

**VALLEY OF THE MOON WATER DISTRICT  
FINANCING CORPORATION  
REGULAR MEETING MINUTES  
January 6, 2009**

A regular meeting of the Board of Directors of the Valley of the Moon Water District Financing Corporation was held on Tuesday, January 6, 2009, in the Board Chambers of the District Office at 19039 Bay Street, El Verano, California.

**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 Al Bandur Ed Kenny Russell Townsend
Directors Absent:	Ron Prushko (Excused)
District Personnel:	Paul Gradolph, Operations and Maintenance Supervisor Shari Walk, Office Supervisor
General Manager:	Krishna Kumar
Public Present:	Sandi Hansen, <u>Sonoma Index-Tribune</u> ; Bonnie Durrance, <u>Sonoma Valley Sun</u> ; Laurie Gallian, Sonoma City Councilmember; Melinka Bates, City of Sonoma Public Works Director; Sherri Lewis

<b>2. PUBLIC COMMENTS</b>
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There were no public comments.

<b>3. CONSENT CALENDAR</b>
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**A.** Minutes of the January 2, 2008 Board of Directors Meeting.

On motion by **Director Kenny**, seconded by **Director Townsend** and carried by a voice vote to adopt the Consent Calendar, as shown, with **Director Bandur's** abstention.

Due to the excused absence of Vice President Prushko, **President Bramfitt** requested a modification to the agenda to remove Item 4A, Election of Officers, to be continued until next month to allow Vice President Prushko an opportunity to participate.

On motion by **Director Townsend**, seconded by **Director Bandur** and carried unanimously by a voice vote to retain the current officers of the Board of Directors until the next meeting.

On motion by **Director Townsend**, seconded by **Director Kenny** and carried unanimously by a voice vote to continue the meeting of the Valley of the Moon Water District Financing Corporation to February 3, 2009.

<b>4. OLD/NEW BUSINESS</b>
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- A. Elect President and Vice President; Appoint Treasurer/Secretary and Assistant Treasurer/Assistant Secretary, and set meeting schedule for Calendar Year 2009.

As previously determined, the Election of Officers was continued to February 3, 2009.

<b>5. ADJOURNMENT</b>
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Motion by **Director Townsend**, seconded by **President Bramfitt** and carried unanimously to adjourn the meeting at 6:37 P.M. to the next meeting scheduled for February 3, 2009 at 6:30 P.M.

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Shari Walk, Assistant Secretary

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Mark Bramfitt, Board President

**VALLEY OF THE MOON WATER DISTRICT**  
REGULAR MEETING MINUTES  
January 6, 2009

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, January 6, 2009, 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 Al Bandur Ed Kenny Russell Townsend
Directors Absent:	Ron Prushko (Excused)
District Personnel:	Paul Gradolph, Operations and Maintenance Supervisor Shari Walk, Office Supervisor
General Manager:	Krishna Kumar
Public Present:	Sandi Hansen, <u>Sonoma Index-Tribune</u> ; Bonnie Durrance, <u>Sonoma Valley Sun</u> ; Laurie Gallian, Sonoma City Councilmember; Melinka Bates, City of Sonoma Public Works Director; Sherri Lewis

Due to the excused absence of Vice President Prushko, **President Bramfitt** requested a modification to the agenda to remove Items 8A and 8B, Election of Officers, from the meeting agenda to be continued to the next meeting to allow Vice President Prushko an opportunity to participate.

On motion by **Director Townsend**, seconded by **Director Kenny** and carried unanimously by a voice vote to modify the agenda by removing Items 8A and 8B, to be continued to the next meeting on February 3, 2009.

**2. PUBLIC COMMENTS**

There were no public comments.

**3. CONSENT CALENDAR**

**A.** Minutes of the December 2, 2008 Board of Directors Meeting.

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

#### 4. PUBLIC HEARING

##### **Public Hearing. Time Set 6:45 P.M. Proposed Increases to Capacity Charge and Service Line Charge, effective April 1, 2009**

Given that the public hearing had been scheduled for 6:45 P.M. and it was not yet that hour, **President Bramfitt** moved to the remainder of the agenda until that time.

#### 5. OPERATIONAL REPORTS

##### A. Monthly Financial Reports & Disbursements.

**Office Supervisor Shari Walk** advised that the next fiscal year's budget would be introduced at the February meeting.

On motion by **Director Kenny**, seconded by **Director Townsend** and carried unanimously by a roll call vote to approve the monthly Financial Reports & Disbursements for the month of November 2008 in the amount of \$408,420.67.

