

TWAIN HARTE COMMUNITY SERVICES DISTRICT

WATER – SEWER – FIRE – PARK
22912 Vantage Pointe Drive, Twain Harte, CA 95383
Phone (209) 586-3172 Fax (209) 586-0424

REGULAR MEETING OF THE BOARD OF DIRECTORS THCSD CONFERENCE ROOM 22912 VANTAGE POINTE DR., TWAIN HARTE April 13, 2022 9:00 A.M.

NOTICE: Public May Attend this Meeting In-Person. Facial coverings are recommended for any person attending, regardless of vaccination status.

The meeting will be accessible via ZOOM for anyone that chooses to participate virtually:

- Videoconference Link: <https://us02web.zoom.us/j/88197933081>
- Meeting ID: 881 9793 3081
- Telephone: (669) 900-6833

AGENDA

The board may take action on any item on the agenda.

1. Call to Order

2. Pledge of Allegiance & Roll Call

3. Reading of Mission Statement

4. Public Comment

This time is provided to the public to speak regarding items not listed on this agenda.

5. Consent Agenda:

- A. Presentation and approval of financial statements through March 31, 2022.
- B. Approval of the minutes of the Regular Meeting held on March 9, 2022.
- C. Approval of the minutes of the Special Meeting held on March 23, 2022.
- D. Approval of the minutes of the Special Meeting held on April 4, 2022.

6. New Business

- A. Discussion/action regarding water supply status and Governor Newsom's Executive Order N-7-22.
- B. Discussion/action regarding proposed district-based election boundaries for Tuolumne Utilities District.

- C. Discussion/action to approve Resolution #22-13 – Opposing Initiative 21-0042A1: “Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services. Initiative Constitutional Amendment.”
- D. Discussion/action to approve Resolution #22-14 - Approval of Fiscal Year 2021-22 Water, Sewer and Park Funds Budget Adjustments in the Amount of \$14,208 for Operations Division Personnel Changes.
- E. Discussion/action to authorize the General Manager to enter into agreement with RC Health Services to provide a facility and instructors for national Emergency Medical Technician (EMT) training and American Heart Association Cardiopulmonary Resuscitation (CPR) testing.
- F. Tour of District’s new sewer jetter truck.

7. Reports

- A. President and Board member reports.
- B. Fire Chief’s report.
- C. Water/Sewer Operations Manager’s report.
- D. General Manager’s report.

8. Closed Session

- A. Conference with Legal Counsel – Existing Litigation:
Pursuant to Government Code Section 54956.9(a)
Case Name: Junger v. Twain Harte Community Services District
- B. Conference with Labor Negotiators pursuant to Government Code §54957.6
Agency Designated Representatives:
Tom Trott, Carolyn Higgins, Lewis Giambruno
Employee Organization:
Communication Workers of America, AFL-CIO

9. Adjourn

HOW TO VIRTUALLY PARTICIPATE IN THIS THIS MEETING

The public can virtually observe and participate in a meeting as follows:

- **Computer:** Join the videoconference by clicking the videoconference link located at the top of this agenda or on our website. You may be prompted to enter your name and email. Your email will remain private and you may enter “anonymous” for your name.
- **Smart Phone/Tablet:** Join the videoconference by clicking the videoconference link located at the top of this agenda OR log in through the Zoom mobile app and enter the Meeting ID# and Password found at the top of this agenda. You may be prompted to enter your name and email. Your email will remain private and you may enter “anonymous” for your name.
- **Telephone:** Listen to the meeting by calling Zoom at (4669) 900-6833. Enter the Meeting ID# listed at the top of this agenda, followed by the pound (#) key.

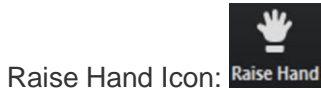
* NOTE: your personal video will be disabled and your microphone will be automatically muted.

FOR MORE DETAILED INSTRUCTIONS, CLICK [HERE](#)

SUBMITTING PUBLIC COMMENT

The public will have an opportunity to comment before and during the meeting as follows:

- **Before the Meeting:**
 - Email comments to ksilva@twainhartecsd.com, write “Public Comment” in the subject line. In the body of the email, include the agenda item number and title, as well as your comments.
 - Mail comments to THCSO Board Secretary: P.O. Box 649, Twain Harte, CA 95383
- **During the Meeting:**
 - Computer/Tablet/Smartphone: Click the “Raise Hand” icon and the host will unmute your audio when it is time to receive public comment. If you would rather make a comment in writing, you may click on the “Q&A” icon and type your comment. You may need to tap your screen or click on “View Participants” to make icons visible.



- Telephone: Press *9 if to notify the host that you have a comment. The host will unmute you during the public comment period and invite you to share comments.
- In-Person: Raise your hand and the Board Chairperson will call on you.

* NOTE: If you wish to speak on an item on the agenda, you are welcome to do so during consideration of the agenda item itself. If you wish to speak on a matter that does not appear on the agenda, you may do so during the Public Comment period. Persons speaking during the Public Comment will be limited to five minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board. Except as otherwise provided by law, no action or discussion shall be taken/conducted on any item not appearing on the agenda. Public comments must be addressed to the board as a whole through the President. Comments to individuals or staff are not permitted.

MEETING ETIQUETTE

Attendees shall make every effort not to disrupt the meeting. Cell phones must be silenced or set in a mode that will not disturb District business during the meeting.

ACCESSIBILITY

Board meetings are accessible to people with disabilities. In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the District office 48 hours prior to the meeting at (209) 586-3172.

WRITTEN MEETING MATERIALS

If written materials relating to items on this Agenda are distributed to Board members prior to the meeting, such materials will be made available for public inspection on the District’s website:

www.twainhartecsd.com

TWAIN HARTE COMMUNITY SERVICES DISTRICT
21/22 OPERATING EXPENDITURE SUMMARY
 As of March 31, 2022

Fund	TOTAL Budget*	YTD Expended	Budget Balance	% Spent (Target 75%)
Park	89,124	58,110	31,014	65.20%
Water	1,303,888	822,102	481,786	63.05%
Sewer	1,103,931	619,942	483,989	56.16%
Fire	1,238,616	913,962	324,654	73.79%
Admin	649,891	469,314	180,577	72.21%
TOTAL	\$ 4,385,450	\$ 2,883,430	\$ 1,502,020	65.75%

**TWAIN HARTE COMMUNITY SERVICES DISTRICT
21/22 CAPITAL EXPENDITURE SUMMARY
As of March 31, 2022**

Fund	TOTAL Budget*	YTD Expended	Budget Balance	% Spent (Target 75%)
Park	604,791	15,403	589,388	2.55%
Water	1,707,550	42,860	1,664,690	2.51%
Sewer	454,100	228,573	225,527	50.34%
Fire	515,100	121,773	393,327	23.64%
Admin		-	-	
TOTAL	\$ 3,281,541	\$ 408,609	\$ 2,872,932	12.45%

Reflects Budget Rev #5 - Approved 03/23/22

TWAIN HARTE COMMUNITY SERVICES DISTRICT
BANK BALANCES
As of March 31, 2022

Account	Beginning Balance	Receipts	Disbursements	Current Balance
U.S. Bank Operating	1,718,027	286,935	(232,007)	1,772,955
U.S. Bank - D Grunsky #1*	55,688			55,688
U.S. Bank - D Grunsky #2*	60,328			60,328
LAIF	2,972,295			2,972,295
TOTAL	\$ 4,806,338	\$ 286,935	\$ (232,007)	\$ 4,861,266

**Davis Grunsky reserve money restricted for Davis Grunsky Loan Payments

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Board of Directors Regular Meeting
March 9, 2022

CALL TO ORDER: President Sipperley called the meeting to order at 09:00 a.m. The following Directors, Staff, and Community Members were present:

DIRECTORS:

Director Sipperley, President
Director Bohlman
Director Mannix
Director Knudson
Director deGroot

STAFF:

Tom Trott, General Manager
Neil Gamez, Fire Chief
Kim Silva, Administrative Coordinator/ Board Secretary
Lewis Giambruno, Operations Manager
Carolyn Higgins, Finance Officer

AUDIENCE: 5 Attendees

PUBLIC COMMENT ON NON-AGENDIZED ITEMS:

A member of the public raised a hand on Zoom to make public comment and didn't have the ability to connect to audio due to their Zoom not being the most updated version of the software.

Carol Hallet from CERT spoke about the most recent CERT training and the presentation given by Alan Thompson regarding the lessons about Paradise.

COMMUNICATIONS:

- A. Letter from Cal Fire, TCU - Appreciation for Twain Harte Community Emergency Response Team (CERT).

CONSENT AGENDA:

- A. Presentation and approval of financial statements through February 28, 2022.
- B. Approval of the minutes of the Regular Meeting held on February 9, 2022.

MOTION: Director deGroot made a motion to accept the consent agenda in its entirety.

SECOND: Director Bohlman

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

NEW BUSINESS:

- A. Discussion/action to approve revisions to Policy #1030 – Communication Policy.

MOTION: Director Mannix made a motion to approve revisions to Policy #1030 – Communications Policy.

SECOND: Director Bohlman

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

- B. Discussion/action to approve revisions to Policy #5020 – Board Meeting Agenda.

MOTION: Director deGroot made a motion to approve revisions to Policy #5020 – Board Meeting Agenda.

SECOND: Director Mannix

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

- C. Discussion/action to approve revisions to Policy #5030 – Board Meeting Conduct.

MOTION: Director Bohlman made a motion to approve revisions to Policy #5030 – Board Meeting Conduct.

SECOND: Director deGroot

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

- D. Discussion/action to approve an Agreement with Yosemite Community College District to participate in a Regional Internship Program.

MOTION: Director Mannix made a motion to approve an Agreement with Yosemite Community College District to participate in a Regional Internship Program.

SECOND: Director Bohlman

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

- E. Discussion/action regarding the potential hiring of seasonal Firefighters.

The board provided direction to GM Trott to move forward with exploring the potential of hiring seasonal firefighters.

- F. Discussion regarding the Twain Harte Pipeline Replacement Project.

GM Trott spoke to the Twain Harte Pipeline Replacement Project that will be the topic of the public hearing on 3/23/2022 and reviewed the map highlighting the 2.2. miles of sewer line that will be replaced along with the sixty-nine manholes.

- G. Update on Twain Harte Meadows Park Project.

GM Trott spoke about the Twain Harte Meadows Project stating that the funding agreement is taking much longer than anticipated and is expected to be finalized by June of 2022. The current draft of the agreement states that we can be reimbursed back to July 2021. The board provided direction to GM Trott to move forward with working on the

agreement with the goal to finish design by July 2022 and have construction take place roughly August 2022 – October 2022.

- H. Discussion/action regarding attendance and representation at California Special Districts Association’s Legislative Days.

The board provided a general consensus on sending Director deGroot and Director Bohlman with GM Trott to this year’s legislative days. The topics they would like discussed include prevailing wage, Twain Harte Meadows Park and the water rights as they relate to TUD’s acquisition of Pinecrest.

- I. Discussion/action to consider the continuation of remote teleconference meetings and to adopt Resolution #22-08 – Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom’s Order Dated March 4, 2020, and Re-Authorizing Remote Teleconference Meetings for the Period of March 9, 2022 to April 8, 2022.

MOTION: Director Bohlman made a motion to approve the continuation of remote teleconference meetings and to adopt Resolution #22-08– Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom’s Order Dated March 4, 2020, and Re-Authorizing Remote Teleconference Meetings for the Period of March 9, 2022 to April 8, 2022.

SECOND: Director Mannix

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

REPORTS:

President and Board Member Reports.

- *President Sipperley provided a report regarding his attendance of the most recent IRWM JPA meeting and the approval of GM Trott as the representative for DACAG which represents disadvantaged communities throughout the state.*

Fire Chief Report by Chief Gamez

- *A verbal summary of the written report was provided by Chief Gamez and Carol Hallet from CERT provided a verbal summary of her report as well.*

Water/Sewer/Park Operations Report Provided by Operations Manager Giambruno

- *A verbal summary of the written report was provided.*

General Manager Report Provided by General Manager Trott

- *A verbal summary of the written report was provided.*

CLOSED SESSION: *The Board of Directors convened into closed session at 11:00 a.m.*

- A. Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9(a) Case Name: Junger v. Twain Harte Community Services District
- *President Sipperley reconvened the meeting into regular session at 11:22 a.m. with no reportable action.*

ADJOURNMENT:

The meeting was adjourned at 11:23 a.m.

Respectfully submitted,

APPROVED:

Kimberly Silva, Board Secretary

Gary Sipperley, President

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Board of Directors Special Meeting
March 23, 2022

CALL TO ORDER: President Sipperley called the meeting to order at 09:00 a.m. The following Directors, Staff, and Community Members were present:

DIRECTORS:

Director Sipperley, President
Director Bohlman
Director Mannix
Director Knudson
Director deGroot

STAFF:

Tom Trott, General Manager
Neil Gamez, Fire Chief
Kim Silva, Administrative Coordinator/ Board Secretary
Lewis Giambruno, Operations Manager
Carolyn Higgins, Finance Officer

AUDIENCE: 3 Attendees

PUBLIC COMMENT ON NON-AGENDIZED ITEMS:

PUBLIC HEARING:

- A. Open public hearing.
- B. Presentation of the proposed Mitigated Negative Declaration for the Twain Harte Pipeline Replacement Project.
- C. Review written comments.
- D. Receive public comment.
- E. Close public hearing.
- F. Discussion/action to adopt Resolution #22-09 – Adoption of a Mitigated Negative Declaration for the Twain Harte Pipeline Replacement Project.

MOTION: Director deGroot made a motion to adopt Resolution #22-09 – Adoption of Mitigated Negative Declaration for the Twain Harte Pipeline Replacement Project.

SECOND: Director Knudson

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

NEW BUSINESS:

- A. Discussion/action to adopt Resolution 22-10 – Authorizing Application to the State Water Resources Control Board for Financial Assistance for the Twain Harte Pipeline Replacement Project.

MOTION: Director Knudson made a motion to adopt Resolution #22-10 – Authorizing Application to the State Water Resources Control Board for Financial Assistance for the Twain Harte Pipeline Replacement Project.

SECOND: Director Bohlman

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

- B. Discussion/action to adopt Resolution #22-11 – Approval of a Fiscal Year 2021-22 Fire CERT Fund Budget Adjustment to Reallocate \$11,000 for Purchasing Equipment.

MOTION: Director Mannix made a motion to adopt Resolution #22-11 – Approval of a Fiscal Year 2021-22 Fire CERT Fund Budget Adjustment to Reallocate \$11,000 for Purchasing Equipment.

SECOND: Director deGroot

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

- C. Discussion/action to adopt Resolution #22-12 – Approving a Contract with Watershed Progressive for the Design, Build, and Construction Management of a Portion of Twain Harte Meadows Park for an Amount not to Exceed \$1,251,795.

MOTION: Director Bohlman made a motion to adopt Resolution #22-12 – Approving a Contract with Watershed Progressive for the Design, Build, and Construction Management of a Portion of Twain Harte Meadows Park for an Amount not to Exceed \$1,251,795.

SECOND: Director Mannix

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

- D. Discussion/action to consider recommencement of in-person Board meetings or continuance of remote teleconference Board meetings.

MOTION: Director Mannix made a motion to resume in person meetings while continuing to broadcast the meetings via Zoom for those who would like to option to join remotely.

SECOND: Director Bohlman

AYES: Mannix, deGroot, Bohlman Sipperley, Knudson

NOES: None

ABSTAIN: None

- E. Discussion/action to select the District's representatives for labor negotiations with represented and non-represented employees.

MOTION: Director deGroot made a motion to select GM Trott, Operations Manager Giamb Bruno and Finance Officer Higgins as the District's representatives for labor negotiations with represented and non-represented employees.

SECOND: Director Knudson

AYES: Mannix, Bohlman, Sipperley, Knudson, deGroot

NOES: None

ABSTAIN: None

CLOSED SESSION: *The Board of Directors convened into closed session at 9:33 a.m.*

- A. Conference with Labor Negotiators pursuant to Government Code §54957.6: Agency Designated Representative: General Manager and/or other designated representative(s) selected in open session Employee Organization: Communication Workers of America, AFL-CIO
- *President Sipperley reconvened the meeting into regular session at 10:33 a.m. with no reportable action.*

ADJOURNMENT:

The meeting was adjourned at 10:33 a.m.

Respectfully submitted,

APPROVED:

Kimberly Silva, Board Secretary

Gary Sipperley, President

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Board of Directors Special Meeting
April 4, 2022

CALL TO ORDER: President Sipperley called the meeting to order at 09:00 a.m. The following Directors, Staff, and Community Members were present:

DIRECTORS:

Director Sipperley, President
Director Bohlman
Director Mannix
Director Knudson
Director deGroot

STAFF:

Tom Trott, General Manager
Kim Silva, Administrative Coordinator/ Board Secretary
Lewis Giambruno, Operations Manager
Carolyn Higgins, Finance Officer

AUDIENCE: 0 Attendees

PUBLIC COMMENT ON NON-AGENDIZED ITEMS:

No public comment.

CLOSED SESSION: *The Board of Directors convened into closed session at 9:02 a.m.*

- A. Conference with Labor Negotiators pursuant to Government Code §54957.6: Agency Designated Representative:
Tom Trott, Carolyn Higgins, Lewis Giambruno
Employee Organization:
Communication Workers of America, AFL-CIO
- *President Sipperley reconvened the meeting into regular session at 10:13 a.m. with no reportable action.*

ADJOURNMENT:

The meeting was adjourned at 10:14 a.m.

Respectfully submitted,

APPROVED:

Kimberly Silva, Board Secretary

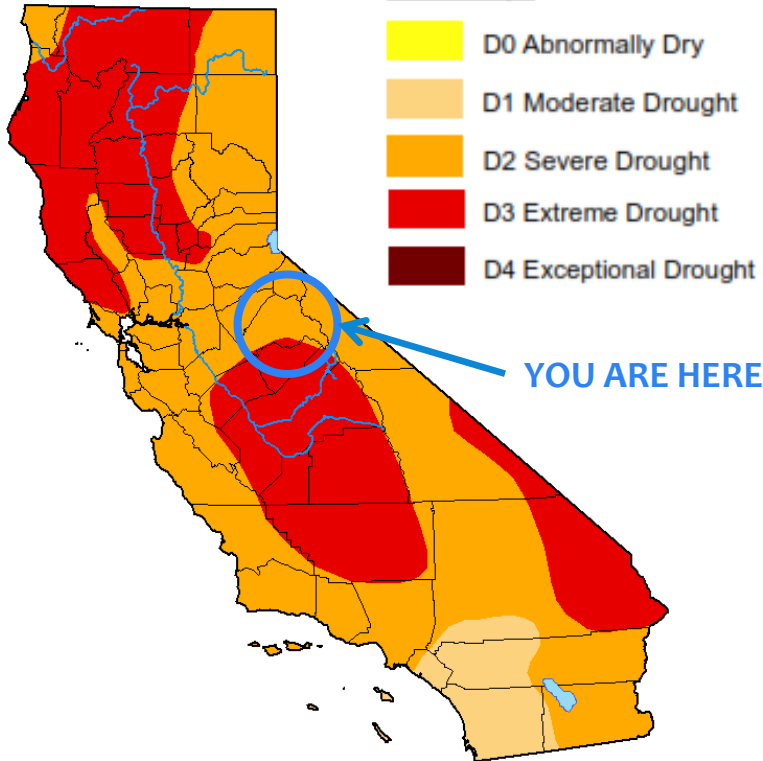
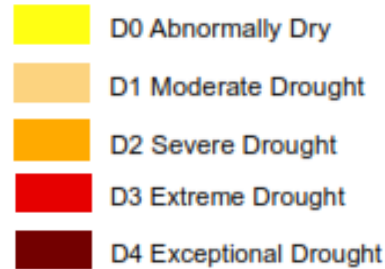
Gary Sipperley, President



Water Supply Update

April 13, 2022

Intensity:



Still Drought?

- * 0% of CA is **EXCEPTIONAL**
- * 41% of CA is **EXTREME**
- * 53% of CA is **SEVERE**

94% of CA **SEVERE OR WORSE**

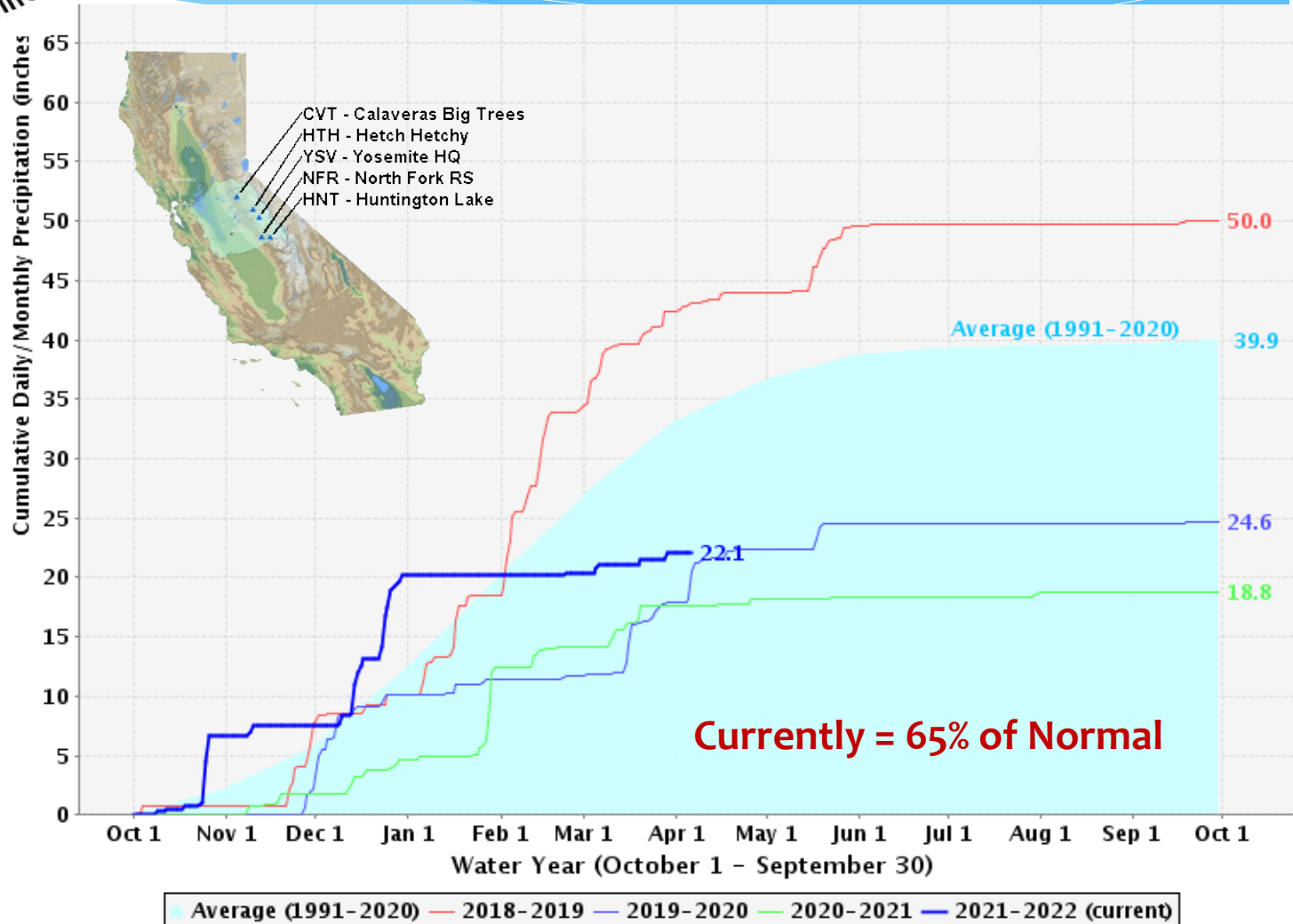




Rainfall Update

Current Rainfall Comparison

- * Includes previous 3 water years
- * Last decade's mega drought was four consecutive dry years

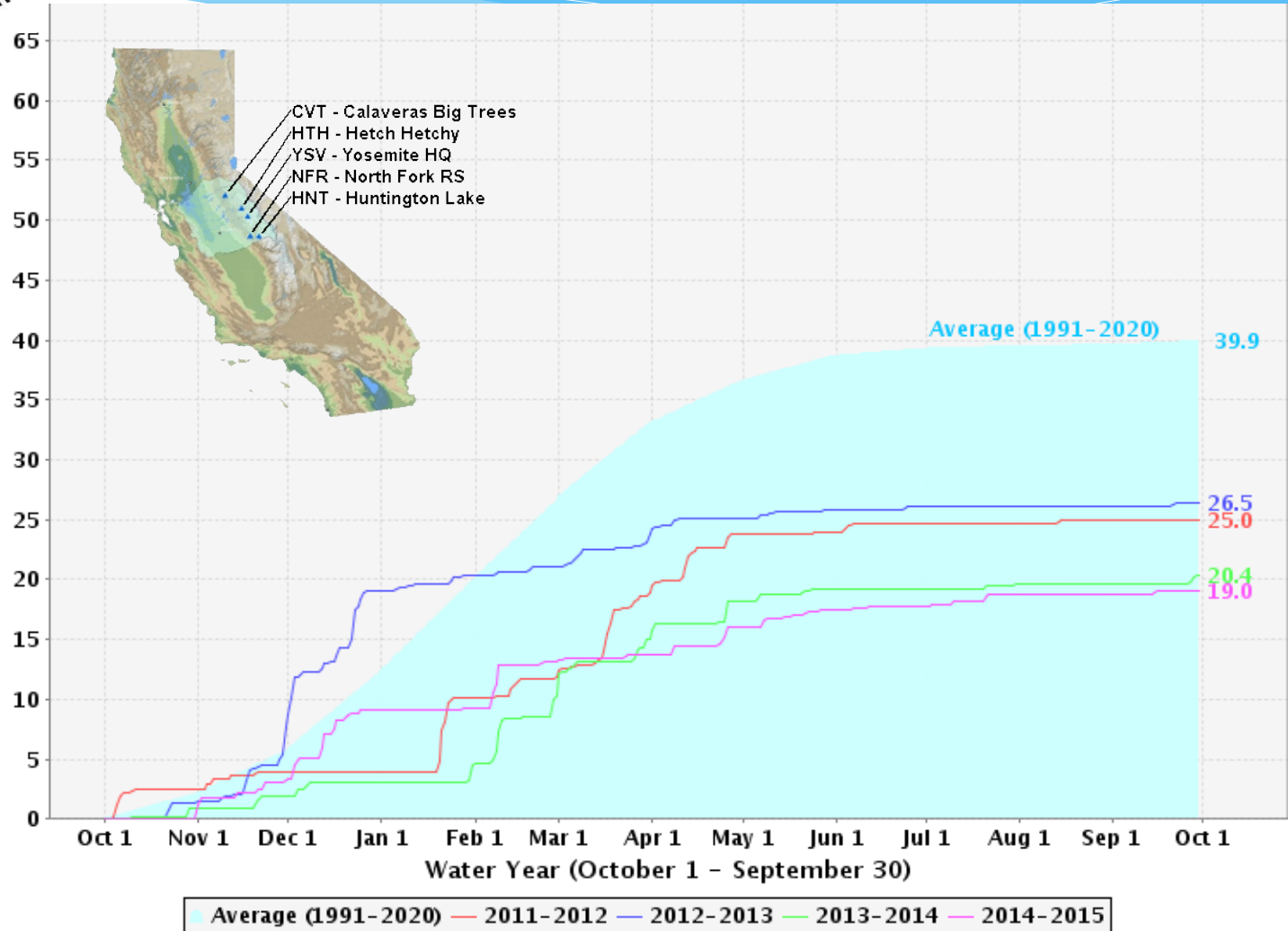




Rainfall Update

2011-2015 Drought Rainfall

* Four consecutive dry years

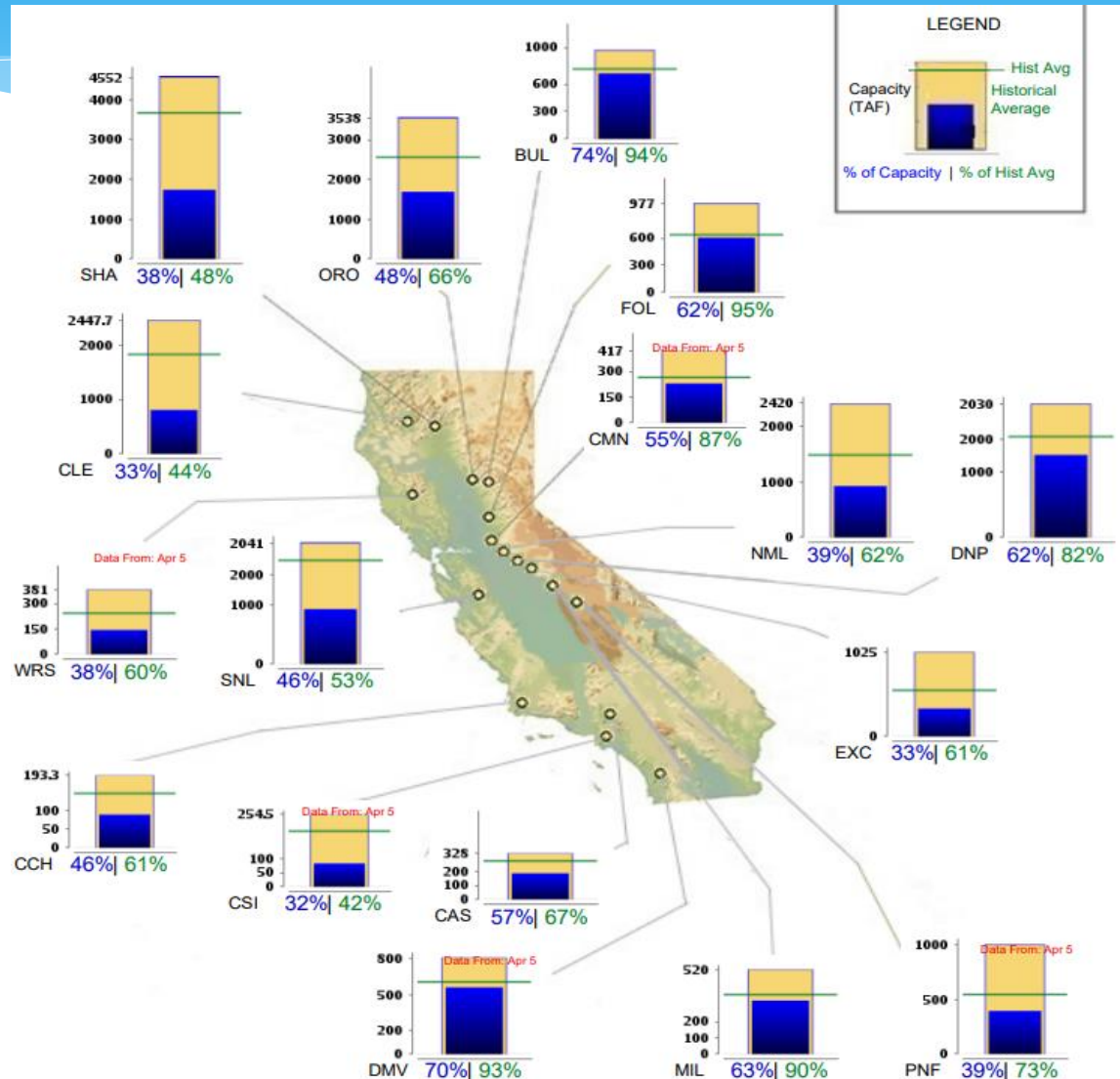




Water Supply Update

Statewide Reservoir Status

- * State Reservoirs are lower than historical average – **72%**
- * These reservoir levels play a big role in the Governor’s call for conservation measures





