



**REGULAR MEETING OF THE BOARD OF DIRECTORS  
DEL PASO MANOR WATER DISTRICT**

**MINUTES**

**July 02, 2024 6:00 PM  
1817 Maryal Drive, Suite 300, Sacramento 95864**

**1. CALL TO ORDER:**

Vice President Dolk called the meeting to order at 6:00 p.m.

**2. ROLL CALL:**

Directors Present: Vice President Carl Dolk, Bob Matteoli, Gwynne Pratt, and David Ross

Vacant Position: One Vacant Position

Staff Present: General Manager Adam Coyan  
Office Manager Victoria Hoppe  
Field Supervisor Mike Jenner  
Certified Public Accountant Robert Merritt  
Assistant Legal Counsel Andreas Booher

A quorum of the Board was present.

**3. ADOPTION OF AGENDA:** Members may pull an item from the agenda.

Director Ross made a motion to adopt the agenda. The motion was seconded by Director Pratt. The agenda was adopted on a 3 Yes/1 No (Matteoli)/1 Vacancy vote.

**4. PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA** The Board of Directors welcomes participation at these meetings. Matters under the jurisdiction of the Board that are not posted on the agenda may be addressed by the public, California law prohibits the Board from acting on any matter which is not on the posted agenda, unless the members determines that it is an emergency or other situation specified in Government Code Section 54954.2. Public comments are limited to five (5) minutes per individual. Please make your comments directly to the DPMWD Chair. Comments will be accepted via teleconference and in writing.

Vice President Dolk called for public comment.

Stacey Leidahl spoke about the state of the District.

Roy Wilson spoke about the project schedule and budgets regarding Well No. 9 and the hydraulic model update.

Kathy Lauer spoke about water waste.

Cindy Leidahl spoke about the state of the District.

Carol Rose spoke about water waste.

Mr. Pinney spoke about the water meter replacement budget.

Marcy spoke about a rate increase, general matters of the District, and legal counsel changes.

Seeing no further comment, Vice President Dolk closed public comment.

**5. CONSENT CALENDAR:** All items under Consent Calendar will be considered together by one action of the Board, any Member or members of the public may request that an item be removed and considered separately.

(6:23 pm)

**Item 5.A: Approval of Warrants and Payroll**

Director Ross inquired about the loan payment and Fox Hollow leak payments.

Vice President Dolk called for public comment.

Trish Harrington inquired regarding the Starbucks Development.

Seeing no one come forward, he closed public comment.

Certified Public Accountant Merritt fielded the inquires from the public and Director Ross.

Director Pratt made a motion to approve the Consent Calendar. The motion was seconded by Director Matteoli. The motion was approved on a 4 Yes/0 No/1 Vacancy vote.

**6. PUBLIC HEARING:**

There were no Public Hearing items to consider.

**7. OLD BUSINESS:**

There were no Old Business items to consider.

**8. NEW BUSINESS:**

**Item 8.A: Budget to Actuals**

(6:32 pm)

Certified Public Accountant Merritt presented the staff report and fielded inquiries from the Board.

Vice President Dolk called for public comment.

Roy Wilson provided general comments regarding the presentation.

Trish Harrington provided general comments regarding the presentation.

Seeing no further comments, Vice President Dolk closed public comment.

**Item 8.B: Accounts Receivable Aging Report**

(6:49 pm)

General Manager Coyan presented the staff report and fielded inquiries from the Board.

Vice President Dolk called for public comment.

Trish Harrington provided general comments regarding the presentation.

Kathy Lauer provided general comments regarding the presentation.

Marcy provided general comments regarding the presentation.

Heather Hutchinson provided general comments regarding the presentation.

Seeing no further comments, Vice President Dolk closed public comment.

**Item 8.C: California Special District Association (CSDA) Board of Directors Election Ballot - Term 2025 - 2027; Seat A - Sierra Network**

(7:05 pm)

Vice President Dolk introduced the item.

General discussion ensued from the Board.

Vice President Dolk called for public comment.

Trish Harrington provided general comments regarding the presentation.

Seeing no further comment, Vice President Dolk closed public comment.

Director Matteoli made a motion to support Kevin King. The motion was seconded by Vice President Dolk. The motion failed on a 2 Yes/1 No (Pratt)/1 Abstention (Ross)/1 Vacancy vote.

Director Pratt made a motion to support Noelle Mattock. The motion failed for lack of second.

Seeing no other motions, the District did not support any candidate for the CSDA election.

