



**NORTH MARIN
WATER DISTRICT**

**NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
December 4, 2012 – 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.	REORGANIZATION OF BOARD: 1. Election of President 2. Election of Vice President 3. Establishment of Meeting Times and Place 4. Establishes the Manner of Calling Special Meetings 5. Appointment of District Officers 6. Confirm Board Meeting Schedule for 2013 7. Committee Appointments
	2.	APPROVE MINUTES FROM REGULAR MEETING , November 20, 2012
	3.	GENERAL MANAGER'S REPORT
	4.	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.
	5.	STAFF/DIRECTORS REPORTS ACTION CALENDAR
	6.	Approve: Notice of Completion Recycled Water Expansion North Service Area Segment 2 Pipeline Construction Project (Ranger Pipeline, Inc.)
	7.	Approve: Recycled Water Expansion Project South Service Area - URS Construction Management Services Contract Termination
	8.	Approve: Recycled Water Expansion to North and South Service Area Projects - Amendment to The Covello Group's Construction Management Contract
8:00 p.m.		INFORMATION ITEMS
	9.	Update - Recycled Water South Service Area Construction Contract - Phase 1b and Impact on Meadow Park Hamilton Community
	10.	2012 Value Index

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
	11.	Prop 50 Application Invitation from Department of Public Health
	12.	TAC Meeting - December 3, 2012
	13.	NBWA Meeting - December 7, 2012
	14.	MISCELLANEOUS Disbursements Yuba County Water Agency Signals Intent to Sue Over Jeopardy Opinion Public Policy Facilitating Committee Meeting 12/20/12 Letter Agreement with MMWD RE Use of Gallagher Well Power for MMWD Fish Monitoring System <u>News Articles:</u> Ex-Sonoma County counsel in line for interim Marin job Novato Fire Chief retires abruptly, former county chief takes over immediately Record number of salmon return to Russian River MALT announces new executive director Bates to leave Public Works Department
	15.	CLOSED SESSION: In accordance with Government Code Section 54957.6; Conference with Labor Negotiators; District's Designated Representatives – Chris DeGabriele and David Bentley; Employee Organization – North Marin Water District Employee Association.
9:00 p.m.	16.	ADJOURNMENT

MEMORANDUM

To: Board of Directors
From: Renee Roberts, District Secretary 
Subj: Reorganization of Board of Directors in a Non-Election Year
t:\bod\annual reorg\reorganization non election 2012.doc

November 30, 2012

Following is an outline of procedures that may be followed at the December 4, 2012 meeting to meet the requirements of the County Water District Law and the California Election Code concerning organization of the Board of Directors after the election of Directors. Since there was no Board election this fall, reorganization is not required this year. However, the Board has traditionally (since 1971) reorganized every year.

The current President calls the meeting to order. He may conduct the nominations or he may instruct the Secretary to assume the Chair.

1. Nominations are received for the office of President of the Board. Directors vote on nominated candidates for President.
2. The elected President assumes the Chair and presides over the election of Vice President. Nominations are received for the office of Vice President of the Board. Directors vote on the nominated candidates for Vice President.
3. By motion, the Board establishes the time and place of holding its regular meetings: first and third Tuesdays of each month at 7:30 p.m. at the District office with a meeting to be held in West Marin at a place and time to be determined.
4. By motion, the Board establishes the manner of calling special meetings (under provisions of Section 54956 of the Government Code).
5. By motion, the Board appoints a General Manager, Chief Engineer, Secretary, and Auditor-Controller, and any other officers necessary and convenient to the District.
6. By motion, the Board accepts the proposed meeting dates for the upcoming calendar year with the understanding that the calendar may be adjusted as needed.
7. Board review committee appointments recommended by the President.

DRAFT
2013 SCHEDULE
NORTH MARIN WATER DISTRICT
BOARD OF DIRECTORS MEETINGS

MONTH	DATE	TIME
	<i>No meeting on 1st</i>	
January	15	7:30 p.m.
February	5	7:30 p.m.
	19	7:30 p.m.
March	5	7:30 p.m.
	19	7:30 p.m.
April	2	7:30 p.m.
	16	7:30 p.m.
May	7	7:30 p.m.
	21	7:30 p.m.
June	4	7:30 p.m.
	18	7:30 p.m.
	25 (Point Reyes)	7:30 p.m.
July	16	7:30 p.m.
August	6	7:30 p.m.
	20	7:30 p.m.
September	3	7:30 p.m.
	17	7:30 p.m.
October	1	7:30 p.m.
	15	7:30 p.m.
November	5	7:30 p.m.
	19	7:30 p.m.
December	3	7:30 p.m.
	17	7:30 p.m.

All Board meetings are typically held the first and third Tuesday of the month at the District's headquarters, 999 Rush Creek Place, Novato, except one meeting to be scheduled in West Marin (and any others on an 'as-needed' basis).

If you would like information regarding agenda items, please contact District Secretary Katie Young at (415) 897-4133.

**NORTH MARIN WATER DISTRICT
BOARD OF DIRECTORS
COMMITTEES/ASSOCIATION ASSIGNMENTS
2012**

Committee

NMWD Representative/Alternate

North Bay Watershed Association

1 meeting per month – Friday
9:30 a.m. – 11:30 a.m.
Petaluma / Novato

Rick Fraites /Jack Baker

Public Policy Facilitating Committee

(Russian River Biological Assessment/Opinion)
1 meeting per quarter – Friday
9:00 a.m. – Noon
Santa Rosa/Ukiah

Steve Petterle/Dennis Rodoni

Water Advisory Committee

1 meeting per quarter – Monday
9:00 a.m. – Noon
Santa Rosa

Dennis Rodoni/Jack Baker

**Novato Watershed Program Policy
Advisory Committee**

To be determined

Jack Baker/Rick Fraites

North Bay Water Reuse Authority

1 meeting per quarter – Monday
9:30 a.m.
Novato Sanitary District

John Schoonover/Jack Baker

February 27, 2012
May 21
August 20
November 19

Recycled Water Subcommittee

As needed

John Schoonover/Jack Baker

NMWD BOARD OF DIRECTORS
OFFICER ROTATION

Year	President	Vice President
2011	Steve Petterle	Rick Fraites
2012	Rick Fraites	Dennis Rodoni
2013	Dennis Rodoni	Jack Baker
2014	Jack Baker	John Schoonover

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DRAFT
NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
November 20, 2012

6 **CALL TO ORDER**

7 President Petterle called the regular meeting of the Board of Directors of North Marin Water
8 District to order at 7:30 p.m. at the District Headquarters and the agenda was accepted as
9 presented. Present were Directors Jack Baker, Rick Fraitcs, Dennis Rodoni and John Schoonover.
10 Also present were General Manager Chris DeGabriele, Acting District Secretary Katie Young,
11 Auditor-Controller David Bentley and Chief Engineer Drew McIntyre.

12 District employees Renee Roberts (District Secretary) and Robert Clark
13 (Operations/Maintenance Superintendent) were in the audience.

14 **MINUTES**

15 On motion of Director Fraitcs, seconded by Director Schoonover and unanimously carried
16 the Board approved the minutes from the previous meeting as presented.

17 **GENERAL MANAGER'S REPORT**

18 Mr. DeGabriele informed the Board that last week he met the director of EBMUD's Water
19 and Natural Resources to inquire if East Bay agencies may be interested in an intertie with the North
20 Bay agencies. He opined that there are benefits for the North Bay and that he is hopeful that when
21 the new General Manager of Marin Municipal Water District starts, the conversation will be
22 continued.

23 Mr. DeGabriele reminded the Board that the District Holiday Party is on December 1st at
24 McInnis Club Restaurant where Renee Robert's retirement will be celebrated as well.

25 **OPEN TIME**

26 President Petterle asked if anyone in the audience wished to bring up an item not on the
27 agenda and there was no response.

28 **STAFF/DIRECTORS REPORTS**

29 President Petterle asked if staff or Directors wished to bring up an item not on the agenda
30 and the following items were discussed:

31 **Pt. Reyes Well #3 Replacement**

32 Drew McIntyre informed the Board that the replacement Pt. Reyes Well #3 is now
33 substantially complete and noted that the District has renamed the well Pt. Reyes Well #4. He

1 stated that initial indications are that the well is greatly exceeding the original design parameters as
2 far as actual production capability and the resulting draw-down. He said that District crews will need
3 to complete the final piping tie-in to connect it to the system and that Pablo Ramudo and Robert
4 Clark are working on obtaining the water quality permitting from the State Department of Public
5 Health. Mr. McIntyre stated that once the permitting is completed, the well will be ready to be
6 activated.