Water Supply Update

Lyons Reservoir

- * Current Storage = 4,000 acre-ft
- * About normal



Pinecrest Lake

- * Current Storage = 13,550 acre-ft
- * About 47% fuller than normal



THCSD GROUNDWATER WELLS ARE PRODUCING NORMALLY

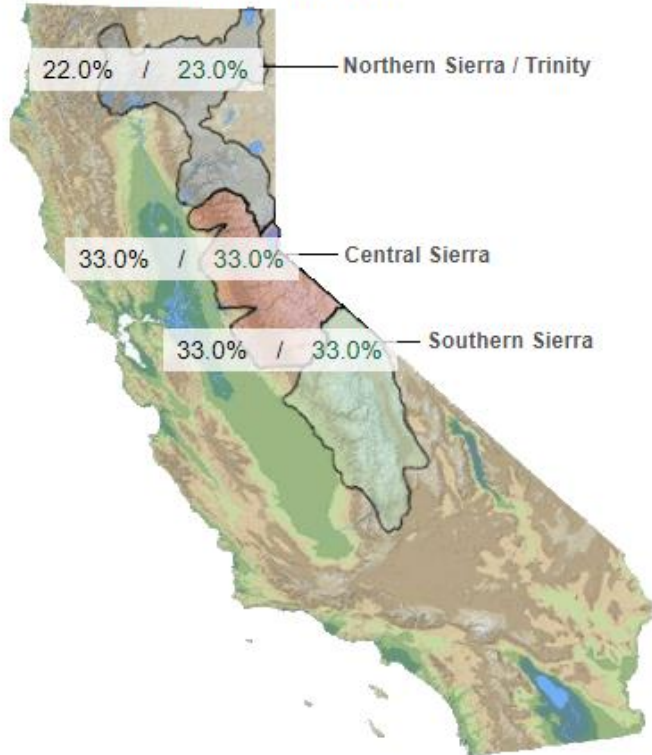


Water Supply Update

Statewide Snowpack

Data For: 06-Apr-2022

% Apr 1 Avg. / % Normal for this Date



NORTH

Data For: 06-Apr-2022

Number of Stations Reporting	30
Average snow water equivalent	6.2"
Percent of April 1 Average	22%
Percent of normal for this date	23%

CENTRAL

Data For: 06-Apr-2022

Number of Stations Reporting	43
Average snow water equivalent	9.9"
Percent of April 1 Average	23%
Percent of normal for this date	33%

SOUTH

Data For: 06-Apr-2022

Number of Stations Reporting	25
Average snow water equivalent	8.2"
Percent of April 1 Average	33%
Percent of normal for this date	33%



Weather Forecast

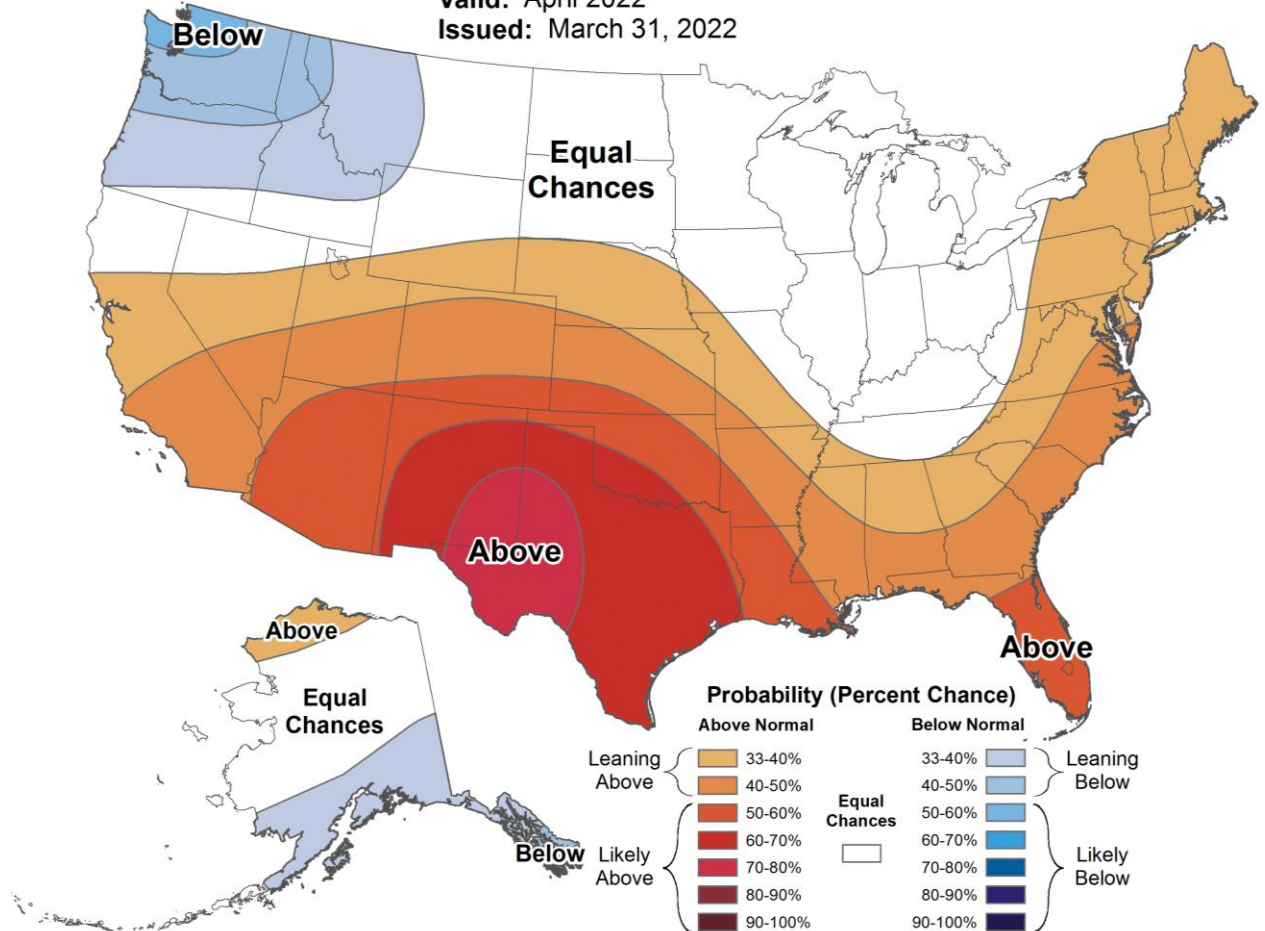


Monthly Temperature Outlook



Valid: April 2022
 Issued: March 31, 2022

33-40%
 Chance of
ABOVE
 Normal Temps





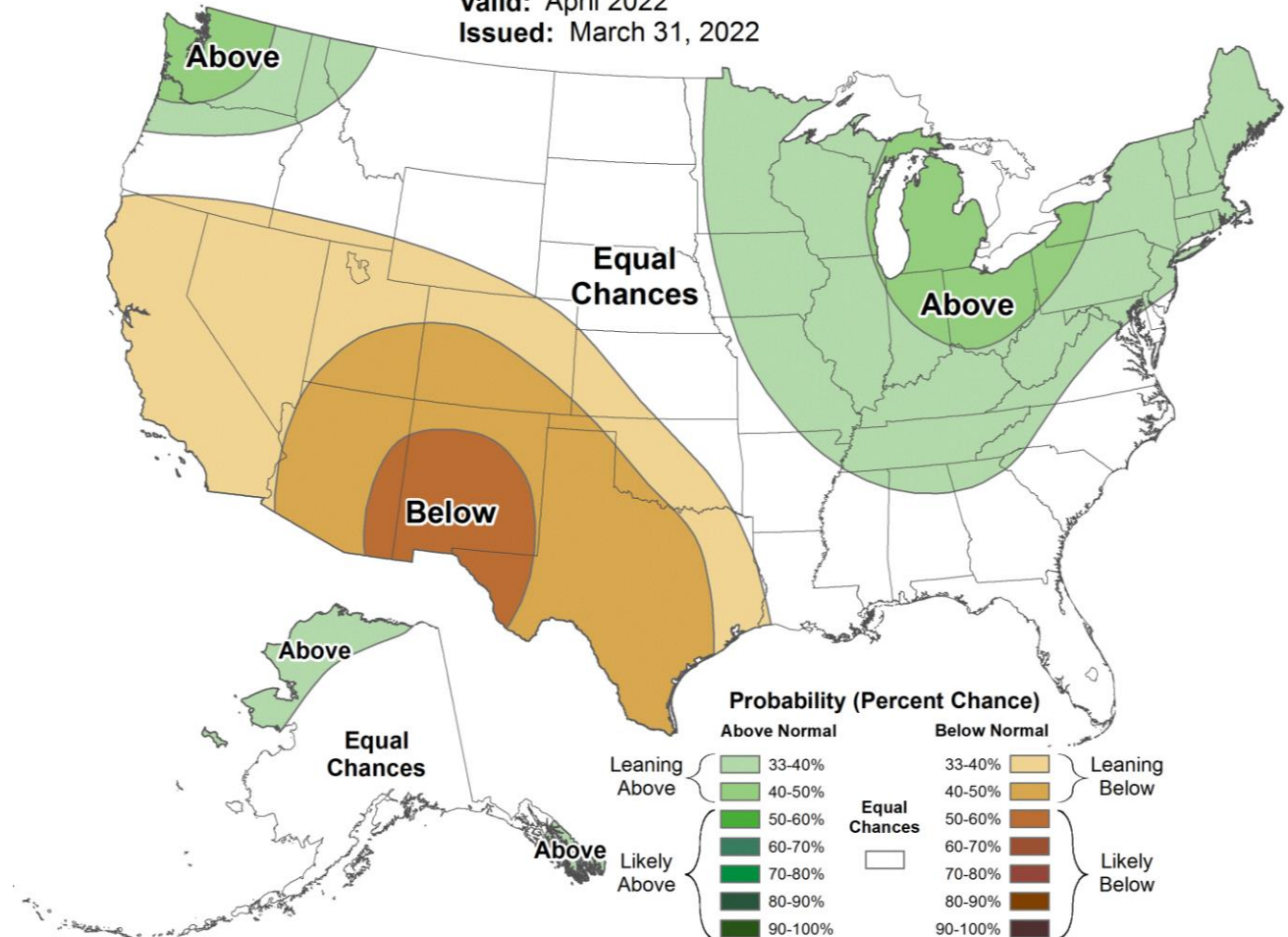
Weather Forecast



Monthly Precipitation Outlook



Valid: April 2022
 Issued: March 31, 2022



33-40%
 Chance of
BELOW
 Normal Precip

Probability (Percent Chance)	
Above Normal	Below Normal
Leaning Above	Leaning Below
33-40%	33-40%
40-50%	40-50%
50-60%	50-60%
60-70%	60-70%
70-80%	70-80%
80-90%	80-90%
90-100%	90-100%
Likely Above	Likely Below
Equal Chances	



Water Supply Update

Do we need to...



- * **Governor Executive Order N-7-22**
 - * 15% voluntary conservation over 2020
 - * SWRCB requirements for ornamental turf watering by May 25
 - * Looking for local controls
- * **Our 2020 Use - 32% LESS THAN 2013**
 - * VERY difficult comparison year for us
 - * Mainly used because most of CA was no longer conserving in 2020
- * **Current Use - 19% MORE THAN 2020**
 - * Substantial population gain since 2020
 - * Beginning of 2022 much drier/warmer
 - * Still 17% LESS THAN 2013
- * Increase Education – **Use Water Wisely**

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at SaveOurWater.com provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

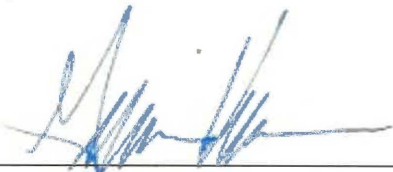
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

DISTRICTING TUD

Draft Maps

March, 2022

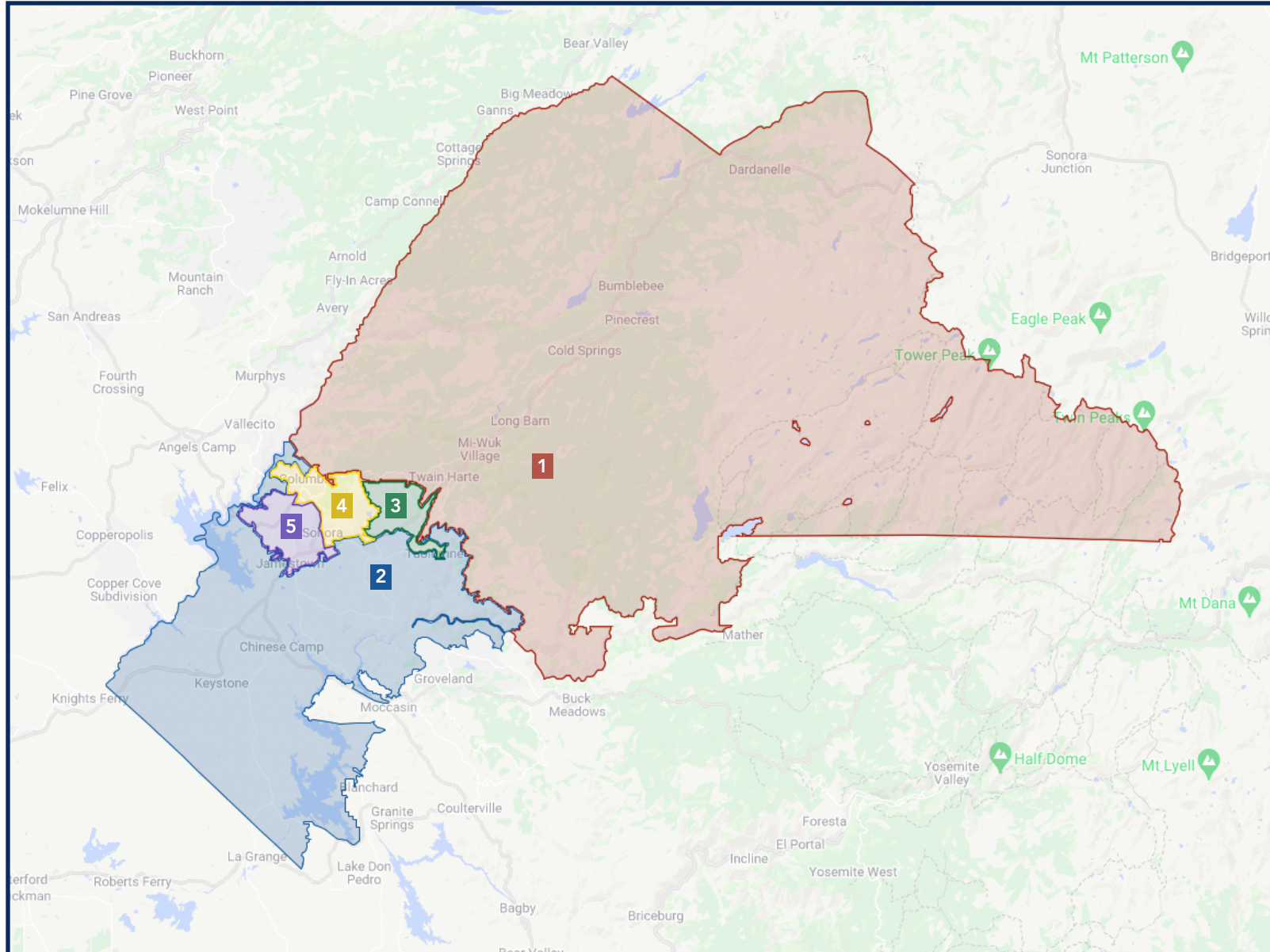
DISTRICTING TUD DRAFT I

	DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
2020 Census Count*	9,750	9,146	9,727	9,787	9,649
Deviation #	138	-466	115	175	37
Deviation %	1.4%	-4.8%	1.2%	1.8%	0.4%
2010 Census Count	9,625	13,063	9,814	8,897	9,308
2019 CVAP*	7,728	7,426	7,936	7,229	7,289
2010 CVAP	7,565	11,948	7,408	7,058	7,401



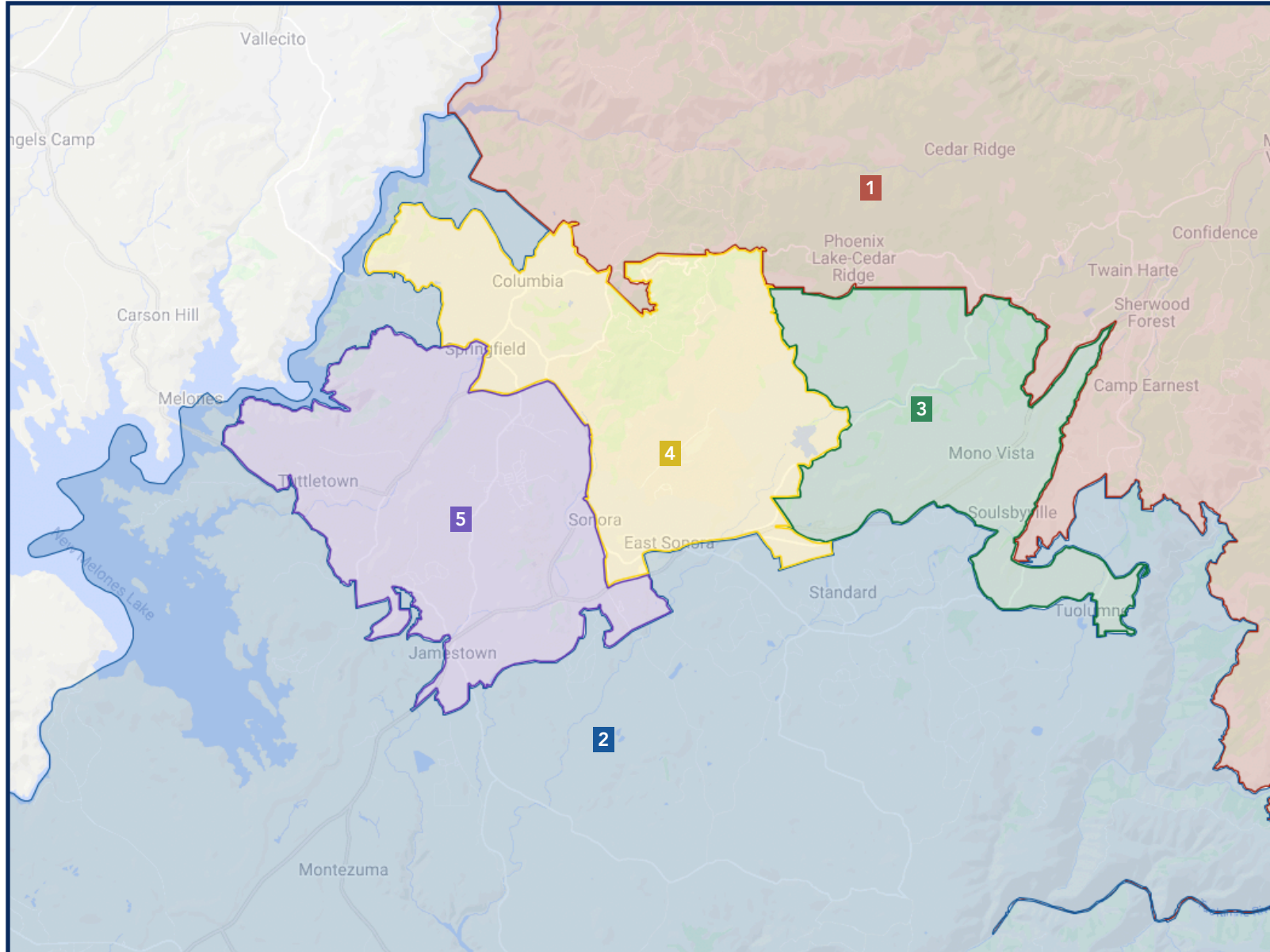
*Adjusted for prisoner reallocation

DISTRICTING TUD DRAFT I



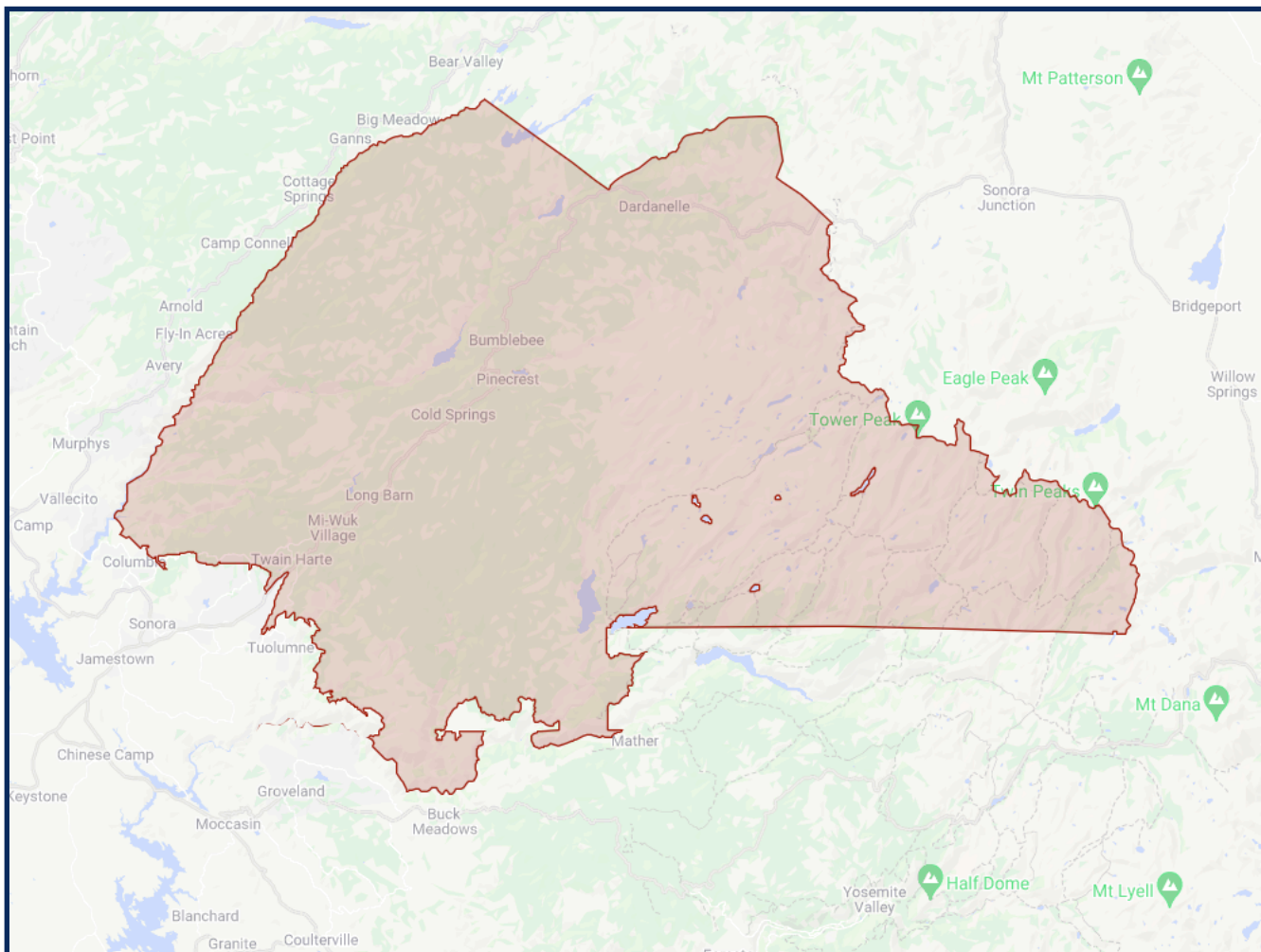
**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT I



DISTRICTING TUD DRAFT I

DISTRICT 1



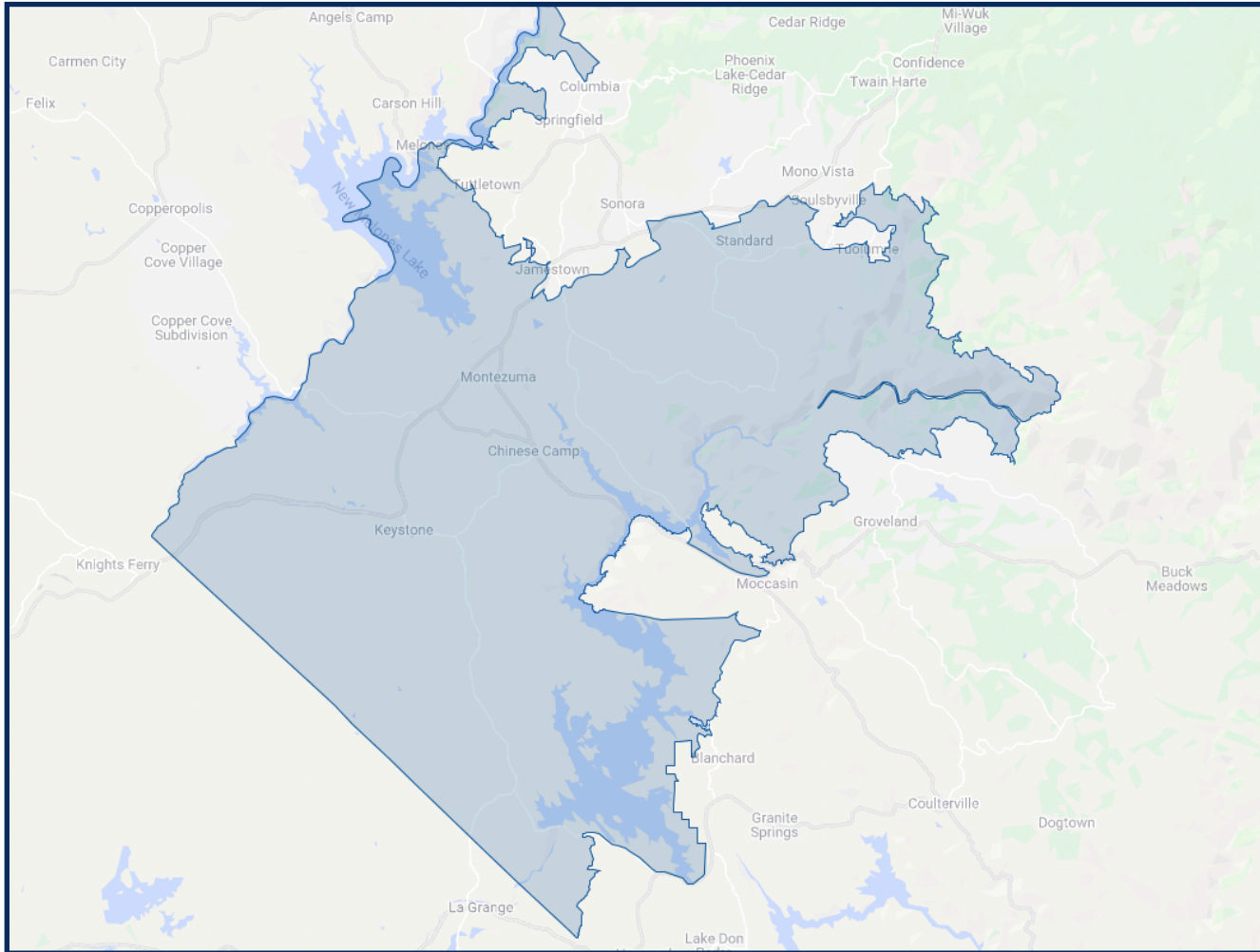
	2020 Count*	2019 CVAP*
Total	9,750	7,728
White	82.62%	88.83%
Black	0.13%	0.01%
Asian	0.82%	0.08%
Hispanic	8.85%	8.06%
Native American	0.87%	0.71%



*Adjusted for prisoner reallocation

DISTRICTING TUD DRAFT I

DISTRICT 2

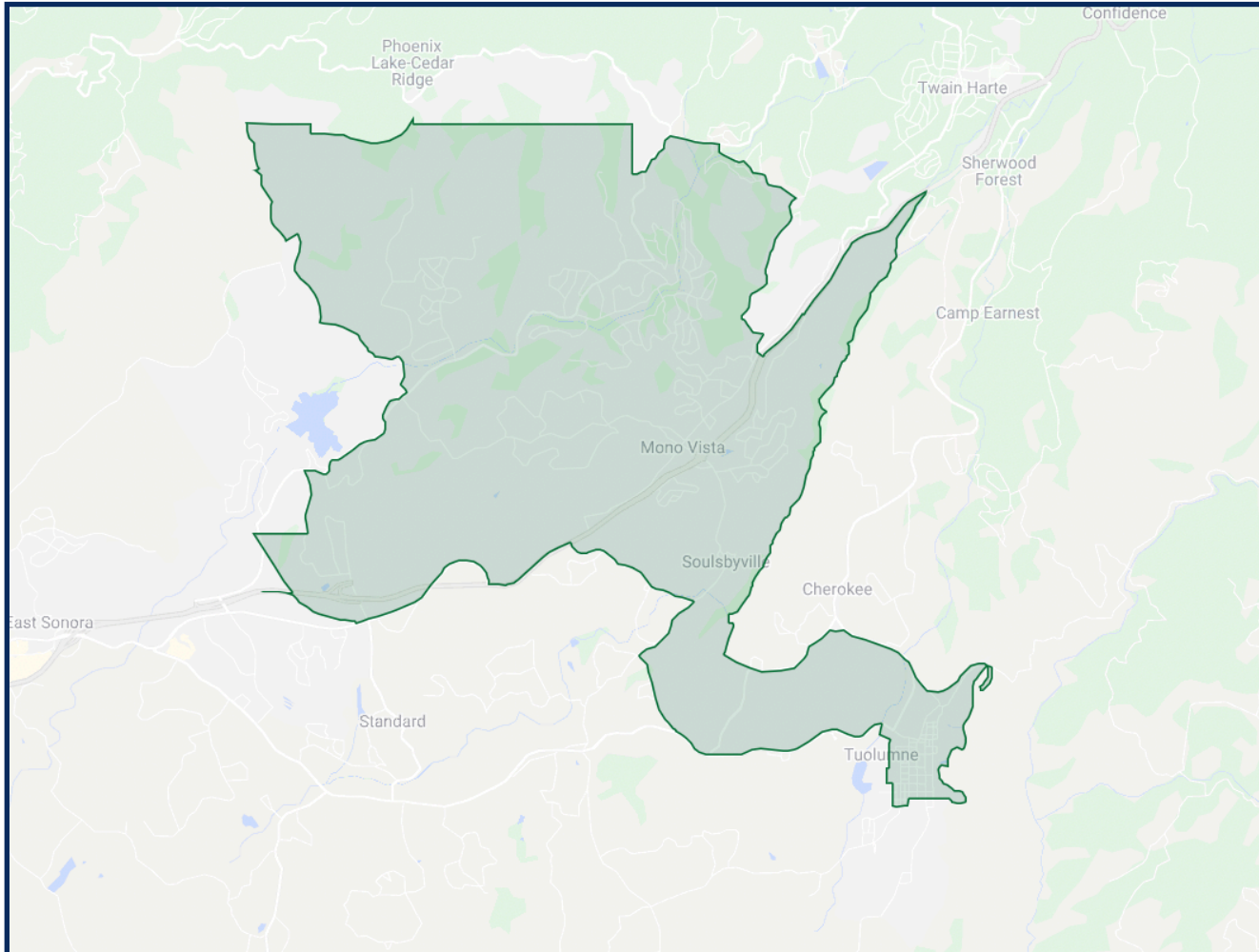


	2020 Count*	2019 CVAP*
Total	9,146	7,426
White	78.79%	86.68%
Black	0.35%	0.78%
Asian	1.01%	0.46%
Hispanic	11.21%	8.81%
Native American	2.51%	2.32%



