



BOARD OF DIRECTORS MEETING AGENDA

July 7, 2022 Regular Meeting
6:30 p.m.

Meeting link:

<https://sweetwaterspringswaterdistrict.my.webex.com/sweetwaterspringswaterdistrict.my/j.php?MTID=ma73953164d304fda911c64fab7ca1813>

Meeting number: 2554 517 9258
Password: 49583597

OR

Join by phone: +1-415-655-0001 US Toll
Access code: 2554 517 9258
Password: 49583597

All guests that join the virtual meeting will be muted with their camera/ video turned off. Guest(s) will be unmuted and video turned on when they are speaking. Proper decorum including appearance is required.

NOTICE TO PERSONS WITH DISABILITIES: It is the policy of the Sweetwater Springs Water District to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. Upon request made at least 48 hours in advance of the need for assistance, this Agenda will be made available in appropriate alternative formats to persons with disabilities. This notice is in compliance with the Americans with Disabilities Act (28 CFR, 35.102-35.104 ADA Title II).

Any person who has any questions concerning any agenda item may call the General Manager or Assistant Clerk of the Board to make inquiry concerning the nature of the item described on the agenda; copies of staff reports or other written documentation for each item of business are on file in the District Office and available for public inspection. All items listed are for Board discussion and action except for public comment items. In accordance with Section 5020.40 et seq. of the District Policies & Procedures, each speaker should limit their comments on any Agenda item to five (5) minutes or less. A maximum of twenty (20) minutes of public comment is allowed for each subject matter on the Agenda unless the Board President allows additional time.

- I. CALL TO ORDER (***Est. time: 2 min.***)
 - A. Board members Present
 - B. Board members Absent
 - C. Others in Attendance

II. CHANGES TO AGENDA and DECLARATIONS OF CONFLICT
(Est. time: 2 min.)

III. CONSENT CALENDAR **(Est. time: 5 min.)**

(Note: Items appearing on the Consent Calendar are deemed to be routine and non-controversial. A Board member may request that any item be removed from the Consent Calendar and added as an "Administrative" agenda item for the purposes of discussing the item(s)).

- A. Approval of the Minutes of the June 2 Regular Board Meeting, the June 13, 2022 Special Board Meeting, and the June 22, 2022 Special Board Meeting
- B. Receipt of Item(s) of Correspondence.
Note: Correspondence received regarding an item on the Administrative Agenda is not itemized here, but will be attached as back-up to that item in the Board packet and addressed with that item during the Board meeting.
- C. Action to Reconfirm findings of Resolution 21-18 re continuation of remote meetings

IV. PUBLIC COMMENT: The District invites public participation regarding the affairs of the District. This time is made available for members of the public to address the Board regarding matters which do not appear on the Agenda, but are related to business of the District. Pursuant to the Brown Act, however, the Board of Directors may not conduct discussions or take action on items presented under public comment. Board members may ask questions of a speaker for purposes of clarification.

V. ADMINISTRATIVE

- A. Discussion/Action re District water rights *(Est. time 15 min.)*
- B. Discussion/Action re New District website *(Est. time 10 min.)*
- C. Discussion/Action re New billing system *(Est. time 10 min.)*
- D. Discussion/Action re Resolution 22-15, Approving Sixth Amendment to the Agreement for Human Resources Consulting Services with Regional Government Services *(Est. time 10 min.)*
- E. Discussion/Action re Approval of Operations and Construction Warrants/Online payments/EFT payments

VI. GENERAL MANAGER'S REPORT

VII. BOARD MEMBERS' ANNOUNCEMENTS

VIII. ITEMS FOR NEXT AGENDA

IX. CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6)
Agency Designated Representative: Rachel Hundley
Employee Organization: Stationary Engineers, Local 39
- B. PUBLIC EMPLOYMEE APPOINTMENT (Gov. Code, § 54957)
Title: General Manager
- C. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6)
Agency Designated Representatives: Dirs. Schaap and Robb-Wilder
Title: General Manager
- D. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to § 54956.9(d)(2): One case

V. ADMINISTRATIVE (con't.)

- E. Discussion/Action re Approval of Resolution 22-16 Approving and Ratifying of Employment Agreement with Eric Schanz for the position of General Manager (*Est. time 10 min.*)

ADJOURN

Sweetwater Springs Water District Mission and Goals

The mission of the Sweetwater Springs Water District (SSWD) is to provide its customers with quality water and service in an open, accountable, and cost-effective manner and to manage District resources for the benefit of the community and environment. The District provides water distribution and maintenance services to five townships adjacent to the Russian River:

- Guerneville
- Rio Nido
- Guernewood Park
- Villa Grande
- Monte Rio

GOAL 1: IMPLEMENT SOUND FINANCIAL PRACTICES TO ENSURE EFFECTIVE UTILIZATION OF DISTRICT RESOURCES

GOAL 2: PROVIDE RELIABLE AND HIGH QUALITY POTABLE WATER WITH FACILITIES THAT ARE PROPERLY CONSTRUCTED, MANAGED AND MAINTAINED TO ASSURE SYSTEM RELIABILITY

GOAL 3: HAVE UPDATED EMERGENCY PREPAREDNESS PLANS FOR ALL REASONABLE, FORESEEABLE SITUATIONS

GOAL 4: DEVELOP AND MAINTAIN A QUALITY WORKFORCE

GOAL 5: PROVIDE EXCELLENT PUBLIC OUTREACH, INFORMATION AND EDUCATION

GOAL 6: ENHANCE BOARD COMMUNICATIONS AND INFORMATION



BOARD MEETING MINUTES*

Meeting Date: June 2, 2022

(*In order discussed)

June 2, 2022
6:30 p.m.

Board Members Present:

Tim Lipinski
Gaylord Schaap
Larry Spillane
Sukey Robb-Wilder

Board Members Absent:

Rich Holmer

Staff in Attendance:

John Haig, Senior Advisor
Julie Kenny, Secretary to the Board

Others in Attendance:

Rachel Hundley, District Counsel
Jack Bushgen
Keith McDonald
Paul Amaroli
Lisa Amaroli
Mark O'Flynn
Ceci Cook

I. CALL TO ORDER (6:30 p.m.)

The properly agendized meeting was called to Order by President Schaap at 6:30 p.m.

