

Mendocino County

Russian River Flood Control & Water Conservation Improvement District

PO Box 2104, Ukiah, CA 95482 707.462.5278 Website: RRFC.net DistrictManager@rrfc.net

A G E N D A

Board of Trustees – Regular Meeting of Monday, December 9, 2024 at 5:00 pm

****NOTE CHANGE OF START TIME FOR CLOSED SESSION****

IN PERSON: 304 North State Street, Ukiah at District office

1. Call to Order and Roll Call
2. Approval of Agenda *Urgent items added may be discussed immediately. Time suggestions to the right of item title.*
3. Public Expression- See End of Agenda for Information on Public Expression

CLOSED SESSION (5:05 PM)

4. Conference with Real Property Negotiators (Gov. Code § 54956.8)
Property: Potter Valley Project | Agency negotiator: General Manager, General Counsel, Board Members
Negotiating parties: Agency, Inland Water & Power Agency, PG&E | Under negotiation: Purchasing Entity

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Personnel Policy Update (6:00 PM)
Board will consider adoption of updated and reformatted policies and repealing: 15-02, 15-03, 24-01
6. Board Business for 2025 (6:20 pm)
Board will elect Officers for 2025, review appointments of representatives to Joint Powers Agencies, review Advisory and Liaison positions, and consider approval of the 2025 District Calendar of meetings and closures.

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS (6:30 PM)

7. Water Supply Conditions Update
8. Consent Calendar
 - a) Acceptance of the November 2024 Financial Reports
 - b) Approval of November 4, 2024 Regular Board Meeting minutes
 - c) Customer Request to Uniform Water Supply & Purchase Agreement Change
Request to increase contract quantity by 50 af for 2025.
9. Trustee & Committee Reports
 - o LAFCo MSR/SOI & Annexation Ad Hoc
 - o 2024 GM Evaluation Ad Hoc Committee
10. General Manager Report & Correspondence
11. Direction on Future Agenda Items

ADJOURNMENT

ACTION ITEMS – All agenda items are potential action items unless otherwise noted.

PUBLIC EXPRESSION – The Board welcomes public participation in its Board meetings. Comments shall include any item not on the agenda that is within the subject matter jurisdiction and authority of the District. No action may be taken on any item not appearing on the agenda; however, the Board may direct such items to be placed on the agenda of a future meeting or may request additional information on any such item. The Board may limit testimony to three (3) minutes per person and not more than ten (10) minutes for a particular subject. All items on the agenda are considered action items unless otherwise noted. All times and the order of business are approximate and subject to change.

President
Christopher Watt

Vice President
Tyler Rodrigue

Treasurer
John Bailey

Trustee
John Reardan

Trustee
Dave Koball

*Mendocino County Russian River Flood Control &
Water Conservation Improvement District*

STAFF REPORT

**Agenda Item 5: Board & Board Meeting Policy Update
Monday, December 9, 2024**

The Strategic Plan relevant priority is **Administration** through effective systems to execute the strategic plan.

Background

The Board is undertaking the exercise to review and expand District Policies including reformatting into a Policy Manual rather than individual stand-alone policies.

Discussion

Attached is the Personnel chapter of the newly formatted Policy Manual. Trustees are welcome to suggest additional updates. The CA Special District Association Policy Template was used to develop the proposed new policies. The GM Evaluation Policy shows redlined changes from the previous version. Additional personnel policies will be brought forward for consideration in the future; previous Board feedback has indicated a desire to review fewer policies at a time.

Policies *15-02, 15-03, 24-01* were agendized to be made redundant with the passing of the updated Personnel Policies. Staff recommends only repealing #15-03 General Manager Evaluation at this time.

Recommendation:

- Move to adopt changes to 3000 Personnel Policies; and
- Repeal Policy 15-02.

Attachments:

- 3000 Board and Board Meeting Policies

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

Mendocino County Russian River Flood Control & Water Conservation Improvement District
Policies

Table of Contents:

3000 Personnel

Employment Practice Policies	Last Updated
3100 Accommodations for Disability	__/__/__
3105 Equal Opportunity	__/__/__
3110 Unlawful Harassment	__/__/__
3120 Disciplinary Action	__/__/__
3125 Whistleblowing	__/__/__
3130 Telecommuting	__/__/__
3200 General Manager Evaluation	__/__/__
3500 Employee Records	__/__/__

Employment Practices

3100 Accommodations for Disability

The employment related provisions of the Fair Employment and Housing Act (“FEHA”) and the Americans with Disabilities Act (“ADA”) apply to all employees and job applicants seeking employment with the District. Under the ADA, a qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the position in which the individual is employed. The District will attempt to provide reasonable accommodation for known physical or mental disabilities if a job applicant or employee is otherwise qualified, unless undue hardship related to the necessity of business operations would result, in accordance with federal or state law. An applicant or employee who requires accommodation in order to perform the essential functions of the job should inform the General Manager or Board President to request an evaluation of such an accommodation. The District will participate in the interactive process with the employee in order to determine whether or not a reasonable accommodation, which does not present undue hardship to the District, exists. Employee or applicant should contact the General Manager for further information.

3105 Equal Opportunity

The District employs persons having the best available skills to efficiently provide high quality service to the public. The District provides equal opportunity for all persons in all aspects of employment, including recruitment, selection, promotion, transfer, training, compensation, educational assistance, benefits, discipline, working conditions, reduction in force, reinstatement, and all other matters of employment. Such equality of opportunity shall be based solely on job related knowledge, skills, and job performance, and shall be without discrimination because of race, color, religion, sex, age, sexual orientation, gender identification, gender expression, handicap, marital status, national origin, ancestry, citizenship genetic information, medical condition, disability, veteran status, or any other factor unrelated to job performance.

Mendocino County Russian River Flood Control & Water Conservation Improvement District **Policies**

3110 Unlawful Harassment

The District does not tolerate harassment or discrimination on the basis of race, color, religion, sex, age, sexual orientation, gender identification, gender expression, handicap, marital status, national origin, ancestry, citizenship genetic information, medical condition, disability, veteran status, or any protected basis prohibited by federal and state law. This applies to members of the District Board of Directors, independent contractors, unpaid interns, volunteers, persons providing services to the District pursuant to a contract, and other persons with whom District employees may come into contact while working.

Abusive conduct or workplace bullying of the District's employees, by any person in or from the work environment, is strictly prohibited.

Prohibited acts of sexual harassment can take a variety of forms ranging from unwanted verbal or physical actions from subtle pressure for sexual activity to physical assault. Sexual harassment conduct need not be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

Any employee who believes they are the victim of unlawful harassment, abusive conduct, or discrimination on any prohibited basis, or who has observed such conduct, or believes they are subject to retaliation may file a formal or informal confidential complaint to the General Manager, the Board of Trustees, or if necessary, the District's Legal Counsel or HR Consultant without fear of reprisal or embarrassment.

3120 Disciplinary Action

The District expects all employees to act in the best interests of the District and its customers and constituents. It is the responsibility of all employees to observe all rules, guidelines, and operating procedures of the District. The District further expects that each of its employees will act in a polite and professional manner when dealing with members of the public and others. General rules of conduct, along with the "Examples of Unacceptable Conduct" listed below, are not meant to be all-inclusive, but rather to provide illustrations of acceptable conduct versus problematic conduct.

Examples of Unacceptable Conduct

The following list presents examples of some of the types of unacceptable conduct that may result in disciplinary action, up to and including immediate termination. This list is not an exhaustive list of what conduct may result in discipline, but is merely meant to be illustrations of unacceptable conduct:

- Discourteous treatment of others.
- Dishonesty, fraud, theft, falsifying records
- Disorderly conduct.
- Use, possession, or being under the influence of alcohol or illegal drugs on duty or on District premises.
- Abuse of sick leave, habitual absence or tardiness.

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- Incompetence. Inefficiency, willful disobedience, insubordination.
- Misuse of District property, being wasteful of material, property, or working time.
- Neglect of duty.
- Conduct unbecoming a District employee.
- Violation of the District's Unlawful Harassment Policy.
- Possession of firearms or dangerous weapons on District property.
- Any act or failure to act during or outside of work hours, which is detrimental to the best interest of the District as determined by the General Manager or the Board.

The District also reserves the right to discipline an employee for unsatisfactory job performance including incompetence and/or inefficiency, permanent or chronic physical or mental ailment (including impairment from alcohol or drugs) or other condition which renders the employee unable to perform the essential duties of their job, or failure to satisfactorily perform job tasks or responsibilities.

Prior to Disciplinary Action

Depending on the nature of the conduct or the performance deficiency, the District will generally give an employee a verbal warning, which is corrective and is non-disciplinary in nature, prior to taking formal disciplinary action. A verbal warning is encouraged but is not required before issuing formal disciplinary action.

A verbal warning is a communication to an employee that their performance or behavior must be improved and failure to do so may result in discipline. An employee's supervisor or the General Manager may note the date, time, and content of verbal warning, but no record of a verbal warning shall be placed in the employee's personnel file unless subsequent disciplinary action is taken.

Types of Disciplinary Action

Disciplinary action includes written warning, suspension, reduction in salary, demotion, or termination of employment.

Written Warning: a formal written notice to an employee that further disciplinary action will be taken unless their performance or behavior improves. A copy of the written reprimand is given to the employee and the original is placed in the employee's personnel file. The employee must acknowledge receipt of the written warning by signing the letter at the time of presentation; this signature signifies only the receipt of the document, it does not signify the employee's agreement with the allegations.

Suspension: the temporary removal of an employee from their duties without pay for disciplinary purposes for up to thirty (30) working days. Employees suspended from their employment with the District forfeit all rights, privileges, and salary with the exception of group health and life insurance benefits.

Reduction in Salary: a decrease in salary paid to an employee for a specified period of time for disciplinary purposes.

Demotion: the removal of an employee from a position to another position carrying a lower maximum rate of pay as a result of a disciplinary action.

Discharge: the removal of an employee from District services, as provided for in these Guidelines.

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3125 Whistleblowing

Employees are free to report violations of law, abuse of authority, fraud, economic waste, or gross misconduct, incompetence or inefficiency without fear of retaliation or retribution. This policy is based on a finding that the District best serves itself and its membership when it can be candid and honest without reservation in conducting business.

The District prohibits retaliation by employees, Trustees, or volunteers against any staff member, Trustee, or volunteer for making good faith complaints, reports or inquiries regarding illegal or improper activities under this policy to the District or any law enforcement agency, or for participating in a review or investigation of any such complaints under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The District reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints or reports regarding alleged illegal or improper activities, or who otherwise abuse this policy.

