions of the governance manuals. The governance manuals serve as a resource for Directors, staff, consumers, and other entities in determining the manner in which the District's business will be conducted. The governance manuals shall abide by the guidelines as set forth in Appendix A.
  - b. To the best ability of the District links to all above referenced governance shall be provided on the District website <http://www.rppud.org/>.
  - c. If any policy or portion of a policy conflicts with rules, regulations or legislation having authority over The District, said rules, regulations or legislation shall prevail. When such a discrepancy is revealed the Board shall amend such policy to remove the discrepancy.
2. The objectives and Mission Statement for The Board shall be:
- a. Preserve and protect the District and its consumers' best interests, as well as provide various means for consumers to communicate with the District and the Board.
  - b. Promote and maintain all aspects of established services including, Water and Wastewater services;
    - i. The District may also enact latent powers as per Authorized Services and Facility, California Government Code sections 61100 et seq.
  - c. The District may participate with other organizations, councils, and groups with the objective of being informed of current events and legislation relevant to said services.
  - d. Revise or update as necessary manuals and links on the website for the Bylaws, Policy, and Governance.
  - e. Provide a voice for the District in such matters of concern with Local, State, and Federal Government agencies.
  - f. Conduct its activities in a manner that has no detrimental effect on the District or its consumers and complies with the Constitution of California, Article 1 Declaration of Rights, California Freedom of Information Public Records Act, and Open Meetings laws, as well as all applicable governance.
  - g. Remain unbiased and non-partisan, for instance, regarding political or religious activities, and shall not infringe or interfere regarding consumers and/or other organizations personal and/or internal affairs.
  - h. Establish and maintain a Capital Improvements and Cash Reserve Policy that identifies annual goals, objectives, and infrastructure



# River Pines Public Utility District Bylaws

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- improvements that The District plans to accomplish within a specified time frame.
- i. The Mission Statement is: "To enhance the quality of life in the River Pines Public Utility District's sphere of influence by providing safe and reliable water, wastewater, conservation, and reclamation services; as well as exercising latent powers increasing the scope of services agreed to by consumers of the District. We will manage our resources with fiscal and environmental responsibility. We will accomplish this as a professional team, dedicated to public transparency, community partnerships and excellent customer service.
3. The powers to achieve the objectives of the District shall be subject to the duties as described in the Bylaws; and are subject to the governance set forth as described in Article II, and shall apply to:
    - a. Directors of the District's Board
    - b. Consumers
    - c. The District's staff including employee(s) or contracted workers.
  4. Furthermore, The District's powers and duties include but are not limited to: providing for its organization, operation, and management; authorizing the acquisition of property and works to carry out the objectives of The District; authorizing the incurrence of indebtedness; providing for the levy and collection of taxes for the payment of such indebtedness; providing for the levy and collection of taxes for the payment of general District expenses; and for cooperation and contracts with any entity. The District is also empowered to manage and apply for grants or other benefits or revenue as directed by the Board.

## ARTICLE III. CONSUMERS

1. A Consumer includes property owners, and may extend to businesses and residents renting property within the sphere of influence of the District; including any adopted annexation as represented by the map of the District, see **Appendix B**. Furthermore, a consumer is a person that applies for and is approved for service being responsible for timely payment on account including all fees and charges as set forth by this collective governance. Once this consumer is established, the term consumer may be expanded to include other dependents in the household. A consumer status may be revoked based on a delinquent account, resulting in revoking the status for other dependents in the household.
2. To be a qualified voter, the voting rights of a District consumer are subject to eligibility requirements and in the State of California you must be:
  - a. A citizen of the United States.
  - b. A California resident.
  - c. 18 years old or older on Election Day



# River Pines Public Utility District Bylaws

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- d. Not currently in prison or on parole for a felony conviction, unless you have had your civil rights restored including certain legal sentences that can vote.
- e. Not found to be mentally incompetent by a court.
- f. Registered to vote by 11:59:59pm on the 15<sup>th</sup> day before the election day in question; including the right to vote on any property-related fees and charges according to Proposition 218.

## ARTICLE IV. BOARD OF DIRECTORS/OFFICERS, STAFF, EMPLOYEE(S):

- 1. The five (5) elected or appointed Board of Directors shall include:
  - a. Chairperson/Officer
  - b. Vice-Chairperson/Officer
  - c. Three (3) Directors
- 2. In addition to the five elected or appointed Board of Directors, the District may employ the services of one (1) District Clerk under Board approved contract.
- 3. Officers and Directors shall qualify as a consumer as specified in Article III; furthermore, the individual must also qualify as a registered voter within The District as specified in Article III, Section 2.
- 4. The duties the Board of Directors shall perform shall include:
  - a. Required Attendance - The importance and responsibilities of the Board of Directors requires that Directors shall not miss three (3) consecutive meetings.
    - i. Excused Absences will be accepted by the District; however, it is the responsibility of the board member to report the excused absence prior to the scheduled meeting. The District contact for excused absences is the: **District Office at (209)245-6723.**
  - b. Fulfilling the purpose of the Board as defined in Article II, as well as ensuring the District shall not conflict with said code.
  - c. Setting the direction and acting on behalf of the best interest of the District including: making long and short-term goals and plans, supervising District activities and projects, providing accounting books for auditing, approving Board of Directors vacancies between elections, and activating committees when necessary.
- 5. The specific duties of Officers and Directors shall include:
  - a. Chairperson
    - i. Presides over the various meetings, determining the order of Board Matters on the agenda, insuring that appropriate information is available for discussion and/or action by The Board, while insuring physical facilities for said meetings are functional and appropriate.



