

Mendocino County

Russian River Flood Control & Water Conservation Improvement District

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APPROVED MINUTES

Regular Meeting

May 3, 2021

IN COMPLIANCE WITH THE DIRECTIVES OF THE COUNTY HEALTH OFFICER, STATE AND CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC), THIS MEETING WAS HELD VIA ZOOM.

1. Roll Call

President Watt called the meeting to order at 4:48 pm.

Trustees Present: Christopher Watt, President
Alfred White, Vice President
Matthew Froneberger, Treasurer
John Reardan, Trustee
Tyler Rodrigue, Trustee

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

2. Public Expression - No one from the public indicated interest in public expression.

3. Approval of Agenda

Vice President White moved to approve the agenda as presented. Trustee Reardan seconded the motion. The motion was approved by the following unanimous vote:

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

CLOSED SESSION

4. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Gov. Code § 54956.9(d) *Significant exposure to litigation:* (1 potential case)

The Board entered closed session at 4:52 pm and returned to open session at 5:31 pm. President Watt reported the Board took no reportable action.

The Closed Session was reconvened after Items 5, 8, 9, & 10 at 6:12 pm and the Board returned to open session at 7:21 pm. President Watt reported that the Board is not passing the proposed Declaration, allowing the District time to meet with the State Water Resources Control Board to further confer.

PUBLIC HEARING

5. Water Supply Conditions Update and District Response

The Public Hearing was opened at 5:32 pm by President Watt.

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
John Reardan

GM Salomone presented the item, noting the Board will consider comments from the public regarding a potential declaration by the Board on pursuant to California Water Code Section 350 declaring a water shortage emergency condition within its boundaries and a finding and determination that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. The hearing will provide an opportunity for consumers to be heard to protest against the declaration and to present their respective needs to the Board.

No one from the Public indicated a desire to speak.

The Public Hearing was closed at 5:37 pm by President Watt.

The Public Hearing was reopened at 5:43 pm to accommodate technical difficulties by President Watt.

Mike Hildreth, District constituent and customer, addressed the Board asking for advocacy to support agricultural use of water under the District licensed right to stored water. He also stressed the need to know water supply availability soon for planning purposes. Mr. Hildreth asked for clarification on the place of use and points of diversion of contracted water.

Devon Jones, Mendocino County Farm Bureau, addressed the Board making the following points: (1) No clear public health water allocation has yet been made public; (2) There are many operational questions in providing public health water allocation; (3) Still a need to clarify the “colors of the water” and assumptions made that all water in the system is stored that needs to be vetted, noting water rights senior to the District’s that need to be addressed by the State Water Resources Control Board; (4) Low flows restrict direct diversions; (5) there is going to be significant public reception on how this water is allocated and agriculture is going to get the brunt of it; and (6) Asked for creativity to offset municipal demand from the District by coordinating with other regional water suppliers and therefore potentially making more water available to agriculture.

Devon Jones asked for clarification of the Redwood Valley allocations in the proposed Declaration. GM Salomone explained that any water provided to Redwood Valley County Water District will only be done so in coordination with the State Water Resources Control Board to provide water for human health and safety as well as recharging the pond for fire suppression purposes in an emergency situation.

Devon Jones asked if an emergency declaration is needed to redistribute contracted water supply to meet human health and safety needs. Jeanne Zolezzi explained that this Declaration is needed to override the contractual terms in order to meet human health and safety needs in an emergency. She noted there is no legal authority for the District to relinquish some of its water right for human health and safety [outside of contractual commitments] but can be done in an action from the Board in recognizing the emergency.

Bree Klotter, Redwood Valley County Water District Board, addressed the Board regarding water theft from RVCWD’s fire hydrants. Jeanne Zolezzi, legal counsel, suggested the District could assist in coordination with local law enforcement regarding the value of the water. GM Salomone noted the Countywide Drought Task Force is being reconvened and will be an appropriate forum for discussion on water theft, enforcement, etc.

Trustee Reardan noted the District position is to support constituents and customers in receiving the benefits they have been investing in through annual contractual payments. President Watt thanked the public for their time and comments.

The Public Hearing was closed at 6:07 pm by President Watt.

President <i>Christopher Watt</i>	Vice President <i>Alfred White</i>	Treasurer <i>Matthew Froneberger</i>	Trustee <i>Tyler Rodrigue</i>	Trustee <i>John Reardan</i>
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ITEMS FOR DISCUSSION AND POSSIBLE ACTION

Note: By consensus from the Board, Items 6 & 7 were deferred to after the reconvening of the Closed Session.

6. Consider adoption of Declaration #21-03: Stage IV – Water Crisis

The Board did not take action on adoption of the Declaration at this meeting.

7. Discussion of other Potential Actions required to address drought emergency

No further reports or discussion offered on this item.

REGULAR BUSINESS, INFORMATION, AND REPORT ITEMS

8. Consent Calendar

- a) Approval of Minutes for the April 5, 2021 Regular Meeting
- b) Approval of Minutes for the March 29, 2021 Special Meeting
- c) Acceptance of the April 2021 Financial Reports and Project Water Worksheet

It was noted in the monthly payment details, the credit card bill was listed twice and noted that it has now been corrected by staff.

Vice President White moved to approve the consent calendar. Trustee Reardan seconded the motion. The motion was approved by the following unanimous vote:

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

9. Board Member and Committee Reports

Vice President White reported on a recent Millview Water District meeting, noting a rate study was discussed but not pursued. A CEQA exemption was received for Well 35 and going forward with the filtration project and hoping to have the well operational by July 2021. The District also proceeded with a water supply shortage declaration.

10. General Manager Report & Correspondence

GM Salomone presented the item, noting the items of correspondence.

11. Direction on Future Agenda Items

None

ADJOURNMENT

Vice President White moved to adjourn the meeting at 7:24 pm. Trustee Reardan seconded the motion. The motion was approved by the following unanimous vote:

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

APPROVED by Board of Trustees on July 6, 2021



President of the Board of Trustees



Secretary of the Board of Trustees

President
Christopher Watt

Vice President
Alfred White

Treasurer
Matthew Froneberger

Trustee
Tyler Rodrigue

Trustee
John Reardan