7 Jonsen Claim

8 David Bentley informed the Board that he received a small claims court notice regarding
9 claim for damages from Robert Jonsen, 5 Sutton Lane, Novato. The Board had denied Mr.
10 Jonsen's claim against the District for the damages at the previous meeting. He stated the court
11 date is scheduled for February 1st and that he, Doug Moore, and the independent contractor hired by
12 the District's risk consultant will attend.

13 MONTHLY PROGRESS REPORT

14 Mr. DeGabriele reported that in October, water production in Novato and West Marin was up
15 6% and 4% respectively, recycled water production was down 8% and Stafford Treatment Plant
16 production was down 32%. He stated that the rainfall at Stafford Lake during October was 1.91"
17 and the average for the fiscal year through October is 1.41". Mr. DeGabriele advised that the
18 Oceana Marin storage and treatment ponds are in good shape entering winter months. He noted
19 that the District has worked 292 days without a lost time accident or injury. He stated that the
20 District added a new metric section to the Monthly Progress Report titled "Utility Performance" where
21 service interruptions, both planned and unplanned are recorded and the number of service lines
22 replaced, both polybutylene and copper, are identified. Mr. DeGabriele stated that in October there
23 were ten planned service interruptions and three unplanned interruptions; the District replaced
24 seven polybutylene services and three copper services. He said that the Summary of Complaints
25 and Service Orders for the month of October are up 24% compared to a year ago. The majority of
26 the increased complaints are high bills which is likely due to the increase in the cost of water.

27 Mr. Bentley reported that the month of October ended with a balance of \$10.2M in the
28 District treasury and advised that the District received State Revolving Fund loan as well as grant
29 reimbursement for the Recycled Water Project. He said the portfolio is earning an average rate of
30 0.39%.

31 CONSENT CALENDAR

32 On motion of Director Frites, seconded by Director Schoonover and unanimously carried,
33 the following items were approved on the Consent Calendar:

1 **CONSULTING SERVICES AGREEMENT WITH RETIRING EMPLOYEE ACCOUNT CLERK II**

2 The Board authorized the General Manager to enter into a consulting services agreement
3 with Mary Ann Dowden commencing on December 1, 2012 to assist the Account Clerk II when
4 needed with a not-to-exceed limit of \$10,000 and term running until November 20, 2013.

5 **CONSULTING SERVICES AGREEMENT WITH RETIRING EMPLOYEE**
6 **DISTRICT/ADMINISTRATIVE SECRETARY**

7 The Board authorized the General Manager to enter into a consulting services agreement
8 with Renee Roberts commencing January 1, 2013 to assist the District/Administrative Secretary
9 when needed with a not-to-exceed limit of \$13,750 and term running until December 31, 2013.

10 **ACTION CALENDAR**

11 **APPROVE: RESOLUTION OF APPRECIATION FOR RENEE ROBERTS**

12 Mr. DeGabriele reminded the Board that Renee Roberts last day will be December 12, 2012
13 and she will be retiring at the end of the calendar year. He stated that the District is requesting the
14 Board adopt a Resolution of Appreciation for Renee.

15 Renee Roberts stated that she wanted to express her gratitude and appreciation for the
16 opportunity to serve the Board and people of Novato, and to work for the General Manager and
17 District staff.

18 On motion of Director Rodoni, seconded by Director Fraites and unanimously carried the
19 Board conveyed its appreciation for Ms. Roberts's years of service by authorizing Resolution No. 12-
20 24 entitled, "North Marin Water District Resolution of Appreciation to Renee Roberts."

21 **APPROVE: CONSULTING SERVICES CONTRACT TO DATA INSTINCTS: PUBLIC OUTREACH**
22 **FOR RECYCLED WATER SOUTH SERVICE AREA PROJECT**

23 Mr. McIntyre informed the Board that the District is requesting approval to hire Data Instincts
24 to conduct public outreach for the Recycled Water South Service Area Project Phase 2 construction.
25 He stated that, as the Board is aware, there were problems with the Phase 1b project and the Phase
26 2 contractor will experience similar challenges in terms of traffic control and working in the
27 neighborhoods. Mr. McIntyre stated that the District desires to do a better job communicating to
28 customers in the Hamilton area and that hiring the public outreach consultant will help assist with
29 that. He stated that Data Instincts has worked for the North Bay Water Reuse Authority and similar
30 work for other local agencies and is familiar with the challenges the District will experience. He
31 continued to state that the District feels comfortable moving forward with Data Instincts, to help keep
32 communication open with the area residents as the construction progresses.

1 Director Fraites asked if the District could do this work in-house. Mr. DeGabriele responded
2 that the District does not have sufficient staff to handle the work. Mr. McIntyre added that the District
3 has done over \$13M worth of construction on the Recycled Water Expansion project in a two-year
4 period with existing staff.

5 On motion of Director Schoonover, seconded by Director Baker and unanimously carried,
6 the Board authorized the General Manager to execute a Public Outreach Contract with Data
7 Instincts for an amount not to exceed \$40,000.

8 **APPROVE: BALLOT FOR SONOMA-MARIN COUNTY FARM SERVICE AGENCY COMMITTEE**
9 **ELECTION**

10 Mr. DeGabriele informed the Board that he received an official ballot for the Sonoma- Marin
11 County Farm Service Agency Committee which needs to be submitted by December 3rd. He stated
12 that the District has the opportunity to vote along with agricultural producers and that the committee
13 typically reviews requests for grant funding and disaster declaration form the US Department of
14 Agriculture. Mr. DeGabriele advised that he requested information on the two candidates from Tito
15 Sasaki, advisor to the committee and Stacy Carlson, County of Marin Agricultural Commissioner and
16 received favorable comments on the two candidates, Ted McIlsac and Mark L. Pomi. He said that
17 he recommends that the Board vote for Ted McIlsac since Mr. McIlsac resides within the District's
18 service area.

19 On motion of Director Rodoni, seconded by Director Schoonover the Board approved to vote
20 for Ted McIlsac for Sonoma-Marin County Farm Service Agency Committee by the following vote:

21	AYES:	Directors Fraites, Petterle, Rodoni, Schoonover
22	NOES:	None
23	ABSENT:	None
24	ABSTAINED:	Director Baker

25 **INFORMATION ITEMS**

26 **BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN UPDATE**

27 Mr. DeGabriele provided the Board with an update on the Bay Area Integrated Regional
28 Water Management Plan (IRWMP) stating that the plan is a nine county effort to coordinate and
29 improve water supply reliability, protect water quality, manage flood protection, maintain public
30 health standards, protect habitat and watershed resources, and enhance the overall health of the
31 bay. He stated that the Bay Area IRWMP was formed in response to the State of California's move
32 to fund water related projects on a regional basis, beginning with Proposition 50. He continued to
33 state that the North Bay sub region includes all or part of the counties of Marin, Sonoma, Napa and
34 Solano.

1 Mr. DeGabriele stated that Harry Seraydarian, of the North Bay Watershed Association, is on
2 the Bay Area IRWMP Coordinating Council and is advocating for the North Bay projects to receive
3 the funding. Mr. DeGabriele stated that the District has three projects submitted and included on the
4 updated IRWMP: the Gallagher Well and Pipeline Project, Marin Country Club Recycled Water
5 Expansion and the Central Area Recycled Water Expansion (which is included with the North Bay
6 Water Reuse Authority submittal). He informed the Board that the total amount of grant funding
7 possible for the Bay Area IRWMP will be \$20M, and it is likely that the maximum amount for the
8 North Bay would be \$5M distributed equally among the five counties and would result in about \$1M
9 for each county. Mr. DeGabriele added that it is not likely that the District's Gallagher Well and
10 Pipeline Project would receive the grant money.

11 **RESPONSE TO MARIN COUNTY CIVIL GRAND JURY RE: PENSION AND OPEB LIABILITIES**

12 Mr. DeGabriele informed the Board that the Marin County Civil Grand Jury, via email,
13 requested financial information on pension and post employment benefit costs. He stated that
14 David Bentley put together a response to the questions and provided it to the Grand Jury.

