

VALLEY OF THE MOON WATER DISTRICT
REGULAR MEETING MINUTES
March 3, 2009

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, March 3, 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 Ron Prushko 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 Ron Prushko
District Personnel:	Paul Gradolph, Operations and Maintenance Supervisor Shari Walk, Office Supervisor
General Manager:	Krishna Kumar
Public Present:	Virgilia Mapa, and Sandi Hansen, <u>Sonoma Index-Tribune</u>

2. PUBLIC COMMENTS

Virgilia Mapa, a District customer, inquired whether the board was going to consider water rationing, and if so, how it would be determined as to the amount of water each household would receive, and if a credit would be given to those who have already conserved.

General Manager Krishna Kumar offered to call this customer to answer her questions and clarify the current situation.

3. CONSENT CALENDAR

- A.** Minutes of the February 3, 2009 Board of Directors Meeting.
- B.** Project Closing Documents for the Water Main Extension Project No. 2894.

On motion by **Director Kenny**, seconded by **Director Bramfitt** and carried by a voice vote to adopt the Consent Calendar, as shown, noting **Director Townsend's** abstention on item 3.A.

4. PUBLIC HEARING - NONE

5. OPERATIONAL REPORTS

A. Monthly Financial Reports & Disbursements.

On motion by **Director Bramfitt**, seconded by **Director Bandur** and carried unanimously by a roll call vote to approve the monthly Financial Reports & Disbursements for the month of January 2009 in the amount of \$303,108.56.

B. Water Source Report

Director Bramfitt noted that the water production was up a little for the month of January and commented that it was probably due to the relatively dry January.

6. PRESIDENT'S AND DIRECTORS' REPORTS OR COMMENTS

Director Bramfitt reported that he and General Manager Kumar met with the City of Sonoma staff as well as Councilmember August Sebastiani to discuss the agenda for the joint meeting with the City scheduled for March 11th at 6:00 PM.

Vice President Townsend thanked the Board for electing him to the position of Vice President.

President Prushko reported that he, Director Bramfitt, Director Bandur, and Mr. Kumar attended the Sonoma County Water Agency Water Project EIR hearing on February 24th and was surprised that there was only one public comment. He said the Water Agency did a nice presentation, and the meeting went smoothly.

Director Bramfitt reported that one of the other EIR public hearings in the Guerneville area was also poorly attended. The Santa Rosa, Rohnert Park area hearings had yet to take place, so perhaps there will be more comments from the public. He understood that Brenda Adelman from the Russian River Watershed Protection Committee planned to put in extensive comments to the EIR, but at this point he did not expect much public opposition to the EIR.

Director Bramfitt commented on the Verano well dedication ceremony and thanked staff for the event, as well as **President Prushko** for making a wonderful speech at the ceremony.

Director Kenny asked if the rumor was true, that Mr. Poole has announced that he would be retiring, to which Mr. Kumar said he didn't have a positive confirmation.

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

A. Water & Technical Advisory Committee Meetings of March 2, 2009.

Available allocation to the water contractors

The Water Agency had indicated that it can deliver only 52,000 acre-feet of water in FY 2009-10, compared to the previous 12 months actual delivery of 58,000 acre-feet, based on then existing reservoir levels. However, there has been a fair amount of rain since the initial announcement and the water contractors voted to request the Water Agency to re-consider the delivery numbers, based on current levels of the reservoirs:

- a. Lake Sonoma – 220,830 acre-feet (97% of average storage – 226,811)

b. Lake Mendocino – 46,565 acre-feet (64% of average usage – 72,954)

Contractually, the Water Agency was required to use the 58,000 acre-feet number, unless majority of the water contractors agreed for the Water Agency to use a smaller number. The Water Agency will bring back this item to the special Water Advisory Committee meeting on April 6th.

In response to **Director Bandur**, Mr. Kumar clarified that it would require a weighted majority of votes to authorize the Water Agency to use a delivery number lower than 58,000 acre-feet.