## River Pines Public Utility District Bylaws

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- ii. Setting the direction of the District by encouraging the Board Members and committees of the District to implement programs and make and approve policies to achieve the purpose and objectives as stated in Article II.
  - iii. Serves as an ex officio member of all committees except the nominating committee, and designates ad-hoc committees as well as appointing the committee leader.
  - iv. Acts as Primary check signer for the District's bank accounts, assisting with Secondary check signer documentation, as well as one (1) back up check signer. Banking duties may also include but are not limited to; transferring funds, and when the time comes relinquishing and reassigning authority as directed by the Board.
  - v. Serves as advocate and primary contact unless otherwise specified, and represents the District at meetings outside the District including but not limited to: various community, or local, state, and federal government agencies.
  - vi. Preferably, after one (1) year serving as Vice-Chairperson, eligible for nomination as Chairperson.
  - vii. Non-consumer Chairperson presiding clause; in the event it is in the best interest of the District the District may enact the Non-Consumer Chairperson presiding clause. This option allows the district to appoint a non-consumer and must be enacted during a regular monthly meeting. The non-consumer Chairperson shall:
    1. Provide all duties as specified in Article IV, Section 4 and Section 5, Item a.
    2. Be motivated to perform such duties from a public servant perspective by accepting the board stipend as full compensation.
      - a. The Board may approve a contract more than the board stipend within reason and established thru negotiations with the Board and reviewed annually or as required by the approved contract.
    3. Present a resume' demonstrating the experience required to fulfill said duties.
- b. Vice-Chairperson
- i. Presides over the District meetings should the Chairperson be absent or unable to serve, fulfilling all items as specified in Article IV, Section 5, Item a. As well as, acts as Chairperson in

## River Pines Public Utility District Bylaws

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- the event there is a "Removal from Office" levied against the current Chairperson as stated in Article IV, Section 6, Item e.
- ii. Acts as Secondary check signer for the District.
  - iii. Assist the Chairperson by performing assigned reasonable duties.
  - iv. Serves as advocate and contact as requested by the Chairperson, and represents the District at meetings outside the District including but not limited to: various community, or local, state, and federal government agencies.
  - v. Preferably, after one (1) year serving as a Director becomes eligible for nomination as Vice-Chairperson.
- c. Directors, three (3)
- i. Assist the Chairperson and Vice Chairperson by performing assigned reasonable duties.
    1. One (1) of the Directors shall serve as a backup check signer for the District. There shall only be one (1) backup check signer. This may be enacted at the discretion of the Chairperson, the chairperson may also declare one backup check signer terminated and enact another, the action(s) should be declared at a regular meeting or by way of a motion during a regular monthly meeting. Furthermore, this director shall not be the Director reviewing the bank statements per the auditor's request.
    2. One (1) of the Directors shall review bank statements per the district auditor's request; furthermore, this person will not be a check signer. The policies involved in performing these duties include the CPA Board Required Monitoring Policy.
  - ii. Serves as advocate and contact as requested by the Chairperson, and represents the District at meetings outside the District with various community, or local, state, and federal government agencies.
- d. Board Clerk, this role may be secured by way of contract with the District that specifies at a minimum; a term limit, duties, and rates. The District may include the Board Clerk duties with the General Manager contract.
6. Nominations, Elections, and Appointments
- a. Nominations for Officers: Sitting Board Members are eligible for nomination for the Chairman or Vice-Chairperson chair.



## River Pines Public Utility District Bylaws

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- b. Election of officers. The election held is consolidated with the statewide general election pursuant to the Uniform District Election Code Government Code Section 10500, et seq.
  - i. Terms of Office, the elected officers shall serve a four (4) year term, and their term of office shall begin December 1st in the year elected. As an Elected Officer you shall:
    - 1. Perform the relevant duties as defined in Article IV, Sections 4 and 5.
    - 2. There shall be no limit to the number of terms any official may serve. The Bylaws provide for removing officers from office in the event the District decides it is in their best interest, Article IV, Section 6, e.
- c. Appointments of Directors may be made by the Board at any regular scheduled meeting when the item is on the agenda as an action item during which there is a vacancy, resignation, or other cause for appointment.
  - i. Appointed Directors shall complete the term of the official they are replacing.
- d. Vacancies shall be filled within thirty (30) days, the District's Board of Directors shall appointment a Director to fill the vacancy. To be considered, consumers that qualify as per Article III, are welcome to complete and submit the, Amador County Board of Supervisors, Committee Member Application Form and submit it to the county before the regular monthly board meeting; as well as advise the District staff so that it may be included on the agenda. Upon proper parliamentary procedure of an appropriately posted agenda item, a majority vote of Directors present fulfilling a quorum, appoints said applicant, the new officer shall serve the remainder of the vacated unexpired term. Otherwise the District may follow the Resignations and Vacancies California Government Code Sections 1770 et seq.
- e. Removal from Office, Officers can be removed from office with or without cause by a two-thirds vote of those Directors present, assuming a quorum, at a regular meeting where previous notice has been given. Otherwise, proper procedure to remove an elected officer is outlined as follows:
  - i. Submit a petition at a regularly scheduled meeting for Removal from Office of an Elected Official specifying reasons for removal with signatures from not less than fifty-one percent (51%) of the eligible voting consumers.
  - ii. In the event the Removal from Office petition is levied against the Chairperson, the Vice-Chairperson shall reside over the