Definitions:

- a) "Illegal Order" means a directive to violate or assist in violating a federal, state or local law, rule or regulation, or an order to an employee to work or cause others to work in conditions outside of their scope of duty that could unreasonably threaten the health and safety of employees or the public.
- b) "Illegal or Improper Activity" means an activity by a member of the Board of Trustees, an employee, or a volunteer of the District that is undertaken in the performance of that person's duties that is either: (1) a violation of any state or federal law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of property, fraud, coercion, conversion, abuse of property or willful omission to perform a duty; or (2) violates District policies, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. Illegal or Improper Activity includes alleged financial, accounting or audit improprieties and alleged ethical violations by employees or Trustees.
- c) "Protected Disclosure" means a good faith communication from an employee or Trustee of the District to the District or law enforcement agencies that discloses information that may be evidence of Illegal or Improper Activity.
- d) "Retaliation" means an employee or Trustee using or attempting to use his or her official authority or influence over an employee to intimidate, threaten, or coerce any employee in order to interfere with the rights of employees to freely report Illegal or Improper Activity to the District or a law enforcement agency. Retaliation includes, but is not limited to, promising to confer, or conferring any benefit; affecting or threatening to affect any reprisal; or taking or directing others to take, recommend, or approve any personnel action against an employee making a Protected Disclosure including, but not limited to, demotion, transfer, assignment, performance evaluation, suspension, or other disciplinary action including termination.

The District encourages employees and Trustees to file complaints or reports about Illegal Orders or Illegal or Improper Activity or alleged Retaliation. All such complaints shall include specific facts supporting any allegation of Illegal or Improper Activity, or Retaliation, as defined by this policy. Complaints of Illegal or Improper Activity or Retaliation may be made anonymously, but such anonymity may impede the ability of the District to conduct a thorough investigation. Complaints or reports should be filed with the General

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Manager. If the General Manager is alleged to be involved in the complaint or report, then such complaint shall be filed with the Board President. If the Board President is also alleged to be involved in the complaint, then the complaint or report shall be filed with the District's Legal Counsel. This policy is not intended to provide a procedure for the filing of employee or Board member complaints regarding any employment issues other than whistleblowing activities and protection of employees from Retaliation for making Protected Disclosures.

Upon receiving a complaint from any employee or Trustee that an employee or Trustee has engaged in an Illegal or Improper Activity, an investigation will be conducted. The identity of the person filing the complaint, or of any person providing information in confidence regarding the facts in the complaint shall not be disclosed without the express permission of the person providing the information. Disclosure of the facts will be necessary in the complaint to a law enforcement agency in the event that an allegation of criminal conduct is contained in the complaint filed with the District. Assistance of District Legal Counsel and/or any outside consultant for assistance may be necessary in evaluating an allegation of Illegal or Improper Activity or conducting an investigation of Illegal or Improper Activity as authorized by this policy. There shall be an investigation of the allegations in the complaint and a report of the results of the investigation prepared within sixty (60) days of the date of the complaint.

If, upon completion of the investigation, it is found that an employee or Trustee may have engaged or participated in an Illegal or Improper Activity, such findings shall be included in the investigative report and include recommended actions to prevent the continuation or recurrence of the Illegal or Improper Activity. Such recommendations may include taking disciplinary action. The investigative report may also recommend imposing sanctions, including loss of office, on those Trustees found to have violated this policy. In that event the report shall be filed with the President of the Board of Trustees which shall comply with the policies of the District in initiating discipline against a Trustee. The District shall keep confidential all investigation work product including the investigative report.

Complaints of Retaliation and Investigation

An employee, Trustee, or volunteer who believes they have been subjected to Retaliation as defined and prohibited by this policy shall file a written complaint which specifies the alleged retaliatory conduct and identifies the individuals allegedly engaged in such conduct. Complaints or reports should be filed with the General Manager. If the General Manager is alleged to be involved in the complaint or report, then such complaint shall be filed with the Board President. If the Board President is also alleged to be involved in the complaint, then the complaint or report shall be filed with the District's General Counsel.

Upon receipt of the complaint an investigation of the allegations contained in the complaint of Retaliation shall commence, which shall include interviews of the complainant and any potential witnesses. General Counsel and/or other consultants can be utilized in conducting such investigation and preparing an investigation report. A written investigation report regarding the alleged Retaliation shall be completed within thirty (30) days of receipt of a complaint of Retaliation.

Based on the investigation, a determination shall be made by the investigating party as to whether Retaliation occurred in violation of this policy and, if so, what steps should be taken to remedy the situation which shall be communicated to the complainant.

If it is alleged that improper disciplinary action was taken against the complainant in Retaliation for having made a Protected Disclosure, the investigating party shall consider whether the taking or failing to take any

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personnel action with respect to an employee who has complained of Retaliation is justified on the basis of evidence separate and apart from the fact that the person has made a Protected Disclosure, such as inadequate job performance. If the evidence in the investigation reveals that a Protected Disclosure was a contributing factor in the alleged Retaliation against a former or current employee, the burden of proof shall be on the party imposing the discipline to demonstrate by clear and convincing evidence that the alleged personnel action would have occurred for legitimate, independent reasons even if the complaining employee had not engaged in Protected Disclosures of Illegal or Improper Activity.

The investigation report of the alleged Retaliation prepared by the investigating party shall include a written decision as to whether this policy has been violated. If the investigation report concludes that this policy has not been violated and the complainant disagrees with the determination, the complainant may appeal in writing the decision to the Board of Trustees. That appeal must be filed within ten (10) business days of receipt of the investigation report and decision of the investigating party.

If an appeal is filed, the Board of Trustees shall conduct a hearing of the complaining employee's appeal and hear and receive all evidence submitted by the complaining employee. In hearing the appeal, the Board may take evidence and hear testimony from the complaining employee and other witnesses. The Board shall consider whether an activity protected by this policy was a contributing factor in the alleged Retaliation against the complaining employee and if the alleged retaliatory action could have occurred for legitimate, independent business reasons even if the complaining employee had not made Protected Disclosures. The Board shall render a final decision in writing to the complaining employee within thirty (30) days after completing the hearing which concludes whether Retaliation prohibited by this policy has occurred or not. If the Board finds that the provisions of this policy have been violated, it shall order that any personnel action taken against the complaining employee be reversed and that a memorandum be placed in the employee's personnel file indicating the results of the decision of the Board on appeal.

A complaining employee shall be required to exhaust administrative remedies by filing an appeal with the Board of Trustees regarding any alleged violation of this policy before being entitled to commence a civil action in the Superior Court.

3130 Telecommuting

The General Manager qualifies for telecommuting for those duties that can be performed away from the District office and when absence from the primary work location does not disrupt the workflow and/or overall management of the District. Telecommuting during a probationary or introductory period of a new employee shall not be granted because of the need to clarify job responsibilities with the General Manager and to assess the employee's suitability for continued employment, and because of the employee's need to establish relationships with co-workers. If the District engages employees other than the General Manager, telecommuting eligibility policy will be developed prior to the on boarding of the first new employee.

All benefits and compensation will be based on the employee's position, with no distinction made between telecommuting and onsite employees. All applicable contracts, agreements and policies governing an employee's position shall continue to apply in the telecommuting program.

Employees who telecommute are bound by all District policies as if they were working onsite or at the District office. This includes policies governing appropriate conduct in the workplace and towards others,

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regardless of working location. Any employee who violates any of District's policies while telecommuting shall be subject to revocation of the telecommuting arrangement, in addition to any disciplinary measures that would be taken if the employee was working onsite.

If an employee incurs an injury or illness in the course or scope of employment while telecommuting, Workers' Compensation laws apply. Employees must immediately notify their supervisor and complete all necessary paperwork. Actions that the telecommuter may take during break periods from working and actions not directly related to the approved remote worksite will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in the District office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising, and interacting with non-District employees for non-business purposes. The District shall in no instance be liable for injuries to third persons, including members of the telecommuting employee's family, who enter the employee's worksite or otherwise interact with the employee or use their home office equipment.

The District understands that compliance with the health and safety provisions of this policy does not necessarily provide the reasonable accommodations required by employees with disabilities. Telecommuting employees with disabilities shall be entitled to the same rights and accommodations they would be entitled to under all applicable state and federal laws and District policy.

3200 General Manager Evaluation

The District employs a General Manager, subject to the terms and conditions of an Employment Agreement that states the Board of Trustees shall conduct an annual performance evaluation based on District policy and on previously agreed upon goals and objectives for the Employee.

This policy shall apply to only the General Manager, who is an at-will employee and serves at the pleasure of the District Board of Trustees. This policy shall not contradict any term of the current Employment Agreement between the General Manager and the District.

Responsibility for conducting this evaluation lies with the Ad Hoc Committee, appointed annually by the Board of Trustees, with assistance from a Human Resources Consultant. The Ad Hoc Committee will oversee the evaluation process, summarize the evaluation, determine and recommend any changes in compensation to the Board, and deliver the evaluation to the General Manager. The evaluation period will be the calendar year, and any compensation changes will go into effect ~~January-March~~ 1 of the year directly following the reviewed calendar year. ~~(Note: this may require retroactive payment.)~~

The components of the evaluation are as follows:

1. **General Manager Self Evaluation:** The General Manager will complete the General Manager Self-Evaluation in December of each year.
2. **Strategic Plan Progress Report:** Each year, metrics will be established in the Strategic Plan by which the District's progress towards reaching its goals can be measured. A Strategic Plan Progress Report will be developed by the General Manager and included in the evaluation process as an attachment to the GM Self Evaluation. The metrics will be utilized in setting an annual bonus, if applicable.

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3. **Trustee Survey:** An electronic survey tool will be used to conduct an evaluation based on core management competencies concerning the General Manager's performance. Survey participants will include the Board of Trustees. This survey will be outsourced from the District but coordinated by the Ad Hoc Committee and HR Consultant. It will be initiated in January following the end of the review year and distribution of the GM Self Evaluation.
4. **Board of Trustees Review:** With all materials compiled, the HR Consultant will lead a Public Employee Performance Evaluation Closed Session review with the Board of Trustees for final input.
5. **Written summary by Ad Hoc Committee:** In coordination with the HR Consultant, the Ad Hoc Committee will provide a written response in the form of a performance evaluation to the General Manager's self-evaluation and the Strategic Plan Progress Report, ~~as well and as the results of the Competency Trustee Survey~~ collated response.
6. **Final Evaluation Meeting:** With all materials compiled and reviewed, a meeting will be held with the General Manager, Ad Hoc Committee, and HR Consultant to discuss the materials and assessments, and negotiate any terms and conditions, as needed.

The outcomes of the evaluation process will be:

1. Documented Evaluation report.
2. Establishing the General Manager's performance goals for the coming year.
3. Determination of Bonus Award for the prior year. The bonus is at the discretion of the Board of Trustees based on its assessment of the General Manager's achievement of goals set for the year and Strategic Plan Implementation.
4. Establishment and documentation of Bonus metrics and any salary changes for the coming year.
5. Signed extension of the General Manager's employment contract.

The timeline, Trustee Survey, and General Manager Self Evaluation in the most recently approved General Manager Annual Performance Review Procedure will be reviewed annually by the Ad Hoc Committee and General Manager and used to implement this policy.

An exit interview shall be offered to the General Manager upon conclusion of employment with the District.

