



**NORTH MARIN
WATER DISTRICT**

**NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING**

April 5, 2011 – 7:30 p.m.

District Headquarters
999 Rush Creek Place
Novato, California

Information about and copies of supporting materials on agenda items are available for public review at 999 Rush Creek Place, Novato, at the Reception Desk, or by calling the District Secretary at (415) 897-4133. A fee may be charged for copies. District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed, please contact the District Secretary as soon as possible, but at least two days prior to the meeting.

Est. Time	Item	Subject
7:30 p.m.	CALL TO ORDER	
	1. APPROVE MINUTES FROM REGULAR MEETING, March 15, 2011	
	2. GENERAL MANAGER'S REPORT	
	3. OPEN TIME: (Please observe a three-minute time limit)	
	This section of the agenda is provided so that the public may express comments on any issues not listed on the agenda that are of interest to the public and within the jurisdiction of the North Marin Water District. When comments are made about matters not on the agenda, Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or direct staff to place a matter of business on a future agenda. The public may also express comments on agenda items at the time of Board consideration.	
	4. STAFF/DIRECTORS REPORTS	
	CONSENT CALENDAR	
	The General Manager has reviewed the following items. To his knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.	
	5. Consent Approve – Contract for Drafting Services FY 10-11 – Michael Aberegg	
	6. Consent Approve - Banking Services RFP	
	7. Consent Approve - Records Retention Program - Destruction of Records	Resolution
	8. Consent Approve - Resolution re Consolidation of District Election and Filing Information District Election, November 8, 2011	Resolution
	ACTION CALENDAR	
	9. Approve – Proposition 218 Letter to Customers Regarding Proposed Rate Increase	
	10. Approve – Self-Insuring Workers' Compensation	Resolution
	11. Approve – 18" Gate Valve Replacement – San Marin & San Carlos	
8:00 p.m.	INFORMATION ITEMS	
	12. Polybutylene Pipe Product Liability Claim Close	
	13. North Bay Watershed Association Meeting – 4/1/11	
	14. TAC Meeting – 4/4/11	

All times are approximate and for reference only.

The Board of Directors may consider an item at a different time than set forth herein.

(Continued)

Est. Time	Item	Subject
	15.	MISCELLANEOUS Disbursements LAFCO Results of Election by Mail Ballot Postage Rate Increase STP Increased Production <u>News Articles:</u> State's Drought Officially Declared Over Feds Want \$2 Million in Flood Funds Returned Local Leaders Attend Pacifica Recycled Water Project Ground-Breaking Ceremony Meeting Wednesday to Discuss RV Water Rights Supervisor Charles McGlashan dies at 49 after ski weekend at Tahoe Sanitary board to honor retiring member Coho return to the Russian River Sonoma County may launch public power agency Board Approves Energy Policy and Community Choice Aggregation Program Feasibility Study
9:00 p.m.	16.	ADJOURNMENT

#

1

1 improve water delivery reliability. He said the proposed project will upsize the existing 30-inch pipe to
2 42-inch and will maintain the aqueduct's current rate of flow without needing the use of the Kastania
3 Pump Station. Mr. McIntyre informed the Board that the proposed AEE Project will coincide with the
4 Caltrans Marin-Sonoma Narrows project which requires relocation of the District's pipeline;
5 construction is scheduled to commence in summer of 2012. He explained that the existing 30-inch
6 pipe will remain in connector segments (areas not included in the Caltrans project) and a 36-inch
7 parallel pipe adjacent to those connector segments will be installed.

8 Director Petterle asked Mr. McIntyre to clarify that the new pipe is sized so that the flow will
9 not be increased when Kastania Pump Station is not in operation. Mr. McIntyre responded that the
10 current rate of flow will be maintained and the Kastania Pump Station will no longer be needed to
11 deliver water to North Marin.

12 Mr. McIntyre introduced Pat Collins of Winzler & Kelly who gave a Power Point presentation
13 on the Draft EIR. She reiterated the summary of the project and its objectives and discussed the
14 project impacts. She stated that most impacts would occur even if the project is not built because
15 the AEE Project is within the footprint of the Caltrans project and all mitigation measures are
16 incorporated into the Caltrans project. Ms. Collins stated that the beneficial impact of the proposed
17 AEE Project is the reduction of greenhouse gas emissions associated with the operation of the
18 Kastania Pump Station.

19 Director Fraites inquired if Caltrans will incur the cost of the mitigation measures. Mr.
20 McIntyre responded that once the environmental phase is complete, staff will begin discussions with
21 Caltrans on that subject. He stated that if the District pays any costs associated with the mitigation
22 measures, it will be an incremental cost, not a fifty-fifty cost share. He further stated that from the
23 District's perspective, it should not pay any costs incurred by Caltrans.

24 Ms. Collins reviewed the project alternatives and stated that the Aqueduct Energy Efficiency
25 Project is the environmentally superior alternative because there are no significant unavoidable
26 impacts, the project is 100% within the Caltrans Marin-Sonoma Narrows project footprint, and it
27 reduces greenhouse gas emissions.

28 Ms. Collins reviewed the schedule and noted that the public hearing will be held on April 19,
29 2011, the end of the public review will be May 2 and the final EIR, which will include response to
30 public comment, is expected to be released in summer of 2011.

31 On motion of Director Petterle and seconded by Director Baker, the Board voted
32 unanimously to authorize staff to release the Draft EIR for public review and set the public hearing
33 for 7:30 p.m. on April 19, 2011 to receive public comments on the Draft EIR.

1 **5-YEAR FINANCIAL PLAN REVIEW AND RATE ADJUSTMENT**

2 David Bentley presented the third review of the Novato Water Five-Year Financial Plan and
3 said there are two parts for discussion: the five-year financial plan and the structure for the rate
4 increase. He stated that the goal at this meeting is for the Board to offer their final input on the five-
5 year financial plan, settle on May 24th as the date for the public rate hearing and for the Board to
6 authorize staff to draft a letter to all customers with details of the rate increase to comply with
7 Proposition 218 and inviting them to the public hearing.

8 Mr. Bentley stated that the District is facing a projected budget shortfall of \$13M over the
9 next five years due to decrease in water sales and connection fee collection. He presented a
10 PowerPoint presentation that included a twenty-year history of water consumption and equivalent
11 dwelling units of new construction in Novato. He informed the Board that the average consumption
12 for the last twenty years was 3.2 billion gallons (BG) and that the current five-year projection for
13 consumption is estimated at 2.7 BG; the twenty-year average in annual connection fees collected
14 was 265 Equivalent Dwelling Units (EDU), whereas this year 10 EDUs have been collected and 20
15 EDUs is estimated for next fiscal year. He said that based upon information provided by the City of
16 Novato and County of Marin, the average for the next twenty years is projected at 90 EDUs.

17 Mr. Bentley stated that staff offered eight recommendations for cost containment and two
18 recommendations for revenue enhancement; however, the revenue enhancement options are not
19 being recommended at this time. He stated that the Board concurred that the first four cost
20 containment options will be considered: defer office renovation and radio read meters projects,
21 reduce "pay go" Capital Improvements Projects expenditures to \$2M per year, reduce Water
22 Conservation rebates by 50% and leave four vacant positions unfilled. He advised that the savings
23 from the cost-containment options are estimated to be \$8.9M over the next five years and will be
24 coordinated into the budget discussions.

25 Mr. Bentley reviewed the projected new debt for a total of \$16.3M over the next five years to
26 fund the Aqueduct Energy Efficiency Project (\$7M) and Recycled Water Expansion (\$9.3M) which
27 will add \$1.25M to the debt service beginning in FY 13. He provided a twenty-year history of annual
28 debt service and capital improvement project expenditures. Mr. Bentley said that most District
29 projects were funded internally during the last twenty years with the exception of the Stafford
30 Treatment Plant Rehabilitation and initial (StoneTree) Recycled Water Project. He said the
31 reduction in water conservation rebates will save \$100,000 per year and he advised that the staffing
32 level, with 2.4 full-time equivalent employees per 1,000 services, is at its lowest in twenty years.

1 Mr. Bentley turned his presentation to the rate increase and rate structure recommendation.
2 He said that an 11% revenue increase is required; the bi-monthly service charge increase is
3 proposed to phase in over the next three years beginning with \$20 in 2011, then increase to \$25 in
4 2012 and \$30 in 2013. He said that after three years, 25% of District revenue will be generated
5 resulting in the District being less susceptible to fluctuations in water sales. He said the
6 corresponding commodity rate increase needed to generate the 11% revenue would be 6%, 7%,
7 and 8% over the next three years.

8 Mr. Bentley explained staff's recommendation to simplify the rate structure by consolidating
9 Zone D and Outside Rates to Zone C, thus reducing the number of commodity rates from 26 to 16.

10 The Board discussed the rate increase and the impacts that higher fixed rates will have on
11 low water users. Mr. Bentley said that there will be an opportunity for customers to see the impact
12 the proposed new rate will have on their bill by accessing a special calculation tool on the District
13 website.

14 Director Rodoni stated that he was not pleased to have the fixed rate increase as much as
15 staff recommends because it will impact low-income and senior customers. He asked if there would
16 be consideration of a hardship policy similar to Marin Municipal Water District. Director Baker said
17 that such a policy would be contradictory to the District's history of not giving special consideration to
18 specific groups. Director Schoonover said that times are different and if it's the right thing to do now,
19 it doesn't matter what was done before. Director Petterle said that he would support a hardship
20 policy. Director Schoonover asked staff if they could provide a plan for the Board to consider.

21 Mr. DeGabriele stated that a hardship policy is difficult to administer and noted there is
22 information included with the Board's agenda packet addressing the Board's concerns on this
23 subject. He said that staff does not recommend a credit or guaranteed volume with the bimonthly
24 service charge. He stated that Marin Municipal has two programs - one for income hardship and one
25 for medical hardship; and he stated that, from his perspective, both can be easily abused.

26 Director Rodoni commented that the hardship consideration could be triggered by low water
27 use. He further commented that in regards to staff's reliance on development estimates for budget
28 projections, he clarified his previously stated opinion that it was a poor tool to use as it is too variable
29 and can skew the budget. Mr. Bentley responded that development estimates are an integral part of
30 District source of project funding.

31 Mr. Grundstrom stated that not spending money on office renovation, radio read meters, etc.
32 is not saving money and that the only real savings is the reduction in water conservation rebates.
33 He cautioned that raising rates will not solve the budget problems.

1 Mr. Bentley clarified staff's three recommendations for the Board's consideration. Director
2 Baker voiced his opposition to the proposed consolidation of Zones C and D commodity rate
3 structure.

4 On motion of Director Rodoni, seconded by Director Petterle and unanimously carried, the
5 Board directed staff to incorporate the four Cost Reduction Measures (defer Office Renovation &
6 Radio Read Meters; reduce "Pay Go" Capital Improvements Project expenditures to \$2M/year;
7 reduce Water Conservation Rebates by 50%; and leave four vacant positions unfilled into the
8 District Financial Plan and the FY 11/12 Budget; and directed staff to add a message to Novato area
9 water bills inviting customers to a Water Rate Hearing to be held on May 24, 2011.

10 On motion of Director Rodoni and seconded by Director Petterle, the Board directed staff to
11 draft a Proposition 218 letter for Board consideration at its April 5th meeting advising customers of
12 the proposed plan to increase the Bimonthly Service Charge effective June 1 of each of the next
13 three years, and advising customers of the proposed plan to simplify and consolidate the rate
14 structure, by the following vote:

15 AYES: Directors Fraites, Petterle, Rodoni, Schoonover

16 NOES: Director Baker

17 ABSTAIN: None

18 ABSENT: None

19 **MISCELLANEOUS**

20 The Board received the following miscellaneous information: Disbursements.

21 Mr. DeGabriele advised that the Water Advisory Committee meeting notes have been
22 distributed to Board members tonight and he provided a brief summary of the meeting. He said that
23 the WAC approved the SCWA FY 11/12 budget and there was a lengthy conversation on the
24 regional compliance with SBx7-7.

25 The Board also received the following news articles: 5 Percent Increase in Water Rate
26 Approved (SCWA); Wet Weather Good for Summer Water Supply in Sonoma County; Eight
27 Sonoma County Officials Gather in Washington, D.C.; Ralph Grossi Honored by Farm Bureau,
28 Sapping the Well.

1 ADJOURNMENT

2 President Schoonover adjourned the meeting at 8:59 p.m.

3 Submitted by

4

5

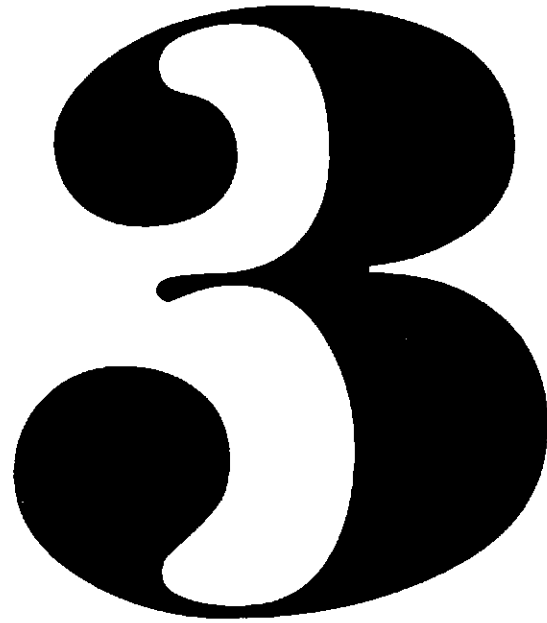
6

7

8

Renee Roberts
District Secretary





4

5

MEMORANDUM

To: Board of Directors

April 1, 2011

From: Drew McIntyre, Chief Engineer *DM*

Re: Contract for Drafting Services FY10-11 - Aberegg

Z:\NON JOB No ISSUES\CONTRACTS\Consultants\Aberegg\aberegg 10-11 contract BOD memo 3-11.doc

RECOMMENDED ACTION: Authorize General Manager to execute a new agreement for drafting services between NMWD and Mr. Aberegg for miscellaneous drafting services with a not-to-exceed limit of \$20,000

FINANCIAL IMPACT: \$20,000

Attached is a new agreement for Drafting Services from Michael Aberegg, an independent drafting consultant that the District has used since 2000 to provide miscellaneous drafting services to help staff meet workload demands with a not-to-exceed limit of \$20,000. The last contract was approved by the Board at the July 21, 2009 meeting for \$20,000. Since that time, Mr. Aberegg has performed periodic drafting services on an as-needed basis. The determination of whether to use Mr. Aberegg is based upon actual drafting backlog. Since July 2009, Mr. Aberegg has worked on eight District projects and two Developer projects. A tabulation of his projects and resulting cost follows:

DISTRICT JOBS	FEE
Maps / Records	\$2,946
Lynwood Pump Station (1 6112.24)	\$1,045
STP Outlet Tower (1 6600.41)	\$3,465
STP Start Up/Flushing (1 6600.54)	\$330
STP Sodium Hydroxide Tank Repl. (1 6600.65)	\$2,750
PRE Retaining Wall (2 6261.21)	\$1,485
PRE Tanks 4A and 4B (2 6263.20)	\$1,705
Recycled Water (North) (5 6055.00)	\$1,155
Garner Pump Station (1 6404.20)	\$550
Sub Total	\$15,431
DEVELOPER JOBS	
Binford Rd. Storage (1 2705.00)	\$3,245
Circle Bank (1 2756.00)	\$495
Sub Total	\$3,740
Total*	\$19,171

*Charges through March, 2011

Approved by GM CD

Date 4/1/2011

Mr. Aberegg has consistently produced a good work product in an efficient manner. Mr. Aberegg would continue to be used on an as-needed basis for either developer and/or District projects. His hourly rate of \$55/hour (since 2004) remains unchanged. Mr. Aberegg would proceed on work only after a specific work scope task, schedule and estimate of services costs are discussed.

RECOMMENDATION

Authorize General Manager to execute a new agreement for drafting services between NMWD and Mr. Aberegg for miscellaneous drafting services with a not-to-exceed limit of \$20,000.

AGREEMENT FOR CONSULTING SERVICES

The following is an agreement between **North Marin Water District**, hereinafter "**NMWD**", and Michael Aberegg, hereinafter, "**Consultant**".

WHEREAS, Consultant is a duly qualified consulting firm, experienced in drafting services and CAD documentation.

WHEREAS, in the judgement of the Board of Directors of the NMWD, it is necessary and desirable to employ the services of the Consultant to provide miscellaneous drafting services.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

PART A -- SPECIFIC PROVISIONS:

1. **DESCRIPTION OF SERVICES AND PAYMENT:** Except as modified in this agreement, the services to be provided and the payment schedule are:
 - a. The scope of work and fee amount covered by this agreement shall include miscellaneous drafting assistance under District staff supervision. Specific work scope tasks, schedules and estimate of services cost shall be discussed, agreed upon and documented between NMWD and the Consultant prior to beginning any work under this agreement.
 - b. The fee for the work shall be \$55 per hour and will include travel time. The hourly rate shall include all other incidental costs such as mileage, supplies, etc. Agreement cost shall not exceed \$20,000 in total without additional Board of Directors' authorization.

PART B -- GENERAL PROVISIONS

1. **ASSIGNMENT/DELEGATION:** Except as above, neither party hereto shall assign, sublet or transfer any interest in or duty under this agreement without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
2. **STATUS OF CONSULTANT:** The parties intend that the Consultant, in performing the services hereinafter specified, shall act as an independent contractor and shall have the control of the work and the manner in which it is performed. The Consultant is not to be considered an agent or employee of NMWD, and is not entitled to participate in any pension plan, insurance, bonus or similar benefits NMWD provides its employees.
3. **INDEMNIFICATION:** NMWD is relying on the professional ability and training of the Consultant as a material inducement to enter into this agreement. The Consultant hereby warrants that all its work will be performed in accordance with generally accepted professional practices and standards, as well as the requirements of applicable federal, state and local laws, it being understood that neither acceptance of the Consultant's work by NMWD nor Consultant's failure to perform shall operate as a waiver or release.

- a. With respect to professional services under this agreement, Consultant shall assume the defense of and defend NMWD, its directors, officers, agents, and employees in any action at law or in equity in which liability is claimed or alleged to arise out of, pertain to, or relate to, either directly or indirectly, the intentional or willful misconduct, recklessness, or negligent act, error, or omission of Consultant (or any person or organization for whom Consultant is legally liable) in the performance of the activities necessary to perform the services for District and complete the task provided for herein. In addition, Consultant shall indemnify, hold harmless, and release NMWD, its directors, officers, agents, and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs, that may be asserted by any person or entity including the Consultant, arising out of, pertaining to, or relating to, the negligent acts, errors or omissions, recklessness, or intentional or willful misconduct of the Consultant (or any consultant or subcontractor of Consultant) in connection with the activities necessary to perform the services and complete the task provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.
- b. With respect to all other than professional services under this agreement, Consultant shall indemnify, hold harmless, release and defend NMWD, its agents and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs that may be asserted by any person or entity, including the Consultant, arising out of or in connection with the activities necessary to perform those services and complete the tasks provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.

This indemnification is not limited in any way by any limitation on the amount or type of damages or compensation payable by or for the NMWD or its agents under workers' compensation acts, disability benefit acts or other employee benefit acts.

4. PROSECUTION OF WORK: The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by July 31, 2011, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God or by strike, lockout or similar labor disturbance, the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed.

5. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS AND MAKING PAYMENTS: All notices, bills and payment shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

North Marin Water District
P.O. Box 146
Novato, CA 94948
Attention: Drew McIntyre

Consultant:
Michael Aberegg
P.O. Box 505
El Granada, CA 94018

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

6. MERGER: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms of the agreement, pursuant to California Code of Civil Procedure Section 1856 and as a complete and exclusive statement of the terms of the agreement. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

7. SEVERABILITY: Each provision of this agreement is intended to be severable. If any term of any provision shall be determined by a court of competent jurisdiction to be illegal or invalid for any reason whatsoever, such provision shall be severed from this agreement and shall not affect the validity of the remainder of the agreement.

8. TERMINATION: At any time and without cause the NMWD shall have the right in its sole discretion, to terminate this agreement by giving written notice to the Consultant. In the event of such termination, NMWD shall pay the Consultant for services rendered to such date.

9. TRANSFER OF RIGHTS/OWNERSHIP OF DATA: The Consultant assigns to NMWD all rights throughout the work in perpetuity in the nature of copyright, trademark, patent, and right to ideas, in and to all versions of any plans and specifications, reports and document now or later prepared by the Consultant in connection with this contract.

The Consultant agrees to take such actions as are necessary to protect the rights assigned to NMWD in this agreement, and to refrain from taking any action which would impair those rights. The Consultant's responsibilities under this contract will include, but not be limited to, placing proper notice of copyright on all versions of any plans and specifications, reports and documents as NMWD may direct, and refraining from disclosing any versions of the reports and documents to any third party without first obtaining written permission of NMWD. The Consultant will not use, or permit another to use, any plans and specifications, reports and document in connection with this or any other project without first obtaining written permission of NMWD.

All materials resulting from the efforts of NMWD and/or the Consultant in connection with this project, including documents, reports, calculations, maps, photographs, computer programs, computer printouts, digital data, notes and any other pertinent data are the exclusive property of NMWD. Re-use of these materials by the Consultant in any manner other than in conjunction with activities authorized by NMWD is prohibited without written permission of NMWD.

Consultant shall deliver requested materials to NMWD in electronic format including but not limited to engineering plans (AutoCad, current edition) and specifications (MS Word, current edition).

10. COST DISCLOSURE: In accordance with Government Code Section 7550, the Consultant agrees to state in a separate portion of any report provided NMWD, the numbers and amounts of all contracts and subcontractors relating to the preparation of the report.

11. NONDISCRIMINATION: The Consultant shall comply with all applicable federal, state and local laws, rules and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or physical handicap.

12. EXTRA (CHANGED) WORK: Extra work may be required. The Consultant shall not proceed nor be entitled to reimbursement for extra work unless it has been authorized, in writing, in advance, by NMWD. The Consultant shall inform the District as soon as it determines work beyond the scope of this agreement may be necessary and/or that the work under this agreement cannot be completed for the amount specified in this agreement. Said review shall occur before consultant incurs 75% of the total fee approved for any phase of the work. Failure to notify the District shall constitute waiver of the Consultant's right to reimbursement.

13. CONFLICT OF INTEREST: The Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Consultant further covenants that in the performance of this contract no person having any such interest shall be employed.

14. INSURANCE REQUIREMENTS FOR CONSULTANTS

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the consultant, his agents, representatives, employees or subcontractors.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Commercial General Liability coverage
2. Automobile Liability
3. Workers' Compensation insurance as required by the State of California.
4. Professional Liability insurance appropriate to the consultant's profession. Architects' and engineers' coverage is to be endorsed to include contractual liability.

Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. General Liability (including operations, products and completed operations.): **\$1,000,000** per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: **\$1,000,000** per accident for bodily injury and property damage.
3. Workers' Compensation Insurance: as required by the State of California.

Verification of Coverage

Consultant shall furnish the District with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the District before work commences. The District reserves the right to require at any

time complete and certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Subcontractors

Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor to the District for review and approval. All coverage for subcontractors shall be subject to all of the requirements stated herein.

Self-Insured Retentions

Any self-insured retentions must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such self-insured retentions as respects the District, its officers, officials, employees and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the District (such as a surety bond) guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

Other Insurance Provisions

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The District, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant.
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the District, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the District, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the District.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

15. DISPUTE RESOLUTION: Any dispute or claim in law or equity between District and Consultant arising out of this agreement, if not resolved by informal negotiation between the parties, shall be mediated by referring it to the nearest office of Judicial Arbitration and Mediation Services, Inc. (JAMS) for mediation. Mediation shall consist of an informal, non-binding conference or conferences between the parties and the judge-mediator jointly, then in separate caucuses wherein the judge will seek to guide the parties to a resolution of the case. If the parties cannot agree to mutually acceptable member from the JAMS panel of retired judges, a list and resumes of available mediators numbering one more than there are parties will be sent to the parties, each of whom will strike one name leaving the remaining as the mediator. If more than one name remains, JAMS arbitrations administrator will choose a mediator from the remaining names. The mediation process shall continue until the case is resolved or until such time as the mediator makes a finding that there is no possibility of resolution.

At the sole election of the District, any dispute or claim in law or equity between District and Consultant arising out of this agreement which is not settled through mediation shall be decided by neutral binding arbitration and not by court action, except as provided by California law for judicial review of arbitration proceedings. The arbitration shall be conducted in accordance with

the rules of Judicial Arbitration Mediation Services, Inc. (JAMS). The parties to an arbitration may agree in writing to use different rules and/or arbitrators.

16. BILLING AND DOCUMENTATION: The Consultant shall invoice NMWD for work performed on a monthly basis and shall include a summary of work for which payment is requested. The invoice shall state the authorized contract limit, the amount of invoice and total amount billed to date. The summary shall include time and hourly rate of each individual, a narrative description of work accomplished, and an estimate of work completed to date.

17. REASONABLE ASSURANCES: Each party to this agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise, with respect to performance of either party, the other may, in writing, demand adequate assurance of due performance and until the requesting party receives such assurance may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of the party with respect to performance under this agreement but also conduct with respect to other agreements with parties to this agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, not to exceed 30 days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance.

**NORTH MARIN WATER DISTRICT
"NMWD"**

Dated: _____

Chris DeGabriele, General Manager

"CONSULTANT"

Dated: _____

Michael Aberegg

6

MEMORANDUM

To: Board of Directors
From: David L. Bentley, Auditor-Controller
Subj: Banking Services RFP

April 1, 2011

t:\ac\word\banking\bod authorization to req proposals 0411.doc

RECOMMENDED ACTION: Approve Request for Proposals

FINANCIAL IMPACT: None at this time

The District has utilized the services of Bank of the West for its day-to-day banking needs since February 2000. Bank of America has provided our credit card services (both internet and at the counter) since March 2006. Banking Services are costing about \$750 per month and credit card fees are running about \$1,100 per month, net of the \$2/2% convenience fee. Staff recommends we survey the market, both to solicit pricing, and to assess a competitive cost for new services that have become available.