## River Pines Public Utility District Bylaws

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hearing. The Chairperson facing removal from office shall be given an opportunity to be heard and answer any or all charges.

1. Given the 51% of the eligible voting consumers requirement has been met the Chairperson may be removed by a written majority approval of the eligible voting consumers present at the meeting.
7. Compensation for the Board of Directors – the District pays each Board Member for each month they hold office. There is no additional compensation regardless of length of or number of meetings attended on behalf of the District. Furthermore, there is no compensation for any mileage or supplies; or any retirement, anniversary, holiday, social mixer, or Chamber of Commerce functions.
  - a. The no-pay clause states that a board member shall not be paid for each month they miss the monthly regular scheduled meeting.
8. Sitting Board Members may at any time request to be removed from the Board by simply providing a document stating so to the General Manager, Chairperson, or directly to the Board.
9. The District shall indemnify and hold harmless to the fullest extent of the law any officer or director, by official election or appointment, who shall find themselves involved in litigation because of actions by them on behalf of the District. The District reserves the right to provide broader indemnification rights as required by current law.
10. Code of Ethics
  - a. The Board of Directors oath of office states, that I will support and defend the Constitution of the United States and the Constitution of the State of California; as well as without any mental reservation or purpose of evasion; faithfully discharge the duties you are about to enter. The duties include these Bylaws as well as all applicable laws as specified in Article II.
  - b. Board members will work in cooperation with other public officials unless prohibited from so doing by law or officially-recognized confidentiality of their work.
  - c. The Board of Directors shall be committed to providing excellence in legislative leadership that result in the provision of the highest quality services to its constituents. In the interest of orderly conduct between and among the members of the Board of Directors, the board shall observe the following rules:
    - i. The dignity, style, values, and opinions of each Director shall be respected.
    - ii. Responsiveness and attentive listening in communication is encouraged.
    - iii. The needs of The District's consumers should be the priority of the Board of Directors.
  - d. As Article II states the purpose and primary responsibility of the Board of Directors, routine matters concerning the operational aspects of The



## River Pines Public Utility District Bylaws

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- District are to be delegated to professional staff members of The District.
- e. Directors should commit themselves to emphasizing the positive; preferably avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
  - f. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocs based on personalities rather than issues should be avoided.
  - g. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, in a respectful manner. Once the Board of Directors acts, Directors should commit to supporting said action and not to create barriers to the implementation of said action.
  - h. Directors should practice the following procedures:
    - i. In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve policy decision-making.
    - ii. In handling complaints from residents and property owners of The District, said complaints should be referred directly to the General Manager.
    - iii. Safety or hazardous concerns should be reported to the General Manager or to **The District office at (209)245-6723**. Emergency situations should be dealt with immediately by seeking appropriate assistance as per the District's Emergency Plan Policy to call an Emergency Meeting refer to Article V, Section 6.
  - i. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming; all policies should be available by way of printed district manuals or links on the district's website, otherwise said concerns should be referred directly to the General Manager.
  - j. When approached by District staff concerning specific District policy, all Directors should direct inquiries to the General Manager or the appropriate staff supervisor, the district shall provide the contact information on the website. The chain of command should be followed as such; primary General Manager, secondary Chairperson, then the Vice-Chairperson, the last resort being to bring directly to the Board by way of an agenda item at a regularly scheduled meeting.
    - i. If the district has an agreement with a separate entity to provide services to the district, that entity shall be allowed to report to its own chain of command; ultimately the primary contact person shall be subject to the chain of command as designated by The District.



## River Pines Public Utility District Bylaws

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- k. The work of The District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of The District.
  - i. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing them and their questions through the General Manager.
  - ii. Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
  - iii. Directors should function as a part of the whole Board. Issues should be brought to the attention of the Board, rather than to individual members selectively.
  - iv. Directors are responsible for monitoring The District's progress in attaining its goals and objectives, while pursuing its purpose as stated in Article II.
  - v. The Board and District will abide by the Conflict of Interest Policy.
  - vi. The Directors shall maintain current certification for AB1234 training.
11. Annually the Board shall complete the following:
  - a. Nominate and elect officers from among existing Directors.
  - b. Review and approve a full and complete Annual Accounting of the financial condition of The District including a projected budget.
  - c. Any requirements as set forth in policy; for instance, Facility Inspections.
12. Director Training, Education, and Conferences
  - a. Although the District is a member of most of the Associations and Government agencies beneficial to The District, and is informed in normal circles of influence by way of newsletters and participating in e-mail posts; members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation. Hence, there is no limit as to the number of Directors attending a conference or seminar when it is apparent that their attendance is beneficial to The District; however, under all circumstances the directors shall comply with The Brown Act refraining from discussing any District business during such conference.
  - b. Although the standard operating procedure is that the District does not reimburse continuing education expenses for Directors; in compliance with the Brown Act, reimbursable cost for attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences must be preapproved by the Board prior to incurring the expense. Given these circumstances the Board may elect to pay the expense directly as opposed to reimbursing the director.



