

## **ITEM #5.A**

*A Resolution of the Board of Directors of the Del Paso Manor Water District and on behalf of Commissions and Committees created by the Board of Directors pursuant to Government Code section 54952(b) authorizing the Board's continued use of teleconference meetings in compliance with Assembly Bill 361 to continue to allow members of the public to safely participate in local government meetings.*

**RESOLUTION NO. 22-1205-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DEL PASO MANOR WATER DISTRICT RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S ORDER DATED MARCH 4, 2020 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF DEL PASO MANOR WATER DISTRICT PURSUANT TO BROWN ACT PROVISIONS.**

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**RECITALS**

WHEREAS, the Del Paso Manor Water District ("DPMWD") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of DPMWD legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq., so that any member of the public may attend, participate, and watch DPMWD's legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, Government Code section 54953(e)(1) provides a legislative body may meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558 and either (i) state or local officials have imposed or recommended measures to promote social distancing, (ii) the legislative body meets to determine by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (iii) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, a legislative body's decision to meet pursuant to Section 54953(e) must be reevaluated and renewed at least every thirty (30) days and, in that time, the body must reconsider the circumstances of the state of emergency and find either (i) a state of emergency remains active and continues to directly impact the ability of the members to meet safely in person or (ii) state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency pertaining to the threat to human health and safety posed by the COVID-19 virus pandemic and that proclamation remains in effect to this day statewide; and

WHEREAS, the virus has short- and long-term effects – fever and chills, cough, shortness of breath and difficulty breathing, fatigue, headache, nausea, vomiting, gastrointestinal issues, loss of taste and smell, death – and its prolific spread is severely impacting the health care system, inhibiting access to care for COVID-19 symptoms and other ailments; and

WHEREAS, while being vaccinated significantly decreases the likelihood of contracting or dying from the virus, vaccinated and unvaccinated people alike can carry, transmit, and be affected by the virus; and

WHEREAS, the COVID-19 virus, and its variants, is spread through the air when a person who is carrying the virus, whether he or she is showing symptoms or not, is in close proximity to another person; and

WHEREAS, while the COVID-19 virus remains present in the community, allowing members of the DPMWD's legislative bodies and members of the public to meet in person continues to present an imminent risk to attendee health and safety beyond the control of DPMWD services, personnel, equipment, and facilities; and

WHEREAS, pursuant to Government Code section 8635 et seq., the Board has the authority during a state of emergency to take all actions necessary to perform its functions in the preservation of law and order, preservation of the furnishing of local services, and protection of life and property, which includes the authority to direct meetings of all DPMWD legislative bodies to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Board adopted Resolution No. 2021-07-12 on December 7, 2021, finding that the requisite conditions exist for DPMWD legislative bodies to hold meetings via teleconference pursuant to Government Code section 54953(e) and without compliance with Section 54953(b)(3); and

WHEREAS, the Board has reconsidered the circumstances of the state of emergency issued by the Governor, does hereby find emergency conditions persist in DPMWD's service area that directly impact the ability of meeting attendees members to meet safely in person, and desires for DPMWD legislative bodies to continue to meet pursuant to Government Code section 54953(e); and

WHEREAS, the Board does hereby find that DPMWD legislative bodies shall conduct their meetings pursuant to Government Code section 54953(e) by offering all meeting attendees access and an opportunity to comment via a teleconference and/or video conference option; and

WHEREAS, DPMWD has taken and is taking measures to ensure public access and opportunity to offer public comment, including by providing teleconference and/or video conferencing access to members of the public for all meetings of DPMWD legislative bodies.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF DEL PASO MANOR WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Emergency. The Board hereby proclaims that a state of emergency continues to exist throughout the DPMWD operating area.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020, and applicable statewide.

Section 4. Remote Teleconference Meetings. The staff and legislative bodies of Del Paso Manor Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from its effective date, (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Del Paso Manor water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953, or (iii) the Board acts to rescind this Resolution.

I certify that the foregoing Resolution was adopted by the Board of Directors of the Del Paso Water District at a regular meeting held on the 5th day of December 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Ryan Saunders, President  
Board of Directors

ATTEST:

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Alan Gardner, General Manager

**ITEM #5.B**

*Approval of Minutes of the November 07, 2022 Regular Meeting*



**REGULAR MEETING OF THE BOARD OF DIRECTORS  
DEL PASO MANOR WATER DISTRICT**

**DRAFT MINUTES**

**November 07, 2022 6:00 PM  
1817 Maryal Drive, Suite 300, Sacramento 95864**

**1. CALL TO ORDER:**

President Saunders called the meeting to order at 6:00 p.m.