II. CHANGES TO AGENDA and DECLARATION OF CONFLICT (6:33 p.m.)

District Counsel requested that Item G (re Policies and Procedures related to General Manager during recruitment and transition) be discussed after Closed Session. There were no objections.

III. CONSENT CALENDAR (6:37 p.m.)

President Schaap reviewed the items on the Consent Calendar. Director Robb-Wilder corrected the May 12 Minutes to reflect that she was present. Director Robb-Wilder moved to approve the Consent Calendar. Director Spillane seconded the motion. Motion carried 4-0. The following items were approved:

- A. Approval of the following Minutes of the May 5, 2022 Regular Board Meeting, the May 12, 2022 Special Board Meeting, and the May 26, 2022 Special Board Meeting

- B. Approval of Operations Warrants/Online payments/EFT payments
- C. Receipt of items of Correspondence (None)
- D. Action to Reconfirm findings of Resolution 21-18 re continuation of remote meetings
- E. Action to Approve Resolution 22-08, Ratifying the Fifth Amendment to the Agreement with Regional Government Services (RGS) for Interim General Manager Services

IV. PUBLIC COMMENT (6:36 p.m.)

(None.)

V. ADMINISTRATIVE (6:37 p.m.) *

**in the order discussed*

- V-A. (6:37 p.m.) Discussion/Action re New Service request for 17538 Summit Avenue (Amaroli).** Field Manager Jack Bushgen provided an overview of this item. Discussion ensued. Public comment was made by Paul Amaroli. Discussion ensued. Public comment was made by Lisa Amaroli. Discussion ensued. Director Lipinski moved to deny the new service request for 17538 Summit Avenue but notify the Amarolis if new infrastructure was planned. Director Robb-Wilder seconded. Motion carried 4-0.
- V-B. (6:57 p.m.) Public hearing; Discussion/Action re Resolution 22-10, Adopting Water Rates for FY 2022-23 and Analysis of protests received.** Senior Advisor John Haig provided an overview of this item. Comments were made by Legal Counsel Rachel Hundley. At 6:58 p.m. President Schaap opened the Public Hearing. There were no comments. Board discussion ensued. Director Lipinski moved to approve Resolution 22-10, Adopting Water Rates for FY 2022-23. Director Robb-Wilder seconded. Motion carried 4-0. President Schaap closed the Public Hearing at 7:04 p.m.
- V-C. (7:42 p.m.) Public Hearing; Discussion/Action re Resolution 22-11, Adopting the FY 2022-23 Operating and Capital Improvement Budget.** President Schaap opened the Public Hearing at 7:42 p.m. Senior Advisor John Haig provided an overview. Discussion ensued. Director Robb-Wilder moved to add \$30,000 to the budget for Billing System Expenses associated with a billing system upgrade. Director Lipinski seconded. Comments were made by Legal Counsel Rachel Hundley. Motion carried 4-0. Director Robb-Wilder moved to approve Resolution 22-11, Adopting the FY 2022-23 Operating and Capital Improvement Budget, as amended to provide for \$30,000 Billing System Expenses. Director Lipinski seconded. Motion carried 4-0.
- V-D. (7:55 p.m.) Discussion/Action re FY 2020-21 CIP Update.** Senior Advisor Haig provided an overview of this item. No action was taken.
- V-E. (7:57 p.m.) Discussion/Action re New website and billing system.** Administrative Manager Julie Kenny provided an overview of this item. Discussion ensued. No action was taken.
- V-F. (8 p.m.) Discussion/Action re Resolution 22-12, Ordering an Election to be Held and Requesting Consolidation with the November 8, 2022 General District Election.** Administrative Manager Julie Kenny provided an overview of this item. Discussion ensued. Director Spillane moved to approve Resolution 22-12, Ordering an Election to be Held and Requesting Consolidation with the November 8, 2022 General District Election. Director Lipinski seconded. Motion carried 4-0.
- V-G. (Moved for discussion after Closed Session.)**

V-H. (8:04 p.m.) Discussion/Action re Removing Ed Fortner as an authorized signer on the District's Westamerica accounts. Director Robb-Wilder moved to remove Ed Fortner as an authorized signer on the District's Westamerica accounts. Director Spillane seconded. Motion carried 4-0.

VI. GENERAL MANAGER'S REPORT (8:06 p.m.)

Senior Advisor John Haig provided a report on the following items:

1. Laboratory testing / Regulatory Compliance
2. Water production and sales
3. Leaks
4. In-House Construction Projects
5. Wright Drive CDBG Grant Application
6. Gantt Chart

Discussion ensued.

VII. BOARD MEMBERS' ANNOUNCEMENTS/COMMENTS (8:15 p.m.)

Director Schaap announced cameras supplied by citizens filmed a possible arson suspect and requested the District send a thank you letter.

Director Spillane reviewed a MAC meeting presentation by fire marshals.

VIII. ITEMS FOR THE NEXT AGENDA (8:20 p.m.)

1. Billing system
2. July virtual meeting resolution

IX. CLOSED SESSION (8:30 p.m.)

President Schaap announced that the Board designated a new person to be the Local 39 representative: Legal Counsel Rachel Hundley. At 8:31 p.m. President Schaap announced the items in Closed Session.

At 8:32 p.m. the Board took a brief recess.

At 8:38 p.m. the meeting reconvened and the Board went into Closed Session. At 10:13 p.m. the meeting reconvened. The following action was announced:

- A. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Section 54957.6)**
Agency Designated Representative: Rachel Hundley
Employee Organization: Stationary Engineers, Local 39
No action was taken.
- B. PUBLIC EMPLOYMENT (Gov. Code Section 54957)**
Title: General Manager
No action was taken.

- C. **PUBLIC EMPLOYMENT (Gov. Code Section 54957)**
Title: Interim General Manager
 No action was taken.

- D. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Section 54957.6)**
Agency Designated Representative: Rachel Hundley
Title: General Manager
 No action was taken.

- E. **CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Section 54957.6)**
Agency Designated Representative: Rachel Hundley
Title: Interim General Manager
 No action was taken.

- F. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Gov. Code Section 54956.9(3)(2):
Two cases
 No action was taken.