15 **NBWRA AGENDA- NOVEMBER 19, 2012**

16 Director Schoonover stated that the meeting was good and Drew McIntyre informed the
17 Board that staff will put together a summary of the North Bay Water Reuse Authority meeting for
18 next board meeting.

19 **UPDATE- BILL PAYMENT OPTIONS**

20 Mr. Bentley provided an update to the Board regarding the bill payment options at the
21 District. He stated that the Automatic Payment Service (APS) program is very successful with 18%
22 of customers participating. Mr. Bentley said that the email billing has continued to grow and that
23 over 1,125 customers received their bill over the internet. He advised the Board that in 2006 the
24 District started allowing customers to pay by credit card either over the phone, online or in the office.
25 He stated that over 1,800 customers pay by credit card, with payment on the District's website
26 accounting for over 80% of the transactions. He continued to state that the net cost of a credit card
27 transaction averages 70¢ per payment, which comes to a little over \$7,500 per year to provide the
28 service.

29 Mr. Bentley stated that Director Baker inquired about having a bill pay drop off like the District
30 has had in the past at Bell Market and Delano's. Mr. Bentley informed the Board that he researched
31 this option with North Bay Check Cashing on Grant Avenue and that they would charge \$1.50 to
32 customers to collect payments but the District would have to have 150,000 customers participate in
33 order to provide this service.

1 **MISCELLANEOUS**

2 The Board received the following miscellaneous items: Disbursements, Letter from Lynn
3 Woolsey and Letter re: Notice of Preparation of Draft Environmental Impact Report of Scoping
4 Meeting- Carneros Ranch Fill Project.

5 The Board also received the following news articles: Richard Giacomini, prominent member
6 of Marin ranching community, drowns in tragic accident, That dog may cost you \$100,000 a day,
7 VOMWD appoints Mark Bramfitt as Interim General Manager, Las Gallinas Valley Sanitary District
8 seeks board member and Richard Louis Giacomini Obituary.

9 **CLOSED SESSION**

10 In accordance with Government Code Section 54957.6; Conference with Labor Negotiators;
11 District's Designated Representatives – Chris DeGabriele and David Bentley; Employee
12 Organization – North Marin Water District Employee Association.

13 In accordance with Government Code Section 54956.9, Subdivision (a); Conference with
14 Legal Counsel – Pending Litigation (Wayne vs NMWD).

15 In accordance with Government Code Section 54956.8; Conference with Real Property
16 Negotiator (Chris DeGabriele) regarding North Marin Water District Lagunitas Creek Water Right.

17 **OPEN SESSION**

18 Upon returning to regular session at 8:50 p.m., President Petterle stated that during the
19 closed sessions the Board had discussed the issues and no reportable action had been taken.

20 **ADJOURNMENT**

21 President Petterle adjourned the meeting at 8:51 p.m.

22 Submitted by

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24



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Katie Young
Acting District Secretary

MEMORANDUM

To: Board of Directors
November 30, 2012

From: Drew McIntyre, Chief Engineer 
Carmela Chandrasekera, Associate Engineer 

Subject: Notice of Completion for Recycled Water Expansion North Service Area
Segment 2 Pipeline Construction Project (Ranger Pipeline, Inc.)
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RECOMMENDED ACTION: Authorize the General Manager to execute and file a Notice of Completion for the Recycled Water Expansion North Service Area Segment 2 project.

FINANCIAL IMPACT: None

Pursuant to and in conformance with contract requirements for the Recycled Water Expansion North Service Area Segment 2 project (Segment 2), the contractor (Ranger Pipeline, Inc.) has fulfilled their obligations under the contract. Corrections of all work deficiencies and punch list items have been completed. All work performed by Ranger Pipeline, Inc. (Ranger) has been inspected by District staff and the construction manager (The Covello Group). Ranger's work was substantially completed on September 26, 2012 and all punch list items were completed on November 28, 2012..

Per the Contract Documents, Ranger has furnished written notice that the work is complete and that all subcontractors and equipment suppliers have been paid (see Attachment A). Ranger has released the District of all claims. A Notice of Completion is provided as Attachment B which, if approved, will be filed with Marin County on December 5, 2012. Final payment (for monies held in retention) in the amount of \$170,728.65 will be processed for release, on January 9, 2013 subject to absence of any claims filed during the 30-day notice period.

Project Cost Summary

The Board approved the award of the contract with Ranger Pipeline Inc. for \$1,559,900 for the Segment 2 project with a contingency of \$78,000 (5% of contract value). At the November 6, 2012 meeting the board approved change orders totaling \$70,789.57 that were not covered under the above contingency. Total payment to Ranger is \$1,707,286.49 including the net approved change orders for \$147,386.49 (9.4% of contract value). An updated Recycled Water North total project cost summary as of October 31, 2012 was provided at the November 6, 2012 board meeting and remains unchanged at \$6.4M.

RECOMMENDATION

Authorize the General Manager to execute and file a Notice of Completion for the Recycled Water Expansion North Service Area - Segment 2 project.

CONDITIONAL WAIVER
RELEASE AND CERTIFICATE OF FINAL PAYMENT

TO: North Marin Water District (District)

JOB: 5 6055.12

CONTRACT DATED: January 9, 2012

CONTRACTOR:
Ranger Pipelines, Inc.
1790 Yosemite Ave.
San Francisco, CA 94124

DESCRIPTION OF PROJECT: Recycled Water Expansion – North Service Area Segment 2 Project.
Installation of 9,550 feet of 12-inch PVC pipeline and appurtenances on Olive Avenue, Redwood Blvd and Wood Hollow Drive in Novato, CA for the purpose of delivering recycled water.

DESCRIPTION OF SITE (LOCATION): Pipeline installed in street (City's ROW) on Olive Avenue, Redwood Blvd and Wood Hollow Drive.

With reference to said contract, as amended, between the undersigned Contractor and the District, the undersigned hereby certifies and represents that it has made full payment of all costs, charges and expenses incurred by it or on its behalf for work, labor, services, materials and equipment supplied to the foregoing site and/or used in connection with its work under said contract.

The undersigned further certifies that to its best knowledge and belief, each of its subcontractors and materialmen has made full payment of all costs, charges and expenses incurred by them or on their behalf for work, labor, services, materials and equipment supplied to the foregoing site and/or used by them in connection with the undersigned's work under said contract.

In consideration of the sum of \$170,728.65, as final payment under the contract to be received hereafter within a reasonable time, the undersigned, upon receipt of such final payment, waives and releases and forever discharges the District and the site and property from all claims, stop notices and obligations of every nature arising out of or in connection with the performance of said contract by the undersigned and all amendments thereto except as set forth below.

1. NONE

(Note: If none, write "NONE" in space above. If the space above is left blank, it is interpreted that "NONE" is claimed. Any claims excepted must be described and the specific amount claimed must be set forth.)

Unless any claims, stop notices, and obligations are described and the specific amounts claimed, are described in the space above, contractor certifies that there are none.

As additional consideration for the final payment the contractor agrees to indemnify and hold harmless the District from and against all costs, losses, damages, claims, causes of action, judgments and expenses, including attorney's fees arising out of or in connection with claims against the District which claims arise out of the performance of the work under the contract and which may be asserted by the contractor or any of its suppliers, subcontractors of any tier or any of their representatives, officers, agents or employees except for those claims listed above.

The foregoing shall not relieve the undersigned of its obligations under the provisions of said contract, as amended, which by their nature survive completion of the work including, without limitation, warranties, guarantees and indemnities.