Of particular interest are security services such as "Positive Pay", wherein the bank will guard against counterfeit checks. Also of interest is "Remote Deposit", which includes hardware that will scan water payments and interface with our Utility Billing software to post payments, then transmit the payments electronically, over the internet, to the bank for deposit, thereby eliminating the need to endorse and encode checks, post payments, prepare a deposit slip and carry the checks to the bank daily. This could save up to 2 1/2 hours of staff time each day.

As done historically, we intend to limit the RFP to local banks here in Novato:

- Bank of America
- Bank of Marin
- Bank of the West
- Circle Bank
- Citibank
- Sonoma Bank
- US Bank
- Wells Fargo Bank
- Westamerica Bank

There is no obligation to accept a proposal submitted. Staff intends to return to the Board in six weeks with the results of the proposals received.

Recommended Action:

Authorize Staff to solicit proposals for banking services.

Approved by GM CD

Date 4/1/2011

DRAFT

April 6, 2011

Re: Request for Proposal – Banking Services

Dear:

The North Marin Water District invites you to submit a proposal to provide banking and credit card processing services to the District. Bank of the West has ably provided NMWD's banking services for the past decade, and Bank of America has provided credit card processing services for the past five years. While we are pleased with the wide array of services that our current providers offer, we believe we have a responsibility to periodically assure that NMWD customers continue to receive the best value for their dollar.

Enclosed are three analysis schedules. The first is for banking services, the second for credit card processing services for "swipe" activity (credit card payments via phone or payments at the counter), and the third is for credit card processing services for payments made over the internet. These schedules provide the District's typical monthly transaction volume. Please enter your institutions per item charge or fee into the appropriate column on each schedule and multiply to arrive at a Total (extended) Price for each line.

On the Banking Service Schedule, the District shows zero activity under Monthly Items for many of the services shown. These are services the District is not presently receiving, but may elect to purchase based upon the pricing you provide. Therefore, enter your Price per Item for each service, but leave the extended price blank so that the total will be comparable for each proposal received.

If your institution has additional charges or credits not reflected on the Analysis Schedules, please enter them on the "Other" line with an explanation in the Comment column. The pricing you propose must be valid for a minimum of one year.

Several aspects of the District's current banking practice are called to your attention:

- Banking Services Line 8 - Account Maintenance - Demand Charge. The District maintains a second account into which semi-annual deposits and withdrawals are made in compliance with a federal loan requirement. The second account has a zero balance 50 weeks per year.
- Banking Services Lines 14 & 15 - Items Deposited – Encoded. Note that the District encodes checks prior to deposit to enjoy a favorable rate on this item.
- Banking Services Lines 23 thru 29- ACH Services. District customers have the

option to pay their water bill via direct debit to their bank account. Data containing amounts and customer banking data is transferred to the bank electronically each week. Similarly, payroll data is transferred semimonthly to accommodate direct deposit.

- **Banking Services Line 41 – Remote Deposit.** The District is interested in installing equipment to scan incoming checks and payment stubs for remote deposit. Your equipment should interface with our utility billing software, written in Microsoft Access, to allow posting of payments directly to each customer's water account.

Your response to this RFP will be accepted through the close of business on Friday, April 29, 2011. Please address your proposal, including the Analysis Schedules and any additional material you believe is relevant, to the undersigned.

The proposals will be reviewed and we anticipate that a staff recommendation to the District Board at its May 17, 2011 meeting. The District Board reserves the right to reject any and all proposals.

Please call me to discuss any questions you may have concerning the District's banking needs. I look forward to hearing from you.

Sincerely,

David L. Bentley
Auditor-Controller

Enclosure: Analysis Schedules

DLB/KY

t:\gm\admin asst\ac\2011\request for bank proposal.doc

North Marin Water District

3/31/11

Proposal to Provide Banking Services – Analysis Schedule

\\nmwdsrv1\administration\ac\excel\banking\rfp.xls\rfp

- 1 Financial Institution: _____
- 2 Contact Name / Phone: _____

3	NMWD Average Ledger Balance	\$400,000
4	Less Average Float	\$50,000
5	Average Collected Balance	\$350,000
6	Less Legal Reserve (10%)	\$35,000
7	Balance Available for Earnings Allowance	\$315,000

Balance & item counts shown are derived from past 3 months Account Analysis Statements

Description	Monthly Items	Price Per Item	Total (Extended) Price	Comment
8	Account Maintenance – Demand	2		
9	Wire Transfer – Incoming	0		
10	Wire Transfer – Outgoing	0		
11	Wire Transfer – Outgoing – Repetitive	0		
12	Intra-Bank (LAIF) Transfers	4		
13	Deposit Tickets	20		
14	Items Deposited – Encoded – On Us	250		
15	Items Deposited – Encoded – Other	5,000		
16	Coin/Currency Deposited	18,000		
17	Checks Paid	300		
18	Stop Payment – Manual	0		
19	Stop Payment – On-Line	1		
20	FDIC Insurance	350		
21	Deposited Items Returned	6		
22	Deposited Items Recleared	8		
23	ACH CR	120		
24	ACH DR	4		
25	ACH Return Items	6		
26	ACH Monthly Maintenance	1		
27	ACH File Transmission	6		
28	ACH Origination Dr/Cr	2,000		
29	Report w/Details of Returned ACH Items	6		
30	Balance Reporting Basic Fee (incl 2 accounts)	1		
31	Per Item Reporting	500		
32	EDI Translation Report	0		
33	EDI Translation Report – Internet	0		
34	Check Image Items	1		
35	Electronic Bank Statement	3		
36	Positive Pay (PP) Mo. Fee	0		
37	Positive Pay Per Item	0		
38	PP File Transmissions	0		
39	Remote Deposit Mo. Fee	0		
40	Remote Deposit Per Item	0		
41	*Remote Deposit Equipment Mo Fee	0		
42	ACH/Wire Security Token	0		
43	Other	0		
44	Less Earnings Allowance (Past 3 Mo Avg Rate)		% ()	
45	Total Net of Earnings Allowance			

* Equipment must be able to interface with Microsoft Access software

North Marin Water District

3/31/11

Proposal to Provide Credit Card Processing

\\nmwdsrv1\administration\acct\excel\banking\rfp.xlsx\rfp

Swipe Monthly Activity - Credit Card Processing

		Volume of Transactions	Average Volume in Dollars
1	Visa Qualified Discount	13	\$1,660
2	Visa Mid-Qualified	97	\$10,273
3	Visa Non-Qualified	1	\$51
4	Visa # of Transactions	111	\$11,984
5	MasterCard Qualified Discount	2	\$174
6	MasterCard Mid-Qualified	16	\$1,966
7	MasterCard Non-Qualified	1	\$55
8	MC # of Transactions	19	\$2,195
9	Sales Volume Total	130	\$14,179

	Rate or Fee	Total (Extended) Price	Comment
10	Monthly Fee (Discount Fee)		
11	MC Monthly Interchange		
12	MC Debit Interchange		
13	Visa Monthly Interchange		
14	Visa Debit Interchange		
15	Visa IC Downgrade Amounts		
16	MC IC Downgrade Amounts		
17	Vital POS Authorization Fees		
18	Internet Fee (Monthly)		
19	Internet Transaction Fee		
20	Statement (Monthly Support Package)		
21	Batch Settlement Fees		
22	Visa Intl Fee		
23	Visa Authorization Processing Fee		
24	MC Network Access (NABU) Fee		
25	MC US Cross Border Fee		
26	Visa Assessment Fee		
27	MC Assessment Fee		
28	Other		
29	Other		
30	Total Charges		

Water District

3/31/11

Proposal to Provide Credit Card Processing

\\nmwdsrv1\administration\acl\excel\banking\rfp.xlsx\rfp

Internet Monthly Activity - Credit Card Processing

		Average Volume # of Transactions	Average Volume in Dollars
1	Visa Mid-Qualified	268	\$22,427
2	Visa Non-Qualified	115	\$12,325
3	Visa # of Transactions	383	\$34,752
4	MasterCard Mid-Qualified	83	\$6,890
5	MasterCard Non-Qualified	2	\$95
6	MC # of Transactions	85	\$6,985
7	Sales Volume Total	468	\$41,737

	Rate or Fee	Total (Extended) Price	Comment
8	Monthly Fee (Discount Fee)		
9	MC Monthly Interchange		
10	MC Debit Interchange		
11	Visa Monthly Interchange		
12	Visa Debit Interchange		
13	Visa IC Downgrade Amounts		
14	MC IC Downgrade Amounts		
15	Vital POS Authorization Fees		
16	Statement (Monthly Support Package)		
17	Batch Settlement Fees		
18	Visa Intl Fee		
19	Visa Authorization Processing Fee		
20	MC Network Access (NABU) Fee		
21	MC US Cross Border Fee		
22	Visa Assessment Fee		
23	MC Assessment Fee		
24	Other		
25	Other		
26	Total Charges		



MEMORANDUM

April 1, 2011

To: Board of Directors
Chris DeGabriele, General Manager

From: Renee Roberts, District Secretary and Records Retention Manager

Subject: Records Retention Program – Destruction of Records
\\nmwdsrv1\Administration\GM\Admin Secty\Record Ret Manual\2011\Board Memo 0411.doc

RECOMMENDED ACTION: Approve Destruction of Records

FINANCIAL IMPACT: \$400 for document shredding

The District's Policy for the Retention of Documents and Destruction of Specified Documents was approved by the Board in 2002 and revised in 2003. The Policy states that once a year, on or about April 21, the documents designated as eligible will be destroyed in an appropriate manner. This year, destruction of records is scheduled for April 22, 2011.

Attached is a proposed resolution for the Board to approve destruction of certain records for this year. Exhibit A of the proposed resolution is the Request for Destruction of Records forms for documents to be eliminated. The lists of files to be destroyed have been reviewed and approved by: (1) Department Head, (2) Records Retention Manager, (3) Auditor-Controller and (4) General Manager.

RECOMMENDATION

Approve resolution authorizing the Destruction of Certain Records on or about April 21, 2011 in a manner consistent with District Policy.

Approved by GM CD

Date 4/1/2011

**DRAFT
RESOLUTION 11-XX**

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT TO
APPROVE DESTRUCTION OF CERTAIN RECORDS**

WHEREAS, California Government Code §60200, et seq., authorizes the legislative body of a district to authorize the destruction of certain documents without retaining copies and authorizes the destruction of documents not expressly required by law to be maintained, if conditions are complied with as specified in Government Code §60203, and

WHEREAS, The Board of Directors of the North Marin Water District adopted Resolution 02-20 on June 4, 2002 establishing a policy for retention of documents and destruction of specified documents, and

WHEREAS, revisions to said policy was approved by the Board of Directors on July 15, 2003, and

WHEREAS, the Request for Destruction of Record forms describing the document or documents to be destroyed, with the written approval of the District's Department Heads, Records Retention Manager, Auditor-Controller and General Manager appearing thereon, is attached as Exhibit A.

NOW, THEREFORE, be it resolved by the Board of Directors of the North Marin Water District, that the records described in Exhibit A attached are hereby approved for destruction on or about April 21, 2011 in an appropriate manner.

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the fifth day of April 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

(SEAL)

Renee Roberts
District Secretary

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NMWD Retention Period
		From	To	
Billing	Posted Payments Report	2005	2005	CY + 04
Billing	Posted Payments Report	2005	2005	CY + 04
Billing	Posted Payments Report	2005	2005	CY + 04
Billing	2006 Service Orders A-N	2006	2006	CY + 04
Billing	2006 Service Orders O-Z	2006	2006	CY + 04
Billing	2008 Shut Offs	2008	2008	CY + 01
Billing	2008 Bills over \$100	2008	2008	CY + 01
Billing	2008 Daily Meter Count	2008	2008	CY + 01
Billing	2008 Past Due Register	2008	2008	CY + 01
Billing	Register Tapes & NPD Report 2008	2008	2008	CY + 01
Billing	Register Tapes & NPD Report 2009	2009	2009	CY + 01
Billing	2006 APS Corrections	2006	2006	CY + 04
Billing	2007 Payment Transfer Voucher	2007	2007	CY + 03
Billing	2007 Collection List	2007	2007	CY + 03
Billing	2006 Corrected Bills	2006	2006	CY + 04
Billing	2004 Summary Use by Structure	2004	2004	CY + 06
Billing	2005 New Service List	2005	2005	CY + 05
Billing	2006 Monthly Adjustment Report	2006	2006	CY + 04
Billing	2007 Return Checks & Letters	2007	2007	CY + 03
Billing	2006 Sewer Register	2006	2006	CY + 04

Request prepared by:
Renee Roberts
Date
3/29/11

DESTRUCTION APPROVALS SIGNATURES

Department Head	<i>[Signature]</i>	Date Approved	3/30/11
Auditor-Controller	<i>[Signature]</i>	Date Approved	3/30/11
Records Retention Manager	<i>[Signature]</i>	Date Approved	3/30/11
General Manager	<i>[Signature]</i>	Date Approved	3/30/11
BOD Meeting Approval	<i>[Signature]</i>	Date Approved	3/30/2011

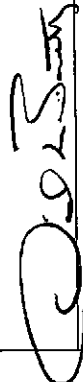
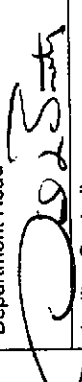
Date: _____
Certificate of Destruction completed:
Date: _____ No. _____ By: _____

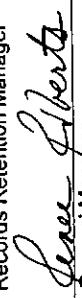

SUGGESTED METHOD OF DESTRUCTION
 Shredding
 Waste Paper (Recycled)
 Other _____
 Note: Confidential records will be destroyed by shredding

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NMWD Retention Period	Request prepared by:	Date
		From	To			
Billing	Payment Stubs	6/22/06	7/10/06	CY + 04	Renee Roberts	3/29/11
Billing	Payment Stubs	7/11/06	07/31/06	CY + 04		
Billing	Payment Stubs	08/01/06	08/15/06	CY + 04		
Billing	Payment Stubs	08/16/06	08/29/06	CY + 04		
Billing	Payment Stubs	08/30/06	09/15/06	CY + 04		
Billing	Payment Stubs	09/18/06	10/05/06	CY + 04		
Billing	Payment Stubs	10/06/06	10/18/06	CY + 04		
Billing	Payment Stubs	10/19/06	11/01/06	CY + 04		
Billing	Payment Stubs	11/2/06	11/15/06	CY + 04		
Billing	Payment Stubs	11/16/06	12/01/06	CY + 04		
Billing	Payment Stubs	12/04/06	12/19/06	CY + 04		
Billing	Payment Stubs	12/20/06	01/05/07	CY + 04		
Billing	Encoding Tapes 2007	2007	2007	CY + 03		
Billing	Service Complaint Reports	2004	2007	CY + 03		
Billing	Deposit Slip Books 2007	2007	2007	CY + 03		
Billing	Meter Edits Cycle 1-4	2006	2006	CY + 04		
Billing	Meter Edits Cycle 5-8	2006	2006	CY + 04		
Billing	Payments Stubs	05/13/05	06/07/05	CY + 05		
Billing	Payments Stubs	06/08/05	06/30/05	CY + 05		
Billing	Payment Stubs	07/01/05	07/25/05	CY + 05		

DESTRUCTION APPROVALS SIGNATURES	
Department Head 	Date Approved 3/30/11
Auditor-Controller 	Date Approved 3/30/11

Records Retention Manager 	Date Approved 3/30/11
General Manager 	Date Approved 3/30/2011

BOD Meeting Approval
Date: _____

Certificate of Destruction completed: _____ No. _____ By: _____

SUGGESTED METHOD OF DESTRUCTION

Shredding
 Waste Paper (Recycled)
 Other Confidential records will be destroyed by shredding

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NIMWD Retention Period
		From	To	
Acctg.	F/A Net Value/Expense	07/04	06/07	CY + 02
Acctg.	F/A Depreciation Expense	07/04	06/07	CY + 03
Acctg.	Banking- Operating Acct. Cancelled Checks	12/04	2/06	CY + 04
Acctg.	AFLAC 2004	2004	2004	CY + 06
Acctg.	AP Posting Registers	2003	2004	CY + 06
Acctg.	Inventory Values Reports	FY 05	FY 07	CY + 04
Acctg.	Inventory Journal	FY 05	FY 07	CY + 04
Acctg.	County Tax Reports	FY 04/05	FY 04/05	CY + 04
Acctg.	Payroll Posting Registers	07/15/05	01/13/06	CY + 04
Acctg.	Payroll Posting Registers	2/15/06	12/31/06	CY + 04
Acctg.	Property Vehicles	07/15/06	10/31/06	CY + 04
Acctg.	Vehicle Timesheets	07/15/05	10/31/06	CY + 04
Acctg.	Vehicle Timesheets	FY 05	FY 05	CY + 04
Billing	2005 Collection List	2005	2005	CY + 02
Billing	2006 Collection List	2006	2006	CY + 02
Billing	Collection Lists	1975	1980	CY + 02
Billing	Hydrant Meter Applications	2003	2007	ACT + 03
Billing	Consumer Applications (Ins & Outs)	2006	2006	CY + 04

Request prepared by: Renee Roberts
Date: 3/29/11

DESTRUCTION APPROVALS SIGNATURES

Department Head: *[Signature]* Date Approved: 3/30/11
 Auditor-Controller: *[Signature]* Date Approved: 3/30/11
 Records Retention Manager: *[Signature]* Date Approved: 3/30/11
 General Manager: *[Signature]* Date Approved: 3/30/2011

BOD Meeting Approval
Date: _____
 Certificate of Destruction completed: _____
 Date: _____ No. _____ By: _____

SUGGESTED METHOD OF DESTRUCTION

Shredding
 Waste Paper (Recycled)
 Other
 Note: Confidential records will be destroyed by shredding

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NMWD Retention Period
		From	To	
Billing	Payment Stubs	1/13/06	2/28/06	CY + 04
Billing	Payment Stubs	3/16/06	3/31/06	CY + 04
Billing	Payment Stubs	1/1/05	1/26/05	CY + 04
Billing	Payment Stubs	2/9/05	2/17/05	CY + 04
Billing	Payment Stubs	5/2/05	5/12/05	CY + 04
Billing	Payment Stubs	4/3/06	4/17/06	CY + 04
Billing	Payment Stubs	6/7/06	6/21/06	CY + 04
Billing	Payment Stubs	12/28/05	1/12/06	CY + 04
Ware	Purchase Orders	2002	2003	CY + 03
Ware	Receiving Reports	2002	2003	CY + 03
Ware	Purchase Orders	2004	2004	CY + 03
Ware	Receiving Reports	2004	2004	CY + 03
Ware	Purchase Orders	2005	2005	CY + 03
Ware	Receiving Reports	2005	2005	CY + 03
A/C	Tax Proceeds, PR#4, NM-1, IS-1	1977	1979	CY-06
A/C	Tax Proceeds	1965-72; 72-76; 76-79; 79-81		CY+06
A/C	Blue Cross Policy Agreements	1967	1979	ACT +3

Request prepared by: Renee Roberts Date: 3/29/11

DESTRUCTION APPROVALS SIGNATURES

Department Head: *[Signature]* Date Approved: 3/30/11

Auditor-Controller: *[Signature]* Date Approved: 3/30/11

Records Retention Manager: *[Signature]* Date Approved: 3/30/11

General Manager: *[Signature]* Date Approved: 3/30/2011

BOD Meeting Approval: _____ Date: _____

Certificate of Destruction completed: _____ Date: _____ No. _____ By: _____

X Shredding Other _____
 Waste Paper (Recycled) Note: Confidential records will be destroyed by shredding

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NMWD Retention Period	Request prepared by:	Date
		From	To			
Ware	Purchase Orders	2006	2006	CY + 03	Renee Roberts	3/29/11
Ware	Receiving Reports	2006	2006	CY + 03		
Ware	Purchase Orders	2007	2008	CY + 03		
Ware	Receiving Reports	2007	2008	CY + 03		
Ware	Material Issue Form	2006	2007	CY + 03		
Ware	Material Return Form	2006	2007	CY + 03		
Ware	Material Issue Form	2007	2008	CY + 03		
Ware	Material Return Form	2007	2008	CY + 03		
Ware	Monthly Fuel Usage	2006	2007	CY + 03		
AA	Worker's Comp Closed Cases	Jan 2000	June 2003	CY + 06		
AA	Worker's Comp Closed Cases	July 2003	June 2005	CY + 06		
AA	Temporary Hires	2000	2008	CY + 03		
AA	Expired Insurance Certificates	2003	2010	SUS/OPS		
GM	Eagle Drive (Pone vs. NMWD)		1994	ACT + 06		
GM	Oak Grove Litigation		1998	ACT + 06		
GM	Consultants Risk Management of Patterson Confidential		1992	ACT + 06		
GM	Potential Litigation- Channel Drive/Crest Road		1999	ACT + 06		
GM	Grunman Files		1991	ACT + 06		
ACCT	Payroll Time Sheets	2004	2004	CY + 06		

Request prepared by: Renee Roberts
Date: 3/29/11

DESTRUCTION APPROVALS SIGNATURES

Department Head		Date Approved	3/30/11
Auditor-Controller		Date Approved	3/30/11
Records Retention Manager		Date Approved	3/30/11
General Manager		Date Approved	3/30/2011

BOD Meeting Approval
Date: _____ No. _____ By: _____

Certificate of Destruction completed: _____

SUGGESTED METHOD OF DESTRUCTION

Shredding
 Waste Paper (Recycled)
 Other _____
Note: Confidential records will be destroyed by shredding

NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No. or Dept.	RECORD NAME	DATE RANGE		NMWD Retention Period	Request prepared by:	Date
		From	To			
LAB	Chem PE 2000		2000	CY + 10	Renee Roberts	3/29/11
LAB	Micro PE 2005		2005	CY + 05		
LAB	Micro QA 2005		2005	CY + 05		
Lab	QA Doc Micro Autoclave log	2005	2005	CY+05		
Lab	WQ Complaints 2005	2005	2005	CY+05		
Lab	QA Doc Micro 2005	2005	2005	CY+05		

DESTRUCTION APPROVALS SIGNATURES	
Department Head <i>Renee Roberts</i>	Date Approved 3/30/11
Auditor-Controller <i>Renee Roberts</i>	Date Approved 3/30/11
Records Retention Manager <i>Renee Roberts</i>	Date Approved 3/30/11
General Manager <i>Chris G. Stewart</i>	Date Approved 3/30/11
BOD Meeting Approval	

Certificate of Destruction completed: _____ No. _____ By: _____

SUGGESTED METHOD OF DESTRUCTION
 Shredding
 Waste Paper (Recycled)
 Other: _____
 Note: Confidential records will be destroyed by shredding

S

MEMORANDUM

To: Board of Directors
From: Renee Roberts, District Secretary
Subj: Resolution re Consolidation of District Election and Filing Information
District Election, November 8, 2011

April 1, 2011

T:\BOD\Elections\Wemo re Cons of Election 2011.doc

RECOMMENDED ACTION: Approve Resolution Re Consolidation of District Election

FINANCIAL IMPACT: Approximately \$2,000 Cost Saving for Consolidating Election

Attached for the Board's approval is a resolution requesting consolidation of the District's election on November 8, 2011, and requesting election services by the County Clerk. The Marin County Registrar of Voters has requested that the District's resolution include language stating that the North Marin Water District is requesting that Marin County hold the election for the few Sonoma County voters eligible to vote for the District's Board.

Regular 4-Year Terms of the following Directors will end in 2011:

Jack Baker

Stephen Petterle

Dennis Rodoni

The filing period for the November 8, 2011 District Election is **July 18 to August 12, 2011**. Nomination papers will be available from the County Clerk/Elections Division, Hall of Justice, Civic Center, San Rafael.

If nomination papers are not filed by ALL incumbents by 5:00 p.m. August 12, 2011, the filing period will be extended to 5:00 p.m., August 17, 2011. **Note: Only non-incumbent candidates may file nomination papers during an extended filing period.**

Upon taking out nomination papers, candidates will be given a copy of Candidates Guidelines with detailed information. If you have any questions, please contact the County Clerk's office (Judy Arbini) at 499-6442. Please be aware that **all candidates are required to file a Candidates Statement of Economic Interests (Form 700)** with the county elections where they file their Declaration of Candidacy. I will provide copies of Form 700 to the three current Directors whose terms will end in 2011.

Candidates who are elected, or appointed in lieu of a contested election, take office at 12 noon on Friday, December 2, 2011 and serve a four-year term.

RECOMMENDATION

Board adopt attached resolution.

Approved by GM CD
Date 4/1/2011

**DRAFT
RESOLUTION NO. 11-**

**RESOLUTION OF THE GOVERNING BODY OF THE
NORTH MARIN WATER DISTRICT**

PROPOSING AN ELECTION BE HELD IN MARIN COUNTY;
REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE WITH ANY
OTHER ELECTION CONDUCTED ON SAID DATE, AND REQUESTING
ELECTION SERVICES BY THE REGISTRAR OF VOTERS

WHEREAS, it is the determination of said governing body that a Consolidated District and School Election to be held on the 8th day of November, 2011, at which election the issue to be presented to the voters shall be:

To elect members to the Board

Number of Regular Term Positions (4 year) 3

Number of Short Term Positions (2 year) 0

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Marin is hereby requested to:

- 1) Consolidate said election with any other applicable election conducted on the same day;
- 2) Authorize and direct the Registrar of Voters at District expense, to provide all necessary election services and to canvass the results of said election.
- 3) Requests that Marin County hold the election on behalf of any Sonoma County voters eligible to vote for the District's Board.