V. ADMINISTRATIVE (cont.) (10:14 p.m.) *
**in the order discussed*

V-G. (10:14 p.m.) Discussion/Action re Policies and Procedures related to General Manager during recruitment and transition. Director Spillane moved to approve Resolution 22-13, Delegating Duties and Authorities of the General Manager during Transition of General Manager Position. Director Robb-Wilder seconded. Motion carried 4-0.

ADJOURNED TO JUNE 22, 2022

President Schaap announced that the meeting it would be adjourned to June 22, 2022 at 3 p.m.

BOARD MEETING MINUTES (CONT.)

Meeting Date: June 22, 2022 (cont. from June 2 Adjourned Meeting)

This meeting was cancelled due to improper noticing under the Brown Act.

Respectfully submitted,

Julie Kenny
 Clerk to the Board of Directors

APPROVED:

Gaylord Schaap: _____
 Sukey Robb-Wilder: _____

Tim Lipinski:
Rich Holmer
Larry Spillane



SPECIAL BOARD MEETING MINUTES*

Meeting Date: June 13, 2022

(*In order discussed)

June 13, 2022
8:30 a.m.

Board Members Present: Tim Lipinski
Larry Spillane
Rich Holmer
Gaylord Schaap
Sukey Robb-Wilder

Board Members Absent: (None)

Staff in Attendance: (None)

Others in Attendance: Kay Randolph-Pollard, RGS

I. CALL TO ORDER (8:48 a.m.)

The June 13, 2022 meeting was called to order by President Schaap at 8:48 a.m.

II. PUBLIC COMMENT (8:48 a.m.)

(None.)

III. CLOSED SESSION (6:46 p.m.) *

**in the order discussed*

At 8:48 a.m. President Schaap announced the Closed Session item. At 8:49 a.m. the Board went into Closed Session. At 4:35 p.m. the meeting reconvened and the following action was announced:

- A. PUBLIC EMPLOYMENT (Gov. Code Section 54957)**
Title: General Manager
No action was taken.

ADJOURN

The meeting adjourned at 4:36 p.m.

Respectfully submitted,

Sukey Robb-Wilder
Acting Clerk to the Board of Directors

APPROVED:

Gaylord Schaap: _____
Sukey Robb-Wilder: _____
Tim Lipinski: _____
Rich Holmer _____
Larry Spillane _____



SPECIAL BOARD MEETING MINUTES*

Meeting Date: June 22, 2022

(*In order discussed)

June 22, 2022
3:30 p.m.

Board Members Present: Tim Lipinski
Larry Spillane
Rich Holmer
Gaylord Schaap
Sukey Robb-Wilder

Board Members Absent: (None)

Staff in Attendance: John Haig, Senior Advisor

Others in Attendance: Rachel Hundley, Legal Counsel

I. CALL TO ORDER (3:30 p.m.)

The June 22, 2022 meeting was called to order by President Schaap at 3:30 p.m.

II. PUBLIC COMMENT (3:30 p.m.)

(None.)

III. CLOSED SESSION (3:31 p.m.) *

**in the order discussed*

At 3:31 p.m. President Schaap announced the Closed Session items. At 3:35 p.m. the Board went into Closed Session. At 5:52 p.m. the meeting reconvened and President Schaap announced the following statement regarding Item III-B:

The Sweetwater Springs Water District Board is proud to announce the appointment of Eric Schanz as the new General Manager of the District. This appointment is pending the approval of an employment Agreement with Eric.

The following action was announced with regard to the remaining Closed Session items:

- A. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6)**
Agency Designated Representative: Rachel Hundley
Employee Organization: Stationary Engineers, Local 39
Direction was given to staff

- B. PUBLIC EMPLOYEE APPOINTMENT (Gov. Code, § 54957)**
Title: General Manager

- C. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6)**
Agency Designated Representative: Rachel Hundley
Title: General Manager
 Direction was given to staff.

- D. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**
Significant exposure to litigation pursuant to Gov. Code § 54956.9 (d)(2): One case
 Direction was given to staff.

ADJOURN

The meeting adjourned at 5:53 p.m.

Respectfully submitted,

John Haig
 Senior Advisor and Acting Clerk to the Board of
 Directors

APPROVED:

Gaylord Schaap:	_____
Sukey Robb-Wilder:	_____
Tim Lipinski:	_____
Rich Holmer	_____
Larry Spillane	_____

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-A

FROM: John Haig, RGS Consultant

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE Water Rights Research Update

RECOMMENDED ACTION: Receive update and provide staff direction to continue work.

FISCAL IMPACT: Some additional professional fees, estimated less than \$2,000.00

DISCUSSION:

Research has continued into the question of District Water Rights and retention of rights with respect to any potential transfers of District property. The following provides updates on research topics and next steps for this project.

1. Title Search for historic Notices of Appropriation relating to the District's pre-1914 water rights.

Counsel Matt Emrick located a local title searcher with many years of experience – including experience specifically in Sonoma County. He was able to locate a separate book of filings in the Records' Office that listed all recorded "Notices of Appropriation" within Sonoma County relating to water rights. We worked together to do a review of all such Notices filed prior to 1910 or so for the Russian River in the areas of Rio Nido, Guerneville and Monte Rio.

The result was that no such notices were filed in the District's service area on the Russian River. This was not unexpected and does not impact the legal status of the District's water rights. While the Notices would have been helpful additional evidence of the District's pre-1914 rights, the lack of such Notices will help focus on other potential supporting evidence such as newspaper articles.

Of note, there were very few Notices of Appropriation filed anywhere for the Russian River prior to 1914. Most of the Notices filed appear to be in the area of Cloverdale and Sulphur Creek.

2. Deed Language for Properties Sold by the District

This is still a work in progress. Counsel Emrick has provided potential language for inclusion in Deed documents for any property transfers for District review.

3. Research of Historic Newspaper Articles relating to Water Rights on the Lower Russian River

Counsel Emrick has initiated reviewing historic newspaper articles relating to water rights and water supply development on the Lower Russian River from approximately the late 1870s to about 1906. Such Newspaper articles can be helpful in establishing when a water supply diversion was first constructed.

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-B

FROM: John Haig, RGS Consultant

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE New website

RECOMMENDED ACTION: Go live with the new website.