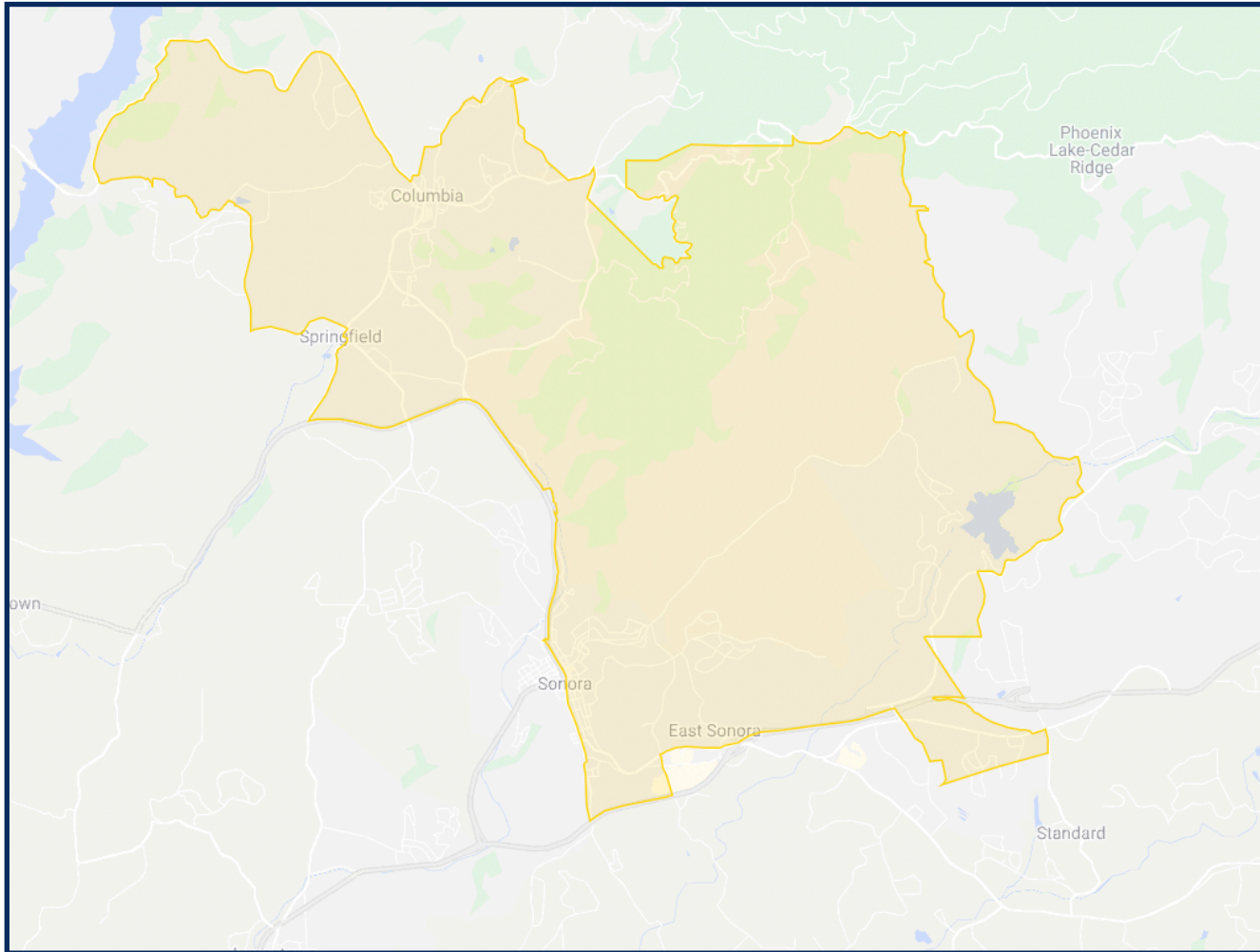
*Adjusted for prisoner reallocation

DISTRICT 3



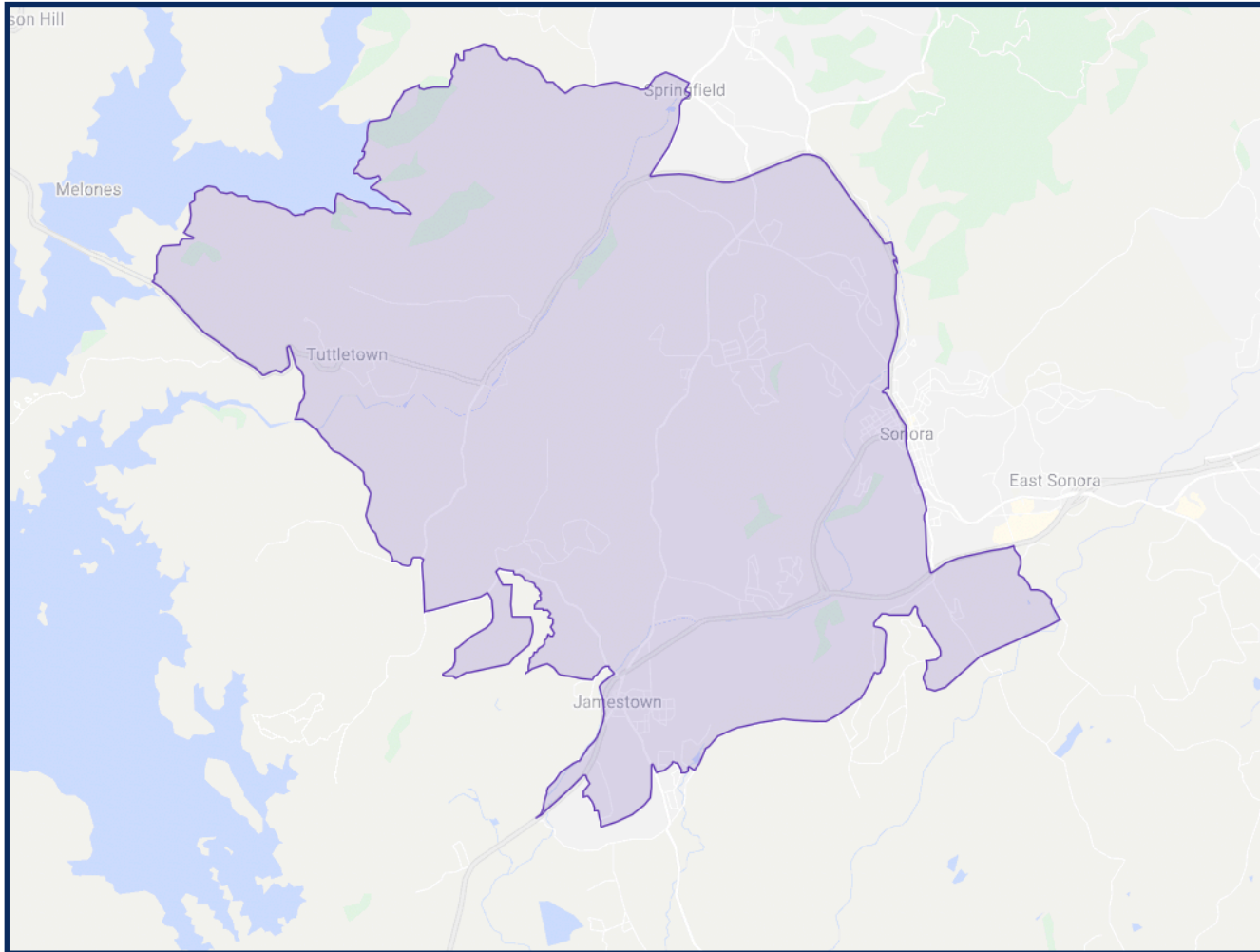
	2020 Count*	2019 CVAP*
Total	9,727	7,936
White	77.40%	83.83%
Black	0.37%	0.04%
Asian	0.73%	0.28%
Hispanic	12.31%	11.19%
Native American	1.56%	1.32%

DISTRICT 4



	2020 Count*	2019 CVAP*
Total	9,787	7,229
White	77.99%	86.14%
Black	0.48%	0.07%
Asian	2.43%	1.95%
Hispanic	11.19%	8.38%
Native American	1.25%	1.77%

DISTRICT 5



	2020 Count*	2019 CVAP*
Total	9,649	7,289
White	76.42%	84.48%
Black	0.51%	0.80%
Asian	1.77%	0.10%
Hispanic	12.88%	11.58%
Native American	1.48%	1.15%

DISTRICTING TUD

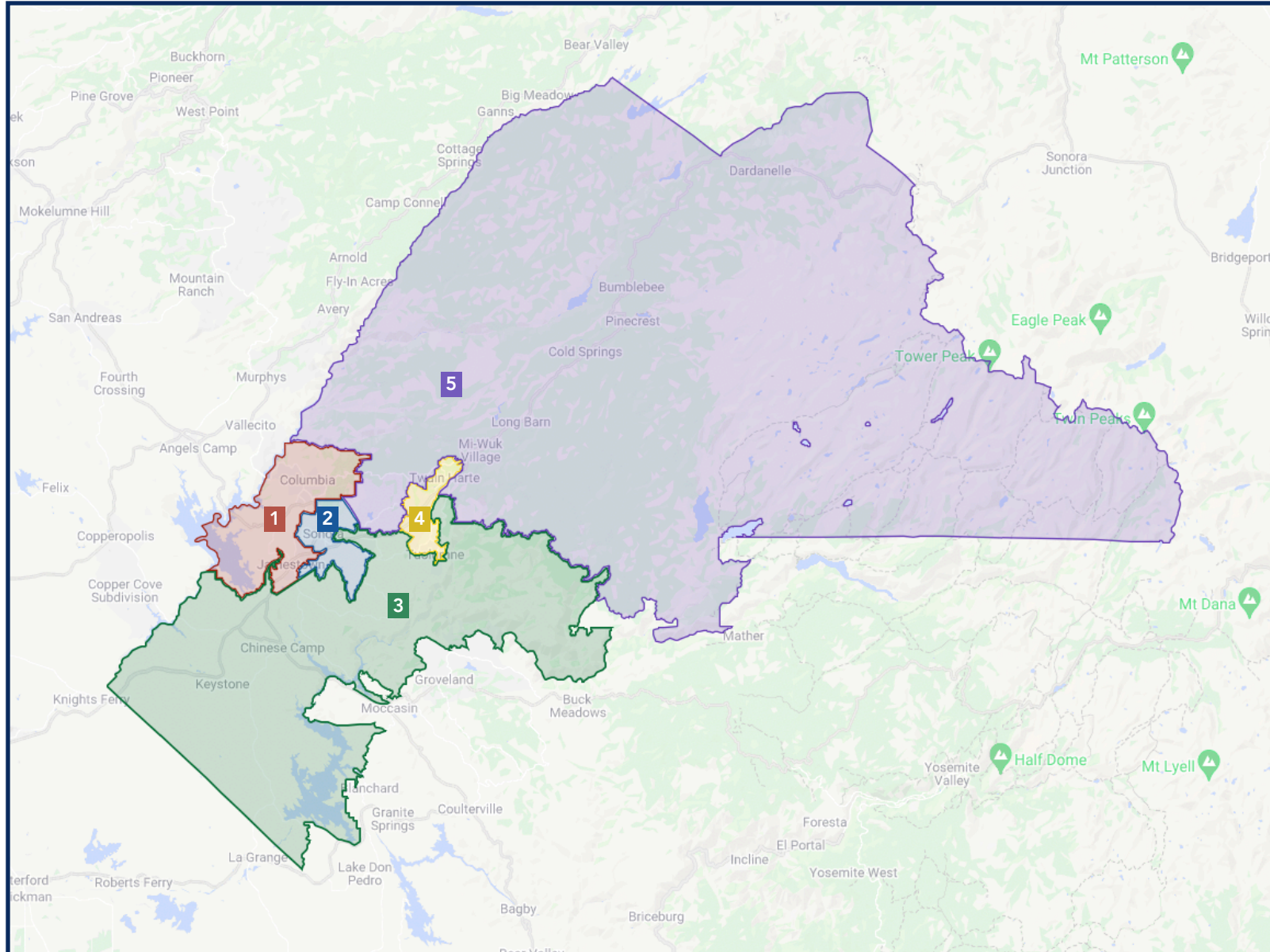
DRAFT 2

	DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
2020 Census Count*	9,660	9,733	9,234	9,724	9,708
Deviation #	48	121	-378	112	96
Deviation %	0.5%	1.3%	-3.9%	1.2%	1.0%
2010 Census Count	9,280	9,138	13,090	9,442	9,757
2019 CVAP*	7,299	7,252	7,487	7,704	7,866
2010 CVAP	7,436	7,770	11,427	7,098	7,649



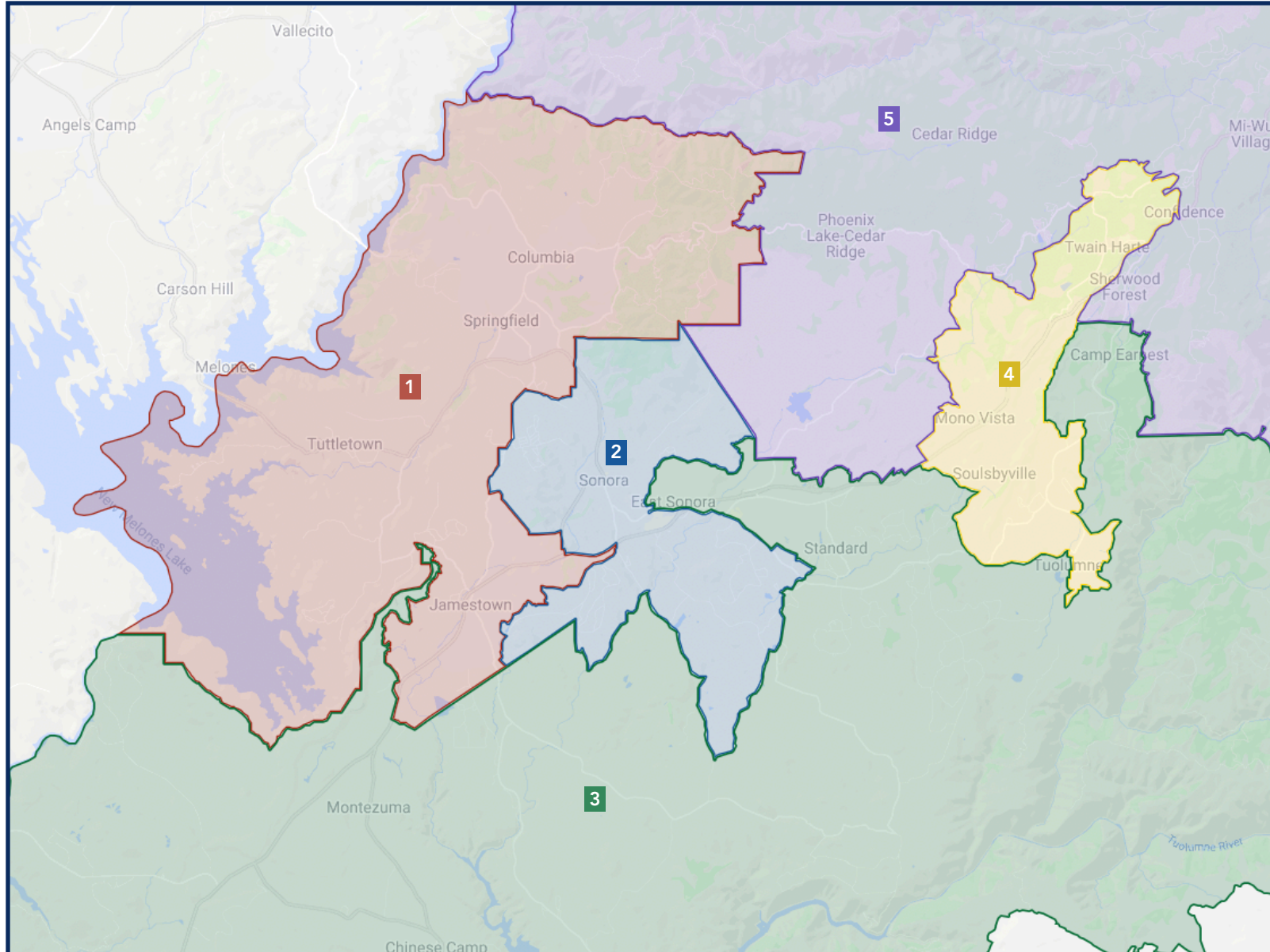
**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT 2



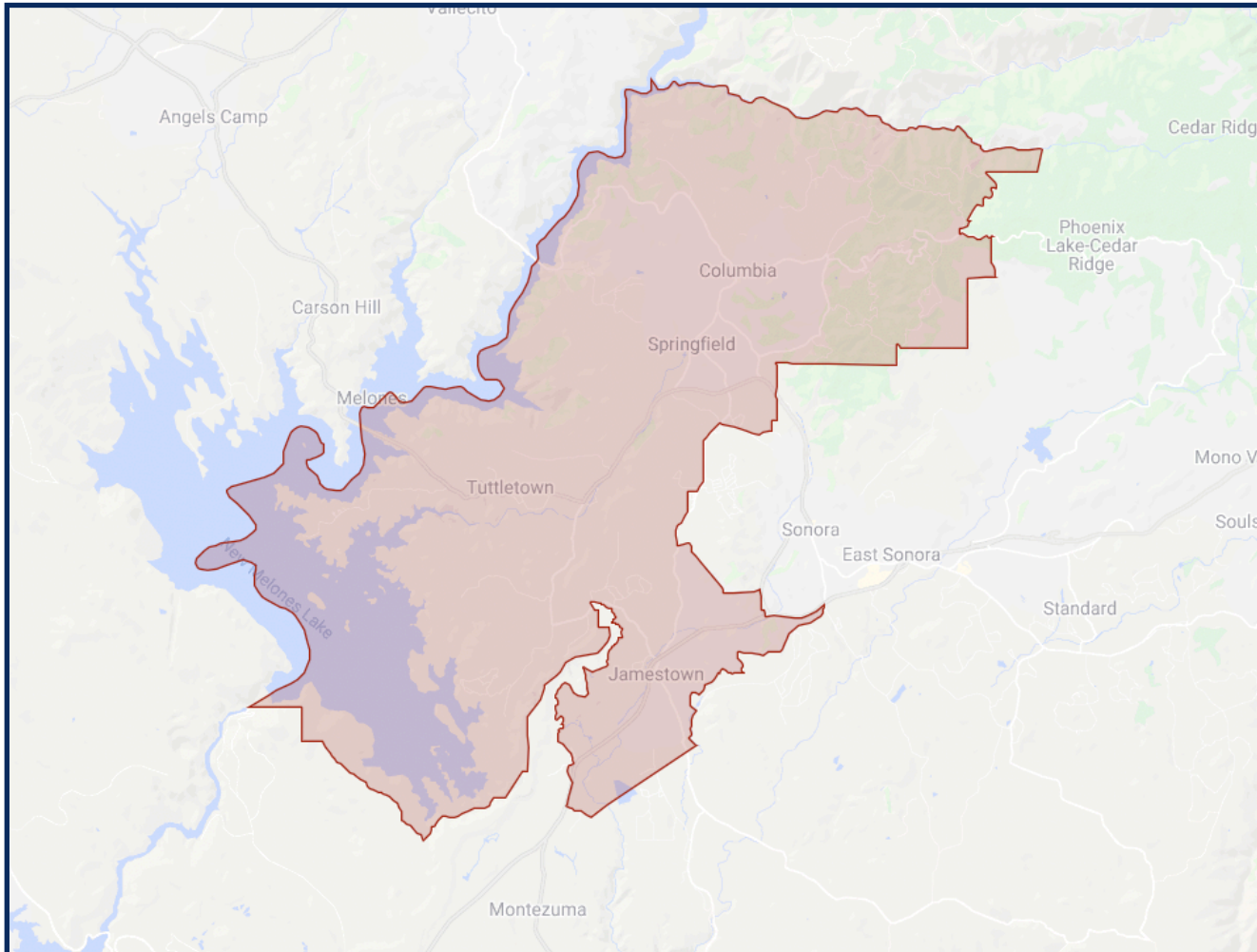
**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT 2



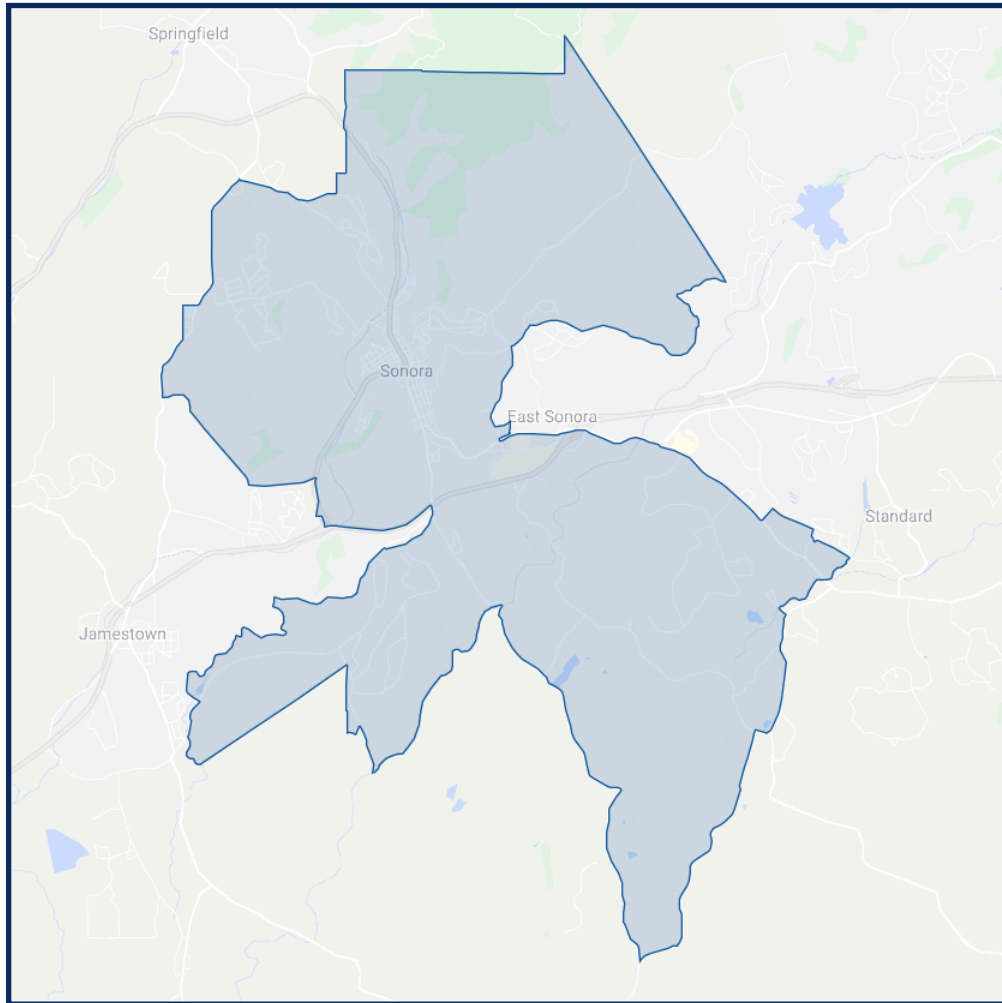
DISTRICTING TUD DRAFT 2

DISTRICT 1



	2020 Count*	2019 CVAP*
Total	9,660	7,299
White	76.89%	86.00%
Black	0.58%	0.01%
Asian	1.39%	0.15%
Hispanic	12.37%	9.95%
Native American	1.68%	2.07%

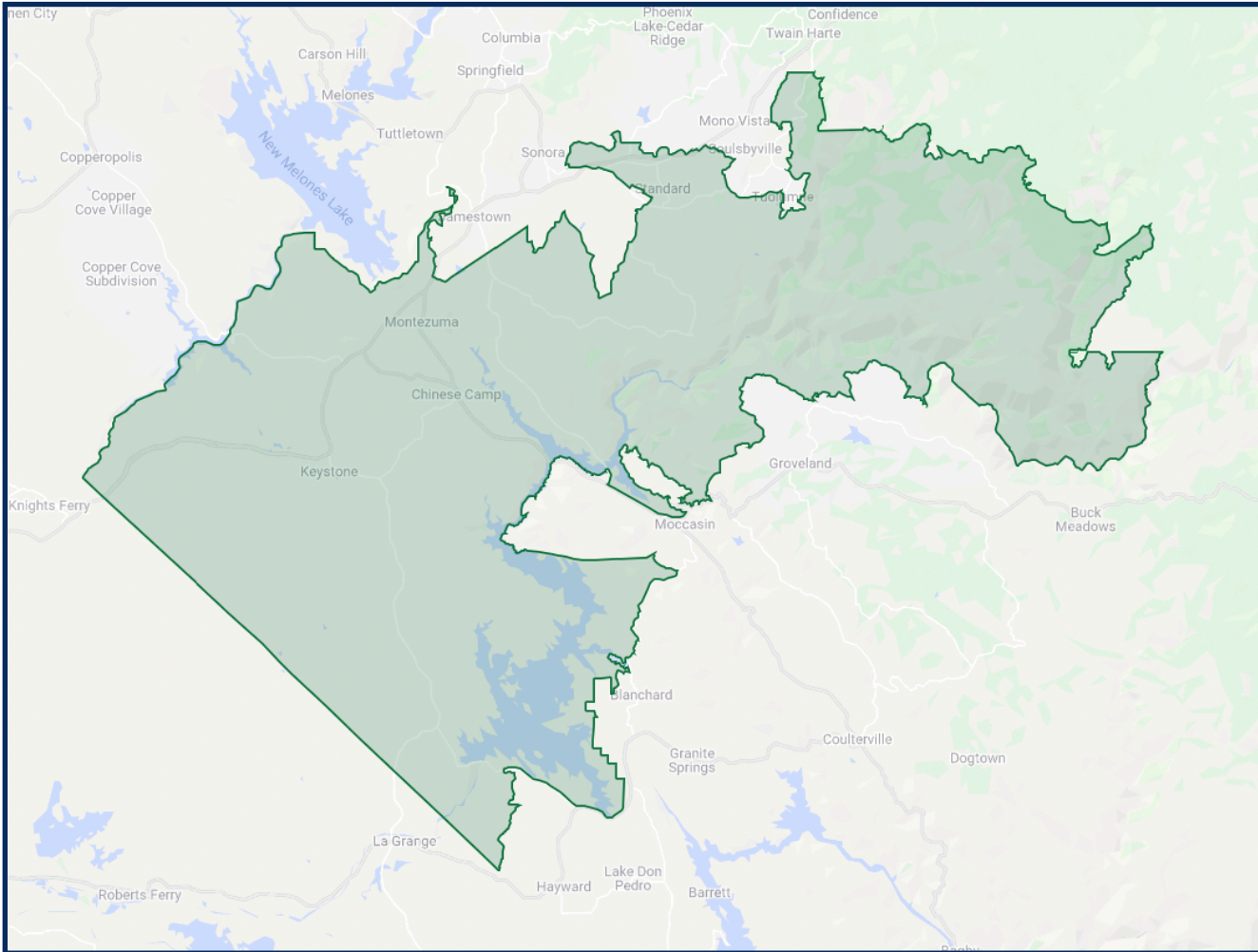
DISTRICT 2



	2020 Count*	2019 CVAP*
Total	9,733	7,252
White	77.09%	84.05%
Black	0.41%	0.87%
Asian	2.69%	2.04%
Hispanic	12.04%	9.91%
Native American	1.08%	0.65%

DISTRICTING TUD DRAFT 2

DISTRICT 3

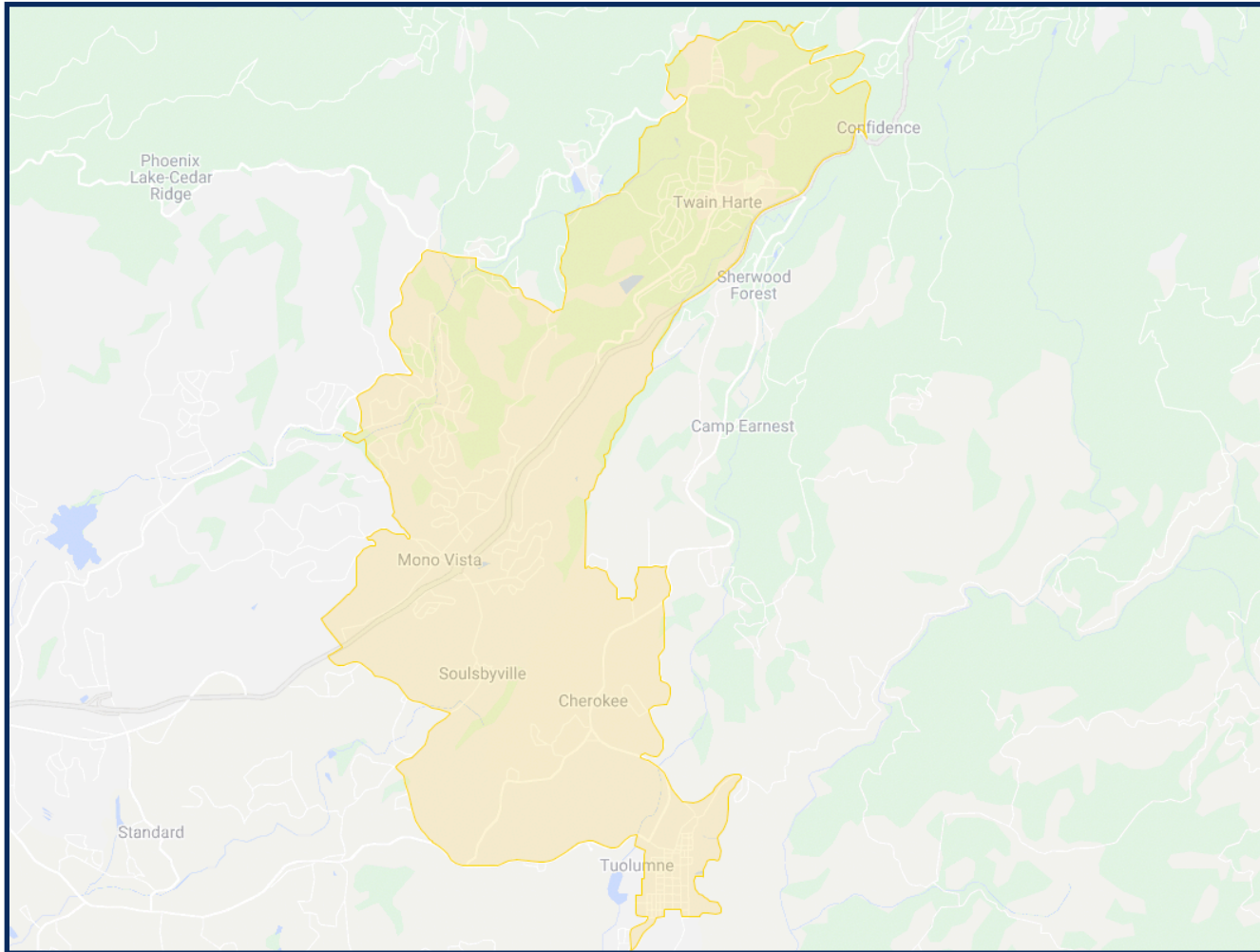


	2020 Count*	2019 CVAP*
Total	9,234	7,487
White	80.25%	88.42%
Black	0.32%	0.76%
Asian	1.08%	0.32%
Hispanic	10.92%	7.96%
Native American	1.67%	1.70%



