



## El Dorado County Water Agency

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# MEETING AGENDA

### El Dorado County Water Agency Board of Directors

4330 Golden Center Drive, Suite C  
Placerville, California 95667

Brian Veerkamp, Chair, Board of Supervisors  
Shiva Frentzen, First Vice Chair, Board of Supervisors  
Lori Parlin, Second Vice Chair, Board of Supervisors  
Kelly Sheehan, South Tahoe P.U.D.  
Dane Wadle, Georgetown Divide Public Utility District

Kenneth V. Payne, P.E., General Manager  
Julianne van Leeuwen, Board Clerk

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Wednesday, June 10, 2020

10:00 a.m.

**VIRTUALLY – See Below**

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Mission Statement  
*“Ensure El Dorado County has  
adequate water for today and in the future.”*

Agendas, Supplemental Materials and Minutes of the Board of Directors are available on the internet at:  
<http://www.edcgov.us/water>

**PUBLIC PARTICIPATION INSTRUCTIONS:** In accordance with the California Department of Public Health’s and the Governor’s Executive Orders N-29-20 and N-33-20, the Agency’s boardroom is closed and this meeting will take place solely by videoconference and teleconference. The public is invited to listen, observe, and provide comments during the meeting by either method provided below.

By participating in this meeting, you acknowledge that you are being recorded.

Meeting number: 126 726 2745

Password: DjpZBGT3t24 (35792483 from phones and video systems)

<https://eldoradocountywateragency.my.webex.com/eldoradocountywateragency.my/j.php?MTID=m19252b19ec5da548c12148cd6a76d95b>

Join by video system

Dial [1267262745@webex.com](tel:1267262745)

You can also dial 173.243.2.68 and enter your meeting number (126 726 2745) .

Join by phone

+1-408-418-9388 United States Toll

Access code: 126 726 2745

To participate in the meeting via WebEx video chat on smartphone or tablet, download the “Cisco WebEx Meetings” app on your phone. Go into the app after the download is completed and click “Join Meeting.” The meeting number (access code) is: 126 726 2745. The meeting password is: DjzBGT3t24

If the public wishes to participate in the meeting on a desktop, please click on the link and click “join meeting” to watch the meeting in real time:

<https://eldoradocountywateragency.my.webex.com/eldoradocountywateragency.my/j.php?MTID=m19252b19ec5da548c12148cd6a76d95b>

If you are joining the meeting via WebEx and wish to make a comment on an item, move your mouse key over your name or number and you will have the option to “raise your hand.” If you are joining the meeting by phone, and wish to make a comment, staff will call you by your “call in user number.” Speakers will be limited to 3 minutes.

If you choose not to observe the El Dorado County Water Agency Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 4:00 p.m. on the Tuesday prior to the Board meeting. Please submit your comment to the Clerk of the Board at [julianne.vanleeuwen@edcgov.us](mailto:julianne.vanleeuwen@edcgov.us). Your comment will be placed into the record and forwarded to the Board of Directors.

The Clerk of the Board is here to assist you, please call 530-621-5392 if you need any assistance with the above directions to access the meeting.

**PROTOCOLS FOR PUBLIC COMMENT:** Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

Time for public input will be provided at every Board of Directors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

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## **CALL TO ORDER and ROLL CALL**

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

**OPEN FORUM:** Public comments during open forum are limited to three (3) minutes.

## **ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR**

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

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**CONSENT CALENDAR:** Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar.

1. **Approval of Minutes (Conformed Agenda) of the El Dorado County Water Agency (“EDCWA”) regular meeting, May 13, 2020.**  
**RECOMMENDED ACTION:** Staff recommends the Board receive and file the Conformed Agenda for May 13, 2020.
2. **Interim Warrant Register**  
**RECOMMENDED ACTION:** Staff recommends the Board receive and file the Interim Warrant Register for May 2020.
3. **Budget to Actual Report**  
**RECOMMENDED ACTION:** Staff recommends the Board receive and file the Budget to Actual Report for the period through May 30, 2020.
4. **Annual Investment Authority for FY 2020-2021**  
**RECOMMENDED ACTION:** Staff recommends the Board adopt Resolution WA-3-2020, which authorizes delegation of investment authority to the El Dorado County Treasurer/Tax Collector on behalf of the Water Agency effective July 1, 2020 through June 30, 2021, in accordance with the El Dorado County Investment Policy, as approved by the El Dorado County Board of Supervisors.