## River Pines Public Utility District Bylaws

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- c. "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.
13. Required Staff including salary or compensation, contracted workers, employer/employee relations, expense reimbursement, vacancies, and limitations.
- a. The staff required by the District consists of:
- i. A Board Clerk that may be under contract as approved by the Board and shall perform the duties as defined therein, this set of job duties may be included in the contract for the General Manager.
    1. The compensation for the Board Clerk shall be established thru negotiations with the Board and reviewed annually or as required by the approved contract.
  - ii. A General Manager under contract as approved by the Board shall perform the duties as defined in the job description for the General Manager, possibly including the clerical office and Board Clerk duties.
    1. The salary for the General Manager shall be established thru negotiations by the Board and reviewed annually or as required by the approved contract.
  - iii. The Plant Operator(s) will be under contract as approved by the Board, and shall perform the duties and be compensated as defined in the Memo of Understanding or contract; and shall perform the duties as defined in the job description for the Plant Operator(s) including certification, testing, and reporting requirements. They shall also comply with all federal, state, and local laws and regulations; as well as The District Bylaws and policies.
    1. The salary or compensation including any benefits or reimbursable expenses for the Plant Operator(s) shall be established thru negotiations then approved by the Board and reviewed annually or as required by the approved contract.
    2. The Plant Operator(s) position may be filled by way of a contract between the District and an entity that is able to fulfill the duties as set forth by the District in compliance with all federal, state, and local laws and regulations; as well as The District Bylaws and policies.
- b. The basis of the personnel system is pursuant to the Meyers-Milias-Brown Act of the State of California and states the General Manager is instructed and authorized to prepare and present to the Board for its consideration and adoption a comprehensive system of personnel administration.
- i. The District has established rules and regulations for the administration of employer-employee relations in matters that directly affect and primarily involve the wages, hours and other



## River Pines Public Utility District Bylaws

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terms and conditions of employment of employees. Resolutions to date include:

1. 2016-03 Approve and Adopt Employee Handbook.
  2. 2016-04 Authorize and Adopt Injury/Illness Prevention Program.
  3. 2016-08 Worker's Compensation Certificate to Self-Insure.
- c. Expense Reimbursement - The District provides the means to pay for all expenses incurred by the District, so in the case of an emergency, any employee, contracted worker, or Board Member, may be reimbursed by The District for all actual expenses incurred on behalf of The District as approved by the Board.
  - d. Regarding staff vacancies, the General Manager shall select and recommend to the Board for appointment or hiring, qualified individuals to fill staff vacancies. The General Manager is responsible to see that all staff is evaluated at least annually. The General Manager may make recommendations to the Board if disciplinary action needs to be taken against District personnel.
  - e. Limitations, nothing in this code shall be constituted as a limitation on the power or authority of the Board to enter into any supplemental agreement with the General Manager delineating additional terms and conditions of employment not inconsistent with terms of this code. Furthermore, the Board may revise the Job Descriptions to include requirements, terms, and conditions not inconsistent with the terms of this code.
14. Delegation of Authority, to establish and maintain clear delegation of authority; in accordance with all federal, state, and local laws and regulations, as well as District Bylaws and policies, and subject to approval by the Board, the District authorizes:
- a. The Board of The District sets the policy for The District.
  - b. The District's General Manager serves at the direction of the Board.
  - c. The Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board.
  - d. Members of the Board will deal with matters within the authority of the General Manager through the General Manager.
  - e. The Board of Directors has the authority to approve new regular full-time and part-time positions in The District; including but not limited to, administrative and plant operations, as well as recommendations set forth under the General Manager's authority.
  - f. The District authorizes the following powers to the General Manager:
    - i. Full charge and control of the construction, maintenance and operation of the water, wastewater and other facilities of The District.
    - ii. Full power and authority to employ and discharge district staff employees and assistants, fill vacant positions and add temporary staff for The District; this includes maintaining job