PASSED AND ADOPTED this fifth day of April 2011 by the following vote, to wit:

AYES:

NOES:

ABSENT:

PRESIDENT BOARD OF DIRECTORS

ATTEST: _____
Secretary

MEMORANDUM

To: Board of Directors
From: David L. Bentley, Auditor-Controller 
Subj: Proposition 218 Letter to Customers Regarding Proposed Rate Increases
t:\ac\word\memo\11\2011 prop 218 ltr cover memo.doc

April 1, 2011

RECOMMENDED ACTION: Approve Letter to Customers

FINANCIAL IMPACT: \$8,000

California law requires that customers be notified of a water rate increase at least 45 days in advance of the public hearing where the Board considers adoption of said increase. The public hearing is scheduled for Tuesday, May 24, 2011 at 7:30 PM at the District administrative office. The May 24 date requires that the letter be in the mail by April 9, 2011. The mailing cost will be approximately \$8,000.

Attached is the proposed letter for Board review and comment. As discussed with the Board, the District's rate increase proposal includes three annual increases averaging 11% each year. The fixed bimonthly service charge component of the water bill for a 5/8" meter, which comprises 74% of the installed meters, is proposed to increase as follows:

- 1) \$5.60 (to \$20) effective June 1, 2011;
- 2) \$5.00 (to \$25) effective June 1, 2012;
- 3) \$5.00 (to \$30) effective June 1, 2013.

The charge for other meter sizes is proposed to increase proportionally.

The commodity rate is proposed to increase as follows:

- 1) 6% on June 1, 2011;
- 2) 7% on June 1, 2012;
- 3) 8% on June 1, 2013.

The percentage increase for each customer will vary based upon their individual water use. A Rate-Increase Model is being developed on the District's website that will allow each customer to see the impact of the proposed increases on their annual water cost based upon their water use over the past 12 months. Staff will preview the model at the Board meeting.

Legal counsel is reviewing the letter to assure compliance with Prop 218. Staff will have their comments at the meeting.

RECOMMENDATION:

Approve mailing the prop 218 letter to customers.

9

April 8, 2011

Re: Notice of Proposed Water Rate Increases

Dear Customer:

The North Marin Water District is proposing three annual increases in water rates and charges which averaging 11% each year for the next three years. The increases are proposed to be effective June 1 of 2011, June 1 of 2012, and June 1 of 2013. This letter provides details on the need for the increase, and information about the public hearing where public comment will be taken prior to a vote on the increase by the District Board of Directors.

The North Marin Water District's mission is to provide an adequate supply of safe, reliable and high-quality water to our customers at reasonable cost consistent with good conservation practices and minimum environmental impact. To fulfill this mission, NMWD must generate revenue sufficient to cover its cost of operations.

REASON FOR THE PROPOSED INCREASE

Higher Water Cost: The Sonoma County Water Agency, which provides 80% of Novato's water supply, is increasing the rate it charges NMWD by 5.4% effective July 1, 2011. This follows a 7.5% increase last year and a 25% increase in 2009. In addition, chemical and power costs to operate the newly refurbished Stafford Water Treatment Plant continue to rise.

Reduced Water Sales Volume: The current agreement with Sonoma County Water Agency authorizes delivery of Russian River water to meet NMWD's existing and future needs as the community of Novato grows consistent with the approved Novato and County of Marin General Plans. However, in mid-September 2009, the Sonoma County Water Agency Board of Directors abandoned further work on a decades-long plan to expand the Russian River water transmission system and acquire additional water rights necessary to meet the future water supply needs for NMWD and other water suppliers from Windsor to Petaluma. Then, in November 2009, the state legislature mandated further water conservation for all California urban water retailers, including NMWD, requiring a 20% reduction in per capita water use by the year 2020. Thus, NMWD will not be able to count on increased water sales to grow its way out of the need for rate increases.

Declining Reserve Balances: NMWD's reserve balance has fallen 65% over the past decade. Some of this reduction was planned. Reserves were set aside and used to construct 8 million gallons in additional finished water storage tanks in north, south and west Novato, all without incurring debt. However, NMWD has also seen its reserve balance decline as the result of subsidizing the cost of water to its customers, effectively operating at a net loss on a temporary basis in anticipation of

increased water sales volume in the future. As noted above, it is now clear that NMWD can no longer anticipate increased water sales volume to mitigate rate increases. Rates must increase to fully cover the cost of procuring, treating and providing a diminishing volume of water to the Novato community.

Are NMWD's rates reasonable? It's a fair question. You can assess this for yourself by comparing NMWD's cost of water service to 16 counterpart Bay Area water agencies (see Urban Area Water Cost Comparison at <http://www.nmwd.com>). The comparison shows that, even with an 11% increase this year, the typical cost of service for a Novato single-family residence will remain below the median of our counterpart agencies.

PROPOSED RATE INCREASE

A table showing the existing rates and charges, and the amounts proposed, is included on the last page of this letter.

Residential Accounts: It is proposed that three annual increases in the commodity rate and service charge averaging 11% be implemented effective June 1, 2011, June 1 of 2012 and June 1 of 2013. The proposed series of increases would add \$5.00 per month (\$10 per bimonthly bill) to the cost of water for a typical single-family residence beginning June 2011, another \$5.20 per month beginning June 2012 and an additional \$5.80 per month beginning June 2013, resulting in a cumulative total increase of \$16 per month (\$192 per year) by June 2013.

You can determine the increase in your annual water cost based on your personal water use over the past year from our website. Insert your NMWD account number and the name on your account into the Rate-Increase Model on NMWD's website at http://www.nmwd.com/account_balance.php.

Non-Residential Accounts (Commercial, Institutional & Irrigation): The increases for non-residential customers will vary based upon water use. The median non-residential account would see a 13% increase commencing June 1, 2011. You can determine the increase in your annual water cost based on your consumption over the past year from our website. Insert your NMWD account number and name on your account into the Rate-Increase Model on NMWD's website at http://www.nmwd.com/account_balance.php.

WHY THREE ANNUAL INCREASES NOW?

The Caltrans Highway 101 widening project north of Novato will require relocation of the North Marin Aqueduct. NMWD plans to undertake the Aqueduct Energy Efficiency Project (AEEP) coincident with the relocation. The AEEP will enable Russian River Water to be delivered without pumping and will eliminate the need for the existing Kastania Pump Station. The project will benefit Novato far into the future, and reduce energy use, greenhouse gas emissions, and costs now needed for

operation of the Kastania Pump Station. The District will borrow \$8 million to finance the project, the first District debt issue since 1986. Accordingly, the District's credit rating needs to be reestablished, and the rating agencies want confidence that the District will have the capacity to pay the debt service. Enacting the three annual increases now before going to the market to borrow money will serve to increase the District's credit rating and thereby reduce borrowing costs.

WHAT HAVE WE DONE TO CONTROL COSTS?

NMWD has reduced its workforce by over 10%, and is now operating with 2.4 employees per 1,000 services, the lowest ratio in the District's history. In addition, expenditures for internally funded capital improvement projects (pipeline replacements, system improvements, etc.) have been reduced by 25%, and other planned projects have been deferred into the future. Finally, effective July 1, 2011 the amount budgeted for water conservation rebates will be cut in half.

WATER RATE PUBLIC HEARING

A public hearing will be held at the NMWD office (999 Rush Creek Place, Novato) at 7:30 p.m. on Tuesday, May 24, 2011, to consider enactment of three annual increases averaging 11% in water rates and charges on June 1 of 2011, 2012 and 2013.

HOW TO PARTICIPATE

You are invited to present oral or written testimony on the proposal at the public hearing. You have the right to protest this proposed rate increase. If you do, you must submit your protest in writing, even if you plan to attend the public hearing. If written protests are submitted by a majority of the affected property owners or customers, the proposed increases will not be imposed.

Your written protest must be received prior to the close of the May 24, 2011 public hearing. Written protests must be signed by the property owner or customer of record and must include a description of the parcel (parcel number) or NMWD account number. Send or deliver written protests to:

District Secretary
North Marin Water District
PO Box 146
Novato, CA 94948

For more information visit NMWD's website at www.nmwd.com or call the District Secretary at (415) 897-4133.

Sincerely,



Chris DeGabriele
General Manager

NOVATO WATER CHARGES

	Existing 6/1/10	Proposed 6/1/11	Proposed 6/1/12	Proposed 6/1/13
A BI-MONTHLY SERVICE CHARGE OF:				
STANDARD 5/8-INCH METER	\$14.40	\$20.00	\$25.00	\$30.00
1 -inch residential meter for fire sprinklers	\$15.70	\$22.00	\$28.00	\$34.00
1 -inch meter	\$28.80	\$40.00	\$50.00	\$60.00
1.5 -inch meter	\$35.30	\$49.00	\$61.00	\$73.00
2 -inch meter	\$54.95	\$76.00	\$95.00	\$114.00
3 -inch meter	\$108.55	\$151.00	\$189.00	\$227.00
4 -inch meter	\$173.95	\$242.00	\$303.00	\$364.00
6 -inch meter	\$364.95	\$507.00	\$634.00	\$761.00
8 -inch meter	\$544.15	\$756.00	\$945.00	\$1,134.00
PLUS A QUANTITY RATE OF:				
<u>Residential rate for each 1,000 gallons</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
First 615 gallons per day	\$3.29	\$3.49	\$3.73	\$4.03
616 - 1,845 gallons per day	\$5.24	\$5.55	\$5.94	\$6.42
Use in excess of 1,845 gallons per day.....	\$9.11	\$9.66	\$10.34	\$11.17
<u>Rate for each 1,000 gallons for all other potable water accounts</u>				
Commercial, institutional & irrigation accounts - 11/1-5/31.....	\$3.62	\$3.84	\$4.11	\$4.44
Commercial, institutional & irrigation accounts - 6/1-10/31.....	\$3.90	\$4.13	\$4.42	\$4.77
<u>Rate for each 1,000 gallons for non-potable water</u>				
Recycled Water	\$3.62	\$3.84	\$4.11	\$4.44
PLUS AN ELEVATION ZONE RATE FOR EACH 1,000 GALLONS OF:				
<u>Zone</u> <u>Elevation</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>
A 0 through 60 feet.....	\$0.00	\$0.00	\$0.00	\$0.00
B 60 feet - 200 feet.....	\$0.39	\$0.41	\$0.44	\$0.48
C 200 feet - 400 feet.....	\$1.26	\$1.34	\$1.43	\$1.54

10

MEMORANDUM

To: Board of Directors
From: David L. Bentley, Auditor-Controller 
Subj: Self-Insuring Workers' Compensation
t:\act\word\personnel\wclself-ins application 2011.doc

April 1, 2011

RECOMMENDED ACTION: Approve Resolution

FINANCIAL IMPACT: None at this time

In 2003 the cost for workers' compensation insurance went through the roof and effective July 1, 2004 the District began self-insuring its workers' compensation liability. NMWD self-insured for four years, and saved \$704,000 compared to the commercial insurance premiums it would have paid. By 2008 the market softened and the District received a proposal from Travelers Insurance for workers' compensation coverage for a premium of \$98,000, which the District purchased effective July 1, 2008.

The \$98,000 FY09 premium increased to \$110,000 after Travelers performed a payroll audit. The FY10 premium was \$116,000, and the current (FY11) premium is \$132,000 (pre-audit). As shown on the attached chart, claims cost paid by Travelers in FY10 and FY11-to-date total less than \$10,000 each year. Staff is concerned that the FY12 insurance proposal may jump higher still, and recommends that NMWD be prepared to return to self-insurance on July 1, 2011 if the proposals received show another significant increase.

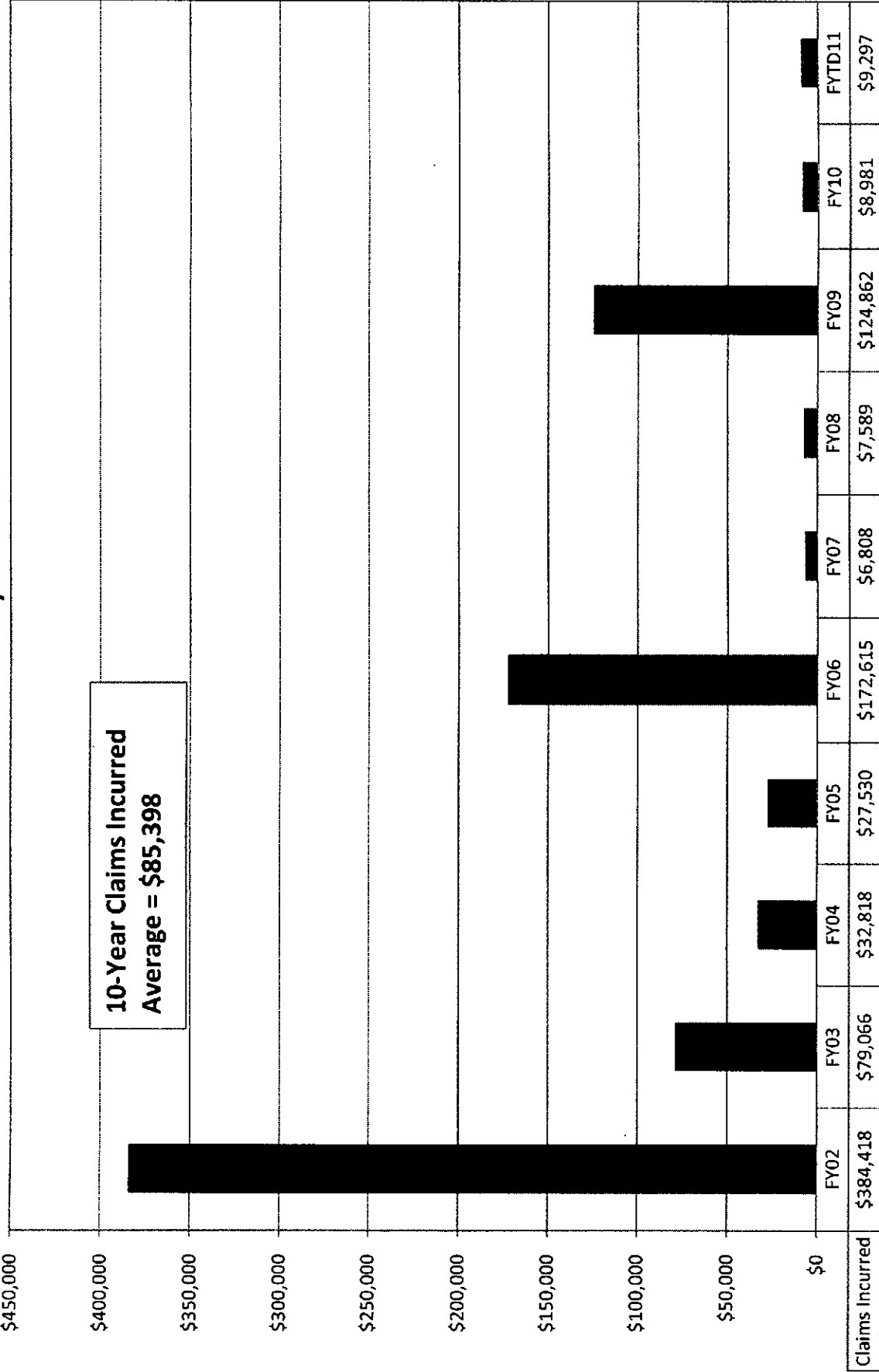
To self-insure, the District would need to re-employ a third-party administrator (approximately \$12K per year) and purchase an excess, or stop-loss, policy to limit the District's liability in the event of a catastrophic claim to \$750,000. Staff is pursuing agreements for both in the event they are needed.

The attached resolution authorizes the Director of the California Department of Industrial Relations to issue a Certificate of Consent to Self-Insure workers' compensation liabilities. There is no cost, and no obligation to self-insure, should the District receive a reasonable proposal for first-dollar coverage.

Recommended Action:

Approve the attached resolution for a certificate to self-insure workers' compensation liabilities.

Workers' Comp Claims Incurred 10 Year History



State of California
Department of Industrial Relations
Self Insurance Plans
2265 Watt Avenue, Suite 1
Sacramento, CA 95825
Phone (916) 574-0300
FAX (916) 483-1535



Our File: _____

APPLICATION FOR A PUBLIC ENTITY CERTIFICATE OF CONSENT TO SELF INSURE

NOTE: All questions must be answered. If not applicable, enter "N/A".
Workers' compensation insurance must be maintained until certificate is effective.

APPLICANT INFORMATION

Legal Name of Applicant (show exactly as on Charter or other official documents):

North Marin Water District

Street Address of Main Headquarters:

999 Rush Creek Place

Mailing Address (if different from above):

PO Box 146

Federal Tax ID No.:

94-6002892

City:

Novato

State:

CA

Zip + 4:

94948-0146

TO WHOM DO YOU WANT CORRESPONDENCE REGARDING THIS APPLICATION ADDRESSED?

Name: David L. Bentley

Title: Auditor-Controller

Company Name: North Marin Water District

Mailing Address: PO Box 146

City: Novato

State: CA

Zip + 4: 94948-0146

Type of Public Entity (check one):

City and/or County School District Police and/or Fire District Hospital District Joint Powers Authority

Other (describe): Special District - Water District

Type of Application (check one):

New Application Reapplication due to Merger or Unification Reapplication due to Name Change Only

Other (specify): _____

Date Self Insurance Program will begin: 7/1/2011

CURRENT PROGRAM FOR WORKERS' COMPENSATION LIABILITIES

 Currently Insured with State Compensation Insurance Fund, Policy Number: _____

Policy Expiration Date: _____ Yearly Premium: \$ _____

Current Yearly Incurred (paid & unpaid) Losses: \$ _____ (FY or CY)

 Currently Self Insured, Certificate Number: _____

Name of Current Certificate Holder: _____

 Other (describe): Travelers Insurance Policy No. 2899M258HJUB

JOINT POWERS AUTHORITY

Will the applicant be a member of a workers' compensation Joint Powers Authority for the purpose of pooling workers' compensation liabilities?

 Yes No If yes, then complete the following:

Effective date of JPA Membership: _____ JPA Certificate No.: _____

Name and Title of JPA Executive Officer: _____

Name of Joint Powers Authority Agency: _____

Mailing Address of JPA: _____

City: _____ State: _____ Zip + 4: _____

Telephone Number: (____) _____

PROPOSED CLAIMS ADMINISTRATOR

Who will be administering your agency's workers' compensation claims? (check one)

 JPA will administer, JPA Certificate No.: _____

 Third party agency will administer, TPA Certificate No.: 048-01
 Public entity will self administer Insurance carrier will administer

Name of Individual Claims Administrator: _____

Linda Slaughter

Name of Administrative Agency: _____

Athens Administrators

Mailing Address: _____

PO Box 696

 City: _____ State: _____ Zip + 4: _____
Concord CA 94522-0696

 Telephone Number: (925) 826-1102 FAX Number: (925) 609-5506

Number of claims reporting locations to be used to handle the agency's claims: 1

Will all agency claims be handled by the administrator listed on previous page? Yes No

AGENCY EMPLOYMENT

Current Number of Agency Employees: 58

Number of Public Safety Officers (law enforcement, police or fire): 0

If a school district, number of certificated employees: 0

Will all agency employees be included in this self insurance program? Yes No

If no, explain who is not included and how workers' compensation coverage is to be provided to the excluded agency employees:

INJURY AND ILLNESS PREVENTION PROGRAM

Does the agency have a written Injury and Illness Prevention Program? Yes No

Individual responsible for agency Injury and Illness Prevention Program:

Name and Title:

Robert Clark, Operations/Maintenance Superintendent

Company or Agency Name:

North Marin Water District

Mailing Address:

PO Box 146

City:

Novato

State:

CA

Zip + 4:

94948-0146

Telephone Number: (415) 897-4133 ext 8444

SUPPLEMENTAL COVERAGE

Will your self insurance program be supplemented by any insurance or pooled coverage under a standard workers' compensation insurance policy? Yes No

If yes, then complete the following:

Name of Carrier or Excess Pool: N/A

Policy Number: _____

Effective Date of Coverage: _____

Will your self insurance program be supplemented by any insurance or pooled coverage under a specific excess workers' compensation insurance policy? Yes No

If yes, then complete the following:

Name of Carrier or Excess Pool: To Be Determined

Policy Number: _____

Effective Date of Coverage: 7/1/2011

Retention Limits: \$750,000 per occurrence

Will your self insurance program be supplemented by any insurance or pooled coverage under an aggregate excess (stop loss) workers' compensation insurance policy? Yes No

If yes, then complete the following:

Name of Carrier or Excess Pool: N/A

Policy Number: _____

Effective Date of Coverage: _____

Retention Limits: _____

RESOLUTION OF GOVERNING BOARD

See Attached Resolution—Page 5

CERTIFICATION

The undersigned on behalf of the applicant hereby applies for a Certificate of Consent to Self Insure the payment of workers' compensation liabilities pursuant to Labor Code Section 3700. The above information is submitted for the purpose of procuring said Certificate from the Director of Industrial Relations, State of California. If the Certificate is issued, the applicant agrees to comply with applicable California statutes and regulations pertaining to the payment of compensation that may become due to the applicant's employees covered by the Certificate.

Signature of Authorized Official:

Date:

Typed Name:

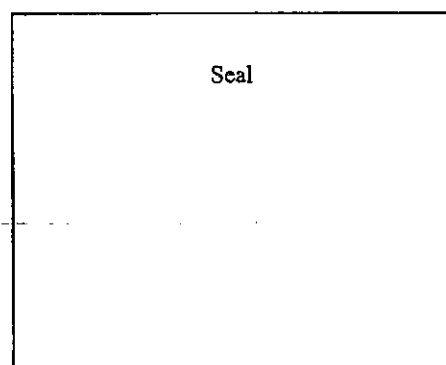
Chris DeGabriele

Title:

General Manager

Agency Name:

North Marin Water District



(Emboss seal above or Notarize signature)

RESOLUTION NO.: 11- DATED: April 5, 2011

**A RESOLUTION AUTHORIZING APPLICATION
TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA
FOR A CERTIFICATE OF CONSENT TO SELF INSURE
WORKERS' COMPENSATION LIABILITIES**

At a meeting of the Board of Directors
(enter title)

of the North Marin Water District
(enter name of public agency, district)

a County Water District organized and existing under the laws of the State of California,
(enter type of agency)

held on the 5th day of April, ~~19~~ 2011, the following resolution
was adopted:

RESOLVED, that the General Manager and Auditor-Controller
(enter position titles)

**be and they are hereby severally authorized and empowered to make application to the Director of Industrial
Relations, State of California, for a Certificate of Consent to Self Insure workers' compensation liabilities
on behalf of the**

North Marin Water District
(enter name of district)

and to execute any and all documents required for such application.

I, Renee Roberts, the undersigned District Secretary
(enter name) (enter title)

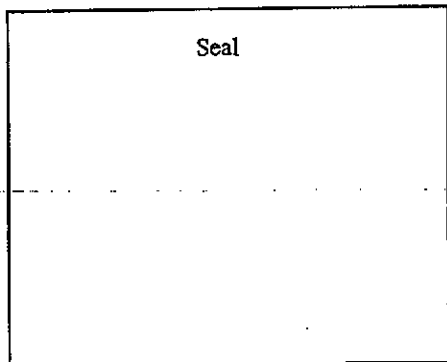
of the Board of the said North Marin Water District,
(enter name of agency)

a County Water District, hereby certify that I am the District Secretary
(enter type of agency) (enter title)

of said County Water District, that the foregoing is a full, true and correct copy of the
(enter type of agency)

resolution duly passed by the Board at the meeting of said Board held on the day and at the place therein specified
and that said resolution has never been revoked, rescinded, or set aside and is now in full force and effect.

IN WITNESS WHEREOF: I HAVE SIGNED MY NAME AND AFFIXED THE SEAL OF THIS



County Water District,
(enter type of agency)
THIS 5th DAY OF April, ~~19~~ 2011.

(Signature)

III

MEMORANDUM

To: Board of Directors
From: Doug Moore, Construction/Maintenance Superintendent
Subj: 18" Flanged Gate Valve Replacement – San Marin & San Carlos
k:\const supl2011\memo to bod re koppl 032511.doc

April 1, 2011

RECOMMENDED ACTION: Approve Improvement Project Budget Addition
FINANCIAL IMPACT: \$70,000 (funds are available from Crest Tank #2 Improvement Project budget to complete this project)

It has become necessary to replace a 48-year-old 18" flanged gate valve – located at the intersection of San Marin Drive and San Carlos Drive. The valve is broken in the "off" position and cannot be operated. Construction Department staff have expended six crew days to date in preparation for replacement of the 18" valve, and also needs to excavate upstream at the 26" steel water main in order to install an isolation valve and stop water flow east of the valve location. Without this stoppage of water, approximately 200 customers, including two large office buildings, will be without water service for approximately eight (8) hours or more when repairs are initiated. This line stoppage procedure will also prevent a large system outage due to its distance to the existing isolation valves. In addition, there are approximately 43 valves that would need to be shut down to complete repairs, as well as 200 meter stops, which present potential for additional problems.

The District does not have the equipment necessary to perform this water stoppage and therefore must enlist assistance from an outside contractor. Staff received quotes from three California contractors: TDW Services, Inc., from Rancho Cucamonga (\$39,904), Koppl Pipeline Services, Inc., from Montebello (\$20,000), and Tap Masters, Inc. from Concord (\$18,000). Tap Masters has contracted with the District on several previous occasions, and their work is quite satisfactory.

With the isolation of this water main, it drastically reduces the number of customers (down to approximately 40) that would be without water services while the necessary repairs are being completed. The approximate total cost of this repair project (including Tap Masters' fee, materials and crew time) is just under \$70,000.

Funds for this project are available from those not expended as part of the Crest Tank #2 Improvement Project budget.