##### B. 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 December 2008, as follows:

- **Project #2902 – Production Well No. 5:** The contractor, Arnold Construction had completed the work on the filtration unit and on December 10 the California Department of Public Health had authorized the District to operate the new well. The District started operating the well the week of December 15. Punch list items were currently being addressed. A dedication ceremony was recommended. The unit was working well and some fence work and minor punch list items on the building remained to be done. Samples of the well water were presented to members of the Board at this time. It was noted that the well, located on Verano Avenue, was on the site of a previous well of some years ago. Through a well siting survey, the site had once again been considered and had been selected. The water had been treated and the iron and manganese had gone down to non-detectable levels.
- **Project #2912 – Agua Caliente, Trinity Oaks, El Verano Water Mains:** The contractor had completed the final service connections on Hillcrest Avenue, Cragmont Drive and Woodland Drive. Minor clean up items remained. A Notice of Completion was expected to be filed by the end of January.

##### C. Water Source Report

Received and filed.

The Board moved on to the public hearing item on the agenda at this time.

#### 4. PUBLIC HEARING

##### **Public Hearing. Time Set 6:45 P.M. Proposed Increases to Capacity Charge and Service Line Charge, effective April 1, 2009**

**President Bramfitt** explained that public notices had been published regarding both the capacity charge and the service line charge and the local newspapers and the North Coast Builder's Exchange had been notified. The proposal would increase the capacity charge to \$8,841 per equivalent single family dwelling with a service line charge for a 1-inch connection to \$3,400, effective April 1, 2009.

PUBLIC HEARING OPENED

There were no comments.

PUBLIC HEARING CLOSED

**Director Bramfitt** noted that the Board did not have to discuss the item since there was a subsequent agenda item for the actual motion to increase the rates.

#### 6. PRESIDENT'S AND DIRECTORS' REPORTS OR COMMENTS

**Director Kenny** advised that former Director Angelo Pedroncelli had recently passed away. He had represented the VOMWD at Mr. Pedroncelli's funeral.

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

##### A. Technical Advisory Committee Meeting of January 5, 2009.

**General Manager Krishna Kumar** acknowledged Melinka Bates, the Public Works Director of the City of Sonoma, who was present in the audience.

**Mr. Kumar** reported that the Sonoma County Water Agency (Water Agency) on behalf of the water contractors would be presenting a multi-cultural outreach to encourage water conservation, to include two dedicated hotlines for both English and Spanish callers and eight landscaping classes in Spanish and four landscaping classes in English.

**President Bramfitt** encouraged the Water Agency to hold classes at VOMWD Offices.

**Mr. Kumar** placed copies of a draft resolution to be adopted by the Water Advisory Committee (WAC) in March 2009 recommending that the top Water Agency priority was to address impacts on listed fish species pursuant to the Reasonable and Prudent Alternative (RPA) established in the Russian River Biological Opinion (BO). He stated that would be one way of letting the Water Agency know that the contractors as a whole would like for the agency to keep that as a top priority, particularly since the BO had been released and there had to be attention to the species issues.

**President Bramfitt** verified that a representative of the WAC would be asked to vote in March. Any formal action by the Board could be returned to the Board at its next meeting.

<b>8. OLD/NEW BUSINESS</b>
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As previously noted, Items A and B had been continued to the next meeting in February.

- A. Election of Officers. President, Vice President, Secretary, and Deputy Secretary.
- B. Board Representatives for 2009.

On motion by **Director Townsend**, seconded by **Director Kenny** and carried unanimously by a voice vote, the Board directed that all officers retain their current positions until the regular meeting of February 3 when the election of officers and representatives would take place.

- C. Water Project Draft Environmental Impact Report (EIR) Hearing Officers

**President Bramfitt** asked of the obligation and restrictions under the Brown Act for other members of the Board to attend the public hearing.

**Mr. Kumar** stated that given the duly noted and noticed public hearing, other members of the Board could attend the hearing as long as those members did not congregate. Members could also address the process.

**Mr. Kumar** recommended the nomination of two directors to be the hearing officers for the public hearing to be held in Sonoma for the Water Agency's Water Project Draft EIR, to be held on February 26 at 7:00 P.M. in the Sonoma Veterans Memorial Building.

On motion by **Director Kenny**, seconded by **Director Bandur** and carried unanimously to nominate **President Bramfitt** and **Director Bandur** as the two Directors to be the hearing officers for the public hearing to be held in Sonoma for the Sonoma County Water Agency's Water Project Draft EIR.