FISCAL IMPACT: Website: \$200/month

DISCUSSION:

For years now staff and Board have discussed the need to update the website and the billing system. After some delay on this project due to the pandemic, staff resumed work on the project a few weeks ago and has been working with Streamline to migrate our current website to the Streamline platform, which offers a website template and support specifically geared towards special districts.

With assistance from Streamline and using the website template, staff has built a website for the District that has a new look, some new features (including a private portal for Board members) and most importantly the platform to communicate with a customer portal of an outside billing system and online payment system. While Streamline will always be available for ongoing support and training, staff is pleased to be able to update website content in-house.

The new website is not "live" yet, meaning customers who visit <https://www.sweetwatersprings.com> will still be directed to our old website. However the new website can be viewed online privately, and last week staff emailed the Board a link to do that in preparation for discussion at the July Board meeting. The July meeting will provide the Board with the opportunity to comment or ask any questions.

Staff is ready to take the website live absent Board direction to pause or abandon the project.

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-C

FROM: Julie Kenny, Administrative Manager

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE New billing system

RECOMMENDED ACTION: No recommended action.

FISCAL IMPACT: \$11,000 set-up and migration; \$1,195/month ongoing subscription

DISCUSSION:

The Board has expressed interest and concern in the new billing system. At this point since the presentation by the billing software representative was cancelled, staff feels we may as well just wait for the new General Manager to be available to weigh in on this item.

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-D

FROM: Rachel Hundley, District Counsel

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE APPROVAL OF SIXTH AMENDMENT TO AGREEMENT WITH REGIONAL GOVERNMENT SERVICES (RGS)

RECOMMENDED ACTION: Approval of Resolution 22-15, approving the Sixth Amendment to the Agreement with RGS for human resource services and provide direction to staff regarding implementation.

FISCAL IMPACT: Up to \$15,000 for additional recruitment services for the General Manager position.

DISCUSSION:

The District has contracted with the Regional Government Services Authority (RGS) for human resources services dated October 18, 2021 (the Agreement). At a February 15, 2022 special meeting, the Board of Directors authorized the Board President to negotiate and execute an amendment to the Agreement for recruitment services for the General Manager position (the "Third Amendment"). The Board President executed the Third Amendment on February 23, 2022, and it was later ratified by the Board of Directors on March 3, 2022 for the purposes of transparency and clarity.

Certain additional recruitment services were requested from RGS beyond the scope of the Third Amendment. The proposed Sixth Amendment to the Agreement will authorize payment for these additional recruitment services in an amount not to exceed \$15,000, including reimbursement for direct costs. The combined total for recruitment services for the General Manager position under both the Third Amendment and the Sixth Amendment would be \$30,000.

Resolution No. 22-15

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SWEETWATER SPRINGS WATER DISTRICT APPROVING THE
SIXTH AMENDMENT TO THE AGREEMENT FOR HUMAN RESOURCES
CONSULTING SERVICES WITH REGIONAL GOVERNMENT SERVICES**

WHEREAS, Sweetwater Springs Water District (“District”) entered into an Consulting Services Agreement for certain human resources consulting services with Regional Government Services (“RGS”), a joint powers authority (“Agreement”) dated October 18, 2021; and

WHEREAS, at a February 15, 2022 special meeting, the District Board of Directors considered proposals by RGS for recruitment services for the General Manager position and authorized the Board President to negotiate and execute an amendment to the Agreement for services described in the proposal and subject to certain expenditure limitations; and

WHEREAS, the Board President executed the Third Amendment on February 23, 2022, which was ratified by the Board of Directors on March 3, 2022 for purpose of transparency and clarity; and

WHEREAS, certain additional recruitment services were requested from RGS beyond the scope of the Third Amendment to complete the recruitment process; and

WHEREAS, the Board now desires to approve a Sixth Amendment to the Agreement, attached hereto as Exhibit A, for the additional recruitment services described in the scope of work attached thereto; and

WHEREAS, the Sixth Amendment authorizes payment for such additional recruitment services in an amount not to exceed \$15,000, including reimbursement for direct costs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sweetwater Springs Water District hereby approves the Sixth Amendment to the Consulting Services Agreement Between the Sweetwater Springs Water District and Regional Government Services for Human Resources Consulting Services attached hereto as Exhibit A and incorporated herein and authorizes the Board President and General Manager to take such actions necessary and convenient to fulfill the purposes of the Agreement.

[Continued on following page]

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the Sweetwater Springs Water District, Sonoma County, California, at a meeting held on July 7, 2022, by the following vote.

Director	Aye	No
Sukey Robb-Wilder	_____	_____
Tim Lipinski	_____	_____
Richard Holmer	_____	_____
Gaylord Schaap	_____	_____
Larry Spillane	_____	_____

Gaylord Schaap
President of the Board of Directors

Attest: Julie A. Kenny
Clerk of the Board of Directors

EXHIBIT A
SIXTH AMENDMENT TO AGREEMENT FOR
HUMAN RESOURCES CONSULTING SERVICES WITH
REGIONAL GOVERNMENT SERVICES

[Attach amendment]

**SIXTH AMENDMENT TO THE
CONSULTING SERVICES AGREEMENT BETWEEN THE
SWEETWATER SPRINGS WATER DISTRICT AND
REGIONAL GOVERNMENT SERVICES AUTHORITY FOR
HUMAN RESOURCES CONSULTING SERVICES**

This Sixth Amendment (“Sixth Amendment”) to the Consulting Services Agreement Between the Sweetwater Springs Water District and Regional Government Services Authority (RGS) for Human Resources Consulting Services dated October 18, 2021 (the “Agreement”) is made and entered into this 7th day of July 2022 by and between the Sweetwater Springs Water District, (“District”) and Regional Government Services Authority (“Consultant”), and is effective as of the date of this Amendment.

RECITALS

WHEREAS, the District and RGS entered into the Agreement for the performance of human resources services described therein, which RGS has completed such services; and

WHEREAS, the District and RGS entered into First, Second, Third, Fourth and Fifth Amendments for the performance of certain additional services; and

WHEREAS, the Third Amendment added certain human resource services related to recruitment for the District’s General Manager position; and

WHEREAS, the District desires RGS to perform, and RGS desires to perform for the District, certain additional services related to the recruitment for the General Manager, as described in Exhibit A-6, “Scope of Work, A-6” attached hereto and incorporated herein, pursuant to the terms of the Agreement as amended by the First, Second, Third, Fourth and Fifth, Amendments and this Sixth Amendment.