RECOMMENDATION

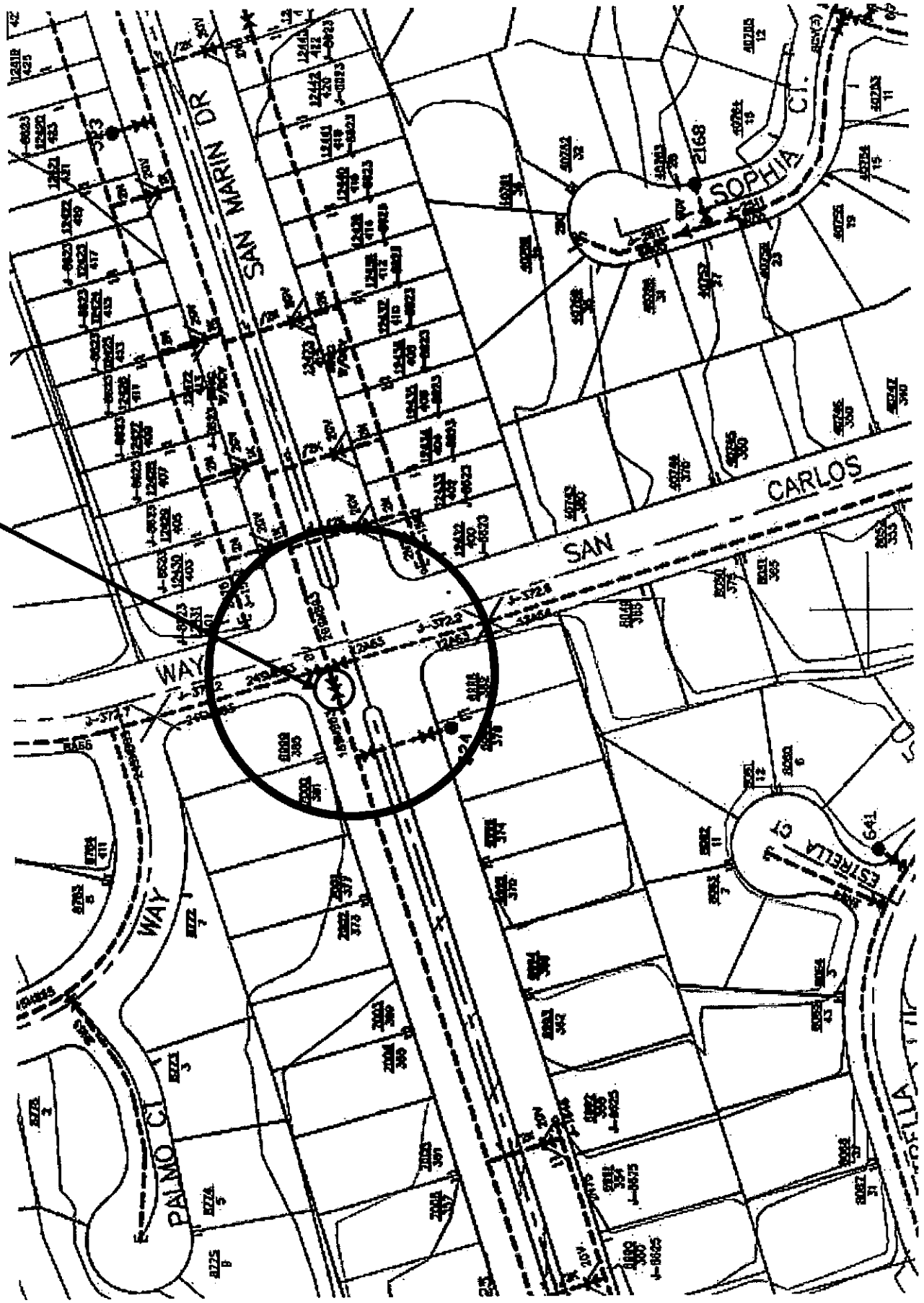
That Board approve Improvement Project Budget addition in the amount of \$70,000 to replace 18" flanged valve.

E

S

W

Location of broken valve
which is to be replaced





12

MEMORANDUM

To: Board of Directors

April 1, 2011

From: David L. Bentley, Auditor-Controller

Subj: Information – Polybutylene Pipe Product Liability Claim Close

t:\acl\word\pb\pb claim close.docx

The District's polybutylene (PB) pipe product liability claim settlement agreement with Shell Oil concluded in December 2010. Following is a wrap-up report.

Background

The District began using PB pipe in place of copper for its service line installations in fiscal year 1970/71. PB pipe sold for pennies on the dollar compared to copper, and was warranted to have the same life as copper. The District installed 6,510 PB services through FY1984/85. Commencing in the early 1980s the District began to recognize an increasing rate of premature failure in the PB service lines, primarily cracking and pinholes near the main and meter fittings, but also longitudinally along the center of the span. Response from the manufacturer was that the District was not installing the product correctly.

Crews experimented with a variety of installation techniques, yet the failures escalated. Circa 1985/86, the District learned about a product liability claim by the City of San Antonio, Texas, regarding PB pipe. The District contacted San Antonio's legal counsel, accumulated data, and filed claim against the manufacturers, extruders, and distributors of PB pipe, as well as the manufacturers of compression fittings used for installation of the pipe. The District's claim asserted that the pipe is "subject to failure in the nature of cracking, splitting, shearing and pinholing, the pipe is not durable, prematurely deteriorates and decays, and is wholly unsatisfactory for use in the District's water distribution system." Six years later, settlement was reached with all seven defendants. Cash settlement money received totaled \$1,088,500.

Resin Manufacturers

Mobil Oil (1,718 services installed 1971-73)..... \$100,000
Witco (2,100 services installed 1974-78)..... 495,000
Shell Oil (2,326 services installed 1978-85) 42,000

Extruder

Wesflex 100,000

Distributor

P.E. O'Hair 175,000

Fittings Manufacturers

Ford Meter Box 150,000
Mueller 26,500

Total settlement money received \$1,088,500

Prospective Agreements

In addition to the cash settlements, the District entered into prospective agreements with Shell Oil and P.E. O'Hair for further reimbursement. Shell Oil agreed to share in the cost of replacement of certain PB failures occurring in pipe installed after July 1, 1978 (the date Shell assumed ownership of the resin manufacturing company) through 2010. In addition, P.E. O'Hair agreed to sell the District \$175,000 of Type K copper service line at its wholesale cost. The amount received from these defendants under the prospective agreements (now concluded) totaled \$214,504.

Shell Oil reimbursement	\$195,691
P.E. O'Hair wholesale discount.....	<u>18,813</u>
Received under prospective agreements	<u>\$214,504</u>

The District installed 2,326 services with Shell PB resin from July 1978 through December 1985. Since the settlement with Shell, the District experienced 423 Shell service line failures subject to reimbursement. Total settlement and prospective agreement money received was \$1,303,004.

Total settlement money received	\$1,088,500
Received under prospective agreements.....	<u>214,504</u>
Total settlement.....	<u>\$1,303,004</u>

Cost of Litigation

The District spent \$393,061 in legal and expert witness fees to obtain the settlements achieved. Staff time incurred in researching and documenting the claim, the majority of which was expended by Chief Engineer Jim Fritz, and miscellaneous other expenses, totaled \$65,521. Staff time does not include District administrative staff, which was not accounted for separately.

Legal Expense:

Edward L. Kurth, Attorney at Law	\$38,679
Jones Kurth & Treat.....	90,673
Sawtelle Goode et al	204,731
Bold & Polisner.....	26,111
Bianchi Engel et al.....	11,112
Raghianti Lusse et al.....	6,350
Expert Witness Fees	<u>15,406</u>
Total Legal Expense	\$393,061

Staff & Other Miscellaneous Expense:

Staff time	\$62,468
Other miscellaneous expense	<u>3,053</u>
Total Staff & Other.....	\$65,521

Total Legal & Staff Expense.....	<u>\$458,583</u>
----------------------------------	------------------

Damages Incurred

From 1971 through 1985, the District installed 6,143 PB services. In addition, 367 PB services that failed prior to 1986, before the problem was identified as a defective product, were replaced with new PB. Through June 30, 2010, the District suffered 2,012 service line failures and replaced 1,825 services on a pre-emptive basis (i.e., replacement prior to failure). Thus, there are 2,306 PB services remaining in the system. The repair and replacement cost of the PB thus far has been:

		Avg cost per service
PB Replacement Expense through 6/30/10		
1,645 Emergency Repairs (Post 1985)	\$3,174,089	\$1,930
367 Emergency Repairs (Pre 1985) ¹	500,000	1,362
1,825 Pre-emptive Replacements.....	<u>1,721,674</u>	<u>943</u>
Total PB Replacement Expense to date.....	\$5,395,763	\$1,406

Estimated Future Damages

The District has replaced 59% of the installed PB pipe population. Attachment A shows that the PB pipe annual failure rate jumped to over 3% of the population beginning in FY08 and has remained there, running in excess of 3% again in FY11. The Novato Water System Master Plan forecasts replacement of 100 PB services annually, up from the historical average of 70 per year as shown on Attachment B. Assuming the failure rate remains constant at 3% and 100 services are pre-emptively replaced annually, 740 additional failures will occur over the next 19 years, at which time the entire PB population will have been replaced. This forecast exceeds the 22 year period based on the historical trend (Attachment C).

The average cost to repair a service on a pre-emptive basis was \$1,453 over the past five years, compared to \$2,622 when done on an emergency basis. The District therefore faces another \$4,700,000² in estimated future cost to replace the remaining PB services. To recap:

Cost:

PB Repair Cost Incurred to Date	\$5,395,763
Expected Future PB Repair Cost.....	<u>4,700,000</u>
Subtotal.....	\$10,095,763
Cost to Wage Lawsuit.....	<u>458,583</u>
Total Cost.....	\$10,554,346

Cost Recovery:

Money Received from Lawsuit.....	\$1,303,004
Net Out-Of-Pocket	
Due to Defective PB Product.....	<u>\$9,251,342</u>

Path Forward

¹ Amount is estimated - actual cost of emergency PB repairs prior to 1985 was not accounted for separately.

² Pre-emptive replacement of 1,900 services at \$1,453 plus emergency replacement of 740 services at \$2,622 = \$4,700,980.

The cost of repairing a service on a planned pre-emptive basis averaged \$1,453 over the past five years, compared to \$2,622 when done on an emergency basis. Obviously it is advantageous to replace services in mass on a pre-emptive basis in those areas where frequent failure is experienced.

Note on Attachment D that the number of failures occurring annually over the past 25 years is trending upward, and averaged over 100 during the past three years. This is a 67% increase over the prior 10-year period, suggesting that the pipe is reaching the end of its useful life and that maintaining the planned replacement program is worthwhile. Note the contrast with copper service line failures, which, as a percentage of the population of pipe in the ground, are remaining relatively constant at less than 0.5%, while PB failures over the past five years have spiked to 3% (Attachment E).

However, the rate of Shell pipe failures, tracked separately under the settlement agreement, is declining (Attachment F). This gives some credence to Shell's argument that the resin formula and extrusion process was corrected under their ownership so that the premature failure problem was resolved. In fact, over 80% of the installed Shell pipe remains in service³.

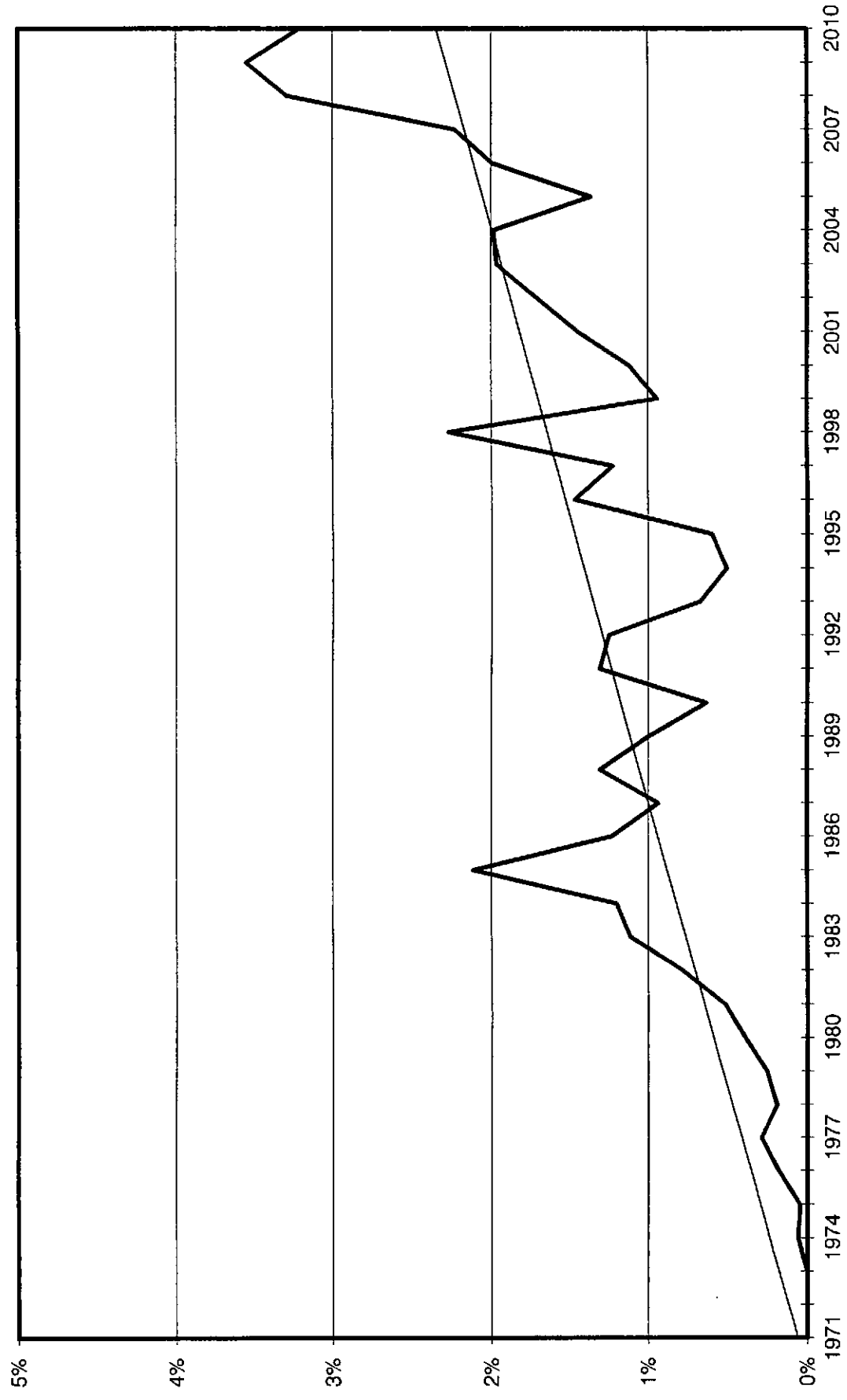
Therefore, the preplanned replacements will be targeted to replace the Mobil and Witco services installed between 1971 and 1978. We will continue to monitor the Shell pipe failures before moving to pre-emptively replace them.

³ Services installed with Shell resin comprised 2,326 (36%) of the 6,510 total PB services installed. At 6/30/10 Shell's 1,891 remaining services comprised 71% of the 2,673 PB services remaining.

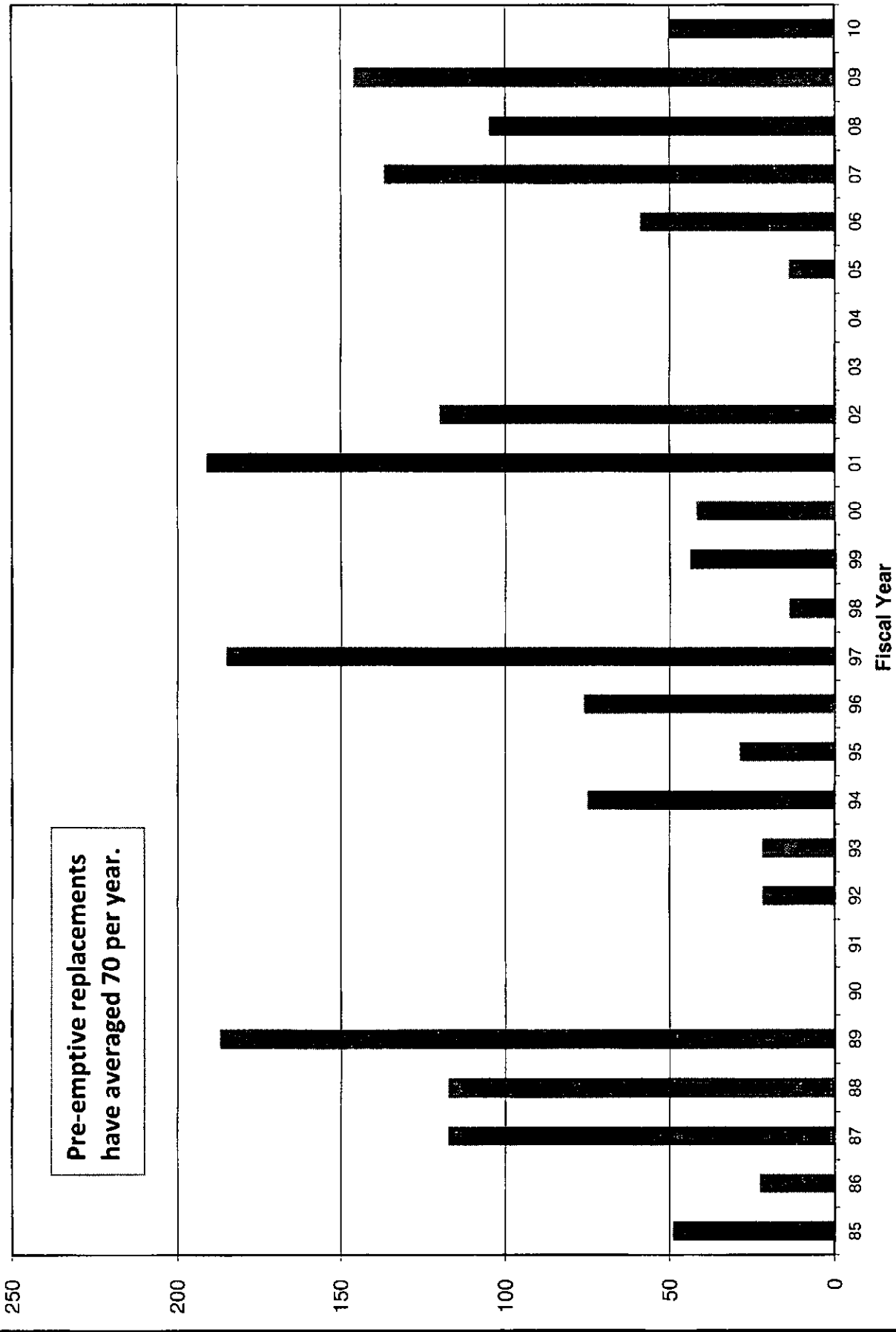
3/24/11

\\nmdsrv1\administration\act\excel\job\p\bleaks.xls\pb population

% of Polybutylene Pipe Population Failing by Fiscal Year



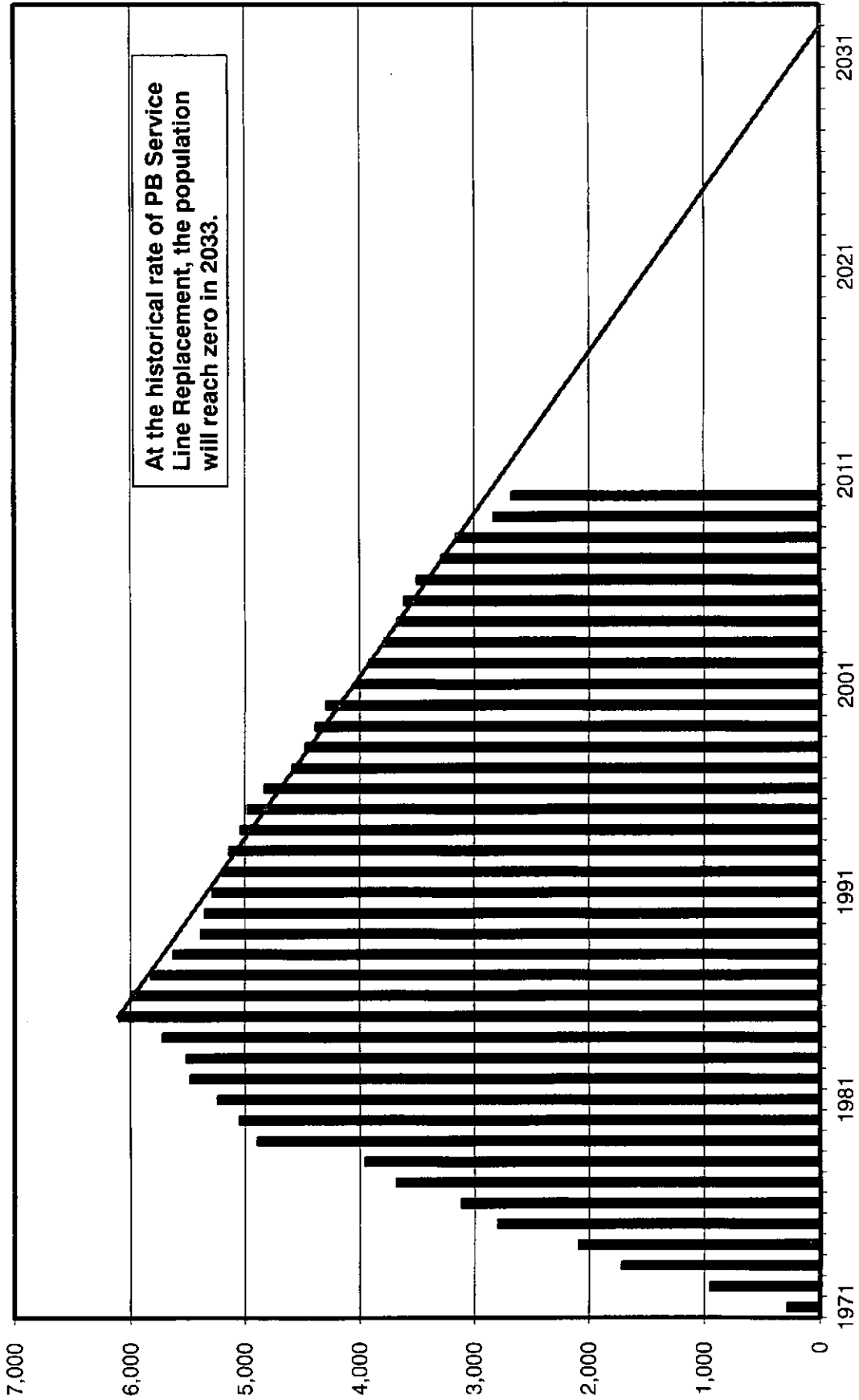
Pre-Emptive PB Service Line Replacements



Pre-emptive replacements have averaged 70 per year.

