

# 1

TUD Water Committee

**Meeting of February 9, 2011**

**AGENDA SUPPORTING DATA**

**Request for Variance from Water Regulation 6.02 Regarding Service to a Parcel through a Private Lateral – Smith**

**Background**

John and Toni Smith recently purchased a parcel on Thunderbolt Mine Road and are requesting water service. A District water main is located approximately 440' from their parcel, however, this main is only 2" diameter. They are requesting water service through a private line - see attached map. There is a road access easement for their parcel but they will need to acquire a utility easement. A parcel located to the west of their parcel received a similar variance in 2000. As a condition to that variance those owners agreed to participate in any future main line extensions that would serve this area. The owner of one of the parcels between the District's main and the Smith parcel has stated that they will not sign an easement for a public main. Approval of this request would require a variance from Section 6.02 of the Water Rules which requires that a public main be adjacent to any property requesting service.

**Recommendation**

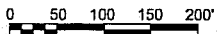
At the time of this agenda request preparation, staff had not completed reviewing this request.

MAIN CANAL

4003011

U.S.A.

4003008



SMITH

4003003

SHARP

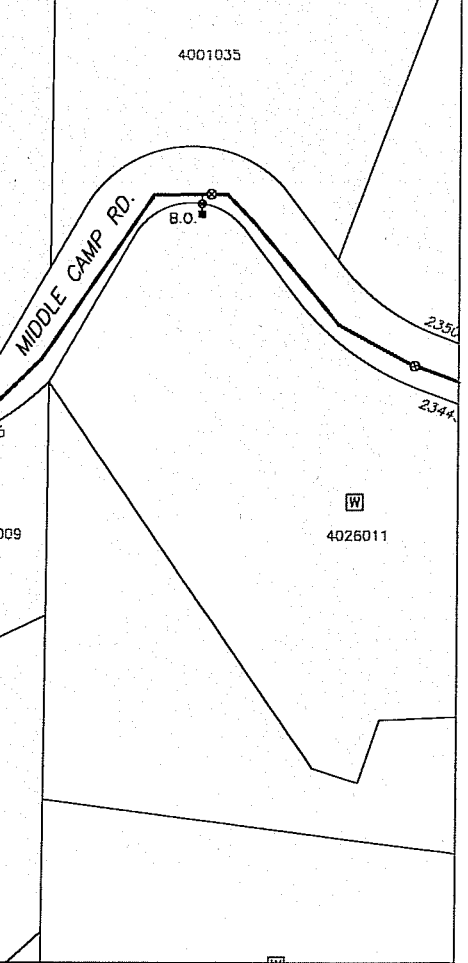
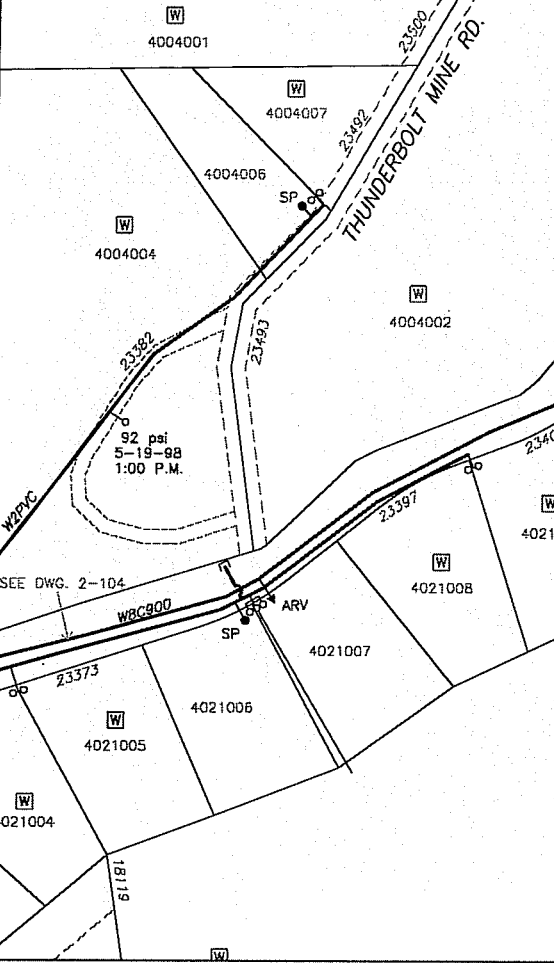
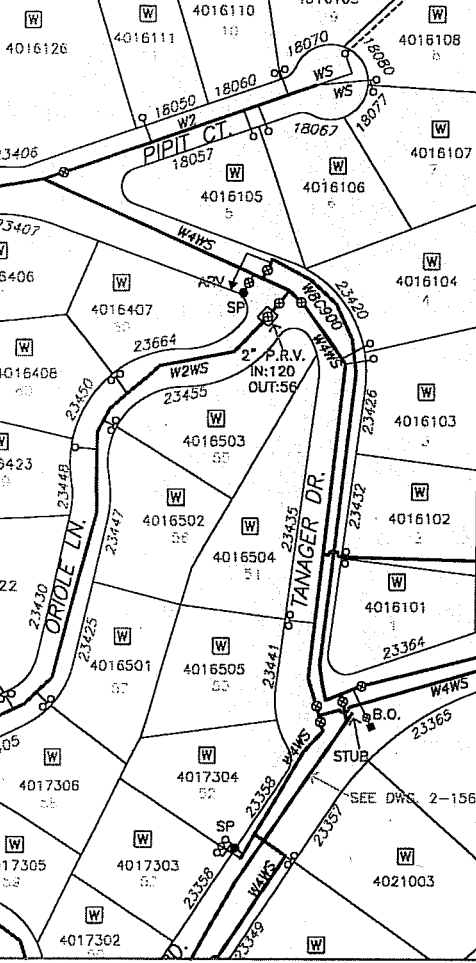
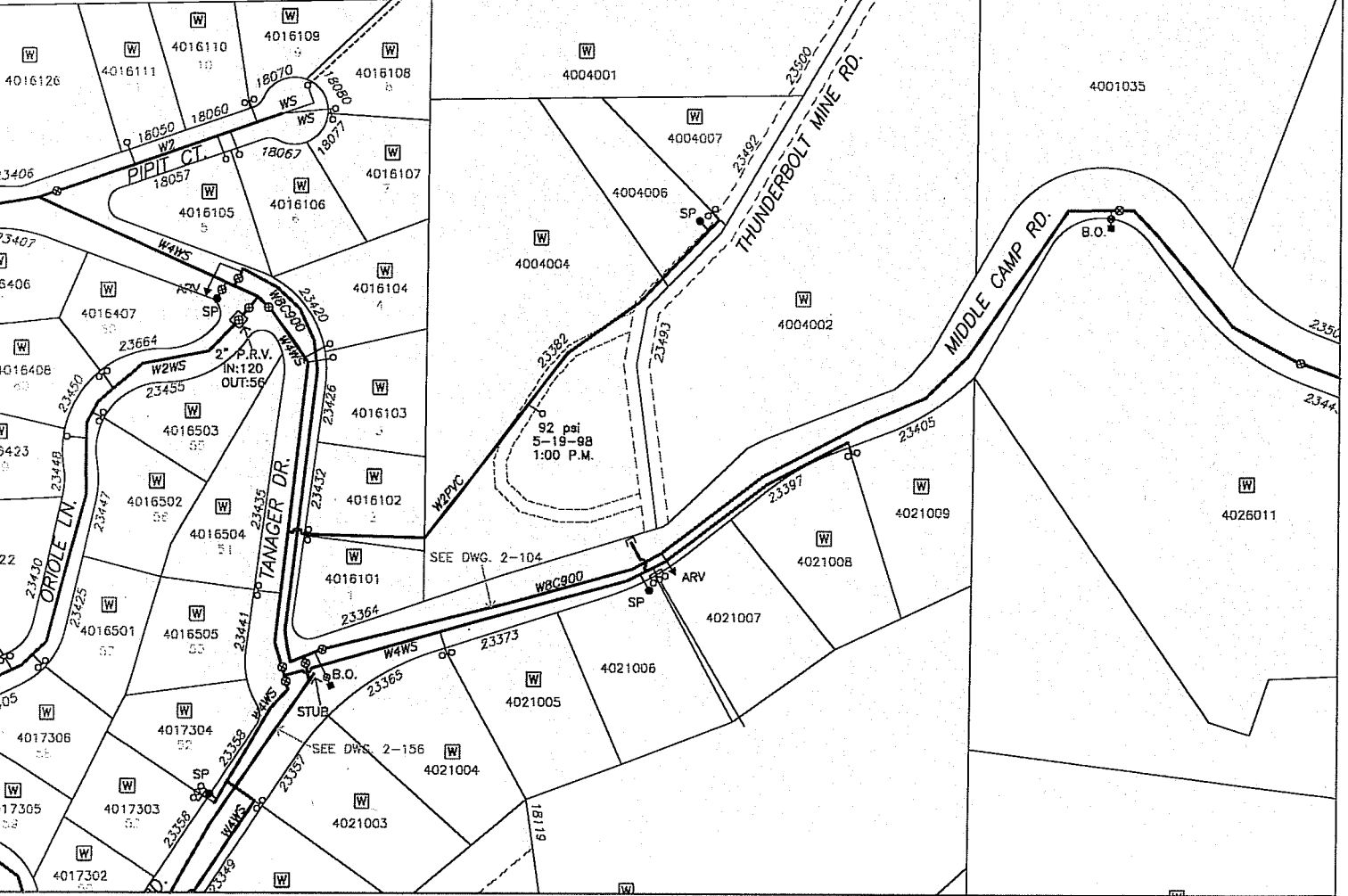