3500 Employee Records

All personnel information and records are to be considered confidential to the extent allowed by federal or state law. The District policy is to require all personnel files to be maintained in a secure and private location and to have all employees manage personnel information in a safe and confidential manner.

***Mendocino County Russian River Flood Control &
Water Conservation Improvement District***

General Manager Annual Performance Review Procedure

Responsibility for conducting this evaluation lies with the Ad Hoc Committee, appointed annually by the Board of Trustees, with assistance from a Human Resources Consultant. The Ad Hoc Committee will oversee the evaluation process, summarize the evaluation, determine and recommend any changes in compensation to the Board, and deliver the evaluation to the General Manager. The evaluation period will be the calendar year, and any compensation changes will go into effect March 1 of the year directly following the reviewed calendar year.

The components of the evaluation are as follows:

1. **General Manager Self Evaluation:** The General Manager will complete the General Manager Self-Evaluation in December of each year.
2. **Strategic Plan Progress Report:** Each year, metrics will be established in the Strategic Plan by which the District's progress towards reaching its goals can be measured. A Strategic Plan Progress Report will be developed by the General Manager and included in the evaluation process as an attachment to the GM Self Evaluation. The metrics will be utilized in setting an annual bonus, if applicable.
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4. **Board of Trustees Review:** With all materials compiled, the HR Consultant will lead a Public Employee Performance Evaluation Closed Session review with the Board of Trustees for final input.
5. **Written summary by Ad Hoc Committee:** In coordination with the HR Consultant, the Ad Hoc Committee will provide a written response in the form of a performance evaluation to the General Manager's self-evaluation and the Strategic Plan Progress Report, and the Trustee Survey collated response.
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(Continued....)

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4. Establishment and documentation of Bonus metrics and any salary changes for the coming year.
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TIMELINE

Month	Activity	Action
December	Board appoints annual General Manager Evaluation Ad Hoc Committee members.	December Agenda Item
December	GM prepares Self Evaluation and Annual Strategic Plan Progress Report.	GM provides to HR Consultant
December	Ad Hoc Committee reviews evaluation process for any needed modifications and reviews HR Consultant contractual scope of work.	Email (meet if need) Consultant contract.
Early January	HR Consultant launches Trustee Survey with GM self-evaluation on behalf of Ad Hoc Committee (due mid-January) and conducts compensation analysis, if requested.	Email to Trustees
Late January	HR Consultant meets with Ad Hoc Committee to review Trustee Survey results, discuss compiling into a summarized written evaluation, and discuss compensation changes and bonus recommendations.	Ad Hoc Meeting w/HR Consultant. Written response for Board review.
February	Board of Trustees Closed Session with HR Consultant to review Ad Hoc Committee report on evaluation and recommendations.	Special Meeting Agenda Item
February	Ad Hoc Committee and HR Consultant meets with GM to review Board feedback, bonus, goal setting, and compensation changes, if any.	Ad Hoc Committee, HR Consultant & GM meeting
February	Compensation changes go into effect March 1 and bonus issued (if applicable.)	Accountants & GM update payroll, etc.

Attachments:

- (1) GM Self Evaluation form
- (2) Trustee Survey

(Continued....)

***Mendocino County Russian River Flood Control &
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**General Manager Performance Evaluation Survey
For the service period of January 1, ____ – December 31, ____**

Dear Trustee,

Your participation in this evaluation process is important. We appreciate your frank, thorough, and balanced perspective in sharing your evaluation of the General Manager's performance during the period of January 1, 20__, through December 31, 20__. Your responses will not be attributed to you specifically and will remain confidential when survey results are summarized and discussed with the General Manager in the evaluation process. Please have your responses completed and turned in by _____.

The goal of an evaluation is to evaluate professional performance, not the person.

Thank you in advance for your time and thoughtful responses.

Regards,

Ad Hoc Committee

Ranking: 1 Meets minimal expectations, 2 Meets some expectations, 3 Meets expectations, 4 Exceeds expectations, N/A Don't know or not applicable

Please provide a ranking number and rationale for the ranking in the comments box.

1. Strategic Planning

Understands big picture and aligns priorities with broader goals, measures outcomes, uses feedback to redirect as needed, evaluates alternatives, solutions-oriented, seeks alternatives and broad input; can see connections within complex issues. Ensures the planning process is effective and the strategic plan is communicated, monitored, and executed.

2. Financial Management

Financial results in the review period met or exceeded expectations. Provides accurate and complete financial reports and plans to the Board for their review, revision, and approval. Establishes and monitors annual budget with exception reporting to the Board.

(Continued...)

3. Leadership and Vision

Serves as the District's principal liaison with relevant governmental entities and directs District's leadership role in statewide and community level activities. Serves as an advocate within the community for District services and strategies.

Develops and maintains key relationships that support the mission and vision of the District. Sets a clear vision and direction for the District, aligned with the strategic plan. Demonstrates strong leadership and communication skills.

4. Community Relations and Communications

Represents and promotes the interests and the image of the District to the government at all levels, to the local community, constituents, customers, and the public at large.

Additional Questions

5. Where does the General Manager provide the most value to the District?
6. In what areas can the General Manager become more effective in operating the District and implementing the Strategic Plan? Please be specific.
7. **(Optional) Suggestions for performance goals in the next review period.**

(Continued...)

***Mendocino County Russian River Flood Control &
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**General Manager Self-Evaluation
for
[insert name]
[insert evaluation period]**

Goal Accomplishments and Contributions

Please identify any achievements or contributions for the evaluation period. Note any major accomplishments you believe should be recognized and identify specific development goals for the coming year.

1. Progress:

How did you advance on goals identified for this reporting period? How has your job changed during the past year? What have been the most significant challenges for you during the past year?

2. Accomplishments:

What did you accomplish this year above and beyond what is reported in the Strategic Plan Progress report? What do you believe have been your most significant achievements during the past year? What professional development activities did you undertake?

3. Looking Forward:

What would you have liked to accomplish that you did not and why? What are your expectations for this job during the next year?

4. Performance Support:

Comment on the Board's effectiveness in providing guidance and giving feedback. Provide suggestions for improvement.

5. Next Term Goals:

Identify proposed performance goals for the next review period.

***Mendocino County Russian River Flood Control &
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STAFF REPORT

Agenda Item 6: Board Business for 2025

Monday, December 9, 2024

Election of Board Officers

District Policies state the President, Vice President, and Treasurer of the Board shall be elected annually at the last regular meeting of each calendar year with terms commencing January 1 of the year immediately following the election. There are no term limits for Officers.

Recommendation:

- Move to approve individual Trustees to the officer positions of President, Vice President, and Treasurer.

Appointment of JPA Representatives

The District belongs to the following Joint Power Agencies:

- Mendocino County Inland Water & Power Commission (MCIWPC)
Currently: John Reardan (Regular), Dave Koball (Alternate)

- Ukiah Valley Basin Groundwater Sustainability Agency (UVGSA)
Currently: Chris Watt (Regular), John Bailey (Alternate)

Recommendation:

- Move to assign Trustees to Regular and Alternate seats on the above JPAs. advisory roles, and to the listed (and any additional) liaison positions.

Assignments of Advisory Positions

The District Board assigns Trustees to serve in advisory roles to the GM for the following areas (See policies on District website for description of duties):

- Operations (Currently: John Reardan)
- Finance and Audit (Currently: John Bailey)
- Personnel and Organization (Currently: Tyler Rodrigue)
- Public Information and Government Activities (Currently: Chris Watt)
- Policy (Currently: Dave Koball)

Recommendation:

- Move to assign Trustees to advisory positions.

(Continued...)

Assignments of Liaison Positions

The District Board may consider assigning Trustees to serve in liaison roles for the following:

- Calpella County Water District (Currently: none)
- City of Ukiah (Currently: none)
- Hopland Public Utility District (Currently: none)
- Millview County Water District (Currently: none)
- Redwood Valley County Water District (Currently: John Reardan)
- Upper Russian River Water Agency (Currently: none)
- Willow County Water District (Currently: Chris Watt)
- Ukiah Valley Water Authority (Currently: none)
- New suggestions?

Recommendation:

- Move to assign Trustees to liaison positions.

Board Meeting Schedule

The Board of Trustees meets once a month on the first Monday of the month at 5:30 pm. However, two meetings are proposed for alternative dates, as shown on the **attached** Proposed 2025 District meeting & Closure Calendar.

Recommendation:

- Move to approve the proposed 2025 Regular Meeting Schedule.

Attachment

- 2025 District Meeting & Closure Calendar

2025 District Meeting & Closure Calendar

January 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2025						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2025						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

District Closed
Jan 1 New Year's Day
Jan 20 Martin Luther King Jr Day
Feb 17 Presidents Day
Mar 31 César Chávez Day
May 12-16 ACWA Conference
May 26 Memorial Day
June 19 Juneteenth
July 4 Independence Day
Sep 1 Labor Day
Sept 26 Native American Day
Oct 13 Indigenous Peoples' Day
Nov 11 Veteran's Day
Nov 26-28 Thanksgiving Break
Dec 1-5 ACWA Conference
Dec 24-26 Christmas Break
Dec 31 New Years Eve
Board Meetings
Monday, January 6, 2025
Monday, February 3, 2025
Monday, March 3, 2025
Monday, April 7, 2025
Monday, May 5, 2025
Monday, June 2, 2025
Monday, July 7, 2025
Monday, August 4, 2025
Monday, September 8, 2025*
Monday, October 6, 2025
Monday, November 3, 2025
Monday, December 8, 2025*
* denotes 2 nd Monday of the month