**2. ROLL CALL:**

Directors Present: President Ryan Saunders, Carl Dolk, Osmar Macias, Bob Matteoli and Gwynne Pratt

Staff Present: General Manager Alan Gardner  
Office Manager Victoria Hoppe  
Field Manager Mike Jenner  
General Counsel Mona Ebrahimi

A quorum of the Board was present.

**3. ADOPTION OF AGENDA:** Members may pull an item from the agenda.

Director Matteoli requested Item 10 Closed Session be moved to be heard after Item 13. Unanimous consent was met.

Director Pratt made a motion to adopt the agenda, as amended. The motion was seconded by Director Dolk. The agenda was adopted on a 5 Yes/0 No roll call vote.

**4. PUBLIC COMMENTS:** The Board of Directors welcomes participation at these meetings. Matters under the jurisdiction of the Board that are not posted on the agenda may be addressed by the public, California law prohibits the Board from acting on any matter which is not on the posted agenda, unless the members determines that it is an emergency or other situation specified in Government Code Section 54954.2. Public comments are limited to five (5) minutes per individual. Please make your comments directly to the DPMWD Chair. Comments will be accepted via teleconference and in writing.

(0:06 minutes)

President Saunders called for public comment.

Roy Wilson spoke regarding credit card usage and receipts of rewards.

Trish Harrington spoke regarding Well #2, Renne, and employee certifications.

Seeing no further comment, President Saunders closed public comment.

**5. CONSENT CALENDAR:** All items under Consent Calendar will be considered together by one action of the Board, any Member or members of the public may request that an item be removed and considered separately.

(0:12 minutes)

A request was made for Item 5.C to be discussed and considered separately.

**Item 5.A: A Resolution of the Board of Directors of the Del Paso Manor Water District and on behalf of Commissions and Committees created by the Board of Directors pursuant to Government Code section 54952(b) authorizing the Board's continued use of teleconference meetings in compliance with Assembly Bill 361 to continue to allow members of the public to safely participate in local government meetings.**

**Item 5.B: Approval of Minutes of the October 03, 2022 Regular Meeting**

Director Pratt made a motion to adopt Consent Calendar Items 5.A and 5.B. The motion was seconded by Director Matteoli. The motion was approved on a 5 Yes/0 No roll call vote.

**Item 5.C: Approval of Warrants and Payroll**

(0:15 minutes)

Board inquired about the finances regarding the 2x2 Committee, Prop 218, and Kings Way expenses. General Manager Gardner and Field Manager Jenner fielded inquiries from the Board.

President Saunders called for public comment.

Trish Harrington inquired on presented material.

Roy Wilson inquired on presented material.

Seeing no further comment, President Saunders closed public comment.

Staff fielded public inquiries.

Director Pratt made a motion to adopt Consent Calendar Item 5.C. The motion was seconded by Director Macias. The motion was approved on a 5 Yes/0 No roll call vote.

**6. PUBLIC HEARING:**

There were no Public Hearing items to consider.

**7. OLD BUSINESS:**

There were no Old Business items to consider.

**8. NEW BUSINESS:**

**Item 8.A: 2x2 Committee Update on Potential Merger with Sacramento Suburban Water District ("SSWD") and Presentation from Local Area Formation Commission (LAFCo) Executive Director on LAFCo process**

(0:31 minutes)

President Saunders and Carl Dolk provided an update on the 2x2 Committee discussions and summarized the staff report.

LAFCo Executive Officer Jose Henriquez reported on the process of a combination, accompanied by a PowerPoint.

Sacramento Suburban Water District General Manager Dan York provided an update on the 2x2 Committee discussions.

Director Matteoli expressed concern for the process which had occurred to date and expectation of future proceedings. He requested clarification on what was being requested of the Board. General Counsel provided clarification on the action requested from the Board.

Directors asked questions and staff fielded questions.

President Saunders called for public comment.

Trish Harrington spoke on the Prop 218 process and inquired when public discussions would commence.

Roy Wilson spoke to Prop 218 and combination process.

Carol Rose spoke to the process, inquired about the rate study, and suggested finding all facts before making a decision.

Seeing no further comment, President Saunders closed the public comment.