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- descriptions for district personnel, as well as negotiating assistants, contracted workers, and employee's compensation.
- g. Furthermore, The General Manager has the following additional authority:
- i. Claims: To investigate and resolve third party claims against The District.
  - ii. Easements: To develop easement values and acquire easements
  - iii. Professional Service Contracts: To authorize negotiation and execution upon approval by the Board of professional service contracts.
  - iv. Purchasing/Budget Expenditures: To authorize approval of contracts and purchases as approved by the Board, up to the amount included in the annual adopted budget. Otherwise the PURCHASING Policy addresses various types of purchasing including; project overruns, change orders, and emergency expenditures.
  - v. The General Manager shall concur with the Board Chairperson in the declaration of an emergency. **If the General Manager is not able to contact the Chairperson the General Manager shall concur with the Vice-Chairperson for the declaration of an emergency, Article V, Section 6 specifies guidelines for calling an Emergency Meeting when necessary.**
  - h. For the normal progression of events to continue in the absence of the General Manager, The Board has full authority to make decisions affecting the District. The Board shall agree to the proper solution and enact the appropriate measures.
15. Defense of District Employees and Elected or Appointed Officials in Criminal and Administrative Proceedings
- a. The District owns and operates several water treatments, distribution systems, and wastewater treatment and disposal systems. Employees or officials of The District, while in the performance of their duties, could accidentally or unknowingly violate state and/or federal statutes governing the operation of The District's facilities for which criminal penalties may be imposed. The risk of such criminal or administrative proceedings could be significant to the accused employee or officials, as well as The District, and the costs of defense could exceed the personal financial resources of such employee or official(s). It is both lawful and in the best interest of The District to support and protect all employees and officials performing their jobs while acting in good faith and in the apparent interest of The District. The Board of Directors of



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the District declares to provide for the defense of its employees and officials about criminal or administrative proceedings with respect to alleged violations of environmental laws, if certain findings can be made as follows:

- i. The criminal action or proceeding or administrative proceeding is brought because an act or omission in the scope of the employee's employment or the official's duties for The District.
- ii. The District determines that such defense would be in the best interest of The District.
- iii. The District determines that the employee or official acted, or failed to act, in good faith without actual malice, and in the apparent interest of The District.

(Check, our insurance should cover omissions and errors; board members, employees, General Manager)

## **ARTICLE V. MEETINGS: QUORUM, REGULAR, SPECIAL NON-EMERGENCY AND EMERGENCY, ADJOURNMENT OF, AGENDAS, and CONDUCT**

1. A quorum shall be a minimum of three (3) Directors which may include the Chairperson.
2. All meetings of the Board of Directors shall comply with the Brown Act (Govt. Code Section 54950 et seq.) This shall include all regular, special, closed, and emergency meetings.
3. Regular Meetings of The Board of Directors shall be on the second Wednesday of every calendar month, at 5:30pm, at the River Pines Public Utility District Office, 22900 Canyon Avenue, River Pines, California, also known as the Townhall, meet the required seventy-two (72) hour posting rule, and include the date, time, location, and agenda.
  - a. The Board may elect by majority vote to change the time and/or place of a regular meeting; to do so the agenda of a regular scheduled meeting should list under "Board Matters" to "Change the Time and/or Place of a Regular Meeting" "discussion and possible action".
  - b. Occasionally, the District may defer business to the next regularly scheduled meeting for various reasons including staff availability, and minimal routine or agenda items that are not urgent. As this would most likely be determined as the meeting agenda is forming, and based on the criteria, the Chairperson is empowered to make this call, the board and District shall be notified by way of normal posting of agendas.
4. Special Meetings of The District, for the purpose of addressing an emergency that cannot wait for the next regular meeting, or workshops for projects



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require a twenty-four (24) hour notice by way of a posted agenda prior to the scheduled meeting. All Directors including The Board Clerk, the General Manager and other staff shall be notified of the meeting and purpose(s) for which it is called by way of a modified short agenda. Consumers may be notified by standard routine posting. Special Meetings may be called by the Chairperson, any Director, Request of a committee, or the request of twenty-five percent (25%) of eligible consumers.

- a. Only those items of business listed on the agenda for the special meeting shall be considered by the Board. The chairperson shall report the outcome during the next regularly scheduled meeting.
5. Closed sessions may be held, the agenda shall reference the specific but general business to be conducted maintaining the sensitive or confidential aspect of District business. All rules governing Special Meetings shall be observed. The District shall post the outcome of the Closed Session as soon after the Closed Session as possible at regular posting locations and the website for a minimum of ten days; or in the event the Closed Session is prior to a Regular Meeting, the agenda for the Regular Meeting shall include "Closed Meeting, inform public of outcome".
  6. Emergency Special Meetings. An emergency means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board Chairperson, or Vice Chairperson in the Chairperson's absence. In the event of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities; the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice.
    - a. No closed session may be held during an Emergency Special Meeting; and all other rules governing Special Meetings shall be observed. The District shall post as soon after the Emergency Special Meeting as possible at regular posting locations and the website for a minimum of ten days; the minutes of the Emergency Special Meeting, a list of persons the General Manager or designee notified or attempted to notify, a notice of the roll call vote(s), and any actions taken at such meeting.
  7. Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting, at any time during the meeting, to any time and place specified in the order of adjournment. If no Directors are present at any meeting, the General Manager may declare the meeting adjourned to a stated time and place. Under such circumstances the District shall post at



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regular posting locations and the website as soon after the adjourned meeting as possible, the specified date, time, and place the meeting shall resume. Otherwise the District shall post the agenda for the resumed meeting based on the criteria for the resumed meeting; for example, regular, special, or emergency meeting.