**Item 8.D: Rate Freeze**

*This item was heard out of order.*

**11. GENERAL MANAGERS COMMENTS: Verbal report**

(7:11 pm)

*This item was heard out of order.*

General Manager Coyan provided an update on general District matters. He noted Mike Jenner would be retiring in August, spoke to leak and hydrant installs, and spoke to potential radon levels/exposure issues.

Vice President Dolk called for public comment.

Stacey Leidahl provided general comments regarding the presentation.

Roy Wilson provided general comments regarding the presentation.

Thomas Spencer provided general comments regarding the presentation.

Seeing no further comment, Vice President Dolk closed public comment.

**Item 8.D: Rate Freeze**

(7:36 pm)

General Manager Coyan presented the staff report.

Director Matteoli read public comment and testimony into the record, which was not in support of the rate freeze.

Director Pratt and Director Ross expressed concern with not being provided a legal opinion and not being able to make a fully educated decision.

General discussion and inquiry ensued from the Board.

Vice President Dolk called for public comment.

Kathy Lauer provided general comments regarding the presentation.

Roy Wilson provided general comments regarding the presentation.

Heather Hutchinson provided general comments regarding the presentation.

Sacramento Local Agency Formation Commission Executive Officer Jose Henriquez provided general comments regarding the presentation.

Seeing no further comment, Vice President Dolk closed public comment.

General discussion ensued amongst the Board and direction was given to legal staff to provide a written legal opinion and potentially address a special meeting after the joint meeting with Sacramento Suburban.

**Item 8.E: Discussion Regarding Senate Bill 552 and Fire Flow Requirements**  
(8:20 pm)

General Manager Coyan presented the staff report and fielded inquiry from the Board.

General discussion ensued amongst the Board and staff.

Vice President Dolk called a recess at 8:30 p.m. The meeting reconvened at 8:43 p.m.

Director Matteoli inquired regarding interties being used for fire flow calculations.

Director Pratt requested a legal opinion regarding the source, what this means, and clarification on all that had been discussed.

Vice President Dolk called for public comment.

Trish Harrington provided general comments regarding the presentation.

Roy Wilson provided general comments regarding the presentation.

Kathy Lauer provided general comments regarding the presentation.

Mr. Pinney provided general comments regarding the presentation.

Seeing no further comment, Vice President Dolk closed public comment.

**9. FIELD REPORT: Verbal report**  
(9:06 pm)

**Item 9.A: Field Report on Current and Upcoming Projects**

Field Supervisor Jenner summarized the staff report.

**10. DIRECTOR REPORT ON COMMITTEE MEETINGS: Verbal report**  
*Each Board Member will have 5 minutes to report out on all associated committees*

**Item 10.A:** Director Dolk  
American Water Works Association (AWWA)  
Association of California Water Agencies (ACWA)

**Item 10.B:** Director Matteoli  
Association of California Water Agencies (ACWA) Agriculture  
Association of California Water Agencies (ACWA) Groundwater  
Sacramento Groundwater Authority (SGA)

**Item 10.C:** Director Ross  
California Rural Water Authority (CRWA)  
California Special Districts Association (CSDA)

**Item 10.D:** Joint Powers Insurance (JPIA)

**Item 10.E:** Director Pratt  
Regional Water Authority (RWA)  
Water Forum

(9:09 pm)

Director Pratt provided a brief report on committee meetings attended or would attend at future meetings.

Director Ross provided a brief report on committee meetings attended.

**11. GENERAL MANAGERS COMMENTS:** Verbal report

*This item was heard out of order.*

**12. CLOSED SESSION:**

There were no Closed Session items to consider.

**13. DIRECTORS COMMENTS:** Verbal information, non-action comments.

(9:18 pm)

Director Matteoli requested a meeting before the joint meeting with Sacramento Suburban.

Director Ross reported on neighborhood meetings attended and willingness to work on grants.

**14. FUTURE AGENDA REQUESTS:** Directors can suggest topics they would like on future agendas

(9:27 pm)

Vice President Dolk requested follow-up on future meetings regarding Well No. 9 generator and the budget.

Director Ross requested updates on bank statements and the LAIF accounts.

Director Matteoli requested discussion regarding the District's legal foundation for water rights and provide a water rights analysis. There was not a majority support for this item to be on a future agenda.

Director Pratt requested a report regarding loans and bonds and suggested Jeffrey Land present.

Vice President Dolk called for public comment.

Roy Wilson provided general comments regarding the requests.

Heather Hutchison provided general comments regarding the requests.