Discussion commenced amongst the Directors and questions were fielded.

Director Pratt made a motion to continue 2x2 Committee discussions and data gathering. The motion was seconded by Director Macias. The motion was approved on a 4 Yes/1 No (Matteoli) roll call vote.

**Item 8.B: Request to Surplus a 2009 Ford Half Ton Pickup Truck**

(2:25 minutes)

General Manager Gardner presented the staff report. Staff fielded questions from the Board.

President Saunders called for public comment.

Roy Wilson spoke against the resolution.

Seeing no further comment, President Saunders closed public comment.



Director Dolk made a motion to approve Resolution No. 22-1107-02. The motion was seconded by Director Pratt. The motion was approved on a 5 Yes/0 No roll call vote.

**Item 8.C: Request to Surplus a Defunct Tier 1 Generator**  
(2:37 minutes)

General Manager Gardner presented the staff report.

Directors expressed concern regarding obtaining fair market value and information provided in the staff report.

President Saunders called for public comment.

Roger Nelson spoke to the history of the purchase and use of the generator.

Seeing no further comment, President Saunders closed the public comment.

General Counsel stated there would be a 1090 conflict selling the generator to Keith Rose. She suggested striking the seventh Whereas and third Recital, which would surplus the property and allow for bids for sale to be collected.

Director Dolk made a motion to approve Resolution No. 22-1107-03, striking the seventh Whereas and third Rectal. The motion was seconded by Director Pratt. The motion was approved on a 5 Yes/0 No roll call vote.

**Item 8.D: Request to Surplus Disused Wooden Sides and Bed Trailer**  
(3:15 minutes)

General Manager Gardner presented the staff report.

Director Macias disconnected from the meeting at 9:22 p.m.

President Saunders called for public comment.

Roger Nelson spoke to the history of the purchase and use of the trailer.

Seeing no further comment, President Saunders closed the public comment.

Director Macias rejoined the meeting at 9:25 p.m.

Director Pratt made a motion to approve Resolution No. 22-1107-04. The motion was seconded by Director Dolk. The motion was approved on a 5 Yes/0 No roll call vote.

**9. FIELD REPORT:** Verbal report

**Item 9.A: Field Report on Current and Upcoming Project**  
(3:26 minutes)

Field Manager Mike Jenner provided a field report and fielded questions from the Directors.

President Saunders called for public comment. Seeing no one come forward, he closed the public comment.

**10. CLOSED SESSION:**

**Item 10.A: Public Employee Performance Evaluation pursuant to Gov. Code section 54957(b)(1); General Manager**

*This item was heard out of order and tabled to be heard after item 13.*

**11. GENERAL MANAGERS COMMENTS:** Verbal report

**Item 11.A: Update on District Security**

(3:33 minutes)

General Manager Gardner provided an update on District security and general District matters. He fielded questions from the Directors.

President Saunders called for public comment. Seeing no one come forward, he closed the public comment.

**12. DIRECTORS COMMENTS:** Verbal information, non-action comments.

(3:46 minutes)

Director Macias announced this would be his last meeting, thanked everyone for their support and service to the community, and extended an offer to stay in touch. Directors thanked Director Macias for his service and noted his significant contributions in keeping the District viable.

Director Pratt provided an update on the Water Caucus.

President Saunders called for public comment. Seeing no one come forward, he closed the public comment.

**13. FUTURE AGENDA REQUESTS:** Directors can suggest topics they would like on future agendas

(3:54 minutes)

Director Matteoli requested updates from Bartell regarding Well #2 and Prop 218 process, discussion regarding health benefits and cost of living adjustment for retirees and future retirees, update from Renne, budget adjustment to increase employee training funding, and SB 552 analysis. Support was given for all matters to be on a future agenda.

**10. CLOSED SESSION:**

**Item 10.A: Public Employee Performance Evaluation pursuant to Gov. Code section 54957(b)(1); General Manager**

(4:10 minutes)

*This item was heard out of order.*

President Saunders called for public testimony. Seeing no one come forward, he closed the public comment.

President Saunders suggested this item be postponed to a special meeting. Seeing no objections, a special meeting was to be called regarding this matter on Thursday, November 10, at 3:15 p.m.

**14. ADJOURNMENT:** Next Regular Board of Directors meeting is scheduled for November 21st, 2022

Director Pratt made a motion to adjourn. Director Matteoli seconded the motion. There being no further business, the Board of Directors meeting adjourned at 10:22 p.m.

