

*Mendocino County*

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

304 N. State St. #2, Ukiah, CA 95482 707.462.5278 Website: [RRFC.net](http://RRFC.net) [DistrictManager@rrfc.net](mailto:DistrictManager@rrfc.net)

**A G E N D A**

**Board of Trustees – Regular Meeting of  
Monday, December 5, 2022 at 5:30 pm**

IN COMPLIANCE WITH ASSEMBLY BILL 361, THIS MEETING CAN BE VIEWED LIVE VIA ON ZOOM.

**Call in:** (669) 900-9128

**Meeting ID:** 811 2748 9402

**Passcode:** 95482

**Link:** <https://us02web.zoom.us/j/81127489402?pwd=aExuS2YwcklQMTljYTVPpRFFjaWdEQT09>

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
4. Board Proclamation of Appreciation for Matthew Froneberger's Service as a Trustee

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION:**

5. Water Supply Conditions Update & District Response (5:35 PM)  
*Board will receive report and provide feedback and/or direction to General Manager.*
6. Board Business (5:45 PM)  
*Board will elect Officers for 2023, appoint representatives to Joint Powers Agencies, assign Advisory and Liaison positions, provide feedback to GM on remote/hybrid meetings, and consider approval of the 2023 District Calendar of meetings and closures.*

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

7. Consent Calendar
  - a) Acceptance of the November 2022 Financial Report & October Payment Detail Report
  - b) Approval of November 7, 2022, Regular Board Meeting minutes
  - c) State of Emergency  
*Board to reconsider the circumstances of the state of emergency and determine by majority vote that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/ or (ii) State or local officials continue to impose or recommend measures to promote social distancing as previously passed in Board Resolution #21-04.*
8. Trustee & Committee Reports
  - a) Ad Hoc: Budgeting for Strategic Plan Implementation
  - b) Ad Hoc: GM Evaluation
9. General Manager Report & Correspondence
  - a) ACWA Conference Review, November 29 – December 1
10. 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.

**Proclamation #22-01**  
of the  
**Mendocino County Russian River Flood Control  
& Water Conservation Improvement District**

**Appreciating**  
**Matthew Froneberger**  
**District Trustee for Seven Years of Outstanding Public Service**

**WHEREAS**, Mendocino County Russian River Flood Control & Water Conservation Improvement District Board Trustee, **Matthew Froneberger** has served as a member of the Board since May 16, 2016; and

**WHEREAS**, Trustee Froneberger served as President in 2018, Vice President in 2017 & 2018, and Treasurer in 2020 through 2022; and

**WHEREAS**, Trustee Froneberger has represented the District at Mendocino County Inland Water & Power Commission 2016-2022; and

**WHEREAS**, Trustee Froneberger has represented the region on the Association of California Water Agencies Region 1 Board 2017-2019; and

**WHEREAS**, Trustee Froneberger has represented Mendocino County Special Districts on the Mendocino County Local Agency Formation Commission 2021-2022; and

**WHEREAS**, Trustee Froneberger has been an invaluable Trustee to this Board providing outstanding leadership and guidance to the General Manager; and

**WHEREAS**, Trustee Froneberger dedicated himself to excellence as a Trustee of the District Board consistently ensuring the highest level of service to the public.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mendocino County Russian River Flood Control & Water Conservation Improvement District Board recognizes and proclaims sincere appreciation for Trustee Matthew Froneberger's distinguished service on the Board of Trustees.

**PROCLAIMED** on the 5<sup>th</sup> Day of December 2022, by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District.

\_\_\_\_\_  
Christopher Watt, Board of Trustees President

\_\_\_\_\_  
Alfred White, Board of Trustees Vice President

\_\_\_\_\_  
John Reardan, Board of Trustees

\_\_\_\_\_  
Tyler Rodrigue, Board of Trustees

\_\_\_\_\_  
Elizabeth Salomone, General Manager

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

**STAFF REPORT**

To: Board of Trustees  
From: E. Salomone, General Manager  
Meeting: Monday, December 5, 2022  
RE: Agenda Item 5: Water Supply Conditions Update & District Response

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**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 environment.

**Inter-Basin Diversion of Water Through PG&E Owned "Potter Valley Project"**

PG&E is still operating the inter-basin diversion through Potter Valley Project under a FERC Variance Order and convening the PG&E Drought Working Group (DWG) every two weeks to report on conditions. Additionally, and as per the Variance Order, DWG members may request an increase to the East Branch Russian River flows from 5 cubic feet per second (cfs) up to 25 cfs. Previous requests have been blocked through lack of consensus among DWG members.

On November 2, 2022, GM Salomone proposed an increase in the flow of any amount up to 25 cfs which was subsequently blocked. On November 9, 2022, GM Salomone and Janet Pauli, representing Potter Valley Irrigation District (PVID) and Mendocino County Inland Water & Power Commission (MCIWPC), submitted the **attached** joint proposal. As noted in the request, justification for flow increases are not required by the Variance Order, however, the letter supplied supporting points. The proposal was once again blocked.

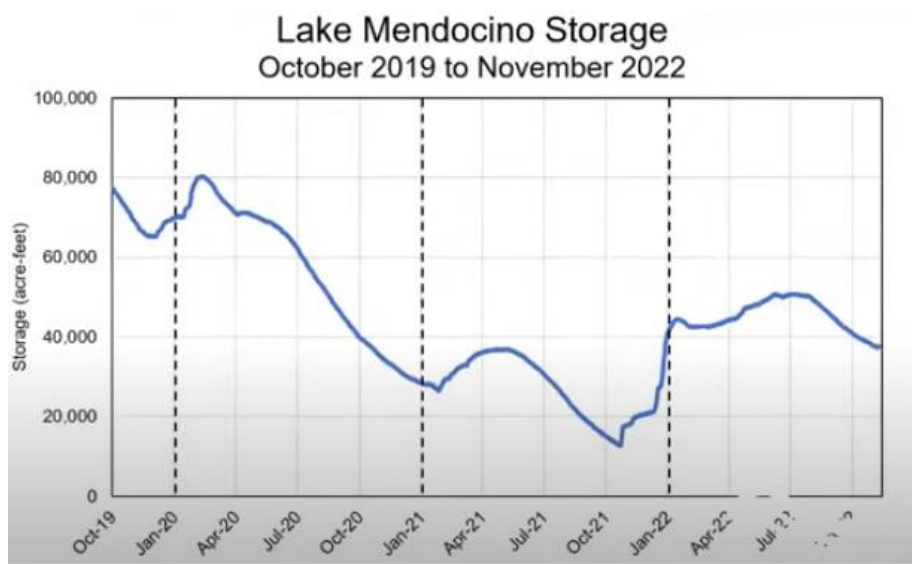
Due to the reduction in demand from the Potter Valley Irrigation District (PVID) on its contract with PG&E, diversions have dropped to and starting November 1, PG&E will divert 5 cfs for PVID and 5 cfs for the East Branch RR. The flow variance will remain in place until storage at Lake Pillsbury is at or exceeds 36,000 acre feet (af) at which time the minimum required flow in the East Fork RR will increase to 45 cfs.

**Lake Mendocino and the Mainstem Upper Russian River**

Lake Mendocino storage level on November 27, 2022 was 36,962 acre feet (af), down from 37,963 af on October 31, 2022.

*(Continued...)*

From the State Water Board Meeting of November 15, 2022:



### **Curtailments in the Upper Russian River**

Due to forecasted precipitation in the watershed, the Division has extended temporary watershed-wide curtailment suspensions until December 5, 2022. Division staff will analyze anticipated water supplies in late November and the need for curtailment in December. The Division will publish an updated curtailment status list identifying curtailed diverters.

### **The Upper Russian River Voluntary Water Sharing Agreement Program**

The Program continues to be suspended, however now due to lack of necessity rather than from the reduction in diversions from the Eel River to the East Branch Russian River above Lake Mendocino. Demands are down and sufficient natural and imported flow is available. The Steering Committee continues to focus efforts toward writing the first annual report, conducting a survey and adapting the Program for 2023 and beyond. Additionally, several Steering Committee members have been presenting on the Water Sharing Program. In November, GM Salomone was a panelist at the CA Education Foundation Water Summit in Sacramento, a California Environmental Water Network virtual workshop, and Association of California Water Agencies (ACWA) Fall Conference. GM Salomone has also been interviewed by several members of the press and working with other agencies and consultants in the State to provide information on the transferability of the Program to other regions.

### **District 2022 Water Supply**

Sonoma Water filed a new Temporary Urgency Change Petition to the State Water Resources Control Board which would take effect as the current one expires, with no lapse. As has become the recent 'norm', flow requirements are set based on Lake Mendocino storage conditions rather than Lake Pillsbury. RRFC submitted the **attached** support letter and a copy of TUCP narrative can be found in the online meeting materials at <https://www.rrfc.net/board-meetings>.

