

Amador Regional Sanitation Authority

“Servicing Amador City, Martell, & Sutter Creek”

A G E N D A

JUNE 30, 2021

10:00 A.M. Regular Meeting

33 Church Street, Sutter Creek CA 95685

The Agenda can be found on the City of Sutter Creek’s Website: www.cityofsuttercreek.org

**WHILE THIS MEETING WILL BE CONDUCTED IN-PERSON AT 33 CHURCH STREET,
WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME:**

Join Zoom Meeting

<https://us02web.zoom.us/j/3278978807>

or

Dial by phone:

301-715-8592

Meeting ID: 327 897 8807

Public comment will also be accepted by email at info@cityofsuttercreek.org. All emails must be received prior to the start of the meeting.

1. CALL TO ORDER AND ESTABLISH A QUORUM – 10:00 AM

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PUBLIC FORUM

Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador Regional Sanitation Authority; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note – there is a five (5) minute limit per topic.

4. CONSENT AGENDA

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Board or the Public.

* A. Minutes of May 27, 2021
Recommendation: Approve Minutes of May 27, 2021

* B. Approval of Warrants
Recommendation: Approve warrants.

* C. Cash Balance Report
Recommendation: For information only.

* D. System Status Report
Recommendation: For information only.

5. ADMINISTRATIVE MATTERS

* A. Henderson underdrain repair
Recommendation: For staff direction.

- * B. 2021-2022 Operating Budget
Recommendation: Adopt Resolution 20-21- Adopting the annual operating budget.*

6. GENERAL MANAGER'S REPORT

7. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: One potential case

8. BOARD MEMBER REPORTS

9. ADJOURNMENT

* *Attachments*

Proceedings of the Meeting will be tape recorded. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (209) 267-5647. Notification 48 hours prior to the meeting will allow for reasonable arrangements to be made.

Amador Regional Sanitation Authority

"Servicing Amador City, Martell, & Sutter Creek"

MINUTES SPECIAL MEETING OF THE BOARD OF DIRECTORS May 27, 2021

Present:

Robin Peters, Chairman
Richard Forster, Vice Chairman
Frank Axe, Board Member
Susan Bragstad, Board Member
Jim Swift, Board Member

Staff Present:

Amy Gedney, General Manager
Karen Darrow, City Clerk
Corey Stone, ARSA Operator
Harriet Steiner, ARSA Attorney

Others Present:

Dominic Atlan, Ione City Councilmember
Stacey Rhoades, Ione City Councilmember
Dan Epperson, Ione City Councilmember
Bob Bowers, Jim Scully, Oral Custer

1. CALL TO ORDER AND ESTABLISH A QUORUM

Meeting called to order by Chairman Peters at 10:06 A.M.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Peters led the Pledge of Allegiance.

3. PUBLIC FORUM

Dominic Atlan, Ione City Councilmember and Castle Oaks Golf Course representative requested an opportunity to explain water usage and irrigation operations at the golf course. Chairman Peters declined to accept Mr. Atlan's comments during the Public Forum as they were directly related to an agenda item. Chairman Peters suggested instead that Mr. Atlan's comments would be most appropriately delivered during Item 4A discussions.

4. ADMINISTRATIVE MATTERS

A. Discussion regarding 2021 water distribution priorities

Amy Gedney, ARSA General Manager provided an overview of how the ARSA system works. Every year rain water and runoff that collects in several ARSA system reservoirs, together with effluent produced at the City of Sutter Creek wastewater treatment plant, is delivered to irrigated pastures above and below Henderson Reservoir, and to the City of Ione for eventual Castle Oaks golf course irrigation. In very wet years ARSA sometimes struggles to dispose of all accumulated water in the system. However, in dry years such as this one, with only 17" of rain this year, there was very little water in the system compared with prior years.

She noted that Ione began taking 1,000,000 gallons a day of water from Preston Reservoir in April for golf course irrigation, whereas in normal rain years withdrawals from Preston Reservoir can begin as late as June. She noted that as Preston Reservoir begins to empty, the water becomes more turbid, and that this is a phenomenon experienced every year that reservoir levels are low. She likened it to the bottom of a milkshake. When this happens, Ione typically switches over to begin using CDCR/Mule Creek water using the bypass line they constructed four years ago.