THEREFORE, the parties agree to amend the Agreement as follows:

1. The recitals above are incorporated herein as set forth in full.
2. The first paragraph of Section 2, Compensation, is hereby amended as follows (additions in underlined italics, deletions in double-strikethrough):

District hereby agrees to pay Consultant a sum not to exceed including reimbursable costs incurred:

Fifteen Thousand Dollars and No Cents (\$15,000.00) for the performance of Work described in Exhibit A-3; and

Ten Thousand Dollars and No Cents (\$10,00.00) for the performance of Work described in Exhibit A-4; and

Fifty-Four Thousand Dollars and No Cents (\$54,000.00) for the performance of Work described in Exhibit A-5; and

Fifteen Thousand Dollars and No Cents (\$15,000.00) for the performance of Work described in Exhibit A-6.

notwithstanding any contrary indications that may be contained in any proposal by Consultant. In the event of a conflict between this Agreement and any proposal by Consultant, including those attached as Exhibit A, regarding the amount of compensation, this Agreement shall prevail. District shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from District to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to District in the manner specified herein. Except as specifically authorized by District in writing, Consultant shall not bill District for duplicate services performed by more than one person.

3. Exhibit A of the Agreement is hereby amended to add Exhibit A-6, "Scope of Work, A-6."

Except as set forth above, each and every provision of the Agreement between the parties shall remain in full force and effect.

SWEETWATER SPRINGS WATER
DISTRICT

REGIONAL GOVERNMENT
SERVICES AUTHORITY

Gaylord Schaap
Board President

Richard Averett
Executive Director

Approved as to Form:

Rachel Hundley
District Counsel

[ATTACH TO EXHIBIT A]
EXHIBIT A-6, SCOPE OF WORK A-6

[To be inserted when complete prior to approval.]

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-E

FROM: Rachel Hundley, District Counsel

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE Resolution 22-16, Approval and Ratification of Employment Agreement with Eric Schanz for the position of General Manager

RECOMMENDED ACTION: Approve Resolution 22-16.

FISCAL IMPACT: To be determined upon the conclusion of contract negotiations.

DISCUSSION:

The Board of Directors is concluding a recruitment process to select and hire the next General Manager of the District. At a June 22, 2022 special meeting, the Board President announced the Board had selected Eric Schanz for the position of General Manager pending approval on an employment agreement. Pursuant to Section 2000.20 of the Sweetwater Springs Water District Policies and Procedures, "[t]he terms and conditions of the General Manager's employment shall be specified in the agreement of employment established between the General Manager and the Board of Directors." It is anticipated that the Board will commence discussions of the proposed terms and conditions of an employment agreement in closed session on July 7 and provide direction to an Ad Hoc Subcommittee comprised of Board President Schaap and Director Robb-Wilder in closed session to negotiate on its behalf.

It is also anticipated that the July 7 meeting will be adjourned to July 11, 2022 at 3pm, or as otherwise ordered by the Board at the close of the July 7 meeting, to consider approval and ratification of an employment agreement recommended by the Ad-Hoc Subcommittee in open session. Government Code Section 53262 requires any employment agreement for a general manager of a local agency to be ratified by the governing body in open session. Prior to approval and ratification of an employment agreement, the Board President will announce the salary and benefits provided by the employment agreement, as required by Government Code Section 54953.

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. V-F

FROM: John Haig, RGS Consultant

Meeting Date: July 7, 2022

SUBJECT: DISCUSSION/ACTION RE Approval of Operations and Construction Warrants/Online payments/EFT payments

RECOMMENDED ACTION: Approve some or all of included expenses

FISCAL IMPACT: Approximately \$50,000

DISCUSSION:

This item is typically on the Consent Calendar but has been moved for separate discussion/action due to uncertainty over vendor RGS invoices and to provide the Board with an opportunity to discuss and ask any relevant questions.

SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors

AGENDA NO. VI

FROM: John Haig, Senior Advisor

Meeting Date: July 7, 2022

Subject: GENERAL MANAGER'S REPORT

RECOMMENDED ACTION: Receive report from the General Manager.

FISCAL IMPACT: None

DISCUSSION:

- 1. Laboratory Testing/ Regulatory Compliance:** Water quality tests confirm that all SSWD water meets all known State and Federal water quality standards.
- 2. Water Production and Sales:** Water sales in June were 21,975 units compared with 24,720 units sold in the same period in FY 20-21, a reduction of 2,745 units or 11 percent. Drought restrictions and potential curtailments may become mandatory in this year. Looking at the data over the last ten years, water production has dropped approximately 29%, and sales have dropped 18%, although water sales and production are up during the COVID period.
- 3. Leaks:** We had six total main leak repairs in May requiring 36 hours on them, and 6 service leaks requiring 28 hours.
- 4. In-House Construction Projects:** There was no in-house construction project in June.
- 5. Curtailment Announcement by the State Water Board –** The District received three letters in June by Certified Mail from the State Water Resources Control Board concerning an Order Regarding Curtailment Status in the Russian River Watershed. These letters were sent to the District and all holders of water rights and permits for water draws along the Russian River, one for each of the Guerneville and Monte Rio historic water rights allocations, and one addressed to the permit the District possesses ((A024929). Although there were some curtailments issued by the State as a part of this order, the District is not

currently restricted by the terms of the Order. The District is required to monitor the Curtailment website and to receive any updates to current status, and to register an email for notices. Staff has done this.

- 6. Staff Updates** – The District has had two staff milestone achievements this month which the Board should be aware of.

Victor Mendez successfully completed his first year of service with the District, and has started his second year of service. Congratulations to Victor on achieving this milestone.

Andrew Tait achieved his D-1 certification, passing the rigorous State testing for that certification. Congratulations to Andrew on this achievement.

