

**SANTA ROSA BOARD OF PUBLIC UTILITIES MEETING MINUTES
THURSDAY, MAY 3, 2012
CITY HALL COUNCIL CHAMBER, 100 SANTA ROSA AVENUE
REGULAR MEETING**

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

ROLL CALL

Present (7) Chairman Dowd, Vice Chair Gale, Board Members Carney, Galvin, Lowry, Meechan and Swinth

STATEMENTS OF ABSTENTION BY BOARD MEMBERS

Board Member Carney stated that he would be abstaining from several projects that were included in item 7.1.

STUDY SESSION

3.1 GROUNDWATER MASTER PLAN UPDATE

Jennifer Burke, Sr. Water Resources Planner, Gerry Nakano, West Yost & Associates and Andy Rodgers, ECON gave the staff presentation and provided an update on the development of the City's Groundwater Master Plan, including an update on the City's groundwater investigation program and an update on the United States Geological Survey groundwater study and the Board provided direction to staff.

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

MINUTES APPROVAL

The approval of the minutes for April 19, 2012 was deferred to next meeting date.

STAFF BRIEFINGS

5.1 ENGINEERING SERVICES UPDATE

Colleen Ferguson, Deputy Director – Engineering Services, Glen Wright, Deputy Director – Water and Engineering Resources, and Tony Cabrera, Deputy Director – Engineering Services gave the staff presentation. The team discussed the engineering divisions including Asset Management, Capital Projects Engineering, and Engineering Development Services that are housed within two Departments. The

team indicated that recommendations would be coming to the Board from Engineering Services instead of specific departments for future CIP contract awards, Environmental Certificates, Fee Updates and Development agreements.

CONSENT ITEMS

6.1 CONTRACT AWARD – LAGUNA TREATMENT PLANT TRUNK SEWER AND VAULT IMPROVEMENTS

MOTION:

Board Member Lowry moved a motion to award a construction contract in the total amount of \$1,173,088.00 to the lowest responsive bidder, SAK Construction of CA, LP of O'Fallon, MO, CA, for Laguna Treatment Plant Trunk Sewer and Vault Improvements and approve a construction contingency of 15 percent. The motion was seconded by Board Member Galvin and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

6.2 APPROVAL OF AMENDMENT TO AGREEMENT FOR SPECIALIZED LEGAL SERVICES WITH LENNIHAN LAW, A PROFESSIONAL CORPORATION

MOTION:

Board Member Lowry moved a motion to pull Item 6.2 from the Consent calendar for discussion. The motion was seconded by Board Member Swinth and carried unanimously. AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

Board Member Lowry asked for and received clarification regarding the term of the contract and total funding.

MOTION:

Vice Chair Gale moved a motion to approve an amendment to the agreement for specialized legal services with Lennihan Law increasing the contract amount by \$100,000, for a total contract amount not to exceed \$200,000. The motion was seconded by Board Member Swinth and carried

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unanimously. AYES (7) NO (0) ABSENT (0)
ABSTAIN (0)

REPORT ITEMS

**7.1 REPORT – FY 2012/13 WATER AND
LOCAL WASTEWATER BUDGET –
RECOMMENDATION TO CITY COUNCIL**

Linda Reed, Administrative Services Officer
gave the staff presentation and provided
responses to Board questions.

MOTION:

Vice Chair Gale moved to approve Resolution
No. 1020 entitled “Resolution of the Board of
Public Utilities Recommending that the Santa
Rosa City Council Approve the Proposed FY
2012/13 Department of Utilities Water Budget,
Including the Water Capital Improvement
Program Budget”. The motion was seconded
by Board Member Swinth and carried
unanimously. AYES (7) NO (0) ABSENT (0)
ABSTAIN (0)

Vice Chair Gale moved to approve Resolution
No. 1021 entitled “Resolution of the Board of
Public Utilities Recommending that the Santa
Rosa City Council Approve the Proposed FY
2012/13 Department of Utilities Local
Wastewater Budget, Including the Local
Wastewater Capital Improvement Program
Budget”. The motion was seconded by Board
Member Galvin and carried unanimously.
AYES (7) NO (0) ABSENT (0) ABSTAIN (0)

