

VALLEY OF THE MOON WATER DISTRICT
REGULAR MEETING MINUTES
July 3, 2007

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, July 3, 2007, in the Board Chambers of the District Office at 19039 Bay Street, El Verano, California.

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

President Ed Kenny called the meeting to order at 6:30 P.M. and led the Pledge of Allegiance.

Roll Call by **Deputy Secretary Walk** noted the following present:

Directors Present:	Mark Bramfitt Sanford Smith Russell Townsend Ed Kenny
Directors Excused:	Ron Prushko
District Personnel:	Shari Walk, Office Supervisor Paul Gradolph, Operations and Maintenance Supervisor
General Manager:	Krishna Kumar
Public Present:	Ken Borba and Sandi Hansen, <u>Sonoma Index-Tribune</u>

2. PUBLIC COMMENTS

There were no comments from the public.

3. CONSENT CALENDAR

- A. Receive and Approve Minutes of Regular Meeting of June 5, 2007
- B. Adopt Resolution No. 070701, Approving Water Main Extension Agreement with John Walsh, Project No. 2913
- C. Adopt Resolution No. 070702 Approving Water Facilities Installation Agreement with the Valley of the Moon Teen Center, Project No. 2914

Motion by **Director Bramfitt**, seconded by **Director Townsend**, and carried unanimously by a voice vote to adopt the Consent Calendar, as submitted.

4. PUBLIC HEARING

There was no Public Hearing.

5. OPERATIONAL & COMMITTEE REPORTS

- A. Approve Current Financial Reports for May 2007

Motion by **Director Bramfitt**, seconded by **Director Smith** and carried unanimously by a roll call vote to approve the monthly financial reports and disbursements for the month of May 2007, in the amount of \$273,729.79.

- B. Review/Comment on Current District Projects and Significant O & M Issues

Operations and Maintenance Supervisor Paul Gradolph presented the summary review of current District projects and significant operations and maintenance issues for June 2007, as follows:

Project #2902 – Production Well No. 5: The design engineer is close to finalizing the Preliminary Design Report (PDR). The PDR is anticipated by the end of July. The environmental consulting firm North State Resources has completed the preparation of the Mitigated Negative Declaration and supporting documentation for the project.

- C. Water Source Report

There were no comments.

6. RECEIVE & FILE PRESIDENT’S AND DIRECTOR’S REPORTS OR COMMENTS

There were no reports.

7. GENERAL MANAGER’S AND DISTRICT COUNSEL’S REPORTS

- A. Technical Advisory Committee Meeting of July 2, 2007

General Manager Krishna Kumar reported that Randy Poole, General Manager/Chief Engineer of the Sonoma County Water Agency (Water Agency) had indicated that he would rely on the water contractors to reduce their respective demands by 15 percent to meet the requirements of the State Water Resources Control Board. As a result, all water contractors would have to reduce the total system demand over a four month period by 15 percent.

When asked if the Water Agency had declared an emergency, **Mr. Kumar** stated that it had not although the water contractors had been asked to proceed with the provisions of an emergency curtailment.

Mr. Kumar noted the discussion as to whether or not to use the shortage allocation methodology recently adopted by the Water Agency or to utilize a straight 15 percent reduction from the 2004 usage to meet the State Water Board requirement. While Santa Rosa had preferred the use of the shortage allocation methodology which took into account demand hardening as opposed to the straight 15 percent reduction, the Water Agency had indicated that this was not a typical water shortage situation.

Agency staff was using the shortage allocation methodology as the basis for determining what each water contractor’s allocation would be from July through October. Under the shortage allocation methodology, the VOMWD would be allocated approximately 1,270 acre feet for the four months, roughly equal to the amount the VOMWD had obtained in 2004, which would equate to approximately 100 acre feet or an 8 percent reduction over the 2006 use.

Mr. Kumar reported that the Technical Advisory Committee (TAC) had authorized him and one other to meet with representatives of the Water Agency and Santa Rosa to negotiate a proposal to be returned to the Water Advisory Committee (WAC) meeting in August.

Mr. Kumar stated that the Restructured Agreement required the Water Agency to adopt a shortage allocation methodology or any other methodology unanimously agreed upon by the water contractors. He added that the Restructured Agreement had offered flexibility as long as all the members were in agreement.

Mr. Kumar also reported that the Biological Opinion (BO) was estimated to be finalized in 2007.