Executed this 28th day of NOVEMBER 20 12

Please attach appropriate
notarial certificate

Ranger Pipelines, Inc.
(Name of Contractor)

By: 

Title: PROJECT MANAGER

Distribution:
Original Contractor
Copy Job File
Z:\Folders by Job No\6000 Job\6055\Segment 3\CONSTRUCTION\Seg 3 CONDITIONAL WAIVER CERT_FINAL PAYMENT.doc

Recording requested by:

NORTH MARIN WATER DISTRICT

When Recorded Mail To:

North Marin Water District
P. O. Box 146
Novato, CA 94948-0146

NORTH MARIN WATER DISTRICT
NOVATO, CALIFORNIA

NOTICE OF COMPLETION

To: Marin County Recorder
4186 Civic Center
San Rafael, CA 94913

Date: December 5, 2012

File No. 5 6055.12

Date of Final Completion: November 28, 2012

Owner: North Marin Water District
999 Rush Creek Place
Novato, CA 94947

OWNER'S ESTATE OR INTEREST:

Easement _____ Fee Title X Encroachment Permit _____
Other (describe) _____

CONTRACTOR:

Ranger Pipelines
1790 Yosemite Ave.
San Francisco, CA 94124

TITLE OF PROJECT: Recycled Water North Segment 2

DESCRIPTION OF PROJECT: Installation of 9,550 feet of new 12-inch pipeline and appurtenances along Olive Avenue, Redwood Blvd and Wood Hollow Drive in Novato, CA for the purpose of delivering recycled water

DESCRIPTION OF SITE (LOCATION): Olive Avenue, Redwood Blvd and Wood Hollow Drive

Final payment will be made to the above contractor on or after 35 days from the recording date of this notice of completion, except where otherwise provided for by law.

The undersigned under penalty of perjury says that he is the General Manager of the North Marin Water District, the public agency authorizing the work or improvement referred to in the foregoing notice of completion; that he has executed such notice of completion on behalf of such public agency and likewise makes this verification on behalf of said public agency pursuant to authority granted by the District's Board of Directors; and that he has read said notice of completion and knows the contents thereof and that the facts therein stated are true.

Chris DeGabriele, General Manager

SIGNATURE MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC

Disposition:

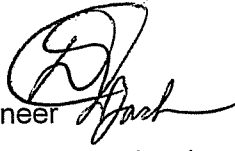
Original: County Recorder
Copy: Contractor
Copy: Project File

MEMORANDUM

To: Board of Directors

Date: November 30, 2012

From: Drew McIntyre, Chief Engineer
David Jackson, Associate Engineer



Subject: Recycled Water Expansion Project South Service Area – URS Construction Management Services Contract Termination

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RECOMMENDATION: Board authorize the General Manager to terminate the agreement between URS Corporation and the District for construction management services for the Phase 2 Recycled Water South Service Area Project.

FINANCIAL IMPACT: None

Final completion for the Recycled Water South Service Area Phase 1b contract by Disney Construction is now anticipated to be brought to the Board in January 2013. As the Board is aware, the Phase 1b construction project has had numerous utility conflicts and other issues resulting in considerable negative public reaction.

The District contracted with URS for construction management services to help ensure successful completion of the recycled water expansion in the Hamilton area with minimal impact to District customers and was prepared to pay URS in excess of \$500,000 to achieve this objective for both Phases 1 and 2 of the Recycled Water South Service Area Project. District staff takes full responsibility for everything associated with the Phase 1b construction project, including our inability to adequately address customer's concerns and complaints that arose from time to time during prosecution of the Phase 1b construction. It is now appropriate that the District do everything necessary to minimize the likelihood of similar situations repeating during the Phase 2 project construction. Therefore, District staff recommends that the Board change the construction manager for Phase 2. Staff recommends that the District continue to work with URS to close out Phases 1a and 1b contracts which are expected to be fully completed by December 31, 2012.

As is customary with NMWD's standard agreement for consulting services, the District has the right to terminate the agreement at any time and in its sole discretion. A letter was sent to Mr. Martin Falarski with URS Corporation on November 27, 2012 informing Mr. Falarski of District staff's intent to terminate the construction management services agreement (Attachment 1). If approved by the Board, a subsequent letter will be sent to URS Corporation serving as final notice of termination of the contract. Staff's recommendation as well as the letter provided in Attachment 1 has been reviewed by legal counsel and their comments incorporated.

RECOMMENDATION

Board authorize the General Manager to terminate the agreement between URS Corporation and the District for Phase 2 construction management services for the Recycled Water South Service Area Project.



**NORTH MARIN
WATER DISTRICT**

November 27, 2012

999 Rush Creek Place
P.O. Box 146
Novato, CA 94948

PHONE
415.897.4133

FAX
415.892.8043

EMAIL
info@nmwd.com

WEB
www.nmwd.com

Martin Falarski
URS Corp.
1 Montgomery Place, #900
San Francisco, CA 94104

RE: Recycled Water South - Termination of Construction Services Agreement
NMWD File 5 6056.00

Dear Mr. Falarski:

The purpose of this letter is to inform you that District staff will be recommending that the District Board of Directors, at its December 4, 2012 meeting, approve termination of URS's construction management services contract after completion and closeout of construction of Phase 1 of the Recycled Water South project.

As you are aware, the District has received considerable negative public reaction to impacts related to the Phase 1b construction. Without getting into the details, the bottom line is the District contracted with URS to help ensure successful completion of the recycled water expansion in the Hamilton area with minimal impact to District customers, and was prepared to pay URS in excess of \$500,000 to achieve this objective for both Phases 1 and 2 of the Recycled Water South project. Although the District takes full responsibility for everything associated with the Phase 1b construction project, including our inability to adequately address customer concerns and complaints as they arose from time to time during the prosecution of Phase 1b, District staff believes that it is appropriate that the District do everything necessary to minimize the likelihood of similar situations repeating during the Phase 2 project construction, and staff will accordingly recommend that the Board change the Construction Manager for Phase 2. The District will continue to work with URS for closeout of Phases 1a and 1b services and expect that all such activities will be fully completed by December 31, 2012.

If you have any questions regarding this matter please do not hesitate to contact me at your convenience.

Sincerely,

Drew McIntyre
Chief Engineer

cc: Kevin Canada
David Jackson, NMWD

MEMORANDUM

To: Board of Directors

Date: November 30, 2012

From: Drew McIntyre, Chief Engineer
David Jackson, Associate Engineer



Subject: Recycled Water Expansion to North and South Service Area Projects – Amendment to The Covello Group's Construction Management Contract

R:\Folders by Job No\6000 jobs\6056\Construction Management\Covello\6056 Covello Contract Amend BOD Memo.doc

RECOMMENDATION: Board authorize the General Manager to execute Amendment No. 1 between The Covello Group and the District for Additional Recycled Water North and South Service Areas construction management services.

FINANCIAL IMPACT: Approximately \$100,000 increase in South Service Area Costs.

At the May 3, 2011 meeting, the Board approved an agreement between The Covello Group (Covello) and the District for construction management (CM) services for the Recycled Water North Service Area project for a contract value of \$549,533 plus a contingency of \$55,000. The purpose of this memo is to request Board approval to amend said contract to cover additional North Service Area CM expenditures plus new expenditures associated with providing CM services for the Recycled Water South Service Area Phase 2 project.

Recycled Water North Service Area Project

To date, Covello has expended \$55,300 on additional costs above and beyond the original contract related to the North Service Area Recycled Water Expansion construction projects. As outlined in Covello's attached letters dated September 14 and November 13, 2012 (Attachment 1), these additional expenditures were primarily related to the following unanticipated conditions:

- Extended construction duration
- Plum Street Tank corrosion complications
- Extended geotechnical and compaction testing services
- Night work creating two shifts per day
- Contaminated soil and groundwater

The above listed additional expenditures have resulted in a modest \$300 increase above the Board's previously approved contingency for the Recycled Water North Service Area CM contract.

Recycled Water South Service Area Phase 2 Project

The November 13, 2012 letter provided in Attachment 1 and CM cost proposal for the Recycled Water South Service Area Phase 2 project provided in Attachment 2 identifies that Amendment No. 1 also needs to be increased to cover: (1) an additional \$14,700 for South Service Area tasks performed to date including bid review support and development of a Prop 84 Labor Compliance Program and (2): an additional \$270,386 for South Service Area Phase 2 CM services. All told, the total dollar amount for Amendment No. 1 to Covello's contract is therefore, \$340,386.

Project Costs Impact

The additional \$55,300 related to Recycled Water North Service Area project costs has already been included with the most recent total project cost summary update. With respect to South Service Area costs, utilizing Covello in lieu of URS to perform CM services in Phase 2 is estimated to cost an additional \$100,000. The increase in dollars is primarily attributed to a different staffing approach by Covello utilizing a CM team consisting of a manager, engineer and inspector (all working at various part-time levels). The URS contract primarily had a single full-time combined construction manager/inspector.