*Adjusted for prisoner reallocation

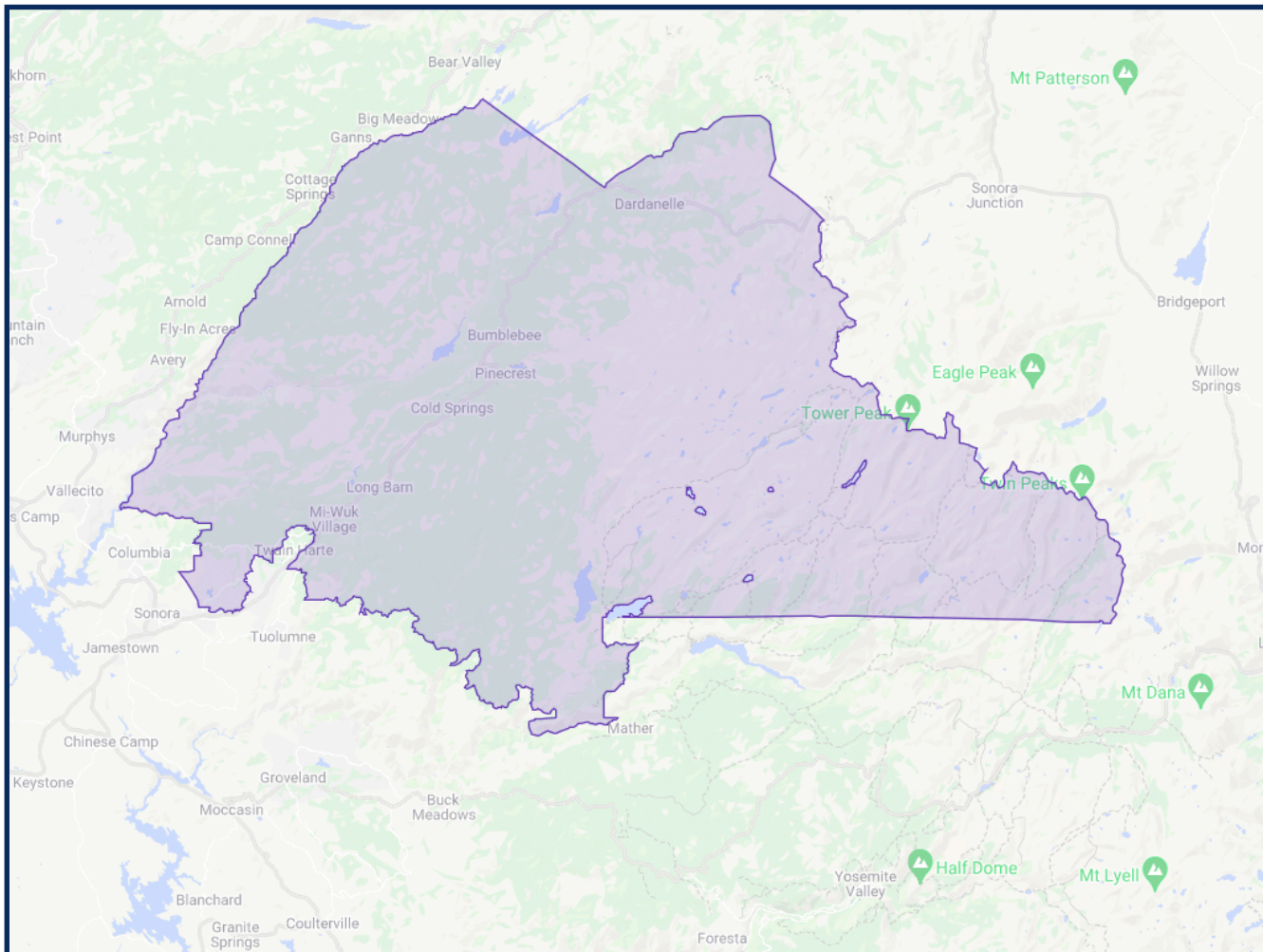
DISTRICT 4



	2020 Count*	2019 CVAP*
Total	9,724	7,704
White	76.51%	82.41%
Black	0.33%	0.05%
Asian	0.85%	0.23%
Hispanic	12.39%	12.69%
Native American	2.19%	1.87%

DISTRICTING TUD DRAFT 2

DISTRICT 5



	2020 Count*	2019 CVAP*
Total	9,708	7,866
White	82.57%	88.98%
Black	0.20%	0.00%
Asian	0.75%	0.11%
Hispanic	8.68%	7.58%
Native American	1.01%	0.95%

DISTRICTING TUD

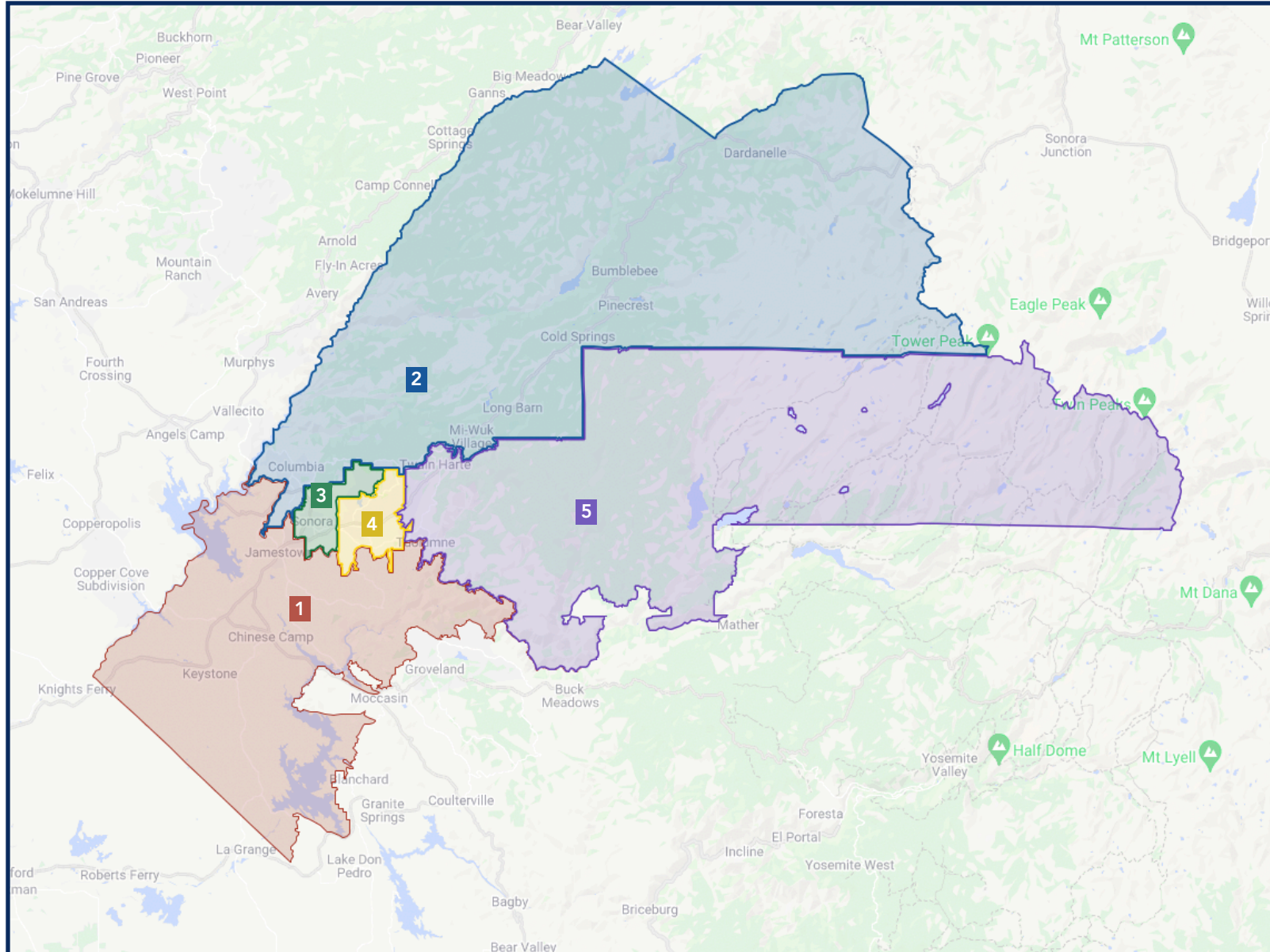
DRAFT 3

	DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
2020 Census Count*	9,186	9,730	9,748	9,717	9,678
Deviation #	-426	118	136	105	66
Deviation %	-4.4%	1.2%	1.4%	1.1%	0.7%
2010 Census Count	12,926	9,497	9,245	9,490	9,549
2019 CVAP*	7,028	7,202	7,210	8,510	7,658
2010 CVAP	11,637	7,818	7,529	7,287	7,110



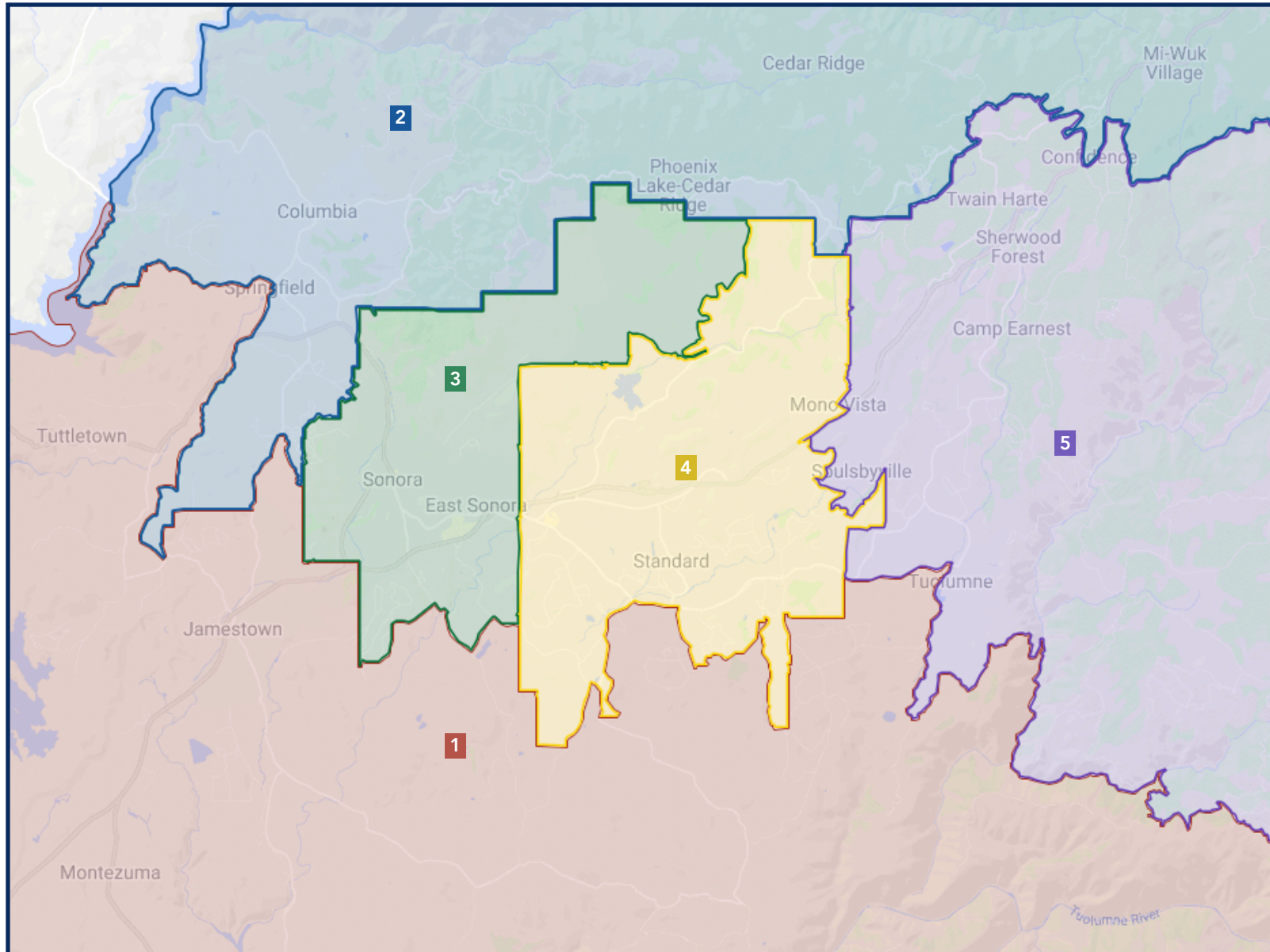
**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT 3



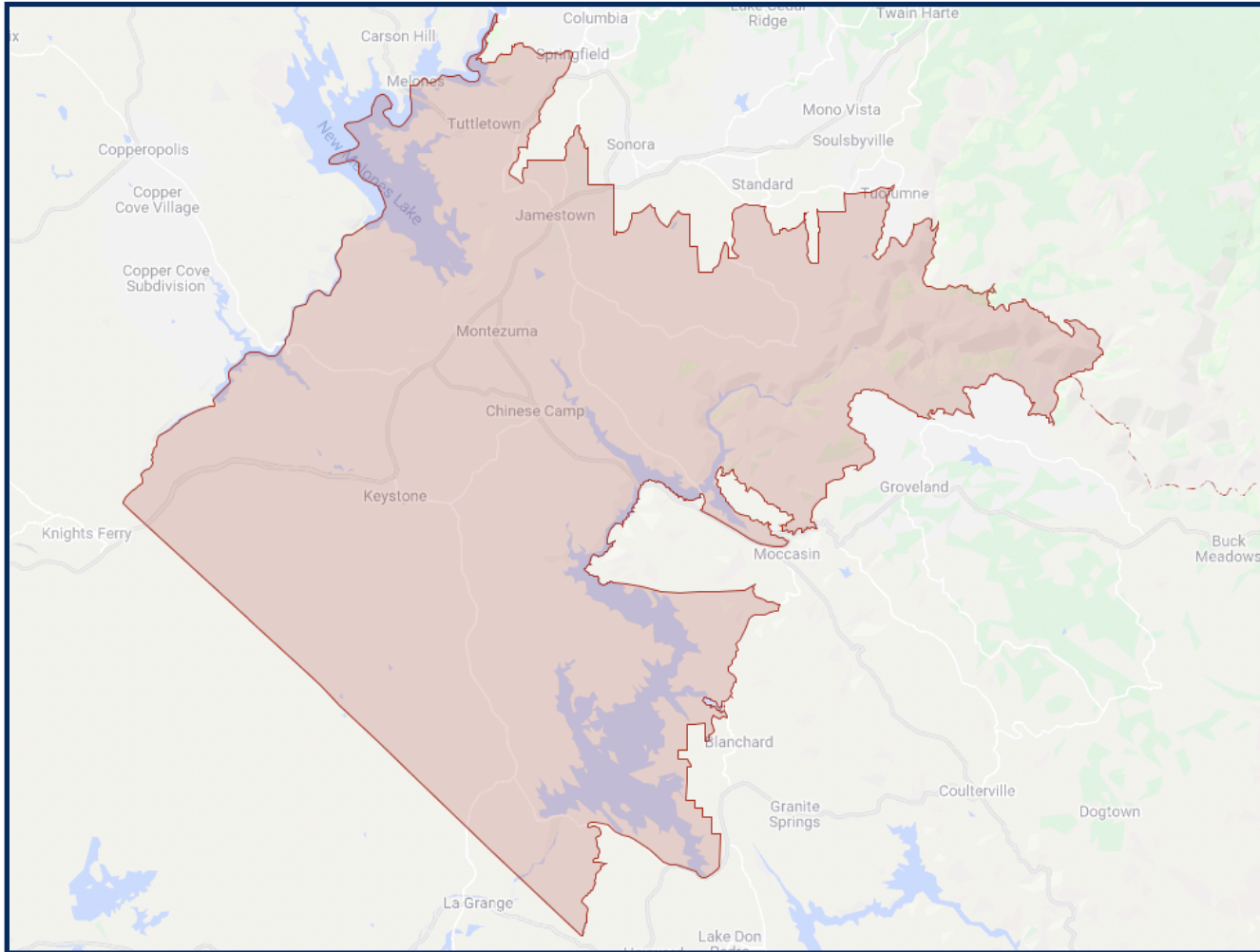
**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT 3



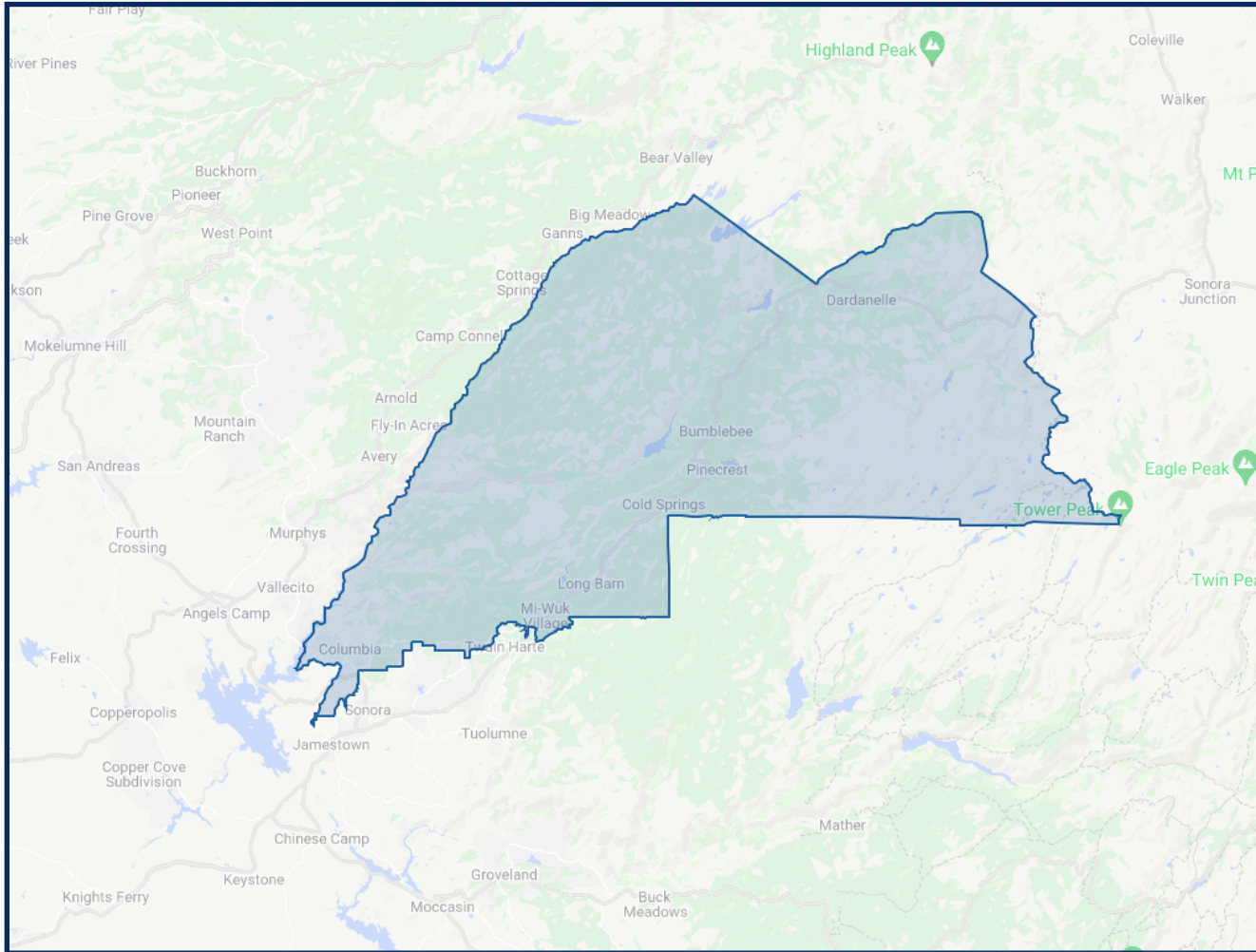
DISTRICTING TUD DRAFT 3

DISTRICT 1



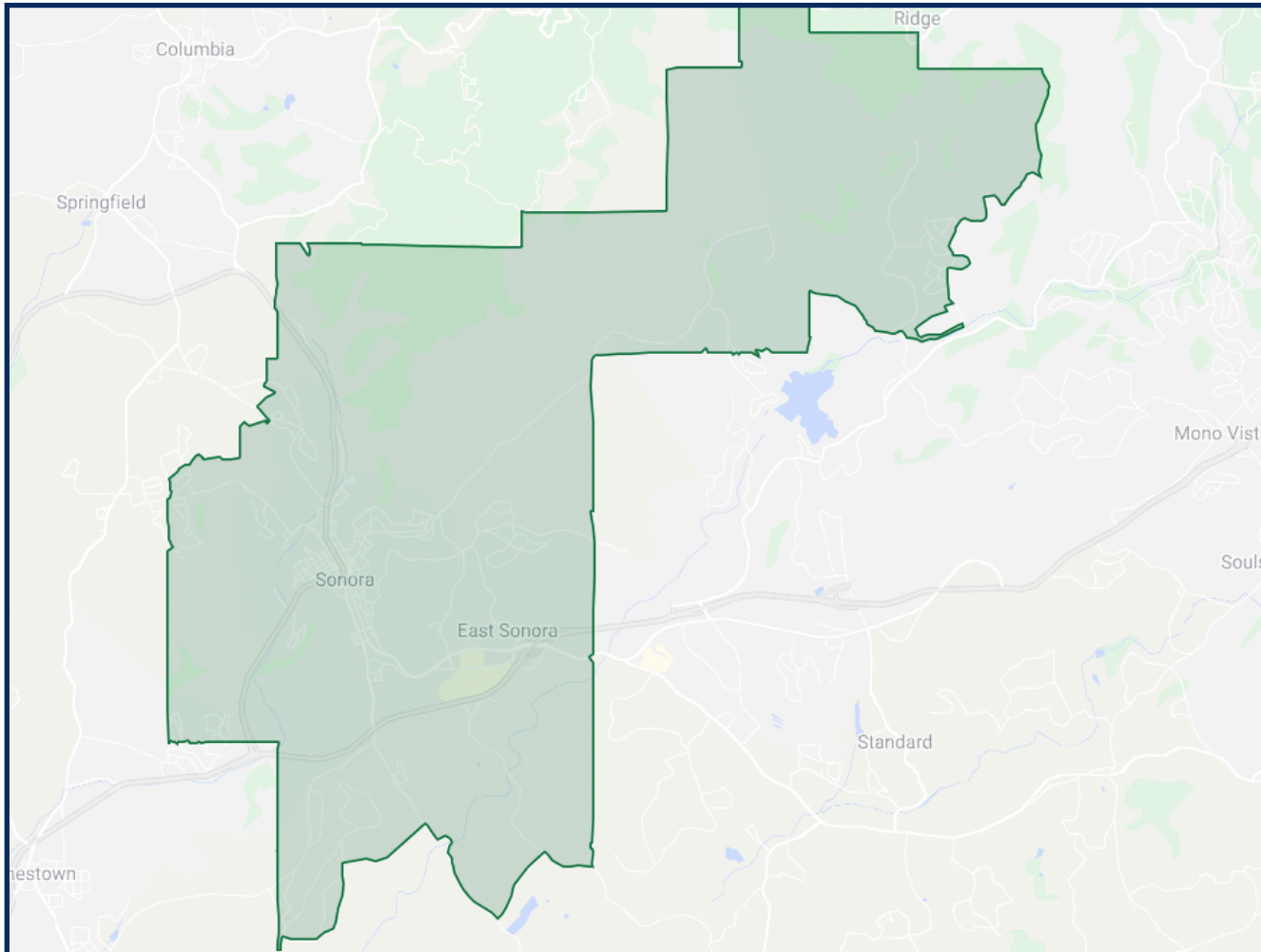
	2020 Count*	2019 CVAP*
Total	9,186	7,028
White	77.14%	88.76%
Black	0.56%	0.81%
Asian	1.13%	0.11%
Hispanic	12.81%	9.76%
Native American	1.70%	1.00%

DISTRICT 2



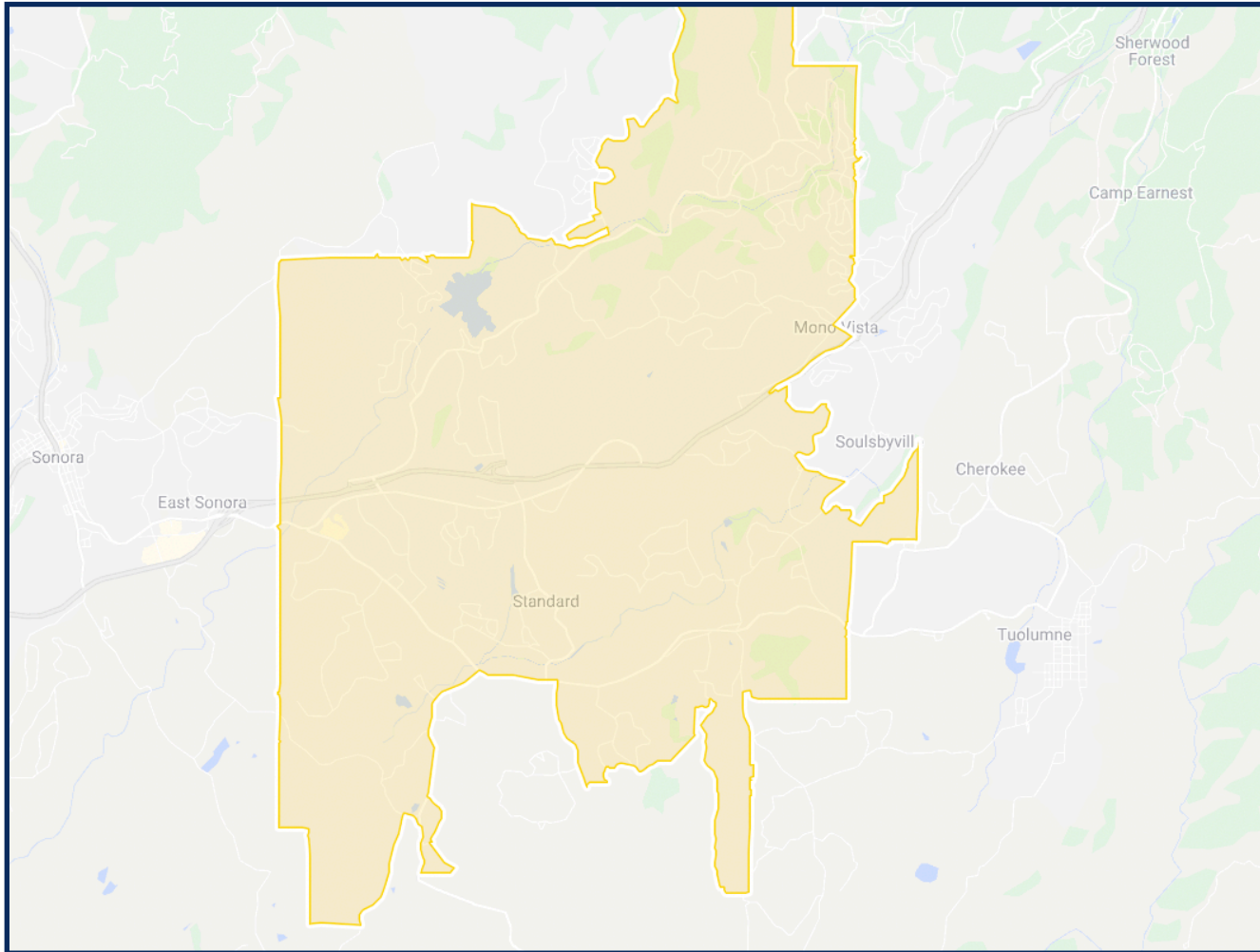
	2020 Count*	2019 CVAP*
Total	9,730	7,202
White	79.46%	85.75%
Black	0.25%	0.00%
Asian	1.15%	0.22%
Hispanic	10.61%	9.07%
Native American	1.16%	1.46%

DISTRICT 3



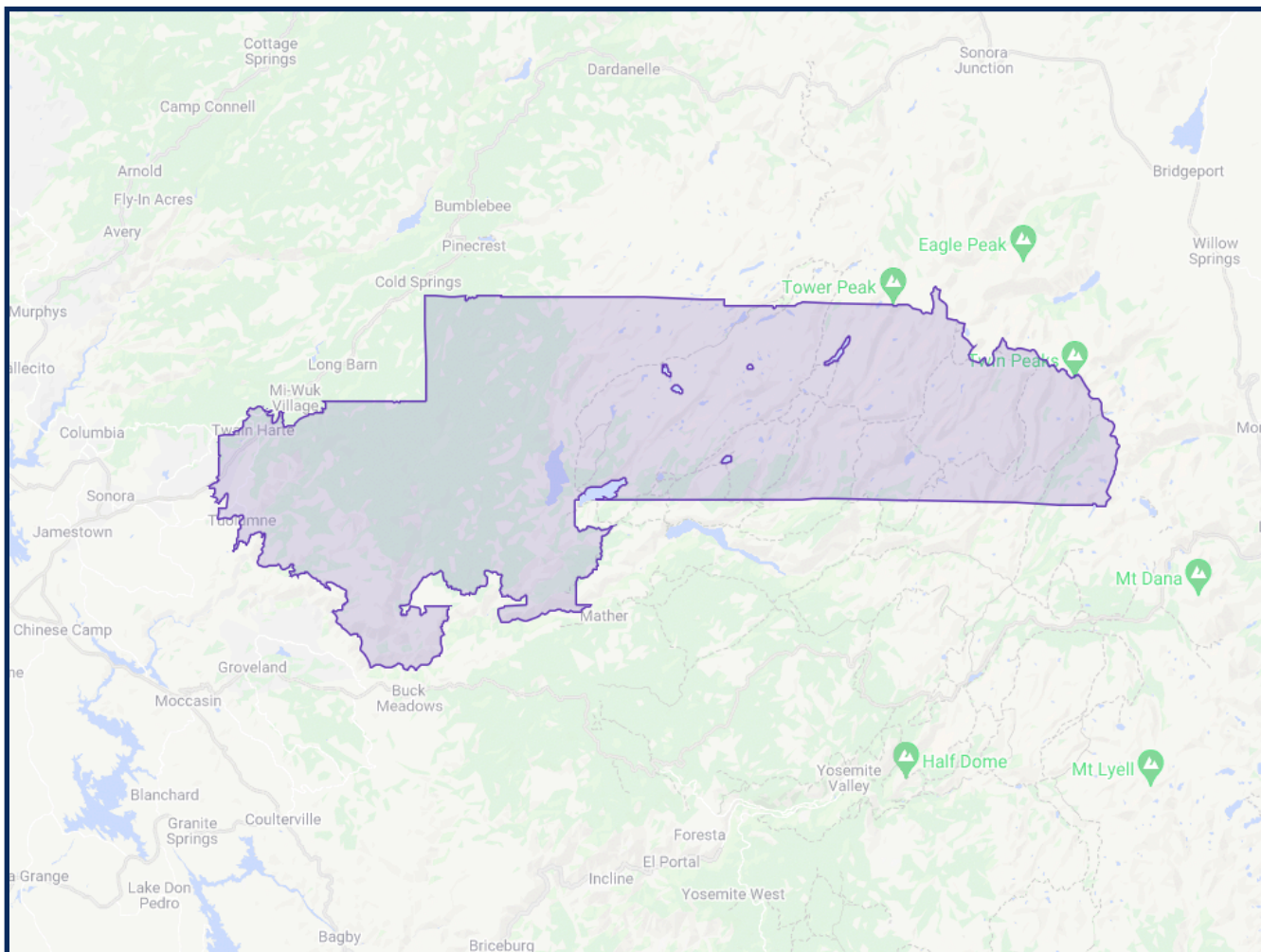
	2020 Count*	2019 CVAP*
Total	9,748	7,210
White	78.09%	84.44%
Black	0.53%	0.86%
Asian	2.90%	1.96%
Hispanic	11.01%	9.74%
Native American	1.16%	1.04%

DISTRICT 4



	2020 Count*	2019 CVAP*
Total	9,717	8,510
White	79.84%	86.89%
Black	0.29%	0.02%
Asian	0.80%	0.21%
Hispanic	11.30%	8.04%
Native American	0.99%	1.99%

DISTRICT 5



	2020 Count*	2019 CVAP*
Total	9,678	7,658
White	78.63%	84.15%
Black	0.23%	0.05%
Asian	0.77%	0.35%
Hispanic	10.78%	11.62%
Native American	2.62%	1.63%