### **District Response:**

The District continues to operate under Declaration #22-01 Stage III: Water Warning, passed by the Board on October 3, 2022. Staff and Legal are considering an updated status for the January 2023 Board Meeting.

Sent to Jackie Pope, PG&E, Email: [jhpl@pge.com](mailto:jhpl@pge.com)  
4:35 pm 11/9/22

Date: November 9, 2022

To: PG&E Drought Working Group

From: Elizabeth Salomone, Mendocino County Russian River Flood Control & Water Conservation Improvement District

And

Janet Pauli, Director, Potter Valley Irrigation District and Chair, Mendocino County Inland Water & Power Commission

RE: Proposal for flow increases to the East Branch Russian River

Russian River Flood Control District and Potter Valley Irrigation District formally request an increase of East Branch flows to 25 cfs as allowed in the FERC Variance Order. These PG&E Drought Working Group members also request **all members be prepared to submit votes at the next DWG meeting on Thursday, November 17, 2022,** using the week prior to that meeting for internal conferring.

Conditions the variance addressed have changed and no longer support justification for keeping the flow lower than the licensed requirement of 25 cfs. PG&E provided projections indicating Lake Pillsbury storage levels will not decline to levels that cause operational and dam safety impacts associated with critically low storage levels. Additionally, sufficient storage exists in Lake Pillsbury to maintain Eel River stream flows and block water releases and provide cold water for Eel River salmonid species.

Though justification for flow increases to the East Fork Russian River are not required by the Variance Order, the following points further support the request:

**Helping Salmonids:**

Using PG&E's most current Lake Pillsbury storage projection, the Potter Valley Project (PVP) Variance Order may be in place for another approximately 60 days. Over the next 60 days, about 2,500 acre-feet of additional water could be transferred through the PVP if the increased diversion request is granted. Assuming this water is stored in Lake Mendocino, the hydrologic condition on the Russian River could be classified as "dry" instead of "critical" resulting in higher minimum streamflow requirements. Higher stream flows could benefit adult salmonids returning to the Russian River to spawn. If drought conditions continue longer-term, hydrologic condition will remain critical this spring. Continued low storage levels in Lake Mendocino will constrain Sonoma Water's ability to make releases to improve smolt outmigration and store cold water for juvenile rearing.

**Managing Risk at Lake Mendocino:**

In late October, Sonoma Water submitted the sixth consecutive 180-day Temporary Urgency Change Petition to the State Board over the past three years. Lake Mendocino is a relatively small reservoir with very little, if any, carryover storage in most years. The reservoir needs to receive enough inflow from both precipitation/runoff in the watershed and PVP diversions every year to remain a reliable source of water. Winter diversions through the PVP have been reduced

substantially due to the PVP powerplant being non-operational. Lake Mendocino is now even more unreliable because of this reduction in diversions and the risk of dewatering Lake Mendocino has increased. A nominal increase in PVP diversions, as requested, can help reduce the risk of dewatering Lake Mendocino.

**Meeting Health & Safety Needs:**

Tens of thousands of people in the Russian River watershed rely at least in part on PVP diversions to meet their water supply needs. The requested increase in PVP diversions will help ensure that the health and safety needs of this population will be met.

Again, Russian River Flood Control District and Potter Valley Irrigation District formally request an increase of East Branch flows to 25 cfs as allowed in the FERC Variance Order. These PG&E Drought Working Group members also request **all members be prepared to submit votes at the next DWG meeting on Thursday, November 17, 2022,** using the week prior to that meeting for internal conferring.

*Mendocino County*

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

151 Laws Avenue Suite D, Ukiah, CA 95482 707.462.5278 Website: [RRFC.net](http://RRFC.net) [DistrictManager@rrfc.net](mailto:DistrictManager@rrfc.net)

November 8, 2022

Erik Ekdahl, Deputy Director of Water Rights  
State Water Resources Control Board  
Division of Water Rights  
PO Box 2000  
Sacramento, CA 95812-2000

Dear Mr. Ekdahl,

**RE: Support for Temporary Urgency Change filed October 28, 2022  
for Permits 12947A, 12949, 12950, and 16596 held by Sonoma Water Agency**

The Mendocino County Russian River Flood Control and Water Conservation Improvement District (RRFC) supports State Water Resources Control Board (Water Board) expedited approval of Sonoma Water Agency's recently filed Petition for Temporary Urgency Change (TUCP.) It is vital there is no gap between the current Temporary Urgency Change Order and the implementation of a new order to protect the highly at-risk water storage supply for the Russian River Watershed.

The Water Board staff has been extremely active and engaging with stakeholders in the Russian River watershed for the last two years and is keenly aware of the current and future water supply issues addressed by the TUCP. The region is under extreme stress from extended and historical drought upon the water supply system for the Upper Russian River, combined with PG&E's drastic operational changes in the inter-basin diversion through Potter Valley Project. The TUCP is one of the most important tools for the Upper Russian River to effectively use a limited water supply. RRFC supports and applauds Sonoma Water for its continued diligence in responding by monitoring conditions, filing TUCPs, outreach & education, advocacy, and regional collaboration. Sonoma Water's efforts benefit all water uses and users in the Russian River watershed.

As described in the supplemental information Sonoma Water provided with the TUCP, using storage thresholds in Lake Mendocino as the hydrologic index to determine the water supply condition in the Russian River Watershed is a logical and critical distinction that reflects the current reality. Major reductions in the inter-basin diversions from the Eel River to the Russian River through Potter Valley Project have dramatically altered the historic relationship between the Russian River Watershed and Lake Pillsbury. TUCPs are the tool currently available to ensure sustainability of water supply reserves for the people and environment of the Russian River.

Water Code requires the Water Board to make the following four findings before issuing an order and RRFC believes all are more than sufficiently met, as summarized below:

- 1. The permittee or licensee has an urgent need to make the proposed change;**  
The proposed changes are essential to help the region endure continued drought and significant reductions of diversions through the Potter Valley Project.

*(Continued...)*

**2. The proposed change may be made without injury to any other lawful user of water;**

The proposed changes will have far reaching effects in the region to protect essential water supply for environmental and human health and safety, as well as economic and other interests in the watershed.

**3. The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and**

The proposed changes will increase the chances of health and survival for fish, wildlife, and other instream beneficial uses in a hostile prolonged drought.

**4. The proposed change is in the public interest.**

The proposed changes are an essential aspect of the protection of public interests reliant on Lake Mendocino storage and Russian River flows.

RRFC strongly supports the approval of Sonoma Water's petition to preserve storage in the reservoir that sustains beneficial uses throughout the dry summer months and into the potentially dry autumn and winter. RRFC also supports the efforts of Sonoma Water and the State Water Resources Control Board to develop an interim solution avoiding successive six month TUCPs until the Fish Flow Project can be finalized.

Russian River Flood Control thanks you for your consideration of these comments. It also extends sincere appreciation for the resources expended in the Russian River by the State Water Resources Control Board since 2020 and collaboration that bolsters the region's water security and resiliency.

Yours Sincerely,



Elizabeth Salomone  
General Manager

**Cc:**

Samuel Boland-Brien: State Water Resources Control Board  
Grant Davis, Pam Jeanne, Don Seymour, Todd Schram: Sonoma Water Agency  
Mendocino County Board of Supervisors and CEO  
Mendocino County Inland Water & Power Commission  
County Water Districts (Willow, Millview, Calpella, Redwood Valley)  
Water Suppliers (Potter Valley Irrigation, River Estates, Rogina Water, Hopland PUD)

**President**  
*Christopher Watt*

**Vice President**  
*Alfred White*

**Treasurer**  
*Matthew Froneberger*

**Trustee**  
*Tyler Rodrigue*

**Trustee**  
*John Reardan*



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

**STAFF REPORT**

To: Board of Trustees  
From: E. Salomone, General Manager  
Meeting: Monday, December 5, 2022  
RE: Agenda Item 6: 2022 Regular Meeting Schedule

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**Election of Board Officers, Appointment of JPA Representatives, and Assignments of Advisory & Liaison Positions** (See **Attachment 1**: Worksheet for Assignments.)

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.

The District belongs to the following Joint Power Agencies:

- Mendocino County Inland Water & Power Commission (MCIWPC)
- Ukiah Valley Basin Groundwater Sustainability Agency (UVGSA)

The District Board assigns Trustees to serve in advisory roles to the GM for the following areas (See **Attachment 2** for description of duties):

- Operations
- Finance and Audit
- Personnel and Organization
- Public Information and Government Activities
- Policy

The District Board assigns Trustees to serve in liaison roles to the following:

- Calpella County Water District
- City of Ukiah
- Hopland Public Utility District
- Millview County Water District
- Redwood Valley County Water District
- Upper Russian River Water Agency (URRWA)
- Willow County Water District
- Others to consider: Board of Supervisors, Sonoma Water, Resource Conservation District, Water Boards

**Recommendation:**

- Move to approve individual Trustees to the officer positions of President, Vice President, and Treasurer.
- Assign Trustees to Regular and Alternate seats on the above JPAs, advisory roles, and to the listed (and any additional) liaison positions.