NMWD Polybutylene Pipe Service Line Population

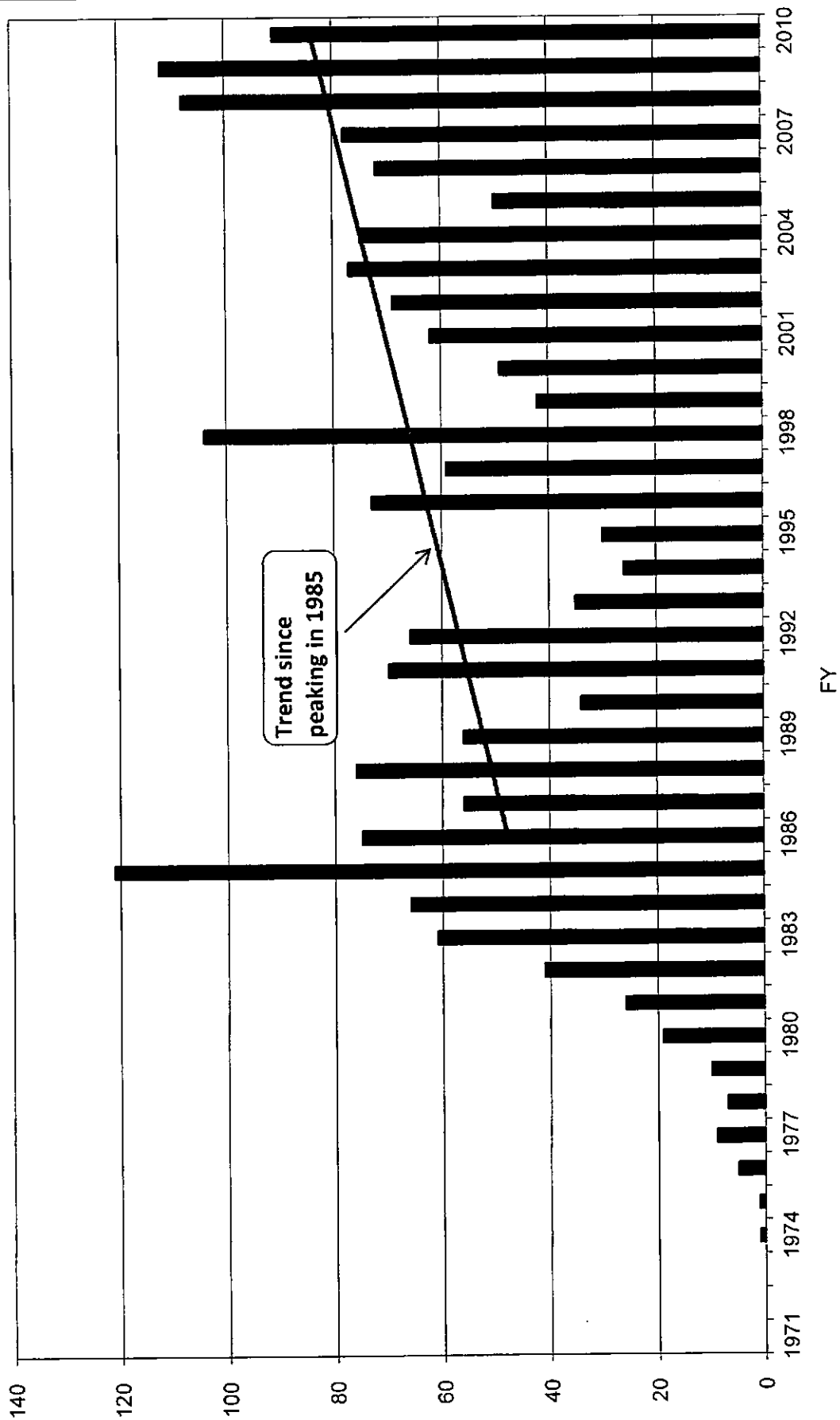
3/24/11



3/23/11

server\administration\ac\excel\pb\pbleaks.xls# failures

Polybutylene Pipe Failures by Fiscal Year



t:\c:\ercc\l\pb\pb and copper svc line expense fy01-11.xlsx\data

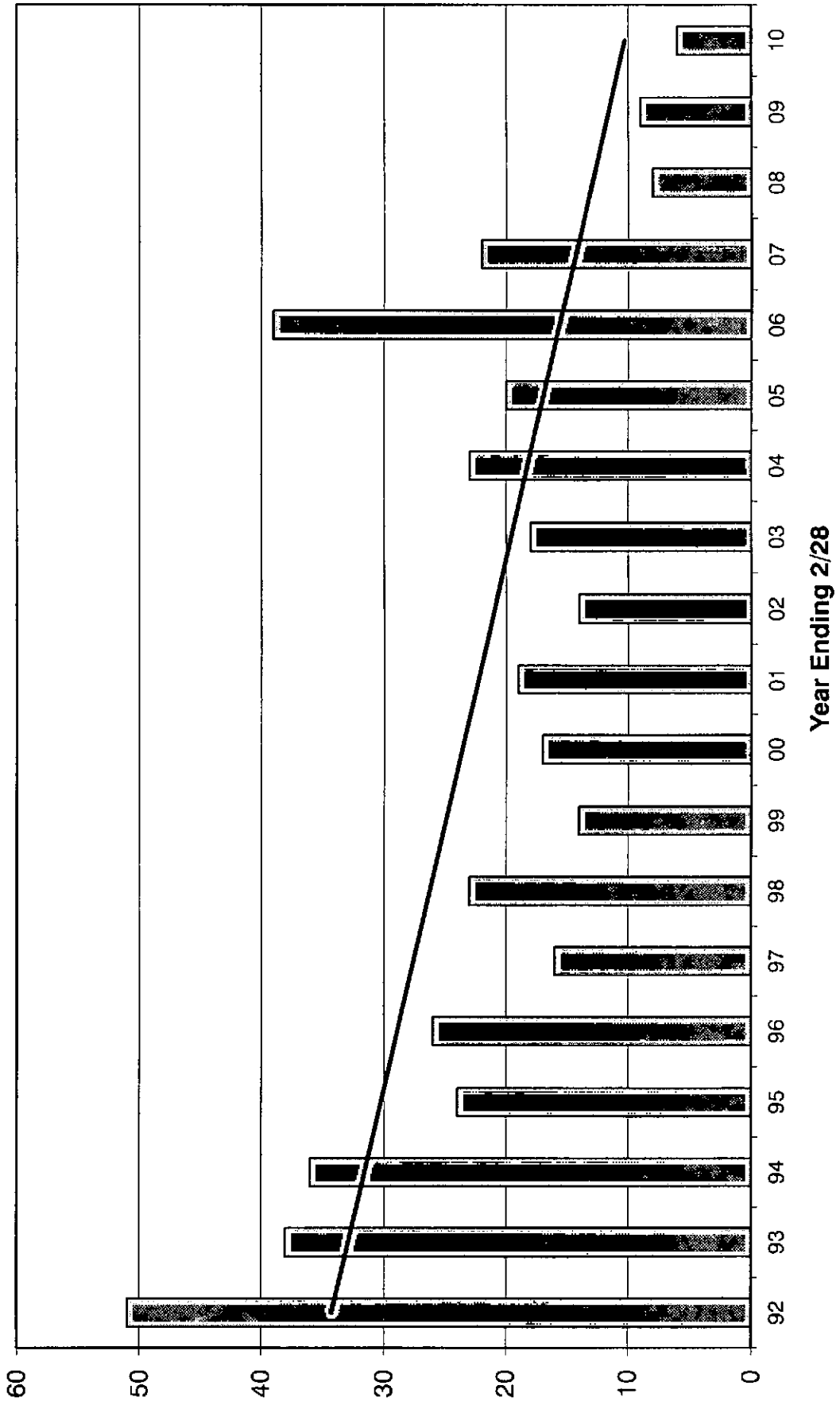
PB Service Line Failures vs Copper As a % of Population 10-Year History



3/30/11

Shell PB Service Line Failures

3/23/11



13

**NOTICE OF MEETING OF
NORTH BAY WATERSHED ASSOCIATION**

Notice is hereby given that a meeting of the North Bay Watershed Association will be held as follows:

Date: Friday, April 1, 2011
Time: 9:30 a.m. – 11:30 a.m.
Location: Petaluma (Lucchesi) Community Center
320 N. McDowell Boulevard
Conference Room 2
Petaluma, CA 94954

AGENDA

<u>Item</u>	<u>Recommendation</u>
1. Call to Order (Jack Gibson, Chair)	
2. Public Comment	
3. Approval of the Agenda (1 min.)	Approve
4. Approval of Minutes	Approve
5. Treasurer's Report (1 min.)	Accept
6. Hamilton/Bel Marin Keys (45 min.) Wetland Restoration Project Update Guest Speaker: Tom Gandesbery	Information
7. Bridging the Gap: A Marin County Case Study (30 min.) Getting from Climate Projections to Decision-Making Guest Speaker: Sara Moore, UC Santa Cruz	Information
8. 2011-2012 Budget (10 min.) Harry Seraydarian	Action
9. Lateral Legislation (10 min.) NBWA Support?	Action
10. Items of Interest	
11. Items for Next Agenda	

Next Meeting Information:

Next Meeting: May 6, 2011
Marin Community Foundation
5 Hamilton Landing, Suite 200
Redwood Room
Novato, CA 94949

NORTH BAY WATERSHED ASSOCIATION

Minutes for the meeting of the North Bay Watershed Association (NBWA) Board of Directors.

Date: Friday, March 4, 2011
Time: 9:30 a.m.
Location: Novato Sanitary District
500 Davidson Street
Novato, CA 94945

Directors Present: Directors present included:

<u>Board Member</u>	<u>Agency/Organization</u>	<u>Board Member</u>	<u>Agency/Organization</u>
Jack Baker	North Marin Water District	Jack Gibson	Marin Municipal Water District
Steve Barbose	City of Sonoma and Sonoma Valley County Sanitation District	Kathy Hartzell	Central Marin Sanitation Agency
Megan Clark	Las Gallinas Valley Sanitary District	James Krider	Napa County Flood Control and Water Conservation District
Mike DiGiorgio	Novato Sanitary District	Mark Luce	Napa Sanitation District
Ernie Ganas	Bel Marin Keys Community Services District	Kevin McGowan	City of San Rafael
		Mike McGuire	Sonoma County and Sonoma County Water Agency

Directors present represented 13 out of the 16 agencies signatory to the Association MOU. Kevin McGowan attended his first meeting as the representative from City of San Rafael.

Board Actions

1. **Call to Order.** Jack Gibson, Chair, called the meeting to order at 9:35 a.m.
2. **Public Comment.** There was no public comment.
3. **Approval of the Agenda.** (See Handout) The Board unanimously approved the agenda.
4. **Approval of Minutes of the Board Meeting held February 4, 2011.** (See Handout) The Minutes of the Board Meeting held on February 4, 2011 were unanimously approved.
5. **Treasurer's Report.** (See Handout) The Treasurer's Report for February 2011 was accepted as presented by Paul Helliker.
6. **2011 – 2012 Draft Budget.** Harry Seraydarian used a PowerPoint presentation to provide background information to the Board on the 2011-2012 Budget. Harry first described the basic budget categories (Overhead, General Benefit, Projects) and amounts. Harry noted that from 2000-2004 projects were funded based on an algorithm and since 2005 projects have been funded using "carryover" funds. He then presented the baseline budget and billed amounts for all budget years (2000-2011) and the general trends. Harry summarized the projects and funding levels for both the 2000-2004 time frame and the 2005-2009 period. He also reviewed the information in a 2008 Strategy Session. This included reviewing the NBWA Mission and Goals and a formal project evaluation. Harry noted that projects are typically identified in the three Technical Committees and that the chairs (Water Quality-Beverly James, Integrated Water Resources-Chris DeGabriele, Habitat and Flood Protection-Liz Lewis) provided ratings for the completed projects. He related the ratings and criteria used and then detailed several examples. Harry highlighted \$640k received from the state and administered by MMWD (on behalf of NBWA) that funded eight watershed projects in Marin and Sonoma that would not have been funded without a "consolidated" grant. Harry then presented the evaluation of the 2005 Integrated Regional Water Management Plan and summarized the policies in that plan. Harry described the corresponding projects developed to help implement those policies and supplied the evaluations of those projects. Harry reiterated the emphasis by NBWA in the last three years on the Bay Area IRWMP and the efforts to represent the North Bay. Harry also summarized projects funded in the recent past (2007-2010) and his subjective evaluation. Harry noted the projects that had been funded for 2010-2012 and the relative progress. Harry reminded the Board about the \$1.5 million grant from USEPA awarded to NBWA through the San Francisco Estuary Partnership and relayed the status of sub-agreements being signed with Marin County, Napa RCD, Southern Sonoma County RCD, and Sonoma Ecology Center. Harry then presented the budget decisions that had been made in 2009-2010 and 2010-2011 and the use of carryover funds. Harry also summarized the themes for NBWA Conferences and the impact on NBWA budgets. Harry concluded with the budget proposal for 2011-2012 and noted that members would be paying approximately 3% less due to the addition of Napa Flood Control and Water Conservation District as a member and that Petaluma would be returning as a voting member in 2011-2012. Harry

offered potential projects identified to date: Aquatic Invasive Species Workshop – \$2k; Sea Level Rise-Pilot – \$44k (Marin Shoreline – 7 miles from Petaluma to China Camp); STRAW – three counties – \$35k; SSCRCO, MCSTOPPP, Napa RCD for follow up on Slow it, Spread it, Sink it (more printing and demonstration projects with Garden Challenge) – ~ \$43k; Repeat-Education/Restoration – Marin, Napa, Sonoma – \$45k; and Stormwater – 1) Early Monitoring Plan for all three counties to meet Phase II Permit – \$30k minimum, 2) LID workshops in each county possibly using Bay Friendly, 3) Green Gardener workshops (in Spanish). The Board had a question about using other groups in Marin rather than Garden Challenge for workshops and Harry responded that this was certainly possible since Garden Challenge had only been identified at this conceptual stage in Sonoma County. The Board unanimously approved the \$178,304 budget (with \$85k from carryover for projects) as a maximum which can be revisited in April. Harry asked Board members to send any comments or suggestions to him and he will present a summary at the April meeting.

7. **San Pablo Bay Watershed Management Plan.** Daria Mazey, U.S. Army Corps of Engineers, provided an overview using PowerPoint. Daria first presented an organization chart for the San Francisco District and explained USACE functions. Daria noted that the State Coastal Conservancy (SCC) has been a partner on the San Pablo Bay Restoration Program since 1999 and then stated the Watershed Study Goals. Daria reported a list of efforts by USACE to support and promote watershed restoration and then described what the program does and what is included in the plan (plan available on NBWA website). She also related the problems identified in the plan and highlighted USACE guidance on valuing ecosystems. Daria offered an explanation of the opportunities identified in the plan and the approach to addressing the problems and opportunities including objectives, potential measures, and plan formulation and the role of WRDA 2007, section 5053. Daria displayed a summary of section 5053 and highlighted the areas included: A) The tidal areas of the Petaluma River, Napa-Sonoma Marsh, B) The shoreline of West Contra Costa County, C) Novato Creek, D) Suisun Marsh, and E) Gallinas-Miller Creek. Daria observed that funding was authorized for planning, design, and construction up to a limit of \$40 million but that no funds had been provided to date. Daria described the projects identified in the plan and then highlighted \$500k in the President's budget that may be available. Daria summarized the approach developed with SCC for using the \$500k to further two specific projects that meet certain criteria. Daria also provided a list of reports that might be relevant to the NBWA Sea Level Rise proposal. The Board and audience members had a number of questions. Is USACE collaborating with BCDC? (Yes, through dredging and sea level rise efforts.) Do these projects compete with other WRDA authorizations, i.e., Russian River? (USACE must be responsive to the Biological Opinion on the Russian River, however funding is determined through congressional appropriations.) What is timetable for projects? (USACE has new guidance for watershed planning which requires more analysis, however prefer to focus on implementation in partnership with SCC). What do you think of existing sediment in San Pablo Bay that could effect flooding and the efforts to reduce sediment from streams given scientific opinion that sediment loading to the Bay is presently too low? (Wetland restoration work in San Pablo Bay should reduce sediment in the bay through scouring and help address flooding). A suggestion was made to find a speaker who can address sediment dynamics and the bay deficit versus TMDL loading.

8. **Items of Interest.**

* North Marin Water District in cooperation with Novato Sanitary District and Las Gallinas Valley Sanitary District will hold a public workshop on March 22 to inform the public about recycled water expansion projects in Novato.

9. **Items for Next Agenda.**

- * State Coastal Conservancy, Tom Gandesberry – Hamilton and Bel Marin Keys Update
- * UC Santa Cruz, Sara Moore – Case Study on Climate Change
- * Revisit Budget

Jack Gibson, Chair, adjourned the meeting at 11:20 a.m.

SUBJECT TO APPROVAL

Submitted By: Elizabeth O. Preim-Rohtla

NEXT MEETING INFORMATION

April 1 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954— Conf. Rm. 2

May 6 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949

June 3 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

July 8 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949

No August

September 9 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

October 7 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954— Conf. Rm. 2

November 4 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949

December 2 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954— Conf. Rm. 2

AB 741 – SEPTIC & SEWER IMPROVEMENT FINANCING

Assemblymember Jared Huffman

IN BRIEF

AB 741 would expand existing law to allow property owners to voluntarily enter into agreements with local wastewater agencies to finance needed sewer improvements. This bill would:

- Help private property owners finance the cost of converting from a septic system to a community sewer system and the replacement of damaged sewer laterals.
- Protect water quality, the environment and public health from contamination caused by leaking septic tanks, eroding pipes and other aging sewer infrastructure.

Many communities in California face threats from aging infrastructure. The conversion of septic systems to community sewer systems and the replacement of damaged sewer laterals are needed to protect water quality, the environment, and public health and safety. AB 741 (Huffman) would provide additional flexibility to wastewater agencies and voluntary options for willing property owners for financing of sewer improvements.

Sewer Lateral Improvements

A sewer lateral is the pipe that transports wastewater from a building to the public sewer main in the street. Over time, laterals can become cracked, disjointed, or damaged by tree roots, earth settlement, and blockages caused by fats, oil, and grease, allowing wastewater to leak into the ground. Damaged laterals can also contribute to sewage blockages and backups and storm water overflows into the public system, as well as create harm to the environment and threaten public health.

The California State Water Resources Control Board requires wastewater agencies to maintain the public sewer systems, and agencies invest hundreds of millions of dollars in repair and improvements to publicly owned sewer mains and treatment

facilities. However, the problem cannot be resolved solely by upgrading the community sewer system. Repair or replacement of sewer laterals is typically the responsibility of the homeowner, but there is no mandate requiring this maintenance. Private property owners must be given the tools to maintain private sewer laterals.

The costs of sewer lateral replacements for private property owners are high. A typical sewer lateral replacement can range from \$1,500 to \$4,000. Costs can increase significantly if there are obstructions such as landscaping, driveways, or structures built above the lateral.

Providing financing options to encourage private property owners to replace their damaged sewer laterals is essential to ensuring that public infrastructure, public health and the environment are protected.

Septic Conversions

Currently, there are a number of California communities that operate on septic systems. Septic systems can be operated safely, but when they age or exceed the treatment capacity of regional soils, they can leak and contaminate surface waters, groundwater and sensitive coastal waters with disease-causing pathogens and nitrates.

Converting from a septic to sewer system protects water quality, the environment and public health by ensuring that wastewater is collected and conveyed to treatment and disposal facilities with minimal risk and increases water quality benefits.

The cost to convert a septic system to a sewer system can be expensive, including the clean up and removal or abandonment of the septic system as well as the costs of building the facilities needed to connect to the community sewer system. According to the Irvine Ranch Water District, the costs of conversion can range from \$2,000 to \$14,000 and if new or replacement pumps are needed, this can add an additional \$10,000.

EXISTING LAW

Health & Safety Code sections 5460-5464 authorize a property owner included within an assessment district to enter into an agreement with the local wastewater agency for the financing of sewer improvements needed to connect to a community sewer system when a Regional Water Quality Control Board has issued an abatement order.

THIS BILL

AB 741 would authorize public wastewater agencies to offer voluntary liens to private property owners to finance lateral replacements and conversions from septic to sewer systems to prevent groundwater contamination and protect water quality, the environment, public health and safety.

SUPPORT

Irvine Ranch Water District – Sponsor

FOR MORE INFORMATION

Paige Brokaw, (916) 319-2715
Paige.Brokaw@asm.ca.gov

Maureen O'Haren, (916) 498-1900
maureen@oharen.com

14

FOR ACCESSIBLE
MEETING INFORMATION
CALL: (707) 543-3350
ADD: (707) 543-3031



TECHNICAL ADVISORY COMMITTEE

MONDAY: APRIL 4, 2011

Utilities Field Operations Training Center
35 Stony Point Road, Santa Rosa, CA

9:00 a.m. (Note Location)

1. Check In
2. Public Comment
3. UWMP Update and Approve Letter Agreement for Establishing a Regional Alliance to Comply with SBx7-7
4. 2011 Russian River Water Storage
<http://www.scwa.ca.gov/current-water-supply-levels/>
5. 2010 TUCP Status
6. Biological Opinion Status Update
7. Items for next agenda
8. Check Out

Letter Agreement
Between and Among
Cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor
And
North Marin Water District, Marin Municipal Water District
and Valley of the Moon Water District
For
Establishing a Regional Alliance to Comply with
SB x7-7 the Water Conservation Act of 2009

Recitals

A. The Water Conservation Act of 2009 (SB x7-7) set a goal of achieving a 20% reduction in statewide urban per capita water use by the year 2020 and requires urban water retailers to set a 2020 urban per capita water use target. SB x7-7 provides that urban water retailers may plan, comply and report on a regional basis, individual basis or both.

B. The Parties to this Letter Agreement (Cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor and North Marin, Marin Municipal and Valley of the Moon Water Districts) are eligible to form a "Regional Alliance" pursuant to the *Department of Water Resources Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use* (DWR Methodologies) because the Parties receive water from a common water wholesale water supplier, the Sonoma County Water Agency (Agency). The Parties desire to establish a Regional Alliance for purposes of complying with SB x7-7.

C. The Parties and the Agency are signatories to the Sonoma-Marin Saving Water Partnership Memorandum of Understanding (S-MSWP MOU) that provides for the identification and implementation of regional water conservation programs and tasks as directed by the Water Advisory Committee (WAC). The S-MSWP MOU requires financial and reporting commitments for implementation of water conservation programs.

Agreement for Regional Alliance Target Setting and Reporting

1. Regional Alliance Formation and Target Setting

Pursuant to the DWR Methodologies, the Parties hereby form a Regional Alliance and agree to send a letter to the Department of Water Resources (DWR) prior to July 1, 2011 informing DWR that a Regional Alliance has been formed. The Parties agree that the Regional Alliance Target will be established using Option 1 (as Option 1 is described in the DWR Methodologies) and that each Party will include the Regional Alliance Target in its individual 2010 Urban Water Management Plan.

2. Regional Alliance Review

No later than December 31, 2015, the Parties agree to review and re-analyze the Regional Alliance and Regional Alliance Target as part of the preparation of the 2015 Urban Water Management Plan.

3. Regional Alliance Reporting

The Parties agree to prepare Regional Alliance Reports pursuant to the DWR Methodologies including but not limited to the following information: baseline gross water use and service area population, individual 2015 and 2020 water use targets for each Party and for the Regional Alliance, compliance year gross water use and service area population, and adjustments to gross water use in compliance year. The information will be provided by each Party and reported in the annual S-MSWP report in addition to the information required in the annual report, as outlined in the S-MSWP MOU.

4. Regional Water Supply Planning

The Parties agree to participate in discussions regarding regional water supply planning.

5. Regional Alliance Dissolution

The Parties agree that each Party can withdraw from the Regional Alliance at any time without penalty by giving written notice to all other Parties. If a Party withdraws from the Regional Alliance, the Parties agree that the Regional Target will be recalculated among remaining participating Parties as set forth in the DWR Methodologies and in Section 2 above.

6. Miscellaneous

This Letter Agreement shall be between and among those Parties that have executed this Letter Agreement by May 1, 2011. If all Parties have not executed this Letter Agreement by said date, the Parties who have executed this Letter Agreement by May 1, 2011, agree that the Regional Target will be recalculated among participating Parties as set forth in the DWR Methodologies and in Section 2 above.

7. Letter Agreement Authorization

This Letter Agreement may be signed in counterparts. By signing below, each signatory states that he or she is authorized to sign this Letter Agreement on behalf of the Party for which he or she is signing.

Name: _____
City of Santa Rosa

Date

Name: _____
City of Rohnert Park

Date

Name: _____
City of Sonoma

Date

Name: _____
City of Cotati

Date

Name: _____
City of Petaluma

Date

Name: _____
Town of Windsor

Date

Name: _____
North Marin Water District

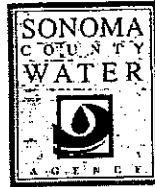
Date

Name: _____
Marin Municipal Water District

Date

Name: _____
Valley of the Moon Water District

Date



Russian River Biological Opinion Update – April 2011

The Sonoma County Water Agency is continually planning and implementing the requirements spelled out in the Russian River Biological Opinion. To better communicate the progress and timeline of this work, the Water Agency has provided the below outline of project updates. For more detailed information about these activities, please visit www.sonomacountywater.org.

Dry Creek Demonstration Project

- Property owners in the demonstration reach met with Inter-Fluve consultants and Water Agency staff to discuss specific enhancements on their property. The 60% design document is anticipated early this month. Discussions with landowners regarding access and construction have begun, and permitting requests to regulatory agencies will be made this spring.
- An Initial Study environmental document on the demonstration project will be available for public review this month.
- A delegation of officials from the Corps and NMFS met with agency staff in late March at Warm Springs Dam to discuss the demonstration project and Corps funding.

Dry Creek Habitat Enhancement Study & Bypass Pipeline Study

- The Dry Creek habitat enhancement study is proceeding in parallel with demonstration project work. The study is anticipated to be completed in summer 2011.
- The Dry Creek bypass pipeline and Dry Creek Habitat Enhancement draft feasibility studies will be released this month.
- The Water Agency, National Marine Fisheries Service, Department of Fish & Game and the U.S. Army Corps of Engineers are working with consultants, ESSA, to develop clear success measures for habitat enhancement. The plan should be completed by July 2011.
- Three creek restoration projects are slated for construction this summer and fall: Crane Creek, Grape Creek, and Wallace Creek – all in the Dry Creek watershed.

Wohler Pond Modification Project

- The National Marine Fisheries Service has approved design plans and the Water Agency has received all construction permits. Project implementation will begin in early summer 2011.

Mirabel Screen and Fish Ladder Replacement

- The Water Agency has received confirmation that it will be awarded a \$255,000 California Department of Fish and Game Fishery Restoration Grant for design of the project. Release of those funds will likely not occur until June. In anticipation, the Water Agency has selected a design consultant (HDR), as a result of an RFQ process, which will start work as soon as permitted under the terms of the grant agreement.

Russian River Estuary Management Project

- The comment period for the Project's Draft Environmental Impact Report closed on February 14, with 173 comments received (many were form letters). The consultants on the project, Environmental Science Associates, anticipate the final EIR will be completed in late spring.
- The Water Agency application for a Marine Mammal Incidental Harassment Authority (IHA) was published in the Federal Registry on March 18. The IHA is a temporary permit that will allow the agency to breach the sand bar and implement the lagoon channel management plan. The comment period closes on April 18. Last year's permit required rigorous monitoring of seals and other pinnipeds (mammals with flippers) occurs year-round, before, during and after the Water Agency manages the sand bar.

Fish Flow Project

- Work is occurring internally on the preparation of the draft Environmental Impact Report for the Fish Habitat Flows and Water Rights Project. Later this year, staff will make a presentation to the Board of Directors summarizing the project status and the comments made during the scoping period.
- EIR Schedule
 - Release Draft EIR in summer 2012
 - Release Final EIR in summer 2013
 - BO requires Board to certify Final EIR by September 24, 2013
 - EIR will be prepared by Water Agency staff, with assistance from consultants on some areas of impact analysis, including recreation, socioeconomics and possibly water quality.

Interim Flow Changes

- This month the Water Agency will be filing a petition to modify minimum instream flow requirements for this summer.

Public Outreach

- The second issue of the Biological Opinion News, a new electronic publication providing short updates on studies and projects, will be released this month.
- Planning for community outreach on interim flow changes and summer estuary activities is underway.
- The Dry Creek Advisory Group will meet in early May to review the habitat enhancement and pipeline feasibility studies.