4003006

23560 THUNDERBOLT MINE RD.

WATER SVC. FOR 40-030-06 (SHARP)

4003009



A.P. No. 40-030-06

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

TUOLUMNE UTILITIES DISTRICT  
P.O. Box 3728  
Sonora, CA 95370

RECORDED AT THE REQUEST OF  
TUOLUMNE UTILITIES DIST

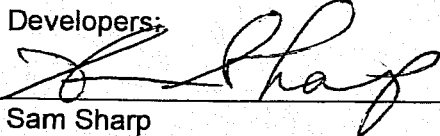
JAN 15, 1999      2:34:46 PM  
DAVID W WYNN, RECORDER  
# OF PAGES: 5  
FEE REC'D : \$0.00

AMENDMENT TO AGREEMENT

The Tuolumne Utilities District (hereinafter referred to as District) and Sam and Madeline Sharp ("Developers") hereby amend their June 23, 1998 Agreement Regarding Construction and Transfer of a Water Main Serving a Residence on Thunderbolt Mine Road, as follows:

1. In lieu of constructing and transferring a 6" diameter public water main, Developers will be allowed water service to their residence via a private water line. Said private line shall be constructed per County Codes and subject to inspection by the Tuolumne County Building Department. Engineered plans will not be required by the District.
2. Developers shall be responsible for creating and obtaining any easements on properties that will be crossed for installation of said private water line.
3. The private line shall not be available to any other residences on or off the Developers' parcel, therefore no reimbursement will be administered by the District.
4. Developers shall not pump directly out of the private line, and will instead install a non-pressurized private tank into which the private line will discharge with a 12" air gap from the surface of the stored water. The Developer will install a private pump which will pump from the stored water supply only.
5. Developers, their successors and assigns, shall not hold the District liable for any damage done to any pumps, appliances, etc., due to low water pressure or outages.
6. Developers, their successors and assigns, shall participate in any future water main line extensions to serve the adjacent parcels with Tuolumne County Assessor's Nos. 40-030-03 and 40-030-09, and agree to contribute to any funds for construction of such public water facilities to serve the area in which Developers' property is located.
7. In all other respects, water service to the Developers' parcel shall be in compliance with, and subject to, all provisions of the District's Water Rules and Regulations applicable to water service.

Developers:

  
\_\_\_\_\_  
Sam Sharp

  
\_\_\_\_\_  
Madeline Sharp

Date: January 12, 1999

District:

  
\_\_\_\_\_  
Dick Thorsted, President

Attest:

  
\_\_\_\_\_  
Casey Prunchak, Secretary

# ***TUD Water Committee Meeting of February 9, 2011***

## **AGENDA SUPPORTING DATA**

### **Review Customer Concern Regarding Water Bill on a Vacant Parcel Johnson**

#### **Background**

Mr. Steven Johnson sent a letter to the District; he was upset over having his water account taken out of Suspense and now he is getting reoccurring water charges on his account at 11481 Forest Park Drive. The District a valid request to reinstate service and received a check for \$50 to have the account taken out of Suspense and reactivated the account to a regular billing cycle. The check was sent by Mr. Johnson's ex-wife Michelle who is co-owner of the property. Although Mr. Johnson is currently not using any water, he is being billed the regular base charge plus surcharges or \$58.34 every two months - which is consistent. Mr. Johnson currently owes \$116.68 from the last billing of December 7, 2010. The last payment we received from Mr. Johnson was in September 2010. Mr. Johnson is requesting a credit on his account from the back billings and he believes he should receive the credit since it has been activated to a regular account standing.

Also, there are no buildings on this property, as it is a vacant parcel. Mr. Johnson and his ex-wife paid for connection charges and planned on building. That changed and the property is still vacant.

**UPDATE:** 2/1/2011 Kelly Klyn and Lisa Westbrook have been working on reconciling the Suspense accounts and will begin notifying customers in February about the possible change in their account status.

# MEMO

TO: Board of Directors  
FROM: Pete Kampa  
DATE: February 2, 1011  
SUBJECT: Offer Made to Steven Johnson

During a telephone conversation with Mr. Steven Johnson the following offer was made to him regarding his water account at 11481 Forest Park Drive:

1. He can apply to disconnect from the system and have the meter removed. Monthly fees will no longer be billed after disconnection. His meter is currently turned off. The District has a service request issued to change out the meter, it is in faulty condition.
2. When he re-applies for water service to the parcel in the future, pursuant to our Water Rules and Regulations (cite section regarding reconnection), Mr. Johnson will pay only the cost of the connection fee at the time of application for service, less the amount of connection fee previously paid for the parcel. Therefore, he does not lose the amount previously invested in the connection fee. This section is written in this manner to ensure equity among customers throughout the years. Capital construction costs increase over time, and therefore connection fees must also increase to cover these costs.
3. The District will waive the accrued monthly fees in the amount of \$116.68 and reimburse monthly amounts paid by Mr. Johnson from the date of his first contact with TUD regarding his dispute of this account (September 7, 2010), in the amount of \$58.34.