She went on to state that the Regional Water Quality Control Board staff recently sent Ione a letter indicating that they can no longer take effluent from CDCR/Mule Creek as it has been found to have contaminants in it. As a result, Ione needs more water than ARSA has available at this time. The reason for today's discussion was to request direction regarding how the Board wishes to distribute the very limited water available in the ARSA system in the face of competing requests for more water than is available.

Michael Rock, Ione Interim City Manager, noted that the Ione City Council will be discussing the CDCR water contamination and availability problem at their next meeting after he meets with the State Water Board to discuss options for reaching a reasonable solution. When asked by Chairman Peters whether the golf course had other sources of irrigation water – e.g., raw water from the Water Agency, groundwater from one or more wells, etc. - he said they don't yet know but noted that he expects to know within three to four weeks if the golf course has secured an alternate source for water.

Chairman Peters noted that recent discussions with the Water Board revealed that CDCR has filed a Report of Waste Discharge to amend their permit in order to deliver its wastewater directly to the City of Ione, bypassing Preston Reservoir and the lower ARSA system. Chairman Peters asked the representatives of Ione whether their long-term expectation is for CDCR to deliver all of its wastewater to Ione, and Councilmember Epperson responded yes- that is their expectation. Manager Gedney expressed frustration because neither CDCR nor Ione discussed this matter, which represents a fundamental change in the way water deliveries will be made in the future, with ARSA.

Director Forster suggested that Ione may have other water availability options and that they should be carefully considered before ARSA makes any rash decisions about water delivery curtailments.

Jim Scully noted that Ione claims to be exploring options for obtaining water, explaining for example how groundwater used to be obtained to irrigate the area before golf course construction. Mr. Scully suggested that ARSA could divert water from Sutter Creek and asked if there was an ability to store water.

Interim City Manager Rock suggested that water delivery problems should be considered a long-term, recurring issue and suggested that ARSA should address the issues with the long term in mind. Chairman Peters disagreed, reminding Mr. Rock that several years ago Ione invoked the five-years clause in the 2007 agreement, eliminating Ione as a wastewater disposal option within five years, which forced ARSA to explore other means of wastewater disposal. Peters pointed out that the long-term does not include Ione water deliveries because of Ione's invocation of the five-year clause.

Dan Epperson, Ione City Council member, explained to the ARSA Board that the only reason the five-year clause was invoked was as leverage to force ARSA to re-negotiate of terms of payment for treatment at the Ione tertiary plant. Chairman Peters expressed exasperation at this revelation, noting that the City of Ione's July 19, 2017 letter, which invoked the five-year clause, made no mention of revenue, declaring instead that Ione expected to have all the water it needed to irrigate the golf course due to anticipated growth. Chairman Peters asked Manager Gedney whether Ione had ever requested a re-evaluation of payment terms; Manager Gedney replied that no, the matter had never been raised by Ione.

Chairman Peters returned to Councilmember Epperson, asking him to repeat and clarify for the record that the City of Ione's intent behind the invocation of the five-year clause was only to leverage more money from ARSA for tertiary treatment. Councilmember Epperson confirmed his statement, suggesting however that this was not an official statement being delivered to ARSA by the Ione City Council. Chairman Peters expressed further frustration and aggravation regarding this matter, opining that it was disingenuous and irresponsible for Ione to use the five-year clause as a tool to leverage money from ARSA. Peters explained that as a result of the letter, ARSA has expended significant public resources and energy pursuing other wastewater disposal options, only to find out now that the letter had been sent in bad faith. Peters recommended to Epperson that the City of Ione should rescind the July 19, 2017 letter and replace it with one that expresses the City's true intent.

Board member Forster commented that Council member Epperson's explanation was news to him. He was under the impression that Ione believed they would have enough water in five years through development to stand on their own.

Board member Bragstad suggested that ARSA should charge for water.

Amy Gedney, ARSA General Manager noted again that Ione had not informed ARSA of its plans to partner with CDCR for direct deliveries of water to Ione, bypassing the ARSA system, noting that she only found out through discussions with the Water Board. Gedney cited this as another example of bad faith from an entity that should act more like a regional partner.

Bob Bowers, Ranch Owner, suggested that water be diverted from Sutter Creek in the future to avoid this situation.

Oral Custer, read a portion of a prepared letter. Chairman Peters noted that the meeting was agendized to discuss a very specific topic and that his commentary may be better suited to another meeting date.