15

DISBURSEMENTS - DATED MARCH 16, 2011

Date Prepared: 3/15/11

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
1	Ackerman, Gerald	Retiree Exp Reimb (March Health Ins)	\$90.69
2	Alpha Analytical Labs	Lab Testing (Novato)	150.00
3	AT&T	Telephone Charges: Leased Lines (\$413), Local (\$89) & Minimum (\$689)	1,191.79
4	Automation Direct	RTU Analog Input Cards (4)	316.00
5	Bacha, John	Refund Overpayment on Account	288.59
6	Bartling, Ryan	Novato "Washer Rebate" Program	75.00
7	Bastogne	Refund Pymt on Account	65.00
8	Bay Area Barricade Service	Rain Boots (\$32) (Cilia) & Knee Boots (Stock)	63.76
9	Bayshore International	Transmission Fluid (11 gals) ('00 Intl. 4300 Crew \$266 & '99 Intl. Dump Truck)	510.65
10	Best Best & Krieger	STP Solar Project - PPA Review	1,404.00
11	Bradbery, Ronald	Retiree Exp Reimb (March Health Ins)	90.69
12	Broner, Dalit	Novato "Washer Rebate" Program	75.00
13	Bundesen, Gerald	Retiree Exp Reimb (March Health Ins)	704.96
14	Butti, Lou	Retiree Exp Reimb (March Health Ins)	704.96
15	Caceres-Schuler, Mila	Refund Overpayment on Accounts	274.45
16	CalGIS 2011 Conference URISA	Reg Fee: CalGIS Conference (Jackson)	450.00
17	Calif Public Health Services	Water Distribution Operator Certification Fee-Grade 1 (Venegas) & Water Distribution Operator Certification Fee-Grade 2 (\$80, Budget \$70) (Arendell)	150.00
18	California Water Service	Jan/feb Water Service (OM) (0 Ccf)	127.67

Seq	Payable To	For	Amount
19	California State Disbursement	Wage Assignment Order (3)	1,478.50
20	Ciampi, Scott & Lori	Novato "Washer Rebate" Program	75.00
21		Vision Reimbursement	111.96
22	Cook Paging	March Pager Rental (STP) (2)	16.50
23		Vision Reimbursement	368.00
24	CSW/Stuber-Stroeh Engineering	Prog Pymt #2: Reservoir Hill Tank Rehabilitation (Balance Remaining on Contact \$38,436)	6,768.31
25		Cafeteria Plan - Uninsured Medical Reimbursement	70.00
26	Dept of Fish & Game	Filing Fee - Leveroni Creek Bank Repair Project	1,233.25
27	Derby, Richard	Retiree Exp Reimb (March Health Ins)	90.69
28	Digital Prints & Imaging	Convert Drawings to Electronic File	98.33
29	Dunn, Virginia	Novato "Washer Rebate" Program	75.00
30	Engineering Supply	Re-Cell Battery (Used for Survey Equipment)	132.00
31	Eyler, John	Retiree Exp Reimb (March Health Ins)	90.69
32	Fastenal	Replacement Chuck for 18 Volt Drill	62.52
33	Golden Gate Petroleum	Gasoline (\$3.89/gal) & Diesel (\$4.07/gal)	4,726.78
34	Grainger	Hose Bibbs (3), Push Broom (\$32), Metal Tip Handle, Chisel Sets (2) (\$106), Rivet Chisels (2) (\$54) & Ball Type Retainer for Pneumatic Hammer (\$53)	270.01
35	Groeniger	Couplings (60) (\$974), Connection Rings (50) (\$124), Tee, Ells (2) (\$46) & Nipples (6)	1,171.72
36	Hach	Indicators for Analysis (\$63) (Lab) & Lamp Assy (\$218) (STP)	281.13
37	Haumer, Deborah	Novato "Toilet Rebate" Program	150.00
38	Interstate Battery	Batteries (3) ('91 Int'l 5 yd Dump Truck-\$222 & '96 Water Pump-\$91)	313.76
39	Johnstone, Daniel	Retiree Exp Reimb (March Health Ins)	90.69

Seq	Payable To	For	Amount
40	Keena, Alice	Novato "Washer Rebate" Program	75.00
41		Cafeteria Plan - Uninsured Medical Reimbursement	40.30
42	Lincoln Life	Deferred Compensation PPE 3/15	8,766.00
43	County of Marin, DPW	County Creek Permit Fee - Leveroni Creek Bank Repair Project	220.00
44	Matchette, Tim	Retiree Exp Reimb (March Health Ins)	192.87
45	McLellan, WK	Misc Paving (274 S.F.)	1,461.88
46	Metrohm USA	IC System (\$57,211) (Lab) (Total Paid \$67,307, Budget \$71,000) & Desiccant for CO2 Scrubber & Needle (\$396)	57,607.42
47	National Deferred	Deferred Compensation PPE 3/15	750.00
48	Nelson, John O.	Retiree Exp Reimb (March Health Ins)	90.69
49	Neopost USA	Ink Cartridge (\$154) & Custom Sealing Kit (\$61) (Postage Machine)	215.81
50	North Bay Gas	Welding Gloves (2 pr), Wire (\$58), Band Saw Blades (\$189), Nitrogen (\$100) (STP), Welding Rods (2) & February Cylinder Rental (\$256)	671.88
51	On Line Resource	Refund Payment on Closed Account	80.68
52	Poiani, Pete	Retiree Exp Reimb (March Health Ins)	90.69
53	Pope, Michele	Novato "Toilet Rebate" Program	450.00
54	Reade, Jeanne	Refund Alternative Compliance Reg 15 Deposit	636.00
55	Redwood Landfill	Trash Dumping (Misc Debris-3 yds)	125.76
56	Roberts & Brune	Restocking Charge on Returned Pipe	177.76
57		Cafeteria Plan - Child Care Reimbursement	181.25
58	SF Bay Regional Wtr Qlty Cntrl	Filing Fee - Leveroni Creek Bank Repair Project	640.00
59	Sequoia Safety Supply	Safety Vests (3) (\$70) & Hand Sanitizer (13 4oz Bottles)	100.85
60	Smail, Catherine	Retiree Exp Reimb (March Health Ins)	90.69

Seq	Payable To	For	Amount
61	Sonosky, Norma	Retiree Exp Reimb (March Health Ins)	90.69
62	SST Insurance Brokers	Quarterly Pymt - Property E&O & Fidelity Bond (\$19,619) & Quarterly Pymt - Workers Compensation (\$33,204)	52,823.25
63	Staples Advantage	Binder Pockets (10), Tab Dividers (150) (\$27), Letter Openers (2), File Folders (50), Clipboards (5), Clasp Envelopes (100) & BOD Agenda Binders (5) (\$337)	414.25
64	Syar Industries	Asphalt (6.53 tons)	580.10
65	Travelers	Wayne Claim - \$5,625 Remaining on \$10,000 Deductible	4,374.50
66	Valentine, Debra	Novato "Washer Rebate" Program	75.00
67	Velloza, Richard	Retiree Exp Reimb (March Health Ins)	90.69
68	Verizon California	Telephone Charges: Leased Lines (\$936) & Minimum (\$38)	974.18
69	Water Components & Bldg Sup	Sewer Repair Clamps AC to PVC (Air Base Tank)	369.93
70	Wilson, Andrew	Novato "Washer Rebate" Program	75.00
71	Winzler & Kelly	Engineering Services: Aqueduct Relocation (Balance Remaining on Contract \$97,543)	45,355.25
72	Winzer Corporation	Sanding Discs (10) (\$84), Cut-Off Wheels for Welding Shop (25) (\$73), Nuts, Bolts, Washers & Wire Connectors for Auto Shop (\$293)	451.47
TOTAL DISBURSEMENTS			<u>\$202,747.89</u>

The foregoing payroll and accounts payable vouchers totaling \$202,747.89 are hereby approved and authorized for payment.


Auditor-Controller

3/15/11
Date


General Manager

3/15/2011
Date

DISBURSEMENTS - DATED MARCH 23, 2011

Date Prepared: 3/22/11

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

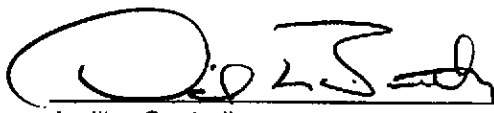
Seq	Payable To	For	Amount
P/R*	Employees	Net Payroll PPE 3/15	\$120,839.79
EFT*	Bank of the West	Federal & FICA Taxes PPE 3/15	44,774.58
1	Aguirre, Geri	Novato "Washer Rebate" Program	75.00
2	Alesci, Mary Ellen	Novato "Toilet Rebate" Program	150.00
3	American Messaging	Semi-Annual Pager Rental (3/11-8/11) (3)	32.22
4	Atco Pest Control	Provide & Install Bird Netting on Truck Parking Shed to Keep out Birds	5,315.91
5	Bank of Sacramento	Retention Pymt #8: Crest Water Tank #2	5,339.95
6	Calif Public Health Services	Water Distribution Operator Certification Fee-Grade 2 (Bena) (Budget \$0)	80.00
7	State of California	State Tax & SDI PPE 3/15	9,139.11
8	CA Dept of Consumer Affairs	Engineers & Land Surveyors License Renewal (McIntyre) (4/11-3/13) (Budget \$130)	125.00
9	Chisholm, Vince	Novato "Toilet Rebate" Program	150.00
10	The Climate Registry	Membership Dues (Clark) (Budget \$470)	750.00
11	Cody, Leesa	Novato "Washer Rebate" Program	75.00
12	Covad Communications	DSL Internet Service (3/12/11 - 4/11/11)	142.30
13	Crow, Suzanne	Novato "Toilet Rebate" Program	450.00
14	Cyr, Brenda	Novato "Washer Rebate" Program	75.00
15	D'Andre, Susan	Novato "Washer Rebate" Program	75.00
16		Cafeteria Plan - Uninsured Medical Reimbursement	76.39
17	Dreher, Linda	Novato "Washer Rebate" Program	75.00


Seq	Payable To	For	Amount
18	Electrical Supply of Santa Rosa	Breakers for RTU Panels (5)	117.72
19	Field Asset Services	Refund Overpayment on Closed Account	16.86
20	Fisher Scientific	Red Tape, Reagents & Oxalic Acid Dihydrate (Lab)	345.26
21	Foster, Arlene	Refund Overpayment on Closed Account	74.04
22	Fremouw Environmental Svc	Remove & Dispose of Used Floor Sweep & Oily Solid Waste from Auto Shop (55 gal Drum)	357.23
23	Gartman, Florence	Novato "Washer Rebate" Program	75.00
24	Grainger	Air Filters (6) (HVAC System), Fluorescent Lights (36) (\$101) & Adjustable Wrenches (2) (\$113) (15")	458.85
25	Groeniger	Hydrant	383.40
26	Haddock, Owen	Refund Overpayment on Closed Account	49.53
27	InfoSend	February Processing Fee for Water Bills (\$1,460) & Postage (\$3,600)	5,059.63
28	Jefferson Pilot Financial Ins	April Group Life Ins Premium	684.42
29	John's Dairy Equipment	Chlorine Pit Tabs (100 lbs)	370.60
30	Koenigsberg, Seth	Novato "Washer Rebate" Program	75.00
31	Kramer, Donna	Refund Overpayment on Closed Account	60.58
32	Maltby Electric	Electrical Conduit & Fittings for Crest Tank #2	689.65
33	Marin County Treasurer	Semi-Annual Bond Service: PRE-1 Revenue Bond	11,750.00
34	Marin Trophies & Treasures	Labels for Lake Intake Controls (4)	24.64
35	McAghon, Andrew	Sludge Removal (7 yds)	1,750.00
36	McPhail Fuel	Propane (125.6 gals) (OM Emergency Generator)	421.65
37	Needham, Steven	Novato "Washer Rebate" Program	75.00
38	Nichols-Strach, Mary	Novato "Toilet Rebate" Program	150.00
39	No American Lake Mgmnt	Membership Dues (Stompe) (Budget \$120)	110.00

Seq	Payable To	For	Amount
40	Novato Disposal Service	February Trash Removal (\$403) & Remove Misc Debris From Various Tank Sites (\$450)	853.78
41	Novato Sanitary District	Semi-Annual Sewer Service Charge (2010-2011)	1,582.35
42	O'Reilly Auto Parts	Brake Cleaner (\$105), Windshield Wiper Fluid & Car Wash	140.50
43	Paso Robles Tank	Prog Pymt 8: Crest Water Tank Project (Balance Remaining on Contract \$189,646)	48,059.51
44	Pearce, R.F.	Novato "Washer Rebate" Program	75.00
45	Perry, Donald	Refund Excess Advance Over Actual Job Cost (Sagewood Subdivision)	2,284.39
46	PERS Retirement System	Pension Contribution PPE 3/15	38,605.38
47	PERS Health Benefits	April Health Ins Premium (Employees \$49,674, Retirees \$10,138 & Employee Contrib \$7,069)	66,880.16
48	Pacific Gas & Electric Co	Power: Bldgs/Yard (\$3,512), Rectifier/Controls (\$274), Pumping (\$13,553), Treatment (\$3,261) & Other (\$97)	20,697.72
49	Phillips & Associates	March O&M of O.M. Wastewater Treatment System	5,049.02
50	Point Reyes Prop Mgmt Assn	March HOA Dues (25 Giacomini Rd)	118.91
51	Poteet, Henry	Novato "Washer Rebate" Program	75.00
52	Radio Shack	RTU Cable Ends	13.01
53	Rankin, Samuel	Novato "Toilet Rebate" Program	300.00
54	Rey Service	To Replace Cancelled Check - Lost in Mail	302.18
55	Rich Redimix Concrete	Rock	57.77
56	Schmitz, Ferdinand	Refund Overpayment on Closed Account	15.70
57	Scott's Office Equipment	Annual Maintenance Agreement on Admin Copier (2/24/10-2/23/11) Less Credit of \$1,120 for Engr Color Copier Maint	1,698.21
58	Sequoia Safety Supply	Rainjackets (5) (\$223), Overalls (5) (\$104) & Disposable Gloves (450) (\$92)	420.75

Seq	Payable To	For	Amount
59	Siemens Water Technologies	Service on Lab Deionized Water System	255.00
60	Snyder, Greg	Novato "Toilet Rebate" Program	150.00
61	Staples Advantage	Binder Clips (60), Business Card Holder, Pop-ups (36), Black Ink (2), Chair Mat, Mouse Pads (3), Vertical File Cabinet (\$240) (Adm) Scratch Pad & Black Toner Cartridges (3) (\$286) (Acctg)	642.88
62	Strahm Communications	Printing & Mailing of Recycled Water Mailer (18,700)	3,654.13
63	SuperMedia	Quarterly Telephone Directory Charge	46.50
64	Teeters & Schact	Windshield ('93 F250) (Weed-eater Kicked up Rock and Cracked Windshield)	273.90
65	Township Building Services	February Janitorial Services (Admin/Yard Bldg - \$1,428 & STP - \$286)	1,714.00
66	United Parcel Service	Delivery Service: Returned Air Gas Monitor & Meter for Repair	24.94
67	USA BlueBook	Pump for Filter Testing (STP)	286.24
68	VWR International	Sample Bottles (100) (\$285) & Nitric Acid (Lab)	407.27
69	Wiese, Robert	Novato "Washer Rebate" Program	75.00
70	Wiley Price & Radulovich	Consulting Services: FMLA Regulations	115.00
71	Wilson, Olin	Novato "Washer Rebate" Program	75.00
		TOTAL DISBURSEMENTS	<u>75.00</u> <u>\$405,788.51</u>

The foregoing payroll and accounts payable vouchers totaling \$405,788.551 are hereby approved and authorized for payment.

 3/21/11
 Auditor-Controller Date

 3/21/2011
 General Manager Date

DISBURSEMENTS - DATED MARCH 30, 2011

Date Prepared: 3/29/11

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

<u>Seq</u>	<u>Payable To</u>	<u>For</u>	<u>Amount</u>
1	Aberegg, Michael	Drafting Services: PRE Tank 4A & 4B (\$220) & Plum St Tank Renovation Recycled Water Expansion (\$825) (Balance Remaining on Contract \$3,750)	\$1,045.00
2	AirGas NCN	Bump Gas for Gas Monitors	141.70
3	Alpha Analytical Labs	Lab Testing (\$1,170-Novato) & (\$260-Pt Reyes)	1,430.00
4	AT&T Mobility	Cellular Charges: Monthly (\$454) & Airtime (\$8) (15)	462.21
5	AT&T	Telephone Charges: Leased Lines	62.86
6	AT&T	Telephone Charges: Local (\$4) & Minimum (\$134)	138.80
7	Barsotti, Richard	Novato "Washer Rebate" Program	75.00
8	Bauer, Stefan	Novato "Washer Rebate" Program	75.00
9	Bold & Polisner	February Legal Services: Aqueduct Energy Efficiency Project-non-Reimb (\$296), Grossi Property Exchange (\$301), JM Pipe Claim (\$111), Rudnick Estates Project (\$74), RW Expansion No (\$607), RW Expansion So (\$195), RW Ordinance (\$546) & UWMP (\$227)	2,358.30

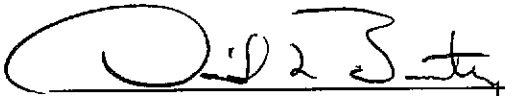
Seq	Payable To	For	Amount
10	Business Card	Lab Testing (\$39), Reg Fee: On-Line Course-PVC Pipe In Field (Rupp) (\$95), Reg Fee: Water Dist Sys Operator & Maint Class (Castellucci) (\$109), Internet Pymt Fee (\$97), Filter for Vacuum (\$70), Subscription Renewal-ENR (\$72) (Budget \$90), Chamber Breakfast (Bentley) (\$25), BMP Reporting System Workshop (Grisso) (\$35), Air Fare: AWWA Conf (Goodpaster) (\$159) & Display Ads: Recycled Water Expansion & Aqueduct (\$854)	1,555.49
11	Calif Contractors Supplies	6" Reciprocating Blades (8)	231.46
12	California State Disbursement	Wage Assignment Order (3)	1,478.50
13	Cantor, Steve	Novato "Washer Rebate" Program	75.00
14	ChemQuip	Chlorine Solution (159 gals) (P RTP, RW & Dist Sys)	747.94
15	Chipman, Ramona	Novato "Cash for Grass" Program	200.00
16	Cilia, Joseph	Exp Reimb: Bulletin Board for Agenda Case	30.51
17	Core Utilities	Consulting Services: February IT Support (\$5,000), SCADA (\$1,150), Automate Rainfall & Lake Level Data to Post Automatically to District Website Daily (\$900), Utility Billing (\$150) & Programming & Assistance w/Installation of New RTU's @ Lynwood & Kastania P.S. & Aqueduct Valve Pit (\$3,400)	10,600.00
18	CSW/Stuber-Stroeh Engineering	Prog Pymt #1: Marin Sonoma Narrows NMWD Aqueduct Energy Efficiency Project (Balance Remaining on Contract \$230,925)	5,614.98
19	Dept of Pesticide Regu	Application & Exam Fee: Pesticide Applicator Certificate (Cilia) (Budget \$0)	140.00
20	Donaldson, Jean	Novato "Washer Rebate" Program	75.00
21	Environmental Science Assoc	Prog Pymt #3 & #4 Recycled Water CEQA/NEPA: (Balance Remaining on Contract \$27,827)	9,673.45
22	Golden Gate Petroleum	Gasoline (\$3.96/gal) & Diesel (\$4.09/gal)	3,402.11

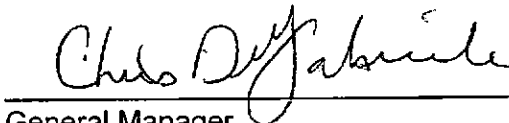
Seq	Payable To	For	Amount
23		Cafeteria Plan - Uninsured Medical Reimbursement	279.00
24	Grafeld, Casey	Novato "Cash for Grass" Program	700.00
25	Grainger	Kneeling Pad (16 X 28) (\$53) (Corda), Floodlights (2) (\$56) & Swivel Photocontrol Sensor	121.57
26	Groeniger	Couplings (5) (\$343), Nipple & 2" Brass Cored Plugs (2)	364.37
27	Hach	Chlorine Free Reagent (\$419) (STP), Sodium Persulfate Solution (\$201) (STP), Plug Cap, Sponge & Salt Bridge for CLO2 Analyzer @ Thorson Monitoring Station (\$63) (Less Credit \$191)	494.81
28	Higgs, Stacy	Novato "Washer Rebate" Program	75.00
29	HydroScience Engineers	Engineering Services: Design & Prepare Specifications for Pt Reyes T.P. Solids Handling Project (Balance Remaining on Contract \$32,765)	3,875.00
30	Intellaprint Systems	Repair Xerox 3040 Large Format Copier (Eng)	872.31
31	ITRON Service Center	Maintenance for Handheld Meter Reading Devices (3/1/11-5/31/11)	394.92
32		Cafeteria Plan - Uninsured Medical Reimbursement	261.65
33	Landeros, Dianne	Exp Reimb: Mileage (\$219), Lodging (\$224) & Meals (CAFR Class-Reno)	505.61
34	Larsengines	Chain Saw Chains (2) & Weed Eater String Holders (2) (\$65)	103.19
35	Lincoln Life	Deferred Compensation PPE 3/31	8,766.00
36		Cafeteria Plan - Child Care Reimbursement	208.33
37	Maltby Electric	Electrical Conduit (\$48), Couplings (2) & Adapters for Radio Antennas (4)	89.74
38	Mattress, Linda	Novato "Washer Rebate" Program	75.00

Seq	Payable To	For	Amount
39	McLellan, WK	Misc Paving: Novato Area (227.50 S.F.)	1,523.63
40	Melson, Donald	Novato "Washer Rebate" Program	75.00
41	National Deferred	Deferred Compensation PPE 3/31	750.00
42	New Pig	Hazardous Spill Mats (100) & Spill Containment Mat (\$108)	178.07
43	Novato, City of	Payment In Lieu of Sawcutting & Microsurfacing Asphalt Cut @ 655 Sunset Parkway	500.00
44	Nute Engineering	Engineering & Design Services: Hamilton Area Recycled Water Project (Balance Remaining on Contract \$303,834)	38,241.97
45	Pace Supply	Nipples (6) (\$61) & Silent Check Valve (\$405)	466.59
46	Payan, Jess	Novato "Toilet Rebate" Program	150.00
47	Pecci, Gene	Novato "Washer Rebate" Program	75.00
48	Phillips Transportation	Annual Hazardous Waste Disposal (Lab)	50.00
49	Picarelli, Barbara	Novato "Toilet Rebate" Program	128.00
50	Rauch Communication Consultant	Public Outreach for Recycled Water Program (Balance Remaining on Contract \$9,962)	5,893.75
51	Red Wing Shoe Store	Safety Boots (Venegas & Corda)	206.93
52		Cafeteria Plan - Uninsured Medical	85.00
53	Ruth, Fern	Novato "Toilet Rebate" Program	300.00
54	Shirrell Consulting Services	April Dental Ins Adm Fee	305.10
55	Siemens Water Technologies	Filter to Make Analytical Reagent Water (\$828) & Deionization Rental Charge (10/10-3/11) (\$600) (Less Credit Received \$324)	1,104.42
56		Vision Reimbursement	184.00
57	Sonoma County Water Agency	February Contract Water	259,719.53
58	Starr, Tom	Novato "Toilet Rebate" Program	150.00

Seq	Payable To	For	Amount
59	Tate, Dale	Refund Overpayment on Account	600.00
60	Towns, Nicole	Novato "Washer Rebate" Program	75.00
61	United Parcel Service	Delivery Service: Plans & Specs-Recycled Water Expansion (\$56) & Draft EIR (CD's) (\$55)	111.11
62	United Site Services	Portable Toilet Rental (3/15/11-4/11/11) (Sanchez Way)	79.01
63	Verizon California	Telephone Charges: Leased Lines (\$616) & Minimum (\$28)	644.32
64	VWR International	Fluoride Standard, Chlorine Reagent (6) (\$56), Cotton Swabs (500) (\$42), Pipette Tips (1,000) & Sulfuric Acid (2 gals) (\$94)	254.58
65	Winzer	Cutting Blades for Saw (30)	456.16
66	Zeichner, Alan	Novato "Washer Rebate" Program	75.00
TOTAL DISBURSEMENTS			<u>\$369,181.98</u>

The foregoing payroll and accounts payable vouchers totaling \$369,181.98 are hereby approved and authorized for payment.

 3/29/11
 Auditor-Controller Date

 3/29/2011
 General Manager Date

MEMORANDUM

To: Board of Directors
From: David L. Bentley, Auditor-Controller
Subj: STP Increased Production
t:\ac\word\stp\increased prod value.doc

April 1, 2011

RECOMMENDED ACTION: None

FINANCIAL IMPACT: Up to \$100,000 Cost Savings

The attached memorandum from Operations/Maintenance Superintendent Robert Clark discusses the additional volume the Stafford Treatment Plant can produce through April 30 under a discharge permit variance granted by Novato Sanitary District on March 16. The variance allows production of an additional 2.25/MG per day, saving up to \$3,000 per day in out-of-pocket expense.¹ The variance is particularly valuable while Stafford Lake is spilling.

The rainfall over the first 10 days of the variance period required throttling-back STP production to compensate for rain infiltration into NSD's collection system. The return of sunshine during the last week of March allowed STP to increase production, and with a forecast of sunny weather ahead, the variance could allow savings to NMWD of \$100,000 through the end of April, at which time the normal production season will commence.

¹ SCWA water cost = \$2,010/MG less approximately \$710/MG in marginal STP production cost (chemical, power and sludge disposal) renders a savings of \$1,300/MG.

MEMORANDUM

To: Chris DeGabriele, General Manager
From: Robert Clark, Operations / Maintenance Superintendent
Subject: Seasonal Variance from NSD for STP Waste Discharge
X:\MAINT SUP\2011\Memo GM NSD variance 311.doc

March 17, 2011

As of March 16, 2011 the Novato Sanitary District (NSD) has granted my request for a temporary seasonal variance to the Non-Domestic Discharge Permit for the Stafford Water Treatment Plant through April.