B. Best Management Practice (BMP) No. 11 Revised

Mr. Kumar reported on the revision to the BMP No. 11 related to conservation pricing. BMP 11 had been approved by the California Urban Water Conservation Council on June 13. He stated that one of the major components of the revision included the need for a minimum of 70 percent of water sales revenue from rates tied to the actual quantity of water sold, or volumetric sales. He reported that the VOMWD obtained 90 percent of its water sales revenue from volumetric sales, one of the highest in the State, and was in complete compliance with revised BMP 11.

C. Tour of Water Supply System

Mr. Kumar announced the possibility of a day and a half tour by representatives of water contractors and members of the public of the Water Agency's water supply system on the Russian River beginning at the Potter Valley Project, to be scheduled for late August or early September. He characterized the proposed tour as a useful education tool.

D. Lake Mendocino Water Storage Level

Mr. Kumar presented a PowerPoint presentation comparison of Lake Mendocino water levels from 2002, 2004 and 2007, which had set the tone of discussions at the State Water Resources Control Board because of projected levels that could be some of the lowest on record. The Water Agency had been directed to coordinate among its water contractors, the agricultural segment and private diverters to craft a comprehensive Russian River plan.

E. VOMWD Web Site

Mr. Kumar presented the VOMWD web site and asked for the Board of Directors' endorsement to allow a launch of the site on July 5, 2007. He walked the Board through the site, noted that announcements such as a call to reduce water would be included, and stated that if the Water Conservation Ordinance was approved by the Board, it would be included on the web site. Also included was on-line bill payment, information about Board Members, message from the General Manager, contact and directions, emergency preparedness, employment listing, history of the District, management and finance, and useful links.

Mr. Kumar delineated the links under each of those headings; described how the site would be maintained and kept updated, and explained that there would be in-house capabilities to make minimal changes.

The Board was pleased with the VOMWD's web site.

8. OLD/NEW BUSINESS

A. **Discuss/Adopt:** Ordinance No. 1008 Establishing Mandatory Water Conservation Measures

Mr. Kumar stated that in April, the Water Agency had requested a reduction from the State Water Board that had been approved at the staff level. The State Board had asked for comments and a public hearing, after which the order had been reissued. The State Board order specifically required the Water Agency to reduce its Russian River diversions by 15 percent, as compared to the 2004 diversions since 2007 best mimicked the 2004 conditions. He stated that the VOMWD Board had taken the lead to introduce improvements with the introduction of tiered rates in 2004. He explained that several new incentive programs, such as Cash for Grass, had picked up. As a collective measure, the water contractors in April had come up with the most beneficial, most effective water conservation measures, which have since been put in place by all the water contractors.

Mr. Kumar explained how a 15 percent water reduction would translate to the VOMWD, as earlier reported, equating to a 100 acre foot reduction over the next four months. As such, the level of use in July would be evaluated to determine whether or not additional measures would have to be taken within the following three months.

When asked by President Kenny, **Mr. Kumar** stated that the City of Sonoma had approved a similar ordinance in late June. He also noted that the State Water Board had elevated the water conversation measures from voluntary to mandatory. He added that the VOMWD had an existing ordinance which prohibited certain water use, the Water Waste Prohibition Ordinance, which had been adopted in 2000 as part of the Temporary Impairment Memorandum of Understanding (MOU).

In response to **Director Smith**, Mr. Kumar noted that part of the VOMWD's flow was from Lake Mendocino and Dry Creek. In order to protect Coho Salmon, the Water Agency had reduced flows to the ideal flow for fish during the summer period, although there was no formal order to do so yet. He stated that the Biological Opinion (BO) would likely include that as a formal recommendation. As such, the VOMWD's water supply was constrained at both ends. He added that the BO would formalize the Water Agency's obligations and there had been a discussion of restoring habitat at Dry Creek for spawning salmon which should help increase the flow, and a discussion of a pipeline for the 14 miles from Lake Sonoma to the Water Agency's intake facilities at Wohler. He suggested that the Water Agency would recommend a combination of these two measures. The pipeline option and the restoration option would likely be included in the Water Agency's Environmental Impact Report (EIR).

Director Smith questioned the timing of the order given conflicting situations that could make it impossible to comply with the orders.

Director Bramfitt concurred and noted the suggestion that the situation related to a regulatory shortage since there appeared to be sufficient water available. He suggested that the Water Agency would have to address the problems through the EIR. He was hopeful that would occur. He supported the proposed water conservation measures and suggested they be added to the VOMWD's ordinance and regulations.