Amy Gedney, ARSA General Manager asked the Board if they are willing to cut off flow to Preston Reservoirs in order to continue normal operations.

Chairman Peters noted that there appears to be only two primary options available, keeping in mind that the agreement with Ione says, "that water is to be provided if available".

Option 1 – Cease all flow from Henderson which would result in no water going to Hoskins or Preston Reservoir.

Option 2 - Curtail flows to all three partners (Bowers, Hoskins at the golf course) and be equitable to all.

Board member Forster noted that he believed the golf course will find an alternate water source and will not need water from ARSA. Forster also noted that there may be other, minor options as well.

Board member Bragstad noted that she supports water going the ranchers before the golf course.

Board member Axe noted that he would like to work with all the partners.

Chairman Peters noted that ARSA recognizes the assistance that has been received in the past from all the partners and explained that he would like to see water deliveries distributed to each of ARSA's historic users proportionally, in accordance with historic deliveries, to the degree that is feasible given the idiosyncrasies of the delivery system. In this way it is likely that no single entity will receive the water they want because insufficient water is available in the system, however each entity would receive something. Peters believes that this would be the most equitable solution for all involved. He also noted that if the golf course secures an alternative source of water, then ARSA water deliveries could be increased to the ranchers. In the interim however, ARSA should make every effort to deliver water equitably to the degree possible. If things change the Board can reconvene and reconsider.

Board member Forster suggested that ARSA General Manager Gedney meet with the golf course and the ranchers to discuss possibly working out an arrangement to supplement feed in exchange for water deliveries.

Chairman Peters suggested that it would be foolish to micromanage staff, noting that the operator needs flexibility to manage appropriately.

ARSA Attorney Steiner suggested putting the direction into a motion.

M/S Swift/Forster to Direct ARSA Staff and Operator to deliver water proportionately to all historic users (Bowers, Hoskins and Ione) based on historic deliveries and practices, to the degree feasible.

AYES: Axe, Swift, Forster and Peters

NOES: Bragstad

ABSTAIN: None

ABSENT: None

4-1 MOTION CARRIED

The Board directed staff to present an explanation at the next meeting outlining how the water was proportionately delivered and managed.

5. BOARD MEMBER REPORTS- None.

6. ADJOURNMENT

The meeting was adjourned at 11:32 a.m.

Karen Darrow, Secretary

Robin Peters, Chairman

Date Approved:

Warrant List

June 2021

Type	Num	Date	Name	Account	Paid Amount
Bill Pmt -Check	1593	06/30/2021	Best Best & Krieger, LLP		
Bill	907524	06/15/2021		Legal	1,010.88
TOTAL					1,010.88
Bill Pmt -Check	1594	06/30/2021	City of Sutter Creek		
Bill	2021-06	06/16/2021		Contract with COSC	11,920.75
				Overtime	1,069.16
				Repairs & Maintenance	559.75
				Fuel	32.92
TOTAL					13,582.58
Bill Pmt -Check	1595	06/30/2021	Hunt & Sons, Inc.		
Bill	916570	05/31/2021		Fuel	247.67
Bill	964461	06/15/2021		Fuel	273.30
TOTAL					520.97
Bill Pmt -Check	1596	06/30/2021	lone ACE Hardware		
Bill	B147229	06/15/2021		Repairs & Maintenance	146.61
TOTAL					146.61
Bill Pmt -Check	1597	06/30/2021	SDRMA		
Bill	70190	07/01/2021		Risk Management - Liability	18,550.49
TOTAL					18,550.49