**Attachments:**

1. Worksheet for Assignments
2. Descriptions of Advisory Roles

*(Continued....)*

## **Remote and Hybrid Meetings**

In October 2022, CA Governor announced that the COVID-19 related state of emergency proclaimed in March 2020 will come to an end, terminating at the end of February 2023. With the state of emergency ending, the current initiative relying on the active state of emergency to hold remote teleconferenced public Board meetings will end

Agencies conducting meetings under the Brown Act will have the choice to return to pre-COVID Brown Act meeting rules or follow the new Brown Act provisions under AB 2449, which allow for limited remote meeting capabilities for elected officials. Below is a brief summary of the key components of AB 2449. (See **Attachment 3** for detailed summary by Legal Counsel.):

1. Provides an option for local agency members to continue utilizing teleconferencing under specified circumstances, even when a state of emergency does not exist.
2. Contains several guardrails which limit the scope of the bill:
  - a) A quorum of the board must be present in person
  - b) The in-person location must be open to the public
  - c) The public must be provided the option to participate via teleconference
  - d) Board member(s) choosing to teleconference must make a request and receive approval from the governing body to do so; limited to no more than two meetings per calendar year
  - e) Teleconferencing members must participate through both audio and video technology.
3. Remote locations do not need agendas posted nor be accessible to the public.
4. Board Member may not teleconference for a period of more than three consecutive months or 20% of regular meetings, for reasons pertaining to emergency circumstances, illness, or official State or legislative body related travel.

This District Board is required to begin meeting in person no later than March 2023. If a hybrid option is preferred, provisions will need to be made at the new office location: 304 N. State Street, Ukiah, CA 95492 or an alternative location arranged.

### **Recommendation:**

- Provide feedback and/or direction to GM on future Board meetings as in-person only or remote.

### **Attachment:**

3. Brown Act Legislative Changes for Remote Meetings by Herum\Crabtree\Suntag

## Board Meeting Schedule

The Board of Trustees meets once a month on the first Monday of the month at 5:30pm. However, four meetings are proposed for alternative dates, as shown below and on **Attachment 4**.

<b><u>Board Meetings:</u></b>
Monday, January 9, 2023 *
Monday, February 6, 2023
Monday, March 6, 2023 <b>(BEGIN IN-PERSON MTGS)</b>
Monday, April 3, 2023
Monday, May 1, 2023
Monday, June 5, 2023
Monday July 3, 2023 (Consider postponing one week)
Monday, August 7, 2023
Monday, September 11, 2023 *
Monday, October 9, 2023 *
Monday, November 6, 2023
Monday, December 11, 2023 *

\*2<sup>nd</sup> Monday of the month

### Recommendation:

- Move to approve the proposed 2023 Regular Meeting Schedule.

### Attachment:

4. 2023 Regular Meeting and District Closure Schedule

**ATTACHMENT 1: WORKSHEET FOR ASSIGNMENT**

	Bailey	Reardan	Rodrigue	Watt	White
<b>OFFICERS:</b>					
President					
Vice President					
Treasurer					

<b>JPs:</b>					
MC IWPC					
UVB GSA					

<b>ADVISORY:</b>					
Engineering					
Audit & Finance					
Personnel					
Public Information & Gov Affairs					
Policy					

<b>LIAISON</b>					
Calpella CWD					
City of Ukiah					
Hopland PUD					
Millview CWD					
Redwood Valley CWD					
URRWA					
Willow CWD					

## **ATTACHMENT 2: DESCRIPTIONS OF ADVISORY ROLES**

Advisors may be assigned to review District functions, activities, and operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President or a majority vote of the Board.

Operations Advisor: To study, advise, and make recommendations with regard to:

- a) Uniform Water Sale and Purchase Agreement
- b) Sales of surplus water
- c) New customer applications for water purchase
- d) Uniform and Surplus Water Rates
- e) Employment of engineering and geological consultants.
- f) Guidelines for modifying Uniform Agreement due to customer requested changes in amount of water and irrigable acres.
- g) Policies and rules regarding operational or engineering matters, in accordance with Policy 13-2 "Regarding Formalities of Board Policy."
- h) Recommend contracts.
- i) Make inspection trips of District facilities as needed.
- j) Address any legal matters affecting the District within the Advisor's area of interest.

Finance and Audit Advisor: To study, advise, and make recommendations with regard to:

- a) Preparation of annual budget.
- b) Sale of bonds and borrowing and repayment of money.
- c) Disposition and investment of reserve funds.
- d) Authorization of appropriations.
- e) Levying of taxes.
- f) Insurance to be carried.
- g) Reports of Auditors and financial statements.
- h) Employment of financial or insurance consultants.
- i) Form and contents of accounts, financial reports, and financial statements.
- j) Employment of auditors at any time and for general or special audits.
- k) Contents of auditors' periodic and annual reports.
- l) Audit of monthly expenditures.
- m) Policies and rules relating to budget, financing, audits or insurance in accordance with Policy 13-2 "Regarding Formalities of Board Policy".
- n) Any legal matters affecting the District within the Advisor's area of interest.

Personnel and Organization Advisor: To study, advise, and make recommendations with regard to:

- a) The form of the District's organization and the flow of authority and responsibility.
- b) Periodic reviews and studies of the organization, the classification of positions, job duties, salaries and salary ranges; and prepare and submit annual recommendations for employee salaries and benefits to the Finance Advisor for consideration in budget preparation.
- c) Relations between the District and its employees including all matters affecting wages, hours, pension plans and other employee benefits, and other terms and conditions of employment matters included within the employee relations resolution.
- d) Areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity, affirmative action, and the health and safety of employees.
- e) Policies and rules regarding the employment, discipline and discharge of District officers and employees in accordance with Policy 13-2 "Regarding Formalities of Board Policy".
- f) Individuals to serve in positions requiring Board approval, i.e. General Manager; Assistant General Manager, General Counsel; Controller and Treasurer.
- g) Any legal matters affecting the District within the Advisor's area of interest.
- h) Other matters related to the above.

Public and Government Activities Advisor: To study, advise, and make recommendations with regard to:

- a) Policies and practices and means of disseminating District information in accordance with Policy 13-2 “Regarding Formalities of Board Policy”
- b) Copy or content of District public information projects.
- c) Selection and compensation of public information consultants.
- d) Budget allocations for public information.
- e) Proposed legislation to be introduced by District.
- f) District position regarding support or opposition of legislation.
- g) District relationships with other governmental agencies or bodies.
- h) Annexations, reorganizations and other matters for consideration by LAFCo.
- i) Other matters related to or involving other governmental and/or regulatory agencies.
- j) Any legal matters affecting the District within the Advisors area of interest.

Policy Advisor: To study, advise, and make recommendations with regard to:

- a) Consistency and relevance of existing policies.
- b) Alignment of District practices with District policies.
- c) Identifying need for new or revised policies and referring these to the appropriate committee.
- d) Any legal matters affecting the District within the Advisors area of interest.

## ATTACHMENT 3: Summary of AB 2449 Requirements



### BROWN ACT LEGISLATIVE CHANGES FOR REMOTE MEETINGS

#### Changes to the Brown Act in Response to the COVID-19 Emergency

As you know, in 2020, Executive Order N-29-20 suspended certain public meeting requirements of the Brown Act, and authorized local legislative bodies to hold public meetings through teleconferencing without complying with traditional notice and accessibility requirements. AB 361 extended the relaxed Brown Act teleconference rules for public meetings through December 31, 2023.

#### AB 2449 Changes

Effective January 1, 2023, AB 2449 provides a new method for less than a majority of the board to attend a meeting via teleconference under certain conditions when the majority (a quorum) of the legislative body participates from a single physical location open to the public.

To take advantage of this new opportunity, the legislative body must provide either a “two-way audiovisual platform” or a “two-way telephonic service and a live webcasting of the meeting” as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body.” (Gov. Code, § 54953(f)(1)(A).)

Agendas must include an opportunity for all persons to attend and address the legislative body directly “via a call-in option, via an internet-based service option, and at the in-person location of the meeting.” (Gov. Code, § 54953(f)(1)(C).)<sup>1</sup>

A member of the legislative body is authorized to participate remotely pursuant to Government Code section 54953(f) under only two specific circumstances:

1. **Just Cause:** The member notifies the legislative body at the earliest possible opportunity, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. A member of the legislative body may not use the provisions of this clause for more than two meetings per calendar year. “**Just Cause**” is defined as any of the following circumstances:
  - a. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely;
  - b. A contagious illness that prevents a member from attending in person;
  - c. A need related to a physical or mental disability; or
  - d. Travel while on official business of the legislative body or another state or local agency.