RECOMMENDATION

Board authorize the General Manager to execute Amendment No. 1 between The Covello Group and the District for Recycled Water North and South Service Area construction management services in the amount of \$340,386.



November 13, 2012

Mr. Drew McIntyre
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

PROJECT: NMWD – Recycled Water Pipeline – North Service Area
SUBJECT: Construction Management Services Budget Adjustment

Dear Drew:

I am writing to request an additional budget adjustment to our Agreement for Construction Management services for the Recycled Water Pipeline – North Service Area Project. An explanation of reasons the adjustment is needed was provided in the related letter dated September 14, 2012. To avoid being redundant, a copy of that letter is attached for reference.

In response to the September 14 letter the District issued Change Order #1 for \$41K. An additional budget adjustment adding \$14K is anticipated in response to Covello's November 8 letter. These adjustments will bring the total budget addition to \$55K which is the amount of contingency reserved for the Agreement.

As explained in the November 8 letter, more work was needed in October than expected and a limited amount of services is extending into November. Because of that, combined with the overall budget increase drivers presented in the September 14 letter, despite efforts to the contrary, the cost of services will exceed the contingency amount (\$55K) established for this agreement.

Many of the items addressed in the prior correspondence that make additional budget necessary are directly related to this project. However, some of the items are entirely or mostly related to the Southern area Project. The breakout is as follows:

Northern Service Area:

- Extended Construction Duration
- Plum Street Tank corrosion complications & extended coating inspection services
- Extended geotechnical and compaction testing services
- Night work creating two shifts per day
- Contaminated soil and ground water

(Please see September 14 letter for more details about these items)

Southern Service Area:

- **Bid Review Support and Labor Compliance Review:** This includes time to evaluate the Phase 1a, 1b and 2 contractor bid packages for compliance with ARRA and SRF requirements including the Good Faith Effort to meet MBE/DBE goals. Additionally, a review of labor compliance records and monitoring procedures was conducted by RGM for the Phase 1a & 1b projects. Covello and RGM cost for this effort was about \$5,800. (\$1000 added since mid-September due to Phase 2 bid review.)
- **Proposition 84 Funding Requirements and Labor Compliance Program:** Services were provided to prepare a Labor Compliance Program on the District's behalf and obtain approval of the LCP by the Department of Industrial Relations, as needed for the Proposition 84 funding. This affected both our CM services costs and the labor compliance subconsultant's cost. Additionally, the efforts to review/assess and coordinate the

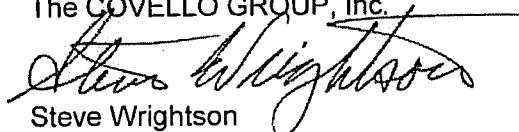
Proposition 84 requirements were significant; including preparation of a quarterly report specifically for Prop 84. Because of the timing of the projects and the timing of Prop 84 funding this effort was principally applicable to the Southern Area projects. The RGM cost for the LCP effort was \$5,800 and Covello's cost was \$3,100; for a total of \$8,900.

It is currently expected that, in total, a \$70K increase to the original budget is needed to complete the project/services. As noted above, per prior requests, the District has increased the budget by \$55k using the contingency funds established for the Northern Service Area projects. That amount is sufficient to cover the increased services associated with those projects. It is therefore requested that an additional change order (#3) be issued for \$15K to cover the added services associated with the Southern Area projects.

Please be aware that there are a several open items remaining. Some labor payment discrepancies remain to be resolved with one of Ranger's subcontractors, Warren Gomes Excavating (WGE). The Labor Compliance Program is awaiting final approval by the DIR and Ranger must restore certain landscaping on Redwood Boulevard to the City's satisfaction. We expect these items will be concluded with minimal effort which is included in the above request. A commitment has been obtained from WGE to resolve the discrepancy. Ranger and the City have agreed to the extent of plant restoration. And we are expecting approval of the LCP without any further comments.

Please let me know if you have questions or need additional detail about this request.

Sincerely,
The COVELLO GROUP, Inc.



Steve Wrightson
Construction Manager





The
Covello
Group

September 14, 2012

Mr. Drew McIntyre
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

PROJECT: NMWD – Recycled Water Pipeline – North Service Area
SUBJECT: Construction Management Services Budget Adjustment

Dear Drew:

I am writing to request a budget adjustment to our Agreement for Construction Management services for the Recycled Water Pipeline – North Service Area Project.

There are a variety of reasons that have led to the need for this adjustment. The more notable items are summarized as follows:

- **Construction Duration:** The CM services were planned to be fully complete in June; based on the RFP for CM services. However, principally due to the schedule for the Segment 2 portion of the project, construction will not be complete until later this month with CM services completing in October. Additionally, the actual duration of the individual segments and the tank was about 6 months more than planned. (Segment 1 = +1 month, Tank = +3 months, Segment 3 = no change, Segment 2 = +2 months. Resolution of some items actually extended beyond these periods.)
- **Plum Street Tank and Coating Inspection:** Construction of the tank improvements was planned to require 5 months. However the actual time required was about eight months. This increased both CM costs for Covello and inspection cost for the coating inspection firm. (A copy of an explanatory email from D.B. Gaya Consulting is attached for reference.)
- **Southern Area Project Support:** Additional services were provided to assist with the SRF & ARRA related portions of the construction bid evaluation. And additional services were provided to review and assist with the labor compliance tasks for these projects. Covello and RGM cost for this effort was about \$4,800.
- **Labor Compliance Program & Prop 84:** Additional services were provided to prepare a Labor Compliance Program on the District's behalf and obtain approval of the LCP by the Department of Industrial Relations, as needed for the Proposition 84 funding. This affected both our CM services costs and the labor compliance subconsultant's cost. Additionally, the efforts to review/assess and coordinate the Proposition 84 requirements were significant. The RGM cost for the LCP effort was \$5,800 and Covello's cost was \$3,100; for a total of \$8,900. (Note RGM is under budget and expected to complete under budget.)
- **Geotechnical Services:** Additional cost was incurred due to pavement design support to satisfy the City of Novato, night work, contaminated material sampling, and extended construction schedule and related inefficiencies due to contractor methods for Segment 2. (A copy of explanatory letter from Miller Pacific is attached for reference.)
- **Night Work:** This created the need for two inspection shifts per day during this period. (This also affected Miller Pacific as noted above.)
- **Contaminated Soil & Water:** This created the need for additional management and field engineering efforts to address and coordinate final resolutions.

These changes, and in particular the extended schedule, has resulted in additional cost and

2011.010.01.004.

requires additional hours for Covello, RGM and Miller Pacific to continue and complete construction management services.

As of the end of August, there is no budget remaining. Based on the current status of the project and the billings through the end of August, we estimate that a budget increase of \$65,000 will be needed to complete the CM services (including labor compliance and geotechnical). This estimate assumes that the contractor will complete all field work this month (September) and most construction changes orders will be resolved this month. However it is expected that resolution/negotiation of some change orders will extend into October. Time is also allowed in October to process final billings, Substantial Completion documentation, Final Acceptance documentation, and to close-out labor compliance discrepancies and the project files.

Per our discussion earlier this week, it is understood that about \$55K of contingency funding is available for the CM services without having to obtain additional Board approval. I expect the CM billing for September services to be about \$41K which is within the contingency amount. Given that, Covello requests an Amendment for at least \$41K be issued to cover September cost. At the end of September we will reassess budget and project status and address any additional budget needs.

Although I believe it is a long shot, if everything falls into place smoothly it is possible that all work could be completed within the current contingency (\$55K) amount. In general, that would require change order negotiations to go very smoothly, Ranger to complete work before the end of September without complications, arrangements with the City for AC restoration to be simple, and labor compliance discrepancies to get resolved without complications.

Please confirm how the District would like to proceed and let me know if you have questions or need additional detail.

Sincerely,
The COVELLO GROUP, Inc.


Steve Wrightson
Construction Manager



Steve Wrightson

From: Dennis Gaya <dennisgaya@comcast.net>
Sent: Wednesday, December 21, 2011 7:57 AM
To: Steve Wrightson
Subject: Plum Tank Inspection
Attachments: Coating Inspection Budget Increase Justification.doc; Plum Tank - NMWD - 11.17.2011.pdf

Hi Steve,

Attached is the brief explanation for the cost overruns. We think we will complete the project by next Weds. at the latest.