This will allow the Treatment Plant to discharge up to 100,000 gallons per day; the Plant can now increase production to 16 hours Monday through Friday and 10 hours on the weekends. The 100 hours per week will allow the production of 70 AF per week vs. 22 AF under normal permitted discharge levels. This will allow us to produce approximately 336 AF more water for this period than was produced last year.

Brad has started the Operators on the new shift schedule as of Sunday March 13 and will continue to work with the NSD field staff (Tim O'Connor) to ensure their collection system continues to be able to maintain this increased discharge level. Tim has Brad's direct contact information for fast response to curtailment requests and has my contact information and the STP Operations desk and cell phone numbers as back up.

Cc: db



NOVATO SANITARY DISTRICT

500 DAVIDSON STREET • NOVATO • CALIFORNIA 94945 • PHONE (415) 892-1694 • FAX (415) 898-2279
www.novatosan.com

BOARD OF DIRECTORS

WILLIAM C. LONG, President
JAMES D. FRITZ, President Pro-Tem
MICHAEL DI GIORGIO
GEORGE CHESAKA
DENNIS WELSH

BEVERLY B. JAMES
Manager-Engineer-Secretary

KENTON L. ALM
Legal Counsel

MARCH 16, 2011

Mr. Robert Clark
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

Re: Request for Variance for Permit No. NMW007

Dear Robert,

We have reviewed your request of March 8, 2011, and agree with your request to a temporary seasonal variance, of the Non-Domestic Discharge Permit No. NMW007, for the remainder of March and April, 2011 to allow the North Marin Water District (NMWD) to produce an additional 113,000,000 of water for domestic use in Novato that is currently spilling over the spillway at the Stafford Lake Dam.

Therefore, I authorize the NMWD to discharge a maximum amount of up to 100,000 gallons/day for a period of up to April 30, 2011 based on the following understandings:

1. The discharge will occur at a discharge pumping rate of 92 gpm, percent solids of 0.025%, a maximum solids discharge of 208 lbs/day and 6,500 lbs/month, with NMWD to conduct appropriate composite TSS sampling during any discharge and provide the results to the District,
2. All other terms of the referenced Non Domestic permit shall remain in full effect, and
3. All discharges during this period will occur in conjunction with, and upon suitable interfacing between Robert Clark and Tim O'Connor, to preclude any adverse events in the District's collection system

Sincerely,

A handwritten signature in cursive script that reads 'Beverly B. James'.

Beverly B. James
Manager-Engineer

Cc: Linda Candelaria, Sandeep Karkal

DATE: March 18, 2011

TO: LAFCO Members
Marin County Independent Special Districts

FROM: Peter Banning, Executive Officer
Candice Bozzard, Clerk to the Commission

RE: Result of Election by Mail Ballot
Election of Special District Member and Alternate Special District Member

RECEIVED
MAR 21 2011

The voting period for the mail ballot election of the regular and alternate special district members for the coming term ending May 2015 has closed. There are 30 independent special districts eligible to cast ballots for special district members of Marin LAFCO. Under LAFCO's adopted Policies, Procedures and Guidelines, a majority of independent special districts must cast ballots in order to select a special district member. Election shall be made by majority of votes cast and a majority of special districts in Marin County, requiring 16 votes. Where more than two candidates are nominated (as in this election for regular member), a ranked-choice or "instant runoff" process is invoked.

Regular Special District Member

Mr. Dennis Rodoni of the North Marin Water District has been re-elected to serve as the regular special district member of Marin LAFCO based on the following iterative steps under the ranked-choice procedure:

First Count

- Dennis Rodoni (NMWD) - 13
- Bruce Abbott (RBSD) - 2
- Craig K. Murray (LGVSD) - 2
- Pedro Femenia (Alto SD) - 1
- Patrick Guasco (RVSD) - 1
- Lew Kious (Almonte SD) - 1

No candidate received 16 "first choice" votes from the 20 ballots cast.

Chairperson: Jeffrey Blanchfield

Members: Judy Arnold, Einar Asbo, Barbara Heller, Charles McGlashan, Dennis J. Rodoni, Jeffrey Slavitz

Alternates: Susan Adams, Christopher Burdick, Carla Condon, Craig Murray

Executive Officer: Peter V. Banning

Marin Local Agency Formation Commission

555 Northgate Drive, Suite. 230 • San Rafael, California 94903
 Telephone (415) 446-4409 • Facsimile (415) 446-4410 • Email staff@marinlafco.org
 Website <http://lafco.marin.org>

Second Count

Having the fewest "first choice" votes, Pedro Femenia, Patrick Guasco and Lew Kious were eliminated and their votes were allocated to "second choice" candidates. The sum of those "second choice" votes resulted in the following count:

Dennis Rodoni (NMWD) - 14
Bruce Abbott (RBSD) - 4
Craig K. Murray (LGVSD) - 2

No candidate received the required 16 votes, either as a "first choice" vote or combined with "second choice" votes from the ballots reallocated from the ballots for eliminated candidates.

Third Count

Since no candidate received the required 16 votes, the candidate with the least number of votes, Craig K. Murray was eliminated and the vote from that ballot was allocated resulting in the following count:

Dennis Rodoni (NMWD) - 15
Bruce Abbott (RBSD) - 5

Fourth Count

Since neither candidate received the required 16 votes, the candidate with the least number of votes, Bruce Abbott, was eliminated and the votes from those ballots were reallocated to the remaining candidate with the following result:

Dennis Rodoni - 16

Having received the majority vote of special districts in Marin County following the instant run-off procedure, Mr. Dennis Rodoni of the North Marin Water District is elected to serve as the Regular Special District Member for the coming term ending in May 2015.

Alternate Special District Member

A quorum of 16 ballots for the alternate special district member was not received by the Marin LAFCO office within the 60-day election period which ended on March 14, 2011. Because a total of only 15 ballots were cast and no quorum met, no alternate special district member was chosen in this election. As a result, the presently serving alternate special district member, Craig K. Murray, will continue to serve in that capacity until another candidate is elected.

LAFCO has directed a subcommittee of its members to review the special district member mail ballot election process and to identify alternatives that might better insure an adequate quorum for electing special district members. The input of all special districts in Marin County will be sought in this effort to improve the process.

All records of this election are available for public inspection at the LAFCO office.

MEMORANDUM

To: Board of Directors
From: Alicia Manzoni, Customer Service Supervisor
Subject: Information – Postage Rate Increase
\\umwdsrv1\administration\cons_svc\postage machine\postup11.doc

April 1, 2011

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: \$1,000 in Additional Annual Bulk Rate Postage

The US Postal Service has announced postage rates will increase on April 17, 2011 for Bulk Rate Postage. We currently receive a bulk rate for the water bills – 33.5¢ per bill if sorted by the first 5 zip code digits and mailed in bundles of 500 or more. This rate will increase by .005 per piece, to 34¢. Our annual postage cost will increase by \$1000 annually (2.22%).

800
MISC

pressdemocrat

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

State's drought officially declared over

By DON THOMPSON
ASSOCIATED PRESS

Published: Wednesday, March 30, 2011 at 3:35 p.m.

SODA SPRINGS, Calif. — A drought that loomed over some of California's most fertile farmland officially ended Wednesday after a winter of relentless mountain storms that piled snow up to three stories high and could keep some ski resorts open until the Fourth of July.

More than 61 feet of snow has fallen in the Sierra Nevada high country so far this season, second only to 1950-51, when 65 feet fell, according to records kept by the California Department of Transportation. And more snow is possible in April, raising the prospect of an all-time record.

When it melts, the snow will bring relief to hundreds of communities and many farms that provide fruits and vegetables to the nation.

Gov. Jerry Brown on Wednesday repealed a statewide drought declaration made in 2008 by then-Gov. Arnold Schwarzenegger, who called for a state of emergency in February 2009 after three years of low water levels.

Brown acted after state officials reported the water content in the Sierra snowpack at 165 percent of normal for this time of year. That is one of the wettest winters since 1970, according to the state Department of Water Resources.

It trails only 1983, when the water content in the snowpack was 227 percent of normal, and 1995, which was 182 percent of the average for the end of March.

The wet winter means state and federal water agencies will be able to provide more water to urban and agricultural areas as the snowmelt fills reservoirs this summer.

The Sierra snowpack is crucial for California's water supply. As it melts, it feeds a vast system of lakes and aqueducts that move water from the north through the agriculturally rich Central Valley and eventually to Southern California, where most of the state's residents live.

Dry winters the past three years meant water managers could deliver only between 35 percent and 50 percent of the amount requested by cities and farms. That, combined with federally mandated pumping restrictions to protect a threatened fish, forced growers to leave thousands of acres unplanted and to lay off thousands of farmworkers.

Some cities imposed conservation measures that included restrictions on watering lawns.

Now the snow has piled as high as the power lines in some places and has been so deep throughout most of the 400-mile mountain range that it caused roofs to collapse. Some ski resorts had to close temporarily when they received more snow than they could handle.

Chris Rivest's father sent him from San Francisco to the family vacation cabin near the Sierra Nevada crest with a seemingly simple chore — clear it and the driveway of snow.

Copyright © 2011 PressDemocrat.com -- All rights reserved. Restricted use only.

When Rivest arrived earlier this week at the A-frame near Soda Springs, about 90 miles northeast of Sacramento, the snow was at least 10 feet high on the deck.

"My dad wants me to clear the deck," the ponytailed 21-year-old said Monday, as he labored to clean up the driveway with a snow blower. "How do I even begin to do that? Where would I put the snow? This is absurd."

Seasonal snow accumulation records already have been set at some ski resorts, including Squaw Valley USA near the north shore of Lake Tahoe, Heavenly Mountain Resort on the lake's south side and Mammoth Mountain, the sprawling Eastern Sierra resort that attracts Southern California skiers and snowboarders.

At Squaw Valley, home of the 1960 Winter Olympics, ski patrol guides had to create tunnels just to reach their warming huts, and avalanches broke out windows at two lift stations, said Wes Schimmelpfenning, a 68-year-old patrolman who has worked there for 48 years.

Nearly 59 feet of snow has fallen there so far this winter, beating the old record by 29 inches.

Squaw is extending its season through Memorial Day, while Mammoth, with a peak elevation exceeding 11,000 feet, might remain open through Independence Day.

"I'm out plowing driveways, and we can't even find the houses," said Norm Saylor, who used to run Donner Ski Ranch along Interstate 80 and now operates a snowplowing business near Donner Summit. "I've been up here since 1954, and personally this has been the toughest winter I've ever had here."

Authorities are warning mountain homeowners to beware of failing roofs and vents and flues that have become blocked by snow.

The snow caused roofs to partially collapse last weekend at a bowling alley, a logging business and a hardware store in the Sierra foothills town of Pollock Pines, about 60 miles east of Sacramento.

"I better not hear Sacramento talking about drought for a while," said Max Ramsey, 38, who on Monday was chipping snow and ice off the roof of a building that houses the Soda Springs General Store, post office and a vacation rental property business. "You get 60 feet of snow, it does a lot of damage."

Building owner Tony Paduano said his wife heard "a large cracking noise" on Sunday as one of the roof's support beams gave way.

The California winter started off intense late in 2010, dried out in January, then came roaring back with a series of heavy storms in February and March.

The storms dumped so much snow at the University of California Central Sierra Snow Lab near Soda Springs that the 15-foot-tall measuring stake was buried.

Researcher Randall Osterhuber had to extend the stake another 6 feet to keep up with the more than 18 feet of snow on the ground, the fourth-deepest total since record-keeping began there in 1946. More than 47 feet of snow has fallen there this season.

Old railroad records dating to 1879 put the deepest accumulation near Donner Summit at 66 feet in 1938. The most snow on the ground at any one time was 31 feet, in both 1880 and 1890.

Residents near Soda Springs said they had been without electricity or phone service intermittently over the past 10 days after storms toppled power and phone lines.

The snow rose above the third-story windows at the house 18-year-old Luis Rico is sharing with five other employees of the nearby Royal Gorge cross-country skiing resort, which closed all last week because of the storms.

The friends occupied their time by building a 15-foot-tall igloo with blocks of snow they cut with a chain saw. One morning, they woke up to find the doorway completely buried and had to tunnel their way out.

"We pretty much had to swim to get out of there," he said.



Office of Governor
Jerry Brown

Amber Alert | Save our Water | Flex Your Power

Search



HOME ABOUT MULTIMEDIA NEWSROOM CONTACT ISSUES APPOINTMENTS

GOVERNOR BROWN ENDS STATE'S DROUGHT STATUS, URGES CALIFORNIANS TO CONTINUE TO CONSERVE

3-30-2011

SACRAMENTO – Following significant increases in statewide rainfall and mountain snowpack this season, Governor Jerry Brown today proclaimed an end to the state's drought, but urged Californians to keep conserving water as we move into the spring and summer months.

"While this season's storms have lifted us out of the drought, it's critical that Californians continue to watch their water use," Brown said. "Drought or no drought, demand for water in California always outstrips supply. Continued conservation is key."

Today's announcement follows the fourth snow survey of the season, conducted by the Department of Water Resources (DWR), which found that water content in California's mountain snowpack is 165 percent of the April 1 full season average.

A majority of the state's major reservoirs are also above normal storage levels. Lake Oroville in Butte County, the State Water Project's principal reservoir, is 104 percent of average for the date (80 percent of its 3.5 million acre-foot capacity). Lake Shasta north of Redding, the federal Central Valley Project's largest reservoir with a capacity of 4.5 million acre-feet, is at 111 percent of average (91 percent of capacity).

DWR estimates it will be able to deliver 70 percent of requested State Water Project (SWP) water this year. The estimate likely will be adjusted upward as hydrologists make adjustments for snowpack and runoff readings.

Given the heavy water inflow from the series of storms that have swept across California, the state's flood managers are monitoring high river flows and making flood control releases from reservoirs to maintain storage space.

Governor Brown's Proclamation officially rescinds Executive Order S-06-08, issued on June 4, 2008 and ends the States of Emergency called on June 12, 2008, and on February 27, 2009.

For additional information on California's water supply, please visit the Department of Water Resources website at: www.water.ca.gov.

The Governor's proclamation, signed today, is copied below:

A PROCLAMATION BY THE GOVERNOR OF THE STATE OF CALIFORNIA

WHEREAS on June 4, 2008, Governor Schwarzenegger issued Executive Order S-06-08, which proclaimed a statewide drought, and ordered executive branch entities to take immediate action to address the water shortage; and,

WHEREAS on June 12, 2008, Governor Schwarzenegger proclaimed a State of Emergency for nine Central Valley counties because the drought had caused conditions of extreme peril to the safety of persons and property; and,

WHEREAS on February 27, 2009, Governor Schwarzenegger proclaimed a State of Emergency for the entire state as the severe drought conditions continued and the impacts were well beyond the Central Valley; and,

WHEREAS the Department of Water Resources today conducted the fourth snow survey of the season and found that water content in California's mountain snowpack is 165 percent of the season average; and,

WHEREAS a majority of California's major reservoirs are above normal storage levels; and,

WHEREAS Lake Oroville, the State Water Project's principal reservoir, is 104 percent of average, and Lake Shasta, the federal Central Valley Project's largest reservoir, is at 111 percent of average; and,

WHEREAS the Department of Water Resources estimates it will be able to deliver 70 percent of the requested State Water Project water this year, and this estimate is likely to be adjusted upward after additional snowpack and runoff readings; and,

WHEREAS I am advised by the appropriate agencies of the State of California that current conditions warrant the termination of Executive Order S-06-08 and ending the States of Emergency called on June 12, 2008, and on February 27, 2009.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and the statutes of the State of California, do hereby PROCLAIM THE DROUGHT TO BE AT AN END.

Latest News



Governor Brown Ends State's Drought Status, Urges Californians to Continue to Conserve 03-30-2011



Governor Brown Issues Proclamation Declaring "Welcome Home Vietnam Veterans Day" 03-30-2011



Governor Brown Discusses Reason for Halting Budget Talks in Latest YouTube Address 03-29-2011



Governor Brown Issues Statement Halting Budget Negotiations 03-29-2011



Governor Brown Signs Legislation 03-24-2011



Governor's Press Conference Webcast 03-24-2011



Governor Brown to Speak With Members of the California State Association of Counties 03-24-2011



Governor Signs Compact With The Habematolel Pomo of Upper Lake 03-23-2011



Governor Brown to Sign Budget Cuts Tomorrow 03-23-2011



Governor Brown To Speak at National Ag Day Celebration 03-23-2011

I FURTHER DIRECT that state and public agencies cease all further activities in reliance on Executive Order S-06-08 and the States of Emergency called on June 12, 2008, and February 27, 2009, and that Executive Order S-06-08 and the drought State of Emergency proclamations are terminated.

[Back to Top](#) | [Contact Us](#) | [Privacy Policy](#) | [Conditions of Use](#)
Copyright © 2010 State of California

IT IS STRONGLY ENCOURAGED that all Californians continue to minimize water usage and engage in water conservation efforts.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 30th day of March 2011.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State

###

BOD
M/15C**pressdemocrat**

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

Feds want \$2 million in flood funds returned

Inspector general says Sonoma County erred in making 2006 repairs without competitive bids

By *CATHY BUSSEWITZ*
THE PRESS DEMOCRAT

Published: Thursday, March 31, 2011 at 7:22 a.m.

Federal auditors are recommending that Sonoma County be ordered to return at least \$2 million in disaster aid received after the floods of 2006, saying proper contracting procedures and other guidelines were not followed.

But county officials said several of the issues had been cleared by the Federal Emergency Management Agency, which provided the disaster funding, and on other issues federal auditors were inaccurate.

The audit, conducted by the Office of the Inspector General of the U.S. Department of Homeland Security, covers six of the 154 projects the county conducted in the wake of the severe flooding. The heavy rains took out chunks of roadway, damaged the region's major water supply system and threatened several homes.

The inspector general's office was established in 1978 to investigate fraud and wrongdoing in government agencies.

The auditors recommend that FEMA should disallow about \$2.1 million in federal money the county spent to repair the Sonoma County Water Agency's levee roads and dam at its Mirabel Infiltration Facility on the Russian River, to restore the banks of Sonoma Creek along Happy Lane and repair damage along Pine Flat Road.

FEMA will make the final decision whether the county must return the money, and agency officials said they are unlikely to follow the inspector general recommendations. The final decision will not be made until all of the 154 projects are complete.

The bulk of the funding that the inspector general questioned, \$1.5 million, was challenged because the county did not follow federal procurement standards for work on the Mirabel facility and Sonoma Creek.

"As a result, full and open competition did not occur, and FEMA has no assurance that contract costs were reasonable," the auditor wrote in the March 2 report.

The audit says the county selected a contractor from an on-call list and paid on a "time and materials" basis without written contracts. Such contracts are supposed to be limited to 70 hours of emergency work, with additional work put to competitive bidding, the audit said.

County officials said that under emergency conditions, there was no time to put a contract out to bid, a process that could take weeks.

The 2006 flooding hit in early January. The Mirabel Dam project began later that month and ended in late March, while the Happy Lane repair project was conducted from mid-February until early June. Sherwood acknowledged that the projects took more than 70 hours.

Copyright © 2011 PressDemocrat.com — All rights reserved. Restricted use only.

"We supply the most vital services to our communities," said Brad Sherwood, spokesman for the Sonoma County Water Agency. "This is where the river meets the road. There's no time to have an open bidding process when your water pumps are not working."

According to documents, the county chose Ghilotti Construction Co. for both projects because of the company's ability to respond quickly with equipment and operators.

Regular capital improvement projects go out to bid, but the county has a list of contractors to turn to in an emergency, Sherwood said.

County officials said they already had dealt with this issue when FEMA denied those project charges for the same reason several years ago. The county appealed FEMA's denial, and the federal agency eventually allowed the charges, a process that began in 2006 and ended in 2008.

"It was ultimately approved and obligated by FEMA, and now the OIG is coming back in and taking us back to square one," said Dawn Flowers, accountant in the county auditor's office.

That's one of the reasons that a FEMA official said the agency probably won't go along with the auditor's recommendation.

The inspector general's report disagreed with FEMA's decision and said the county did not carefully monitor and document contract charges.

"FEMA's practice has been to allow contract costs it considers reasonable regardless of whether the contracts comply with federal procurement regulations," the auditor wrote. "We do not agree with this practice unless lives and property are at risk, because the goals of proper contracting relate to more than just cost. Without full and open competition, FEMA has little assurance that contract costs are reasonable."

FEMA has the final say on whether to follow the inspector general's recommendations.

"Many times, I'm going to say in the 90 percent range, we do not follow through on those findings, because they are not accurate in nature," said William Roche, infrastructure branch chief for FEMA's Region Nine. "If there's a fraud situation, FEMA has to go along with that decision." But nothing in the report had to do with fraud, he said.

In addition, FEMA will wait until all the projects are completed, at which time it will conduct its own final audit, Roche said.

Rene Lee, an inspector general spokeswoman, said her office does not comment on specific audits.

Another \$500,000 worth of repairs to the Mirabel River dam was questioned because the auditors said the damage was not the direct result of the disaster. "The county did not repair the dam before the disaster to ensure proper performance during emergency periods, leaving it susceptible to additional damages," the auditor wrote.

This is another expense FEMA had originally denied, but then approved after the county appealed.

"We do feel that the damage to that deflatable rubber dam was caused by the flooding," Sherwood said.

The inflatable dam below Wohler Bridge is used during peak demand months to back up water, which is diverted to infiltration ponds that in turn replenish underground water supplies that feed the agency's pumps.

Sherwood acknowledged that there were prior problems with the dam, which he said the water agency addressed by changing its operational methods. "The storm came in with such power, and the water levels rose so quickly, that there was no way we could deflate that dam quicker, even under our standard operating procedures," he said

The audit also questioned the cost of repairs to Pine Flat Road northeast of Healdsburg, which was damaged in a landslide that took out part of the roadway and a supporting embankment. It recommended disallowing \$67,264 used in that project because a FEMA inspector in May 2006 concluded that no work had been completed. County officials disagreed.

"We have all the documentation tracked back to that project and pictures to prove that the work was done," Flowers said.

Tom O'Kane, the county's deputy director of public works, said the repair project began in March 2006 and was completed in September 2006. O'Kane said the report, written by a FEMA official in May of that year, was inaccurate because it stated that no work was completed on the project.

"In this case, it appears there was a clerical error on the part of FEMA. They put the wrong date," O'Kane said.

"There are hundreds of local agencies that will be appealing these audits, because we're not the only one that received an audit like this," Sherwood said.

You can reach staff writer Cathy Bussewitz at 521-5276 or cathy.

bussewitz@pressdemocrat.com.

BOD Misc

The Mercury News

MercuryNews.com

Local leaders attend Pacifica Recycled Water Project ground-breaking ceremony

Pacifica Tribune

Posted: 03/29/2011 05:00:58 PM PDT

Local elected officials, project consultants and community leaders joined the North Coast County Water District to celebrate the beginning of pipeline construction for the Pacifica Recycled Water Project Thursday, March 17.

Since the use of recycled water was first discussed back in 1995, and through many years of design and negotiations with SFPUC and various funding organizations, the construction phase of the pipeline project finally took off with funding by the American Recovery and Reinvestment Act. The North Coast County Water District will use treated water from the Calera Creek Recycled Water Plant in Pacifica to irrigate parts of Caltrans' highway landscaping and a select number of school fields. Non-ARRA grants and other funding will also provide irrigation to the Sharp Park Golf Course, owned by the City and County of San Francisco.

At Thursday's groundbreaking event, North Coast County Water District Board President Tom Piccolotti thanked district staff, city officials and the numerous agencies in attendance, for their support of the project over the years and to the Bureau of Reclamation for their recent help in securing an ARRA grant to help with project costs. With a brief history of the work involved in pushing this project along for the past 15 years, it was clear that the Board of Directors was proud to see all the hard work come to fruition for the citizens of the City of Pacifica.

--NCCWD

Fast, convenient, AND affordable

Save on select Wireless* All-in-Ones, Photo Printers and Lasers

Save Today

Limited time offers

Shop Now

Dell logo

Print Powered By FormatDynamics

BOD MISC

UkiahDailyJournal.com

Meeting Wednesday to discuss RV water rights

Justine Frederiksen can be reached at udjif@pacific.net, or 468-3521.

By JUSTINE FREDERIKSEN The Daily Journal

Updated: 03/29/2011 02:05:20 PM PDT

The Russian River Flood Control & Water Conservation Improvement District is holding a special meeting to discuss securing more water rights for the Redwood Valley County Water District Wednesday morning.

Sean White, manager of the RRFC&WCID, said the water districts would be talking about a potential merger between the two, as well as possibly buying more water rights for the RVCWD from the Sonoma County Water Agency (SCWA).

"We've been looking for a longterm solution for getting a reliable water supply for Redwood Valley for a long time," said White. "Over the years there have been contracts for Redwood Valley, but none of them have been an actual permanent solution to the situation."

Currently, White said RVCWD has "really rotten water rights, they buy surplus water from the (RRFC & WCID), but the district's demand has risen, and the surplus will eventually be none."

White said the RVCWD previously had a contract to purchase surplus water from the SCWA, but the contract expired several years ago.

"That area needs to not be living paycheck to paycheck with surplus supply," White said. "It needs to have its own supply."

White said the two districts would be "taking resources that both agencies have and putting together what we hope is a successful proposal to purchase water rights (from SCWA)," in what he described as "a permanent transfer" that would establish a reliable water supply for Redwood Valley.

The meeting is scheduled for 8 a.m.

March 30 in the Barra tasting room at 7051 North State Street in Redwood Valley.