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<sup>1</sup> If there is a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, the legislative body cannot take any “further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored.” (Gov. Code, § 54953(f)(1)(D).) Actions taking during a disruption are subject to challenge.

2. **Emergency Circumstances:** The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person. The legislative body must request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and does not require the member to disclose any medical diagnoses or disability, or any personal medical information that is already exempt under existing law. For the purposes of this clause, the following requirements apply:
  - a. A member must make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member must make a separate request for each meeting in which they seek to participate remotely.
  - b. The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting of which the request is made, the legislative body may take action by majority vote on the emergency circumstances request at the beginning of the meeting.

Any member participating remotely because of just cause or emergency circumstances must publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals. In addition, the member must participate through both audio and visual technology. The provisions of Government Code section 54953(f) do not permit a member to participate solely via teleconference for a period more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year.

**Conclusion:**

- From January 1, 2023 through the earlier of December 31, 2023, or if and when the Governor lifts the proclaimed state of emergency due to the COVID-19 pandemic, the board can continue to follow the rules of AB 361 that it is following now.
- From January 1, 2023 until it expires on December 31, 2025, the board has the option of following the new provisions of AB 2449.



**District Closed:**

Jan 02	New Year's Day Observed
Jan 16	Dr. M Luther King Day
Feb 20	Presidents' Day
Mar 31	Cesar Chaves Day
May 29	Memorial Day
June 19	Juneteenth
Jul 04	Independence Day
Sep 04	Labor Day
Nov 10	Indigenous Peoples' Day
Nov 23	Thanksgiving Day
Nov 24	Day After Thanksgiving
Nov 27-Dec 1:	ACWA Conference
Dec 22	Christmas Eve Observed
Dec 25	Christmas Day

**Board Meetings:**

Monday, January 9, 2023 *
Monday, February 6, 2023
Monday, March 6, 2023 <i>begin in-person</i>
Monday, April 3, 2023
Monday, May 1, 2023
Monday, June 5, 2023
Monday July 3, 2023 <i>consider reschedule</i>
Monday, August 7, 2023
Monday, September 11, 2023 *
Monday, October 9, 2023 *
Monday, November 6, 2023
Monday, December 11, 2023 *

\*2<sup>nd</sup> Monday of the month

**DRAFT**

**2023**

**January**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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**

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					

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

**STAFF REPORT**

To: Board of Trustees  
From: E. Salomone, General Manager  
Meeting: Monday, December 5, 2022  
RE: Agenda Item 7a: November 2022 Financial Reports Summary

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Revenue

October 2022: Additional revenue not shown on previous report: None  
November 2022: None

Ordinary Expenses

October 2022: Additional expenses not shown on previous report: \$3,708 in Payroll Expenses.

November 2022: \$89,255.70 in expenses at time of writing this report, notably:

- \$4,608.75 Consulting for Accounting services
- \$68,750.00 Groundwater Sustainability Agency FY 2022-23 contribution
- \$1,753.03 Legal Counsel, October service dates

Note:

Two checks have been issued to E. Salomone to correct payroll errors identified by the Accountant. For two sets of six payrolls, a new pay code in QuickBooks was used to record the company health insurance stipend to Salomone. The pay code was correctly taxing the company contribution but did not add the payment amount to the paycheck. The two checks covered payments for those two sets of 6 pay periods. A new pay code was set up going forward that is correctly adding stipend to the paycheck.

Other

- Financial reports subject to change after corrections and adjustments by Accountant and Auditor.
- Reconciliations are up to date as of the end of October; November statements not available in time for report.
- Additional reports or information available upon request.

Recommendation:

Move to accept and file the financial reports for November 2022.

Attachments:

1. Income & Expense / Budget Vs Actual Report – November 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 – October 2022
6. Monthly Payment Detail Report – November 2022
7. Contracted Water Worksheet

**Russian River Flood Control District**  
**Income & Expense / Budget vs. Actual**  
**November 2022**

Cash Basis

	Nov 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest-LAIF	0.00	0.00	0.00	0.0%
Interest-SBMC	0.00	0.00	0.00	0.0%
Property Taxes	0.00	0.00	0.00	0.0%
Water Sales	0.00	0.00	0.00	0.0%
<b>Total Income</b>	0.00	0.00	0.00	0.0%
<b>Expense</b>				
Consulting	5,850.01	0.00	5,850.01	100.0%
Election	0.00	0.00	0.00	0.0%
Fees, County & LAFCo	0.00	0.00	0.00	0.0%
Gage	0.00	0.00	0.00	0.0%
Groundwater Sustainability	68,750.00	0.00	68,750.00	100.0%
Insurance, Liability	0.00	0.00	0.00	0.0%
Insurance, Workers Comp	0.00	0.00	0.00	0.0%
Legal	1,753.03	0.00	1,753.03	100.0%
Memberships	0.00	0.00	0.00	0.0%
Meters Expense	0.00	0.00	0.00	0.0%
Office Operating Expenses	1,620.81	0.00	1,620.81	100.0%
Payroll Expenses	13,167.52	0.00	13,167.52	100.0%
Rent, Utilities	0.00	0.00	0.00	0.0%
Stipends, Meetings	0.00	0.00	0.00	0.0%
SWRCB Permits	0.00	0.00	0.00	0.0%
Training Costs	0.00	0.00	0.00	0.0%
Unfunded Pension Liability	0.00	0.00	0.00	0.0%
Vehicle	72.27	0.00	72.27	100.0%
Water Resiliency	0.00	0.00	0.00	0.0%
<b>Total Expense</b>	91,213.64	0.00	91,213.64	100.0%
<b>Net Ordinary Income</b>	-91,213.64	0.00	-91,213.64	100.0%
<b>Net Income</b>	<b>-91,213.64</b>	<b>0.00</b>	<b>-91,213.64</b>	<b>100.0%</b>

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

Cash Basis

July 2022 through June 2023

	Jul '22 - Jun 23	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest-LAIF	0.00	2,500.00	-2,500.00	0.0%
Interest-SBMC	12.61	500.00	-487.39	2.5%
Property Taxes	4,115.28	55,000.00	-50,884.72	7.5%
Water Sales	4,512.00	348,935.00	-344,423.00	1.3%
<b>Total Income</b>	8,639.89	406,935.00	-398,295.11	2.1%
<b>Expense</b>				
Consulting	28,082.21	20,000.00	8,082.21	140.4%
Election	0.00	5,000.00	-5,000.00	0.0%
Fees, County & LAFCo	1,268.73	2,500.00	-1,231.27	50.7%
Gage	14,475.00	15,000.00	-525.00	96.5%
Groundwater Sustainability	68,750.00	68,000.00	750.00	101.1%
Insurance, Liability	6,084.87	7,000.00	-915.13	86.9%
Insurance, Workers Comp	1,786.64	7,000.00	-5,213.36	25.5%
Legal	11,859.03	20,000.00	-8,140.97	59.3%
Memberships	0.00	7,000.00	-7,000.00	0.0%
Meters Expense	186.89	2,000.00	-1,813.11	9.3%
Office Operating Expenses	3,211.70	5,000.00	-1,788.30	64.2%
Payroll Expenses	72,260.11	175,010.00	-102,749.89	41.3%
Payroll Taxes- old	0.00			
Rent, Utilities	2,250.00	5,000.00	-2,750.00	45.0%
Stipends, Meetings	2,325.00	6,000.00	-3,675.00	38.8%
SWRCB Permits	0.00	17,000.00	-17,000.00	0.0%
Training Costs	1,232.52	4,000.00	-2,767.48	30.8%
Unfunded Pension Liability	7,011.00	9,500.00	-2,489.00	73.8%
Vehicle	616.20	2,000.00	-1,383.80	30.8%
Water Resiliency	3,737.00	40,000.00	-36,263.00	9.3%
<b>Total Expense</b>	225,136.90	417,010.00	-191,873.10	54.0%
<b>Net Ordinary Income</b>	-216,497.01	-10,075.00	-206,422.01	2,148.9%
<b>Other Income/Expense</b>				
Other Expense				
Prior Year Expense	9,262.89			
<b>Total Other Expense</b>	9,262.89			
<b>Net Other Income</b>	-9,262.89	0.00	-9,262.89	100.0%
<b>Net Income</b>	<b>-225,759.90</b>	<b>-10,075.00</b>	<b>-215,684.90</b>	<b>2,240.8%</b>