Director Bramfitt particularly supported conservation measures 2 through 6 related to irrigation, but suggested that message was not being delivered since many users were watering during the daytime. He was particularly concerned with conservation measure 5 related to varying the run-time of irrigation systems with the fluctuations in weather. He supported a plan to better inform the public of the water conservation measures with a focus on numbers 2 through 6. He urged a method to ensure that residential and

commercial customers were being appropriately notified.

Mr. Kumar advised that delivering the message was a matter of internal discussions. He added that Office Manager Shari Walk would be having one-on-one conversations with the top tier water users.

Director Bramfitt stated that the ET controllers would have to be encouraged since they self-adjusted.

Motion by **Director Bramfitt**, seconded by **Director Smith** and carried unanimously by a voice vote to adopt Ordinance No. 1008 establishing mandatory water conservation measures in addition to those that the VOMWD had already adopted.

- B. Receive/Set:** Receive a Copy of the Well No. 5 – Proposed Mitigated Negative Declaration and Initial Study and Set July 6, 2007 through August 6, 2007 as the Public Comment Period

Mr. Kumar presented the proposed Mitigated Negative Declaration and called it a huge milestone. He reported that the consultants had completed their work. The Board action would set the public comment period from July 6, 2007 through August 6, 2007. A notice would be posted in the local newspaper. The item would return to the Board in September when the proposed Mitigated Negative Declaration could be approved along with the project.

When asked, **Mr. Kumar** stated that he had been in touch with the neighboring property owners and a formal letter would be submitted to those owners.

By consensus, the VOMWD Board of Directors received a copy of the Well No. 5 – Proposed Mitigated Negative Declaration and Initial Study and set July 6, 2007 through August 6, 2007 as the Public Comment Period.

- C. Adopt/Approve:**
- 1) Adopt Resolution No. 070703 Approving Side Letter No. 1 to the Memorandum of Understanding Between the Valley of the Moon Water District and the Local 39 Stationary Engineers Dated May 17, 2005
 - 2) Approve Job Descriptions, Reflecting Changes in the ‘Required Certifications’ for Field Positions
 - 3) Eliminate the Class A Commercial License Program and Designation of Two District Employees as Designated Drivers Under the Program
 - 4) Declare the Equipment Trailer as Surplus

When asked, **Mr. Gradolph** explained that the backhoe trailer had been purchased in 1996 at which time the vacuum truck or vacuum trailer had not yet been acquired and a number of capital improvement projects had not yet been initiated. Since that time, the trailer had been used infrequently and there was a need to eliminate the program and the trailer. He advised that the vacuum truck was now the workhorse of the VOMWD system.

As to whether or not the change would have any effect on the VOMWD’s insurance premiums, there was no information in that regard although **Mr. Kumar** suggested that if anything, the insurance cost would be reduced.

Mr. Kumar explained that the required certifications related to distribution and treatment from Grade 1 to Grade 4. Current job descriptions required Grade 1 certifications. He stated that the requirements had been streamlined and the proposal would work as an incentive. Staff had successfully discussed the situation with employees who were in concurrence with what had been recommended, including the elimination of the two designated drivers who would have an opportunity to move up by obtaining higher certifications.

President Kenny verified that the unions had no problem with Resolution No. 070703, approving Side Letter No. 1 to the MOU between the VOMWD and Local 39 Stationary Engineers.

Motion by **Director Smith**, seconded by **Director Bramfitt** and carried unanimously by a roll call vote to:

1. Adopt Resolution No. 070703 approving Side Letter No. 1 to the Memorandum of Understanding between the Valley of the Moon Water District and the Local 39 Stationary Engineers dated May 17, 2005.
2. Approve job descriptions reflecting changes in the 'Required Certifications' for Field Positions.
3. Eliminate the Class A Commercial License Program and designation of two District employees as designated drivers under the program.
4. Declare the Equipment Trailer as Surplus.

9. CLOSED SESSION

There was no Closed Session.

10. RECONVENE INTO OPEN SESSION

There was no Closed Session.

11. REQUEST FOR FUTURE AGENDA ITEMS

There was no request for future agenda items.

12. ADJOURNMENT

On motion by **Director Bramfitt**, seconded by **President Kenny** and carried unanimously by a voice vote to adjourn the meeting at 7:25 P.M. The next scheduled meeting is a regular meeting on Tuesday, August 7, 2007 at 6:30 P.M.

Shari Walk, Deputy Board Secretary

Ed Kenny, Board President