DISTRICTING TUD

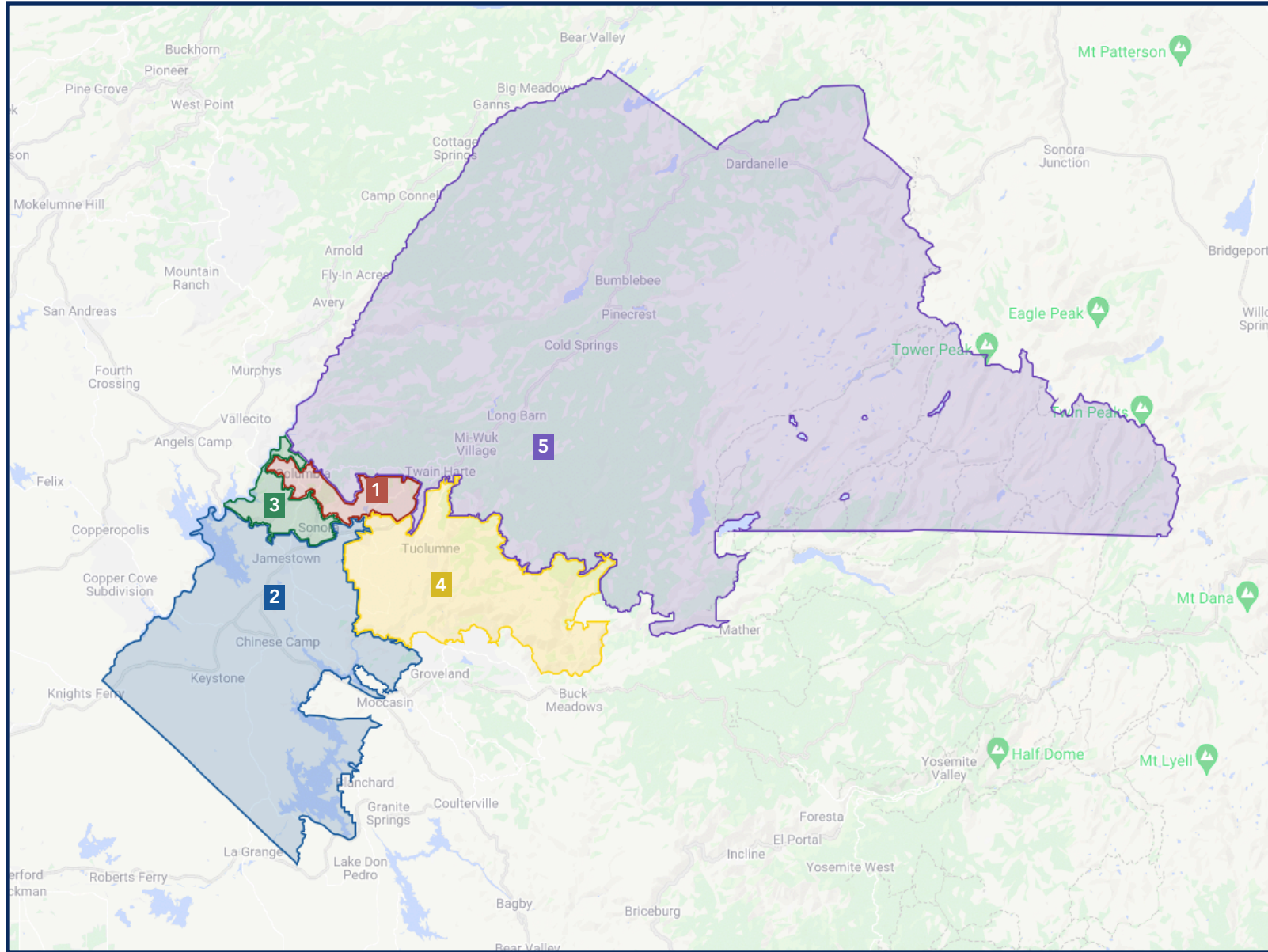
DRAFT 4

	DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
2020 Census Count*	9,712	9,173	9,749	9,729	9,696
Deviation #	100	-439	137	117	84
Deviation %	1.0%	-4.6%	1.4%	1.2%	0.9%
2010 Census Count	9,175	12,857	9,118	9,639	9,918
2019 CVAP*	7,976	6,962	7,089	8,121	7,460
2010 CVAP	7,032	11,346	7,459	7,563	7,981



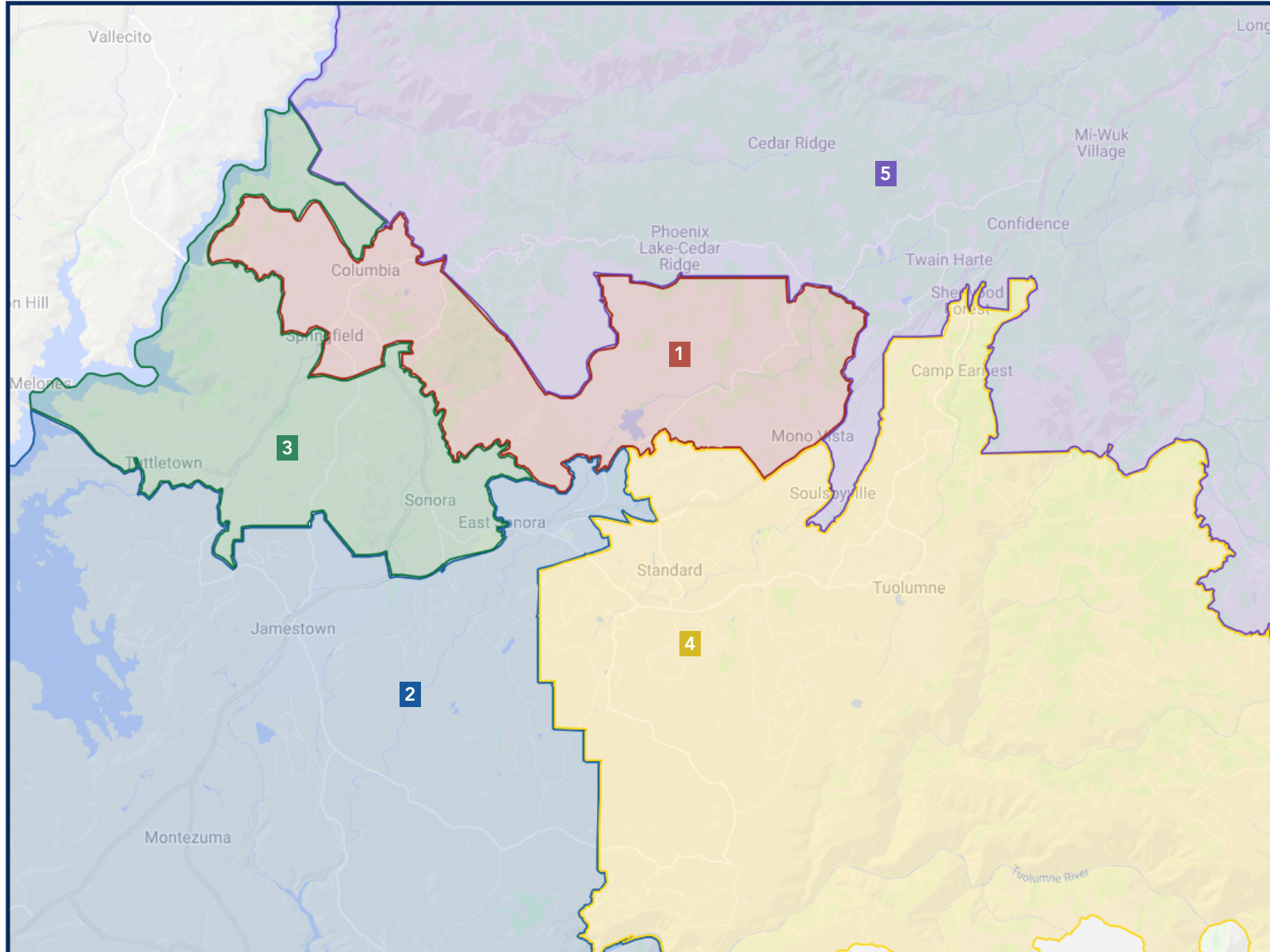
*Adjusted for prisoner reallocation

DISTRICTING TUD DRAFT 4

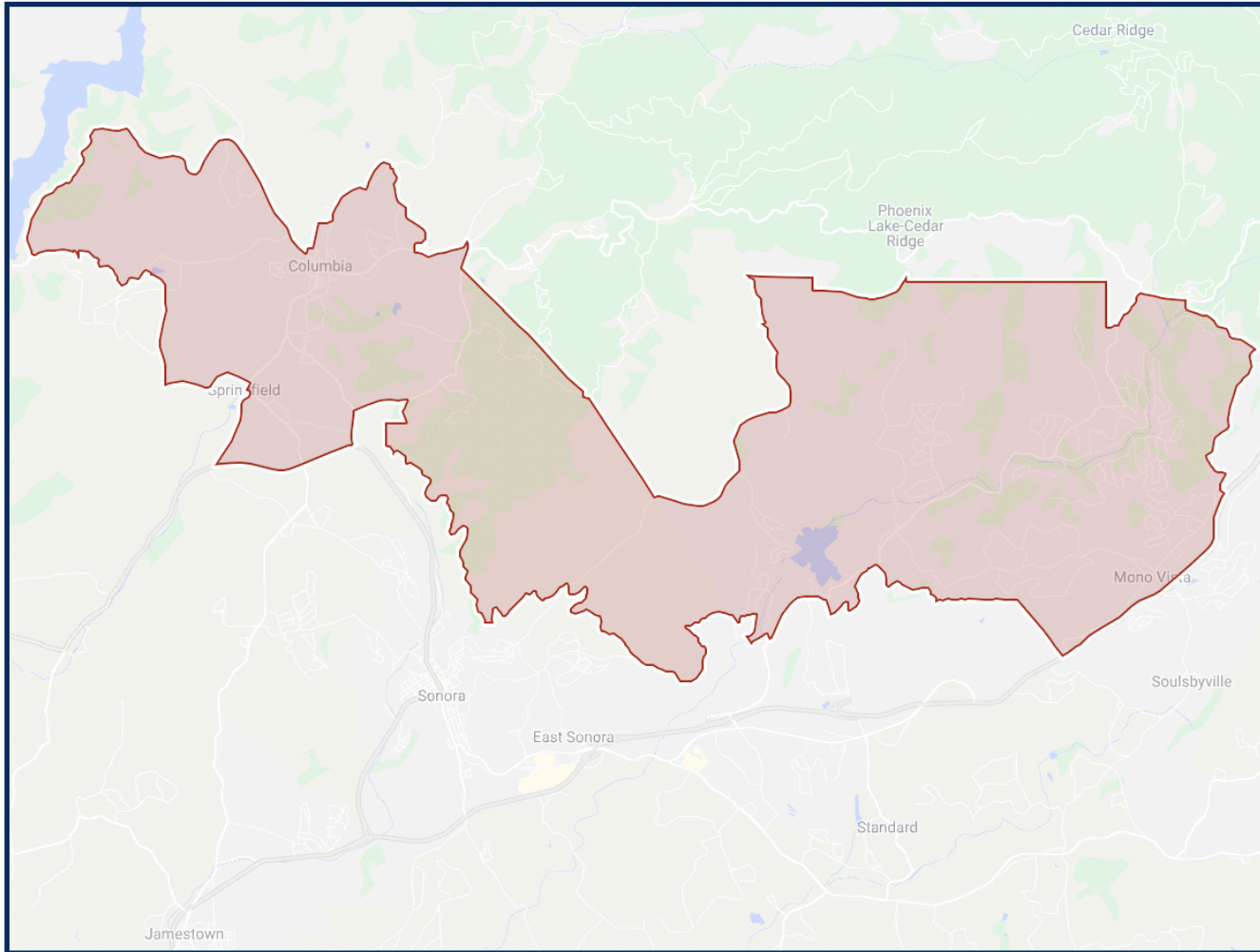


**Adjusted for prisoner reallocation*

DISTRICTING TUD DRAFT 4

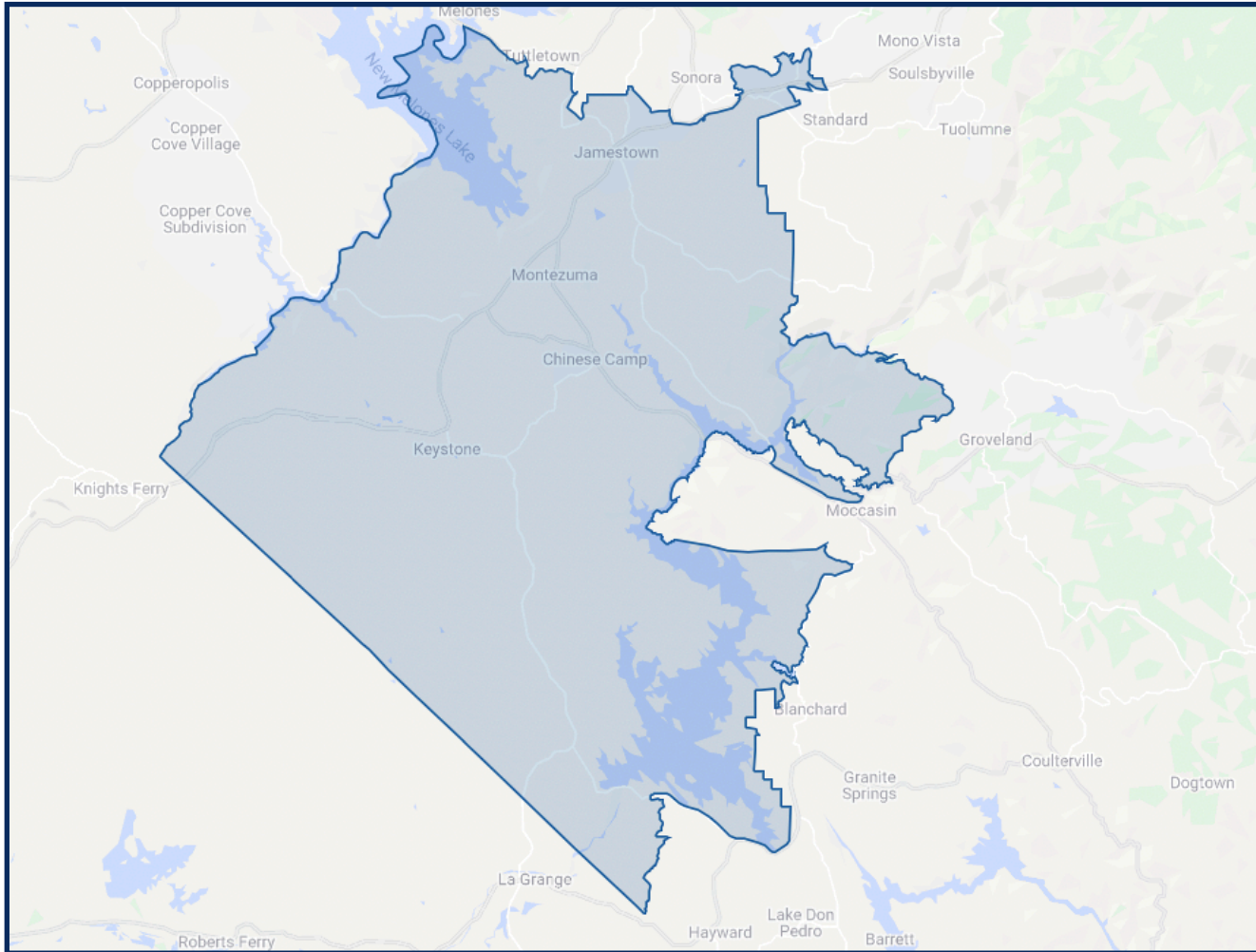


DISTRICT 1



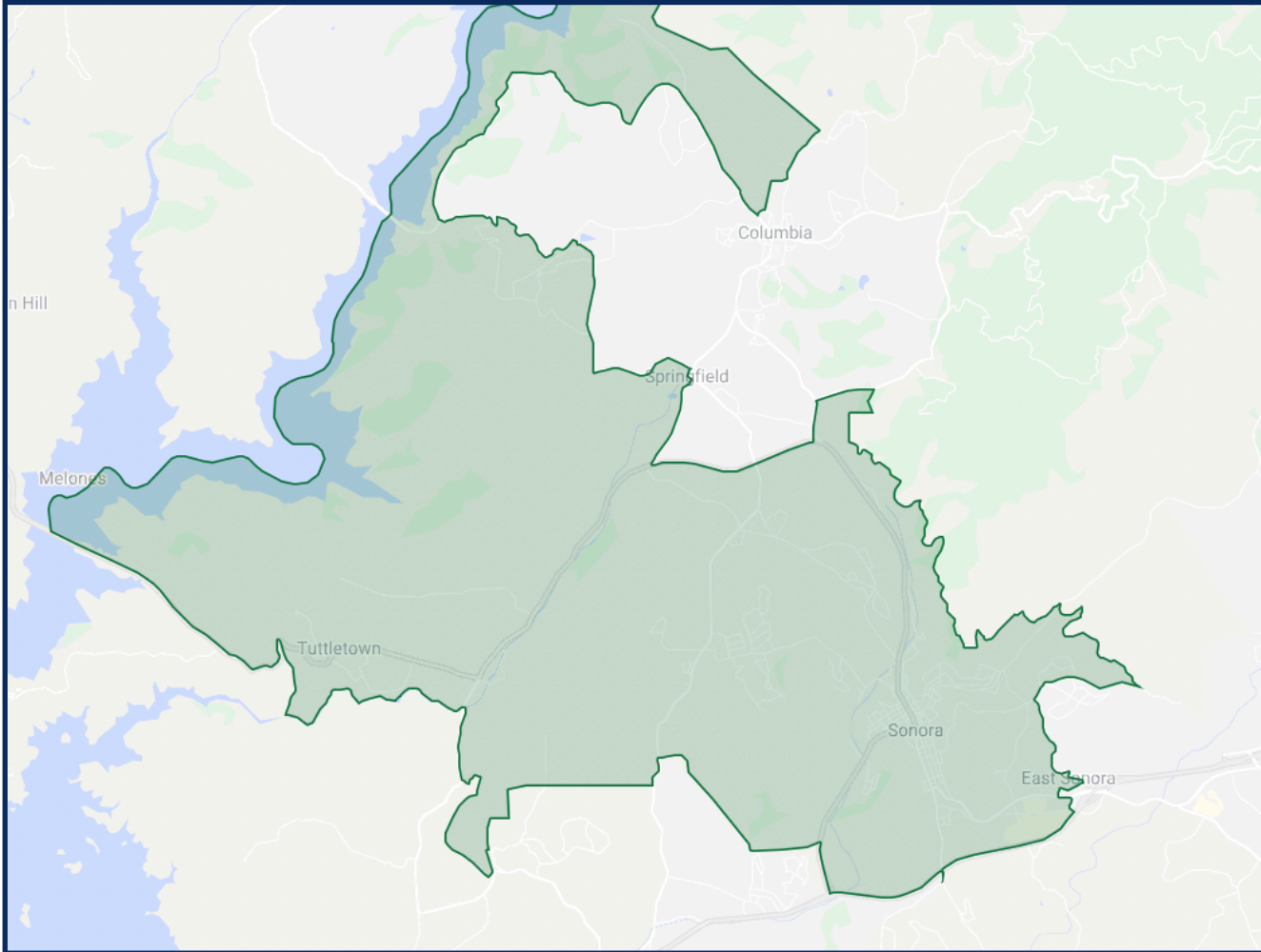
	2020 Count*	2019 CVAP*
Total	9,712	7,976
White	78.31%	88.44%
Black	0.37%	0.01%
Asian	1.18%	0.19%
Hispanic	11.67%	7.72%
Native American	1.19%	0.16%

DISTRICT 2



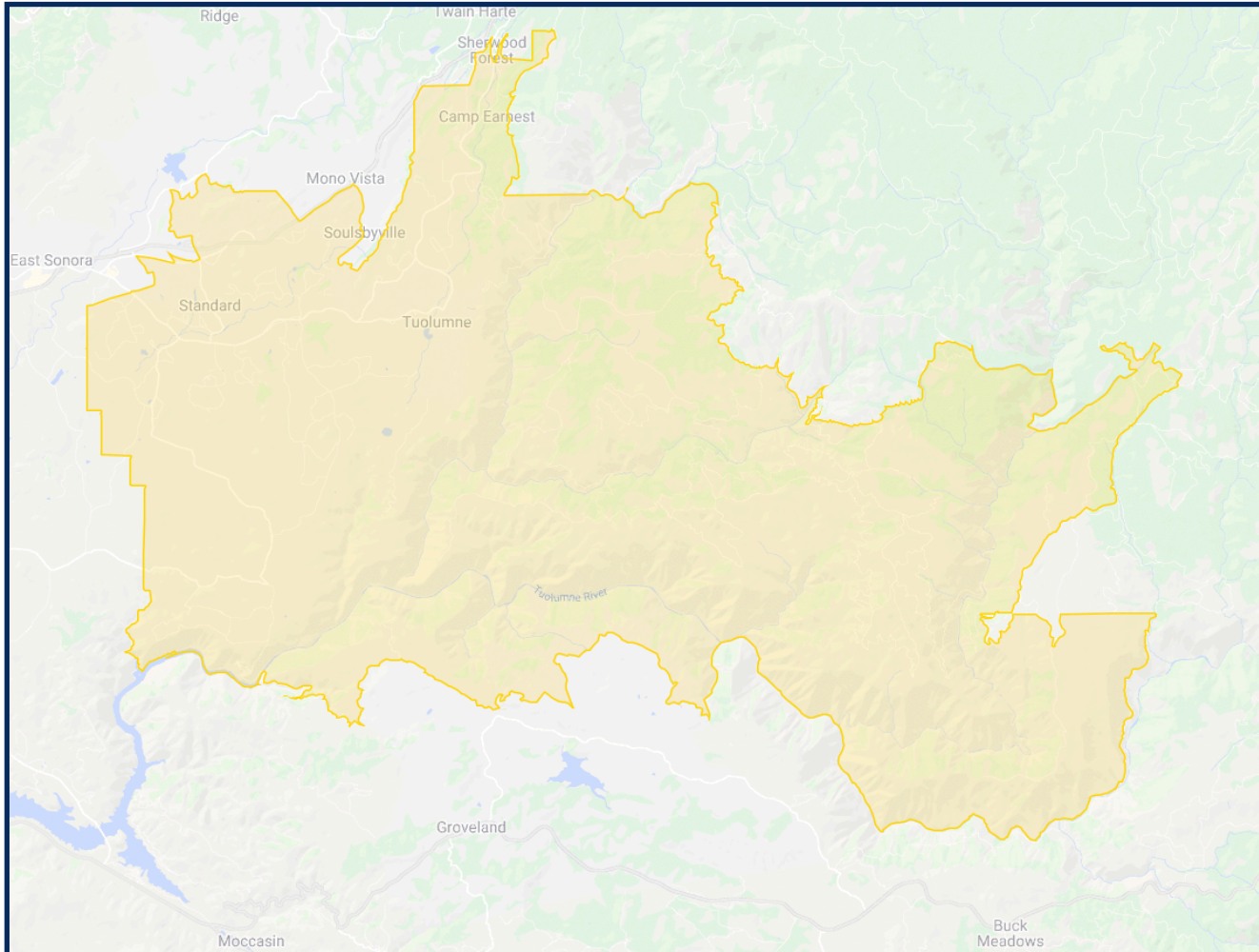
	2020 Count*	2019 CVAP*
Total	9,173	6,962
White	76.90%	87.52%
Black	0.59%	0.82%
Asian	1.64%	0.09%
Hispanic	12.72%	10.24%
Native American	1.47%	1.01%

DISTRICT 3



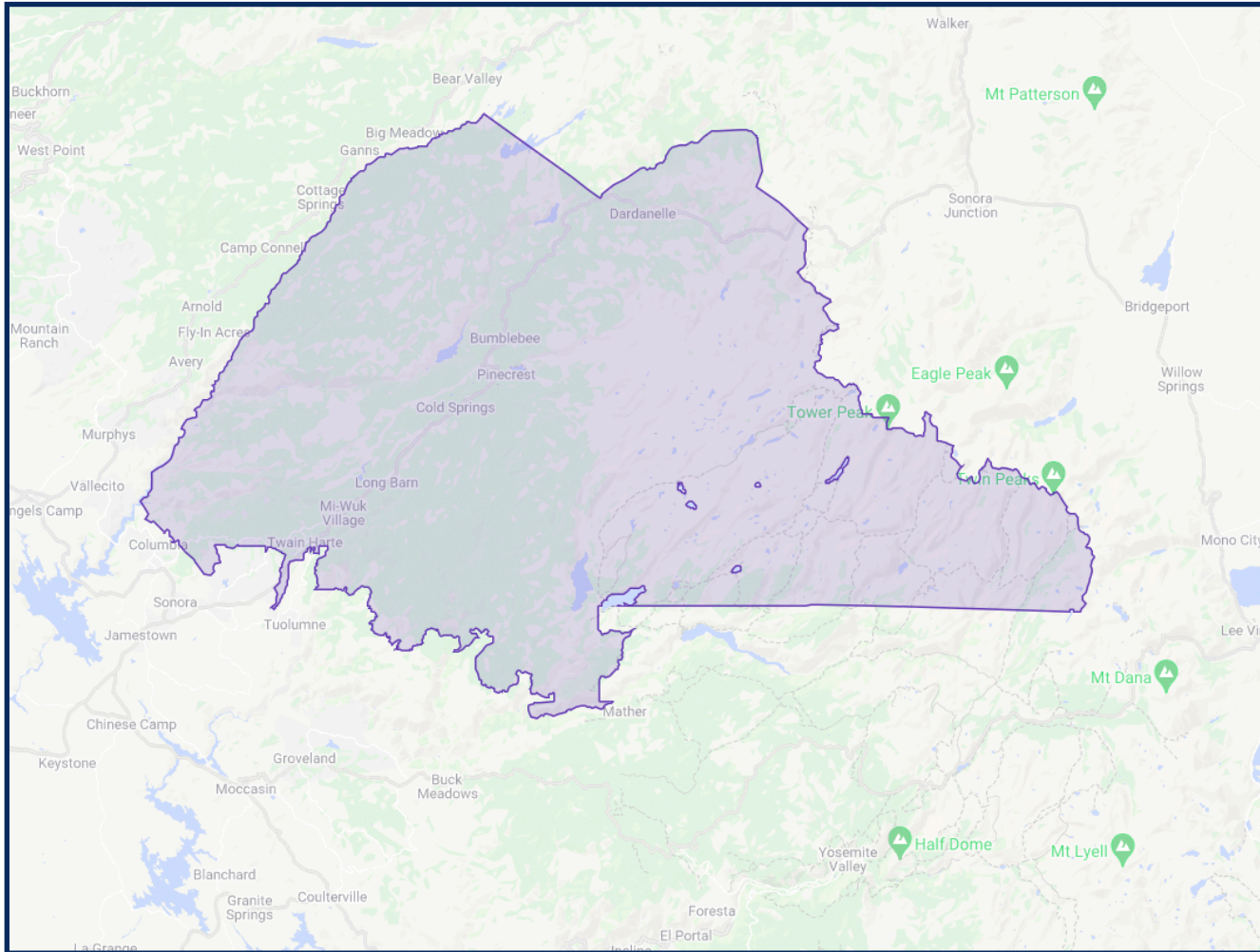
	2020 Count*	2019 CVAP*
Total	9,749	7,089
White	76.86%	83.47%
Black	0.53%	0.87%
Asian	2.46%	1.93%
Hispanic	12.11%	10.88%
Native American	1.16%	0.68%

DISTRICT 4



	2020 Count*	2019 CVAP*
Total	9,729	8,121
White	79.78%	85.20%
Black	0.11%	0.05%
Asian	0.71%	0.57%
Hispanic	10.39%	8.87%
Native American	2.81%	3.30%

DISTRICT 5



	2020 Count*	2019 CVAP*
Total	9,696	7,460
White	81.30%	85.21%
Black	0.25%	0.01%
Asian	0.80%	0.08%
Hispanic	9.60%	10.66%
Native American	0.98%	1.94%

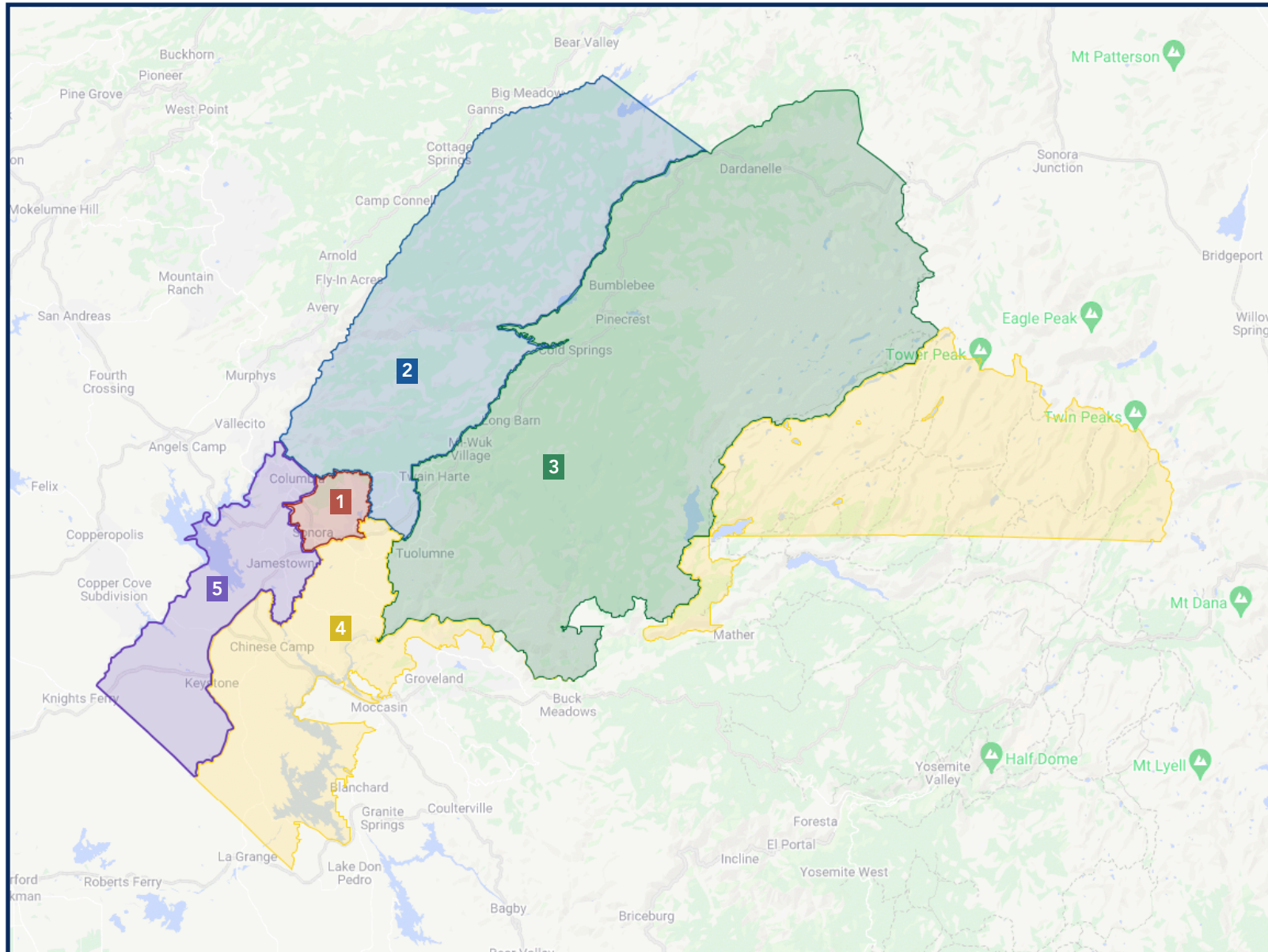
DISTRICTING TUD DRAFT 5 (SUPERVISORS)

	DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
2020 Census Count*	10,894	10,152	10,514	5,493	11,006
Deviation #	1,282	540	902	-4,119	1,394
Deviation %	13.3%	5.6%	9.4%	-42.9%	14.5%
2010 Census Count	10,231	10,099	10,565	5,659	14,153
2019 CVAP*	7,925	8,335	8,231	4,724	8,393
2010 CVAP	7,848	7,734	8,300	6,579	10,919