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

STAFF REPORT

Agenda Item 7, Water Supply Conditions

Monday, December 9, 2024

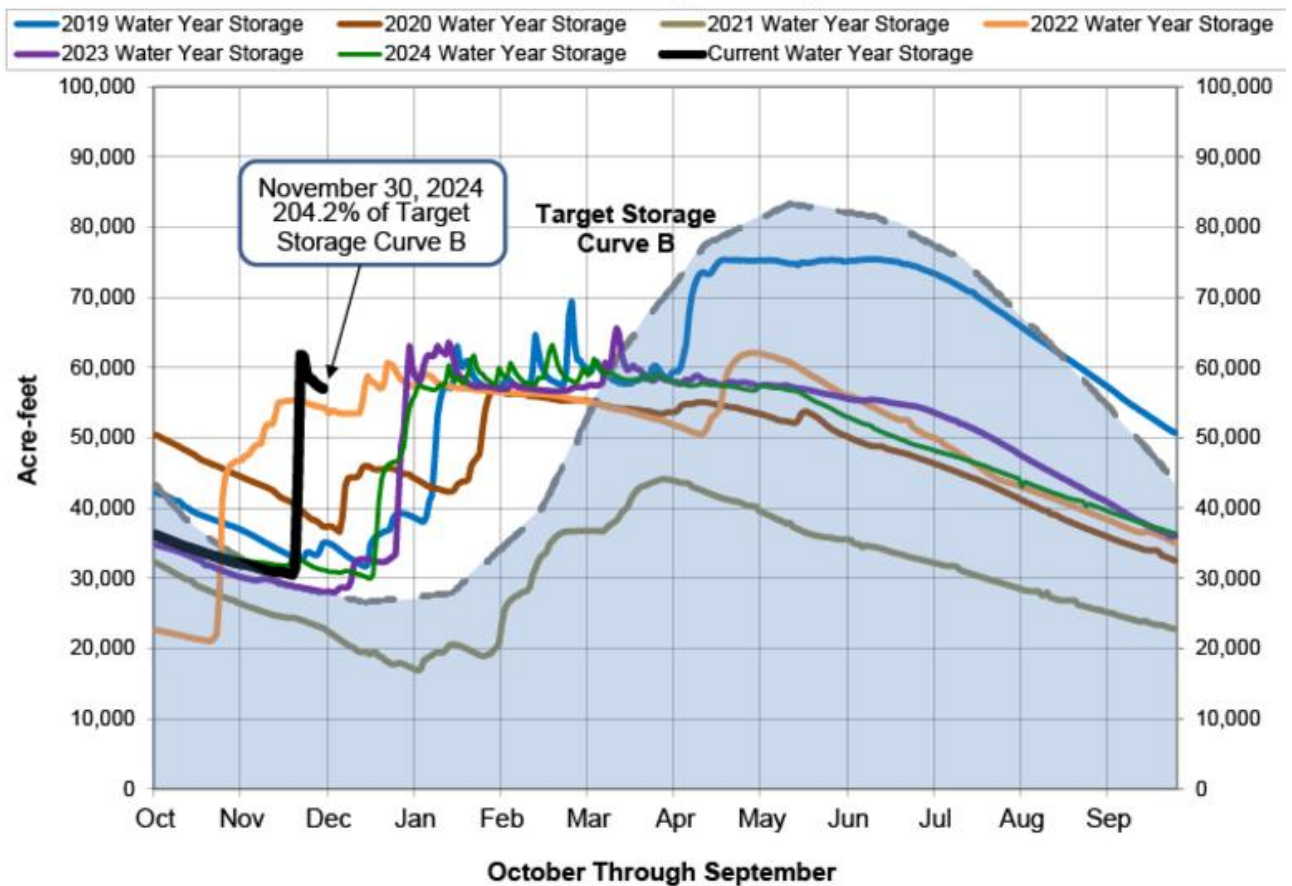
The Strategic Plan relevant priorities are: **Security** through ensuring reliable, resilient, and available sources of water; **Advocacy** in support of equitable water resource stewardship; and **Use** of water in effective and beneficial ways as a public resource, all in alignment with the District’s Mission to steward water resources for the benefit of people and the environment.

Operations of the Trans-Basin Diversion Through PG&E Owned “Potter Valley Project”

The Federal Energy Resources Commission (FERC) approved the 2024 flow variance submitted by PG&E in late June. As of October 1, 2024, the **Potter Valley Project 2024 Flow Variance ended when** Lake Pillsbury storage exceeded 36,000 acre feet threshold following (per the exit clause in the variance). Minimum instream flows in the East Branch Russian River increased from 5 cfs to 35 cfs.

More information: <https://rrfc.specialdistrict.org/updates>

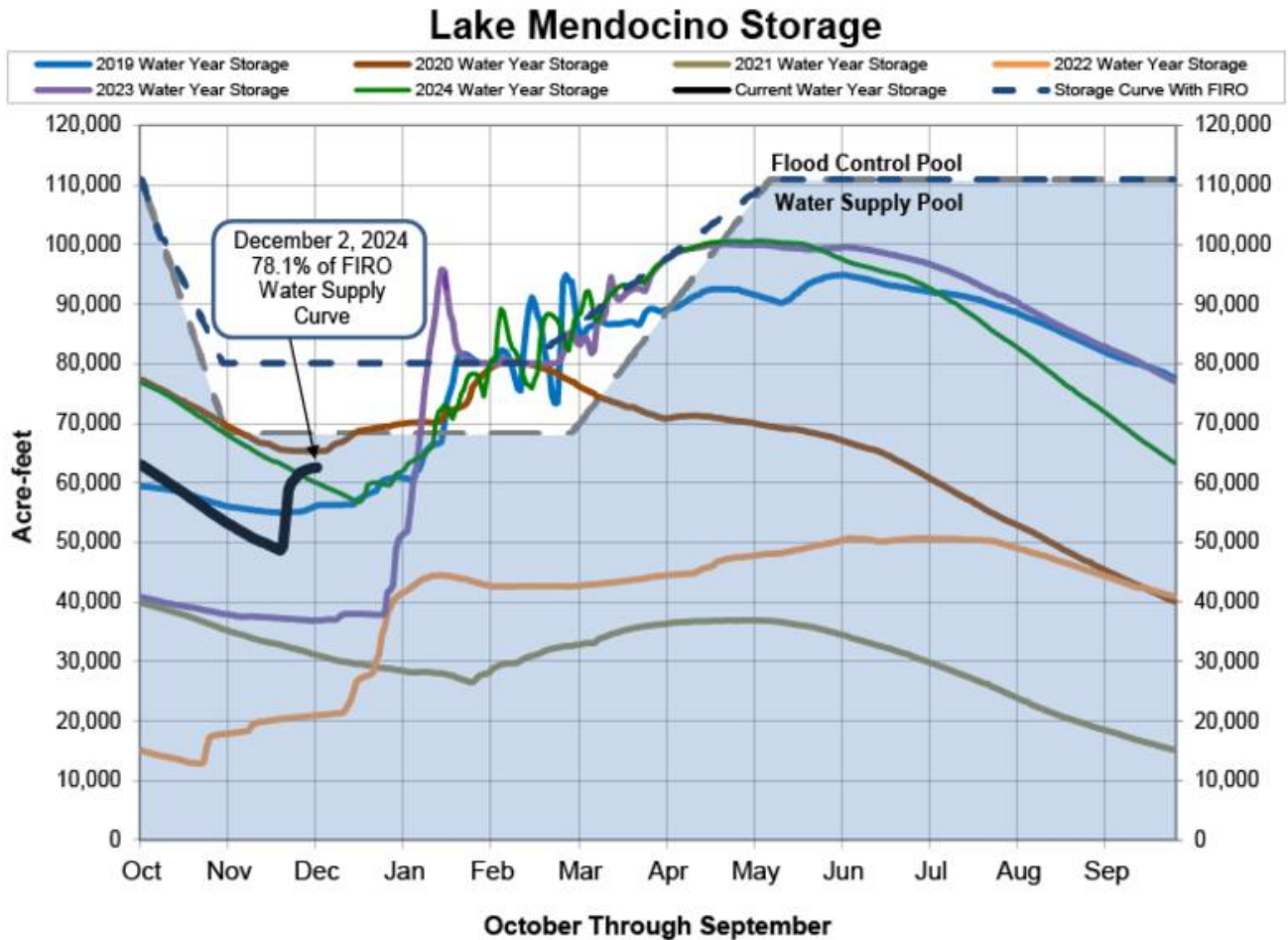
Lake Pillsbury Storage



(Continued...)

Lake Mendocino and the Mainstem Upper Russian River

Lake Mendocino storage level was 62,544 acre feet (af) on December 2, 2024 up from 52,422 on November 4, 2024. Sonoma Water Agency's Temporary Urgency Change Petition (TUCP) was approved on October 31, 2024 (for more information see <https://www.rrfc.net/updates-on-russian-river-and-lake-mendocino> or Sonoma Water's TUCP webpage: www.sonomawater.org/tucp.)



* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

*Mendocino County Russian River Flood Control &
Water Conservation Improvement District*

STAFF REPORT

Agenda Item 8a: October 2024 Financial Report

December 9, 2024

Revenue

October 2024: Additional revenue not shown on previous report: none

November 2024: \$2,327.22, notably:

- \$272.00 the last outstanding payment from 2023 water use
- \$2,327.22 interest earned in CLASS account

Expenses

October 2024 Additional expenses not shown on previous report: none

November 2024: \$12,413.83 ordinary expenses

- Note: Redwood Valley County Water District (RVCWD) reimbursement of \$5,033.75 for annexation project.

Other

- Financial reports subject to change after corrections and adjustments by Accountant and Auditor.
- Reconciliations for checking and savings are up to date as of the end of November 2024.
- Additional reports or information available upon request.

Recommendation:

- Move to accept and file the financial reports for November 2024; and

Attachments:

1. Income & Expense Report – November 2024 only
2. Income & Expense / Budget Vs Actual Report – Fiscal Year to date
3. Profit & Loss Previous Year Comparison Report
4. Balance Sheet Previous Year Comparison Report
5. Monthly Payment Detail Report– November 2024
6. Contracted Water Worksheet as of November 30, 2024

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

Income & Expense / Budget vs. Actual

November 2024

	<u>November 24</u>
Ordinary Income/Expense	
Income	
4001 · Contract Water Sales	272.00
4082 · Interest-CA CLASS	2,055.22
Total Income	<u>2,327.22</u>
Expense	
Payroll Expenses	14,747.03
Water Supply Expenses	
5050 · Projects	
5057 · LAFCo Applications	
5057.00 · RVCWD reimbursement	-5,033.75
Total 5057 · LAFCo Applications	<u>-5,033.75</u>
5059 · Trans Basin Diversion	
5059.01 · TB Div - Legal Counsel	846.60
Total 5059 · Trans Basin Diversion	<u>846.60</u>
Total 5050 · Projects	<u>-4,187.15</u>
Total Water Supply Expenses	-4,187.15
General & Administrative Exp	
5100 · Consulting	
5101 · Accounting	1,575.00
Total 5100 · Consulting	<u>1,575.00</u>
5120 · Vehicle	32.28
5160 · Office Operating Expenses	21.67
5170 · Training & Conferences	225.00
Total General & Administrative Exp	<u>1,853.95</u>
Total Expense	<u>12,629.33</u>

Mendocino County Russian River Flood Control District

Income & Expense / Budget vs. Actual

Cash Basis

July 2024 through June 2025

	<u>Jul '24 - Jun 25</u>	<u>Budget</u>
Ordinary Income/Expense		
Income		
4001 · Contract Water Sales	272.00	457,326.00
4050 · Property Taxes	0.00	65,000.00
4080 · Interest-LAIF	6,220.07	15,000.00
4081 · Interest-SBMC	27.90	50.00
4082 · Interest-CA CLASS	2,330.29	
Total Income	<u>8,850.26</u>	<u>537,376.00</u>
Expense		
Payroll Expenses	82,140.44	199,400.00
Water Supply Expenses		
5020 · Water Rights		
5020.01 · Annual Fees	0.00	16,000.00
5020.02 · Legal Counsel	0.00	1,500.00
5020.03 · WR Engineering	0.00	2,000.00
5020.04 · Meter Maintenance	511.43	2,000.00
5020.05 · Meter & Data Mgmt Program	1,940.51	10,000.00
Total 5020 · Water Rights	<u>2,451.94</u>	<u>31,500.00</u>
5030 · USGS, streamflow gage	7,237.50	15,000.00
5031 · JPAs		
5031.01 · IWPC	0.00	3,000.00
Total 5031 · JPAs	<u>0.00</u>	<u>3,000.00</u>
5040 · Channel Maintenance		
5040.01 · Channel Maint.-Legal	5,383.56	0.00
Total 5040 · Channel Maintenance	<u>5,383.56</u>	<u>0.00</u>
5050 · Projects		
5051 · Grants/Funding Analysis-general	0.00	5,000.00
5056 · License Change Petition		
5056.01 · Chg Pet- Legal Counsel	5,646.72	
5056.02 · Chg Pet - Engineering	2,438.75	
5056 · License Change Petition - Other	0.00	40,000.00
Total 5056 · License Change Petition	<u>8,085.47</u>	<u>40,000.00</u>
5057 · LAFCo Applications		