**END CONSENT CALENDAR**

**DISCUSSION CALENDAR:**

5. **Groundwater Management Plan Update**  
On September 15, 2016 the El Dorado County Water Agency (EDCWA) entered into a Memorandum of Understanding with the South Tahoe Public Utility District (STPUD) and, on June 14, 2017, EDCWA entered into an Amended and Restated Memorandum of Understanding with STPUD to cooperatively manage groundwater resources and to coordinate implementation of the Groundwater Management Act (Act), throughout the Tahoe South Subbasin (TVS Basin).  
**RECOMMENDED ACTION:** Staff recommends the board: 1) Authorize the Agency to enter into the Second Amended and Restated Memorandum of Understanding with South Tahoe Public Utility District to formalize the Agency’s and STPUD’s agreement to continue to cooperatively and sustainably manage groundwater resources within the Tahoe South Subbasin and to jointly implement the Department of Water Resources Approved Alternative in accordance with the Sustainable Groundwater Management Act; and 2) Authorize the Chairman’s signature on the Second Amended and Restated Memorandum of Understanding.
6. **Amendment No. 2 to Restated Agreement with Downey Brand LLP for Legal Services Related to Water Rights and Supply Matters**  
At the March 11, 2020 Board meeting, the Board approved an amendment to the restated agreement with Downey Brand to provide counsel on various water resources evaluations, studies and processes. This approval partially covered the

efforts to integrate into a cohesive strategy that supports the Agency's Strategic Plan, the 2019 Water Resources Development and Management Plan (WRDMP), and the EDWRP, including the pending water rights application.

**RECOMMENDED ACTION:** Staff recommends the Board: 1) Make the finding that entering into a Counsel approved amended Agreement with Downey Brand, LLP for legal services supports the Water Agency in carrying out its mission; 2) Approve the Amendment No. 2 for legal services with Downey Brand, LLP which increases the fiscal year 2019-2020 budget \$125,000 and sets a new total not-to-exceed amount at \$385,000 for services through June 30, 2020; and 3) Authorize the General Manager to execute the Amendment with Downey Brand, LLP in a form approved by the Agency's General Counsel.

**7. Water Agency Rebrand and Logo Development**

At the March 5 and May 13, 2020 meetings, staff presented alternatives for logo concepts for the El Dorado County Water Agency (Agency) to the Board for review and consideration. Comments were provided to staff by the Board and a Board member was selected to work with staff to further pursue the logo development. The Board requested staff return with updated concepts based on the comments. The Agency staff and Board member worked with its outreach contractor, Prosoio Communications, to update the logo concepts. Recommended logo concepts have now been determined and are being presented to the Board for approval.

**RECOMMENDED ACTION:** Staff recommends the Board: 1) Determine if the Agency may proceed with changing its public-facing (non-legal) name to El Dorado Water Agency; and 2) Approve final selection of the new logo for the Agency.

**8. Fiscal Year 2020/2021 (FY 2020/21) Recommended Budget Public Hearing and Adoption and Adoption of Personnel Allocations and Salary Schedule**

In accordance with Resolution WA-5-2012 staff brought the recommended budget for FY 2020/21 to the Board for its review on May 13, 2020. After the budget presentation, the Board approved the recommended budget as presented and set the public hearing to a date to be determined. The public hearing date was set and determined for June 10, 2020 and staff published a public notice in a general circulation newspaper at least 10 days prior to the public hearing.

**RECOMMENDED ACTION:** It is recommended that the Board: (1) Hold a public hearing for the Recommended Budget for Fiscal Year 2020/2021; (2) Adopt Resolution WA-4-2020, adopting the Recommended Budget and Reserve for Fiscal Year 2020/2021 with any revisions, reductions, or additions the Board deems necessary; (3) Authorize the Board Chair to sign any budget implementation paperwork required by the County of El Dorado; and (4) Adopt Resolution WA-5-2020, approving the personnel allocations and salary schedule.