Thank you.

### **3.02 Monthly Service Charge for Privately Owned Fire Protection Systems**

A monthly charge shall be paid for fire service connections to the District's water distribution system which supplies water to privately owned and maintained sprinklers and fire hydrants used exclusively for fire fighting, and based on the minimum service charge for a 3/4" meter as specified in Exhibit B.6. Bypass lines, including meters and backflow prevention devices shall be retrofitted at the customer's expense on all fire sprinkler backflow assemblies where such bypass lines do not already exist.

### **3.03 Miscellaneous Services Provided**

Miscellaneous services provided by the District to any person or agency shall be compensated on the basis of cost. The District may participate in joint projects or cooperative arrangements by which direct compensation is not required.

### **3.04 Request for Service Location, Temporary Shut Off or Turn On, Suspension of Service**

Each time the District is required to locate the customer's service connection or make a temporary shut off or turn on, a service charge, in accordance with Exhibit B.7, shall be paid by the user. Water service shall be terminated between 8:00 a.m. and 3:00 p.m. on any business day (not a Saturday, Sunday or holiday) requested by the customer, provided that the request is received by the District not later than two business days prior to the date of termination. The customer will be responsible for the costs of all services furnished by the District prior to the suspension of his service. The District may allow a maximum six month suspension of monthly service charges for meters that have been shut-off at the request of the customer if all of the following conditions are met:

1. The service has been continuously utilized and maintained by the customer, and in an active billing status for at least one-year.
2. Any applicable monthly surcharges under Exhibit B.3 shall be charged to the customer's account and be payable during any suspension period.
3. The request is the result of a catastrophic event such as fire where the structure is uninhabitable.

Upon written request of the property owner and written agreement with the General Manager, such suspension period may be extended on a month to month basis up to a total of three additional months in the event of documentable delays in reconstruction of the structure with circumstances beyond the control of the property owner.

#### **3.04.1 Inactivation of Service**

A customer may, by written request, permanently inactivate service in the event of demolition or removal of all habitable structures on the property. Upon approval by the General Manager of the request for permanent inactivation of service, the General Manager shall order the removal or permanent decommissioning of the water service connection serving the property and shall discontinue all regular monthly fees and charges for water service, including surcharges. Once service is permanently inactivated on a property, such parcel shall be treated as if it were a vacant parcel and the District's connection fees and charges shall apply for any new service as detailed in Section 3.05 herein.

### **3.05 Connection Fees**

Charges for new services or change of service will be as follows:

# Utility Billing Account History Report

User Name: LISA W  
 City Name: TUOLUMNE UTILITIES DIST  
 Printed: 02/02/2011 - 7:40:AM

Account Status: Active  
 Connect Date: 06/21/1990 Final Date:  
 Customer Name: JOHNSON, STEVEN  
 Customer Address: 11481 FOREST PARK DR  
 COLUMBIA, CA 95310  
 Home Phone: (209) 559-3964 Ext.  
 Business Phone: ( ) - Ext.  
 Customer Number: 005297 000

Reference Number: 20402900000



TUOLUMNE UTILITIES DISTRICT  
 18885 NUGGET BLVD., SONORA, CA 95370  
 (209) 532-5536 phone (209) 536-6485 fax  
 www.tudwater.com

Total Acct Balance: 116.68  
 Deposits: 0.00 Refunds: 0.00  
 Owner name: JOHNSON, STEVEN  
 Service Address: 11481 FOREST PARK DR

Tran Date	Tran Type	Amount	Description	Wtr	Swr	W Sur	W Pen	W Conn	S Pen	S Conn	S Sur
<b>Current Balance By Service</b>				108.24	0.00	8.44	0.00	0.00	0.00	0.00	0.00
12/07/2010	Balance	116.68		108.24		8.44					
12/07/2010	Billing	58.34		54.12		4.22					
10/08/2010	Balance	58.34		54.12		4.22					
10/08/2010	Billing	58.34		54.12		4.22					
09/15/2010	Adjustment	-10.00	Reverse Penalty				-10.00				
09/09/2010	Adjustment	10.00	Water Penalties				10.00				
09/09/2010	Payment	-58.34		-54.12		-4.22					
08/05/2010	Balance	58.34		54.12		4.22					
08/05/2010	Billing	58.34		54.12		4.22					
06/21/2010	Payment	-68.34		-54.12		-4.22	-10.00				
06/07/2010	Balance	68.34		54.12		4.22	10.00				
06/07/2010	Billing	58.34		54.12		4.22	10.00				
05/19/2010	Payment	-68.34		-54.12		-4.22	-10.00				
05/19/2010	Adjustment	10.00	Water Penalties				10.00				
04/13/2010	Balance	68.34		54.12		4.22	10.00				
04/13/2010	Billing	58.34		54.12		4.22	10.00				
03/30/2010	Payment	-59.04		-54.82		-4.22	10.00				
03/18/2010	Adjustment	10.00	Water Penalties				10.00				
02/11/2010	Balance	59.04		54.82		4.22					
02/11/2010	Billing	58.34		54.12		4.22					
02/05/2010	Payment	-149.00		-120.56		-8.44	-20.00				
02/04/2010	Adjustment	50.00	Turn Water Off	50.00							
01/28/2010	Adjustment	10.00	WATER 48HR NOTICE				10.00				
01/13/2010	Adjustment	10.00	Water Penalties				10.00				
12/08/2009	Balance	79.70		71.26		8.44					