Mendocino County Russian River Flood Control District

Income & Expense / Budget vs. Actual

Cash Basis

July 2024 through June 2025

	Jul '24 - Jun 25	Budget
5057.00 · RVCWD reimbursement	-5,033.75	
5057.01 · LAFCo Apps - Legal Counsel	5,137.23	
5057.02 · LAFCo Apps - Engineering	831.25	
5057.03 · LAFCo Apps - Consultant	10,067.50	
5057 · LAFCo Applications - Other	0.00	15,000.00
	<hr/>	<hr/>
Total 5057 · LAFCo Applications	11,002.23	15,000.00
5058 · Demand Mgmt Pilot	0.00	2,000.00
5059 · Trans Basin Diversion		
5059.01 · TB Div - Legal Counsel	3,852.03	
5059 · Trans Basin Diversion - Other	0.00	100,000.00
	<hr/>	<hr/>
Total 5059 · Trans Basin Diversion	3,852.03	100,000.00
	<hr/>	<hr/>
Total 5050 · Projects	22,939.73	162,000.00
	<hr/>	<hr/>
Total Water Supply Expenses	38,012.73	211,500.00
General & Administrative Exp		
5100 · Consulting		
5101 · Accounting	9,645.01	8,000.00
5102 · Audit	5,000.00	9,000.00
5104 · Administrative Support	2,884.70	5,000.00
5105 · Legal-General	2,055.81	10,000.00
5109 · Human Resources	0.00	2,000.00
5110 · Strategic Planning	0.00	2,000.00
	<hr/>	<hr/>
Total 5100 · Consulting	19,585.52	36,000.00
5120 · Vehicle	476.17	2,000.00
5130 · Insurance	9,511.42	7,000.00
5140 · LAFCO Apportionment Fee	1,160.41	1,100.00
5150 · Memberships	0.00	6,000.00
5160 · Office Operating Expenses	2,382.61	3,000.00
5161 · Rent, Utilities	2,250.00	5,000.00
5170 · Training & Conferences	422.30	6,000.00
5180 · Stipends, Meetings	2,650.00	13,000.00
5190 · Property Tax Admin Fees	1,010.51	1,000.00
5200 · Election	0.00	300.00
	<hr/>	<hr/>

Mendocino County Russian River Flood Control District
Income & Expense / Budget vs. Actual

Cash Basis

July 2024 through June 2025

	<u>Jul '24 - Jun 25</u>	<u>Budget</u>
Total General & Administrative Exp	<u>39,448.94</u>	<u>80,400.00</u>
Total Expense	<u>159,602.11</u>	<u>491,300.00</u>
Net Ordinary Income	-150,751.85	46,076.00
Other Income/Expense		
Other Expense		
5710 · Use of Capital Reserves	<u>6,019.87</u>	
Total Other Expense	<u>6,019.87</u>	
Net Other Income	<u>-6,019.87</u>	<u>0.00</u>
Net Income	<u><u>-156,771.72</u></u>	<u><u>46,076.00</u></u>

Mendocino County Russian River Flood Control District
Profit & Loss Prev Year Comparison

Cash Basis

July 2024 through June 2025

	Jul '24 - Jun 25	Jul '23 - Jun 24	\$ Change	% Change
Ordinary Income/Expense				
Income				
4001 · Contract Water Sales	272.00	540,241.26	-539,969.26	-100.0%
4002 · Surplus Water Sales	0.00	39,278.38	-39,278.38	-100.0%
4010 · Water Application Fee	0.00	800.00	-800.00	-100.0%
4050 · Property Taxes	0.00	69,706.11	-69,706.11	-100.0%
4080 · Interest-LAIF	6,220.07	20,979.74	-14,759.67	-70.4%
4081 · Interest-SBMC	27.90	111.29	-83.39	-74.9%
4082 · Interest-CA CLASS	2,330.29	0.00	2,330.29	100.0%
4100 · Other Income	0.00	-1,232.00	1,232.00	100.0%
4130 · Unrealized Gain(Loss) Invstment	0.00	5,669.02	-5,669.02	-100.0%
Total Income	8,850.26	675,553.80	-666,703.54	-98.7%
Expense				
Payroll Expenses				
5001 · Gross Wages	56,250.00	139,954.14	-83,704.14	-59.8%
5002 · CalPERS Employer Expense	4,426.90	11,295.93	-6,869.03	-60.8%
5003 · CalPERS Employer 457 Expense	1,687.50	2,955.80	-1,268.30	-42.9%
5004 · Health Insurance	6,988.68	15,092.09	-8,103.41	-53.7%
5005 · Medicare	916.96	2,212.82	-1,295.86	-58.6%
5006 · FICA	3,920.80	9,287.11	-5,366.31	-57.8%
5007 · CalPERS 1959 Survivor Billing	77.60	60.00	17.60	29.3%
5008 · CALPERS GASB-68 Fees	0.00	700.00	-700.00	-100.0%
5009 · Unfunded Pension Liability	7,872.00	5,506.00	2,366.00	43.0%
Total Payroll Expenses	82,140.44	187,063.89	-104,923.45	-56.1%
Water Supply Expenses				
5020 · Water Rights				
5020.01 · Annual Fees	0.00	15,144.89	-15,144.89	-100.0%
5020.02 · Legal Counsel	0.00	2,199.38	-2,199.38	-100.0%
5020.03 · WR Engineering	0.00	2,266.25	-2,266.25	-100.0%
5020.04 · Meter Maintenance	511.43	0.00	511.43	100.0%
5020.05 · Meter & Data Mgmt Program	1,940.51	13,171.60	-11,231.09	-85.3%
Total 5020 · Water Rights	2,451.94	32,782.12	-30,330.18	-92.5%
5030 · USGS, streamflow gage	7,237.50	5,912.50	1,325.00	22.4%
5031 · JPAs	0.00	75,050.00	-75,050.00	-100.0%
5040 · Channel Maintenance				
5040.01 · Channel Maint.-Legal	5,383.56	0.00	5,383.56	100.0%
Total 5040 · Channel Maintenance	5,383.56	0.00	5,383.56	100.0%
5050 · Projects				
5051 · Grants/Funding Analysis-general	0.00	6,525.00	-6,525.00	-100.0%
5054 · Addtl Water Rights	0.00	57.50	-57.50	-100.0%
5055 · RR Water Forum	0.00	2,070.08	-2,070.08	-100.0%
5056 · License Change Petition				
5056.01 · Chg Pet- Legal Counsel	5,646.72	5,970.00	-323.28	-5.4%
5056.02 · Chg Pet - Engineering	2,438.75	4,680.25	-2,241.50	-47.9%
5056.03 · Chg Pet - Mapping	0.00	262.50	-262.50	-100.0%
Total 5056 · License Change Petition	8,085.47	10,912.75	-2,827.28	-25.9%
5057 · LAFCo Applications				
5057.00 · RVCWD reimbursement	-5,033.75	0.00	-5,033.75	-100.0%
5057.01 · LAFCo Apps - Legal Counsel	5,137.23	252.45	4,884.78	1,935.0%

	Jul '24 - Jun 25	Jul '23 - Jun 24	\$ Change	% Change
5057.02 · LAFCo Apps - Engineering	831.25	0.00	831.25	100.0%
5057.03 · LAFCo Apps - Consultant	10,067.50	0.00	10,067.50	100.0%
Total 5057 · LAFCo Applications	11,002.23	252.45	10,749.78	4,258.2%
5058 · Demand Mgmt Pilot	0.00	18,275.00	-18,275.00	-100.0%
5059 · Trans Basin Diversion				
5059.01 · TB Div - Legal Counsel	3,852.03	22,994.92	-19,142.89	-83.3%
5059.02 · TB Div- Engineering	0.00	15,257.50	-15,257.50	-100.0%
5059.03 · TB Div- IWPC	0.00	50,000.00	-50,000.00	-100.0%
Total 5059 · Trans Basin Diversion	3,852.03	88,252.42	-84,400.39	-95.6%
5060 · Coyote Valley Dam Modernization	0.00	7,000.00	-7,000.00	-100.0%
Total 5050 · Projects	22,939.73	133,345.20	-110,405.47	-82.8%
Total Water Supply Expenses	38,012.73	247,089.82	-209,077.09	-84.6%
General & Administrative Exp				
5100 · Consulting				
5101 · Accounting	9,645.01	6,834.26	2,810.75	41.1%
5102 · Audit	5,000.00	6,500.00	-1,500.00	-23.1%
5103 · Engineering- General	0.00	17,833.00	-17,833.00	-100.0%
5104 · Administrative Support	2,884.70	0.00	2,884.70	100.0%
5105 · Legal-General	2,055.81	7,163.64	-5,107.83	-71.3%
5109 · Human Resources	0.00	2,794.35	-2,794.35	-100.0%
Total 5100 · Consulting	19,585.52	41,125.25	-21,539.73	-52.4%
5120 · Vehicle	476.17	3,763.50	-3,287.33	-87.4%
5130 · Insurance	9,511.42	6,451.54	3,059.88	47.4%
5140 · LAFCO Apportionment Fee	1,160.41	1,100.37	60.04	5.5%
5150 · Memberships	0.00	6,019.00	-6,019.00	-100.0%
5160 · Office Operating Expenses	2,382.61	7,096.81	-4,714.20	-66.4%
5161 · Rent, Utilities	2,250.00	4,500.00	-2,250.00	-50.0%
5170 · Training & Conferences	422.30	5,421.07	-4,998.77	-92.2%
5180 · Stipends, Meetings	2,650.00	5,465.25	-2,815.25	-51.5%
5190 · Property Tax Admin Fees	1,010.51	0.00	1,010.51	100.0%
5299 · Miscellaneous Expense (Revenue)	0.00	-328.30	328.30	100.0%
Total General & Administrative Exp	39,448.94	80,614.49	-41,165.55	-51.1%
Total Expense	159,602.11	514,768.20	-355,166.09	-69.0%
Net Ordinary Income	-150,751.85	160,785.60	-311,537.45	-193.8%
Other Income/Expense				
Other Expense				
5700 · Use of Wtr Reliability Reserve	0.00	76,700.00	-76,700.00	-100.0%
5710 · Use of Capital Reserves	6,019.87	7,424.41	-1,404.54	-18.9%
5900 · Depreciation Expense	0.00	28,429.44	-28,429.44	-100.0%
Total Other Expense	6,019.87	112,553.85	-106,533.98	-94.7%
Net Other Income	-6,019.87	-112,553.85	106,533.98	94.7%
Net Income	-156,771.72	48,231.75	-205,003.47	-425.0%