Amador Regional Sanitation Authority

Cash Balance Report

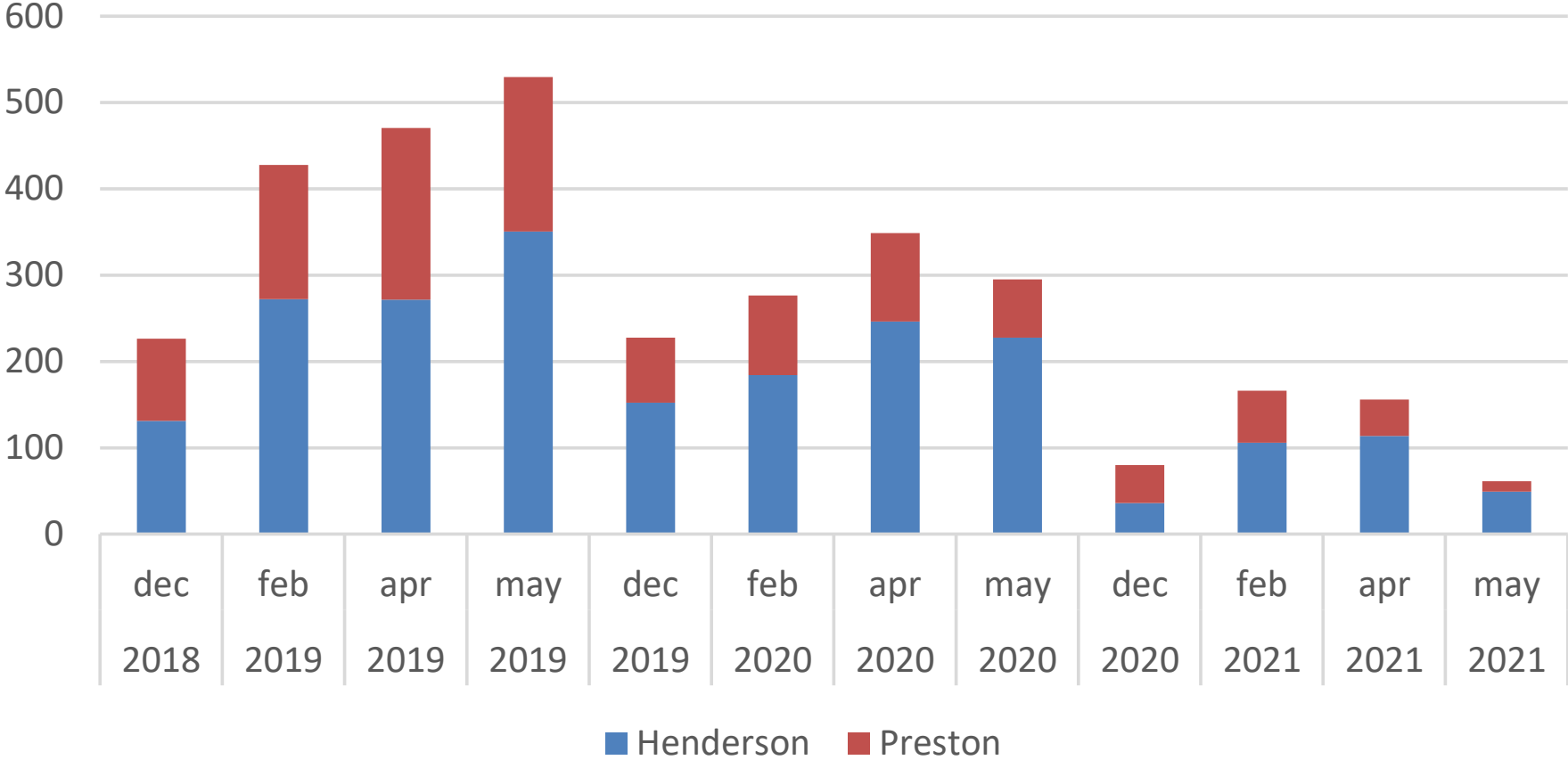
as of May 31, 2021

	Balance
Checking/Savings	
10000 • Checking - Umpqua	\$ 547,573.69
10010 • Savings - Umpqua	\$ 297,050.83
Total Checking/Savings	\$ 844,624.52

Amador Regional Sanitation Authority (ARSA)
Budget vs. Actual
July 2020 through May 2021