**Russian River Flood Control District**  
**Profit & Loss Prev Year Comparison**  
**July through November 2022**

Cash Basis

	Jul - Nov 22	Jul - Nov 21	\$ Change	% Change
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest-LAIF	0.00	298.45	-298.45	-100.0%
Interest-SBMC	12.61	76.39	-63.78	-83.5%
Property Taxes	4,115.28	0.00	4,115.28	100.0%
Water Sales	4,512.00	0.00	4,512.00	100.0%
<b>Total Income</b>	8,639.89	374.84	8,265.05	2,205.0%
<b>Expense</b>				
Consulting	28,082.21	2,550.00	25,532.21	1,001.3%
Fees, County & LAFCo	1,268.73	1,396.13	-127.40	-9.1%
Gage	14,475.00	13,267.50	1,207.50	9.1%
Groundwater Sustainability	68,750.00	4,000.00	64,750.00	1,618.8%
Insurance, Liability	6,084.87	6,144.80	-59.93	-1.0%
Insurance, Workers Comp	1,786.64	-806.82	2,593.46	321.4%
Legal	11,859.03	15,893.64	-4,034.61	-25.4%
Memberships	0.00	5,670.00	-5,670.00	-100.0%
Meters Expense	186.89	54.15	132.74	245.1%
Office Operating Expenses	3,211.70	1,481.42	1,730.28	116.8%
<b>Payroll Expenses</b>				
CalPERS 1959 Survivor Billing	10.00	72.40	-62.40	-86.2%
CalPERS 457 Employee Def Comp	0.00	1,437.50	-1,437.50	-100.0%
CalPERS Company Match	3,741.00	3,637.10	103.90	2.9%
CalPERS Roth 457(b) expense	2,900.00	0.00	2,900.00	100.0%
Employee Health Insurance	9,888.00	4,200.00	5,688.00	135.4%
Gross Wages	51,354.16	47,916.70	3,437.46	7.2%
Medicare	840.77	694.79	145.98	21.0%
Payroll Taxes- FICA, etc	3,526.18	2,970.83	555.35	18.7%
<b>Total Payroll Expenses</b>	72,260.11	60,929.32	11,330.79	18.6%
Payroll Taxes- old	0.00	0.00	0.00	0.0%
Rent, Utilities	2,250.00	3,111.47	-861.47	-27.7%
Stipends, Meetings	2,325.00	600.00	1,725.00	287.5%
Training Costs	1,232.52	490.00	742.52	151.5%
Unfunded Pension Liability	7,011.00	8,419.00	-1,408.00	-16.7%
Vehicle	616.20	103.52	512.68	495.3%
Water Resiliency	3,737.00	7,397.32	-3,660.32	-49.5%
<b>Total Expense</b>	225,136.90	130,701.45	94,435.45	72.3%
<b>Net Ordinary Income</b>	-216,497.01	-130,326.61	-86,170.40	-66.1%
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
Meter Purchase	0.00	1,884.53	-1,884.53	-100.0%
Prior Year Expense	9,262.89	0.00	9,262.89	100.0%
Reserves	0.00	68,750.00	-68,750.00	-100.0%
<b>Total Other Expense</b>	9,262.89	70,634.53	-61,371.64	-86.9%
<b>Net Other Income</b>	-9,262.89	-70,634.53	61,371.64	86.9%
<b>Net Income</b>	<b>-225,759.90</b>	<b>-200,961.14</b>	<b>-24,798.76</b>	<b>-12.3%</b>

## Russian River Flood Control District Balance Sheet Prev Year Comparison

As of October 31, 2022

Cash Basis

	Oct 31, 22	Oct 31, 21	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
<b>LAIF</b>				
Capital Reserve	48,000.00	48,000.00	0.00	0.0%
Emergency Reserve	28,000.00	28,000.00	0.00	0.0%
Operating Reserve	153,000.00	156,000.00	-3,000.00	-1.9%
WaterSupplyReliability Reserve	259,411.40	256,411.40	3,000.00	1.2%
LAIF - Other	3,593.38	2,004.96	1,588.42	79.2%
<b>Total LAIF</b>	492,004.78	490,416.36	1,588.42	0.3%
<b>SBMC Checking</b>	341,482.56	183,678.34	157,804.22	85.9%
<b>SBMC Savings</b>	100,101.10	267,892.85	-167,791.75	-62.6%
<b>Total Checking/Savings</b>	933,588.44	941,987.55	-8,399.11	-0.9%
<b>Total Current Assets</b>	933,588.44	941,987.55	-8,399.11	-0.9%
<b>Fixed Assets</b>				
Accumulated Depreciation	-59,942.72	-59,942.72	0.00	0.0%
Meters & Vehicles	150,080.91	139,849.78	10,231.13	7.3%
<b>Total Fixed Assets</b>	90,138.19	79,907.06	10,231.13	12.8%
<b>Other Assets</b>				
Deferred Outflows	24,734.00	24,734.00	0.00	0.0%
<b>Total Other Assets</b>	24,734.00	24,734.00	0.00	0.0%
<b>TOTAL ASSETS</b>	<b>1,048,460.63</b>	<b>1,046,628.61</b>	<b>1,832.02</b>	<b>0.2%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
Accounts Payable	0.00	-128.33	128.33	100.0%
<b>Other Current Liabilities</b>				
Accrued Expenses	8,706.51	0.00	8,706.51	100.0%
<b>Payroll Liabilities</b>				
1959 Survivor Benefits (Liab)	1.00	1.00	0.00	0.0%
CalPERS- Employee contr (liab.)	337.50	323.46	14.04	4.3%
CalPERS 457 Def Comp (Liab)	0.00	143.75	-143.75	-100.0%
CalPERS Company Match (Liab)	879.50	363.71	515.79	141.8%
CalPERS Roth 457(b) payable	750.00	0.00	750.00	100.0%
Employee Health Insurance	1,908.00	-600.00	2,508.00	418.0%
Federal Withholding	-873.92	646.00	-1,519.92	-235.3%
FICA	0.00	594.18	-594.18	-100.0%
Medicare	0.00	138.96	-138.96	-100.0%
State Withholding CA	0.00	338.97	-338.97	-100.0%
Payroll Liabilities - Other	750.00	0.00	750.00	100.0%
<b>Total Payroll Liabilities</b>	3,752.08	1,950.03	1,802.05	92.4%
<b>2150 · Vacation Accrual</b>	12,384.00	12,384.00	0.00	0.0%
<b>Total Other Current Liabilities</b>	24,842.59	14,334.03	10,508.56	73.3%
<b>Total Current Liabilities</b>	24,842.59	14,205.70	10,636.89	74.9%
<b>Long Term Liabilities</b>				
Deferred Inflows	471.00	471.00	0.00	0.0%
Net Pension Liability	50,063.00	50,063.00	0.00	0.0%
<b>Total Long Term Liabilities</b>	50,534.00	50,534.00	0.00	0.0%
<b>Total Liabilities</b>	75,376.59	64,739.70	10,636.89	16.4%
<b>Equity</b>				
<b>3000 · Opening Bal Equity</b>	541,116.95	541,116.95	0.00	0.0%

**Russian River Flood Control District**  
**Balance Sheet Prev Year Comparison**

Cash Basis

As of October 31, 2022

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	<u>Oct 31, 22</u>	<u>Oct 31, 21</u>	<u>\$ Change</u>	<u>% Change</u>
3900 · Retained Earnings	566,513.35	558,727.64	7,785.71	1.4%
Net Income	-134,546.26	-117,955.68	-16,590.58	-14.1%
Total Equity	973,084.04	981,888.91	-8,804.87	-0.9%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>1,048,460.63</u></b>	<b><u>1,046,628.61</u></b>	<b><u>1,832.02</u></b>	<b><u>0.2%</u></b>

**Russian River Flood Control District**  
**Monthly Payment Detail**  
As of October 31, 2022

Cash Basis

Type	Date	Name	Memo	Paid Amo...
<b>SBMC Checking</b>				
Bill Pmt -Check	10/02/2022	Cardmember Service	Credit card 8/12-9/13/22	-913.08
Bill Pmt -Check	10/04/2022	John Reardan	Board Meeting Stipend Jan-June 2022	-600.00
Bill Pmt -Check	10/04/2022	Herum/Crabtree/Suntag		-4,521.50
Bill Pmt -Check	10/05/2022	State Compensation Insurance Fund	2022-23 FY Policy charges 9/9-10/9/22	-446.66
Bill Pmt -Check	10/06/2022	Comcast Business	Internet services for 9/13-10/12/22	-76.47
Check	10/11/2022	Salomone, Elizabeth A	Payroll correction due to pay code error for 6 ...	-3,708.00
Bill Pmt -Check	10/11/2022	Intuit	Monthly Payroll Subscription	-2.00
Bill Pmt -Check	10/21/2022	US Cellular	Cell service 9/14- to 10/13/22	-51.49
Bill Pmt -Check	10/29/2022	Leap Solutions Group, Inc	Invoice #5520 Strat Plan consulting	-2,150.00
Bill Pmt -Check	10/29/2022	Nigro & Nigro PC	FY 2020-2021 Audit	-9,500.00
Bill Pmt -Check	10/29/2022	Roxanne V. Berg, CPA	CPA services	-350.00
Bill Pmt -Check	10/29/2022	USGS	Gages, Bill #91010951 4th pymt FY 22	-7,237.50
Check	10/31/2022	Internal Revenue Service		-873.92
Check	10/31/2022	Salomone, Elizabeth A	Payroll correction due to pay code error for 6 ...	-3,708.00
Total SBMC Checking				-34,138.62
<b>TOTAL</b>				<b><u>-34,138.62</u></b>