Mendocino County Russian River Flood Control District
Balance Sheet Prev Year Comparison

Cash Basis

As of June 30, 2025

	Jun 30, 25	Jun 30, 24	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
1020 · CA CLASS	252,330.29	0.00	252,330.29	100.0%
1000 · SBMC Checking	129,555.75	323,108.31	-193,552.56	-59.9%
1001 · SBMC Savings				
1001.02 · Savings Water Reliability Fund	0.00	150,140.23	-150,140.23	-100.0%
1001.01 · General Savings	50,140.23	100,000.00	-49,859.77	-49.9%
1001 · SBMC Savings - Other	109.45	81.55	27.90	34.2%
Total 1001 · SBMC Savings	50,249.68	250,221.78	-199,972.10	-79.9%
1010 · LAIF				
1011 · Capital Reserve	70,000.00	73,670.00	-3,670.00	-5.0%
1012 · Emergency Reserve	37,000.00	37,500.00	-500.00	-1.3%
1013 · Operating Reserve	250,000.00	255,850.00	-5,850.00	-2.3%
1014 · Water Reliability Reserve	161,652.92	151,632.92	10,020.00	6.6%
1010 · LAIF - Other	12,072.02	0.00	12,072.02	100.0%
Total 1010 · LAIF	530,724.94	518,652.92	12,072.02	2.3%
1019 · LAIF - Fair Market Value	-1,910.70	-1,910.70	0.00	0.0%
Total Checking/Savings	960,949.96	1,090,072.31	-129,122.35	-11.9%
Accounts Receivable	-5.00	-5.00	0.00	0.0%
Other Current Assets	0.00	14,979.75	-14,979.75	-100.0%
Total Current Assets	960,944.96	1,105,047.06	-144,102.10	-13.0%
Fixed Assets	8,426.19	25,955.43	-17,529.24	-67.5%
Other Assets				
1600 · Deferred Outflows	46,819.00	46,819.00	0.00	0.0%
Total Other Assets	46,819.00	46,819.00	0.00	0.0%
TOTAL ASSETS	1,016,190.15	1,177,821.49	-161,631.34	-13.7%
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Other Current Liabilities				
2010 · Accrued Expenses	0.00	827.87	-827.87	-100.0%
2030 · Vacation/Sick Accrual	31,108.41	31,108.41	0.00	0.0%
2050 · Payroll Liabilities	0.00	4,031.75	-4,031.75	-100.0%
Total Other Current Liabilities	31,108.41	35,968.03	-4,859.62	-13.5%

Mendocino County Russian River Flood Control District
Balance Sheet Prev Year Comparison

Cash Basis

As of June 30, 2025

	Jun 30, 25	Jun 30, 24	\$ Change	% Change
Total Current Liabilities	31,108.41	35,968.03	-4,859.62	-13.5%
Long Term Liabilities				
2600 · Deferred Inflows	2,265.00	2,265.00	0.00	0.0%
2700 · Net Pension Liability	59,381.00	59,381.00	0.00	0.0%
Total Long Term Liabilities	61,646.00	61,646.00	0.00	0.0%
Total Liabilities	92,754.41	97,614.03	-4,859.62	-5.0%
Equity				
3000 · Opening Bal Equity	541,116.95	541,116.95	0.00	0.0%
3001 · Retained Earnings	539,090.51	490,858.76	48,231.75	9.8%
Net Income	-156,771.72	48,231.75	-205,003.47	-425.0%
Total Equity	923,435.74	1,080,207.46	-156,771.72	-14.5%
TOTAL LIABILITIES & EQUITY	1,016,190.15	1,177,821.49	-161,631.34	-13.7%

Mendocino County Russian River Flood Control District
Monthly Payment Detail

Cash Basis

As of November 30, 2024

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Paid Amount</u>
1000 · SBMC Checking			
11/11/2024	Cardmember Service	Credit card 9-14 to 10-12-24	-278.95
11/01/2024	Eide Bailly	Accounting, Sept 2024 service Dates	-1,575.00
11/04/2024	Herum/Crabtree/Suntag	Legal Counsel Oct 2024 service dates	-846.60
11/08/2024	Intuit	Monthly payroll subscription	-7.00
11/14/2024	Team Mobile	Monthly cell phone service	-208.50
			<hr/>
Total 1000 · SBMC Checking			-2,916.05
			<hr/>
TOTAL			-2,916.05
			<hr/> <hr/>

Project Water Worksheet as of November 30, 2024

(No contract changes from previous report)

Current 2024 totals
in Acre Feet

Project Water Licensed to MC RRFC & WCID:	7940
Contracted Non-Retail Suppliers:	4972
Contracted Retail Suppliers:	2305.15
Calpella CWD	85
Henry Station Mutual Water Co	8
Hopland PUD	222
Millview CWD - All Use	1171.15
Rogina Water	200
River Estates Mutual Water Company	26
Willow CWD - All Use	593
Contracted Retail Suppliers Total:	2305.15
Contracted Total:	7277.15
Current Uncontracted Water Supply for 2024:	662.85

Redwood Valley County Water District 2024 Surplus Use Totals:

Month	Water used in 2023, in acre feet	Water diverted, in acre feet	Remaining AF Available in 2024 only
Jan 2024	0.00	13.89	
Feb 2024	0.00	0.00	
Mar 2024	0.00	14.46	
Apr 2024	31.60	59.75	
May 2024	42.72	46.47	
June 2024	94.48	116.91	
July 2024	173.04	265.15	
Aug 2024	174.10	179.06	
Sept 2024	81.91	117.76	
Oct 2024	37.54	82.13	
Nov 2024	25.46		
Dec 2024	16.13		
Totals:	676.98	895.58	

Surplus water OFFERED FOR TRANSFER from customers in 2024:	363.00
Surplus water ACTUALLY TRANSFERED from customers in 2024:	232.73

Total available Surplus for Redwood Valley in 2024: **1025.85**

Note: additional available surplus water can be made available.

5 **DRAFT MINUTES**
6 **Regular Meeting of November 4, 2024**
7 **At District Office: 304 N. State Street, Ukiah, CA 95482**

8 **1. Roll Call**

9 President Watt called the meeting to order at 5:32 PM.

10 Trustees Present: Christopher Watt, President
11 Tyler Rodrigue, Vice President
12 John Bailey, Treasurer
13 John Reardan, Trustee
14 Dave Koball, Trustee

15 Staff: Elizabeth Salomone, General Manager
16 Jeanne Zolezzi, Legal Counsel

17
18
19
20 **2. Approval of Agenda**

21 Trustee Reardan moved to approve the agenda. Vice President Rodrigue seconded the motion. The motion
22 was approved by the following vote:

23 Ayes: 5 (Koball, Reardan, Bailey, Rodrigue, Watt)

24
25 **3. Public Expression: None.**

26
27 **CLOSED SESSION**

28 **4. Conference with Real Property Negotiators (Gov. Code § 54956.8)**

29 *Property:* Potter Valley Project | *Agency negotiator:* General Manager, General Counsel, Board Members
30 *Negotiating parties:* Agency, Inland Water & Power Agency, PG&E | *Under negotiation:* Purchasing Entity

31
32 The Board entered closed session with legal counsel at 5:34 PM.
33 The Board returned to open public session at 6:04 PM.
34 President Watt reported out that no reportable action was taken.

35
36 **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

37 **5. Board and Board Meeting Policy Update**

38 GM presented the item and answered clarifying questions.

39
40 Treasurer Bailey moved to approve the agenda. Trustee Koball seconded the motion. The motion was
41 approved by the following vote:

42 Ayes: 5 (Koball, Reardan, Bailey, Rodrigue, Watt)

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6. Financial Policy Updates

GM presented the item. The Board discussed a suggested change to setting the Emergency Reserve and decided to maintain the Reserve Policy as is. The Board directed staff to agendize further discussion on the Water Supply Reliability Reserve, potentially setting an annual minimum.

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS

7. Water Supply Conditions Update

GM presented the report and answered clarifying questions.

8. Consent Calendar

- a) Acceptance of the October 2024 Financial Reports
- b) Approval of October 6, 2024 Regular Board Meeting minutes

Trustee Koball moved to approve the consent calendar. Trustee Reardan seconded the motion. The motion was approved by the following vote:

Ayes: 5 (Koball, Reardan, Rodrigue, Bailey, Watt)

9. Trustee & Committee Reports

LAFCo MSR/SOI & Annexation Ad Hoc: No significant updates since last Board meeting.

Annual GM Evaluation Ad Hoc Committee: President Watt appointed Trustee Reardan and Treasurer Bailey to the Ad Hoc and received consensus from the Board.

10. General Manager Report & Correspondence

GM presented report. Due to anticipated leave in January, Board and GM agreed to not hold a regular Board meeting in February 2025.

11. Direction on Future Agenda Items

Report back from Mendocino County Inland Water & Power Commission including member contribution updates to inform District future rate setting. Water Supply Reliability Reserve review. Strategic Plan goals update. Personnel policies.

ADJOURNMENT

Treasurer Bailey moved to adjourn the meeting at 6:46 PM. Trustee Koball seconded the motion. The motion was approved by the following vote:

Ayes: 5 (Koball, Reardan, Rodrigue, Bailey, Watt)

APPROVED by Board of Trustees on December 9, 2024

President of the Board of Trustees

Secretary of the Board of Trustees

President	Vice President	Treasurer	Trustee	Trustee
<i>Christopher Watt</i>	<i>Tyler Rodrigue</i>	<i>John Bailey</i>	<i>John Reardan</i>	<i>Dave Koball</i>

*Mendocino County Russian River Flood Control &
Water Conservation Improvement District*

STAFF REPORT

**Agenda Item 8c: Customer Request
for Uniform Water Supply & Purchase Agreement Change
Monday, December 9, 2024**

The Strategic Plan relevant priority is **use** through effective and beneficial use of water under the District water right license and as a public resource.

Background

The Uniform Water Supply & Purchase Agreement states:

**ARTICLE 12.
REDUCTION IN USE AND ALLOTMENT**

12.1. **Customer Initiation.** On or before September 1 of any Year, Customer may initiate an increase or reduction in the Contract Quantity as to the following Year and the remainder of any Original or Extended Term, by providing written notice to District of such determination, and, in the case of an increase, subject to CEQA compliance and District written confirmation of the availability of the additional water requested.

Discussion

Hildreth Farms, Inc. is a current customer in good standing with 150 acre feet contract quantity. Hildreth Farms has requested an additional 50 acre feet starting contract year 2025.