Vice Chair Gale moved to approve Resolution
No. 1022 entitled “Resolution of the Board of
Public Utilities Recommending that the Santa
Rosa City Council Approve the Proposed FY
2012/13 Department of Utilities Water and
Local Wastewater Budgets, Including the
Local Wastewater Capital Improvement
Program Budgets”. The motion was seconded
by Board Member Meechan and carried
unanimously. AYES (6) NO (0) ABSENT (0)
ABSTAIN (1) Carney

Vice Chair Gale moved to approve Resolution
No. 1023 entitled “Resolution of the Board of
Public Utilities Recommending that the Santa
Rosa City Council Approve the Proposed FY
2012/13 Department of Utilities Water and

Local Wastewater Budgets, Including the
Local Wastewater Capital Improvement
Program Budgets”. The motion was seconded
by Board Member Galvin and carried
unanimously. AYES (6) NO (0) ABSENT (0)
ABSTAIN (1) Carney

**7.2 REPORT – AGREEMENT BETWEEN
MUNICIPAL WATER DISTRICT OF ORANGE
COUNTY AND CITY OF SANTA ROSA FOR
THE LARGE LANDSCAPE RETURN ON
INVESTMENT CALCULATOR AND
EDUCATION PROGRAM**

Daniel Muelrath, Water Use Efficiency
Coordinator gave the staff presentation and
provided responses to Board questions.

MOTION:

Vice Chair Gale moved a motion to approve
an agreement with the Municipal Water
District of Orange County for the City of Santa
Rosa to provide services regarding Santa
Rosa’s Landscape Return on Investment
Calculator. The motion was seconded by
Board Member Galvin and carried
unanimously. AYES (7) NO (0) ABSENT (0)
ABSTAIN (0)

**7.3 REPORT – CHARTER REVIEW AND
USE OF DESIGN-BUILD PROCUREMENT
FOR PROJECTS**

Colleen Ferguson, Deputy Director –
Engineering Services gave the staff
presentation and responded to Board
questions.

MOTION:

Vice Chair Gale moved a motion to table this
matter. The motion was seconded by Swinth.
AYES (6) NO (0) ABSENT (0) ABSTAIN (1)
Galvin

**8. PUBLIC COMMENTS ON NON-AGENDA
MATTERS - NONE**

9. REFERRALS - NONE

**10. WRITTEN COMMUNICATION (And
Possible Board Action) - NONE**

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11. SUBCOMMITTEE REPORTS

Vice Chair Gale reported that the Budget Subcommittee will be meeting on May 4th.

Board Member Galvin reported that the Contract Subcommittee will be meeting on May 7th.

Board Member Swinth and Board Member Meechan reported on the Water Conservation Subcommittee meeting.

12. BOARD MEMBER REPORTS - NONE

13. DIRECTORS REPORT

Miles Ferris, Director of Utilities reported on various CIP projects; the recent meeting with the farmers; and the Regional Board hearings regarding irrigating of lands.

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

Suzanne Rawlings, Assistant City Attorney announced the closed session item.

At 5:15 p.m., Board Member Meechan left for the remainder of the meeting.

14 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

Name of case: North Coast Regional Water Quality Control Board Order No. R1-2012-0056 (Proposed), Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order; Order (Proposed), Oakmont Creek Cement Slurry Spill

15. RECONVENE TO OPEN SESSION

The Board adjourned to open session at 5:30 pm and announced the Board, by a 6-0 vote, authorized staff to sign the proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order.

16. ADJOURNMENT OF MEETING

At 5:30 p.m. the meeting was adjourned. The next regular meeting of the Board of Public Utilities will be held on Thursday, May 17, 2012 at approximately 1:30 p.m. in the Council Chamber, City Hall, 100 Santa Rosa Avenue, Santa Rosa.

Richard Dowd

Gina Perez