- 7. 21998 Moscow Road**– The District owns an unimproved lot at 21998 Moscow Road, Monte Rio, where a test well was drilled and has been capped because the water was heavily mineralized. The adjoining property is owned by Patricia Thayer. Ms. Thayer and the District cooperated to make certain improvements and repairs at the location which the District approved, addressing damage from the flood of 2019. Repairs were completed last fall, and the heavy rains in October and December caused no additional concerns.

Ms. Thayer wrote the District to request that Sweetwater Springs evaluate the trees on the lot to ensure they pose no danger to her property, and offered to purchase the property if the District was amenable to negotiating that transaction. I wrote an initial response to Ms. Thayer on June 27th, and Jack Bushgen has visited the property (June 28). There are no immediate apparent hazards, and we plan to offer to meet with Ms. Thayer on site to discuss her concerns.

Staff will provide additional information if available at the Board meeting, and as the situation develops. This matter could be agendaized for a future Board meeting so that your Board could discuss the situation.

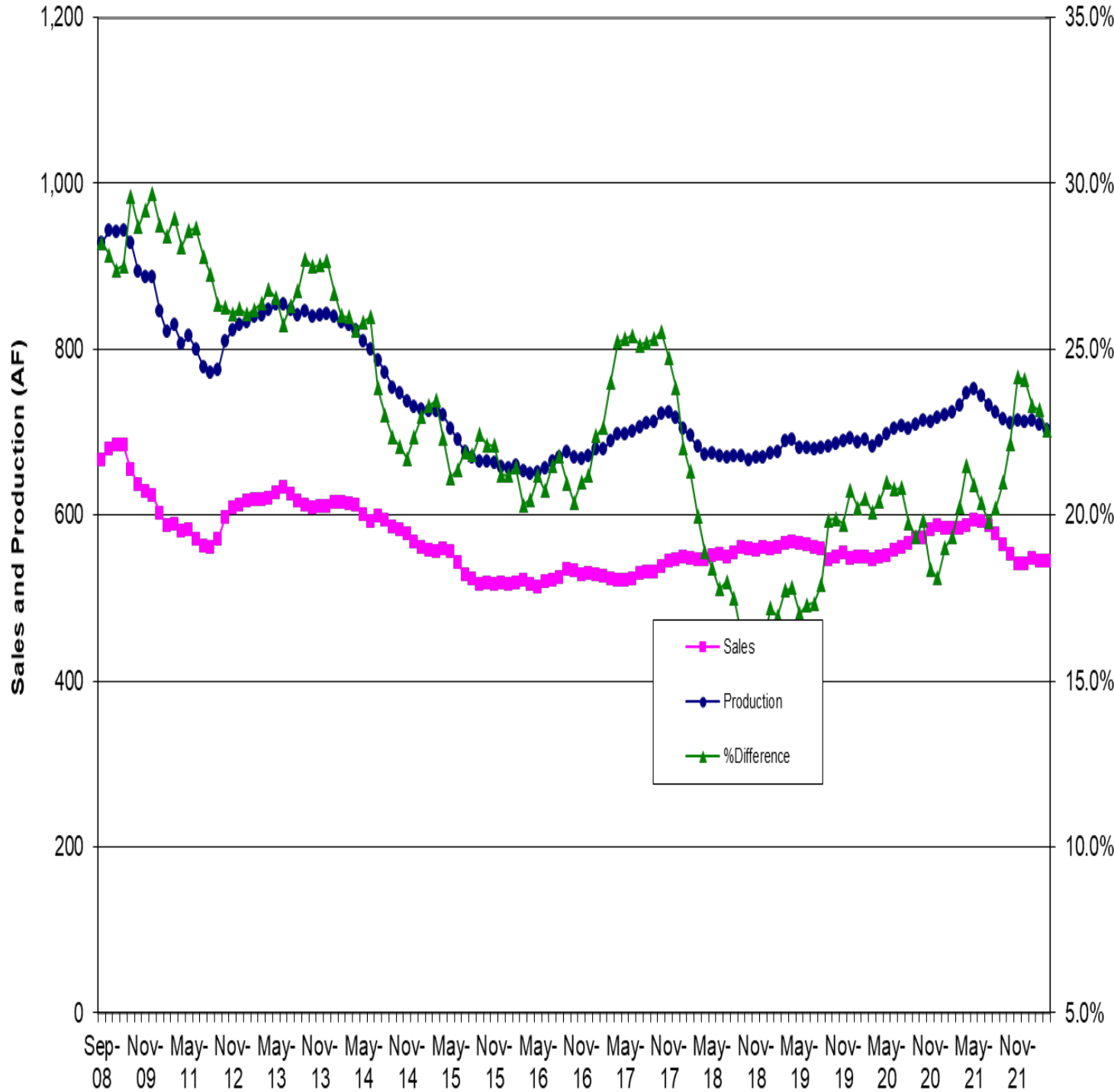
- 8. Budget Update** – Staff updated the FY 22-23 budget to reflect the Board's direction to include a line item budget for the billing system in the amount of \$30,000 and reduced Reserves by the same amount. The amended budget has been reflected in Quicken and will be posted on the website.

- 9. Gantt Chart:** The Gantt Chart is as presented for May 2022.

