

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, FEBRUARY 18, 2010
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

1:30 p.m. Mayor's Conference Room

ROLL CALL

Present (6) Chairman Dowd, Vice Chair Gale, Board Members Galvin, Lowe, Meechan and Swinth

Absent (1) Board Member Holt

STATEMENTS OF ABSTENTION BY BOARD MEMBERS

Board Members Meechan and Swinth stated that they would be abstaining from the approval of the January 21, 2010 minutes because they were absent from that meeting. Board Member Lowe stated that he would be abstaining from the approval of the minutes from February 4, 2010 because he was absent from that meeting.

STUDY SESSION

3.1 DRY CREEK BY PASS PIPELINE – PRELIMINARY ENGINEERING REPORT UPDATE

David Manning, Sonoma County Water Agency provided an overview of the 12 year Dry Creek Habitat Enhancement Requirements included in the Biological Opinion. He discussed the results of the feasibility study including identifying preliminary opportunities for enhancements and the schedule for design and pilot project implementation. Mr. Manning then reviewed the salmonid species found in Dry Creek and discussed the methods used to count the salmonid and measure the quality of their existing habitat. HDR Engineering continued the presentation and discussed the objectives of the Biological Opinion related to ensuring water delivery while meeting habitat needs in Dry Creek. The Dry Creek Pipeline screening process and evaluation criteria were explained as well as the inlet facility, pipeline routes and outlet facility options that had been identified. Three Routes with Seven Pipeline Alignments Options will be screened for feasibility and will continue through the ranking process. A discussion ensued among the Board about the possibilities of higher flow rates being considered in the Feasibility Study

with Mr. Manning responding that while it was not part of the Biological Opinion work he would take the Board's request back to the appropriate Agency staff.

Adjourn study session and reconvene to open session in City Council Chamber at approximately 3:15 p.m.

MINUTES APPROVAL

Board Member Lowe moved approval of the minutes as corrected for January 21, 2010. The motion was seconded by Vice Chair Gale and carried unanimously. AYES (4) NO (0) ABSENT (1) Holt ABSTAIN (2) Meechan and Swinth

Board Member Galvin moved approval of the minutes of February 4, 2010. The motion was seconded by Board Member Swinth and carried unanimously. AYES (5) NO (0) ABSENT (1) Holt ABSTAIN (1) Lowe

STAFF BRIEFINGS

5.1 OUTREACH PLAN AND BRANDING EFFORT

Pat Fruiht spoke about the importance of developing consistent messages to build a relationship with the ratepayers. Ms. Fruiht highlighted the core values identified by the department and how those messages will be incorporated into existing communications. She then discussed the new outreach methods that will be focused on in the next 12 months.

CONSENT ITEMS

MOTION:

Board Member Lowe moved a motion to move item 6.1 from the consent calendar to allow for discussion. The motion was seconded by Board Member Swinth and carried unanimously. AYES (6) NO (0) ABSENT (1) Holt ABSTAIN (0)

6.2 AUTHORIZE SUBMITTAL OF WATER CONSERVATION AWARD APPLICATIONS

MOTION:

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, FEBRUARY 18, 2010
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

Vice Chair Gale moved to approve Resolution No. 974 entitled "Resolution of the Board of Public Utilities Authorizing the Submittal of Award Applications for the City of Santa Rosa's Water Conservation Program." The motion was seconded by Board Member Lowe and carried unanimously. AYES (6) NO (0) ABSENT (1) Holt ABSTAIN (0)

6.1 MASTER PROFESSIONAL SERVICES AGREEMENT FOR EMERGENCY GROUNDWATER SUPPLY INVESTIGATION

Chairman Dowd expressed concern about the dollar value that the Board was being asked to approve but felt it was appropriate for the exploration of water supply. He requested that staff give frequent report backs so that the Board can be assured things stay on track. Board Member Galvin spoke about his participation on the Request for Qualifications review panel and the Contract Review Subcommittee. He stated that the subcommittee worked with staff to address similar concerns and staff is well aware that regular reports on expenditure of funds and results that are being achieved are needed. Board Member Lowe concurred with Board Member Galvin's comments. Board Member Meechan asked that as more ground water opportunities are found, that recharge monitoring be done. Miles Ferris, Director of Utilities clarified that the main goal of ground water exploration is to provide a short term supply in case of interruption of Water Agency supply. Vice Chair Gale requested an update on the current well boring on Martha Way with Mike Prinz, Supervising Engineer responding that the yields have not been quantified yet but more information should be available by the next Board meeting. Board Member Swinth expressed concern about how much is being spent to pursue ground water versus how much is the Water Agency spending on habitat restoration and water supply. She requested that a study session be held soon to provide this information.

MOTION:

Board Member Galvin moved a motion to award a Master Professional Services Agreement to AIP Enterprises, Inc., dba ECON for a not to exceed amount of

\$3,000,000 to provide emergency groundwater supply investigation services in support of the City's Groundwater Program. Vice Chair Gale asked for an addition to the motion that the agreement to be executed would be in the final version presented to the Board on February 17, 2010. The motion was seconded by Board Member Swinth and carried unanimously. AYES (6) NO (0) ABSENT (1) Holt ABSTAIN (0)

REPORT ITEMS

7.1 WEST COLLEGE POND #2 DECOMMISSIONING AND GRADING PROJECT – ADOPTION OF MITIGATED NEGATIVE DECLARATION, ADOPT PROJECT AND MITIGATION MONITORING PROGRAM

Glen Wright, Deputy Director Water Resources briefly reviewed the project description as it was discussed in detail during the November 19, 2009 Study Session and identified the plan that has been established for the filling of the pond. Pat Collins, Winzler & Kelly explained the proposed Mitigated Negative Declaration and discussed the impacts and mitigation identified for Geology, Noise and Biological Resources. Ms. Collins addressed the concerns that were received in the comment letters and added that those requests have been included in the Mitigation Monitoring Program.