As per the Uniform Water Supply & Purchase Agreement Article 12.1 shown above, customer requests for contract changes to the following calendar year need to be made by September 1. As the request was made after this date, the request is coming to the Board to consider approval. Legal Counsel was consulted and confirmed the change can be approved by the Board through a motion. If the Board does not approve the request, the Customer's request will be processed and effective January 1, 2026.

As seen in the "Project Water Worksheet as of November 30, 2024" in the consent calendar, there is currently 662.85 acre feet of uncontracted Project Water, enough to meet this customer request. Uncontracted water is provided first to current customers and second to Redwood Valley County Water District as surplus water supply.

Recommendation:

- Move to approve Hildreth Farms, Inc. request to increase the contract quantity in its Uniform Water Supply & Purchase Agreement from 150 acre feet to 200 acre feet beginning January 2025;
- Or
- Deny the request.

Attachments:

- Hildreth Farms, Inc. request for additional contract quantity.

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

Hildreth Farms Inc.
1520 Ruddick Cunningham Rd.
Ukiah Ca. 95482

November 14, 2024

To Elisabeth Salomone, General Manager
Mendocino County Russian River Flood
and Water Conservation Improvement
District

Hildreth Farms Inc. would like to add three points
diversion if possible.

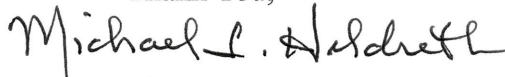
1st at 1001 Babcock Lane
Parcel # 180-0500-200

2nd at 1101 Babcock Lane
Parcel # 180-0500-400

3rd at Home Ranch
Diesel Pump
1520 Ruddick Cunningham Rd
Parcel# 183-0100-400

WE would also if possible like to increase our contract
from 150 acft to 200acft.

Thank You,



Michael L. Hildreth Pres.
Hildreth Farms Inc.

Mendocino County Russian River Flood Control
Water Conservation Improvement District

STAFF REPORT

Agenda Item 4: General Manager Evaluation Procedure Update
Monday, December 9, 2024

The Strategic Plan relevant priority is **Administration** through (1) sustainable, capable, high quality executive leadership, providing support, incentive, and retention; (2) effective human resources to execute the strategic plan; and (3) maintaining updated policies and procedures.

Background

In a previous Agenda Item of this meeting, the Board will consider approval of the updated Personnel Policies, including the General Manager Evaluation.

The General Manager Evaluation Ad Hoc Committee (Trustees Reardan and Bailey) met with GM Salomone to discuss implementation of the proposed updated policy for the review term of calendar year 2024. GM Salomone shared proposals from two Human Resources consultants with the Ad Hoc which were discussed, along with the general procedure. Through discussion, a proposed adaptation for policy implementation was developed for the 2024 review period as described below.

Discussion

The Ad Hoc Committee believes a streamlined process could be used for the 2024 review period, especially since the last review was finalized in May 2024 (for the 2022 and 2023 review periods) and no concerns were raised.

Proposed adaptation for 2024 review period:

- December 9, 2024 Board approval of proposed 2024 review period implementation. GM issues Self-Evaluation and Strategic Plan Progress report as per policy.
- January Board Regular or Special Meeting: Board holds a closed session to complete the Trustee Survey as a group (rather than individually as described in policy.)
- Consultant reviews the survey results and provides recommendations on compensation package to the Ad Hoc Committee.
- February Board Meeting: Ad Hoc makes GM Evaluation recommendation to Board in closed session.
- Ad Hoc meets with GM to present evaluation results, including any proposed compensation package changes. If any concerns, Consultant can be included to assist.
- March Board Meeting: If all parties aligned, finalization of the evaluation and implementation of any compensation package changes beginning the March 1 pay period.

Recommended Action(s):

- Move to approve the GM Evaluation Ad Hoc Committee recommendation for a proposed adaptation of District policy for the 2024 review period; and
- Direct Ad Hoc Committee and GM to schedule necessary meetings.

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

*Mendocino County Russian River Flood Control
& Water Conservation Improvement District*

**General Manager's Report for November 2024
Presented at Regular Meeting of Monday, December 9, 2024**

Priority 1: Security ~ Ensure reliable, resilient, and available sources of water.

(1: Improved river & reservoir operations. 2: Fair & reliable inter-basin. 3: Expanded water sources. 4: Increased storage capacity)

1-FERC Denies City of Ukiah Rehearing of Flow Variance 2nd Time: On June 27, 2024, the Federal Energy Regulatory Commission (FERC) issued an order granting PG&E's request for a temporary flow variance for the Potter Valley Project. On July 29, 2024, the City of Ukiah filed a request for rehearing which was denied by FERC in August 2024, however, as permitted by section 313(a) of the Federal Power Act (FPA), FERC modified the discussion in the Variance Order and reached the same result. More information on the 2024 Flow Variance can be found on the RRFC website.

2-Potter Valley Irrigation District Townhall Meeting (11/14/24): Consultants presented detailed report on the work undertaken to explore Potter Valley's ability to develop storage in the valley. The presentation is being recorded and posted on various public websites soon. Cost, permitting, political and public support & funding will all be factors in the consideration of implementing potential projects. It was stated the next step is more study.

Priority 2: Collaboration ~ Work with partners to achieve aligned goals for a common benefit.

(1: Trusted relationships with community partners for regional water security. 2: Improved diversity, equity, and inclusion in the stewardship of water resources. 3: Expanded relationships with non-traditional partners and stakeholders in pursuit of enhanced Environmental Stewardship.)

1-Water Sharing Program: A working group meeting was held. The Supply Subgroup reported meeting and there was discussion on scenarios for the modeling run request to SWRCB.

1-Ukiah Valley Basin Groundwater Sustainability Agency (GSA): Information on the Ukiah Valley Basin Watershed Plan developed by CA Land Stewardship Institute has been posted on the GSA website (<https://ukiahvalleygroundwater.org/managing-our-groundwater/ukiah-valley-groundwater-basin-watershed-plan/>) and RRFC website.

1-Ukiah Valley Basin Groundwater Sustainability Agency (GSA): The Facilitation Support Services Ad Hoc & consultants met to go over scope of work. Planning for development of a strategic and operations plan, educational events, public outreach, Tribal engagement, etc.

2-Hopland Pomo Nation: GM met with the EPA Director and the new lead on Water Resources providing an overview of the District and discussed the Water Sharing Program, Trans Basin diversion, water rights, etc.

Priority 3: Advocacy ~ Influence outreach, education, funding, regulation, and legislation in support of equitable water resource stewardship.

(1: Improved public awareness and understanding of the importance of water issues. 2: State and Federal governmental policy and funding support for the region.)

1-Association of California Water Agencies (ACWA): GM attended Board meeting where highlights from the year and the new strategic plan were reviewed.

(Continued...)

1/2-State Water Resources Control Board SB88 regulation update: GM participated in an ACWA working group to develop comments on the developing Water Measurement and Reporting Regulation Rulemaking update. See attachments of the submitted comments from ACWA and RRFC. More information can be found on SWRCB website:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/rulemaking.html

Priority 4: Use ~ Ensure effective and beneficial use of water as a public resource.

(1: Maximum beneficial use of water under District water right license. 2: Strategic use of water by customers.)

1-Annexation/Change Petition: GM met with LACO consultants to review proposal for annexation support, met with District Ad Hoc Committee, briefed the Redwood Valley County Water District Ad Hoc, and met with customers.

Priority 5: Administration ~ Foster sustainable leadership and management of agency resources.

(1: Capable and high quality executive leadership. 2: Engaged, diverse, and knowledgeable Board leadership. 3: Effective systems and human resources to execute the strategic plan. 4: Sound and sustainable management of District finances.)

1: Executive Leadership: Attended: (1) virtual Coffee and Conversation with Pablo Garza, Chief Consultant for the Assembly Committee on Water, Parks, and Wildlife (2) CSDA Financial webinar on Reserves. (3) PPIC webinar on climate change. (4) PPIC 024 Annual Water Conference: Is California Ready for Climate Change? (virtually) (5) Farm Bureau/CLSI hosted informational meeting on “Main Stem Russian River Grower Survey: Planning for Post PVP Water Supply.” (6) all day virtual event: State & Local Leaders to Commemorate the 10th Anniversary of the Sustainable Groundwater Management Act [Event website with YouTube link to recording](#). (7) Met with Account to learn more about fixed assets, insurance, and reserves.

Community Meetings

Note: District Board members and GM will no longer be attending all community meetings and reporting here. Please contact the individual organizations for more information on public meetings and updates.

Local Agency Formation Commission (LAFCo) (11/4/24): The new Alternate Special District representative was sworn in. The Commission approved the City of Ukiah Western Hills annexation and Sphere Amendment. In the LAFCo workplan written update, it is noted the RRFC MSR/SOI Update administrative draft is underway.

City of Ukiah (11/6/24): Staff updated Council on the Western Hills annexation approval. Staff presented the revised water interconnection, wheeling, and mutual aid agreements with Willow and Millview which were approved.

Ukiah Valley Water Authority (UVWA) (11/7/24): SAFER Planning Grant: Written comments have been received on the initial application. Consultants continued tours of infrastructure and assets. It is hoped to have a 30% design plan developed by the end of the year with a draft document to UVWA in early 2025. Work continues in preparation for the billing transition and administrative consolidation of the UVWA members, which will likely happen in 2 phases over the next year or so.

City of Ukiah (11/20/24): Appreciation was given to City staff on storm response, with some specific updates provided. Nothing else water related.

(Continued...)

Mendocino County Inland Water & Power Commission (MC IWPC) (11/25/24): This special meeting had a 2 hr 40 min closed session. In open session, an update was provided on the feasibility cost share agreement for the modernization of Coyote Valley Dam. IWPC representatives will be meeting with the US Army Corp of Engineers to discuss terms of the agreement and possibility of a time extension on IWPC commitment. Status report on the future of the Eel to Russian River trans basin diversion was provided. Negotiations continue with PG&E to include the new facility description in the draft decommissioning plan that PG&E is slated to release in January 2025. Report out on the Potter Valley storage project study townhall hosted by Potter Valley Irrigation District. Consultants are working to create a video of the presentation with audio track. The proposal for an IWPC financial workshop was once again mentioned. City attorney will develop legal options for IWPC to generate funding. Update on the Biological Opinion was provided, noting it is not expected any sooner than the end of January 2025.

* * * *

Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

Mendocino County

Russian River Flood Control & Water Conservation Improvement District

P.O. Box 2104 Ukiah, CA 95482 707.462.5278 Website: RRFC.net DistrictManager@rrfc.net

December 2, 2024

Sent via ELECTRONIC MAIL to DWR-Measurement@waterboards.ca.gov

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Proposed Changes to the Water Measurement and Reporting Regulation

Dear Ms. Tyler,

As a member of the Association of California Water Agencies (ACWA), the District provided input for and supports the comments submitted by ACWA. This letter highlights a few of the most important issues for this District.