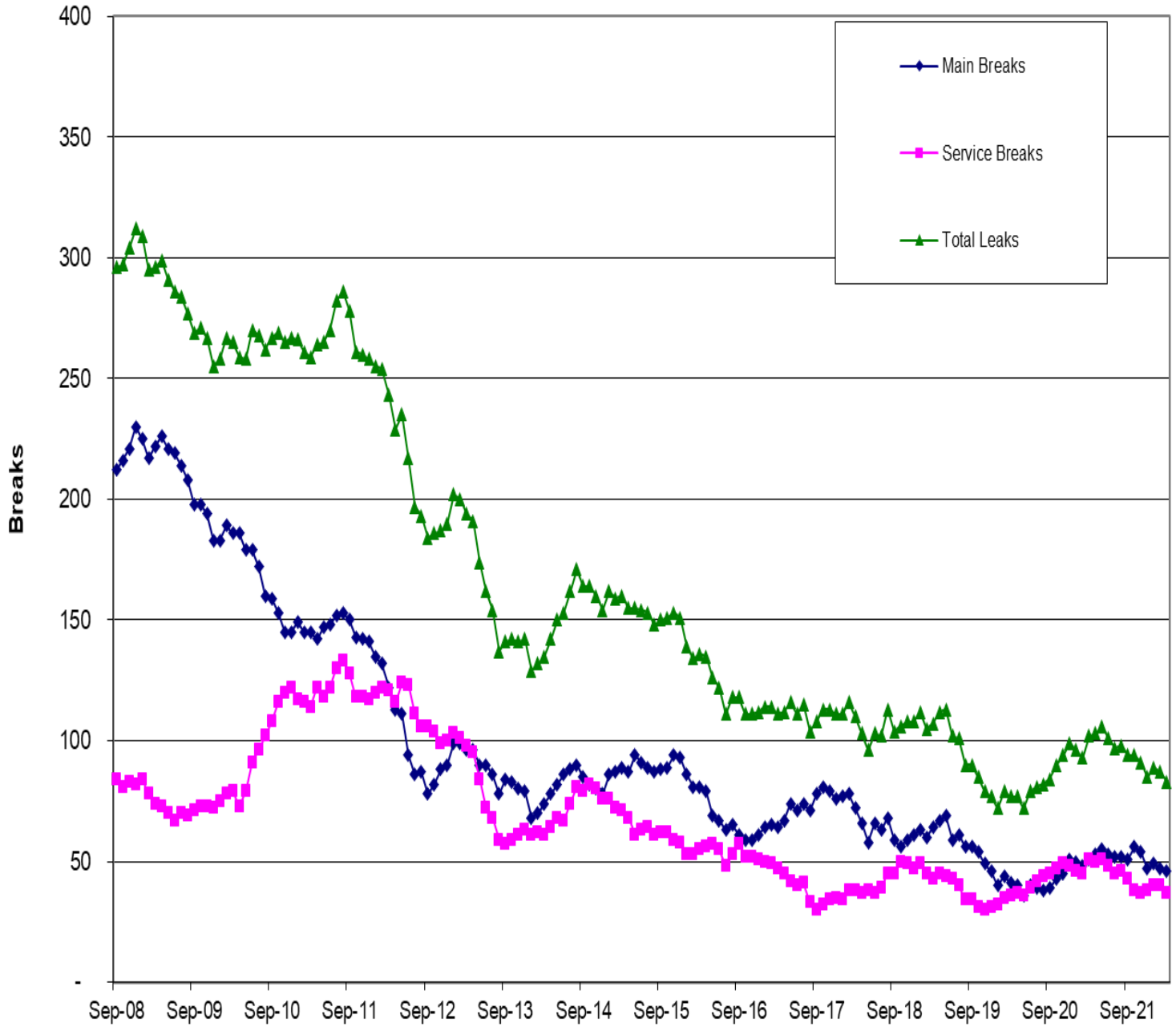
- 10. The following charts** have not been updated since May and are the most recent information available at this time.

Additional statistical information regarding current billing in both systems (**Water Units Sold**) and the **Main and Service Leak Log** are included in the packet as a separate PDF document.

**Figure 1. Water Production and Sales 12 Month Moving Averages
 Sweetwater Springs Water District Since September 2008**



**Figure 2. Sweetwater Springs Water District Main and Service Pipeline Breaks
Moving Annual Average Since September 2008**



2022 Billing Stats: ALL ACCOUNT TYPES

TOTAL ALL BILLS										GUERNEVILLE Only										MONTE RIO Only									
Billing Date	# Customers	Base Rate	Current Charges	CDR (CIRF) Charges	Total Charges \$\$	Total Units	Water	Billing Date	# Customers	Base Rate	Current Charges	CDR (CIRF) Charges	Total Charges \$\$	Total Units	Water	Billing Date	# Customers	Base Rate	Current Charges	CDR (CIRF) Charges	Total Charges \$\$	Total Units	Water						
1/15/2022	1733	\$139,412	\$37,828	\$25,496	\$202,737	15,062	15,062	1/15/2022	662	\$52,173	\$14,649	\$9,551	\$76,374	5,875	5,875	1/15/2022	1071	\$87,239	\$23,179	\$15,945	\$126,363	9,187	9,187						
2/15/2022	1912	\$158,840	\$50,466	\$28,923	\$238,230	18,727	18,727	2/15/2022	1912	\$158,840	\$50,466	\$28,923	\$238,230	18,727	18,727	2/15/2022	0	\$0	\$0	\$0	\$0	0	0						
3/15/2022	1738	\$140,035	\$25,807	\$25,611	\$191,453	11,236	11,236	3/15/2022	664	\$52,434	\$9,872	\$9,599	\$71,904	4,445	4,445	3/15/2022	1074	\$87,602	\$15,936	\$16,012	\$119,549	6,791	6,791						
4/15/2022	1914	\$158,011	\$43,992	\$28,771	\$230,775	17,024	17,024	4/15/2022	1914	\$158,011	\$43,992	\$28,771	\$230,775	17,024	17,024	4/15/2022	0	\$0	\$0	\$0	\$0	0	0						
5/15/2022	1733	\$139,238	\$32,319	\$25,465	\$197,021	13,375	13,375	5/15/2022	663	\$52,092	\$10,671	\$9,537	\$72,300	4,685	4,685	5/15/2022	1070	\$87,145	\$21,648	\$15,928	\$124,721	8,690	8,690						
6/15/2022	1918	\$158,958	\$60,813	\$28,945	\$248,716	21,975	21,975	6/15/2022	1918	\$158,958	\$60,813	\$28,945	\$248,716	21,975	21,975	6/15/2022	0	\$0	\$0	\$0	\$0	0	0						
7/15/2022					\$0			7/15/2022					\$0			7/15/2022					\$0								
8/15/2022					\$0			8/15/2022					\$0			8/15/2022					\$0								
9/15/2022					\$0			9/15/2022					\$0			9/15/2022					\$0								
10/15/2022					\$0			10/15/2022					\$0			10/15/2022					\$0								
11/15/2022					\$0			11/15/2022					\$0			11/15/2022					\$0								
12/15/2022					\$0			12/15/2022					\$0			12/15/2022					\$0								
					\$1,308,931								\$938,298								\$370,634								

