

**VALLEY OF THE MOON WATER DISTRICT**  
REGULAR MEETING MINUTES  
September 2, 2008

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, September 2, 2008, 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 Mark Bramfitt** 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 Ron Prushko Ed Kenny Sanford Smith
Directors Excused:	Russell Townsend
District Personnel:	Paul Gradolph, Operations & Maintenance Supervisor Shari Walk, Office Supervisor
General Manager:	Krishna Kumar
Public Present:	Sandi Hansen, Sonoma Index-Tribune

**2. PUBLIC COMMENTS**

There were no comments from the public.

**3. CONSENT CALENDAR**

- A.** Minutes of the August 5, 2008 Board of Directors Meeting.
- B.** Term Engineering Services Agreement with the firm of Cinquini & Passarino, Inc.
- C.** AB 1600 Annual Report for FY 2007-08.
- D.** Surplus equipment.

Motion by **Director Kenny**, seconded by **Director Smith**, and carried unanimously by a voice vote to adopt the Consent Calendar, as shown.

**4. PUBLIC HEARING - NONE**

## 5. OPERATIONAL & COMMITTEE REPORTS

### A. Monthly Financial Reports & Disbursements

Motion by **Vice President Prushko**, seconded by **Director Smith** and carried unanimously by a roll call vote to approve the monthly financial reports and disbursements for the month of July 2008, in the amount of \$516,394.90.

### 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 August 2008, as follows:

- **Project #2893 – Carmel Avenue Water Main:** The project was complete with the exception of a few minor punch list items.
- **Project #2902 – Production Well No. 5:** The installation of the backwash unit was complete. The contractor was in the process of installing the chlorination unit and the electrical equipment. PG&E was scheduled to install the electrical service on September 15<sup>th</sup> but that has been moved up to September 10<sup>th</sup>.
- **Project #2912 – Agua Caliente, Trinity Oaks, El Verano Water Mains:** The contractor, Piazza Construction, was nearing completion on the Glen Ellen portion of this project. The next section of work will be in the Agua Caliente area on Hillcrest Avenue, Woodland Street and Cragmont Drive.

In response to **Vice President Prushko**, Mr. Gradolph said the pump being installed at the Verano well site is sized for a maximum of 250 gpm with variable speeds; however the District's plan was to run it at 200 gpm.

In response to **Director Kenny**, Mr. Gradolph said the draw downs would be measured over a three day period.

**Mr. Gradolph** reported that the Donald Well motor went out. The pump was being replaced and since funds have been included in the District's current budget to rehabilitate that well, that will also be done while the pump work was being carried out. The work should be completed within the next couple of weeks.

### C. Water Source Report

There were no comments on the Water Source Report.

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

**Director Smith** provided the board a written report of what he discussed at the last board meeting in regards to his attendance at the Insurance and Personnel Committee meeting in San Diego on July 17, 2008.

**President Bramfitt** reported that there was a scheduled Ad Hoc Committee meeting on Thursday, September 4, 2008 in the board room at 2:00 p.m. with two members of the Sonoma City Counsel (Barbose & Sebastiani), himself, and Director Townsend.

**President Bramfitt** also reported that he would be attending a policy sub-committee meeting of LAFCO, of

which he was a member, called by Supervisor Brown to specifically discuss issues around the Sonoma Valley Sanitation District. The LAFCO would like to discuss with the special districts issues such as sphere of influence and district boundaries, among other things. **President Bramfitt** described issues surrounding the Sonoma Valley Sanitation District as something of a hornet's nest with regards to the boundaries and the sphere of influence of the district and all tied around some moratorium issues that were passed sometime ago, and Supervisor Brown was challenging the LAFCO policy sub-committee meeting to delve into that issue. The meeting was scheduled for September 10, 2008, at 12:00 noon in Santa Rosa.

**President Bramfitt** said he would report back on that meeting as it may have some bearing on the Sonoma Valley recycled water project and other matters affecting the valley.

## **7. GENERAL MANAGER'S AND DISTRICT COUNSEL'S REPORTS**

### **A. Technical Advisory Committee Meeting of September 2, 2008**

**Mr. Kumar** reported the following:

#### **I. Technical Advisory Committee Meeting**

The Technical Advisory Committee (TAC) meeting was an abbreviated one so as to make time for the ACWA Region 1 Board meeting which followed the TAC meeting. The only item of significance at the TAC meeting was the confirmation from the Sonoma County Water Agency (Water Agency) that the final draft of the Biological Opinion is anticipated to be released in early October.