APPROVAL:

ATTEST:

\_\_\_\_\_  
Ryan Saunders, President of the Board

\_\_\_\_\_  
Norma I. Alley, MMC, Clerk of the Board

## **ITEM #5.C**

*Approval of Warrants and Payroll*

**Del Paso Manor Water District**  
**VENDORS PAID / APPROVED - NOVEMBER 2022**

VENDORS NAME	DESCRIPTION	CIP	AMOUNT	CHECK #
ACWA JPIA	Health		\$502.78	10481
ADP	Payroll		\$21,246.82	EFT
ADP Taxes	Payroll Taxes		\$10,430.45	EFT
American Water Works Association (AWWA)	Annual membership (01/2023 - 12/2023)		\$487.00	10482
Appletree Answers	Answering service		\$480.96	CC
Aqua Sierra Controls, Inc.	Troubleshoot SCADA Access		\$500.00	10483
AT&T	Internet; Phone/Fax		\$69.55	CC
AT&T	Phone		\$252.45	CC
AT&T	Phone		\$210.56	CC
AT&T Mobility	Cell Phones; iPads		\$411.44	CC
Bartle Wells Associates	Services Rendered Thru September 2022		\$1,497.00	10484
BSK	Labs		\$158.00	10502
CalPers	Employee Contribution - Pepra		\$4,089.80	EFT
CalPers	Health		\$12,169.77	EFT
CalPers	Unfunded Liability - Classic		\$6,243.83	EFT
CalPers	Unfunded Liability - Pepra		\$12.25	EFT
DEX.YP	Yellow Pages		\$15.50	CC
Emigh Hardware	Material/Supplies		\$412.46	10485
Flowline Contractors, Inc.	Leak Repair - 3936 Kings Way		\$3,063.00	10486
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (On-Call Services FY 22/23)		\$5,156.25	10487
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (Planning Support)		\$2,895.00	10487
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (2x2 Support)		\$13,832.50	10487
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (Prop 218 Support)		\$10,347.50	10487
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (Well 2 Planning)		\$1,703.75	10487
Forsgren Associates, Inc.	Services Rendered Thru 09/26/2022 (Well 9 Planning)		\$1,416.25	10487
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (On-Call Services FY 22/23)		\$5,520.00	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (Planning Support)		\$2,736.25	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (2x2 Support)		\$8,821.41	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (Prop 218 Support)		\$5,340.00	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (Wide Env. Site Assessment)		\$1,743.75	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (Well 2 Planning)		\$3,533.75	10503
Forsgren Associates, Inc.	Services Rendered Thru 10/26/2022 (Well 9 Planning)		\$3,298.37	10503
HydroPro Solutions	Intertie Meter		\$5,917.38	10488
Kronick, Moskovitz, Tiedemann & Girard	Services Rendered Through September 2022		\$23,814.87	10489
Kronick, Moskovitz, Tiedemann & Girard	Services Rendered Through August 2022		\$22.48	10504
Leaf	Photocopy Machine Lease		\$124.11	10505
Legacy Cleaning Services	Maryal office		\$160.00	CC
MailRite	Billing Mailhouse (Sept./Oct. 2022 Flat Rate & Insert)		\$1,728.64	10490
Mozingo Construction, Inc.	Refund for Hydrant Use Permit/Fees		\$857.70	10506