Based on this schedule, we are seeking additional funds of \$7932.00. Hopefully,, we will not need it all.

How should we submit this invoice? Should I adjust the amount of this invoice to not exceed the original amount of the contract?

Please advise so I can either submit this week or wait to invoice for the entire amount.

Do you know if a check for our last invoice has been sent? We were originally told a check would be issued Dec. 20th.

Thanks for your help with this Steve. Have a happy holiday if we don't speak to you before Christmas.

Best regards,

Dennis Gaya

Plum Street Tank – Coating Inspection Budget Increase Justification

Prepared: December 20, 2011

- Coating inspection budget was based on what was expected to be necessary for the tank rehabilitation scope for a tank of this size. However the Construction contract allows the contractor more time and it turns out they are taking longer than expected due to changes and equipment problems.
- Equipment Problems for Blastco.
- 3 to 4 weeks without the proper compressor.
- Blast Recovery unit broke down repeatedly.
- Lack of manpower
- Some weather impacts due to DH equipment breakdowns.
- Holes in floor
- Pitting of sidewalls
- Slow abrasive blasting procedures
- Extremely pitted steel slowed production.

All equipment and manpower delays have been documented on DB Gaya Consulting daily reports and time sheets.

We are presently \$3116.00 over our NTE amount of \$19064.

We estimate project completion in 7 additional days. Additional funds needed: \$4816

Total amount needed to complete the project: \$7932.00

Miller Pacific
ENGINEERING GROUP

504 Redwood Blvd.

Suite 220

Novato, California 94947

T 415 / 382-3444

F 415 / 382-3450

September 12, 2012

File: 1229-07fltr.doc

The Covello Group
1660 Olympic Blvd., Suite 300
Walnut Creek, CA 94596

Attn: Mr. Steve Wrightson

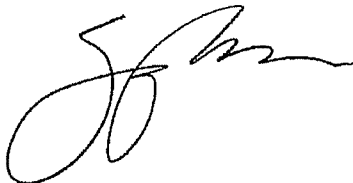
Re: Budget Update
Geotechnical Observation and Testing Services
NMWD – Recycled Water Pipeline North
Novato, California

This letter presents an estimated budget update for geotechnical consultation, observation and testing services during the construction of the NMWD Recycled Water Pipeline North in Novato, California. We have been providing our services for Segments 1-3 on a time and expense basis per our proposal and agreement dated June 30, 2011. Several factors that were not anticipated in our original budget estimate and proposal include:

Pavement design for trench section to satisfy City of Novato,
Night work along Redwood and Olive,
Environmental sampling of contaminated soils,
Numerous scheduled site visits when Contractor not ready for testing, and
Extended construction schedule and working small localized areas.

As we previously discussed, we have exceeded our original budget estimate of \$53,500. Most of the budget overage is associated with Segment 2. We are currently \$13,000 over budget and anticipate another \$2,000 to finish testing and issue the construction observation and testing report. Therefore, we request a budget increase \$15,000. Please call with any questions or comments. Thanks.

Yours very truly,
MILLER PACIFIC ENGINEERING GROUP



Scott A. Stephens
Geotechnical Engineer No. 2398
(Expires 6/30/13)



The
Covello
Group

October 22, 2012

Mr. Drew McIntyre
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

PROJECT: Recycled Water Pipeline – Southern Service Area Phase 2
SUBJECT: Construction Management Services Proposal

Dear Drew:

In response to the District's request, Covello is pleased to provide this proposal for Construction Management, Inspection and related services for the subject project.

The proposed team members include Clay, Michelle and me who the District is familiar with from the Novato North Service Area project. We propose to have Art Gibney lead the inspection services. Art filled-in on the North Services Area Project several times when Christian was on vacation, however you may not have met him. Art's resume is attached for your review. Art is currently performing inspection of a pump station project for the Novato Sanitary District. That project includes three pump stations one of which is located on Hanger Drive in the Hamilton Filed area and the other two are in Bel Marin Keys. The close proximity of the pipeline and pump station projects should allow for efficient use of Art's time thereby allowing him to effectively cover both projects. In addition to his inspection skills, Art is very attentive to public relations and proactively addresses (or prevents) concerns of the local residents.

A spreadsheet showing the proposed budget is attached. The budget is fairly self-explanatory and generally follows the level of effort implemented by Covello for the North Service Area Projects. In addition to Covello's staff, we have also included an allowance for Miller Pacific to perform geotechnical/soil compaction testing and for RGM to provide labor compliance services. Due to the sensitive nature of this potential assignment, we have not yet requested updated budget proposals from Miller Pacific or RGM; however, the allowances are based on their previous proposals to Covello for this project. (Note; labor compliance needs for this project will be per SRF Davis-Bacon which is less rigorous than ARRA so the allowance currently included will likely decrease.) The duration of services is based on the 270 days allowed in the Contract Documents for the contractor to reach Substantial Completion.

A draft scope of services is also attached. The draft scope is modeled from that provided for the North Service Area Projects. The primary changes include deleting the Plan & Specification Review, Pre-bid Meeting, Bid Review, ARRA-related and SWPPP assessment tasks. RFI, Submittal and Design Clarification coordination has been changed to be with the Design Consultant(s) rather than the District's designer. (Note; Covello has a close working relationship with Nute Engineering which will be beneficial for implementation of this project.)

We appreciate your consideration of the Covello Group to further assist the District. Please let me know if you have questions about this proposal or need additional detail.

Sincerely,
The COVELLO GROUP, Inc.



Steve Wrightson
Construction Manager

Art Gibney

Inspector

Mr. Gibney has worked in the Inspection and Operations and Maintenance sector of various Public Works since 1984. He has experience with pipelines, pump stations and roadway repair and reconstruction projects. He is familiar with all phases of Public Works inspection.

EXPERIENCE:

Recycled Water Facility

NOVATO SANITARY DISTRICT

Mr. Gibney was the Inspector for the \$5.6 million recycled water facility. The project, implemented by the Novato Sanitary District, was part of the North Bay Water Reuse Authority program. The facility utilizes multiple trains of sand filters to treat up to 1.4 mgd of secondary effluent to produce recycled water for distribution by the North Marin Water District in the Novato community. Sodium hypochlorite is used for disinfection. The facility was partially funded by the ARRA program.

2010 Sewer Improvements

NOVATO SANITARY DISTRICT

Mr. Gibney was the Inspector for this multi-contract project, which included the installation of approximately 7,000 feet of gravity sewer piping, service laterals and ancillary facilities at multiple locations around the City of Novato. The sewer main piping ranged in size from 6-inch diameter to 30-inch and also included the installation of sewer laterals to serve residences and businesses. Most of the work was done using open trench methods and some bore-and-jack installation was employed. The project included coordination of traffic control, street modifications, utility modification, coordination with the City of Novato and coordination with local residents and business owners for work on their property.

- Phase A - Installed 1,600 linear feet of 18-inch and 24-inch PVC C-905 gravity sewer using open cut installation; Construction value \$459,000.
- Phase B - Installed 1,200 linear feet of 8-inch PVC C-900 gravity sewer using open cut installation; Construction value \$248,000.
- Phase C - Installed 3,000 linear feet of 24-inch, 16-inch, 12-inch and 8-inch sewer. In addition, 360 linear feet of 24-inch clay pipe was installed using microtunneling and 140 linear feet of HDPE pipe was installed using pipe bursting. The balance was PVC C-900/905 pipe installed via open cut; Construction value \$1,806,000.
- Phase D - Installed 6,490 linear feet of 8-inch and 6-inch HDPE force main sewer using horizontal direction drill method; Construction value \$720,000.
- Phase F - Installed 1,024 linear feet of 18-inch PVC C905 gravity sewer using open cut installation; Construction value \$395,000.
- Phase G - Installed 1,300 linear feet of 10" PVC C900 gravity sewer using open cut installation; construction value \$418,000.