### 8. Agenda for Board Meeting

- a. The General Manager, or board clerk, in cooperation with the Board Chairperson, shall prepare an agenda for each regular and special meeting. Any Director may call the General Manager and request any item to be placed on the agenda, or make such request as set forth in each Regular Meeting, Future Agenda Topics.
- b. Any Consumer or member of the public may request that a matter directly related to The District business or the best interest of the District and consumers be placed on the agenda of a regularly scheduled meeting subject to the following conditions:
  - i. The request must be submitted to the General Manager at least ten (10) business days prior to the date of the regular scheduled Board meeting. The request shall include at a minimum;
    1. A description of the agenda topic and all supporting information, presentation materials, and handouts, if any;
    2. The requested Board action,
    3. Relevance to The District or consumers including any, financial impacts
    4. Date action is needed
    5. The contact information of the requester
- c. Any Consumer or member of the public may, as set forth in the standard format of each Regular Meeting, during the Public Comment for Matters Not on the Agenda; address the Board at regular meetings on matters which are not on the agenda. The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting to three (3) minutes. However, the Board shall not discuss or act on such matters at that meeting. The outcome of the public comment may result in:
  - d. Being purely informational
  - e. Being referred to staff as a normal job duty, with a follow up on the General Managers monthly report.
  - f. Becoming a board matter on a future agenda requiring review, discussion, and possible action.

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- i. If any request from a consumer or the public require use of the Town Hall:
    1. The General Manager will verify that there is no conflict with the existing Town Hall schedule
    2. And that the entity requesting use of the Town Hall may provide the required certificate of insurance, licensing, or other documentation depending on the circumstances.
  - g. The General Manager, in cooperation with the Chairperson, shall review public agenda requests and determine if and when the requested item should be scheduled for a Board meeting, whether the item should be recommended to a Board committee, or if additional information is needed.
  - h. The General Manager shall notify the requester in writing or by other method selected by the requester, of the decision on the request, and the date of the meeting at which the item will be considered once approved for scheduling.
  - i. If the request is declined for not fulfilling these guidelines, the General Manager shall provide a written explanation for the denial.
9. Agendas shall be posted at least 72 hours prior to the time of all Regular Meetings, and includes but is not limited to all matters on which there may be discussion and/or action by the Board. Said agenda(s), shall be posted conspicuously for public review on bulletin boards at the following locations:
- a. District Office Lobby, 22900 Canyon Avenue, River Pines, California
  - b. District Town Hall, 22900 Canyon Avenue, River Pines, California
  - c. District website at [www.RPPUD.org](http://www.RPPUD.org)
  - d. The River Pines Market, 14739 Shenandoah Rd, River Pines, CA 95675
  - e. The Agenda will be printed on The District's letterhead and the standard format shall include a heading, specifying the type of meeting, for instance, Regular or Special Meeting, the day of the week including the calendar date and time, for the order of business see Appendix \_\_\_\_.
  - f. The District may add an action item after the agenda is posted in the event of an emergency. This may include contracts with deadlines before the next regularly scheduled meeting. The action item shall be added before the agenda is approved for this date.
  - g. The agenda for a Special Meeting shall be posted at least 24 hours before the meeting at the specified locations.
10. Board Meeting Conduct
- a. Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of The District.



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- b. All Board meetings, given a quorum is present; shall commence at the time stated on the agenda.
- c. The conduct of meetings shall, fully, enable Directors to:
  - i. Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,
  - ii. Receive input, and consider and take any needed action with respect to the District's operations.
  - iii. Furthermore, while the Board is in session, the consumers must preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings by disturbing the peace, interrupting or disturbing a Board member while speaking, or refuse to obey the orders of the presiding officer.
  - iv. Any person who, after being warned by the Chairperson repeatedly violates these rules may be ejected for the remainder of the meeting by a two-thirds (2/3) vote of the Board.
  - v. In addition, any person making personal, impertinent, or slanderous remarks, or who becomes boisterous during the Board meeting shall be warned that continued behavior may result in their being ejected for the remainder of the meeting by a two-thirds (2/3) vote of the Board.
  - vi. When presenting a topic as per the approved agenda, the person, be they staff, contracted worker, board member, etc.; presenting the topic for consideration will be heard first, after which the Chairperson will ask if there are any questions from the Board. The Board will proceed to discuss the agenda topic without interruption from the public.
  - vii. Any interested person may, subject to the rules and procedures set forth, speak on any item on the agenda. It shall not be required that persons wishing to speak give prior written notice, however, priority shall be given to those who have so notified the General Manager in advance.
  - viii. After such discussion, each member of the public will have one opportunity to address the Board with their questions and/or comments for a maximum of three (3) minutes with a provision that this time may be extended by the Board Chairperson.
  - ix. Questions posed by members of the public will be noted by the Board Clerk and/or the General Manager. Responses will be deferred until after conclusion of such presentation, at which time the Chairperson will direct the question(s) to the presenter,