	Budget	Jul '20 - May 21	% of Budget	Projected YE
Income				
Interest Income	150.00	178.98	119.32%	200.00
Reimbursed Expenses	19,000.00	20,362.00	107.17%	20,362.00
Use Fee Revenue				
Amador City	13,093.00	13,093.00	100.0%	13,093.00
Amador Water Agency	78,796.00	78,796.00	100.0%	78,796.00
City of Sutter Creek	384,218.00	384,218.00	100.0%	384,218.00
Total Use Fee Revenue	476,107.00	476,107.00	100.0%	476,107.00
Total Income	495,257.00	496,647.98	100.28%	496,669.00
Expense				
Employee Services				
Contract with COSC	143,049.00	119,207.50	83.33%	143,049.00
Overtime	65,000.00	5,923.32	9.11%	10,000.00
Total Employee Services	208,049.00	125,130.82	60.15%	153,049.00
Admin. Operations				
Audit & Accounting	6,000.00	6,490.00	108.17%	6,490.00
Contingency	21,096.00	0.00	0.0%	0.00
Engineering				
Inundation mapping	10,000.00	0.00	0.0%	0.00
Engineering - Other	20,000.00	6,662.25	33.31%	10,000.00
Total Admin Operations	57,096.00	13,152.25	23.04%	16,490.00
Operations				
Flood Control	2,000.00	0.00	0.0%	0.00
Fuel	19,000.00	4,401.75	23.17%	5,500.00
General Supplies	500.00	22.00	4.4%	50.00
Legal	15,000.00	1,993.68	13.29%	5,000.00
Membership Dues	1,700.00	1,764.12	103.77%	1,765.00
O&M Building/Structures	1,500.00	1,140.00	76.0%	1,140.00
Repairs & Maintenance	20,000.00	23,810.95	119.06%	25,000.00
Risk Management - Liability	19,761.00	19,667.41	99.53%	19,667.00
Taxes/Fees/Licenses	55,000.00	52,136.28	94.79%	52,136.00
Tertiary Treatment Fees	70,000.00	16,992.75	24.28%	67,971.00
Vehicle Maintenance	5,000.00	1,511.71	30.23%	2,500.00
Weed Control	1,500.00	0.00	0.0%	0.00
Total Operations	210,961.00	123,440.65	58.51%	180,729.00
Total Expense	419,010.00	261,723.72	62.46%	350,268.00

Reservoir Levels by Month and Year



Amador Regional Sanitation Authority

"Servicing Amador City, Martell, & Sutter Creek"

STAFF REPORT

TO: ARSA BOARD OF DIRECTORS
MEETING DATE: JUNE 30, 2021
FROM: GARY GHIO FOR MATT OSPITAL, DISTRICT ENGINEER
SUBJECT: HENDERSON DAM UNDERDRAIN PROJECT STATUS

RECOMMENDATION:

Authorize completion of plans/specifications and CEQA document to obtain DSOD approval to proceed and allocation of funds for construction in 2022 weather permitting.

BACKGROUND & DISCUSSION:

Repair of the Henderson Dam Underdrain as required by the Division of Safety of Dams (DSOD) has been on hold since 2017. At that time ARSA had received 90% design plan/specification comments from DSOD but can find no record these comments (which were considerable) were incorporated into the contract documents. In addition, discussions with DSOD indicate nothing was resubmitted and therefore approval to proceed has not been granted.

In order to proceed with this project, the following will need to be completed:

1. Incorporate 90% DSOD comments and resubmit to DSOD for approval. Based on discussions with DSOD their review period will be 2 to 3 months and due to changes in personnel/regulations they may have additional requirements over and above the 90% comments.
2. Proceed with CEQA document for project and submit to DSOD when completed.

Once items 1 and 2 are complete DSOD will issue their approval and ARSA can proceed with the project.

Assuming 2022 is another dry year and ARSA can proceed with the project, the following schedule would allow the project to be completed prior to the subsequent rainy season.

- | | |
|---|-----------------|
| 1. ARSA Board - approval to advertise project | May 15 |
| 2. Advertise project | June 1 – July 1 |
| 3. ARSA Board - award project | July 7 |
| 4. Issue notice to proceed to contractor | July 21 |
| 5. Project completion (50 working days) | Oct 3 |

The dates in this schedule should be modified earlier, if possible, to ensure project completion prior to the rainy season and are provided only to give the Board a feel for the time frames that would be required for their action.

The estimated construction cost of the project in 2017 dollars was \$400,000. I would anticipate a 2022 construction cost of \$450,000 to \$500,000. Estimated cost of plan completion is \$5,000 to \$10,000 and estimated cost of the CEQA document is \$30,000.

Construction Repair	\$500,000
Engineered plans	10,000
CEQA	30,000
Contingency	54 000
Total Estimated Cost	\$594,000

NEXT STEP:

Should the Board choose to proceed with obtaining DSOD approval to proceed, and with a tentative plan to commence construction in 2022, the District Engineer will move forward with modifications to the plans/specifications for re-submittal to DSOD and respond to any additional requirements. The City will also retain an environmental consultant to complete the CEQA process.