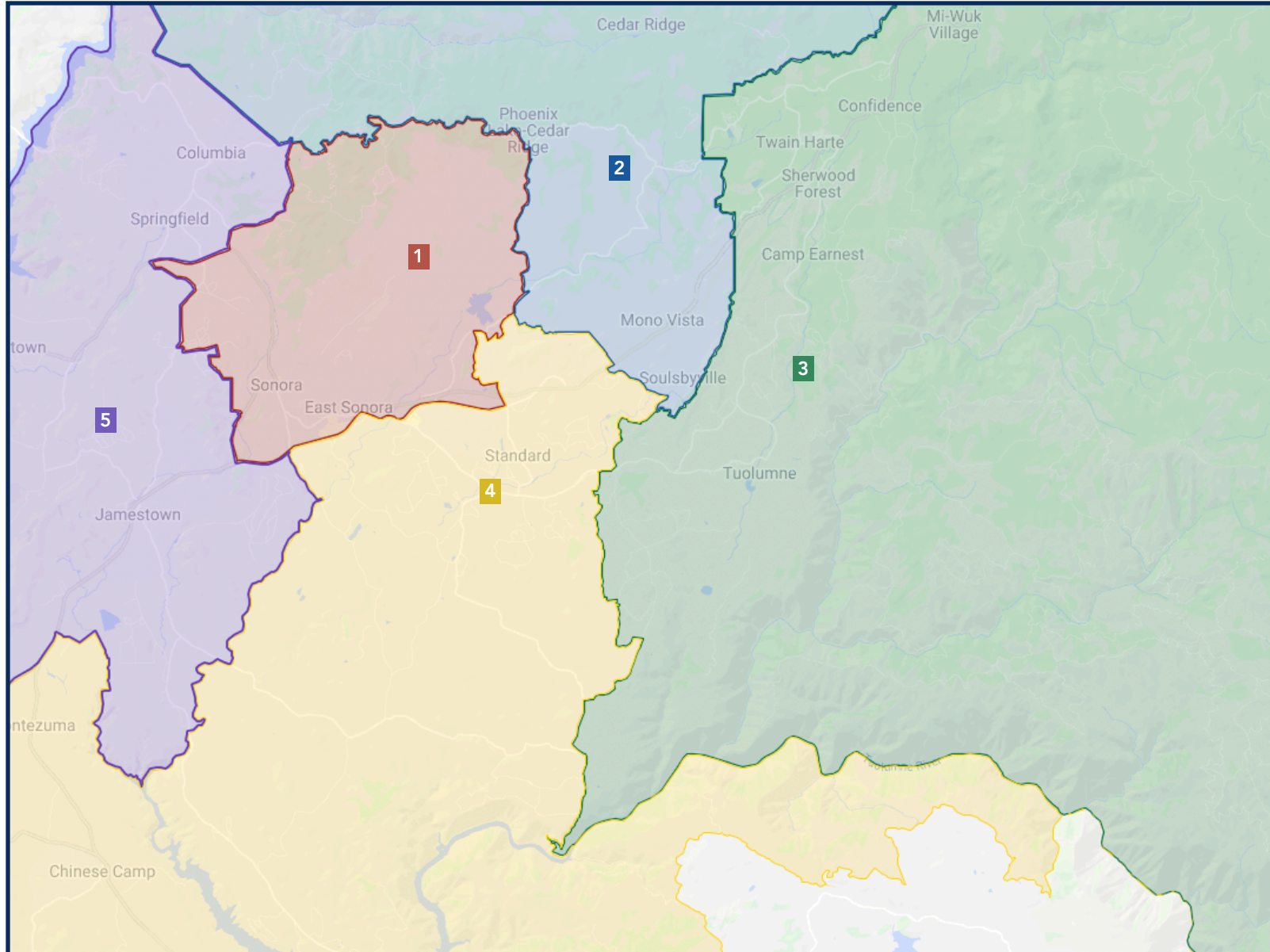
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DISTRICTING TUD DRAFT 5 (SUPERVISORS)



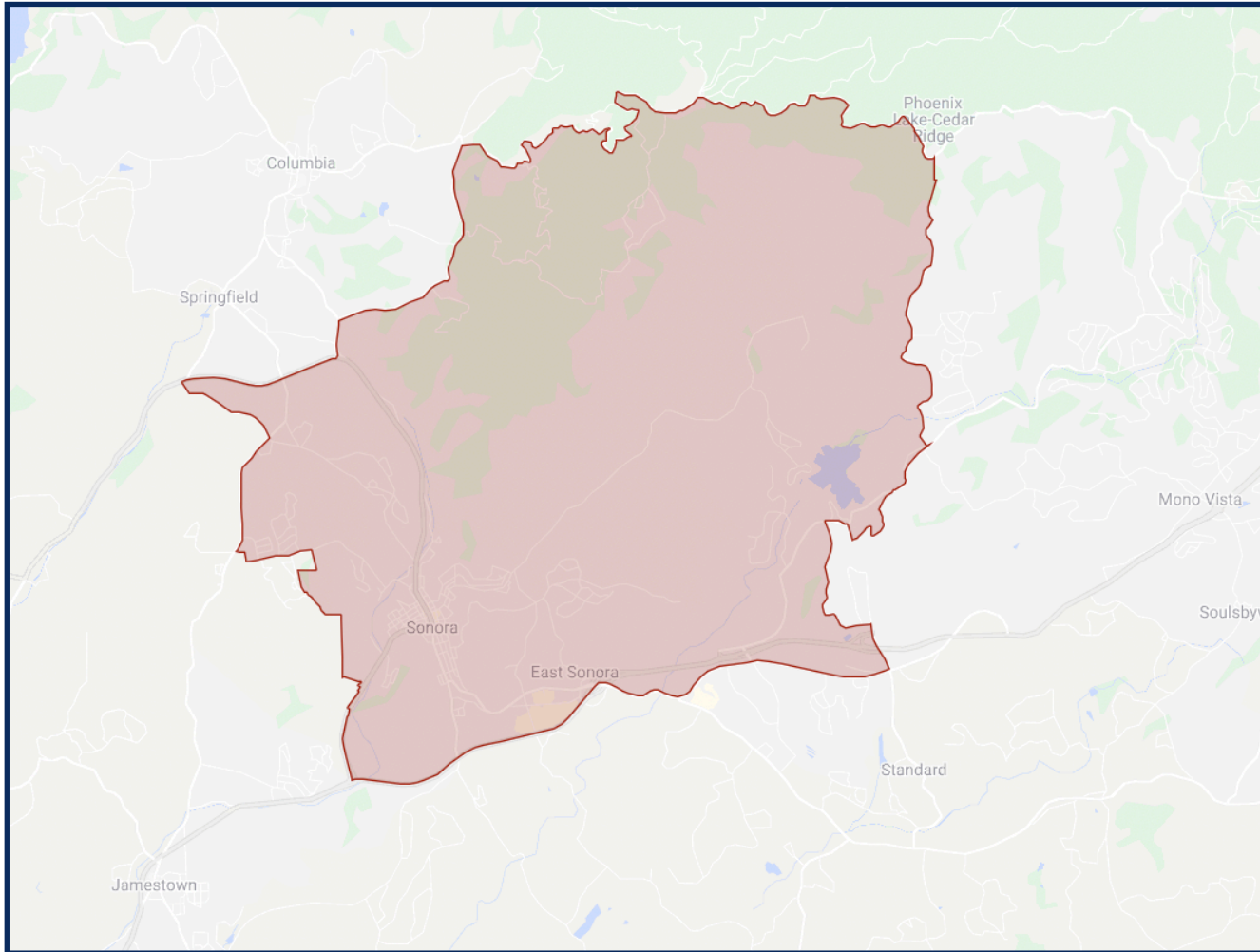
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DISTRICTING TUD DRAFT 5 (SUPERVISORS)



DISTRICTING TUD DRAFT 5 (SUPERVISORS)

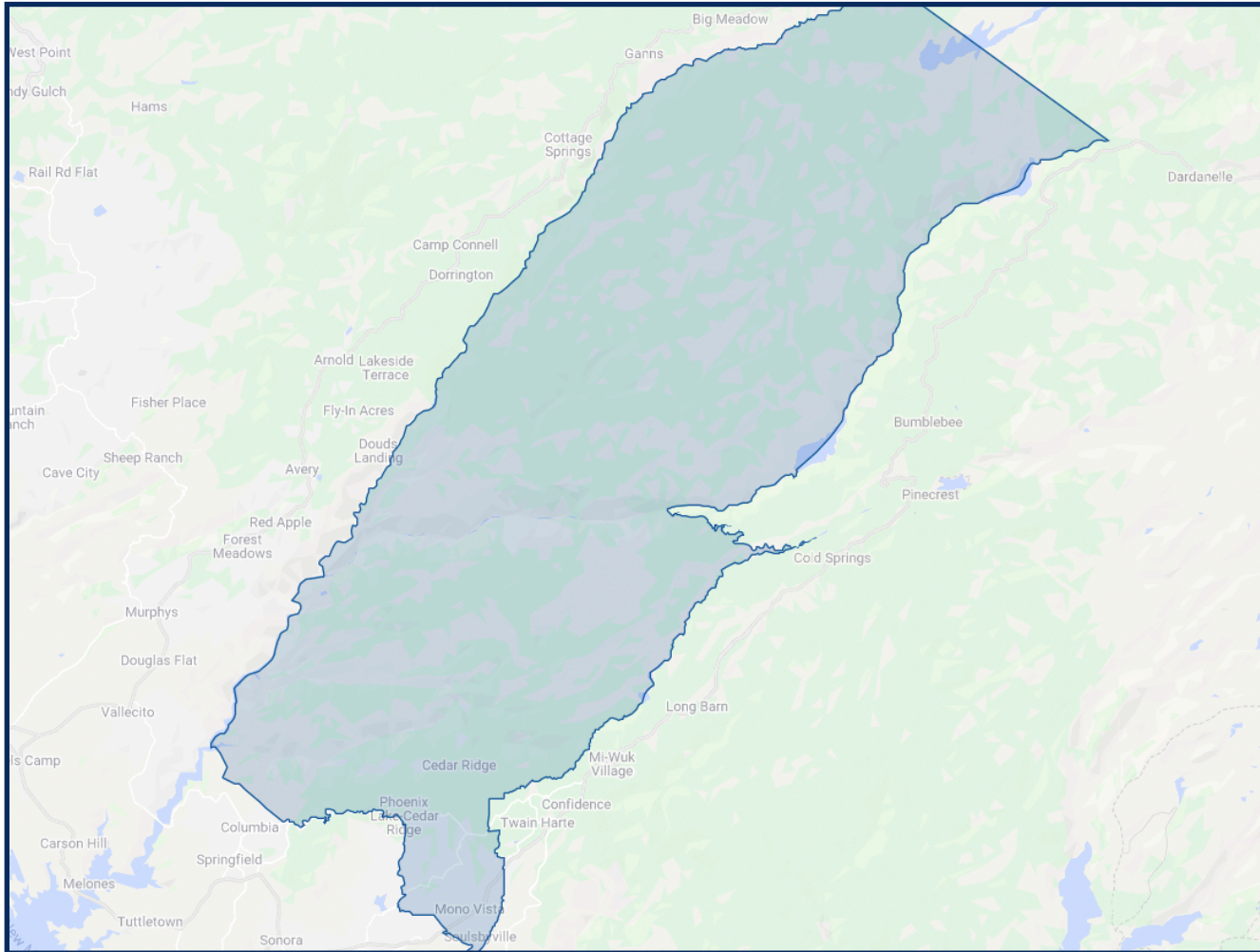
DISTRICT 1



	2020 Count*	2019 CVAP*
Total	10,894	7,925
White	77.58%	83.50%
Black	0.53%	0.78%
Asian	2.61%	1.74%
Hispanic	11.45%	9.72%
Native American	1.13%	1.44%

DISTRICTING TUD DRAFT 5 (SUPERVISORS)

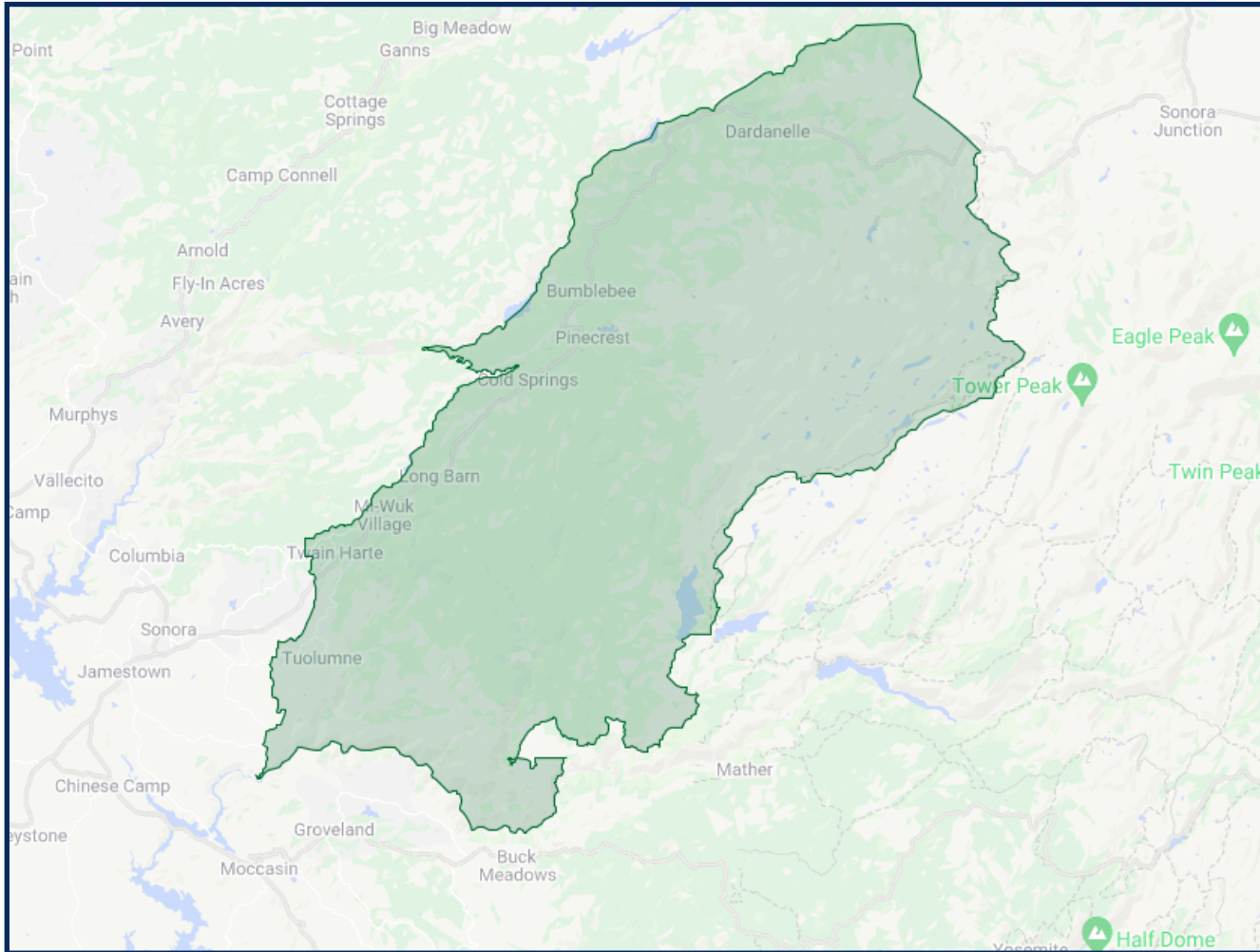
DISTRICT 2



	2020 Count*	2019 CVAP*
Total	10,152	8,335
White	79.11%	84.82%
Black	0.33%	0.02%
Asian	0.77%	0.14%
Hispanic	11.32%	9.95%
Native American	1.15%	1.31%

DISTRICTING TUD DRAFT 5 (SUPERVISORS)

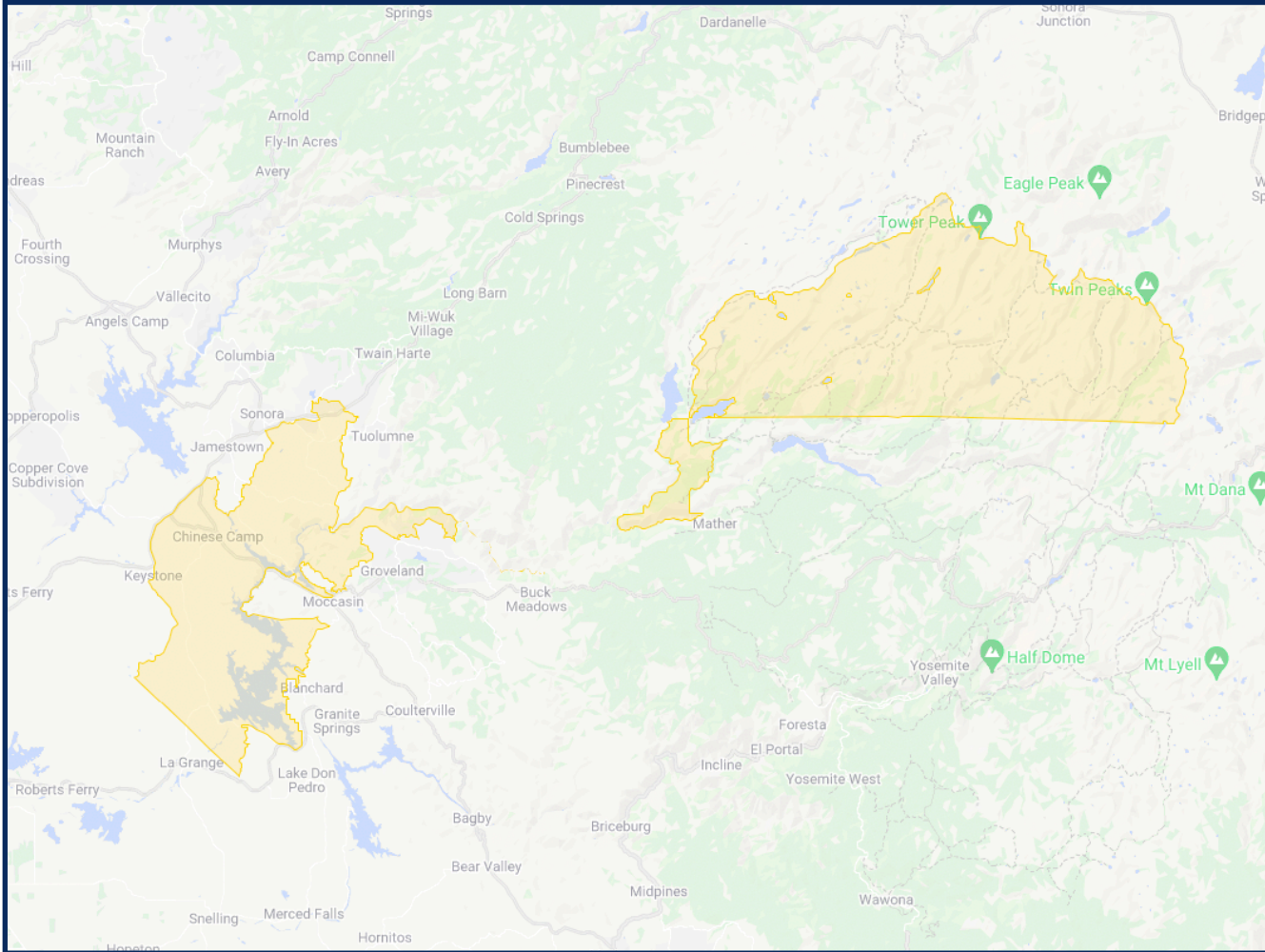
DISTRICT 3



	2020 Count*	2019 CVAP*
Total	10,514	8,231
White	79.88%	86.75%
Black	0.14%	0.04%
Asian	0.74%	0.32%
Hispanic	9.79%	9.68%
Native American	2.54%	1.39%

DISTRICTING TUD DRAFT 5 (SUPERVISORS)

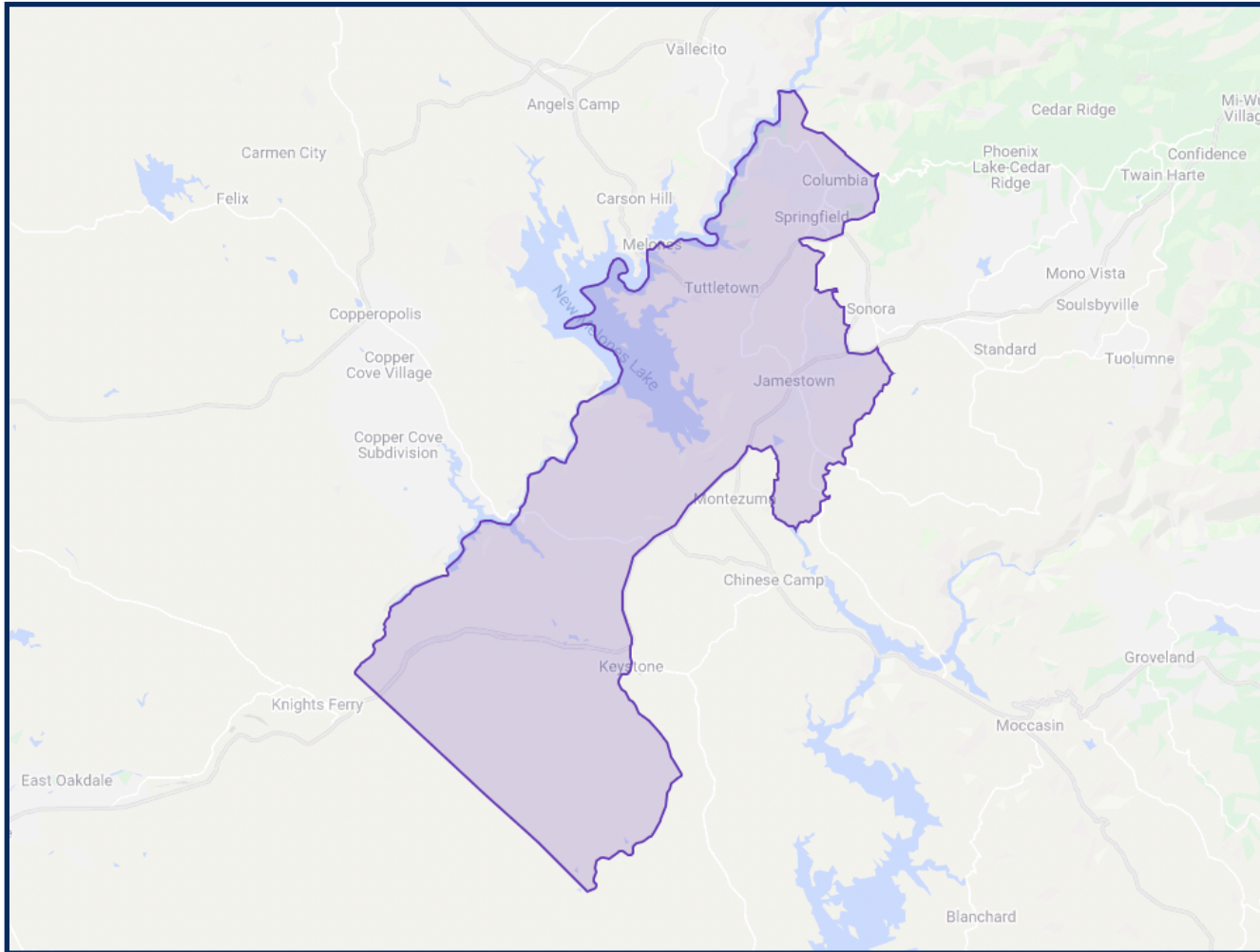
DISTRICT 4



	2020 Count*	2019 CVAP*
Total	5,493	4,724
White	81.72%	88.23%
Black	0.25%	1.21%
Asian	0.84%	0.40%
Hispanic	10.69%	7.15%
Native American	0.95%	2.12%

DISTRICTING TUD DRAFT 5 (SUPERVISORS)

DISTRICT 5



	2020 Count*	2019 CVAP*
Total	11,006	8,393
White	76.56%	87.51%
Black	0.51%	0.01%
Asian	1.51%	0.18%
Hispanic	12.82%	10.50%
Native American	1.57%	1.27%



*Adjusted for prisoner reallocation

**TWAIN HARTE COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 22-13**

**OPPOSING INITIATIVE 21-0042A1 – “LIMITS ABILITY OF VOTERS AND STATE
AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT
SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT.”**

WHEREAS, an association representing California’s wealthiest corporations and developers is spending millions to push a deceptive proposition aimed for the November 2022 statewide ballot; and

WHEREAS, the proposed proposition, Initiative 21-0042A1, has received the official title: “LIMITS ABILITY OF VOTERS AND STATE AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT.”; and

WHEREAS, the measure includes provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure exposes taxpayers to a new wave of costly litigation, limits the discretion and flexibility of locally elected boards to respond to the needs of their communities, and injects uncertainty into the financing and sustainability of critical infrastructure; and

WHEREAS, the measure severely restricts state and local officials’ ability to protect our environment, public health and safety, and our neighborhoods against corporations and others who violate the law; and

WHEREAS, the measure creates new constitutional loopholes that would allow corporations to pay less than their fair share for the impacts they impose on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure threatens billions of dollars currently dedicated to state and local services, and could force cuts to all of Twain Harte Community Services District’s (District) services – water, sewer, park and fire and emergency response; and

WHEREAS, the measure would also reduce funding for other important services, such as public schools, law enforcement, public health, libraries, affordable housing, services to address homelessness, and mental health services; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, ports, drinking water, sanitation, utilities, and more.

NOW, THEREFORE, BE IT RESOLVED, by the District Board of Directors that:

1. The District opposes Initiative 21-0042A1; and

2. The District will join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state; and
3. District staff is directed to email a copy of this adopted resolution to the California Special Districts Association at advocacy@cdda.net.

PASSED AND ADOPTED, by the Board of Directors of Twain Harte Community Services District at their Regular Meeting on April 13, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Gary Sipperley, Board President

Kimberly Silva, Board Secretary



BALLOT INITIATIVE #21-0042A1

LIMITS ABILITY OF VOTERS AND STATE AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT.

November 8, 2022 General Election

BACKGROUND

The purported “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the [California Business Roundtable](#) (“CBRT”), is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

In order to qualify for the ballot, proponents must collect 997,139 valid signatures from California voters. The California Secretary of State’s recommended last day to submit signatures to counties to qualify for the November 8, 2022 statewide general election is April 29, 2022. The last day for measures to be certified for the ballot or withdrawn from the ballot is June 30, 2022.

SUMMARY

Ballot Initiative [21-0042A1](#) would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.
- Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative’s proponents and plaintiffs; creating new grounds to challenge these funding sources and disrupting fiscal certainty.
- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

The initiative includes provisions that would retroactively void *all* state and local taxes or fees adopted after January 1, 2022 if they did not align with the provisions of this initiative. This may also affect indexed fees that adjust over time for inflation or other factors. Effectively, it would



allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.

Specifically, among other provisions effecting the state government, the initiative would impact local agencies through changes to the California Constitution as follows:

Restricting Local Tax and Fee Authority to Provide Local Services

Fees:

- With few exceptions, fees and charges shall not exceed the “actual cost” of providing the product or service for which the fee is charged.
 - “Actual cost” is defined as the “...*minimum amount necessary...less other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds...*”
- The burden on the local government to prove the fee or charge does not exceed “actual cost” is heightened from a “*preponderance of the evidence*” to “*clear and convincing evidence*”.
- In addition to limiting fees and charges to the actual cost to the local government for providing the service, fees and charges must also be “reasonable” to the payor themselves; no definition is provided for this new subjective reasonableness test that is separate and apart from the test as to how closely the fee or charge is related to the cost of service.
- Defines *all* sources of revenue as either taxes or “exempt charges.”
- Includes Article XIID charges in Proposition 218 under the definition of “exempt” charges subjecting them to potential litigation.
- Exposes previously established fees indexed to inflation or other metrics to new standards and legal challenges.
- Adds to the Constitution a requirement for a board action to adopt, enact, create, establish, collect, increase, or extend any and all fees.

Taxes:

- Increases the threshold for voters to pass a local special tax initiative placed on the ballot by voters from a simple majority to a two-thirds majority, likely to address concerns over the 2017 California Supreme Court decision in *California Cannabis Coalition v. City of Upland*.
- Requires voter approval when an expansion of boundaries extends existing taxes or fees to new territory.
- New taxes can be imposed only for a specific duration.

Fines and Levees:

- Interferes with local enforcement efforts, by making it more difficult to impose fines and penalties for state and local law violations related to activities such as water discharge, waste recycling, weed abatement, fireworks, and housing code violations and unlawful commercial marijuana sales, just to name a few. The measure converts administratively



imposed fines and penalties into taxes unless a new, undefined, and ambiguous “adjudicatory due process” is followed.

Increasing Litigation Exposure

- Significantly increases a public agency’s burden of proof from “preponderance of evidence” to “clear and convincing evidence” to prove compliance with the new fee requirements. By changing evidence standards to favor corporations suing public agencies, the initiative will promote costly litigation.
- The local government would bear the burden of proving by clear and convincing evidence that a levy, charge or exaction is an “exempt charge” and not a tax. Moreover, the local government would bear the burden of proving by clear and convincing evidence that the amount of the exempt charge is *both* “reasonable” to the payor and that the amount charged does not exceed the “actual cost” of providing the service or product to the payor.
- By enacting a new requirement that all fees must be “reasonable” to the payor but offering no definition as to what “reasonable” means, the initiative provides a new avenue to challenge fees by enabling a plaintiff to claim a fee is not reasonable even if the fee meets the actual costs of service.
- Prop. 218 currently requires fees cover the *reasonable* cost of service. This initiative amends Prop. 218 to require the near-impossible standard of predicting *actual* costs years into the future. To compound this challenge, the new standard also factors in the receipt of external revenues that are constantly shifting and typically outside the control of the local agency. It defines “actual costs” as:
 - “(i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing “actual cost” the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.”
- Fosters endless litigation challenging local fees claiming they are not the “minimum amount necessary”. For instance:
 - Do roads need to be paved every 10 years or 50 years?
 - Does infrastructure need to be upgraded or replaced or not improved at all?
 - What is the minimum emergency response time necessary?

IMPACTS

- Could prevent virtually any new fees or assessments to fund water, sewer, trash, fire protection, parks and recreation, and other essential services and infrastructure.
 - Places over \$20 billion of local government fee and charge revenues over 10 years at heightened legal peril.



- Jeopardizes the public health and safety of communities by cutting off new revenue intended to pay for essential local services and infrastructure.
 - Substantially increases the legal and administrative cost of public infrastructure financing.
- With billions of dollars in deferred maintenance and unmet needs for California's infrastructure, exacerbates the neglect and deterioration of our roads, dams, waterways, and other facilities.
- By limiting revenues to the “minimum amount necessary”, imposes a “race-to-the-bottom” in California that will halt investment in technological advancements that future generations will depend upon.
- Prevents critical investments in climate adaptation and community resilience to address drought, flooding, and wildfire as well as reduce emissions and harmful pollutants.
- Exposes taxpayers to a new wave of costly litigation, limits the discretion and flexibility of locally elected boards to respond to the needs of their communities, and injects uncertainty into the financing and sustainability of critical infrastructure.
- Restricting local services and infrastructure to the lowest and minimum amount possible will disproportionately impact the most underserved communities the hardest.

SUPPORT

- California Business Roundtable (CBRT) – Sponsor
 - The CBRT website lists the following individuals as Chair and Vice-Chair:
 - Chair, Brett Bittel (Enterprise Rental Car)
 - Vice-Chair, Maryam Brown (SoCal Gas)
 - To date, financial contributors to the initiative and CBRT Issues PAC include, but are not limited to:
 - Aera Energy
 - Albertsons Safeway
 - CJ Segerstrom & Sons
 - Cypress Management Company
 - Dart Container
 - Douglas Emmett Properties
 - Five Point Operating Company
 - Grimmway Enterprises
 - Howard Jarvis Taxpayers Association
 - Kilroy Realty
 - Majestic Realty
 - Michael K. Hayde
 - Pacific Ethanol
 - PEPSICO
 - Pharmaceutical Research and Manufacturers of America
 - Sempra Energy
 - State Farm Insurance



**California Special
Districts Association**
Districts Stronger Together

- Sutter Health
- 7-Eleven

OPPOSITION

- AFSCME California
- California Alliance for Jobs
- California Professional Firefighters
- California Special Districts Association
- CalCities (League of California Cities)
- SEIU California



LEAGUE OF
**CALIFORNIA
CITIES**



CALIFORNIA
PROFESSIONAL
FIREFIGHTERS



**California Special
Districts Association**
Districts Stronger Together

For immediate release:

Feb. 2, 2022

Contact: Kayla Sherwood, (530) 844-1744, ksherwood@calcities.org

Fera Dayani, (916) 921-9111, fdayani@cpf.org

Mila Myles, (812) 240-3938, MMyles@afscme.org

Kyle Packham, (916) 642-3808, kylep@cstda.net

Public safety, labor, local government and infrastructure advocates announce strong opposition to California Business Roundtable ballot measure that would benefit wealthy corporations while decimating vital local and state services

Deceptive proposition enables large corporations to avoid paying their fair share and evade enforcement when violating environmental, public health, and safety laws

SACRAMENTO — Today, the League of California Cities, California Professional Firefighters, SEIU California, California Alliance for Jobs, AFSCME California and the California Special Districts Association announced their strong opposition to the deceptively named “[Taxpayer Protection and Government Accountability Act](#),” a ballot measure sponsored by the California Business Roundtable (CBRT), an organization that advocates on behalf of the largest and wealthiest corporations in California.