**9. Authorize the General Manager to Execute the Appropriate Task Orders and Task Order Amendments with Consultants under Existing Master Services Agreements in a Form Acceptable to Legal Counsel; and Authorize the General Manager to Execute New Task Orders with the El Dorado County Ag in the Classroom, EN2 Resources and Strategy Driver Inc. in a Form Acceptable to Legal Counsel**  
Per the Water Agency's Purchasing Policy No. B-1005 (Section 3), once an Agreement or Task Order has reached the General Manager's fiscal signature authority or expires

at the closing of each fiscal year, Board approval is required for associated amendments or extensions. There are 32 Agreements/Task Orders that expire on June 30, 2020 and require Board approval for extensions of time and/or require Board approval because the task order amount exceeds the General Manager's signature authority. Additionally, there are 5 new Task Orders that exceeds the General Manager's signature authority and require Board approval.

**RECOMMENDED ACTION:** Staff recommends that the Board: A) Make a finding that contracting with Downey Brand LLP, El Dorado County Ag in the Classroom, EN2 Resources, Inc., Environmental Science Associates, Pro시오 Communications Inc., Russel Kahale Lial Branson dba Russ Branson Consulting, Russel Kyle Ericson dba MIMIR Environmental Consulting, Sloan Sakai Yeung & Wong LLP, Stantec Consulting Services, South Tahoe Public Utility District, Strategy Driver Inc, The Ferguson Group LLC and Western Hydrologics, LLP dba Western Hydrologic Consultant for services supports the Water Agency in carrying out its mission; and A) Approve the following amendments to existing Agreements or Task Orders as listed below:

1. Downey Brand LLP- set Agreement not-to-exceed at \$260,000 for fiscal year 2020-21;
2. EN2 Resources, Inc. Task Order A27: Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
3. EN2 Resources, Inc. Task Order No. A31: Amendment 07012020 extends term to June 30, 2021, increases budget \$25,000 and sets new total not-to- exceed at \$79,248;
4. EN2 Resources, Inc. Task Order No. A33: Amendment 07012020 extends term to June 30, 2021, increases budget \$10,000 and sets new total not-to-exceed at \$38,172;
5. EN2 Resources, Inc. Task Order No. A35: Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
6. EN2 Resources, Inc. Task Order No. A43: Amendment 07012020 extends term to June 30, 2021, increases budget \$40,000 and sets new total not-to-exceed at \$60,895;
7. EN2 Resources, Inc. Task Order No. A45: Amendment 07012020 extends term to June 30, 2021, increases budget \$15,000 and sets new total not-to-exceed at \$38,844;
8. Environmental Science Associates Task Order No. 1: Amendment 07012020 which extends the term to June 30, 2021 and sets the fiscal year 2020-21 not-to-exceed amount at \$785,208;
9. Environmental Science Associates Task Order No. 2: Amendment 07012020 which extends the term to June 30, 2021, increases the budget \$25,000 and sets a new total not-to-exceed amount at \$50,000;
10. The Ferguson Group LLC Renewal Scope of Services #2 which sets the retainer amount at \$4,000 per month with a total not-to-exceed amount of \$48,000 for services through June 30, 2021 with a \$2,000 not-to-exceed annual business expense for expenses through June 30, 2021;
11. The Ferguson Group LLC new proposed Scope of Services Letter Agreement #3 which sets the retainer amount at \$4,000 per month with a total not-to-exceed amount of \$48,000 for services through June 30, 2021 with a \$2,000 not-to-exceed annual business expense for expenses through June 30, 2021;
12. Pro시오 Communications, Inc. Task Order No. 1: Amendment 07012020 extends term to June 30, 2021, increases budget \$50,000 and sets new total not-to-exceed amount at \$200,000;
13. Pro시오 Communications, Inc. Task Order No. 2: Amendment 07012020 extends term to June 30, 2021, increases budget \$100,000 and sets a new total not-to-exceed amount at \$125,000;