Seeing no further comments, Vice President Dolk closed public comment.

**15. ADJOURNMENT:** Next Regular Board of Directors meeting is scheduled for March 05, 2024

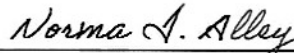
Director Ross made a motion to adjourn. Director Pratt seconded the motion. There being no further business, the Board of Directors meeting adjourned at 10:02 p.m.

APPROVAL:



Carl Dolk, Vice President of the Board

ATTEST:



Norma I. Alley, MMC, Clerk of the Board

The attached was  
submitted to be included  
in the July 02, 2024  
meeting minutes by  
Director Matteoli

It has not been reviewed or  
approved by the full Board.



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(NOTES: Robert J. Matteoli)

AGENDA ITEM 8.E: Discussion Regarding Senate Bill 552 and Fire Flow Requirements

The staff report states we have a long term agreement with SSWD to receive water via interties on an as needed basis.

The interties are not an alternative water supply.

Cal. Code of Regs. Tit. 22, Section 64551.40 defines:

- 'Source Capacity' as: *The total amount of water supply available, expressed as a flow, from all active sources permitted for use by the water system, including approved surface water, groundwater, and purchased water.*
- Also, subsection (l) reads: *The source capacity of a purchased water connection between two public water systems shall be included in the total source capacity of the purchaser if the purchaser has sufficient storage or standby source capacity to meet user requirements during reasonable foreseeable shutdowns by the supplier.*

I see no reasonable foreseeable shutdowns by the supplier through 2032 short of a disaster. SSWD is a well managed Water District with operational contingencies in place.

Furthermore, SB 88, Section 116680 (l) reads: *"Extension of service" means the provision of service through any physical or operational infrastructure arrangement other than consolidation.*" The interties are a physical infrastructure arrangement.

Currently, DPMWD needs the interties for emergency fire flow and pipeline issues, the latter of which will be resolved to routine operational basis when the iron pipes are replaced.

By 2032 and another rate increase in 3 to 5 years as appropriate, should provide funds to resolve the iron pipe issue, the undersized cement asbestos pipe issue, and any other project for which the homeowners and ratepayers desire to pay. Furthermore, additional grants could help drill one or two more wells.

Therefore, my understanding of applicable codified law differs from the General Manager's understanding. And, I don't accept his argument.

The interties can be used in the fire flow calculations.

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(NOTES: Robert J. Matteoli)

AGENDA ITEM 8.D: Rate Freeze

This Agenda Item presents the latest in a long list of tactical procedural measures by LAFCo and other parties that in effect weaken the economic viability of this Water District and demonstrate we cannot move forward to resolve our infrastructure problems.

My February 23, 2023 memo, attached hereto, revealed LAFCo's Pattern Of Behavior that seems to implement a policy to dissolve the Del Paso Manor Water District.

However, I did not know at that time the tactical procedures which LAFCo and others would embark upon to, in essence, dissolve DPMWD, possibly before the November elections.

The foundation of these tactical procedures are explained by Noam Chomsky. I will paraphrase the first two:

1. The Strategy of Distraction: Cause distractions so work cannot be accomplished, and
2. Create Problems, Then Offer Solutions: This tactic includes: Create an economic crisis to accept as a necessary evil the retreat of social rights and the dismantling of public services.

In addition, during the last talks with SSWD, members of the SSWD Board encouraged DPMWD to collect rate increase funds.

Also, last week the US Supreme Court overruled, as I understand, a lower court's decision on the Chevron issue.

Furthermore, outside distractions caused the \$3.9 million dollar grant application to be submitted in an untimely manner. My position is that LAFCo have the Joint Powers Authority, their affiliate agency, find DPMWD \$3.9 million dollars to make DPMWD whole.

I, therefore, will not support a rate freeze.

I request this statement, which includes a list of tactical procedures which would in effect dissolve DPMWD and my response thereto, be entered into the record and be immediately available to Public Records Requests.

I encourage feedback where I may have made misinterpretations.

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The tactical procedures have included and continues to include, in part, the following:

- Telling the Board, homeowners, and ratepayers that if one Board member votes 'no' then the consolidation issue would go to the vote of the people.
- Stating that the State Revolving Fund could provide up to \$100 million dollars to fix all DPMWD infrastructure needs.
- Stating that the State Revolving Funds can only be used for consolidations.
- Stating DPMWD needs the State Revolving Funds to pay for meters mandated by 2025.