Tran Date	Tran Type	Amount	Description	Wtr	Swr	W Sur	W Pen	W Conn	S Pen	S Conn	S Sur
12/08/2009	Billing	58.34		54.12		4.22					
10/15/2009	Payment	-50.36		-40.36			-10.00				
10/09/2009	Balance	71.72		57.50		4.22	10.00				
10/09/2009	Billing	61.72		57.50		4.22					
09/24/2009	Adjustment	0.00	Interfund Transfer								
09/22/2009	Payment	-40.36		-36.14		-4.22					
09/11/2009	Adjustment	10.00	Water Penalties	36.14		4.22	10.00				
08/07/2009	Balance	40.36		27.70		4.22					
08/07/2009	Billing	31.92									
07/09/2009	Adjustment	0.00	Interfund Transfer								
07/08/2009	Billing	50.00	Water Suspense Fee	50.00							
07/06/2009	Payment	-50.00		-41.56		-8.44					
06/09/2009	Balance	8.44				8.44					
06/09/2009	Billing	4.22				4.22					
04/07/2009	Balance	4.22				4.22					
04/07/2009	Billing	4.22				4.22					
03/05/2009	Payment	-4.22				-4.22					
02/09/2009	Balance	4.22				4.22					
02/09/2009	Billing	4.22				4.22					
12/18/2008	Adjustment	0.00	Interfund Transfer								
12/18/2008	Payment	-4.86				-4.86					
12/08/2008	Balance	4.86				4.86					
12/08/2008	Billing	4.22				4.22					
10/09/2008	Adjustment	0.00	Interfund Transfer	3.58		-3.58					
10/07/2008	Balance	0.64		-3.58		4.22					
10/07/2008	Billing	4.22				4.22					
08/07/2008	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
08/06/2008	Balance	-3.58		-7.80		4.22					
08/06/2008	Billing	4.22				4.22					
06/12/2008	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
06/05/2008	Balance	-7.80		-12.02		4.22					
06/05/2008	Billing	4.22				4.22					
04/10/2008	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
04/04/2008	Balance	-12.02		-16.24		4.22					
04/04/2008	Billing	4.22				4.22					
02/14/2008	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
02/07/2008	Balance	-16.24		-20.46		4.22					
02/07/2008	Billing	4.22				4.22					
12/06/2007	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
12/04/2007	Balance	-20.46		-24.68		4.22					
12/04/2007	Billing	4.22				4.22					
10/11/2007	Adjustment	0.00	Interfund Transfer	4.22		-4.22					
10/05/2007	Balance	-24.68		-28.90		4.22					
10/05/2007	Billing	4.22				4.22					
08/09/2007	Adjustment	0.00	Interfund Transfer	4.22		-4.22					

Tran Date	Tran Type	Amount	Description	Wtr	Swr	W Sur	W Pen	W Conn	S Pen	S Conn	S Sur
08/06/2007	Balance	-28.90		-33.12		4.22					
08/06/2007	Billing	4.22				4.22					
06/07/2007	Adjustment	0.00	Interfund Transfer	4.22		4.22					
06/04/2007	Balance	-33.12		-37.34		4.22					
06/04/2007	Billing	4.22				4.22					
04/19/2007	Payment	-50.00		-37.34		-12.66					
04/04/2007	Balance	12.66				12.66					
04/04/2007	Billing	4.22				4.22					
02/05/2007	Balance	8.44				8.44					
02/05/2007	Billing	4.22				4.22					
12/04/2006	Balance	4.22				4.22					
12/04/2006	Billing	4.22				4.22					
10/19/2006	Payment	-8.44				-8.44					
10/05/2006	Balance	8.44				8.44					
10/05/2006	Billing	4.22				4.22					
08/22/2006	Adjustment	-17.85	Misc Water Adj	-17.85							
08/04/2006	Balance	22.07		17.85		4.22					
08/04/2006	Billing	22.07		17.85		4.22					