**Del Paso Manor Water District  
VENDORS PAID / APPROVED - NOVEMBER 2022**

Munibilling	Heartland Return Fee (October 2022)		\$10.00	10507
NDS Print and Promotions	Conservation Irrigation Screwdrivers		\$765.10	10491
PG&E	Gas		\$8.32	CC
Regional Government Services (RGS)	September 2022 Clerk Services		\$1,374.75	10492
Regional Government Services (RGS)	October 2022 Clerk Services		\$1,170.00	10508
Renne Public Law Group	October 2022 Monthly Retainer		\$3,000.00	10509
Regional Water Authority (RWA)	Annual Dues (2022-2023)		\$3,341.00	10493
Robert Merritt	CPA - Services Rendered Through October 2022		\$1,092.50	10510
Sacramento Suburban Water District (SSWD)	Mutual Aid Agreement (09/01/2022 - 09/30/2022)		\$278.21	10511
Sacramento Suburban Water District (SSWD)	Mutual Aid Agreement (10/01/2022 - 10/31/2022)		\$3,357.33	10511
Sierra Chemical Company	Chemicals		\$452.16	10494
Sierra Chemical Company	Chemicals		\$263.76	10512
Sierra Chemical Company	Chemicals		\$301.44	10512
Smud	Account# 6190159		\$3,801.18	CC
* Smud	Account# 6190160		\$4,078.29	CC
Smud	Account# 7000000179		\$7,527.69	10501
Streamline	Website		\$200.00	CC
TAK Communications, Inc.	3916 Lasuen Drive		\$2,762.60	10495
Terrapin Technology Group	Software / Computers		\$315.10	10513
Uinta Holdings, LLC	December 2022 Rent		\$2,450.00	10496
Umpqua Bank	District Credit Card		\$8,848.63	10497
USA BlueBook	Well Parts (4268 Stock)		\$280.04	10498
USA BlueBook	Well Parts (4268 Stock)		\$272.82	10498
USA BlueBook	Well Parts (4268 Stock)		\$780.92	10498
VOYA	October Emp. Contribution		\$400.00	10499
Wex Bank	Gas		\$340.75	10500
Wizix Technology Group, Inc.	Photocopy Machine		\$84.74	CC
<b>MONTHLY TOTAL-----&gt;</b>			<b>\$0.00</b>	<b>\$208,780.91</b>

\* SMUD payment was made to allow the accounts to combine into a single account

Approved at 11/07/2022 Regular Meeting

Approved at 11/21/2022/2022 Regular Meeting

**TOTAL CHECKS ISSUED: 33**

**PAID VIA CREDIT CARD (CC): 22**

**PAID VIA ELECTRONIC FUNDS TRANSFER (EFT): 6**

**\* DISTRICT FILES INCLUDES INVOICES BEHIND CREDIT CARD BILL WHICH ARE AVAILABLE FOR REVIEW AT THE DISTRICT OFFICE**

Del Paso Manor Water District  
VENDORS PAID / APPROVED - NOVEMBER 2022

UMPQA DISTRICT CREDIT CARD - PAID NOVEMBER 2022					
VENDORS NAME	DESCRIPTION	AMOUNT	PAID DATE	ACCT. / INV. #	
Adobe	Office Supplies	239.88	11/17/2022	Office Supplies	
Amazon	Office Supplies	24.54	11/15/2022	Office Supplies	
Amazon	Office Supplies	259.98	11/15/2022	Office Supplies	
Amazon	Office Supplies	63.09	11/15/2022	Office Supplies	
Amazon	REFUND - Office Supplies	-115.04	11/17/2022	REFUND - Office Supplies	
Appletree Answers	Answering service	480.96	11/9/2022	Answering service	
AT&T	Phone	\$252.45	11/9/2022	Phone	
AT&T	Phone	\$210.56	11/9/2022	Phone	
AT&T	Internet; Phone/Fax	69.55	11/21/2022	Internet; Phone/Fax	
AT&T	Cell Phones; iPads	411.44		Cell Phones; iPads	
Best Buy	Office Supplies	13.99	11/11/2022	Office Supplies	
Costco	Office Supplies	27.99	11/23/2022	Coffee	
DEX.YP	Yellow Pages	15.50	11/9/2022	Yellow Pages	
Harbor Freight	4268 Stock	48.47	11/7/2022	4268 Stock	
Home Depot	4268 Stock	72.13	11/9/2022	4268 Stock	
Legacy Cleaning Services	Maryal office	160.00	11/9/2022	Maryal office	
McAfee	Office Supplies	89.99	11/15/2022	Office Supplies	
McAfee	REFUND - Office Supplies	-89.99	11/23/2022	REFUND - Office Supplies	
metaldetector.com	4268 Stock	61.71	11/7/2022	4268 Stock	
Office of Water Programs	Course Manual	166.98	11/22/2022	Course Manual	
PG&E	Gas	9.67	11/1/2022	Account# 2640798600-4	
Signs Now	No Trespassing Signs for Well 6B	185.39	10/28/2022	No Trespassing Signs for Well 6B	
Smart Sign	Well Site Safety Signs	124.45	11/2/2022	Well Site Safety Signs	
Smud	Account# 6190159	\$3,801.18	11/9/2022	Cloud Recording	
* Smud	Account# 6190160	\$4,078.29	11/29/2022	Account# 6190160	
Streamline	Website	200.00	11/9/2022	Website	
Wizix Technology Group, Inc.	Photocopy Machine	\$84.74	11/9/2022	Photocopy Machine	
Zoom	Cloud Recording & Annual Dues	1,719.80	11/4/2022	Cloud Recording	