Director Bramfitt pointed out that the Water Agency had originally proposed 45,000 acre-feet as its delivery number, which was then changed to 52,000 acre-feet and now possibly 58,000 acre-feet, which might result in lower rates.

President Prushko asked if it was true what he read in the paper, that Mr. Poole was going to be reducing his staff by 25%, and if so, why wouldn't the Water Agency be able to hold the water rate rather than raising it?

Director Bramfitt said Mr. Poole had claimed he was laying off 25% of his staff. Mr. Poole had also put three other things on the chopping block, 1) plans to do no further work on the EIR, meaning not responding to comments, 2) claimed he will be reducing maintenance on the system, and 3) will not do the Urban Water Plan on behalf of the water contractors, as has been done in the past.

Director Bramfitt said obviously, some of the contractors, including the District, would not like to see some of these things cut, however, if they are back in the budget, it would mean higher rates. He noted that the water contractors had a say in approving the water delivery number, however, the Board of Supervisors run and approve the Water Agency budget and hence the water contractors had no real say over the water rates.

Director Bandur asked when Mr. Poole makes statements about maintenance of the system, was he segregating the water delivery system from flood control and sanitation efforts. Mr. Kumar clarified that Mr. Poole was referring to the maintenance of the water distribution and delivery system.

8. OLD/NEW BUSINESS

A. Water Conservation Measures

General Manager Kumar reported that this item was a result of the Sonoma County Water Agency's recent announcement that it would be reducing the water deliveries to its water contractors. If there was a reduction in the deliveries, the governing contractual provision is section 3.5 of the Restructured Agreement. The Agreement required the Water Agency to adopt a water allocation methodology, which the Agency had done.

Mr. Kumar said staff had prepared an Ordinance, a similar one was adopted last year as well, requiring the District's customers to implement water conservation measures with a target of an overall system-wide 15% reduction, on a voluntary basis.

Director Townsend clarified with Mr. Kumar that the District was only asking its customers to do their best to prevent water waste.

President Prushko inquired what storage levels we need to see for it to be a normal year. Mr. Kumar stated the classifications of ‘normal year’, ‘dry year’, and ‘critically dry year’ are defined in the document known as Decision 1610, which was approved by the State Water Resources Control Board in 1986, and are based on the amount of water that flows into Lake Pillsbury. Depending on that classification, the Water Agency was required to regulate the flow from both Lake Mendocino and Lake Sonoma. For example, if it was determined to be a ‘critically dry year’, the flows from both the reservoirs went down, and if it was a ‘normal year’, the flows went up.

Vice-President Townsend asked if the groundwater wells played into this equation. Mr. Kumar said the Water Agency had three groundwater wells, which are typically used for standby purposes; however, the Agency had the option to use those three wells to supplement what they produced out of the caissons.

Vice-President Townsend inquired as to Ordinance 1007 and when it was adopted. Mr. Kumar said it is the District’s water waste prohibition ordinance, and it was adopted in 2000.

Director Bramfitt said regardless if the Water Agency came back on April 6th with 58,000 acre-feet as the new number to use in their budget, we’ve already had two dry years previously, and even if we’re up to a normal year, we still have to recover from that, so he thought it was prudent in asking our customers in general to voluntarily implement the items in the Ordinance, and help us reduce water use by 15%.

On motion by **Director Bramfitt**, seconded by **Director Kenny** and carried by a voice vote to adopt Ordinance No. 1009, establishing water conservation measures.

President Prushko adjourned into Closed Session at 7:00 P.M.

9. CLOSED SESSION

- A. Conference with legal counsel to consider initiation of litigation, pursuant to government code section 54956.9© - 1 case.**
- B. Public Employee Performance Evaluation Pursuant to Government Code Section 54957 – General Manager**

10. RECONVENE INTO OPEN SESSION

President Prushko reconvened from Closed Session at 7:37 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 Bramfitt**, seconded by **Vice President Russell**, and carried unanimously to adjourn the meeting at 7:38 P.M. The next scheduled meeting is a regular meeting on April 7, 2009 at 6:30 P.M.

Shari Walk, Deputy Board Secretary

Ron Prushko, Board President