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		12/04/2010	297	0		
		10/04/2010	297	0		
		08/04/2010	297	0		
		06/04/2010	297	0		
		04/04/2010	297	0		
		02/04/2010	297	0		
		12/04/2009	297	0		
		10/04/2009	297	225		
		08/04/2009	72	72		
		10/04/2007	0	0		
		08/04/2007	0	0		
		06/04/2007	0	0		
		04/04/2007	0	0		
		02/04/2007	0	0		
		12/04/2006	0	0		
		10/04/2006	72	0		
		08/04/2006	72	72		
		06/04/2006	0	0		
		04/04/2006	0	0		
		02/04/2006	0	0		
		12/04/2005	0	0		
		10/04/2005	0	0		

meter was locked, correct read

Customer Number: 005297 000

Reference Number: 20402900000

Route Sequence Serial 204 - 197500 - 43738657

Meter Status Active

Read Date	Reading	Consumption
08/04/2005	0	0
06/04/2005	0	0
04/04/2005	0	0
12/08/2004	0	0

New Meter

# ***TUD Water Committee Meeting of February 9, 2011***

## **AGENDA SUPPORTING DATA Review of the Statewide Community Infrastructure Program (SCIP)**

### *Background*

In a continued effort to spark growth and investment in the local economy, the City of Sonora and County of Tuolumne, over the past 6 months, have evaluated and approved participating in a statewide program which provides up front cash to the public entity to cover the cost of project mitigation/impact fees. The financing is provided, on behalf of the project developer, through the formation of an assessment district. The assessments are paid by the developer at such time as the project is completed and sells or begins to operate and generate revenue.

This funding option can also extend to the cost of infrastructure; with the developer paying the annual cost of the assessment until the property sells, then the obligation is transferred to the property owner.

We have been asked by the County and City to consider such a program at TUD for our connection fees and possibly infrastructure for new projects. If we choose to participate, we can either adopt our own resolution and participate directly in the Statewide Community Infrastructure Program (SCIP) or have the funds "passed through" the County to TUD. Please review the attached document which was presented to the County Board of Supervisors and subsequently approved. This is in initial introduction of this matter to this Committee and will be presented at other Committees as well as to the Board for consideration.

**MEMO**

**To:** Pete Kampa, General Manager T.U.D.

**From:** John S. Mills

**Date:** October 22, 2010

**Subject:** Public Advisory Committee for UWMP Update 2010

**BACKGROUND**

During the Spring and Summer of 2010 the Board of Directors Public Outreach Committee and Water Committee both heard presentations regarding the development of a public participation component including a stakeholder advisory process. Both of the Board Committees provided changes to the two draft documents and those changes were incorporated.

However, following those meetings the DWR instituted its own Urban Stakeholder Committee (USC) process to help promulgate implementation tools for the requirements SBX 7-7. The process whereby the USC and DWR staff worked together became quite complex and despite a legislative deadline of 12/31/2010 is still in progress. Nonetheless, DWR released (December 21, 2010) its draft "Guidebook to Assist Urban Water Suppliers to Prepare a 2010 Urban Water Management Plan", totaling 268 pages. It is presumed that a final version of the document will be available in February of 2011.

Urban Water Management Plan updates for the year 2010 must be adopted by each Urban Water Agency no later than July 1, 2011. The great degree of uncertainty regarding basic elements of UWMPs including service area, baseline population served, calculations of baseline water use (in gallons per capita per day) as well as other subject areas, has prevented the District from moving ahead with its update process due to lack of clear direction from DWR. Therefore, the proposed District UWMP update process for 2010 with its attendant public stakeholder process has not moved ahead thus far.

There is now a clearer direction of the requirements and the process for updating UWMPs and it is now logical that should the Board wish to utilize a stakeholder process it should begin this Spring.

## **DRAFT REPORTS REVISED**

Due to the nature of the schedule as well as the nature of the UWMP update process, I have revisited the draft documents that the Board Committees had already reviewed ("*UWMP, Public Advisory Committee, Proposed Outline of Operations, Responsibilities and Role, Jan. 13 2011*", "*UWMP, Role of Stakeholders and Public Involvement, Jan 13, 2011*"). I recommend that you review these updated drafts that accompany this memo with the intention of using them as the foundational documents for this process. These drafts provide a bit of background on the DWR process for implementing SBX 7-7 as well as reflecting the reality of the 2011 time constraints.

In these revised drafts more direction is provided in the responsibilities of the PAC in advising the Staff and the Staff's role in calling meetings and managing comments from the PAC. This is intended to make the PAC process more streamlined.