The coalition of public safety, labor, local government and infrastructure groups are vocalizing their opposition as the California Attorney General is set to issue an official Title and Summary for the measure tomorrow, February 3. Once Title and Summary is released, proponents can begin signature gathering. They must submit 997,139 valid signatures in order to qualify for the November 2022 ballot. The Secretary of State’s recommended date to turn in signatures is April 29, 2022.

“This far-reaching measure would significantly jeopardize cities’ ability to provide services and critical infrastructure to local residents,” said **Carolyn Coleman, Executive Director and CEO, League of California Cities**. “It would impose undemocratic restrictions on local voters and local governments that could force significant cuts to vital services like fire and emergency response, infrastructure, libraries, parks, sanitation, and more.”

“This irresponsible measure would significantly reduce state and local funding available for fire prevention and response, including emergency services,” said **Brian K. Rice, President, California Professional Firefighters**. “At a time when our state and local communities are reeling from the impacts of intense and prolonged wildfires, this proposition interferes with the ability of firefighters and first responders to do our jobs and keep the public safe.”

The CBRT measure would create major new loopholes that allow wealthy corporations to avoid paying their fair share for the impacts they have on our communities; while also allowing corporations to evade enforcement when they violate environmental, health, safety and other state and local laws. It would also significantly restrict the ability of local voters, local governments, and state elected officials to fund critical services like public schools, fire and emergency response, public health, parks, libraries, affordable housing, homeless and mental health services, and public infrastructure.

“This initiative is a deceptive scheme written and paid for by wealthy corporations for their sole benefit,” said **Tia Orr, Interim Executive Director, SEIU California**. “These rich corporations are trying to create constitutional loopholes to avoid paying their fair share, while shifting the burden onto hardworking Californians.”

“This measure would make it much more difficult to fund critical infrastructure that’s needed in California,” said **Michael Quigley, Executive Director, California Alliance for Jobs**. “It would undercut our ability to invest in virtually every form of infrastructure, including safe bridges, local streets and roads, public transportation, drinking water quality, new schools, and utilities.”

“This proposition would make it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods,” said **Alia Griffing, Political and Legislative Director, AFSCME California**. “It’s a get out of jail free card for wealthy corporations that will hurt our efforts to provide critical public services necessary to keep our communities healthy and safe.”

“This measure exposes taxpayers to a new wave of costly litigation, limits the discretion of locally elected officials to respond to the needs of their communities, and injects uncertainty into financing critical infrastructure,” said **Neil McCormick, CEO, California Special Districts Association**. “We are in strong opposition to this dangerous measure that jeopardizes the health and safety of communities and prevents critical investments in climate adaptation and community resilience to address drought, flooding, and wildfire as well as reduce emissions and harmful pollutants.”

Background:

A broad and growing coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses **opposes this measure**. The measure:

Gives Wealthy Corporations a Major Loophole to Avoid Paying their Fair Share - Forcing Local Residents and Taxpayers to Pay More

- The measure creates new constitutional loopholes that **allow corporations to pay far less than their fair share for the impacts they have on our communities**, including local infrastructure, our environment, water quality, air quality, and natural resources – shifting the burden and making individual taxpayers pay more.

Allows Corporations to Dodge Enforcement When They Violate Environmental, Health, Public Safety and Other Laws

- It creates new loopholes that makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods.

Jeopardizes Vital Local and State Services

- This far-reaching measure **puts at risk billions of dollars currently dedicated to critical state and local services**.
- It could **force cuts** to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services and more.
- It would also **reduce funding for critical infrastructure** like streets and roads, public transportation, drinking water, new schools, sanitation, utilities and more.

Opens the Door for Frivolous Lawsuits, Bureaucracy and Red Tape that Will Cost Taxpayers and Hurt Our Communities

- The measure will encourage **frivolous lawsuits, bureaucracy and red tape that will cost local taxpayers millions** — while significantly **delaying and stopping investments in infrastructure and vital services**.

Undermines Voter Rights, Transparency, and Accountability

- It would **limit voter input** by prohibiting local advisory measures, where voters provide direction to politicians on how they want their local tax dollars spent.
- It would change our constitution to make it more difficult for local and state voters to pass measures needed to fund local services and local infrastructure.
- It also includes a hidden provision that **would retroactively cancel measures that were passed by local voters** — effectively undermining the rights of voters to decide for themselves what their communities need.

**TWAIN HARTE COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 22-14**

**APPROVAL OF FISCAL YEAR 2021-22 WATER, SEWER AND PARK FUNDS
BUDGET ADJUSTMENTS IN THE AMOUNT OF \$14,208 FOR OPERATIONS
DIVISION PERSONNEL CHANGES**

WHEREAS, Twain Harte Community Services District (District) recently conducted an external recruitment process for the positions of Utility Operator I and Utility Operator II; and

WHEREAS, the recruitment process resulted in the interview and assessment of several qualified candidates and the hiring of two new employees to fill Utility Operator positions: and

WHEREAS, the District is currently conducting an internal recruitment to fill Utility Operator II and Utility Operator III position vacancies that are anticipated to be open as a result of employee retirement at the end of this fiscal year; and

WHEREAS, the internal recruitment process will leave a vacancy at the District's Utility Operator I position; and

WHEREAS, the District would like to use the results of its recent external recruitment to fill its upcoming Utility Operator I position vacancy; and

WHEREAS, this will create a one-month overlap of Utility Operator I positions, which is necessary for training and staffing continuity during the summer season; and

WHEREAS, this action was not anticipated in the Fiscal Year 2021-22 Budget and requires budget adjustments for the Water, Sewer and Park Funds in a total amount of \$14,208.

NOW, THEREFORE, BE IT RESOLVED, by the District Board of Directors that the Fiscal Year 2021-22 Budget be adjusted as follows:

1. Add \$9,093 to the Water Fund "Salaries" and "Benefits" expense line items:
 - i. Increase "Salaries" by \$5,698;
 - ii. Increase "Benefits" by \$3,395;
 - iii. Increase withdrawals from Capital Reserves from \$186,433 to \$195,526; and
2. Add \$4,973 to the Sewer Fund "Salaries" and "Benefits" expense line items:
 - i. Increase "Salaries" by \$3,116;
 - ii. Increase "Benefits" by \$1,857;

- iii. Increase withdrawals from Capital Reserves from \$359,425 to \$364,398;
and
- 3. Add \$142 to the Park Fund “Salaries” and “Benefits” expense line items:
 - i. Increase “Salaries” by \$89;
 - ii. Increase “Benefits” by \$53;
 - iii. Increase withdrawals from Capital Reserves from \$36,129 to \$36,271.

PASSED AND ADOPTED, by the Board of Directors of Twain Harte Community Services District at their Regular Meeting on April 13, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Gary Sipperley, Board President

Kimberly Silva, Board Secretary

AGREEMENT AND MEMORANDUM OF UNDERSTANDING

This Agreement and Memorandum of Understanding (the "**Agreement**") is executed and effective as of _____ (the "**Effective Date**") by and between **RC HEALTH SERVICES, INC.**, a Texas corporation (the "**RCHS**"), and **Twain Harte Community Services District** ("**THCSD**"). RCHS and THCSD may be referred to individually as a "**Party**" and collectively as the "**Parties**."

RECITALS

- A. RCHS operates schools in numerous locations throughout the United States that offer classroom education and hands-on training necessary to obtain CPR, ACLS, and EMT certifications. RCHS provides EMT certifications through "**EMS Initial Education**" but presently does not, however, provide EMT training in the geographical areas where THCSD operates.
- B. Among other services, Twain Harte Community Services District provides fire and emergency services to the community of Twain Harte, California. THCSD's Fire Division will be responsible for carrying out the duties specified in this Agreement. THCSD's Fire Division consists of full-time, part-time, and volunteer fire and emergency personnel with EMT certifications.
- C. RCHS desires to provide the Online Course to students in THCSD's geographic area, and to engage THCSD as an independent contractor to provide the Skills Training (using materials and methods provided by RCHS) to students who have successfully completed the Online Course.
- D. In exchange for these Recitals and the promises, covenants, and other good- and-valuable consideration specified in this Agreement, the receipt and sufficiency of which the Parties acknowledge, the Parties set forth their agreements below.

AGREEMENTS

1. GENERAL RESPONSIBILITIES OF THE PARTIES

1.1 *RCHS's Responsibilities.* In general, RCHS will serve as the primary contact point for students wishing to enroll and take part in EMT training, and for providing all online and printed course materials for the Online Course and the Skills Training (collectively the "**EMT Program**"). Students will enroll in the EMT Program through

Initialed for Identification _____

RCCHS's online enrollment tools, and shall pay for the EMT Program entirely to RCCHS. RCCHS will conduct each student through the Online Course and evaluate each student's performance in the Online Course to determine whether the student has completed satisfactorily the Online Course material. RCCHS will coordinate each student's attendance at a Skills Training course at THCS D's specified facility. RCCHS will provide to THCS D the written materials necessary for THCS D to conduct the Skills Training, including agendas, course requirements, hand-outs, and testing materials (the "**Skills Training Materials**"). Upon written confirmation from THCS D that THCS D has conducted a Day One, Day Two, or Day Three Skills Training course with at least one student, RCCHS will pay to THCS D a fee according to the following fee schedule:

Table 1.1:

Training day	Max number of students per instructor	Per student fee
Day One	8	\$150/student
Day Two	8	\$150/student
Day Three	6	\$150/student

- 1.2 *THCS D's Responsibilities.* THCS D shall be responsible for providing the following for the Skills Training: (a) a suitable venue (the "**Facility**"); (b) a sufficient number of qualified instructors to conduct the Skills Training (the "**Skills Faculty**"), at a student-to-instructor ratio no greater than 8:1 (Day One and Day Two) and 6:1 (Day Three); (c) the equipment necessary to carry out the Skills Training; and (d) a schedule when the Facility and the Skills Faculty will be made available to students who have satisfactorily completed the Online Course. THCS D will be responsible for hiring, training, supervising, and insuring the Skills Faculty, and for conducting the Skills Training, supervising the students, conducting testing, and reporting to RCCHS on students' attendance and test results.

2. ONLINE COURSE AND SKILLS TRAINING

- 2.1 The Online Course comprises a series of online didactic courses created, owned,

and administered by RCHS. The Online Course and the Online Course materials comprise proprietary information owned by RCHS and licensed for use by students who have paid the established registration fee.

2.2 The Skills Training comprises two days of hands-on activities and one day of testing, as follows:

- Day One: Medical
- Day Two: Trauma
- Day Three: Testing

The Skills Training Materials comprise proprietary information owned by RCHS and licensed for use by students who have paid the established registration fee and by THCSD for the purposes and subject to the limitations specified in this Agreement.

3. INDEPENDENT CONTRACTOR | NO PARTNERSHIP

3.1 THCS D shall perform its obligations under this Agreement as an independent contractor. THCS D acknowledges that this is a lump-sum contract. THCS D shall be solely responsible for withholding all applicable taxes — including federal income taxes, social security taxes, and state unemployment taxes — for THCS D’s employees, agents, and subcontractors (including but not limited to the Skills Faculty), as well as all applicable sales taxes or use taxes on the services provided by the Skills Faculty, or otherwise required by law in connection with THCS D’S performance of this Agreement. THCS D’s, and not RCHS, is the employer or contractor, as the case may be, of the Skills Faculty. THCS D shall be solely responsible for (a) the compensation and benefits payable and made available to the Skills Faculty, and (b) withholding any applicable federal and state taxes and other payroll deductions as required by law. THCS D represents and warrants to RCHS as follows:

3.1.1 THCS D does not look to RCHS for its sole or primary source of income;

3.1.2 THCS D is a self-sufficient governmental organization that is not economically dependent upon RCHS;

3.1.3 THCS D pays its own local, state, federal taxes, including, but not limited to FICA taxes;

3.1.4 THCS D provides its own and does not look to RCHS to provide RCHS with insurance (business, liability, auto, health, or otherwise) and benefits, if any; and

3.1.5 THCS D understands that RCHS is relying on THCS D’s representations and would not enter into this Agreement without this understanding.

3.2 RCHS will not collect or pay any taxes on THCS D’s behalf under this Agreement, but will be responsible for collecting and paying all applicable taxes associated with the registration fees to be paid by the students, and for the payment of federal income taxes, social security taxes, and state unemployment taxes for RCHS’s employees.

3.3 THCS D AND RCHS SHALL NOT BY VIRTUE OF THIS AGREEMENT BE DEEMED TO BE PARTNERS OR JOINT VENTURERS. NEITHER PARTY SHALL HAVE AUTHORITY TO INCUR ANY FINANCIAL OR OTHER OBLIGATION ON BEHALF OF THE OTHER PARTY.

4. INDEMNIFICATION

4.1 THCS D shall defend, indemnify, and hold RCHS, and RCHS’s officers, directors, shareholders, employees, agents, subcontractors, attorneys, and affiliated persons and entities (collectively, the “*RCHS Indemnitee*”) free and harmless from all claims, demands, and causes of action (“*Claims*”) of any kind or character for injuries, losses, and damages,

including but not limited to personal injuries, property damage, and attorneys' fees, (collectively, "**Damages**") arising in favor of a student of the EMT Program or any other third party out of or in any way related to THCS D's performance of this Agreement, caused or contributed to by any negligent or otherwise wrongful conduct committed during the term of this Agreement by THCS D or any one or more of its employees, agents, independent contractors, members and other owners, and managers and other officers (collectively, "**THCS D Parties**"). THCS D further releases RCHS Indemnatee from all Damages to THCS D's facilities caused or contributed to by any student of the EMT Program or any of the THCS D Parties, regardless of whether those Damages arise out of or are related to THCS D's performance under this Agreement.

4.2 RCHS shall defend, indemnify, and hold THCS D, and THCS D's officers, directors, shareholders, managers, members, employees, agents, subcontractors, attorneys, and affiliated persons and entities (collectively, the "**THCS D Indemnatee**") free and harmless from all Claims for Damages arising in favor of a student of the EMT Program or any other third party out of or in any way related to RCHS's performance of this Agreement.

5. INSURANCE COVERAGE

5.1 To help fulfill its indemnity and defense obligations under this Agreement, THCS D must, during the term of this Agreement, secure and maintain insurance policies covering the following types of liability in the following minimum amounts: (1) Commercial General Liability insurance, naming RCHS as an additional insured, in the amount of \$1,000,000.00 per occurrence (\$3,000,000.00 aggregate) covering contractual liability, personal injury, and property damage arising out of or related to this Agreement; and (2) Workmen's Compensation insurance and other insurance in amounts as required by applicable state law. THCS D shall provide to RCHS a copy of the declarations page of THCS D's CGL insurance policy, evidencing the insurance coverage upon execution of this Agreement and later upon request.

5.2 To help fulfill its indemnity and defense obligations under this Agreement, RCHS must, during the term of this Agreement, secure and maintain insurance policies covering the following types of liability in the following minimum amounts: (1) Commercial General Liability insurance, naming THCS D as an additional insured, in the amount of \$1,000,000.00 per occurrence (\$3,000,000.00 aggregate) covering contractual liability, personal injury, and property damage arising out of or related to this Agreement; and (2) Workmen's Compensation insurance and other insurance in amounts as required by applicable state law. RCHS shall provide to THCS D a copy of the declarations page of RCHS's CGL insurance policy, evidencing the insurance coverage upon execution of this Agreement and later upon request.

6. TERMINATION

6.1 *Term.* The term of this Agreement shall be for a period commencing on the Effective Date and continuing for one (1) year. This Agreement shall automatically renew for subsequent one-year terms unless terminated earlier under this Agreement.

6.2 *Termination for Cause.* RCHS may immediately terminate this Agreement for cause upon notice to THCS D upon the occurrence of any of the following events: (i) the failure of THCS D to maintain insurance coverage as required by this Agreement; or (ii) THCS D fails to bar a Student from participating in the Skills Training after RCHS has informed THCS D to remove a student for reasons permitted under this Agreement. THCS D may immediately terminate this Agreement for cause upon notice to RCHS upon the occurrence of any of the following events: (i) the failure of RCHS to maintain insurance coverage as required by this Agreement; or (ii) RCHS fails to pay THCS D as provided herein within thirty (30) calendar days after an invoice due date or (iii) RCHS loses its ability to provide EMS/EMT Education by an organization responsible for governing that ability.

6.3 *Termination for Material Breach.* If either Party defaults by failing to comply in all material respects with the terms of this Agreement, the other Party may terminate this Agreement by (a) providing written notice to the defaulting Party, specifying in reasonable detail the nature of the default and the non-defaulting Party's intent to terminate this Agreement if the default is not cured within 30 days; and (b) if the defaulting Party does not remedy the default within 30 days after receiving such written notice of default, terminating this Agreement upon subsequent written notice to the defaulting Party. This provision shall not constitute an election of remedies by either Party, and each Party shall have and retain all rights and remedies that may be available at law or in equity in the event of breach or default by the other Party.

6.4 *No-Cause Termination.* Either Party may terminate this Agreement by providing **ninety (90) days'** advance written notice.

6.5 *Effect of Termination.* Termination of this Agreement shall not affect the completion of Students currently enrolled and participating in the EMT Program for a period of up to 120 days from the date of termination with the exception of a material breach for which THCS D shall have no obligation to provide any further services to RCHS.

7. EXCLUSIVITY AND NON-COMPETITION

7.1 By executing this Agreement THCS D acknowledges that it will be receiving and has received proprietary and confidential information about RCHS and the EMT Program, including but not limited to RCHS's procedures for marketing to, enrolling, and teaching students, as well as the contents of the EMT Training Materials, and other manuals, documents, memoranda, correspondence, face-to-face interactions, and knowledge or know-how distinctive to RCHS (the "**Confidential Information**"). In consideration of RCHS's agreement to provide THCS D with that Confidential Information (the receipt and sufficiency of which THCS D acknowledges), THCS D agrees as specified in this Section.

During and after the term of this Agreement, THCS D must not disclose (except to THCS D employees) or use for any purpose other than conducting the Skills Training, any Confidential Information. THCS D is **further responsible for ensuring that the THCS D maintain the same level of confidentiality with respect to the Confidential Information.** THCS D must not duplicate or disseminate the Confidential Information other than to students enrolled in the EMT Program, in whole or in part, except with the subsequent written permission of an authorized officer of RCHS. Upon termination or expiration of this Agreement, THCS D must destroy or return immediately to RCHS all Confidential Information.

7.2 To prevent a conflict of interest and unfair competition based on THCS D's knowledge and use of the Confidential Information, THCS D must not without RCHS's prior written consent (which may be withheld arbitrarily) directly or indirectly sell EMT courses or skills evaluations for EMT courses to any of the students that are referred to THCS D by RCHS for the term of this Agreement or for two (2) years following this Agreement.

7.3 For the term of this Agreement THCS D shall be the exclusive provider of EMT skill evaluations in the regions of Northern California for RCHS unless modified in writing by THCS D and RCHS.

7.4 If a court or arbitrator finds this Section 7 or any portion of it to be unenforceable, the court or arbitrator is authorized to reduce the scope or duration (or both) of the provision in issue to the extent necessary to render it enforceable and to enforce the provision as so revised.

8. DISPUTE RESOLUTION

Mediation and Binding Arbitration. The Parties desire prompt, inexpensive, and efficient dispute resolution procedures and therefore agree to attempt to resolve through direct discussions all controversies, claims (and any related settlements), and matters in question arising out of or relating to (a) this Agreement, (b) any breach of or questions as to the interpretation of this Agreement, (c) any acts or omissions by either Party (and their officers, managers, members, directors, employees, agents, subcontractors, or affiliated persons or entities, if any), and/or (d) any actual or purported express or implied representations or warranties relating to the EMT Program or this Agreement (collectively, a “**Dispute**”). If not resolved through direct discussions, the Dispute may be submitted for mediation in Harris County, Texas, under the commercial mediation rules of the American Arbitration Association (the “**AAA**”). If the Dispute is not resolved by direct discussions or mediation, the Dispute must be submitted to the AAA for binding arbitration, in accordance with the commercial arbitration rules of the AAA. The arbitration shall be conducted in Collin County, Texas, before a single arbitrator. In making its decision, the arbitrator shall render a written award delineating the reasons the award was made. The Parties shall share equally in all filing fees and other costs of the arbitration, but an arbitration award may equitably reallocate those costs. Before submitting a Dispute to the AAA for binding arbitration, the Parties will attempt to resolve the Dispute amicably through direct discussions, and the Parties may submit the Dispute to mediation.

8.1 Waiver of Jury Trial. BY SIGNING THIS AGREEMENT, THE PARTIES ACKNOWLEDGE THAT THEY HAVE KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THEIR RESPECTIVE RIGHTS TO A JURY TRIAL OF ALL DISPUTES, AND AGREE THAT THIS PROVISION CONSTITUTES PRIMA FACIE EVIDENCE OF THE PARTIES’ WRITTEN CONSENT TO SUBMIT ALL DISPUTES TO BINDING ARBITRATION.

8.2 Injunctive Relief. Notwithstanding Section 8.1 above, upon a breach or threatened breach of this Agreement by THCS D involving Confidential Information, RCHS is entitled to seek an injunction restraining such breach and to a decree of specific performance, pending arbitration or other adjudication, without bond and without regard to the adequacy of our legal remedies. Interim equitable relief is in addition to other remedies or rights RCHS may have and is not an election of remedies. The Parties intend each provision of this Agreement to be honored, carried out and enforced as written. Consequently, any provision of this Agreement sought to be enforced will, at the election of the Party seeking enforcement and notwithstanding the availability of an adequate remedy at law, be enforced by specific performance, or other appropriate equitable remedy.

8.3 *Governing Law and Choice of Venue.* This Agreement shall be governed by, and construed in accordance with, the laws of the State of Texas. Except as provided in 8.1, the venue of any legal proceeding concerning this Agreement or the relationship between us, must exclusively be in Harris County, Texas. You irrevocably consent to jurisdiction and venue of the courts in any such action.

9. MISCELLANEOUS PROVISIONS

9.1 *Notices.* Any and all notices, consents or other communications by one Party intended for the other shall be deemed to have been properly given if in writing and personally delivered, transmitted by email or fax, or deposited in the United States first class mail, postage pre-paid, to the addresses(es) or numbers set forth below the Parties' respective signatures.

9.2 *Non-Discrimination.* RCHS and THCS D agree not to discriminate against any employee, applicant, or Student enrolled in the EMT Program because of age, race, color, national or ethnic origin, political affiliation, religion, non-disqualifying handicap, disability, gender or sexual orientation, or status as a disabled veteran or veteran of the Vietnam era.

9.3 *Severability.* The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision.

9.4 *No Assignment.* Neither Party may assign its rights or delegate its duties under this Agreement without the prior written consent of the other Party, except if such assignment is in connection with a sale of substantially all of such Party's assets.

9.5 *Binding Effect.* This Agreement shall be binding upon, and shall inure to the benefit of, the Parties and their respective legal representatives, successors, and permitted assigns.

9.6 *Rights Cumulative; No Waiver.* No right or remedy conferred in this Agreement upon or reserved to either Party is intended to be exclusive of any other right or remedy. Each and every right and remedy shall be cumulative and in addition to any other right or remedy provided in this Agreement. The failure by either THCS D or RCHS to insist upon the strict observance or performance of any of the provisions of this Agreement or to exercise any right or remedy shall not impair any such right or remedy or be construed as a waiver or relinquishment with respect to subsequent defaults.

9.7 *No Third-Party Beneficiaries.* Except as provided in Section 4 hereof, this Agreement is not intended to confer any right or benefit upon, or permit enforcement of any provision by, anyone other than the Parties to this Agreement.

9.8 *Entire Agreement.* This Agreement constitutes the entire understanding and Agreement of the Parties with respect to its subject matter and cannot be changed or modified except by another Agreement in writing signed by the Parties.

9.9 *Counterparts.* This Agreement may be executed in two or more identical counterparts, each of which shall be deemed an original instrument enforceable against the Party that executed it and all of which shall, when taken together, constitute one and the same instrument. Electronic signatures and electronic copies of “wet-ink” signatures sent by email, fax, or other electronic means shall be deemed originals.

[Remainder of page intentionally left blank. Signature page follows.]

EXECUTED as of the date first written above.

RCHS:

RC HEALTH SERVICES, INC.

A Texas corporation

By:

THCSD:

Twain Harte Community Services District

By: _____

Name: Tom Trott, General Manager



March Operations Report

Fire Division



STAFFING

Full-Time Captains-3

Relief Captains-6

Intern Operators-2

Intern Firefighter-1

Relief Firefighters-2



FLEET/FACILITIES



Currently working with insurance companies and Hi-Tech to finalize repairs to E-721



THFD Emergency Alert Siren project is has been completed, and the initial test was a success



FLEET/FACILITIES



The department's new Peloton is in service at the gym.



A-Shift completed the gym remodel project. They painted the gym, rearranged the equipment, and made it more user-friendly.



March Responses-39



March 19th-C-720 and Twain Harte CERT FF rehab and UAS team responded to a Commercial Structure Fire in Mono Village.



March 2 E-721, WT-721 responded to an escaped debris burn at the end of King Arthur Court, just outside the district.



County Fire Chiefs



Nothing to report



Planning Meeting



Operations Manager Lewis Giambruno, Twain Harte, CERT Program Manager Carol Hallet, and Chief Gamez collaborate on the THCSD Disaster Preparedness Standard Operating Guideline(SOG). This document will better prepare all departments



Recruit and Retention



Chief Gamez met with students interested in our Firefighter Intern program at Chabot College, Los Positas College, and California Conservation Corps Stockton Delta center.

FINANCIAL



THFD staff is currently working on the 2022/2023 fire budget.



March Training-277



All shifts trained on the new battery-operated Jaws of Life we received from a Department of Transportation grant Tuolumne County Fire Department received.



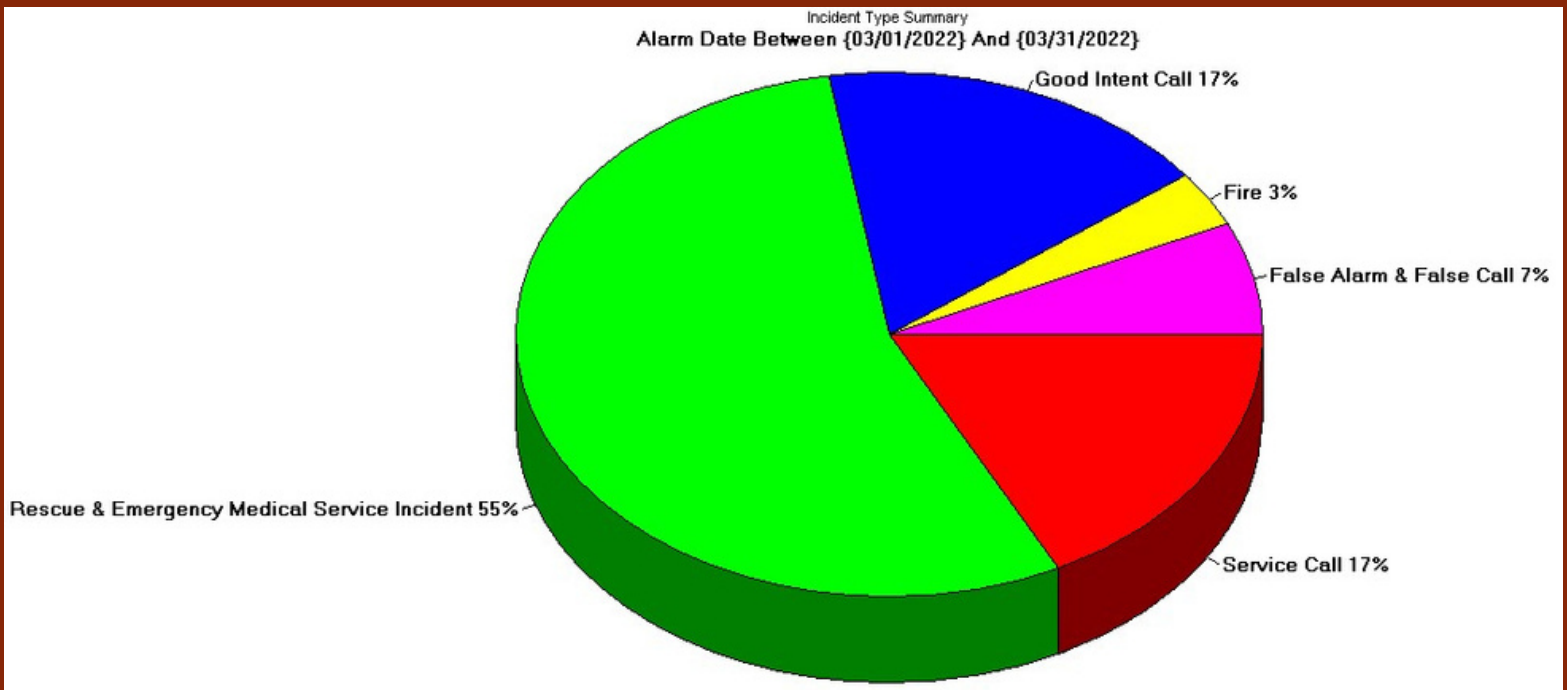
On March 5th Captain Slater and Chief Gamez provided Fire Control 3B class to Chabot College.