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- a staff or Board member, as appropriate, for a response, or request that staff provide a written response.
- x. During a Board Meeting, neither Board members, nor staff should engage in a back-and-forth discussion with the public. If a response to a question is necessary, the Chairperson may call on the appropriate person for a verbal response. Staff members are not to speak to a question unless recognized by the Chairperson. If a District representative, staff, contracted worker, or Board member wishes to respond to a question or make a comment, they must be recognized by the Chairperson and ask, "may I respond to that?"
  - xi. Furthermore, after a motion is made and seconded, no person shall address the Board without first being granted permission by the Chairperson.
  - xii. Members of the public are not to speak from the audience without being recognized by the Chairperson and addressing the Board from the podium. Otherwise, the general and accepted practice of the public addressing the board from their seats as recognized by the Chairperson is acceptable.
11. Although the Board is interested in Consumer input, no boisterous conduct shall be permitted at any Board meeting. Under these circumstances the Board may motion for adjournment; future or persistent boisterous conduct may be grounds for termination of that person's privilege to address the Board, as determined by the Chairperson with support by the Board.
12. Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds, and the Board agrees that there is in fact willful disruption of any meeting of the Board, the Chairperson may ask the disruptor to leave, or the board may exercise the option of adjourning the meeting.
- a. In the event the disruptor is asked to leave and the meeting continues, as always, only the matters appearing on the approved agenda may be considered in such a session.

### **ARTICLE VI. EXECUTIVE BOARD**

1. As the purpose of an Executive Board is to conduct District business between meetings or all the time, the District may choose to implement an executive



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board. The Chairperson, Vice Chairperson, or General Manager may request to place on an agenda to; Implement an Executive Board, discussion and possible action, designating the Chairperson and Vice Chairperson as members of said board. Unless otherwise addressed, the authority and responsibility shall not exceed the authority and responsibility as stated in Article IV. As this stipulates the Chairperson and Vice Chairperson as members of the Executive Board, the election and appointment of said directors has been previously addressed. In the event an Executive Board is implemented the following shall also be determined:

- a. Logistics of meeting including when and where.
- b. Any special rules it must abide by.
- c. Evaluate Article IV to accommodate purpose of implementing the Executive Board specifically, powers, authority, and responsibility.
- d. In the event the Chairperson or Vice Chairperson changes for the District's board, the changes shall also apply to the Executive Board.

## **ARTICLE VII. COMMITTEES OF THE BOARD**

1. Committees may consist of board members, staff, contracted workers, consumers, or other persons approved by The Board with the Chairperson acting as an ex officio member of all committees except a Nomination Committee if one should exist.
2. Although the Board of the District primarily operates as an all-in-one committee; it is in the best interest of The District to define and allow for the possible formation of the following Standing Committees:
  - a. Archives and Historical Committee;
  - b. Budget & Finance Committee;
  - c. Community Outreach Committee;
  - d. Engineering & Planning Committee;
  - e. Personnel Committee;
  - f. Policies Committee;
  - g. Sewer and Wastewater Committee
  - h. Special Districts Committee
  - i. Water and Water Rights Committee
3. The general purpose, objectives, and intended results of the Standing Committees can be defined as an effort to more efficiently meet the roles and responsibilities for each specified committee. Furthermore, the responsibility of the committee is to provide guidance and recommendations to the full Board of Directors based on the committees' work with The District's Staff

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and other relevant entities. The all-in-one committee approach can benefit by identifying the types of committees the District may benefit from while allowing the future formation of said Standing Committees

4. The Board Chairperson may appoint and publicly announce the members of the standing committees as the agenda allows the formation of said committee. Once the committee is established and when the annual board appointments for the ensuing year are made official, generally the meeting after the elections are made official, the Board Chairperson may appoint and publicly announce the newly appointed members of the standing committees.
5. The establishment and utilization of the committees are intended to focus on policy and other issues identified by the purpose, objectives, and intended results as defined in Article VII, Section 2. The General Manager shall implement the goals and objectives of The District, as well as the day-to-day operational and allocation of resources issues. The Board and the General Manager shall work together as a team to accomplish these goals and objectives and the referral of issues to Committees and Staff will be made by consensus of the Board and the General Manager.
6. The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified. Said assignment may be made by the Board Chairperson, a majority vote of the Board, or on their own initiative as guided by the purpose of the committee. Any recommendations resulting from said review should be submitted to the Board via a written report.
7. All meetings of Standing Committees shall conform to all open meeting laws while allowing confidential topics to be discussed as per the Special Meeting and Closed Session guidelines, Article V, Sections 4 and 5.
8. The Chairperson shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made. The general items required in the outline for a committee may include but not be limited to:
  - a. The Name of the committee.
  - b. The Purpose, objective, and intended results of the committee.
  - c. The member(s) of the committee.



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- d. The general schedule for the committee, at least a general idea of beginning, ending, or possibly general anticipated duration of said committee.
- e. The boundaries or powers of said committee.
- f. Presenting a Final Report to the Board

## **ARTICLE VIII. PARLIAMENTARY AUTHORITY**

Parliamentary Authority shall be based on the most recent edition of Robert's Rules of Order Newly Revised, currently the 11th Edition, and shall govern the District's meetings. If a conflict should arise between the parliamentary authority and the Bylaws, approved amendments, record of Standing Rules, Administrative Policy and Procedures, and all applicable federal, state, and local laws, collectively known as the guidelines by which The District shall be governed; said governance shall prevail.