Education:

Bachelor of Arts in
History and English,
University of Central
Connecticut

Master of Arts in
Archeology and English,
American University of
Beirut

Certifications & Training:

Certified Cured-in-Place-
Pipe (CIPP) Inspector

Competent Person

Confined Space

First Aid-CPR

UC Berkeley ITS:

- Public Works Contract Management
- Fundamentals of Traffic Engineering

Asphalt Institute:
Pavement Mix Design and
Maintenance Strategies

International Society of
Arboriculture: Certified
Arborist #944, emphasis on
Hazard Tree Management

**Two Pump Station Rehabilitation Projects:
1) Rush Creek & Deer Island; 2) Bayside &
Southgate & Western Oaks**

NOVATO SANITARY DISTRICT

Mr. Gibney was the Inspector on these two pump station projects with costs of \$688,000 and \$1,275,000 respectively. Both projects consisted of upgrades to existing pump stations. The upgrades included demolition and reconstruction of the existing stations using duplex submersible sewage pumps. This project installed temporary pumping systems, demolition and removal of equipment, reconnection to forcemains, excavation, structural concrete, pipe/valve pits and mechanical work, installation of new non clog submersible sewage pumps, electrical and control systems, painting, and reconstruction of sidewalks, driveways, and asphalt paving. In addition to inspecting the construction activities, Mr. Gibney was also responsible for coordination with City and County officials to ensure compliance with encroachment permit conditions, including traffic and pedestrian safety, compliance with stormwater pollution protection, and mitigation of damage to public and private property. Because these pump stations were situated in close proximity to residential properties, relationships with property owners were carefully established to foster positive public perceptions of these projects.

**RELEVANT EXPERIENCE PRIOR TO EMPLOYMENT
WITH THE COVELLO GROUP, INC.**

**Operations and Maintenance Manager (2006-
2009 retired)**

CITY OF SAN RAFAEL

As the Operations and Maintenance Manager Mr. Gibney was responsible for a wide range of activities including planning, organizing and directing the maintenance divisions of the Public Works Department including the San Rafael Sanitation District. In this role, he coordinated activities with outside agencies, including CalTrans, Transportation Authority of Marin, County of Marin, Marin Municipal Water District, Pacific Gas & Electric, and AT&T. In addition, he prepared plans, drawings, sketches and specifications for various infrastructure maintenance projects, created bid documents, awarded bids and managed projects to completion including Public Works

inspection. He provided project management services and administered various maintenance and capital improvement projects, created partnership relationships and facilitated project closeout. Lastly, Mr. Gibney has experience with pursuing grant funding opportunities for Public Works projects and activities.

Superintendent of Public Works (1984-2006)

CITY OF BELVEDERE

As the Superintendent of Public Works, Mr. Gibney was responsible for the development and implementation of Public Works Maintenance and Administration budget and joint development and implementation of a Capital Improvement Program and a Sewer Enterprise Fund. In addition, he managed all maintenance aspects of the Belvedere Sanitary District and associated Sewer Enterprise Fund. In this role Mr. Gibney was responsible for all aspects of project inspection for sanitary sewer pump station rehabilitations (12 complete rehabs), alarm and telemetry upgrades, sanitary sewer main replacements and emergency repairs, storm drain replacements and repairs including slip lining and pipe bursting, asphalt overlays and repairs, concrete infrastructure replacements such as curb and gutter sidewalk, ADA curb ramps and retaining walls. Mr. Gibney was also responsible for all Public Works related permit issuance and compliance- writing, new ordinances and amend existing ordinances.

**NORTH MARIN WATER DISTRICT
RECYCLED WATER EXPANSION – SOUTH SERVICE AREA PHASE 2 PROJECT
THE COVELLO GROUP, INC. – SCOPE OF WORK**

I. PRECONSTRUCTION PHASE:

1. **SRF Documentation:** Covello will assist the District in the preparation of the Approval to Award documentation that will be submitted to the State.
2. **Preconstruction Conference:** Covello will prepare the agenda for the meeting, facilitate the meeting, address administrative and non-design issues, and prepare record of discussions of the meeting for distribution.
3. **Administration & Office Set-up:** Covello will set up the files for the project prior to commencement of construction.

II. CONSTRUCTION PHASE

1. Construction Administration

- a. **Project Coordination:** Covello will act as the project coordinator and the point of contact for all communications with the Contractor. Covello will coordinate the activities of the District and Contractor.
- b. **Document Tracking System:** Covello will implement and maintain a system for tracking all correspondence and documents on the project.
- c. **Construction Administration Services:** Covello will provide administrative and management services. Covello will receive all correspondence from the Contractor and will address all inquiries from the Contractor and all construction related correspondence. The Design Consultant (DC) will be responsible for providing any design input.
- d. **Progress Reports:** Covello will prepare Progress Reports quarterly which include budget review, schedule analysis, outstanding items and digital photographs of current construction progress. A summary of the project status will be presented orally on a quarterly basis at the District's Board meeting.

2. Meetings

- a. Covello will prepare the agenda for the bi-weekly progress meetings and other construction meetings required during the project.
- b. Covello will facilitate and prepare the record of discussions for the bi-weekly progress and other construction meetings.

3. Coordination with Outside Agencies and Public

- a. **Labor Compliance:** As a part of the SRF Davis-Bacon and Proposition 84 requirements, Covello will retain RGM & Associates to implement Labor Compliance Monitoring to provide necessary reporting, documentation and oversight of the contractor's labor payments and related conditions. RGM's scope of work and budget estimate is included as Attachment A. If the Contractor's operations or the project schedules vary from their assumptions, an amendment to their scope of work and budget may be necessary.
- b. **Outside Agency Coordination:** Covello will provide field coordination with outside agencies and work to see that the Contractor obtains any necessary permits and complies with the all restrictions.
- c. **Public Outreach Assistance, including:**
 1. Data Instincts (through separate Agreement) will be the District's representative for public inquiries and public relations.
 2. Covello will coordinate with the District's Public Relations Consultant; Data Instincts to provided project information and background as needed.
 3. Covello will provide project information to the District/Data Instincts to assist in their

- preparation and issuance of any project information to the public.
- 4. Meetings with the public will be facilitated by the District/Data Instincts. Covello will assist with and participate in such meetings as needed.
- 5. Covello will refer all media inquiries to the District/Data Instincts.

4. Submittals

- a. Covello will implement and coordinate the submittal processing.
- b. Covello will receive the submittals from the Contractor and check for general conformity with the Contract requirements. If obvious deficiencies are apparent in the submittal, Covello will send the submittal back to the Contractor for correction.
- c. Covello will route the submittal to the District for review and will route the reviewed submittal back to the Contractor. Covello will review comments on submittals to determine if additional follow-up with the Contractor is warranted and to identify prospective scope changes.
- d. Covello will maintain a log and tracking system for submittals. Covello will track the status of submittal review with the Designer and the status of shop drawing resubmittals with the Contractor.
- e. The District will review all design related submittals and submittals related to temporary facilities for compliance with the contract documents.

5. Clarification Processing

- a. Covello will implement and coordinate the system for processing clarifications.
- b. Covello will receive all requests for information (RFIs) from the Contractor and determine if the request is a valid RFI; if not, Covello will return the RFI to the Contractor with an appropriate response, if required.
- c. Covello will provide a response to the Contractor for any administrative and general RFIs.
- d. Covello will route all other RFIs to the Design Consultant(s).
- e. The Design Consultant(s) will review RFIs and provide design response.
- f. Covello will review the Design Consultant' response, verify acceptability of response and transmit the Clarification Response to the Contractor. If the response materially affects the design, it will be reviewed with the Design Consultant and District, as necessary, to verify that it is required. If it is required, Covello will issue a change request to the Contractor.
- g. Covello will maintain a system for logging and tracking RFIs. Covello will track the status of RFI review with the Design Consultant(s).
- h. The Design Consultant will prepare Design Clarifications where design issues are identified by Covello or the District. Covello will prepare the Clarification Letter for transmittal to the Contractor of the District's Design Clarification and other clarifications.

6. Change Order Preparation, Negotiation & Processing

- a. The Design Consultant will prepare design details for change requests.
- b. Covello will prepare and issue the change request to the Contractor with the appropriate design documents.
- c. Covello will prepare an independent cost estimate and/or verify the acceptability of the Contractor's cost proposal for each change request. The Design Consultant's input may be requested for specific equipment and material costs.
- d. In the event the Contractor encounters a time sensitive problem where time is not available to negotiate a settlement, Covello will issue a field order. All work done under a field order will be completed on a time and material basis. As soon as practical, dependent on field conditions, Covello will advise the District of the issuance of such field orders, and the District will execute the field order.
- e. Covello will negotiate and prepare change orders for execution by the District and Contractor.
- f. Covello will implement and maintain a system for logging and tracking changes.