**Russian River Flood Control District**  
**Monthly Payment Detail**

As of November 30, 2022

Cash Basis

Type	Date	Name	Memo	Paid Amount
<b>SBMC Checking</b>				
Bill Pm...	11/09/2022	Cardmember Service	Credit card 9/14 - 10/13/22	-295.37
Bill Pm...	11/09/2022	Comcast Business	Internet services for 10/20-11/19/22 and contract termin...	-364.82
Bill Pm...	11/09/2022	Intuit	Monthly Payroll Subscription	-5.00
Bill Pm...	11/16/2022	UVB Groundwater Sustainabilty Agency	Member dues for FY 2022-23	-68,750.00
Bill Pm...	11/16/2022	Herum/Crabtree/Suntag	Legal Counsel October service dates	-1,753.03
Bill Pm...	11/16/2022	Eide Bailly	Bookkeeping, October service Dates	-4,608.75
Bill Pm...	11/18/2022	US Cellular	Cell service 10/14/22-11/13/22 service	-51.49
Bill Pm...	11/23/2022	Chevalier Vineyard Management, Inc.	Meter Reading/annual downloads Oct & Nov	-1,241.26
Total SBMC Checking				-77,069.72
<b>TOTAL</b>				<b>-77,069.72</b>

# Project Water Worksheet as of December 1, 2022

No changes from previous report.

**Please note:  
The District is under Declaration #21-02,  
Stage III: Water Supply Crisis**

	Current 2022 totals in Acre Feet																																		
<b>Project Water Licensed to MC RRFC &amp; WCID:</b>	<b>7940</b>																																		
<b>Contracted Non-Retail Suppliers:</b>	<b>4917</b>																																		
<b>Contracted Retail Suppliers:</b>	<b>2907.15</b>																																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: center;">Calpella CWD</td> <td style="text-align: center;">85</td> <td></td> </tr> <tr> <td style="text-align: center;">Henry Station Mutual Water Co</td> <td style="text-align: center;">8</td> <td></td> </tr> <tr> <td style="text-align: center;">Hopland PUD</td> <td style="text-align: center;">222</td> <td></td> </tr> <tr> <td style="text-align: center;">Millview CWD - Municipal Use</td> <td style="text-align: center;">970</td> <td></td> </tr> <tr> <td style="text-align: center;">Millview CWD - Wheeled Municipal Use</td> <td style="text-align: center;">189.15</td> <td></td> </tr> <tr> <td style="text-align: center;">Millview CWD - Irrigation Use</td> <td style="text-align: center;">12</td> <td></td> </tr> <tr> <td style="text-align: center;">Rogina Water</td> <td style="text-align: center;">800</td> <td style="text-align: center;">*</td> </tr> <tr> <td style="text-align: center;">River Estates Mutual Water Company</td> <td style="text-align: center;">26</td> <td></td> </tr> <tr> <td style="text-align: center;">Willow CWD - Municipal Use</td> <td style="text-align: center;">515</td> <td></td> </tr> <tr> <td style="text-align: center;">Willow CWD - Irrigation Use</td> <td style="text-align: center;">80</td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Contracted Municipals:</b></td> <td style="text-align: center;"><b>2907.15</b></td> <td></td> </tr> </tbody> </table>	Calpella CWD	85		Henry Station Mutual Water Co	8		Hopland PUD	222		Millview CWD - Municipal Use	970		Millview CWD - Wheeled Municipal Use	189.15		Millview CWD - Irrigation Use	12		Rogina Water	800	*	River Estates Mutual Water Company	26		Willow CWD - Municipal Use	515		Willow CWD - Irrigation Use	80		<b>Contracted Municipals:</b>	<b>2907.15</b>			
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<b>Contracted Total:</b>		<b>7824.15</b>																																	

**Uncontracted Water Supply for 2021:** 115.85

\*Rogina verbally requested to reduce from 800af to 400af in March 2022 but the permanent contract amendment was not completed and has been scheduled for Jan 2023.

**Contract Adjustments in 2022:**

Surplus water transferred from customers in 2022:	n/a	
Emergency water transferred from customers in 2022:	-400	Rogina to Redwood Valley
Requested surplus by customers for 2022:	n/a	

**Adjusted contract total:** 7424.15

**Redwood Valley County Water District:**

Uncontracted water available to RVCWD as surplus in 2022:	n/a	
Customer transferred surplus water available to RVCWD in 2022:	n/a	
Emergency water made available by RRFC to RVCWD in 2022:	60	not allocated to a contract
Emergency water transferred to RVCWD by Customer(s) in 2022:	400	

**Total:** 7824.15

5 **DRAFT MINUTES**  
6 **Regular Meeting of**  
7 **November 7, 2022**  
8

9 IN COMPLIANCE WITH ASSEMBLY BILL 361, THIS MEETING WAS HELD VIA ZOOM.

10 **1. Roll Call**

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

- 12 Trustees Present: Christopher Watt, President  
13 Alfred White, Vice President (left at 7:02 PM)  
14 Matthew Froneberger, Treasurer  
15 Tyler Rodrigue, Trustee  
16 John Reardan, Trustee  
17

18 Staff: Elizabeth Salomone, General Manager

19 Other: John Bailey, Trustee term commencing December 2, 2022  
20

21 **2. Approval of Agenda**

22 Vice President White moved to approve the agenda. Trustee Reardan seconded the motion.

23 The motion was approved by the following vote:

24 Ayes: 5 (Reardan, Rodrigue, Froneberger, White, Watt)  
25

26 **3. Public Expression**

27 Redwood Valley County Water District Board Member, Bree Klotter, thanked the Board for addressing surplus  
28 water issues with an agenda item during this meeting.  
29

30 **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

31 **4. Water Supply Conditions Update and District Response**

32 GM Salomone presented the item, reviewing the staff report and noting all Russian River curtailments by the State  
33 Water Resources Control Board have been suspended and Sonoma Water Agency has filed a Temporary Urgency  
34 Change Petition to take effect when the current one expires.  
35

36 **5. District Surplus Water Policy Development Workshop**

37 GM Salomone presented the item with a PowerPoint slideshow. Comments and questions were offered by  
38 Redwood Valley County Water District Board Members Bree Klotter and Adam Gaska, John Bailey, as well as  
39 Trustees. Adam Gaska noted the need for and supported improved communication. John Bailey suggested a ‘best  
40 practices’ guide for customers.

41 President Watt noted that in the not-so-distant past, “system surplus” was common and therefore “District  
42 Surplus” was more easily identified. Recent changes in Eel River diversions and precipitation patterns have  
43 decreased the amount of water available and when, while consumptive and instream flow demands have generally  
44 remained the same. This is not a situation the District has experienced before to this degree and there is no  
45 playbook. The level of precision in the beneficial and efficient use of water must improve. He commended GM  
46 Salomone in the work and noted this may be an adaptable process based on variables that continue to change.

49 Board consensus to direct Staff and Legal Counsel to work on a policy and/or procedure, keeping the process  
50 adaptable to account for variables while not being overly cumbersome. A customer workshop for early 2023 was  
51 suggested.

52

## 53 **6. Budgeting for Strategic Plan Implementation**

54 GM Salomone presented the Staff Report. Comments and questions were offered by Trustees.

55 Trustee Rodrigue expressed concern over raising rates to increase revenue without clear indication of beneficial  
56 results in reliability and any assumption that the District not raising rates since 2009 indicates a need to increase  
57 them doesn't take into account the District's cost effective management.

58 President Watt noted agreement that Trustee Rodrigue's comments must be considered in the process of  
59 evaluating District revenue and potential rate increases. He further noted there are variables affecting the District's  
60 ability to sell water, some changing so slowly as to be almost imperceptible. The District has not taken responsive  
61 actions that yielded much in the way of results. While it remains an unknown if investing funds sooner and longer  
62 in working to preserve and improve water supply reliability would have improved the current situation, the Board  
63 must now look carefully at what can be done to make a difference in the water supply security and reliability as laid  
64 out in the Strategic Plan. The Board will need to consider the Strategic Plan implementation steps and costs being  
65 brought forward by GM Salomone, establishing what is necessary and identifying funds.