RESOLUTION 20-21-*

**A RESOLUTION OF THE GOVERNING BOARD OF THE
AMADOR REGIONAL SANITATION AUTHORITY
ADOPTING THE BUDGET FOR FISCAL YEAR 2021-2022**

WHEREAS, the Board of Directors of the Amador Regional Sanitation Authority, ARSA, desires to adopt an Annual Budget for the Fiscal Year July 1, 2021, to June 30, 2021; and

WHEREAS, said Budget is a blueprint for anticipated expenses and revenues for the upcoming fiscal year, which will be reviewed on a regular basis, and it may be necessary to make changes from time to time, and

WHEREAS, the ARSA Board of Directors has reviewed said budget and has considered comments from the public.

NOW, THEREFORE, BE IT RESOLVED that the ARSA Board of Directors wishes to adopt the Annual Budget for Fiscal Year 2021-2022 as shown in Attachment A which incorporates anticipated revenue assumptions and expenditures.

The foregoing resolution was duly passed and adopted at a regular meeting of the ARSA Board on the 30th day of June 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

AMADOR REGIONAL SANITATION
AUTHORITY

Robin Peters, Chairman

ATTEST:

Karen Darrow, Clerk

Attachment A

ARSA Proposed 2021-22 BUDGET

	19-20	20-21		21-22
	Actual	Adopted BUDGET	Projected YE	PROPOSED BUDGET
Income				
Interest Income	\$ 159	\$ 150	\$ 200	\$ 150
Reimbursed Expenses	\$ 18,767	\$ 19,000	\$ 20,362	\$ 19,000
Use Fee Revenue				
Amador City	\$ 14,613	\$ 13,093	\$ 13,093	\$ 18,385
Amador Water Agency	\$ 80,066	\$ 78,796	\$ 78,796	\$ 86,552
City of Sutter Creek	\$ 378,292	\$ 384,218	\$ 384,218	\$ 387,956
Total Use Fee Revenue	\$ 472,971	\$ 476,107	\$ 476,107	\$ 512,043
Total Income	\$ 491,897	\$ 495,257	\$ 496,669	\$ 531,193
Expense				
Employee Services				
Contract with COSC	\$ 134,224	\$ 143,049	\$ 143,049	\$ 173,740
Overtime	\$ 76,311	\$ 65,000	\$ 10,000	\$ 15,000
Total Employee Services	\$ 210,535	\$ 208,049	\$ 153,049	\$ 188,740
Administrative Operations				
Audit & Accounting	\$ 4,160	\$ 6,000	\$ 6,490	\$ 6,000
Contingency	\$ -	\$ 21,096	\$ -	\$ 42,192
Engineering				
Inundation mapping	\$ 244	\$ 10,000	\$ -	\$ 10,000
Engineering - Other	\$ 17,849	\$ 20,000	\$ 10,000	\$ 35,000
Total Administrative Operations	\$ 22,253	\$ 57,096	\$ 16,490	\$ 93,192
Operations				
Flood Control	\$ -	\$ 2,000	\$ -	\$ 2,000
Fuel	\$ 10,084	\$ 19,000	\$ 5,500	\$ 19,000
General Supplies	\$ 3	\$ 500	\$ 50	\$ 500
Legal	\$ 1,303	\$ 15,000	\$ 5,000	\$ 15,000
Membership Dues	\$ 1,606	\$ 1,700	\$ 1,765	\$ 1,700
O&M Building/Structures	\$ 1,140	\$ 1,500	\$ 1,140	\$ 1,500
Repairs & Maintenance	\$ 17,019	\$ 20,000	\$ 25,000	\$ 20,000
Risk Management - Liability	\$ 19,667	\$ 19,761	\$ 19,667	\$ 19,761
Taxes/Fees/Licenses	\$ 54,641	\$ 55,000	\$ 52,136	\$ 55,000
Tertiary Treatment Fees	\$ 16,993	\$ 70,000	\$ 67,971	\$ 70,000
Vehicle Maintenance	\$ 4,114	\$ 5,000	\$ 2,500	\$ 5,000
Weed Control	\$ -	\$ 1,500	\$ -	\$ 1,500
Total Operations	\$ 126,570	\$ 210,961	\$ 180,729	\$ 210,961
Total Expense	\$ 359,358	\$ 476,106	\$ 350,268	\$ 492,893

Cost Shares based on 2020 Flow:

Amador City	3.73%
AWA	17.56%
Sutter Creek	78.7%