**12,667.70**

\* SMUD payment was made to allow the accounts to combine into a single account

**Del Paso Manor Water District  
DECEMBER 2022 VENDORS FOR APPROVAL**

<b>VENDORS NAME</b>	<b>DESCRIPTION</b>	<b>CIP</b>	<b>AMOUNT</b>	<b>CHECK #</b>
Association of California Water Agencies (ACWA)	2023 Annual Agency Dues		\$9,735.00	
AT&T	Internet; Phone/Fax		\$69.55	
AT&T	Phone		\$281.55	
Bartle Wells Associates	Services Rendered Thru October 2022		\$2,811.00	
Bienati Consulting Group, Inc.	Salary and Staffing Survey		\$10,000.00	
California Special Districts Association (CSDA)	2023 Membership Renewal		\$8,211.00	
CalPers	Employee Contribution - Pepra		\$4,159.55	
CalPers	Health		\$12,169.77	
CalPers	Unfunded Liability - Classic		\$6,243.83	
CalPers	Unfunded Liability - Pepra		\$12.25	
CTA Engineering & Surveying	Well 7 Survey		\$995.48	
DEX.YP	Yellow Pages		\$15.50	
Flowline Contractors, Inc.	Leak Repair - 2568 Borica Way		\$1,076.00	
Kronick, Moskovitz, Tiedemann & Girard	Services Rendered Through October		\$29,889.09	
Legacy Cleaning Services	Maryal office		\$160.00	
PG&E	Gas		\$8.88	
Sacramento County Utilities	Utilities		\$218.54	
Sierra Chemical Company	Chemicals		\$226.08	
Smud	Account# 7000000179		\$4,603.75	
Streamline	Website		\$200.00	
Uinta Holdings, LLC	January 2023 Rent		\$2,570.00	
Umpqua Bank	District Credit Card		\$12,667.70	
USA BlueBook	Well Parts		\$235.93	
USA BlueBook	Well Parts		\$95.56	
VOYA	November Emp. Contribution		\$400.00	
Wex Bank	Gas		\$497.07	
Wizix Technology Group, Inc.	Photocopy Machine		\$130.40	
<b>MONTHLY TOTAL-----&gt;</b>			<b>\$0.00</b>	<b>\$107,683.48</b>

**Approved at 12/05/2022 Regular Meeting**

**TOTAL CHECKS ISSUED:**

**PAID VIA CREDIT CARD (CC):**

**PAID VIA ELECTRONIC FUNDS TRANSFER (EFT):**

**\* DISTRICT FILES INCLUDES INVOICES BEHIND CREDIT CARD BILL WHICH ARE AVAILABLE FOR REVIEW AT THE DISTRICT OFFICE**



**Del Paso Manor Water District  
BOD Compensation Expense Summary  
NOVEMBER 2022**

NOVEMBER 2022 MEETINGS		DOLK	MACIAS	MATTEOLI	PRATT	SAUNDERS
	<b>Board Meetings</b>					
11/7/2022	DPMWD - Regular Board Meeting	1	1	1	1	1
11/10/2022	DPMWD - Special Board Meeting	1	1	1	1	1
11/21/2022	DPMWD - Regular Board Meeting	1	1	1	1	1
	DPMWD - Emergency Board Meeting					
	<b>ADHOC Committee Meetings</b>					
	Finance Standing Committee Meeting					
	Succession Planning Committee					
	Director Compensation Committee Meeting					
	SSWD / DPMWD 2X2 Committee					
	General Manager Evaluation Committee					
	General Counsel Review Committee					
10/31/2022	LAFCo 2x2 Meeting					1
	<b>Other Meetings</b>					
	American Water Works Association (AWWA)					
	Association of California Water Agencies (ACWA)					
	Attorney Meeting					
	California Rural Water Authority (CRWA)					
	California Special District's Association (CSDA)					
	DPMWD - AB1234 Ethics Training					
	Regional Water Authority (RWA)					
	Sacramento Groundwater Authority (SGA)					
	Sacramento Suburban Water District (SSWD)					
	Sexual Harassment Prevention Training (AB1825)					
11/2/2022 & 11/07/2022	Water Forum				2	
	<b>November Monthly Meeting Totals</b>					
	TOTAL MEETINGS	3	3	3	5	4
	TOTAL COMPENSATED MEETINGS	3	3	3	5	4
	TOTAL COMPENSATION	\$300	\$300	\$300	\$500	\$400