66 John Bailey noted that in his experience in private business, non-profit, and government agencies, contingency  
67 plans and adequate reserves must be built in to meet what situations might demand. While recognizing the  
68 consideration of not unduly raising rates, he pointed out the cost of living is escalating, and the District needs to  
69 consider 5-10 year planning projections setting suitable levels of revenue to meet challenges in unprecedented  
70 circumstances.

71

72 Trustee Rodrigue provided clarification on his comments, noting he has no issue with raising funds to make  
73 investments that will yield a return for constituents, with the need for disciplined scale and scope of these  
74 investments in representing constituents equitably.

75

76 Treasurer Froneberger stressed the need for additional support to the single employee of the District, particularly  
77 legal counsel, engineering, and project management if the District Board supports the implementation of Strategic  
78 Plan priorities.

79

80 Redwood Valley County Water District (RVCWD) Board Member Adam Gaska highlighted how RVCWD did  
81 not invest sufficiently to address contingencies being experienced currently and encouraged the District to  
82 prepare.

83

84 Treasurer Froneberger added that just to keep up means the District needs to chase the rate of inflation and the  
85 consumer price index. If the District wants to expand and enhance responses to conditions, the District must  
86 exceed.

87

88 Trustee Rodrigue suggested all the speakers are 'on the same page.' The point to consider is what is being invested  
89 in, measuring benefits and costs, justifying the return on investment and risk management that District  
90 constituents would expect of District leadership.

91

92

(Continued...)

93

(Page 3 of 4, 11/7/22 Draft minutes)

94 President Watt appointed Tyler Rodrigue and himself to a Budgeting for Strategic Plan Implementation Ad Hoc  
95 Committee to consider a scope of work and establish annual costs to proposed actions.

96

97 *Vice President White left the meeting at 7:02 PM.*

98

99

## 100 **REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS**

### 101 **7. Consent Calendar**

- 102 a) Acceptance of the October 2022 Financial Report
- 103 b) Approval of October 3, 2022 Regular Meeting Minutes
- 104 c) State of Emergency

105

106 GM Salomone noted reconciliations are now up to date. The Transactions Report shows two checks for \$3,708.00  
107 each being issued to E. Salomone to correct payroll errors. The District's Accountant will review the payments  
108 and recommend any corrective action(s) needed.

109

110 Trustee Reardan moved to approve the Consent Calendar items a-c with direction to GM to provide a follow up  
111 report on the two checks noted above at the next Board meeting. Treasurer Froneberger seconded the motion.

112 The motion was approved by the following vote:

113 Ayes: 4 (Reardan, Rodrigue, Froneberger, Watt)

114 Absent: 1 (White)

### 115 **8. Trustee & Committee Reports**

116 *Trustee Reardan* provided an update on the Mendocino County Inland Water & Power Commission  
117 (MCIWPC) efforts to establish a group to address outreach, education, and other activities related to the  
118 Commission. Legal Counsel advised MCIWPC to establish an Ad Hoc Committee of the Commission. He  
119 provided an update on the first meeting of this group.

120 *Treasurer Froneberger* provided a report from the Mendocino County Local Agency Formation Commission  
121 meeting.

### 122 **9. General Manager Report & Correspondence**

123 GM presented the written report, sharing additional information on the General Manager annual  
124 performance evaluation.

125 President Watt appointed Tyler Rodrigue and himself to GM Annual Performance Evaluation Ad Hoc  
126 Committee.

127

128

(Continued...)

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**10. Direction on Future Agenda Items**

GM Salomone identified topics including but not limited to remote meetings, Ad Hoc Committee updates, presentation on FIRO, and other items from the Strategic Plan.

**ADJOURNMENT**

Trustee Reardan moved to adjourn the meeting at 7:36 PM. Treasurer Froneberger seconded the motion. The motion was approved by the following vote:

Ayes: 4 (Reardan, Rodrigue, Froneberger, Watt)  
Absent: 1 (White)

***APPROVED by Board of Trustees on December 5, 2022***

---

President of the Board of Trustees

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Secretary of the Board of Trustees

***President***                      ***Vice President***                      ***Treasurer***                      ***Trustee***                      ***Trustee***  
*Christopher Watt*                      *Alfred White*                      *Matthew Froneberger*                      *Tyler Rodrigue*                      *John Reardan*

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

**STAFF REPORT**

To: Board of Trustees  
From: E. Salomone, General Manager  
Meeting: Monday, December 5, 2022  
RE: Agenda Item 7c: State of Emergency

---

**The Strategic Plan** relevant priority are **Advocacy:** Improving public awareness and understanding of the importance of water issues; and **Administration:** Fostering District resources in alignment with the District's Mission to steward water resources for the benefit of people and environment.

**Background**

The Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing. Legislature recently enacted Assembly Bill 361, Chapter 165, Statutes of 2021 ("AB 361"), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing. The Governor of California issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect. Additionally, on September 29, 2021, the Mendocino County Health Officer issued a Health Recommendation urging public bodies in Mendocino County to continue meeting remotely through online meetings to lower the risk of COVID-19 transmission.

On November 1, 2021, the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District adopted Resolution #21-04 Making Findings and Determinations Under Assembly Bill 361 For Continued Virtual Meetings. Consistent with the provisions of Government Code Section 54953(e), the Board found and determined that (1) a state of emergency related to COVID-19 is currently in effect; and (2) state and local officials have recommended measures to promote social distancing in connection with COVID-19. Based on such facts, findings and determinations, the Board authorized staff to conduct remote teleconference meetings of the Board under the provisions of Government Code Section 54953(e). 3. This Resolution took effect immediately.

**Recommended Action:**

- Move to reaffirm the previously adopted Resolution #21-04 Making Findings and Determinations under Assembly Bill 361 for Continued Virtual Meetings, determining that (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

**Attachments:**

- Resolution #21-04 Making Findings and Determinations under Assembly Bill 361 for Continued Virtual Meetings, dated November 1, 2021

# Resolution #21-04

of the

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

### Making Findings and Determinations Under Assembly Bill 361 For Continued Virtual Meetings

**WHEREAS**, the Mendocino County Russian River Flood Control & Water Conservation Improvement District Board of Trustees, hereinafter referred to as the “Board of Trustees,” is committed to preserving and nurturing public access to and participation in meetings of the Board; and

**WHEREAS**, the Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing; and

**WHEREAS**, the Legislature recently enacted Assembly Bill 361, Chapter 165, Statutes of 2021 (“AB 361”), which amended Government Code section 54953 to allow local agencies to meet fully virtually during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, the Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect; and

**WHEREAS**, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued a number of executive orders aimed at containing the COVID-19 virus; and

**WHEREAS**, among other things, these orders waived certain requirements of the Brown Act to allow legislative bodies to meet virtually; and

**WHEREAS**, pursuant to the Governor’s executive orders, the Board has been holding virtual meetings during the pandemic in the interest of protecting the health and safety of the public, staff, and Board members; and

**WHEREAS**, the Governor’s Executive Order N-29-20 related to the suspension of certain provisions of the Brown Act expired on September 30, 2021; and

**WHEREAS**, AB 361, effective as of October 1, 2021 allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and



**WHEREAS**, the Board has considered the circumstances of the state of emergency; and

**WHEREAS**, state or local officials continue to recommend measures to promote social distancing; and

**WHEREAS**, on September 29, 2021, the Mendocino County Health Officer issued a Health Recommendation urging public bodies in Mendocino County to continue meeting remotely through online meetings to lower the risk of COVID-19 transmission; and

**WHEREAS**, the continuation of virtual meetings will allow for full participation by members of the public until the present state of emergency has ended; and **WHEREAS**, the Board desires to continue to hold virtual meetings pursuant to AB 361 and Government Code section 54953(e).

**NOW, THEREFORE, BE IT RESOLVED** that, the District Board hereby resolves as follows:

1. The above recitals are true and correct.
2. Consistent with the provisions of Government Code Section 54953(e), the Board finds and determines that (1) a state of emergency related to COVID- 19 is currently in effect; and (2) state and local officials have recommended measures to promote social distancing in connection with COVID-19. Based on such facts, findings and determinations, the Board authorizes staff to conduct remote teleconference meetings of the Board under the provisions of Government Code Section 54953(e). 3. This Resolution shall take effect immediately.