Fast, convenient, AND affordable

Save on select Wireless* All-in-Ones, Photo Printers and Lasers

Save Today

Limited time offers

Shop Now >

Print Powered By FormatDynamics™

30D MISC

Supervisor Charles McGlashan dies at 49 after ski weekend at Tahoe

By Nels Johnson
Marin Independent Journal

Posted: 03/28/2011 08:40:41 AM PDT

Marin County Supervisor Charles McGlashan died of an apparent heart attack Sunday after a two-day ski outing at Lake Tahoe.

McGlashan, a Mill Valley activist who rose to become the county's key environmental visionary, was 49.

Friends said McGlashan was feeling fit and happy after one of the best skiing sessions of his life, but collapsed after loading up the car to return to Marin.

McGlashan's wife, environmental activist Carol Misseldine, called him her "comrade in arms," a man dedicated to making the planet a better place.

"He was the most pure and committed environmentalist I have ever met," she said. "It wasn't about show. It was about his heart. He was deeply concerned about all the beings on this planet."

She added: "He was a leader. I have lost so much, but so has Marin County."

The news stunned friends as well as colleagues at the Marin Civic Center, where flags flew at half-staff. County Administrator Matthew Hymel released a statement saying the county had "lost a visionary environmental leader."

"Supervisor McGlashan leaves a legacy of

environmental leadership that was passionate, inspired and pragmatic. His many accomplishments during his short political career include the formation of SMART, the Marin Economic Forum and the Marin Energy Authority," which he headed, Hymel said.

McGlashan, after a day skiing at Northstar-at-Tahoe with friends, collapsed at about 5 p. m. while sitting in a car, ready

to leave a friend's home in Tahoe Vista at Lake Tahoe's north shore.

"He had a heart attack in the back of the car and died," said Sgt. Paul Schmidt of the Nevada County Sheriff's Office. "He apparently had heart problems." North Tahoe Fire personnel attempted to revive him, but he was declared dead at Tahoe Forest Hospital in Truckee.

Supervisor Judy Arnold expressed the shock that many felt as news of McGlashan's death circulated. "I can't imagine our board without him," she said. "I admired how passionate Charles was on issues he cared about. His intelligence coupled with that passion

**Fast, convenient,
AND affordable**

Save on select
Wireless*
All-in-Ones,
Photo Printers
and Lasers

Save Today



Limited time offers [Shop Now >](#)

enabled him to do amazing things for Marin. I will miss his enthusiasm to jump into issues with me that were 'far out.'"

Supervisor Hal Brown called his colleague's death a "huge loss for the county, a terrible loss" and said he had great admiration for McGlashan. "He was a wonderful, vibrant young man," Brown said.

"Charles brought an undeniable presence to issues he believed in. His education, insight, and passionate advocacy fueled his success in a way that will live on through the shock of losing his leadership," said Supervisor Steve Kinsey.

"The entire county and Marin community has been devastated by the news," said board president Susan Adams, a key political ally. "Charles was a courageous and dedicated leader, fighting for what he believed was right to ensure a sustainable future for everyone. He was spirited, smart and full of energy. "

Mill Valley Mayor Ken Wachtel was among the many expressing profound sorrow. "I have lost a friend and we have all lost a leader in the fight for what is right in our communities. Charles was bright, energetic and always a joy to talk and work with. Charles took on the battles for all of us and usually won. ... We will not soon see his likes again."

Marin Municipal Water District director David Behar said, "Charles drove Marin's leadership in forging a clean energy economy with his vision and hard work in creating the Marin Energy Authority. We will miss that leadership, and benefit from its legacy."

Rep. Lynn Woolsey, D-Petaluma, said she was

heart sick. "Charles was a good man and a dedicated, visionary public servant who represented his community with uncommon diligence and decency. He brought to the Board of Supervisors a fierce commitment to environmental causes and an acute sense of right and wrong. He embodied the very best of Marin County's spirit of progressive activism."

McGlashan represented Southern Marin on the county board, and was a relentless advocate for the causes in which he believed, ranging from energy conservation and environmental preservation to prevention of cruelty to animals. He was a cheerleader for county employees whom he said were hard-working and dedicated public servants unfairly targeted by government critics.

McGlashan was born in Hillsborough, the son of an Army colonel, a heroic officer who fired back at the attacking Japanese at Pearl Harbor.

He earned a bachelor's degree in honors English from Yale University and received a master's in business administration from

Fast, convenient,
AND affordable

Save on select
Wireless*
All-in-Ones,
Photo Printers
and Lasers

Save
Today

+
Limited time offers

Shop Now

DELL

Stanford. He had lived in Marin for two decades, working as an environmental consultant before being appointed to the board of the Marin Municipal Water District in April 2003. While there, he championed plans for a water desalination plant.

He won election as county supervisor in November 2004 and spearheaded environmental causes, including the Marin Energy Authority, and most recently shepherded a plastic bag ban in Marin after winning consensus from consumer and industry groups.

At a Board of Supervisors' meeting Wednesday, an animated McGlashan vigorously advocated budget priorities; lauded staff work; urged review of a proposal requiring most voters to use mail-in ballots in county elections in order to save \$300,000 a year; and supported charging developers more money for county permits.

McGlashan sailed past opponent Andrew Thompson in the 2004 race for the county board, running for the post as a rookie politician after serving just a year and a half on the water board. McGlashan, who campaigned on a platform that a healthy economy and a healthy environment go hand in hand, was backed by the Marin Association of Realtors even though Thompson was a commercial realty broker. He was also endorsed by the Sierra Club and the Marin Builders Association.

McGlashan's grieving widow took a moment from a hectic round of somber phone calls from friends and colleagues to reflect on her life with him, saying they first talked over the phone when both worked for Natural Steps, a

sustainability organization, while she was in the Great Lakes office and he consulted with the San Francisco office. They met at a conference in Santa Fe, N.M., but he was married at the time, a 13-year union with Suzy Herrick of Palo Alto that ended in divorce. McGlashan and Misseldine were married in 2002.

"It was definitely our values that brought us together," said Misseldine, a passionate environmentalist. "He was a visionary ... like a compass on true north who never wavered," she said. "He was so clear."

His fervor was tested by those whose slings and arrows he could not fathom, she said. "It broke his heart that he tried so hard and got so much hostility," she added, referring to government critics who ridiculed his progressive beliefs.

Other survivors include two brothers. Plans for a memorial service are pending.

Contact Nels Johnson via e-mail at ij.civiccenter@gmail.com

Governor to appoint his replacement

Fast, convenient,
AND affordable

Save on select
Wireless*
All-in-Ones,
Photo Printers
and Lasers

Save Today

Limited time offers

Shop Now >

Dell logo

marinij.com

Per state law, Gov. Jerry Brown will appoint a replacement to serve the remainder of the late Charles McGlashan's term on the Board of Supervisors, said Registrar of Voters Elaine Ginnold. His term is set to expire in January 2013, and his seat will be on the ballot in a June 2012 primary.

Fast, convenient,
AND affordable

Save on select
Wireless*
All-in-Ones,
Photo Printers
and Lasers

Save
Today



Limited time offers

Shop Now >

DELL

Print Powered By  FormatDynamics™

...are just getting started. We're looking for pictures to display on this page and to supplement our coverage. Visit us online at marinij.com/ readerphotos to submit your images directly to the IJ website, download our iPhone app or to learn more.

THE COUNTY

Supervisors to review transit district budget

The implications of a budget shortfall in the Sonoma-Marín Area Transit District, including proposals to cut back train line and bike path improvements, will be reviewed by county supervisors Tuesday.

The board meets at 10 a.m. Tuesday at the Marin Civic Center.

Planners to consider appeal of house plans

The county Planning Commission meets at 1 p.m. Monday at the Civic Center to consider an appeal of design review approval of plans for a home at 355 Laurel Way in Mill Valley.

Zoning officer to review market permit

A county zoning officer will consider a permit for the Marinwood Farmers Market at 9 a.m. Thursday in the planning chambers at the county Civic Center.

Forum to discuss fair housing choice

A forum to discuss barriers to fair housing choice in the community will be at 7 p.m. Tuesday in the council chambers of San Rafael City Hall.

The forum will be held by the Community Development Block Grant Countywide Priority Setting Committee, which will accept comments on an analysis of impediments to fair housing choice.

LIBRARIES

Public libraries in Marin include:

CORTE MADERA — Located at 707 Meadowsweet Drive. Phone: 924-4844. Hours: Monday through Thursday, 10 a.m. to 9 p.m.; Saturday, 10 a.m. to 5 p.m.; Sunday, noon to 5 p.m.; closed Friday.

INVERNESS — Located at 15 Park Ave. Phone: 669-1288. Hours: Monday, 3-6 p.m. and 7-9 p.m.; Tuesday and Wednesday, 10 a.m. to 1 p.m. and 2-6 p.m.; Friday, 3-6 p.m.; Saturday, 10 a.m. to 1 p.m.; closed Thursday and Sunday.

CORTE MADERA

Watershed panel to discuss road, trail work

The watershed committee of the Marin Municipal Water District will discuss road and trail work, invasive species in the reservoirs and a natural resource management plan when it meets Thursday.

The meeting is set for 1:30 p.m. in the boardroom at district headquarters at 220 Nellen Ave. in Corte Madera.

KENTFIELD

School board to discuss budget cuts

The Kentfield School District board will consider items to eliminate from the 2011-12 district budget during a special 4 p.m. meeting Tuesday at the district office at 750 College Ave.

The board will also consider whether to allow departmentalized instruction.

MILL VALLEY

Sanitation agencies to review finances

The Sewerage Agency of Southern Marin, a joint powers authority representing six Southern Marin sanitation agencies, will discuss financial reports and operations when it meets Wednesday.

The meeting is set for 7:30 p.m. at the SASM wastewater treatment plant at 450 Sycamore Ave. in Mill Valley.

5005. Web: www.ci.larkspur.ca.us/209.html. Hours: Monday and Tuesday, 10 a.m. to 9 p.m.; Wednesday and Thursday, 10 a.m. to 7 p.m.; Friday and Saturday, 10 a.m. to 5 p.m.; closed Sunday.

MILL VALLEY — Located at 375 Throckmorton Ave. Phone: 389-4292. Web: www.millvalleylibrary.org. Hours: Monday through Thursday, 10 a.m. to 9 p.m.; Friday, noon to 6 p.m.; Saturday, 10 a.m. to 5 p.m.; Sunday, 1-5 p.m.

PICKLEWEED — Located at 50 Canal St. in San Rafael. Phone: 485-3483. Web: <http://marinij.bit.ly/pickleweedlibrary>

The meeting is set for 7 p.m. at the district's main office at 305 Bell Lane in Mill Valley.

NOVATO

Council to appoint members to committees

The Novato City Council will appoint new members to the Measure F Oversight and Multicultural committees at a 6:30 p.m. meeting Tuesday at City Hall at 901 Sherman Ave.

The council will also appoint new members to the Recreation, Cultural and Community Services Advisory Committee.

Sanitary board to honor retiring member

The Novato Sanitary District board Wednesday will honor retiring board member James Fitz, elect a president pro-tem and consider filling the board vacancy.

The meeting is set for 6:30 p.m. at the district office at 500 Davidson St. in Novato.

SAN RAFAEL

Board to consider renewing agreement

The San Rafael Board of Education will consider a renewed agreement with the ANOVA Center for Education to use space at the Davidson Middle School at a 6 p.m. meeting Monday at the district office at 310 Nova Albion Way in Terra Linda.

The board will also consider voting its support for a state Senate measure that would lower the required number of votes to approve a parcel tax measure to 55 percent.

8 p.m.; Friday and Saturday, 11 a.m. to 5 p.m.; closed Sunday and Monday.

POINT REYES — Located at 11431 State Route 1. Phone: 663-8375. Hours: Monday, 10 a.m. to 6 p.m.; Tuesday and Thursday, 2-9 p.m.; Friday and Saturday, 10 a.m. to 2 p.m.; closed Wednesday and Sunday.

SAN ANSELMO — Located at 110 Tunstead Ave. Phone: 258-4656. Web: www.sananselmolibrary.org. Hours: Monday, noon to 8 p.m.; Tuesday and Wednesday, 10 a.m. to 6 p.m.; Thursday noon to 6 p.m.; closed Friday, Saturday and Sunday.

County Fair
Although many people may not notice any difference this summer, fair officials are launching expense cuts because they expect the state to end a \$173,000 fair grant program that helps finance the annual event.

By trimming production costs 10 percent, "we think we can create a new, leaner model for the county fair," said Jim Farley, county cultural services chief.

Although the state grant may not be cut until 2012, local reductions will begin with this year's fair saluting the 75th anniversary of the Golden Gate Bridge, Farley said.

"We're going through the entire budget and

SEMINAR: Ex

From page 3

stress, such as positive challenges in peoples' lives, and chronic stress, which can cause disease.

"These days, when stress is so constant, when we're obsessing about this or that, the stress response never gets turned off, and that's when we get ourselves in trouble," Singer said. "This kind of chronic stress can make us sick," she added, ticking off "a dictionary of diseases."

"Stress can make us old," she said. "What we want is to be able to use our abilities and our brains and our bodies to take what we might perceive as a threat and turn it into a challenge, to make it a good stress."

Singer began her talk by showing a three-part slide of President Barack Obama. He looked youthful in the first photo, taken during his presidential campaign, less so in a picture at the beginning of his presidency and much older and stressed out in a recent photo.

"If this is happening to him, you can only imagine what is happening to us," she said. "It's not a pretty picture. But the good news

BOB MISC

pressdemocrat.com

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

Coho return to the Russian River

By *BOB NORBERG*
THE PRESS DEMOCRAT

Published: Thursday, March 24, 2011 at 4:09 p.m.

The largest number of coho salmon in a decade have returned to tributaries of the Russian River to spawn, which bodes well for a fish that was on the verge of extinction, biologists said.

California Fish and Game scientists estimate 190 coho salmon, which are listed on both state and federal endangered species lists, returned during the spawning run of last October to December.

"It is a tremendous increase. The total number the year before was less than 20," said Dave Manning, a principal environmental specialist for the Sonoma County Water Agency.

It is an indication that a coho broodstock program that began in 2001 has been successful, said Brett Wilson, who supervises the program at the Don Clausen Hatchery at Warm Springs Dam.

"If we didn't act when we did, according to what we saw, potentially they could have been lost forever," Wilson said.

Coho, which comes from the Russian "kizhuch," are the most fragile of the three fish that are in trouble in the Russian River watershed. The two others, chinook salmon and steelhead, are on the threatened list.

"Coho need the coldest water, they reside in the western portion of the watershed that has denser vegetation, their habitat range is not as broad as steelhead and chinook, and they are in a rigid three-year life cycle," Manning said. "So they are susceptible to habitat degradation or natural events like drought or flood or changes in ocean condition."

Coho spawn in Russian River tributaries, including Austin Creek, Dry Creek, Dutch Billcq Creek and Mill Creek.

The young will go to the Pacific Ocean and return to spawn three years later as adults, weighing from 7 to 12 pounds.

In 2001, the hatchery program began as an emergency measure to keep coho from going extinct, using 200 to 300 wild fish that were found in the tributaries during the three years that followed, said Fish and Game biologist Ben White.

In 2004, however, they found just a few. Russian River coho, in biologists' jargon, had "blinked out."

Those first few fish were bred, raised and the offspring released into the tributaries each year in increasing numbers. All fish are also sorted and bred using DNA samples.

The first release was 6,000 fingerlings in 2004, but that has been increased each year to the 170,000 that were released last year.

The hatchery program is funded by the U.S. Army Corps of Engineers, at \$700,000 a year.

Copyright © 2011 PressDemocrat.com — All rights reserved. Restricted use only.

The water agency also contributes \$100,000 annually to the hatchery program, has spent \$1 million in studies on Dry Creek and will spend an estimated \$5 million to \$8 million for Dry Creek habitat projects.

pressdemocrat.com

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

Sonoma County may launch public power agency

By **BRETT WILKISON**
THE PRESS DEMOCRAT

Published: Tuesday, March 22, 2011 at 7:28 p.m.

A study that could lead to a pioneering new role for Sonoma County government as power supplier to homes and business was approved and funded Tuesday by county supervisors.

The formation of a public power agency could be a key way to boost investment in local renewable energy sources and make faster cuts in local greenhouse gas emissions, county officials said.

It would also cement the county's place on the leading edge of local governments focused on clean, sustainable power programs. In California, only Marin County currently operates a public power agency under the 2002 state law that authorized cities and counties to buy energy on the wholesale market to sell to residents and businesses.

"This is a big and bold initiative for this board," said Board Chairman Efren Carrillo.

Supervisors allocated \$150,000 in county Water Agency funds for the study and directed the Water Agency to lead the effort involving several other county departments.

The six-month process will evaluate rate implications for customers, financial risks for the county, potential partnerships and opportunities for job creation that could come with any county move into the power business.

Two challenges are clear even before the study begins, officials said.

First, Sonoma County is a long way from energy independence, with local government-owned power sources — installed and planned — accounting for 10 percent of the population's current energy demand of 350 megawatts.

A public power initiative could boost investment in that local supply with solar, wind, wave, geothermal and biomass projects spreading across the county, officials said. They added that dollar estimates were not available. Out-of-the-area energy purchases would have to suffice in the meantime, they said.

The second challenge: getting buy-in from individual customers and eight eligible cities — Healdsburg is the exception because it has its own municipal utility district. State law on so-called "community choice aggregation" or CCA programs allows both individuals and cities the choice to opt out of any public power entity.

Billing, metering and transmission would not change under any public power entity. PG&E would continue to handle those services for most customers, but power rates would have to stabilize if not drop to allow a public program to compete with PG&E, the region's main power provider, county officials said.

"(Customers) are going to want to vote with their pocketbooks," said Supervisor Shirlee Zane.

Copyright © 2011 PressDemocrat.com — All rights reserved. Restricted use only.

PG&E has fought CCA programs, pouring \$46 million last year into an unsuccessful ballot measure that would have limited such efforts, requiring their approval by two-thirds of voters.

"We believe there's compelling reasons (for customers) to keep PG&E as their power purchaser," said Brandi Ehlers, a company spokeswoman.

Environmental leaders, meanwhile, cheered Tuesday's move, calling it a "wise investment in the future" that would help the county and cities meet their shared greenhouse gas reduction goal.

Trade union leaders also were supportive, saying any public power initiative could lead to job opportunities for their members.

"Let's get this going. We'll be there to support you completely," said John Lloyd, a representative of the International Brotherhood of Electrical Workers Local 551.

The Water Agency was chosen to lead the study effort because it is a large local power producer and consumer, operating solar and hydropower projects and buying electricity on the wholesale market. The agency could not be a customer under any eventual county deal, but it could be a power provider or a contracted administrator, agency officials said.

Supervisors will return to the issue after the study is completed.

Board Approves Energy Policy and Community Choice Aggregation Program Feasibility Study

[View Press Release Archive](#)

2011-03-22

PRESS RELEASE

For Immediate Release: March 22, 2011

CONTACT:

Amy Bolten
(707) 547-1981 (Office)
(707) 322-8156 (Cell)

(Santa Rosa, CA) — The Sonoma County Water Agency Board of Directors today approved funding for the development of a feasibility study to develop a Community Choice Aggregation (CCA) program in Sonoma County. The action came at the same time the Board approved and authorized the Water Agency to implement its new Energy Policy.

In 2002, the California Legislature enacted legislation permitting the creation of CCA programs. Under the legislation, a city, county, or Joint Powers Agency (two or more cities and counties) may implement a CCA program. Once formed, residents within the CCA service area can opt out of the CCA and continue to receive power from the utility (e.g., PG&E). Those that do not opt out will have their power supplied by the CCA entity. The utility continues to provide and bill CCA customers for power transmission and other services (e.g., meter reading, billing, etc.). Only the electricity generation portion of electricity service is provided by the CCA entity. A similar program, Marin Clean Energy, is operating in Marin County.

The Water Agency's CCA feasibility study will examine whether such a program provides Sonoma County residents with renewable, locally-produced power at a reasonable and stable cost. The study will be coordinated by a steering committee composed of the Water Agency, the Regional Climate Protection Authority, the Agricultural Preservation and Open Space District, the County's Auditor and General Services departments, city representatives and community stakeholders.

"The financial impact and economics involved in implementing such a program could be significant. The ability to invest power revenues locally while creating green jobs for County residents is attractive and this study will be looking at these opportunities," said Water Agency Board Chair and Supervisor Efrén Carrillo.

Implementing a CCA in Sonoma County could have multiple benefits, including increased local control over power generation and rates, a substantial reduction in greenhouse gas emissions, local economic benefits, and the opportunity to increase local energy efficiency and conservation efforts, as well as potential integration of carbon sequestration programs.

"The County has been a trail blazer through numerous sustainable energy initiatives in the past, and thanks to the Water Agency's hard work, this feasibility study lays the foundation for a bright future. This Energy Policy will allow us to reinvest into our local economy while doing the right thing for the environment," said Water Agency Director and Supervisor Mike McGuire.

The Water Agency has a unique interest in energy matters, arising from three factors. First, the Water Agency is a large consumer of electrical energy. Second, the Water Agency is a producer of electricity.

Third, the Water Agency has been a leader in climate change mitigation activities, and is pursuing and has pursued numerous renewable energy projects.

The Water Agency currently operates 4.4 MW of renewable solar and hydropower facilities, and has up to 22.4 MW in renewable energy projects in development. The County of Sonoma operates two solar systems totaling 820 kW and a 1.4 MW fuel cell. An additional 5-6 MW is generated through capture of methane gas at the County's landfill.

In 2005 the Water Agency's Board authorized the General Manager/Chief Engineer to finalize an Energy Policy. The 2005 Policy established guidelines for Water Agency employees in the purchase of materials, design and construction of projects, and the operation and maintenance of Water Agency facilities. Since 2005 there have been many changes and new challenges. The new Energy Policy provides the Water Agency with direction in two general areas:

1. Carbon Free Water – For several years, the Water Agency has been pursuing a goal of achieving a net carbon neutral power supply for all its operations. This program has been titled Carbon Free Water by 2015 and includes the following programs:

a. Develop Renewable Energy Sources – The Water Agency continues to develop renewable energy projects to supply offset its energy demands rather than meeting these demands with conventional carbon based sources.

b. Water Conservation – The Water Agency is a regional leader in water conservation. Because water conservation reduces the amount of water the Water Agency must pump and deliver, the conservation of water has a direct impact on its energy use. The Water Agency will continue to promote water conservation.

c. System Efficiency – The Water Agency continues to reduce its energy use by implementing efficiencies in its water transmission system.

2. Projects of Regional Benefit – The new policy directs the Water Agency to seek opportunities for broader regional benefits in terms of energy efficiency, greenhouse gas reduction, and development of local renewable energy sources. Under the new policy, the Water Agency will increase its efforts to seek collaborations and partnerships with other agencies and stakeholders in developing regional community initiatives.

The Agency will implement the Energy Policy in coordination with Strategy Seven of its 2010 Water Supply Strategies Action Plan, under which the Water Agency will take advantage of the synergies between water and energy.

To learn more about the Water Agency's Energy Policy and CCA feasibility study, visit www.scwa.ca.gov/carbon-free-water/.

15

BDD
MVC

UkiahDailyJournal.com

Water districts vote to join forces

By JUSTINE FREDERIKSEN The Daily Journal

Posted: 04/02/2011 02:35:25 AM PDT

RVCWD and RRFC&WCID committees to discuss annexation

After receiving a positive reaction from the public, the boards of both the Redwood Valley County Water District and the Russian River Flood Control & Water Conservation Improvement District voted to move forward with a merger of sorts.

"I thought it was very favorably received," said Bill Koehler, general manager of the RVCWD, referring to a public meeting Wednesday morning at the Barra tasting room where the two boards discussed combining forces in order to negotiate with the Sonoma County Water Agency for more water rights for Redwood Valley. "There were about 20 to 25 people, and the comments from the public were very favorable."

Koehler said both boards voted unanimously to "proceed with a memorandum of understanding (MOU) to begin negotiations as a unified entity." He said the process of combining the two districts would be an annexation, and they would "re-form as a new entity."

As to how that would take place, he said "we don't know yet; the process is so slow and so cumbersome, and can be stopped by a concerted effort by the public, so we wanted to make sure that both boards have educated the public, and the public supports what we're doing."

Koehler said so far, members of the public have expressed the same concerns about an annexation as the districts' board members, which are "everybody wants to make sure that everybody is carrying their own weight, that nobody is subsidizing anybody

else.

"(However), we're going to have to incur some indebtedness, and we're going to have to sit down with our customers to determine what they feel is

the appropriate payment they can make to get a guaranteed water supply," he said, adding that the district will be holding public meetings in addition to its regularly scheduled business meetings.

Sean White, manager of the RRFC&WCID, said "We've been looking for a longterm solution for getting a reliable water supply for Redwood Valley for a long time. Over the years there have been contracts for Redwood Valley, but none of them have been an actual permanent solution to the situation."

Currently, White said RVCWD buys "surplus water from the (RRFC & WCID), but the district's demand has risen, and the surplus will eventually be none."

White said the RVCWD previously had a contract to purchase surplus water from the SCWA, but the contract expired several years ago.

White said the two districts would be "taking resources that both agencies have and putting together what we hope is a successful proposal to purchase water rights (from SCWA)," in what he described as "a permanent transfer" that would establish a reliable water supply for Redwood Valley.

Koehler said he believed the timing was right to acquire more water rights for Redwood Valley because of several factors, including "a new spirit of cooperation between (RVCWD and RRFC & WCID), a change in management at the SCWA, and a pending change in the operation of the Russian River," explaining that if the flow of water in the river is reduced, more water will be available in Lake Mendocino.



Fast, convenient,
AND affordable

Save on select
Wireless*
All-in-Ones,
Photo Printers
and Lasers

Save Today

Limited time offers

Shop Now

Print Powered By  FormatDynamics™