## **ITEM #5.D**

*Informational Item: Return to In-Person Meetings in 2023*

**DEL PASO MANOR WATER DISTRICT**  
**REGULAR BOARD MEETING**

**DATE: December 5, 2022**

**Item: 5.D**

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**SUBJECT: Return to In-Person Board Meetings in 2023**

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**CONTACT:**

Mona Ebrahimi, General Counsel

**EXECUTIVE SUMMARY**

Following the Governor's rescission of the COVID-19 State of Emergency, effective February 28, 2023, all Del Paso Manor Water District (DPMWD or District) board meetings will need to be in-person, unless a board member participates by teleconference.

**BACKGROUND:**

As a result of the COVID-19 pandemic, the California Legislature passed Assembly Bill 361 to allow for streamlined teleconferencing under the Brown Act during times of local emergency. AB 361 virtual meetings by the whole of a public agency are only allowed during a state of emergency declared by the Governor. The District has been holding its board meetings virtually since that time.

On September 13, 2021, the Governor indicated he will be rescinding the COVID-19 State of Emergency declaration, effective on February 28, 2023. As a result, starting on March 1, 2023, the Board of Directors are required to meet according to the standard Brown Act Rules that require in-person attendance unless specific guidelines are met to allow remote participation. Additionally, a majority of the legislative body must participate in person. The following provide the two options for a Board member to participate remotely. Note that staff and the public are not subject to the Brown Act. If the District continues to allow a remote option, they are able to participate in person or by zoom.

**Government Code section 54953(b) (Traditional Teleconferencing)**

Under this approach, which was an option even before the COVID-19 pandemic, participation may occur by telephone or Zoom. If this option is utilized then:

- All votes taken at the meeting must be by roll call;
- A copy of the agenda must be posted at the teleconference location;
- The teleconference location, and the member participating by teleconference, must be identified on the agenda and at least 72 hours before a regular meeting or 24 hours before a special meeting;

- The location must be stationary (cannot participate from a moving vehicle) and be open to the public.

### **Assembly Bill 2449 (Teleconferencing During Emergency Situations)**

Because it is still possible for members of a legislative body to contract COVID-19 or other contagious diseases, the Legislature adopted AB 2449 to allow virtual participation by that impacted member. However, this legislation was made generally applicable beyond COVID-19 before it was adopted, and applies to other emergencies, as defined.

AB 2449 allows a member of a legislative body to attend meetings remotely without having to identify and open up their teleconference location to the public, under the following circumstances:

- The legislative body member has “just cause” or faces “emergency circumstances” that require them to attend remotely.
  - “Just cause” includes any of the following: (1) childcare or caregiving of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely, (2) a contagious illness that prevents them from attending in person, (3) a need related to a disability not otherwise accommodated, or (4) travel while on official business of the legislative body or another state or local agency.
- The member must notify the legislative body of their need to participate remotely as soon as possible and provide the legislative body a general description of the circumstances relating to their need to appear remotely.
- “Just cause” cannot be used by an official for more than 2 meetings per calendar year.

AB 2449 defines “emergency circumstances” as a physical or family medical emergency that prevents a member from attending in person. To qualify for this exception:

- The member must request the legislative body allow them to participate remotely due to emergency circumstances as soon as possible and the legislative body must take action to approve that request. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action by majority vote on the emergency circumstances request at the beginning of the meeting;
- The legislative body shall request a general description of the circumstances relating to the member’s need to appear remotely at the given meeting. This description need not exceed 20 words and must not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law.

If a member of a legislative body attends a public meeting remotely, he or she must participate through both audio and visual technology, and, when action is being taken on an item, they must publicly disclose if someone over the age of 18 is in the room with them and their general relationship to that person.

The District already adopted a policy stating that Board members who participate virtually must use both audio and video, so this requirement will not be new.