## **MOVING THE STAFF RECOMMENDATIONS TO THE BOARD**

Should you find these drafts acceptable, we could then either take them back through the Board's Committee structure and explain to the Committee members why they have been revised and provide a bit of background on the DWR USC process. Then, following the last Committee's meeting, a Board agenda item would be set for the next available time to allow the Board to consider formally adopting the staff recommendations and to therefore proceed with a solicitation of applicants to fill ranks of the PAC.

Alternately, the two revised documents could be taken directly to the Board and the same presentations that would have been made in Committee (earlier) would be made there and the same recommendations made to the board to move ahead with soliciting PAC members.

Please advise me at your earliest convenience as to your desired way to proceed on this matter.

# UWMP

## Role of Stakeholders and Public Involvement

January 13, 2010

Urban Water Management Plans (UWMP) are developed under a schedule set by the State of California (all UWMPs are required to be updated no later than July 1, 2011). Due to the complex nature of legislation passed that directly influenced the content of Urban Water Management Plans (SBX 7-7), as well as an even more complex and lengthy process for the development of implementing actions by the Department of Water Resources, the time schedule for completion of the Urban Water Management Plan 2010 updates is now extremely short. Therefore any role of stakeholders in an advisory capacity to the District's staff would have to be very focused given the available time of plan preparation.

The Department of Water Resources has currently only a draft Guidebook available to assist water agencies in the development of their UWMP updates. Additionally, the DWR's own stakeholder process to implement SBX 7-7 is still underway as of the preparation of this document. Nonetheless, the District must move ahead with the UWMP update process.

The state of planning for water use within California, especially by that actually carried out by public agencies has come to imply there will be some sort of public involvement. Sometimes this involvement comes without much guidance or thought as to what the role and purpose of those serving in the "public involvement" process are to do. A more thought out and structured process for public involvement often can produce a superior plan for the water agency and the agencies customers.

Some public involvement designs are systemic to the UWMP planning process, while other models include public involvement only at the opportunities afforded by formal public hearings prior to adoption. There is no specific legal model for public involvement regarding the development of Urban Water Management Plan, except that provided by water code sections 10640, 10641 and 10642.

- §10640. *Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630)...*
- §10641. *An urban water supplier required to prepare a plan may consult with, and obtain comments from any public agency or state agency or person who has special expertise with respect to water demand management methods and techniques.*

- §10642. *Each urban water supplier shall encourage the active involvement of diverse social, cultural and economic elements of the population within the service area prior to and during the preparation of the plan.*

It is clear from the water code that the most specific "target" population referenced in this respect are those members of the larger public population within the service area of the water supplier. However, most public agencies choose to include a broader path to public participation often called "stakeholder involvement". The term stakeholders means many things to many people and perhaps, in its role as a metric for public involvement it should be examined briefly.

When the phrase stakeholders was first defined in an internal memo at the Stanford Research Institute in 1963 it was described as, "*those groups without whose support the organizations would cease to exist*". Therefore, stakeholders in the shorthand form would be the District's customers. It is also obvious that, many people who are District customers may serve in other interest group capacities as well. Therefore, stakeholders can be both district customers and represent other values of the larger population as well.

Fundamentally, regardless of what that larger, non-water supplier agency involvement group is called; such involvement is generally seen as being of benefit to the planning process. A plan usually has a much better chance of successful implementation if there is agreement and support from representative stakeholders. To the contrary, the purposeful, or accidental exclusion of certain stakeholder interests can both undermine the legitimacy of the plan and create a barrier to timely implementation.

We believe that the 2010 update of the UWMP offers an opportunity could include a representative group of stakeholder (public) interests that will provide a balanced conduit of input to the UWMP planning process through District staff. For that reason, we are recommending that the Board consider the formation of an advisory group of stakeholders. This group of stakeholders for the UWMP update would serve in an advisory capacity to District staff who are developing the update to the UWMP.

The membership of the advisory group should include a large enough number to capture various interests and also be small enough to be able to work with staff, in a timely and efficient fashion. It should also include, wherever possible, people that are themselves District customers, or represent District customers. Therefore the Board of Directors could appoint a stakeholder Advisory Group during the UWMP process. If possible there should be representation from each of the following interest categories:

1. **County of Tuolumne** - land use planning agency - one member
2. **City of Sonora** - land use planning agency - one member

3. **Tuolumne County Economic Development Council** - economic interest - one member
4. **Tuolumne County Farm Bureau** - agriculture - one member
5. **Economic and Housing Interest** - one member
6. **Customers / general public** - two members
7. **Conservation groups** - two members representing various conservation interests - one member from each interest

This would provide a nine member advisory group to the Urban Water Management Plan update. The group's purpose would be to, as requested, provide advice to District staff in the review of drafts of elements of the plan that could then be forwarded to the various Board committees for review and comment.

It is anticipated that the Advisory Group would, due to the time constraints of the schedule have approximately 3 meetings as needed to review materials and/or to meet with District staff to discuss the process and plan development. It is anticipated that over the plan development period the Advisory Group would meet only as requested by District staff to review information developed by District staff. The initial meeting of the PAC will be an educational meeting the purpose of which will be to provide PAC members with a sound basis of information on matters relevant to the District's UWMP update.