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(NOTES: Robert J. Matteoli)

- Indicating in the MSR that the automated interties would apply to fire flow requirements, then saying the District can't use interties for fire flow requirements.
- Blocking a State Board Revolving Fund manager from talking to DPMWD Board, homeowners, and ratepayers before merger talks.
- Giving out the wrong day for Board Director application, then not accepting the application because it was one day too late.
- Botched attempt to keep two director positions off the ballot, which could have led LAFCo to dissolve DPMWD on grounds that we couldn't even process a routine procedure.
- Stop collecting rate increase funds which would weaken DPMWD's economic viability.
- Stating that initiative 1935 has qualified for the ballot and thus will most likely nullify our recent 218 rate increase.
- Skewing governance procedures and proceedings to only benefit merger.
- Not attaching documents pertaining to discussions in minutes.
- Making legal decisions based on agency staff and agency experts over legal arguments on the correct interpretation of law. Note: The Chevron Case was just overturned by the US Supreme Court. Applied to DPMWD, homeowners and ratepayers determine how much they will pay for water, not agencies, or agency experts, or employees.

Since February 2023, LAFCo has forced events to secure the dissolution of DPMWD rather than to provide oversight. In essence, LAFCo has usurped governance from the DPMWD Board.

Everytime I have obtained true facts, LAFCo and other parties false facts are exposed.

For the past year and a half and more, governance decisions have been based on misinformation, disinformation, false information, and disruptive distractions. Some governance decisions concerning implementation of the MSR since February 2023 should be considered null and void.

Based on the pattern of behavior and the continuing onslaught of Tactical Procedures of Distraction leads me to consider that any future statements by LAFCo are questionable and should no longer be a basis for any governance decision pertaining to the dissolution of DPMWD.

Motivations for misinformation, disinformation, false information, and disruptive distractions will be covered later.

The pattern of behavior that includes distractive tactics interfered with DPMWD's timely submittal the \$3.9 million dollar grant application for Wells 7 and 4. These actions caused DPMWD to not receive the \$3.9 million dollar grant.

My position is that the DPMWD's homeowners and ratepayers should not bear the financial hardships caused by outside interferences and should be made whole. LAFCo should work with the Joint Powers Authority, their affiliate agency, to obtain \$3.9 million dollars plus inflation costs of grant funds to make DPMWD whole with regards to this issue.

February 23, 2023

To: Ryan Saunders, President  
Del Paso Manor Water District

Mona Ebrahimi, General Counsel  
Del Paso Manor Water District

From: Robert J. Matteoli, Director  
Del Paso Manor Water District

SUBJECT: LAFCO

At the last SGA meeting, the Carmichael representative requested to be Vice President. Ted Costa instantly so moved; and I seconded. The Carmichael representative is now Vice President. And, he will be the SGA President next year. This year's President is from Fair Oaks.

For the next two years, the SGA Presidents will be elected officials from agencies who opposed the SGA/SCGA merger, which Sacramento City and Sacramento County were adamant to achieve. In addition, Sacramento City and Sacramento County are on both SGA & SCGA and have controlling votes on LAFCO.

In addition, as I understand the following, SCGA does not have its own staff. Sacramento County and its staff run SCGA, with SCGA entities paying for County staff. The County does not want to continue having their staff run SCGA. The SGA-SCGA merger would have handed that workload to an expanded SGA organization. The combined SGA-SCGA Board would be too large, and Districts like Del Paso Manor would not be at the combined table. Understand, SGA is Sacramento County and the Cities of Sacramento, Folsom, and Citrus Heights. Other entities in SGA are invited members.

Furthermore, at the last SGA meeting, I challenged certain governance proceedings put in place by the four controlling agencies. SGA's governance perhaps entails conflicts within SB1168 governance statutes. Prior to my challenge of SGA governance, the LAFCO option of our District staying independent for three years with an abbreviated MSR to verify if our District could remain independent was written into the MSR. However, at the recent 2X2 meeting and our last Board meeting, the LAFCO representative refused to include that option as viable. Why would LAFCO include a middle of the road option then deny the option's applicability?

I am concerned, whether correct or not, that our District may be the target of a hostile attack by entities possessing joint fingers.

Because of LAFCO's performance at our last board meeting, I am further concerned that any one decision by our Board could give the County and City the opportunity to state cause to dissolve us. The threat of this eventuality will not influence any of my decisions; I will not be intimidated - per my perception, whether right or misunderstood. If this concern does surface, I would like to discuss ahead of time strategies to thwart any hostile actions against our District. I will not change any of my decisions.