## **ITEM #8.A**

*Acceptance of the Results of the Del Paso Manor Water District Board of Directors Election held November 8, 2022 and Providing the Oath of Office to swear in David Ross as Board Member*

**DEL PASO MANOR WATER DISTRICT**

**REGULAR BOARD MEETING**

**DATE: December 05, 2022**

**Item: 8.A**

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**SUBJECT: Acceptance of the Results of the Del Paso Manor Water District Board of Directors Election held November 8, 2022 and Providing the Oath of Office to swear in David Ross as Board Member**

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**CONTACT:**

Alan Gardner, General Manager

**ACCEPTING THE RESULTS OF THE UNCONTESTED ELECTION FOR BOARD MEMBERSHIP ON NOVEMBER 8, 2022**

Sacramento County held elections on November 8, 2022 for a variety of local offices, including that of the District Board of Directors. Only one candidate, David Ross, stood for election to the District Board of Directors. As there was only one candidate running, the election was forwent pursuant to state law, with David Ross deemed to have won the seat for which he stood. Accordingly, the Board must accept the election results in order to move forward with the process of seating David Ross to the Board of Directors.

**SWEARING IN OF DAVID ROSS TO THE BOARD OF DIRECTORS**

Pursuant to state elections law, a new seating of a vacant seat can take place any time after an open election is held. As such, staff has prepared for the Oath of Office to swear in David Ross as a member of the District Board of Directors.

**RECOMMENDATION:**

Adopt Resolution No. 22-1205-02, accepting the results of the November 8, 2022 Election for the District Board and Swearing in David Ross as a Member of the Board of Directors of Del Paso Manor Water District by providing the Oath of Office.

**ATTACHMENTS**

1. Resolution 22-1205-02

**ENVIRONMENTAL CONSIDERATIONS**

The consideration and approval of the above resolution is not a project for purposes of CEQA.

**RESOLUTION NO. 22-1205-02**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
DEL PASO MANOR WATER DISTRICT  
ACCEPTING THE RESULTS OF THE NOVEMBER 8, 2022 ELECTION AND SWEARING IN  
DAVID ROSS TO THE DEL PASO MANOR WATER DISTRICT BOARD OF DIRECTORS**

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**WHEREAS**, the County of Sacramento held elections on November 8, 2022 for local government offices, including the Del Paso Manor Water District ("District") Board of Directors ("Board"); and,

**WHEREAS**, pursuant to state law, when one candidate runs unopposed for the Board of Directors of a California Special District, that election can be forgone, with that candidate deemed to have been victorious; and

**WHEREAS**, Director Osmar Macias is vacating his seat; and,

**WHEREAS**, the Board has important business that requires active and complete participation of the Board; and,

**WHEREAS**, only one candidate, David Ross, stood for election to fill Director Macias's vacant seat; and,

**WHEREAS**, David Ross previously interviewed for an appointment to the Board, meets all qualifications, and remains available to engage in all the responsibilities of Board Membership;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DEL PASO MANOR WATER DISTRICT:**

1. The Board of Directors does hereby find that the foregoing recitals are true and correct and hereby incorporates them into its findings.

2. The Board of Directors does hereby accept the results of the November 8, 2022 Del Paso Manor Board of Directors Election.

3. The Board of Directors does hereby accept David Ross as the next member of the Board of Directors, once he has sworn into office.

I certify that the foregoing Resolution was adopted by the Board of Directors of the Del Paso Manor Water District at a Meeting held on the 5th day of December 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Ryan Saunders, President  
Board of Directors

ATTEST:

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Alan Gardner, General Manager

## **ITEM #9.A**

*Field Report on Current and Upcoming Project*





## DEL PASO MANOR WATER DISTRICT REGULAR BOARD MEETING FIELD REPORT

**MEETING DATE: December 05, 2022**

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### **AGENDA ITEM 9.A:**

Leaks: We had no mainline leak in the month of November 2 service line leaks

Complaints: We had no complaints in the month of November

Water Waste: We had 9 calls for water waste in the month of November.

### Field Work:

1. 48 USA's marked
2. Monthly Coliform Report all samples absent
3. We are attempting to locate a curb stop for customer
4. SCADA upgrade is complete but we are working out a few bugs
5. Eastern Avenue intertie is operational, but we are waiting on final parts
6. Marconi/ Becerra intertie has been partially prepped

### Current and Upcoming Projects:

1. Repair a leaking curb stop
2. Schedule replacement of 3 non-working meters at Kensington Apts.
3. Install main line valves for prep for Watt Avenue interties

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**FIELD STAFF RESPONSIBLE FOR REPORT: Mike Jenner, Field Manager  
12/05/2022**