We recommend that the group only be authorized to act as a body and not as individuals. The District's commitment to working with diverse groups to build consensus where possible will also be foundational to this process.

The Advisory Group would not replace the usual public involvement that would take place during the formal public review process and hearings for the adoption of an Urban Water Management Plan. There would be a public hearing prior to the adoption of the UWMP update 2010.

Staff proposes that there would be a link to the UWMP process on the District's home page wherein anyone could find meeting notices, public review draft documents and Board Committee meeting schedules relative to the planning process.

END

# UWMP

## Public Advisory Committee

### Proposed Outline of Operations, Responsibilities and Role

**DRAFT**

January 13, 2011

The Urban Water Management Plan (UWMP) update for 2011 (technically called UWMP Update for 2010, per Department of Water Resources) program is being recommended by staff to have involvement from multiple Board Committees as well as the directed assistance of a Board Appointed Public Advisory Committee (PAC).

It is our recommendation that the Board would appoint the PAC within the next 21 days. Following appointment the members of the PAC would then meet with District staff to for a basic introductory session regarding the District operations, the current UWMP schedule, and key factors in the development of the UWMP update.

Staff recommends that the PAC's role would be to review materials at the request of District staff, as produced by District staff and consultants, and to make recommendations back to the staff in a timely manner. The PAC as a group, and not as individuals, would make all recommendations to staff. This requires the PAC to have a formal structure and some procedures to maintain the requisite orderly and timely process.

It is anticipated that the initial information available to the PAC would be an overview of the District and it's operations, data on urban water use within the District, existing water conservation measures (UWMP 2005), and those water conservation measures that previously were rejected by the District. This information will be presented to the PAC by District staff.

As the data and plan elements become ready the District staff will then present information regarding the existing per capita, per day water use within the District with regards to the requirements in SB X7-7 regarding new water conservation goals (to reduce urban average per capita water use - statewide - by 20% by 12/31/2020 and 10% by 12/31/2015).

Staff will also present information regarding the District's proposed method to determine it's urban water use target pursuant to water code § 10608.20 (a) and (b). The

relationship of this process to the draft 20x2020 Water Conservation Plan (April 30, 2009).

Staff will provide the PAC with a recommended course of action for the establishment of urban water use for the purpose of compliance with the target objective of 95% (of the objective) for the San Joaquin hydrologic region in compliance with water code § 10608.20 (b)(3).

An estimated schedule for the UWMP update will also be presented to the PAC that will identify likely periods of PAC activity.

This first phase of the iterative process between District staff and the PAC is intended to provide the PAC with an understanding of the District's previous water management and conservation efforts, the new requirements in statute and the intended course of action the District intends on taking in those areas previously mentioned.

It is expected that when decisions about PAC recommendations to the staff are made a formal process will be carried out to provide clarity of outcome and transparency to the public. For that reason and others, we recommend the following rules for comportsment and participation in the PAC.

- The PAC will work towards developing consensus on matters upon which they wish to express a recommendation to the District staff.
- The PAC, in the event consensus cannot be reached, will vote on a one person, one vote basis. A simple majority shall be required to take an action.
- In the absence of the regular member to the PAC the alternate for that member may participate as a regular member.
- All PAC recommendations made by consensus or vote shall be immediately forwarded to District staff.
- District staff will evaluate the recommendations of the PAC and shall respond at the appropriate level of detail to PAC recommendations where appropriate.

No individual PAC member may make public comments regarding the UWMP update as representatives or spokespersons of the PAC in any fashion.

- The PAC will be asked to take a position on the Administrative Draft of the UWMP and provide its recommendations to the District Staff. District staff will review those recommendations in their development of a public review draft.

- Following the public review period of the Draft UWMP the PAC will be asked to review public comments and make recommendations to District staff. District staff will review those recommendations in their development of a Final UWMP.
- All PAC meetings shall have minutes prepared by District staff and be approved as to accuracy at their next scheduled meeting before being accepted by the PAC as final minutes. This action may be by consensus or vote as noted previously.
- Time is of the essence. The UWMP update process will be carried out within a very time constrained period immediately following the appointment of the PAC.
- PAC members serve at the pleasure of the Board majority and may be removed and replaced at any time.
- No member of the PAC may be appointed to, or continue to serve on the PAC who takes part in, or has taken part in (within the 12 months immediately preceding the creation of the PAC, or during the preparation of the UWMP update) any action, or is a party to any action that could adversely affect District water supply in the opinion of the Board of Directors.
- PAC members and their alternates shall serve through the adoption of the Final UWMP by the Board of Directors, or as may be terminated sooner at the pleasure of the Board of Directors.

END