March CERT Report

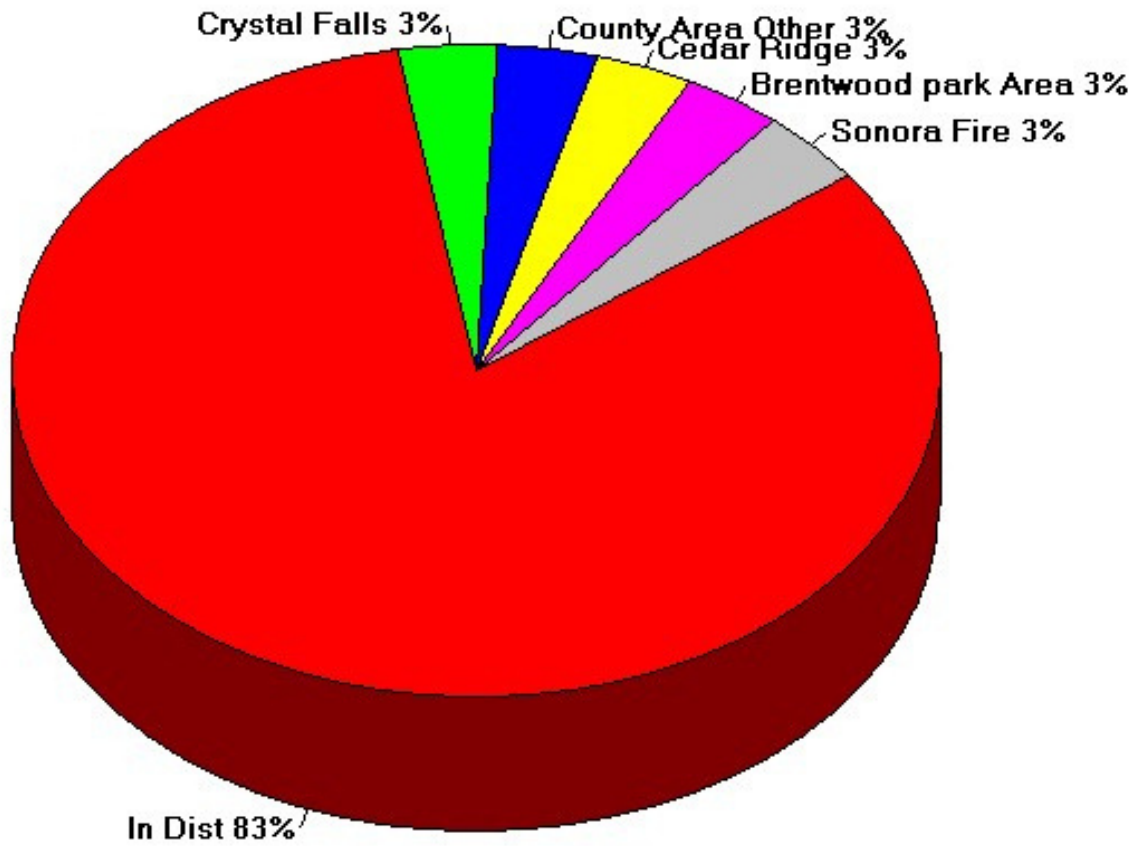


Incident by Type



Incident by District

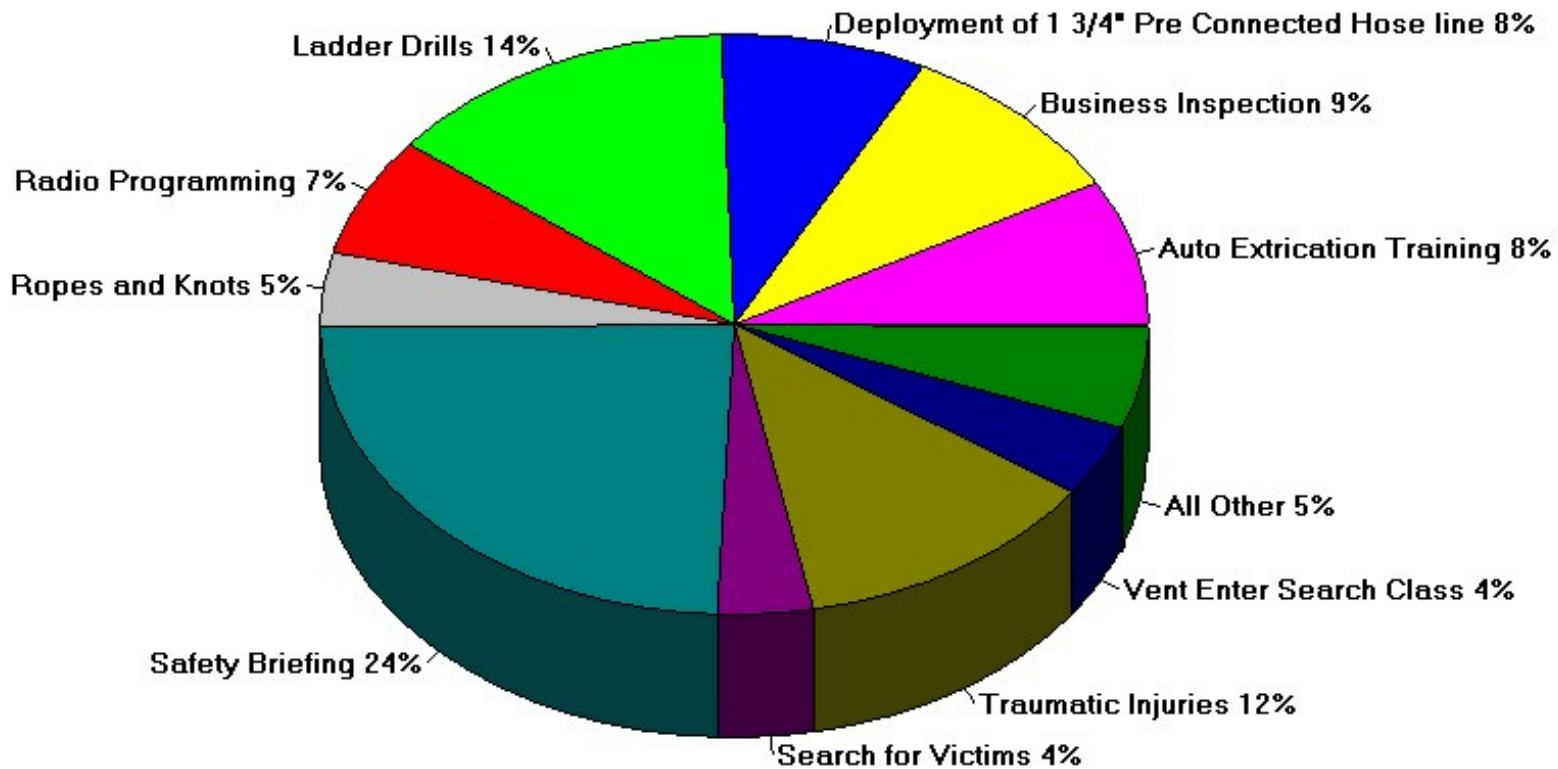
Incidents by District
Alarm Date Between {03/01/2022} And {03/31/2022}



Training by Category

Total Staff Hours by Training Category

Date Between {03/01/2022} And {03/31/2022}





MONTHLY UPDATE

March 2022

Michelle Wagner, Editor
twainhartecert@gmail.com

Contents:

- Notes From The Program Manager
Page 1
- Spring Into Safety
Page 2
- Vehicle Maintenance
Page 2
- Deployments
Page 3
- UAV Deployment
Page 4
- FF Rehab Drills and Skills
Page 5 & 6
- Badges? Baadges?
Page 7
- Groveland Training
Page 8
- Red Cross Training
Page 8
- How I Spent my Spring Vacation
Page 9 & 10
- Neighborhood Radio Watch
Page 11
- Where Does the Time Go?
Page 12
- THCSD Board Meeting
Page 12
- What's Next?
Page 12

NOTES FROM THE PROGRAM MANAGER

by Carol Hallett



March signifies the beginning of spring but it is a month that also keeps you on your toes. Is it time to put away the winter sweaters and bring out the flip-flops or will it snow again?

This month has also been a busy month for our CERT members. We have done lots of drills, exercises, training, planning, preparing for our upcoming training class and responded to a few deployment requests. So our THA-CERT staff has been in action mode all month. You will read all about it in this month's newsletter.

The old wives' tale in the motherlode is that winter is not over until it snows on the dogwood bloom. I use this as my trigger to look forward to spring. As I sit here and look out the window, the dogwood is still dormant, so we might have a few more storms.



(Above) Ben Wagner prepping for UAV flight at Mono Way fire.

SPRING INTO SAFETY...

by John Buckingham, THA-CERT Safety Officer



- 1) Check your smoke alarms and change the batteries. Critical for fire safety.
- 2) Clean and replace your furnace filter.
- 3) Clean the dust covers on your carbon monoxide monitor and change the batteries. You cannot detect carbon monoxide levels in your home without sensors.
- 4) Clean around your dryer and washing machines and their ducts and dampers to prevent lint build up, which is a fire danger
- 5) Time to review emergency escape plans with your household, fire season is upon us.

VEHICLE MAINTENANCE

by By Mike Mandell, THA-CERT Team Leader

This month, the big news, is all the electrical work we are doing on the Firefighter Rehab Vehicle. As luck would have it, one of our potential CERT members, Vince Carini, is an experienced International truck guru, and has been volunteering his time to help us get our Firefighter Rehab Vehicle in tip-top shape.



During our deployment on the Mono Way fire (a nighttime deployment) we realized that there were several issues with that vehicle. The seat had an air leak, the shifter did not light up, and the headlights were really dim, to name a few.

We asked Vince if he would take a look and he jumped in his car and headed right over. Randie Revilla and Vince spent countless hours going through the vehicle's electrical system, getting schematics from Horton (maker of the box on the vehicle) and ordering parts. This truck is going to work like a champ when Vince is done.

The monthly inspections on all or vehicles are ongoing and, thankfully, no other major issues have arisen. Ron Kessler and I did the inspections this month and ensured that all the fluids were topped off, tire pressure checked and windshields cleaned.

We are good to go!

DEPLOYMENTS

by Mike Mandell, THA-CERT Team Leader

Three of our units were requested to deploy to two different incidents this month.

The first was a request from THCSO for our traffic control unit to provide traffic control at Twain Harte Drive and Mono Drive during a pipe replacement project.

Mike Mandell, John Buckingham, and Wes Jordan provided traffic control from roughly 0800 to 1345 hours. Mike reported no problems or mishaps and said they were thanked at the time for their assistance. Program Manager, Carol Hallett, also reported that she received a letter from CSO offering further thanks.

The second request was for both our Firefighter Rehab and UAV Units to deploy to a large fire on Mono Way in Sonora. As luck would have it, Mike Mandell heard the call on the scanner and so had a little bit of a head start getting us ready. Carol coordinated getting both units started and between the time she received the call from Chief Gamez to the time the Firefighter Rehab Unit arrived at the scene at 2129 hours, less than 30 minutes had elapsed. That's an amazing response time! Great job everyone!



(Above) Journey Church on Mono Way

Carol Hallett was Team Lead and Driver, Mike Mandell worked as Check In/Check Out and Communications, and Randie Revilla was in charge of Vitals and Rehab.

Ben Wagner from the UAV Unit arrived about 30 minutes after that. See the article on page 4 for more details about that.



(Above) FF Rehab Area Mono Way fire

The Firefighter Rehab Unit was on scene until 0119 hours the following morning and ran approximately 18 Firefighters through the rehab process during that time. They were provided with Hero wipes, water, Gatorade, snacks, and a comfortable place to rest.

As always, both these deployments provided learning opportunities for both individual crew members, as well as our CERT Team in general. For the most part, everything ran smoothly, thanks to the efforts of our dedicated volunteers.

UAV DEPLOYMENT

by Michelle Wagner, THA-CERT UAV Unit Leader

On March 19th, our UAV Unit was requested to assist at the church fire on Mono Way in Sonora.



(Above) Chief Gamez and Ben Mono Way fire

Thankfully, one of our pilots, Ben Wagner, had just finished his day on Ski Patrol at Dodge Ridge and was able to respond from there. He was joined at the scene by Carol Hallett, who acted as his Visual Observer for the operation.

As usual, Ben kept a cool head and overcome a few technical glitches and some significant impediments to flying, i.e., a lot of overhead wires and many tall trees, not to mention the smoke and the darkness.

There were also significant distractions as many firefighters that weren't currently on assignment surrounded him to watch what he was doing. He managed to avoid distraction and did his job.

Ben was able to provide thermal imaging of a raging fire that the firefighters were having trouble locating because it was burning between the roof sheathing and the shingles.

With the information he provided, the firefighters were able to cut out the hotspot and put the fire out. They were able to complete a task that would likely have taken them several hours in about 20 minutes, thus reducing firefighter fatigue and potential injury, not to mention personnel and reconstruction costs.

Our UAV program continues to evolve as we look at other ways to be of service. As we do so, it's great to know we have a solid foundation of willing and capable people to help out when they're needed!



(Above) Chief Gamez, Ben, Carol, and Firefighters at Mono Way fire

FIREFIGHTER REHAB DRILLS & SKILLS

by Carol Hallett, THA-CERT Program Manager

There is a lot going on with Firefighter Rehab this month!

We take our job seriously and that means a lot of work but the staff and crew do it with pride and amazing attention to detail.

We mentioned last month that we now have rotating crews...here are the details. At this time, we have 7 crews with 3 people on each crew. Each crew is on call for one week (24/7) which means that theoretically they would only be on call every 7 weeks.



(Above) Crew B: Matt, Lise, Luz



(Above) Crew A: Karen

The staff wrote up job descriptions during our trip to Groveland for training last month. I drove and we called out the jobs off the top of our heads while Lise Lemonnier took notes (luckily she does not get car sick). We had radios so that all the cars in the caravan could chime in. It was a great idea but I drive too fast and so the radios were out of range. Therefore it was just the people in my car that were able to contribute...did I mention that this team never stops working?!

During this first phase we decided that we should have a drill for each crew during their week on call. This would allow folks to shake the dust off and get up to speed with the official job descriptions and duties.

We managed to drill with 4 of the crews this month and will continue until we've gotten to everyone.



(Above) Bob checking in "Mr. Turtle"

FIREFIGHTER REHAB DRILLS & SKILLS, cont'd

In addition to all of that, Mike Mandell completed Driver Training with 6 of our crew members: Bob Schreiner, Matt Kain, Randie Revilla, Ron Kessler, Wes Jordan, and Carol Hallett.



(Above) Driver Training

Mike has done an amazing job setting up a standard driving course that covers essential skills such as hill driving and turns. He is in the process of creating a classroom training including a written test. All this will ensure everyone is trained to the same high standards and will be able to perform to the standard of excellence we've come to expect from all of our CERT units.

Everyone performed fantastically and seemed to have fun doing it. It is amazing to see the cohesiveness of these crews even if they have never worked together before. It shows that everyone knows their jobs and is willing to jump in.

I am proud of each and every person!



That's a fail, huh?

BADGES? BAADGES??...

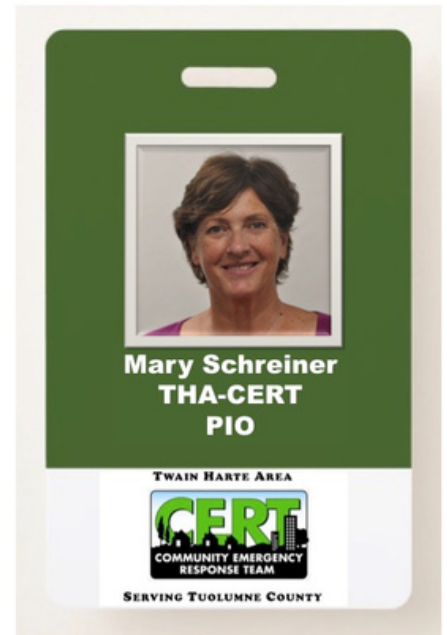
by John Buckingham, THA-CERT Safety Officer

Over the next few months, you will notice some changes in our volunteer badges as we work to take our already stellar group to the next level. CERT volunteers have always been issued badges to identify them as individuals who have completed the Basic Training Course.

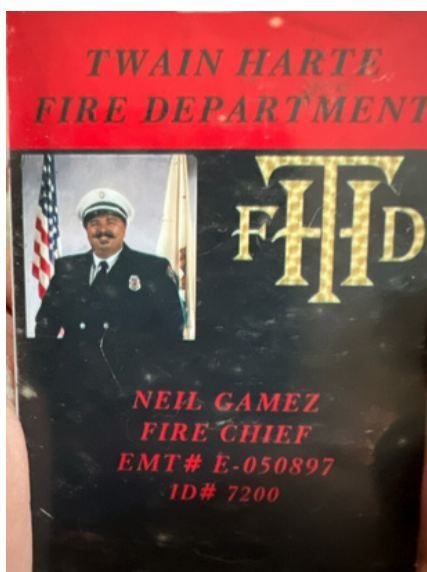
Now, we will have a new style of badge to further identify those who have gone through an additional level of screening, required for certain types of deployments, i.e. working with children, elderly, or on any premises that requires it.

This process will be carried out in phases, starting with the Executive Staff, followed by the Fire Fighter Rehab crews, and Traffic Control crews. The additional screening requires fingerprinting, which will be run through the CA State and Federal database for a very basic criminal records check.

Everyone so far has been very responsive and half of our above listed members have already been through the process! Please note, participation in this process is NOT REQUIRED to remain as a volunteer; however, deployment to certain areas or certain tasks may be limited, as many of the activities and areas we are deployed DO require this extra level of screening.



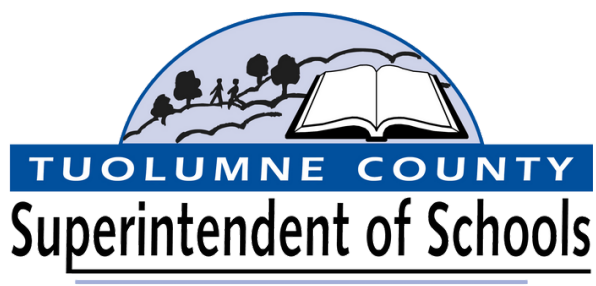
(Above) Sample ID Badge



(Above) Sample ID Badge

The opportunity to do this has been provided by grant monies from the Tuolumne County Health Department and the generosity of school Superintendent Kathy Parker, who is allowing us to do this through the school. A big thank you to both!

Be on the lookout for the new badges, and an email from John Buckingham that outlines the procedure.



GROVELAND AREA CERT FEBRUARY TRAINING

by Bob Asquith, GCERT Program Manager

Groveland Area CERT hosted a training on February 26th covering Unit 1 (Disaster Preparedness) and Unit 2 (Cert Organization, ICS) of the Basic Training. There were twenty-eight people in attendance, 12 of whom traveled up from THA-CERT. The remainder included Groveland Area CERT members, as well as representatives from GCSD Fire and Cal Fire.



(Above) February training in Groveland

We had three great guest trainers for the day.

Bob Asquith, Groveland Area CERT Program Manager, started the day by discussing Disaster Preparedness. He also talked about the organizational chart for Groveland Area CERT, which included several positions being newly filled by Groveland residents.

CERT Member, Pat Polen, who has more than 30 years teaching at College of Marin and UC Davis and working behind the scenes (literally) of the San Francisco Opera, talked with the group about Disaster Planning.

Another GCERT Member, Walt Ehmann, covered the history and structure of ICS. Walt has the unique distinction of having participated in the development of today's Incident Command Structure. He has a background of 25 years in Fire Management positions with the USFS including working as a Battalion Chief and Wildland Fire Arson Investigator and 18 years in Law Enforcement with USFS including working as a Patrol Captain in charge of Enforcement on the 1.4 million acres of the Stanislaus National Forest.

These trainings are great for new-comers and experienced members alike. There instructors were engaging and knowledgeable, capturing our attention throughout the morning. There are always new things to be learned and new relationships to be garnered. And this training was no exception.

RED CROSS CROSS-TRAINING

by Carol Hallett, THA-CERT Program Manager



As part of our preparedness for fire season, we were invited to participate in Red Cross Training to help us understand how we can all work closer in the event we are required to open an evacuation center. We have had many opportunities to work together in the past, this training provided a better understanding of the Red Cross rules and regulations.

We had a group of THA-CERT members join the virtual training class for Red Cross Shelter Training & Fundamentals taught by Debbie Calcote, Disaster Program Manager for American Red Cross in Tuolumne County. The class was roughly 3 hours a day for 3 days. The training was extremely well done, interactive, and paced to allow questions.

By the end, we all understood a bit more about each other and how we can better work in concert to help our communities.

HOW I SPENT MY SPRING VACATION

by Eric Marvel, THA-CERT Founding Member

I couldn't afford to travel to Miami Beach from Colorado this Spring so I accepted a very generous offer to head home to Twain Harte. When THA-CERT Program Manager Carol Hallett called me one freezing windy day in February to invite me to reprise my Disaster Medicine presentation, I was on board immediately.



(Above) March training with Eric Marvel

I haven't flown in a while and the whole mask-thing was a bit of a nuisance but I happily winged away to my original hometown of Sacramento and was met by my dearest friend (complete with her newly shortened locks). The winding drive along highway 49 provided many opportunities for nostalgic reflection of past decades. Carol indulged me with a stop at Mike's for pizza and beer (an all-time favorite) and we arrived at our beloved Twain Harte.

Fellow founding member Susan and I have been away from this wonderful community for three-years now and I was flooded with more nostalgia and emotion as we drove into our village. Such fond memories of our 16-years on Cedar Pines Ave and all of our friends and neighbors... 'Colorful Colorado' certainly has its charms, but we really miss Twain Harte. At the same time we are truly happy to live with our family in Colorado and the joy that is our 2 ½-year old Grandson, Hartford.

Saturday, March 26th was my day to engage in one of my favorite activities – listening to myself talk about CERT Disaster Medical Operations. The Word of Life Fellowship in Mi-Wuk provided a beautiful hall where we could spend the day of training (complete with technical support from Bob Kirk) and Jerry Day and Gary from Access Tuolumne captured the whole shebang on video for posterity. Lise Lemonnier (in true form) shuttled all of the necessary supplies and equipment for the day along with plenty of goodies and beverages.

So, for four hours and ten minutes the intrepid participants of the program listened, absorbed Power Point slides and practiced hands-on skills to help them refresh and learn the basic skills necessary for a CERT Disaster Medicine deployment. We discussed everything from controlling life-threatening bleeding to digging latrines after a major disaster – from opening the airway and treating shock to removing exam gloves covered with shaving cream without getting the Gillette Foamy all over our hands. We bandaged, we splinted and head-to-toe assessed with enthusiasm and enjoyment.

HOW I SPENT MY SPRING VACATION, *cont'd*

Speaking for myself, I had the most fun I've had in some time. And I believe our participants had a good day as well. I was so pleased that these wonderful folks participated so completely in the day and asked questions and shared their own considerable wisdom on the topic.

It's so rewarding (more than I can adequately articulate) to continue to be a small part of the amazing organization that is Twain Harte Area CERT! The people who formed, grew and maintain this valuable community resource are truly incredible. And, as anyone reading this knows, much of the credit for making THA-CERT what it is today goes to our beloved Program Manager. I'm so grateful for all she has done for this community and for inviting me to travel from the Centennial State back to our wonderful village and engage in one of my favorite activities – listening to myself talk about CERT Disaster Medicine.



Note from Carol Hallett, THA-CERT Program Manager

I would like to acknowledge the contributions from the team:

Dawn Cronin, Training Leader, for locating and securing our amazing venue.

Lise Lemonnier, Planning Section Chief, for organizing, transporting, and orchestrating the set-up of all the training materials and supplies, as well as securing all the food and beverages for our buffet. Lise took our snacks to next level! And topped it all off with fresh flowers!!

Bob Kirk for being our audio/visual coordinator for the day. Bob worked closely with Access Tuolumne and Eric to make sure the day ran smoothly.

I would also like to thank the Word of Life Church, especially Pastor Foley, for allowing us to use the Fellowship Hall, which was both amazing and perfect in every way.

I would like to extend a very special and heartfelt thanks to Eric Marvel, Founding Member THA-CERT, for providing this outstanding training. Eric brings with him a vast background in medicine as a retired RN and Paramedic. He also is a retired USAF Master Sergeant, Tuolumne County SAR, and past Interim Director of EMS at Columbia College. In addition to his extensive background, Eric is an engaging and dynamic speaker that kept us all engaged and entertained for the entire 4 hours. This experience has been a great reminder that even though we may move away, we always remain part of this CERT family.

NEIGHBORHOOD RADIO WATCH

by Rich Combs, THA-CERT Member



Fire Safety is on the top of everyone's mind. To help address this, in December Alan Thompson gave a ZOOM presentation, attended by many CERT members, which covered the massive communication failures that occurred during the Paradise Fire in 2018. The message was well received, but the common response was "What can WE DO to address the problem?" So in March Alan gave a follow-up presentation titled Radio-For the Rest of Us. He outlined a system of cheap, easy to use two-way radios, fielded in small local groups, to provide information flow in the event that the media that we rely on daily - cell phones, internet, and land lines, were to fail, as they did in Paradise, including 911 service.

These local groups of a few dozen residences known as a Neighborhood Radio Watch, would be linked to a broader level of longer-range radios, which ultimately are linked to the County Sheriff and Tuolumne Office of Emergency Services. With a two-way flow of information, the Sheriff can pass on status updates, even if the normal communication channels are disrupted.

This is much along the lines of the CERT mission, providing localized self-help assistance to the community in coordination with government agencies. In fact CERT is already using the simple FRS, Family Radio Service radios which could be used at the first level of the program. There is no test or fee to use these radios costing about \$20. More powerful radios, known as General Mobile Radio Service radios, could also be used for broader coverage, and require a one-time \$35 fee to operate which covers a user's extended family. TCARES, Tuolumne's local amateur radio group, has volunteered to provide novice users with training and practice in the use of the radios, and teach the etiquette of communicating using "directed nets" They will also provide the infrastructure for the second layer of communication, and interface with the County Sheriff and OES.

There are many details to be worked out, but we will follow the successful implementation of this plan in El Dorado County, see <https://www.facebook.com/groups/NeighborhoodRadioWatch>.

CERT and TCARES will be working to publicize the Neighborhood Radio Watch Program, establish contacts in local communities, and work with Tuolumne County officials. If you are interested in forming a local radio group, contact Rich Combs, richsfpd@gmail.com. For information about TCARES contact Ned at ned@sudduth.org or go to <https://tcares.net/>

Lots to do, but a great opportunity for CERT members to provide for our community!

WHERE DOES THE TIME GO?

by Lise Lemonnier, THA-CERT Planning Officer

The hours worked by THA-CERT volunteers in the month of March are as follows:

Administration = 214 hours
Training = 233 hours
Deployments = 31.5 hours
Total March = 478.5 hours



JOIN THE THCS D BOARD MEETING

Join the Twain Harte Community Services District (THCS D) board meeting. This is our community and this is a way to learn what is happening in it and around it!

When: Wednesday, April 13, 2022
Starts promptly at 0900

Go to <https://www.twainhartecsd.com/board-meetings> for more information.

WHAT'S NEXT?

April

Events

TUOLUMNE COUNTY ART WEEK
<https://www.visittuolumne.com/eventdetail/1423/tuolumne-county-art-week>
SUN, APR 10 – SAT, APR 16

“Who Let the Dog’s Out?” Parade – Twain Harte
<https://www.twainhartecc.com/events/who-let-the-dogs-out-parade>
Sun, Apr 24 11:00 – 3:00

National Parks Fee-Free Day
Sat, Apr 16 All Day
Yosemite National Park

Railtown
1897’s Wildflower Train Rides
Sat & Sun, Apr 9 – Apr 17
Jamestown

Holidays

Easter Sunday
Sun, Apr 17

Victorian Easter Celebration
Sun, Apr 17 11:00 – 3:00
Columbia State Historic Park

Training

CERT Training – Groveland
Disaster Physiology
Fire Suppression
Sat, Apr 30 9:00

THCS D Brd Mtg
<https://www.twainhartecsd.com/board-meetings>
Wed, Apr 13 9:00



TWAIN HARTE CSD OPERATIONS REPORT

What's New

- THCSO Water/Sewer/Park working together with Twain Harte CERT
 - Assisting with road flagging on Twain Harte Dr/Mono water line replacement.
 - The FD, W/S/P Departments and CERT are collaborating in the development of a comprehensive Emergency Response Plan.
 - We are hoping to expand our co-operation with CERT with the use of their UAV/pilots to perform inspections of tanks, the sewer line at the Twain Harte Lake Rock and video footage of various projects and repairs.



Water/Sewer/Park Division

For March 2022

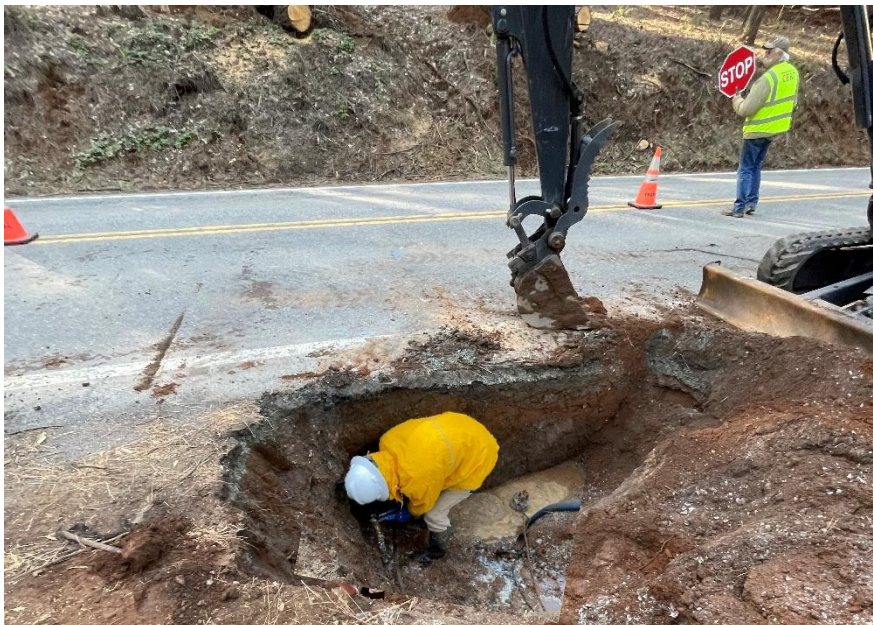
Board Meeting 4/13/22

Highlights



Water

- Number of customer service calls were average for this time of year (15-35) for a total of 27.
- Valves inspected and maintained out of 575: 25 or 4.3%.
(Context: 0 were inspected and maintained by this time last year with an annual goal of 25%)
- Water service line replacement on Twain Harte Dr and Mono



Composite Photo



Sewer

- Number of customer service calls were slightly above average for this time of year (1-10) for a total of 5.
- Sewer main footage cleaned out of 142,072': 12,063' or 8.5%. (Context: 2993' were cleaned by this time last year with an annual goal of 25% cleaned).
- Manholes inspected and maintained out of 468: 18 or 3.8%. (Context: 84 were cleaned by this time last year with an annual goal of 25%).

Parks and Recreation

- Baseball Field
 - Straightening edges at ballfield. Currently working on leveling infield



- Eproson Park
 - Fencing was added to prevent some of the ongoing vandalism behind the stage.



Vehicles and Equipment

- New Jetter has arrived (Flush 1)



- Well #1 Generator: Fan belt pulley housing replaced
- Fuel Station Tank: Large amount of sediment and organic matter to be removed later this month
- Pipe Hunter: Hydraulic Oil was contaminated with water. A silica filter system was installed



**Special Thanks to
Twain Harte CERT for
their assistance!!!**

Year: 2022

Month	*Treatment Plant (Gal)	Well #1 (Gal)	Well #2 (Gal)	Well #3 (Gal)	Total Recycled (Gal)	Total Production (Gal)	2013 Total Production (Gal)	Percentage Conserved (%)	Rain (inches)	Snow (inches)
Jan	2,615,579	1,154,015	1,991,891	204,178	243,611	5,965,663	8,304,262	28.16%	0.15	0
Feb	2,020,580	980,732	1,821,746	0	157,417	4,823,058	5,836,362	17.36%	0	2
Mar	2,634,940	1,059,070	2,080,661	0	172,648	5,774,671	5,776,198	0.03%	1.39	4
Apr						0				
May						0				
Jun						0				
Jul						0				
Aug						0				
Sep						0				
Oct						0				
Nov						0				
Dec						0				
Total	7,271,099	3,193,817	5,894,298	204,178	573,676	16,563,392	19,916,822	16.84%	1.54	6

GM REPORT

APRIL 13, 2022



ADMIN ACTIVITIES

- Park Donations ~ \$21,650
- Union Negotiation Preparation
- Annual Slash Voucher Program
- Funding Agreement for Stormwater Grant
- Design, Build, Manage Contract for TH Meadows Park
- Paperless Billing Outreach – 180 Emergency Contacts
- Records Retention Organization & Destruction

CAPITAL PROJECTS

Motor Control Center (MCC) Upgrade

Budget: \$120,000

Condition assessment revealed complete MCC replacement is necessary instead of upgrade, which may cost more than original upgrade budget. Design has begun and will be followed by 6-month procurement, and installation in winter 2022.

Mono Sewer Bench Replacement

Budget: \$35,000

Replacement of 200-ft section of deteriorated sewer line. Completion anticipated this week.

Vantage Pointe Equipment Structure

Budget: \$115,000

Preliminary design initiated. Anticipated completion in fall.

Million Gallon Tank #2 Rehabilitation

Budget: \$1,275,000

Getting proposals to finish design. Anticipated 2023 construction.

Fire Station Backwall Excavation & Sealing

Budget: \$35,000

Design initiated to keep drainage from seeping through apparatus bay walls. Completion anticipated this summer.

SCADA Upgrade Project

Budget: \$285,000 Water / \$85,000 Sewer

Design of SCADA system to remotely operate, monitor and control water and sewer system facilities to begin in summer 2022.

MEETINGS OF INTEREST

- 3/9** Eagle Scout Meeting
- 3/18** Countywide Drought Task Force
- 3/30** CSDA Legislative Coordination - TUD
- 4/12** Water Treatment Plant MCC Site Visit
- 4/12** Water System Risk Analysis Workshop

PLANNING PROJECTS

Sewer System Evaluation/Analysis

Budget: \$500,000

Sewer system assessment and analysis project complete, including submittal of a construction grant application for a \$4,490,662 project to replace deteriorated sewer lines.

Water System Evaluation/Analysis

Budget: \$499,053

Hydraulic model and water loss analysis complete. Workshop to assess risk and prioritize projects is scheduled for April 12th.

FUNDING OPPORTUNITIES

CAL OES STORM DAMAGE - \$60,000

Storm Damage & Response / NOT AWARDED

PROP 68 RURAL RECREATION - \$1.25M

TH Meadows Park / Awards: Summer 2022

FEMA SAFER GRANT - \$1M

Engineer Staffing / Due: Fall 2022

MULTI-BENEFIT DROUGHT GRANT - \$1.275M

MG Tank #2 Rehab / AWARDED

PROP 68 PER CAPITA GRANT - \$177,953

New Park Improvements / AWARDED