#### **II. ACWA Region 1 Board meeting**

Tim Quinn, the Executive Director of the Association of California Water Agencies (ACWA), made a presentation to the Region 1 Board outlining the ACWA's recently developed strategic and business plan. Under the new strategic plan, ACWA proposed to play a significant leadership role in fostering a solution to the vexing Delta issues and also to increase the level of assistance and service it provides its members on key local and regional concerns. This increased effort came with a hefty price tag of \$1.3 million annually, which in turn would result in ACWA's membership rates increasing between 5% and 30% (depending on the size of the member agency) over the next two years. However, in order to soften this blow and to make this steep rate increase more equitable and fair to its member agencies, ACWA had undertaken the following measures:

1. To assure a fair distribution of growing Delta-related costs, the ACWA plan included a new Delta Sustainability Assessment charge to be paid by ACWA members that rely directly or indirectly on water from the Delta. Region 1 members, including VOMWD, are excluded from paying this assessment charge.
2. The rates for 174 of the smallest of ACWA member agencies would go up by no more than 5% over the next two years. ACWA classified its 411 members into five groups depending on the size of the O&M budget of the member agency. The smallest of the 174 member agencies had adjusted O&M budget of less than \$1.2 million. VOMWD's adjusted O&M expenditure amounted to \$1.5 M and the rate increase would be approximately \$1,200 annually to be phased in over a two year period. The current annual dues were approximately \$5,800.

**Vice-President Prushko** reaffirmed with staff that the District would not be paying extra dollars for Delta-related costs.

In response to **President Bramfitt**, Mr. Kumar reported that the proposal to increase membership dues would be going to the ACWA board this month for approval.

In response to **Director Smith**, Mr. Kumar indicated that he had taken up the matter with the Water Agency regarding the Water Agency directly paying the ACWA dues for its contractors.

**President Bramfitt** questioned the value that the District gets out of its ACWA membership. He was very pleased to see ACWA charging the increased cost relating to the Delta issues to the appropriate member agencies. According to him, the more fundamental question was what did the District get for being a member of ACWA? Why was a government agency hiring a lobbying arm to lobby other government agencies? However, he agreed that given the size of the District, it is impractical to send the General Manager to Sacramento very many days of the month to do legislative follow up work. He appreciated the need to band together to speak with a common voice around these issues. The real question was whether the District should continue to spend \$6,000 annually for ACWA membership or entrust the WAC or TAC with coming up with the lobbying positions and sending the members up to Sacramento and working with the agencies and governmental staff.

**President Bramfitt** also took exception to the glossy and slick ACWA newsletter both for its scant content and the expenditure involved in producing and mailing that document. He would much rather receive that document electronically. He wanted that message to be conveyed to ACWA Executive Director Quinn. He wanted assurance that ACWA was trying to prudently manage its budget just like the District did for its rate payers. He emphasized that this matter was not going unexamined by this board. On a more general basis, he wanted to leave this matter in Mr. Kumar's hands to advise the board, through the District's annual budget process, on where to best spend the District's limited government relation type funding.

### **III. Workshop to receive information regarding draft policy for maintaining instream flows in northern California coastal streams – Aug 6, 2008**

Through AB 2121, the State Legislature required the State Water Board to adopt principles and guidelines for maintaining instream flows in northern California coastal streams for the purposes of water right administration. In considering the adoption of a policy, the State Water Board had to balance instream flow needs, such as fisheries, aquatic habitat, recreation, and navigation, against the needs of other uses, including water diversion for agricultural uses.

The proposed regulations would apply to all streams and tributaries discharging to the Pacific Ocean between San Francisco and Mattole River in Humboldt County and streams and tributaries that run into northern San Pablo Bay. The exception is the main stem of the Russian River south of Lake Mendocino, including Dry Creek, because they already had water flow rules in place.

There was considerable discussion regarding illegal water diversions and the State response was that the water-rights division of the State Water Board had only 20 people assigned to enforcement statewide. Farmers, fishery conservationists and members of the state Water Resources Control Board, expressed interest in linking new water rights permits to the management of entire watersheds rather than merely to the stream sections on individual properties.

The proposed regulations would restrict new diversions to the rainy season, October 1 to March 31, and require farmers to store the water in off stream reservoirs for the summer growing season with the aim to provide more water in streams for salmon and steelhead, which have been listed as endangered. The farmers, however, felt that this would be too restrictive and the fish conservationists argued that the State should limit diversions to the period of December 15 to March 31<sup>st</sup>.

**Vice-President Prushko** confirmed with Mr. Kumar that the Agricultural community is actively pursuing measures to increase its water storage capacity so as to relieve pressure on the Russian River during peak summer months.

**IV. Report on the status of voluntary water conservation**

The total usage for July 2008 was 379 acre-feet. It was essentially the same usage as in July 2007, adjusted for the total number of days billed in 2008.

**8. OLD/NEW BUSINESS - NONE**

**President Bramfitt** adjourned the meeting into closed session at 7:12 p.m.

**9. CLOSED SESSION**

- A. Real property negotiations pursuant to Government code Section 54956.8 – District Negotiator: General Manager: Property: 2020 Heaven Hill Road and 2400 Sobre Vista Road: Subject: Terms and price

**President Bramfitt** reconvened at 7:15 P.M. from Closed Session. There was nothing to report.

**10. REQUEST FOR FUTURE AGENDA ITEMS**

There were no requests for future agenda items.

**11. ADJOURNMENT**

On motion by **Director Smith**, seconded by **Director Kenny** and carried unanimously by a voice vote to adjourn the meeting at 7:16 P.M. The next scheduled meeting is a regular meeting at 6:30 P.M. on October 7, 2008.

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Shari Walk, Deputy Board Secretary

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Mark Bramfitt, Board President