Coordinate with the Updating Water Rights Data Project (UPWARD) Advisory Group

The District is proud to have its General Manager serving on the UPWARD Advisory Group and encourages the State Water Resources Control Board to utilize this carefully cultivated Advisory Group to discuss the proposed changes in the Regulation. The turn-around period for the release of the draft proposed changes, comment period closing, and potential consideration of approval by the State Water Board does not leave many organizations sufficient time to consult with constituents, to evaluate economic impacts of the proposed changes, and to study unintended consequences of approval. The UPWARD Advisory Group may help in these areas.

Coordinate with the Telemetry Research Unit (TRU) Pilot Project in the Russian River Watershed

Again, the District is proud to have played an active role in the development of the pilot project and looks forward to the opportunity to participate in the pilot. There is insufficient clarity in the proposed changes and from the November workshop how the Pilot Project will inform the Regulation. Careful consideration and detailed communication is requested to make clear the coordination.

Alternative Compliance Plans

The District depends on the ACP option and is supportive of expanding the use of the ACPs to address varying conditions in watersheds across the State. As a filer of an ACP, the District supports adding language to the Regulation clarifying that an ACP is approved unless notified in writing within a defined timer period.

(Continued...)

President
Christopher Watt

Vice President
Tyler Rodrigue

Treasurer
John Bailey

Trustee
John Reardan

Trustee
Dave Koball

Clarification of Changes & the Economic Impacts of Implementation

The District and its constituents (agricultural water users and retail suppliers) are left uncertain of the actual proposed changes to the Regulations due to the restructuring of the text and difficulty in tracking the edits. A simple yellow highlighting of text that has proposed changes from the approved Regulation would go far in helping water users to better understand the update and analyze the resources that will be needed to reach compliance. If the first reporting date under an approved update will be February 2026, that will require reporting on the October 1, 2024- September 30, 2025 water year and there is concern and confusion regarding the implementation of new regulations in arrears.

Thank you for consideration of these comments and the District remains committed to supporting the State Water Resources Control Board's efforts to modernize the improved administration of the water rights priority system with improved data, efficiency, and transparency.

Sincerely,



Elizabeth Salomone
General Manager

President
Christopher Watt

Vice President
Tyler Rodrigue

Treasurer
John Bailey

Trustee
John Reardan

Trustee
Dave Koball

Sent via ELECTRONIC MAIL to DWR-Measurement@waterboards.ca.gov

December 2, 2024

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: ACWA Comment Letter regarding Water Measurement and Reporting Regulation

Dear Ms. Tyler,

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the proposed changes to the Measuring and Reporting and Water Diversion and Use Reporting Regulations (Regulations). ACWA represents 470 local public water agencies that supply water for domestic, agricultural, and industrial uses to over 90 percent of California's population. In 2022, ACWA's Board of Director's adopted Climate Change Policy Principles that recognize improved administration of the rights priority system as an essential strategy to ensuring a reliable water supply in a changing climate. Specifically, the policy principle calls for the State "to modernize the improved administration of the water rights priority system with improved data, efficiency and transparency, while maintain the existing priority system as its legal and operational foundation."

We offer the following policy and technical input for the State Water Board's consideration. We request the State Water Board work with ACWA and our member agencies to address these concerns in advance of finalizing a Regulation.

A. POLICY INPUT

1. Clarify Compliance.

At the November 13 workshop, State Water Board staff outlined compliance issues with the existing Regulation, with less than 3,000 of approximately 12,000 water rights holders submitting a datafile in compliance with the regulation consistently in the past six years since the regulation has been adopted. ACWA appreciates compliance with the Regulation is important for understanding the water supply and availability within the state. Additionally, we appreciate that the State Water Board staff have conducted substantive outreach to diverters over the past several years and are proposing changes to increase quality and usability of data submitted. We ask that the State Water Board provide the following data in advance of the formal rulemaking.

- i. Provide More Detailed Data on Compliance. It would be helpful for the State Water Board to provide more information on overall compliance with the existing

Regulation, including by size of diverters. This would provide better insight on non-compliance to help ACWA develop recommendations on how to improve the proposed Regulation. For example, the general complexities and costs associated with the Regulation may continue to result in substantive non-compliance for smaller and rural diverters. While the Regulation provides some differentiation in requirements between different sized diverters (e.g., measuring frequency and accuracy, definition of “qualified individuals”), ACWA would support the State Water Board’s further evaluation, in collaboration with the UPWARD Advisory Group or interested parties, to modify SB 88 monitoring and reporting requirements away from a one-sized-fits-all approach to further simplify measuring and reporting for smaller volumetric diversions or where there is a less potential impact. However, if non-compliance is with larger diverters, different solutions may be required. With the data currently presented, it is unclear where are the compliance challenges.

- ii. Analyze Compliance by Volumetric Percentage. Compliance by total number of diverters may not accurately reflect the volumetric amount of water being reported in the system. We appreciate the cumulative impact of small diversions can be substantial. However, if the State Water Board’s goal is to collect high-quality data for water rights administration, it would be helpful to also present the compliance of total volumetric diversions.

2. Ensure Clear Value for Data Requested and Alignment with Real World Water Management.

- i. Minimize Unintended Impacts. At the November 13 workshops, the State Water Board identified that the proposed measurement data is intended to help improve the way the State will: (1) forecast and plan for limited water supplies, (2) facilitate water transfers, petitions, new applications, flood recharge, and (3) to protect senior water rights. However, we are concerned that as drafted, current definitions, such as for rediversion, are contradictory and confusing and would result in unintended consequences that would limit water transfers. We request the State Water Board coordinate with the Department of Water Resources and water suppliers to minimize unintended consequences.

Additionally, public water suppliers are on-the-ground experts in their watersheds and have appreciated the State Water Board’s engagement in the past on water rights reporting. As the State Water Board advances solutions to improve high-quality water rights data, ACWA encourages staff to partner with water suppliers in the watersheds on how to best collect data to ensure it is technically and cost-effectively feasible and aligns with real-world water management.

- ii. Limitations of Data Requested. We support reporting high-quality and usable data to administer water rights consistent with the State’s existing authorities. Reporting high resolution data does not necessarily mean it will be better or more useful data. The State Water Board is asking for data in several areas of the proposed Regulation that are infeasible for diverters to provide. The State Water Board should consider requesting monthly data, rather than more granular data currently requested.

3. Coordinate with the Updating Water Rights Data Project (UPWARD) Advisory Group.

We appreciate State Water Board staff's outreach pre-rulemaking to ACWA and the opportunity to provide comments pre-rulemaking. We recommend the State Water Board better coordinate with the UPWARD Advisory Group as it considers regulatory changes to how it collects and manages waters rights data and information moving forward. The UPWARD Advisory Group includes experts who are well positioned to provide input on how to address SB 88 compliance issues, develop new reporting requirements and templates, and align regulations with on-the-ground realities in different basins. It is our understanding that the UPWARD Advisory Group was not engaged in advance of this regulatory effort.

B. TECHNICAL INPUT

1. Align Telemetry Requirements with the Telemetry Research Unit (TRU) Pilot Project (Pilot Project)

Section 932(b) of the proposed Regulation would expand telemetry requirements to include diversions of 30 cubic feet per second during the entire water year, rather than the summer months. We request the State Water Board align telemetry regulatory efforts with Updating Water Rights Data Project (UPWARD) and the findings of the TRU Pilot Project in the Russian River. The TRU was created to build institutional knowledge of the best practices, costs and equipment of telemetered water monitoring and to make recommendations about monitoring and reporting processes. The Pilot Project, which will occur from 2025 to 2028, will allow for the evaluation of cost and effectiveness of monitoring water diversion. Findings of the pilot project should inform future measuring and reporting policy updates to better understand how to maximize the quality of data reported and minimize costs and technical issues. We additionally note that we are not aware of any resources, technical or financial, to help diverters comply with this new requirement, which could further challenge overall compliance with the Regulation.

2. Clarify Approval of Alternative Compliance Plans

Section 936(i) would provide that an alternative compliance plan is approved by the State Water Board unless notified in writing that the plan has been rejected. We appreciate that this change is intended to provide greater certainty to diverters that an alternative compliance plan is accepted, while removing the administrative burden on State Water Board staff. We think language establishing a timeline for when staff could notify a diverter their alternative compliance plan has been rejected would be helpful to increase certainty. We suggest including language in the proposed Regulation that clarifies that a plan is considered approved by the State Water Board unless notified in writing that the plan has been rejected "within X time."

3. Eliminate Requirements of Weekly Publication of Data to the Board's Online Reporting Platform.

Section 935(f)(3) of the proposed Regulation would require diverters to submit telemetry measurement data on a weekly basis to the State Water Board's online reporting platform.

It is not feasible for diverters to submit the required information on a weekly basis. This requirement should be removed from the proposed Regulation. Diverters typically calculate direct diversion, diversion to storage, and water withdrawn from storage based on provisional data looking 30 days ahead and 30 days back. This is completed pursuant to the State Water Board's "Last-In, First-Out" and 30-day rules. Diverters that use other methods of measurement must complete various calculations, which require significantly more time and staff resources to produce readable data. Thus, the proposed Regulation doesn't recognize the logistical barriers and creates a challenge to complete data calculations in a short amount of time. Additionally, ACWA is concerned that real time publication of water diversions may pose security risks to diverters' overall privacy and infrastructure.

4. Collaborate with the UPWARD Advisory Group to Refine Standardized Reporting.

Section 935(b) proposes language that would require a standardized datafile format and submission, to be provided by the State Water Board. We appreciate the State Water Board's goal of creating high-quality and usable data. We are concerned that a standardized template for data submission could result in delayed data submittals and impose significant costs and challenges to water agencies, particularly those with multiple data sets. We recommend the State Water Board collaborate with the UPWARD Advisory Group and interested parties to refine any standardized datafile format and submission moving forward.

We additionally note that the proposed Regulation is expected to go into effective late 2025/early 2026 and the Cal-WATRS system is set to be released for public use in 2025. To date, the UPWARD Advisory Group and public have not tested the Cal-WATRS system. This creates a challenge to understand compliance under the proposed Regulation regarding data submission because the usability of the Cal-WATRS platform is currently unknown. We recommend any development for new reporting should be deferred until after the launch of Cal-WATRS to ensure reporting is aligned and usable with the platform.

We appreciate the State Water Board's consideration of these comments and look forward to working with the Division of Water Rights on the update to the proposed Regulations. If you have any questions regarding these comments, please contact us at ChelseaH@acwa.com.

Sincerely,



Chelsea Haines
Regulatory Relations Manager
Association of California Water Agencies

cc: The Honorable Joaquin Esquivel, Chair, State Water Resources Control Board
The Honorable Dorene D'Adamo, Vice Chair, State Water Resources Control Board
The Honorable Laurel Firestone, State Water Resources Control Board

The Honorable Sean Maguire, State Water Resources Control Board
The Honorable Nichole Morgan, State Water Resources Control Board
Mr. Eric Oppenheimer, Executive Director, State Water Resources Control Board
Mr. Erik Ekdahl, Deputy Director, Division of Water Rights
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