## **ARTICLE IX. AMENDMENTS**

The Bylaws of The District may be amended at any regular meeting of The District by the approval of the Board providing that the amendment has been submitted for review and discussion one (1) month prior to the vote. The amendment shall contain the content of the current bylaw vs. the proposed amended bylaw and shall be in effect upon adoption by way of approval by the Board.

## **ARTICLE X. BOOK OF ACCOUNT, ANNUAL ACCOUNTING, AND BANK ACCOUNTS and FINANCES**

1. The Book of Account shall be a complete set of accounts, consisting of assets, liabilities, and appropriate revenue and expense accounts. It shall use the double-entry accounting system.
2. Annual Independent Accounting Audit each calendar year shall consist of a full and complete account of the condition of The District presented to the Board.
3. At the request of the District's auditor, the District shall appoint a Director to review all financial transactions monthly as set forth in these bylaws and accompanying policy, for example the CPA Board Required Monitoring Policy.
4. Furthermore, the General Manager shall manage Finances by way of the following guidelines:
  - a. A tentative budget shall be drafted for each fiscal year and approved by a majority vote of the Board.

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- b. The General Manager shall keep current and accurate records of all disbursements, revenue, and bank account information including current book and bank balances.
  - c. The Board shall approve all disbursements of The District.
  - d. Two authorized signatures shall be required on each check or written voucher regardless of the amount. Authorized signers shall be the Chairperson and Vice-Chairperson, plus one additional Director as approved by the board.
  - e. The General Manager shall prepare a financial statement at the end of the fiscal year to be reviewed by The Board.
  - f. The Fiscal Year shall consistently run from July 1<sup>st</sup> to June 30<sup>th</sup>.
  - g. Abide by State requirements, to provide records that must be made available to the public.
  - h. Determine and Comply with Internal Revenue Code Section**
5. The District may select a bank or banks for opening a bank account. Funds in the bank account shall be withdrawn as stated in Article X, Section 4, item d.

5/10/17 copies to board

7/5/17 copies to board

10/4/17 copies to board



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APPENDIX A - Article II – Maintain and revise or update as necessary including but not limited to:

- i. A brief purpose with optional summary and notes or visual aids plus complete versions of each item to aid in understanding:
  1. Resolution 505 the formation of district documents
  2. The Constitution of the United States
  3. The Constitution of the State of California
    - a. Including Proposition 218
  4. The Public Utilities District Act
  5. The Uniform District Election Law as well as the Consolidations of Election code
  6. The California Public Records Act
  7. All applicable California Special District code including:
    - a. Audit Requirements
    - b. Budget Requirements
    - c. Publication Requirements
    - d. Reporting Requirements
  8. All applicable federal, state, and local Government Code
  9. Robert's Rules of Order Newly Revised (currently 11<sup>th</sup> Edition) – district copy, also in brief refers to 11<sup>th</sup> Ed.
  10. Administrative Procedure Act, including Title 22 California Code of Regulations and policies as recommended by the California Special Districts Association
  11. Ethics code
  12. Conflict of Interest California Attorney General guide
  13. All administrative Policy including the Employee Handbook, job descriptions, and current Memo(s) of Understanding
  14. Complete sets of all standing orders including any resolutions and ordinances.

APPENDIX B - Article III Consumers map of District

see the following

RPPUD Existing System Maps KASL 2 pages

RPPUD SOI before annex 1 page

DRAFT

- References – see supporting documents in reference guide



# River Pines Public Utility District Bylaws

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RPPUD Existing System Maps KASL page 1

DRAFT

- References – see supporting documents in reference guide

# River Pines Public Utility District Bylaws

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RPPUD Existing System Maps KASL page 2

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# River Pines Public Utility District Bylaws

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## APPENDIX C - Article V - Order of Business

Based on a full agenda at a regularly scheduled meeting, the order of business will be as follows:

- a. Call to order
- b. Roll Call
- c. Pledge of Allegiance
- d. Seating of newly Appointed District Board Members, when this applies
- e. Agenda, approval for this date
- f. Closed Meeting inform public of discussion, when this applies
- g. Public Comment for Matters not on the Agenda
- h. Election of Officers, when this applies
- i. Resolution to Elect Officers, when this applies
- j. Minutes: Discussion and Approval
- k. Monthly Financial Reports
- l. Expenditure Report
- m. Monthly Operations Reports – any matter requiring formal actions will be placed on an upcoming agenda for consideration
  - i. Monthly Water and Wastewater Report
  - ii. Monthly General Manager’s Report
- n. Board Matters – Items requiring review, discussion and possible action
- o. Board of Directors Comments and Reports – Discussion Only
- p. Committee Comments and Reports
- q. Future Agenda Topics – opportunity for Board Members and staff to request items be placed on future agendas.
- r. Adjournment



**RIVER PINES  
PUBLIC UTILITY  
DISTRICT  
WIP – BYLAWS**

INCLUDING formation of district as well as suggested guidelines and supporting documents for:

CSDA – Laws Governing Special Districts

Formation of District

Ca Fair Political Practices Commission

California Government Codes

Constitution of California

The Constitution of the United States