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14. Russel Kahale Lial Branson dba Russ Branson Consulting Task Order No.1: Amendment 07012020 extends the term to June 30, 2021, increases the budget \$5,000 and sets a new total not-to-exceed at \$30,000;
  15. Russel Kyle Ericson dba MIMIR Environmental Consulting Task Order No. 1: Amendment 07012020 extends the term to June 30, 2021 no increase to the not-to-exceed;
  16. Russel Kyle Ericson dba MIMIR Environmental Consulting Task Order No. 2: Amendment 07012020 extends the term to June 30, 2021, increases budget \$20,000 and sets new total not-to-exceed amount at \$39,950;
  17. Russel Kyle Ericson dba MIMIR Environmental Consulting Task Order No. 8: Amendment 07012020 extends the term to June 30, 2021, increases budget \$15,000 and sets new total not-to-exceed amount at \$36,850;
  18. Russel Kyle Ericson dba MIMIR Environmental Consulting Task Order No. 9: Amendment 07012020 extends term to June 30, 2021, increases budget \$15,000 and sets new total not-to-exceed amount at \$70,000;
  19. Sloan Sakai Yeung & Wong LLP Sixteenth Amendment which sets the fiscal year 2020-2021 not-to-exceed budget at \$150,000 for services through June 30, 2021;
  20. Stantec Consulting Services Inc. Task Order No. 12: Amendment 07012020 extends term to June 30, 2021 with no increase to not-to-exceed;
  21. Stantec Consulting Services Inc. Task Order No. 13: Amendment 07012020 extends term to June 30, 2021, increases budget \$75,000 and sets new total not-to-exceed at \$118,200;
  22. Stantec Consulting Services Inc. Task Order No. 15: Amendment 07012020 extends term to June 30, 2021 with no increase to not-to-exceed;
  23. Stantec Consulting Services Inc. Task Order No. 21: Amendment 07012020 extends term to June 30, 2021, with no increase to not-to-exceed;
  24. Stantec Consulting Services Inc. Task Order No. 24: Amendment 07012020 extends term to June 30, 2021, with no increase to the not-to-exceed;
  25. Stantec Consulting Services Inc. Task Order No. 25: Amendment 07012020 extends term to June 30, 2021, increases budget \$50,000 and sets new total not-to-exceed at \$150,000;
  26. Stantec Consulting Services Inc. Task Order No. 26: Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
  27. Stantec Consulting Services Inc. Task Order No. 28; Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
  28. Stantec Consulting Services Inc. Task Order No. 31: Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
  29. Stantec Consulting Services Inc. Task Order No. 33: Amendment 07012020 extends the term to June 30, 2021 with no increase to the not-to-exceed;
  30. An Amendment to the MOU with South Tahoe Public Utility District to fund GSA projects in the amount of \$140,000 for fiscal year 2020-2021;
  31. Strategy Driver Inc Task Order 1: Amendment 07012020 extends term to June 30, 2021, increases the budget \$55,000 and sets the new total not-to-exceed at \$75,000;
  32. Western Hydrologics, LLP dba Western Hydrologic Consultant Task Order No. 3: Amendment 07012020 extends term to June 30, 2021 with no increase to the not-to-exceed;
- and

C) Approve the following new Task Orders:

1. A new Counsel approved Task Order Task Order No. 4 with El Dorado County Ag in the Classroom with a term through June 30, 2021 and set a not-to-exceed in the amount of \$37,095.80;
2. A new Counsel approved Task Order Task Order No. A47 with EN2 Resources, Inc. for Water Reliability Project Water Rights/EIR support, set the not-to-exceed at \$85,000 with a term through June 30, 2021;
3. A new Counsel approved Task Order No. A48 with EN2 Resources, Inc. for SMUD-EDCWA Regional Program Support, set the not-to-exceed at \$40,000 with a term through June 30, 2021;
4. A new Counsel approved Task Order No. 7 with Strategy Driver Inc., for Strategic Planning and Management, set the not-to-exceed at \$75,000 with a term through June 30, 2021;
5. A new Counsel approved Task Order No. 8 with Strategy Driver Inc., for Agency Regional/State Advocacy Support, set the not-to-exceed at \$50,000 with a term through June 30, 2021, and

D) Authorize the General Manager to execute the appropriate Task Orders and Task Order amendments in a form acceptable to legal counsel, for the above-referenced consultants.

## **BOARD OF DIRECTOR'S COMMUNICATIONS/DIRECTION TO STAFF**

### **GENERAL MANAGER'S REPORT**

### **ADJOURN**

**NEXT REGULAR SCHEDULED MEETING:** July 8, 2020, 10:00 a.m., at the El Dorado County Water Agency, 4330 Golden Center Drive, Suite C, Placerville, CA, 95667.