* Does not include delinquency fees, misc. debits and credits

NUMBER OF WATER UNITS SOLD FY 21 - 22

	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 21-22	G-will	M-Rio
JULY	27,147	28,091	21,035	17,808	20,061	22,850	25,890	22,074	16,377	19,044	19,608	20,255	19,273	22,297	21,558	7,521	14,037	
AUGUST	37,202	37,907	34,878	32,328	28,486	33,190	29,163	32,208	26,070	26,811	29,485	28,325	27,419	28,582	26,302	26,302		0
SEPTEMBER	31,721	32,753	30,320	29,673	26,091	29,829	26,157	24,091	21,678	22,893	24,037	25,805	24,886	27,175	22,746	7,834	14,912	
OCTOBER	36,493	34,938	32,282	32,334	32,091	33,727	31,628	27,724	24,606	29,333	29,495	32,827	27,310	30,099	24,731	24,731		0
NOVEMBER	24,444	25,746	23,111	24,160	21,350	22,218	20,729	19,489	20,101	18,462	21,884	21,351	22,640	23,173	17,984	6,724	11,260	
DECEMBER	21,556	24,762	21,116	20,802	20,299	22,818	23,452	21,256	20,873	18,070	21,297	20,468	22,288	25,982	21,110	21,110		0
JANUARY	13,309	14,631	14,764	13,734	14,645	16,242	16,316	11,914	12,727	13,676	14,146	15,335	12,925	15,529	15,062	5,875	9,187	
FEBRUARY	18,647	21,199	19,233	18,386	16,641	18,372	20,967	17,770	17,189	16,504	17,693	16,950	17,284	15,506	18,727	18,727		6,791
MARCH	14,556	14,417	14,414	12,387	12,569	13,884	13,772	12,351	13,058	12,315	11,657	12,653	12,827	12,846	11,236	4,445	6,791	
APRIL	19,227	18,414	17,611	17,129	17,936	17,914	17,053	16,636	17,748	16,809	16,279	18,547	16,886	17,038	17,024	17,024		0
MAY	15,721	15,861	14,273	14,134	14,880	15,075	14,514	16,120	14,217	13,083	13,011	13,319	14,602	15,866	13,375	4,685	8,690	
JUNE	29,211	26,259	19,143	20,871	23,765	26,850	22,092	20,436	19,020	19,198	21,220	20,612	21,453	24,720	21,975	21,975		0
Total	289,234	294,978	262,180	253,746	248,814	272,969	261,733	242,069	223,664	227,198	239,812	246,447	239,793	258,813	231,830	166,953	64,877	
July-Aug	96,070	98,751	86,233	79,809	74,638	85,869	81,210	78,373	64,125	68,748	73,130	74,385	71,578	78,054	70,606	41,657	28,949	
Oct-Nov	82,493	85,446	76,509	77,296	73,740	78,763	75,809	68,469	65,580	66,865	72,676	74,646	72,238	79,254	63,825	52,565	11,260	
Jan-Feb	46,512	50,247	48,411	44,507	43,855	48,498	51,055	42,035	42,974	42,495	43,496	44,938	43,036	43,881	45,025	29,047	15,978	
Apr-May	64,159	60,534	51,027	52,134	56,581	59,839	53,659	53,192	50,985	49,090	50,510	52,478	52,941	57,624	52,374	43,684	8,690	
FY TOTAL	289,234	294,978	262,180	253,746	248,814	272,969	261,733	242,069	223,664	227,198	239,812	246,447	239,793	258,813	231,830	166,953	64,877	

Main and Service Leak Log

Month: May
 TOTAL # LEAKS: 12

MAIN/SVCE	Date Fixed	Location Street Number	Town	Svce Size	Customers with	Manhrs to fix	Tag #	Who Fixed	
MAIN	5/2/2022	2ND & EAST ST.	VG	2" PVC	1	10	30572	KM, BD, VM, AT	10,800
									GA1
MAIN	5/4/2022	BOHEMIAN HWY	MR	2" GALV	0	10	28181	RW, VM, BD, AT, KK	21,600
MAIN	5/5/2022	EDGEHILL DR	GV	2" GALV	0	9	34892	VM, RW, KK	2,280
MAIN	5/10/2022	WILLOW & CANYON 4	RN	2" GALV	0	3	33674	VM, AT, BD	1,500
MAIN	5/31/2022	FERN RD	GV	2" GALV	0	2.5	33677	BD, VM	4,000
MAIN	5/31/2022	CANYON 6	RN	2" GV	0	1	28213	KM, VM, BD, AT	1,440
35.5 hrs 6 MAIN/SERVICE LEAKS (GA1 Total: 46,620)									
SERVICE	5/9/2022	SOUTHERN AVE	GV	1" POLY	0	12.5	33673	VM, AT, BD, BO	12,600
SERVICE	5/10/2022	WILLOW & CANYON	RN	3/4" POLY	1	3	34893	JB, VM	240

Main and Service Leak Log

Month: _____
 TOTAL # LEAKS: 12

MAIN/SVCE	Date Fixed	Location Street Number	Town	Svce Size	Customers # with	Manhrs to fix	Tag #	Who Fixed
SERVICE	5/11/2022	15950 RIVER RD	GV	3/4" POLY	0	1	34894	VM
<input type="checkbox"/> CONED ON-CALL?								
<input type="checkbox"/> FIXED ON-CALL?								
SERVICE	5/20/2022	19395 REDWOOD DR	MR	3/4" POLY	0	1	30601	VM
<input type="checkbox"/> CONED ON-CALL?								
<input type="checkbox"/> FIXED ON-CALL?								
SERVICE	5/27/2022	14107 ARMSTRONG WOODS RD	GV	2" GALV	7	7	33675	KM,BD
<input type="checkbox"/> CONED ON-CALL?								
<input checked="" type="checkbox"/> FIXED ON-CALL?								
SERVICE	5/31/2022	15831 WRIGHT DR	GV	3/4" POLY	0	3.5	33676	VM, BD, AT
<input checked="" type="checkbox"/> CONED ON-CALL?								
<input type="checkbox"/> FIXED ON-CALL?								

28 hrs 6 MAIN/SERVICE LEAKS

GM TOTAL: 25,740

63.5 hrs 12 LEAKS

72,360