- D. Capacity Charge and Service Line Charge Increase

**Mr. Kumar** recommended the adoption of Resolution No. 090101 revising Sections 8-3 and 8-4 of the District Regulations approving increases to capacity charge and service line charge effective April 1, 2009. He explained that a long presentation and deliberation had occurred at the last Board meeting.

On motion by **Director Bandur**, seconded by **Director Kenny** and carried unanimously by a roll call vote to adopt Resolution No. 090101 Revising Sections 8-3 and 8-4 of the District Regulations approving increases to capacity charge and service line charge effective April 1, 2009.

**President Bramfitt** recognized and welcomed Councilmember Laurie Gallian from the City of Sonoma City Council.

- E. Reimbursement Agreement for Water Conservation Program with the Sonoma County Water Agency

**Mr. Kumar** explained that the Board had requested that the agreement with the Water Agency be reviewed. He noted that the total contract had been broken down into various elements; with a total contract cost of \$78,660.

**Mr. Kumar** reported that he had discussed with the Agency representative ways to reduce the contract amount, particularly since some of the work would be shifted into VOMWD staff, primarily CUWCC reporting which could be handled in-house. The Agency representative has agreed for a \$25,000 reduction. He recommended that no changes be made to the contract per se but that payments under the reimbursement agreement for the Water Conservation Program with the Water Agency for fiscal year 2008-09 be restricted to \$53,660.

**President Bramfitt** applauded the staff efforts and opportunity to fund some of the other elements of the water conservation program. He verified with staff that no motion was required.

**F. Cash for Grass Water Conservation Rebate Program**

**Mr. Kumar** advised that the Board had authorized the program on an experimental basis for up to \$15,750. The VOMWD had two successful program years and had been able to remove more than 30,000 square feet of lawn at a savings of 1.38 acre feet of water annually. On average, the VOMWD spent \$5,000 annually. He recommended that staff be directed to continue implementing the Cash for Grass Water Conservation Rebate Program on a permanent basis.

**Director Townsend** asked what enforcement there would be with respect to the elimination of lawn, reported by **Mr. Kumar** that there would be pre- and post-inspections following established criteria.

**Director Bandur** verified with Mr. Kumar that the program would be implemented through the Water Agency. He also asked about the interest in the program, to which **Mr. Kumar** advised that there had been a steady flow of applications.

**Director Townsend** asked if there had to be a refund of a portion of the rebate amount if one wanted to replant.

**Mr. Kumar** explained that the program required that there be no replanting, although there was no enforcement provision to check to ensure that there would be no replanting. He also explained, when asked, that the program was strictly residential and included no commercial element.

**Ms. Walk** added that the Commercial accounts represented only 12 percent of the District business.

**President Bramfitt** wanted to evaluate the Cash for Grass program against other conservation programs as to cost effectiveness. He suggested that there could be problems with those participating in the program if one moved and the replacement occupants did not comply with the requirements of the program. He supported the retention of the program and a report from staff if the demand outstripped the supply.

**Director Townsend** suggested that there could be a restriction recorded on the property if there was a large amount of acreage involved.

**G. Well No. 5 Dedication Ceremony**

**Mr. Kumar** recommended that staff be directed to hold a dedication ceremony to mark the completion of Well No. 5.

**President Bramfitt** advised that he had visited the site, which was small and which could not accommodate

a gala event. As such, he questioned whether or not something more modest or a technical tour by those interested might be more appropriate, with a dedication ceremony per se to be held at VOMWD offices.

**Mr. Kumar** stated that both could be combined similar to what had occurred at the Hill Road Tank ceremony. He stated that the parking would be done across the street and there was enough space between the fence being erected and the pavement. He noted that this was the district's first new well in 30 years.

**President Bramfitt** wanted to highlight the technical aspects of the well. He asked if the Valley of the Moon Riding Club could be contacted as to the use of their hall for the ceremony, in case of rain.

**President Bramfitt** declared a recess at 7:13 P.M. prior to the Closed Session, which began at 7:20 P.M.

**9. CLOSED SESSION**

- A. Conference with legal counsel to consider initiation of litigation, pursuant to Government Code Section 54956.9 (c) – one case.

**10. RECONVENE INTO OPEN SESSION**

**President Bramfitt** reconvened from Closed Session at 8:05 P.M. There was nothing to report.

**11. REQUEST FOR FUTURE AGENDA ITEMS**

There was no request for future agenda items.

**12. ADJOURNMENT**

Motion by **Director Kenny**, seconded by **Director Townsend**, and carried unanimously to adjourn the meeting at 8:06 P.M. The next scheduled meeting is a regular meeting on February 3, 2009 at 6:30 P.M.

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Shari Walk, Deputy Board Secretary

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Mark Bramfitt, Board President