

VALLEY OF THE MOON WATER DISTRICT
REGULAR MEETING MINUTES
September 6, 2011

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, September 6, 2011, 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 Bandur 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:	Russ Townsend Ron Prushko Ed Kenny Mark Bramfitt Al Bandur
General Manager:	Krishna Kumar
District Personnel	Paul Gradolph, Operations & Maintenance Supervisor Shari Walk, Office Supervisor
Public:	Milenka Bates, Public Works Director, City of Sonoma, Steve MacCarthy, Water Operations Supervisor, City of Sonoma and Diana MacCarthy

2. PUBLIC COMMENTS

There were no public comments.

3. CONSENT CALENDAR

- A. Minutes of the August 2, 2011 Board of Directors Meeting.

President Bandur asked that the minutes be amended to remove the second sentence under President's comments.

On motion by **Vice President Bramfitt** seconded by **Director Kenny** and carried unanimously by a voice vote to adopt the Consent Calendar, as amended and noting **Director Townsend's** abstention.

4. PUBLIC HEARING – NONE

5. OPERATIONAL REPORTS

- A. Monthly Financial Reports & Disbursements for July 2011.

In response to **Director Prushko**, Office Supervisor Walk clarified the MOU provisions regarding boots, pants, and orange shirts for field staff.

Director Townsend pointed out a discrepancy in the check numbers in the disbursement list and Ms. Walk indicated that it was a typographical error and would be corrected in the final copy.

On motion by **Vice President Bramfitt**, seconded by **Director Townsend** and carried unanimously by a roll call vote to approve the monthly Financial Reports & Disbursements for the month of July 2011 in the amount of \$333,897.98 with the correction of the check numbers.

B. Water Source Report.

In response to **President Bandur**, General Manager Kumar indicated that the reduction in water production during July 2009, as compared to the next two Julys, was more than likely weather related.

6. PRESIDENT'S AND DIRECTORS' REPORTS OR COMMENTS

There were no reports or comments.

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

Mr. Kumar introduced audience members Milenka Bates, Public Works Director for the City of Sonoma, and Steve MacCarthy, Water Operations Supervisor for the City of Sonoma and his wife Diana.

Mr. Kumar reported the following:

VOMWD Golden Anniversary

The District would soon be completing its 50th year since becoming operational in July 1962 and staff would be bringing a formal item at the next meeting to seek Board input on planning a suitable celebration to mark this momentous milestone in the history of the District. He briefed the Board on some possible events and sought inputs from the Board on those ideas as well as additional ones so that a consolidated potential events list could be submitted at the next Board meeting.

Vice President Bramfitt suggested contacting Diane Smith, Sonoma Valley Historical Society as a possible resource.

Director Prushko suggested contacting the local newspaper as another possible resource.

Director Townsend asked that a budget for this event be included with the next board packet.

Sonoma Disaster Council Meeting

At the request of **Vice President Bramfitt**, staff had attended the last Sonoma Disaster Council meeting and emphasized the need to reinforce the message that each household needed to have adequate emergency water supply to last at least 72 hours. That was well received and endorsed by the Disaster Council.

The best venue to do that would be the next meeting of SCOPE (Sonoma Citizens Organized and Prepared for Emergencies) on October 21, 2011 at the Vintage House Senior Center. The plan was for both the City of Sonoma (City) and VOMWD to jointly manage a table outside the meeting hall and distribute printed material emphasizing the need for residential emergency water as well as to handover 2.5 gallon collapsible potable water containers to the participants which they can then fill up at their residences using tap water. The giveaway would be a strong way to reinforce the message. The cost was fairly nominal and would be split between the City and the District. Appropriate printed handouts from the Red Cross could also be distributed at the SCOPE meeting.

CalPERS investment return

The California Public Employees Retirement System (CalPERS) reported a 20.7 percent return on investments in preliminary estimates for the one-year period that ended June 30, 2011. That was the best annual performance for CalPERS in 14 years. For the second straight fiscal year, the Pension Fund exceeded its long-term annualized earnings target of 7.75 percent.

8. OLD/NEW BUSINESS

A. Declaration of a vacancy on the Board of Directors

Mr. Kumar reported that with the resignation of **President Al Bandur**, the Board was required to declare a vacancy on the board. California Water code section 30504 and Government Code section 1780 set the parameters for filling the vacancy through appointment by the Board.

In response to **Director Townsend**, Mr. Kumar clarified that if the Board was unable to fill the vacancy, the Board could either ask for a special election to be held or have the Board of Supervisors fill the vacancy.

Vice President Bramfitt suggested, given the cost of a special election, that board members could solicit qualified candidates to submit applications.

Motion by **Vice President Bramfitt**, seconded by **Director Kenny** and carried unanimously by a voice vote to adopt Resolution No. 110901 declaring a vacancy on the Board and taking appropriate steps to fill the vacancy.

Vice President Bramfitt expressed his appreciation for **President Bandur's** contributions. He reiterated that Mr. Bandur had been both a fantastic director and a fantastic president. He presented **President Bandur** with a plaque carrying the Board resolution of appreciation for **President Bandur's** services.

President Bandur thanked the Board for the support, and appreciated the City of Sonoma and the Valley of the Moon Water District working together on projects that concerned both.

Milenka Bates, Public Works Director, City of Sonoma, addressed the Board and noted that she and **President Bandur** had worked together at the City of Sonoma, and that he had been a great mentor and teacher to her and that he will be missed during the next negotiations with the Sonoma County Water Agency. She thanked **President Bandur** for his services to the Valley in general.

Motion by **Vice President Bramfitt**, seconded by **Director Kenny** and carried by a voice vote to adopt Resolution No. 110902 expressing appreciation for services rendered by outgoing **President Bandur**, noting **President Bandur's** abstention.

B. Cooperative Agreement with the Sonoma Valley County Sanitation District

Mr. Kumar presented for Board approval a Cooperative Agreement between the Sonoma Valley County Sanitation District (SVCS) and the District to share data for setting SVCS annual sanitation rates.

In response to **President Bandur**, Mr. Kumar said it had not been finalized yet as to which four winter months the SVCS would be using to determine the sanitation rates.

Director Prushko expressed his relief in noting that the sanitation rates would be based on water usage during winter only and indicated his support for the agreement as it would lead to a fairer rate setting process.

Vice President Bramfitt noted that he was glad to see that Government Code section 6254.16 specifically authorized the District to share certain information to another public agency.

In response to **Director Townsend**, Mr. Kumar noted that section 10 of the Agreement restricted the use and treatment of the information provided by the District to SVCSD.

Motion by **Vice President Bramfitt**, seconded by **Director Townsend** and carried unanimously to approve the cooperative agreement with the Sonoma Valley County Sanitation District to share water usage data for setting annual sanitation rates and authorize the General Manager to sign the agreement.

President Bandur convened into Closed Session at 7:15 P.M.

9. CLOSED SESSION

- A.** Conference with legal counsel to consider pending litigation, pursuant to government code section 54956.9 (a) – “Reus, Victor v. Hal Arbit Trust, VOMWD, et.al”
- B.** Conference with legal counsel to consider initiation of litigation, pursuant to government code section 54956.9 (c) – 1 case

President Bandur reconvened from Closed Session at 8:00 P.M. There was nothing to report.

10. ADJOURNMENT

Motion by **Director Kenny**, seconded by **Director Prushko**, and carried unanimously to adjourn the meeting at 8:02 P.M. The next scheduled meeting is a regular meeting on October 4, 2011 at 6:30 P.M.

Shari Walk, Deputy Board Secretary

Mark Bramfitt, Board Vice President