**ADOPTED** 1<sup>st</sup> of November, 2021 by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District, by the following vote:

Christopher Watt	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Alfred White	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Matthew Froneberger	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
Tyler Rodrigue	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent
John Reardan	<input checked="" type="checkbox"/> Yes / No / Abstain / Absent



Signed: \_\_\_\_\_  
Christopher Watt, Board of Trustees President

1/11/21  
Date



Attest: \_\_\_\_\_  
Elizabeth Salomone, General Manager

1/11/21  
Date

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

## **General Manager's Report for November 2022**

*Presented at Regular Meeting of Monday, December 5, 2022*

**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)

**Also see Agenda Item on Water Supply Conditions**

**2-Russian River Water Forum:** The Project Management Advisory Team met multiple times to receive interview findings, discuss Tribal briefings, and work with consultants on timeline.

**3-Water Right Applications:** Meetings were held with RRFCD's engineering consultants and Sonoma Water.

**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-Groundwater Sustainability Agency (GSA):** The GSA held an in-person Agricultural Stakeholder meeting as implementation of the Communication & Engagement Plan. The topic was the Governor's Executive Order, which requires well-permitting agencies and GSAs to assess the well-permitting process in coordination with one another and increase measures to protect groundwater. County staff and GSA General Manager presented and invited feedback. The County is developing an ordinance and process in coordination with the GSA and a follow up meeting is expected in early 2023.

**2-Russian River Water Forum: (See Priority 1)**

**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-Public Outreach:** Along with two of the other Steering Committee members of the Russian River Drought Response Group, GM presented on the Upper Russian River (URR) Voluntary Water Sharing Program (VSA Program) on the Water Network webinar. GM was also interviewed by an independent journalist on the Water Sharing Program.

**2-ACWA:** The Region 1 Board and the full ACWA Board met in November.

**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-Water Accounting:** Annual meter downloads are nearly complete, and conversion of the data will soon be underway. The State Water Resources Control Board has adjusted water rights reporting requirements to align with the water year (Oct 1 – Sept 30) and final reports are due February 1, 2023.

**2-Managed Aquifer Recharge:** Attended several FloodMAR webinars hosted by the Department of Water Resources.

*(Continued...)*

**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 Transboundary Water Negotiations: A Case Study of Afghanistan and Iran. Information. Attended an information session for the 2023 Water Leaders Program. Applications are due Dec. 7, 2022. Attended a series of webinars on Managed Aquifer Recharge.

**2-Board Leadership:** Board members were provided with further education and mandatory training options currently available.

**4-Finances:** Continuing work with District Accountant and Auditor to address financial planning, reporting, and enhancement. Preparing end of calendar year tasks. The final audited financial statements for FY 2020-21 are now posted on the website: <https://www.rffc.net/finances>. The FY 2021-2022 audit is underway.

**Community Meetings Attended This Month**

**Mendocino County Board of Supervisors (11/1/22):** The Board held an item on the revitalization of the Mendocino County Water Agency. Consultants are slated to begin in early 2023.

**Upper Russian River Water Agency (URRWA) (11/2/22):** Willow GM Walker provided updates on operations, an interview regarding Russian River Water Forum development, and the proposed consolidation between URRWA water district members and the City of Ukiah. A draft document for shared management of water services was provided in the packet. It was noted at some time a request had been made for a non-biased party with consolidation experience to facilitate or review documents. Walker and Sean White from the City of Ukiah met with State Water staff 11/1/22 discussing grant funding and the draft document. Questions were put forward regarding legal counsel review and impact on other water and sewer providers. It is proposed a 10 member executive committee (2 from each of the 5 entities: 8 from URRWA and 2 from City) would be created to implement the agreement. Board members agreed to read the draft, have it discussed at the respective board meetings, and express any concerns through the ongoing ad hoc monthly meetings that have brought things this far.

**City of Ukiah (11/2/22):** Mayor Brown reported on the proposed consolidation: draft agreement was made available and out for review. Everything is going well. The City has a new website tool to search Council meeting agenda, materials, etc. Director of Water & Wastewater, Sean White, introduced the GSA City Representative appointment item. Doug Crane was confirmed as the regular seat rep and Josefina Duenas as the alternate.

**Local Agency Formation Commission (LAFCo) (11/7/22):** A presentation was provided on the Ukiah Sanitation District and City of Ukiah. City staff noted the 3 separate annexation applications are slated to move forward in the first quarter 2023. There was some sharing regarding the resistance of City of Ukiah annexations and the process of engagement and untangling. The Commission received an update on the changing requirements for remote meetings, review of the work plan and proposals, and the changing makeup of the Commission due to elections. The December meeting was rescheduled to December 19<sup>th</sup>.

(Continued...)

**Willow County Water District (11/14/22):** GM Walker reported on operations, service district contract renewals with the other water districts, and provided feedback on the Water Forum interview, sharing he believed they asked the right questions and consultants will develop and provide a final report. It was reported that Willow was able to meet all its Ag customer water demands this year and for Oct was 10 acre feet higher than 2021. PROPOSED CONSOLIDATION: The potential consolidation of small water districts and City of Ukiah was discussed. The Willow Board wants legal counsel involved as soon as possible. Willow's legal counsel made cursory review recently and indicated Districts are giving up a lot of control to the City. One legal firm was suggested to represent URRWA but has a conflict as it currently represents the Ukiah Valley Sanitation District. Specific questions were asked by Board members about justifying the use of City water rates for Willow customers when Willow rates are lower, concern over the City's complex budget and the ability of the proposed water executive committee members to decipher the water enterprise fund budget, whether Districts assets will remain separate by District or consolidated into a single water enterprise fund, and clarification if Districts will exist post consolidation. GROUNDWATER SUSTAINABILITY AGENCY (GSA): The Board directed staff to request justification for \$68,000 dues to the Ukiah Valley Basin Groundwater Sustainability Agency from URRWA.

**Inland Water & Power Commission (IWPC) (11/10/22):** Updates were provided and an Ad Hoc committee established.

**Hopland PUD (11/10/22):** No one from the District attended.

**Millview County Water District (11/15/22):** Willow GM Walker reported on Millview operations. Audit was approved. PROPOSED CONSOLIDATION: Sage Sangiacomo (City Manager), Sean White (City Director of Water & Wastewater), Phil Williams (City water rights attorney) and Willow GM Jared Walker met and agreed that for speed and cost containment, meeting as a group with the member districts' counsels to discuss the draft and refine it into something that can be operational would move things along. This would be done weekly with the goal of having something for the ad hoc group to review in January. The board supported this plan. GROUNDWATER SUSTAINABILITY AGENCY (GSA): The Board was perplexed by the bill for their portion of the Upper Russian River Water Agency (URRWA) GSA invoice. Willow GM Walker and the Board were in the dark on much of what has been going on with the GSA and what commitments have been made. RRFC Trustee White gave a brief overview and answered a few questions, sharing they should have a better understanding going forward now that URRWA has finally appointed someone to sit on the GSA. Nevertheless, they will bring it back next month to authorize payment.

**City of Ukiah (11/16/22):** Councilmember Crane reported he met with the Groundwater Sustainability Agency (GSA) General Manager and Supervisor McGourty (also the GSA Chair.) He also mentioned the public workshop on well permitting. A presentation on the Sanitation District, City, and Local Agency Formation Commission (LAFCo) issues was provided under City Manager Reports.

**Calpella County Water District (11/16/22):** No one from the District attended.

(Continued...)

**Redwood Valley County Water District (11/17/22):** GM answered questions on financials, provided a water supply update noting only about 100 acre feet (af) of the 400 af made available by RRFC has been sold, and reported on the RR Water Forum interview. **UPDATE ON ELECTION:** The County discovered that Deborah Hughes (who was appointed unopposed to a 2 year seat) doesn't live in the RVCWD boundary. Therefore, the District will go to the appointment process to fill the seat. Other election results were not confirmed at the time of the meeting. **PROPOSED CONSOLIDATION:** Legal Counsel BBK declined to participate in the consolidation efforts due to conflict of interest (they serve as UV Sanitation District legal counsel.) Appreciation was given to Director Klotter for a list of questions on the draft agreement that was shared with the other URRWA members. Legal counsels from each entity will begin meeting with City and Willow staff. **GRAND JURY REPORT:** The draft response from Legal Counsel was rejected and the draft response from Director Klotter was accepted as the response to the Grand Jury. **BUREAU OF RECLAMATION DEBT:** In the Grand Jury report the District was urged to communicate with the Bureau regarding the unpaid debt. Legal Counsel provided a draft letter in the packet which was rejected by the Board. Director Klotter was directed to prepare a draft response for approval by the Board. President Schoeneman mentioned correspondence he received directly from Senator Feinstein's office regarding the Districts Bureau debt, and it was requested he make that available to the District and Board. President Schoeneman reported that District Legal Counsel believes consolidation and/or annexation could relieve some of the debt due to establishing a secure source of water. President Schoeneman urged the Board to explore options of debt relief and support from politicians and other representatives both in consolidation efforts and debt relief.

\* \* \* \*

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