MOTION:

Board Member Swinth moved to approve Resolution No. 975 entitled "Resolution of the Board of Public Utilities of the City of Santa Rosa Adopting a Mitigated Negative Declaration, Adopting a Mitigation Monitoring Program, Approving the Project and Authorizing the Utilities Department to Implement the West College Pond No.2 Decommissioning and Grading Project." The motion was seconded by Board Member Lowe and carried unanimously. AYES (6) NO (0) ABSENT (1) Holt ABSTAIN (0)

7.2 AUTHORIZATION TO ACQUIRE AN EASEMENT FOR THE SANTA ROSA DIFFUSER PROJECT (CONTINUED FROM JANUARY 7, 2010, JANUARY 21, 2010 AND

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, FEBRUARY 18, 2010
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

FEBRUARY 4, 2010 MEETINGS

Josh Maresca, Right of Way Agent explained to the Board that the agreement has been negotiated and has been scheduled with the Board of Directors on March 16, 2010 and March 23, 2010 for approval. Mr. Maresca reviewed the terms of the agreement related to the project, noting that the Agency is recommending to the Board of Directors that compensation for the Agency staff time be waived. If the Board fails to approve the waiver, Agency costs are estimated to be less than \$15,000. Mr. Maresca added that the title policy has not been obtained yet relating to Section 19 of the agreement. It has been ordered but the research has not been completed by the Title Company.

MOTION:

Board Member Galvin moved a motion of the Board of Public Utilities, authorizing the Director of Public Works to execute the easement agreement necessary to construct the Santa Rosa Diffuser Project and also authorizes Mr. Maresca to remove the item from the County agenda in the event there are any title issues that show up on the title report. The motion was seconded by Vice Chair Gale and carried unanimously. AYES (6) NO (0) ABSENT (1) Holt ABSTAIN (0)

7.3 WATER SUPPLY UPDATE

Glen Wright, Deputy Director Water Resources reported that Lake Sonoma is currently at 246,708 acre feet measuring 107% of the water supply pool. Lake Mendocino is currently at 72,098 acre feet measuring 105.2% of the water supply pool. Flows in the river have been measured at the Hacienda Bridge at 2,680 cubic feet per second. Lake Pillsbury has 55,408 acre feet measuring 73.9% of the water supply pool with releases at 1,100 cubic feet per second. At the split of the Eel River there are 287 cubic feet per second down the Eel River and 240 cubic feet per second through the tunnel on to Potter Valley. He then presented pins to the Board with 1,000,000 printed on them signifying the milestone that was met with the Cash for Grass Program.

7.4 2010 URBAN WATER MANAGEMENT PLAN (UWMP) UPDATE

Jennifer Burke, Senior Water Resources Planner updated the Board on the preparation of the City's 2010 Urban Water Management Plan. She identified the staff and consultants that are working on the Plan and provided information on Maddaus Water Management who will be conducting the demand analysis work for the Water Contractors. Ms. Burke discussed the updated schedule for the Plan and highlighted the new requirement – SB 7x7. Ms. Burke explained that the Water Conservation Subcommittee has also begun working on updating the Urban Water Shortage Contingency Plan and explained that this would be updated in advance of the Urban Water Management Plan.

8. PUBLIC COMMENTS ON NON-AGENDA MATTERS - NONE

9. REFERRALS

10. WRITTEN COMMUNICATION (And Possible Board Action)

Chairman Dowd reminded the Board about the Joint City Council/BPU Study Session scheduled for February 23, 2010. Chairman Dowd then presented Brenda Adelman, Russian River Watershed Protection Committee with a pin acknowledging the 25 years she has been attending the BPU meetings.

Brenda Adelman thanked the Board for the pin and stated that while she criticizes, she is proud of how far the City has come over the last 25 years.

11. SUBCOMMITTEE REPORTS - NONE

12. BOARD MEMBER REPORTS - NONE

13. DIRECTORS REPORT

Mr. Ferris showed a photo of two mountain lions that were caught on camera at one of the Geysers pump stations. He confirmed with the Safety and Training Division that training has been provided to employees on how to handle these types of situations but a

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, FEBRUARY 18, 2010
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

refresher course will be given. He discussed the progress of the Steering Team Committee and stated that Directors staff is in the process of reviewing over 300 comments and suggestions that were collected from the department employees. Mr. Ferris then reported that OSHA may be implemented some new safety regulations that could affect Utilities operations.

Council Chamber, City Hall, 100 Santa Rosa Avenue, Santa Rosa.

Richard Dowd

At 4:50 p.m., Board Member Lowe left the dais for the remainder of the meeting.

14. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION(S) (MAYOR'S CONFERENCE ROOM – ROOM 10)

Gina Perez

Suzanne Rawlings, Assistant City Attorney announced item 14.2 on the closed session and added that item 14.1 was not needed.

14.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9) City of Santa Rosa v. Sonoma County Water Agency, et al., Sonoma County Superior Court Case Number SCV – 245844

14.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One potential case

15. RECONVENE TO OPEN SESSION

The Board adjourned to open session at 5:15 p.m. Chairman Dowd announced that the Board by unanimous vote of those present recommended that Council authorize the filing of a protest. The meeting was then adjourned.

16. ADJOURNMENT OF MEETING

At 5:16 p.m. the meeting was adjourned. The next regular meeting of the Board of Public Utilities will be held on Thursday, March 4, 2010 at approximately 1:30 p.m. in the