North Marin Water District –Recycled Water Expansion to North Service Area Project
The Covello Group Scope of Work

- g. Covello will establish and maintain Issues Files. The issues files will compile all data related to specific items that arise that may have cost or time impacts.

7. Progress Payment

- a. Covello will review the initial cost breakdown prepared by the Contractor. Covello will review and process the progress payment requests as required in the Contract Documents and by the California Public Contract Code.
- b. Covello will verify the quantity and acceptability of stored materials.
- c. Covello will verify the Contractor's construction progress as it relates to the progress billing procedure.
- d. Covello will perform the administration, preparation and processing of the monthly progress payments.
- e. Covello will prepare the summary cover sheet for the progress payments which will be executed by Covello, the Contractor, and the District.

8. Scheduling

- a. Covello will review and work with the Contractor in the development of the initial Baseline schedule. Covello will review and work with the Contractor in their review and preparation of the schedule updates. Covello will provide written comments to the Contractor on the Baseline and update schedules.

9. Field Quality Control

- a. Covello will provide part-time field inspection/observation services to monitor compliance with the Contract Documents.
- b. Covello will prepare a daily inspection report documenting field activities, field crews, Contractor equipment, and field problems observed.
- c. Covello will maintain a Corrective Work Item List. The list will provide a current inventory of required corrections to aid in timely completion of such items.
- d. Covello will provide photographic and video documentation of the project prior to construction. Covello will provide and maintain photographs of field activities for status monitoring of the project.
- e. Covello will monitor the record documents on a monthly basis to determine if they are being maintained by the Contractor. Covello will also maintain one set of Contract Documents with up-to-date information for all contracts.
- f. Covello will review and monitor Contractor's traffic control and public safety plans for compliance with Contract Documents. Covello will coordinate these activities with the authority having jurisdiction.
- g. Covello will contract with Miller Pacific to furnish the material testing and special inspections specified in the Contract Documents to be furnished by the District for the Project.
 - 1. Covello will schedule and coordinate the specialty inspections and material testing.
 - 2. Covello will have oversight responsibility for the specialty inspections and testing services.
 - 3. Miller Pacific's scope of work and budget are provided as Attachment B. An amendment to this Task Order may be necessary if the allowance is not adequate to cover the actual work required.
- h. No provision has been included in the scope of work or budget for observation, testing and handling of hazardous material.

10. EIR Conformance

- a. Covello will coordinate with the District's environmental consultant during the Project.
- b. This environmental consulting firm will be responsible for environmental reporting,

- monitoring and surveying as required by the Environmental Impact Report (EIR).
- c. Covello will schedule and coordinate the work of the environmental consultant.
 - d. SWPPP Implementation:
 - a. It is Covello's understanding that the area disturbed by this project will be less than one acre and as such coverage under the NPDES General Permit is not required. However, the contractor will be responsible to implement Best Management Practices (BMP's) in accordance with the MCSTOPPP and City of Novato requirements.
 - b. Covello will monitor contractor compliance with requirements and direct Contractor to take corrective action when necessary.

11. Means and Methods of Construction

- a. Covello will not have responsibility for directing the means and methods of construction. The Contractor shall be solely responsible for the means and methods of construction.

12. Safety

- a. Covello will comply with appropriate regulatory, project and District regulations regarding necessary safety equipment or procedures used during performance of Covello's work and shall take necessary precautions for safe operation of Covello's work, and the protection of Covello's personnel from injury and damage from such work.

Neither the professional activities of Covello, nor the presence of Covello's employees or sub-consultants at the construction/project site, shall relieve the Contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending, or coordinating their work in accordance with the Contract Documents, District regulations, and any health or safety precautions required by any regulatory agencies. Covello and its personnel have no authority to exercise any control over any Contractor or other entity or their employees in connection with their work or any health or safety precautions.

13. Testing & Training

- a. The scope and budget do not include Covello's participation in factory witness testing.
- b. Covello will coordinate training requirements and activities.
- c. Covello will provide oversight and administration of testing and training.

14. Corrective Work Item List

- a. Covello will prepare the Corrective Work Item list with input from the District and DC.
- b. Covello will confirm that the items identified in the Corrective Work Item list are completed in preparation for issuance of the Substantial Completion Certificate.
- c. Covello will prepare the Substantial Completion Certificate for execution by the District and Contractor when the Corrective Work Items are completed to the District's and Covello's satisfaction.

15. Final Inspection and Punchlist

- a. Final Inspection
 - 1. Covello will have primary responsibility for conducting the final inspection.
 - 2. The District will participate and provide input on the final inspection.
 - 3. Covello will have oversight and final review responsibility for the final inspection.
- b. Covello will prepare the list of outstanding deficiencies.
- c. Covello will prepare and issue the punchlist(s) from the list of deficiencies.
- d. Covello will have primary responsibility for verifying that punchlist work is complete.

16. Warranty Coordination

- a. Coordination of warranty work after the Contract Period is not included in this Scope of Work or budget. If the District determines at a later date that it desires Covello to provide this service, an amendment is issued for additional budget and Covello will coordinate warranty work with the District and Contractor during the warranty period.

17. Project Closeout:

- a. Covello will prepare necessary District documentation recommending acceptance of the completed work by the Board.
- b. Covello will turnover project documentation to the District in an orderly manner. Covello will retain all issue files at the end of the project. The District shall have the right to request review and/or copies of the issue files.
- c. Covello shall have full and complete access available to all files created by Covello during the Project for up to ten (10) years after the completion of the Project. Such access shall include the right to copy any and/or all such files at Covello's expense.

18. Dispute Resolution:

- a. Resolution, when possible, of routine disagreements through the normal efforts of the day-to-day project site staff will be performed.
- b. Dispute resolution services using third parties or special processes (e.g. Mediation, Arbitration, Mini-Trials, Dispute Consultants), or those requiring extraordinary efforts by Covello are not included in this Scope of Work. If such non-routine dispute resolution services are required, either an amendment or a separate task order will be executed.

LABOR COMPLIANCE

Attachment A

RGM Labor Compliance Scope of Services

GENERAL

Provide Labor Compliance Monitoring to confirm compliance with Clean Water State Revolving Fund and Public Resources Code §75075 (Proposition 84) requirements. Services are to be consistent with the District's State approved Labor Compliance Program.

CONSTRUCTION PHASE

- Conduct the portion of the pre-construction meeting which relates to the LCP, with the contractor and subcontractors listed in the bid, and address each topic addressed in Title 8, California Code of Regulations, Section 16430 and Exhibit A thereto;
- Train all site monitors regarding the laws they are seeking to enforce, plus interview and documentation skills and procedures;
- Coordinate the work of all LCP site monitors, including scheduling and conveying their site reports and records to RGM's main office for the LCP;
- Through the site monitors, conduct periodic interviews of workers on site to confirm that all workers are being paid the appropriate wages for the trade to which they are most closely related and that contractors have not charged fees for hiring workers on the Project or accepted kickbacks from workers;
- Determine whether contractors have complied with the requirements of Labor Code §1777.5, which relates to apprentices, and have secured workers compensation coverage;
- Determine whether the contractors have posted all applicable prevailing wage sheets at the site;
- Verify that certified payroll reports validate worker information obtained through site interviews;
- Enter information from interviews into LCP database;
- Collect, review and audit certified payroll reports for compliance with current prevailing wage rates and laws, including appropriate labor classifications and apprenticeship requirements;
- Document any missing or inaccurate information; and
- Notify the Contractor in writing of any discrepancies with certified payroll records or other apparent violations of the LCP or labor laws applicable to public works projects.

LABOR COMPLIANCE

RGM Labor Compliance Scope of Services

ENFORCEMENT

- Investigate apparent discrepancies if clarification/correction is not received from the Contractor within a timely manner;
- Upon completion of the investigation, send a report to the DIR with recommendations for penalties to be applied to the Contractor; and
- Prepare and submit public works violation reports to the Labor Commissioner, as required.

DATABASE MANAGEMENT AND REPORTING

- Organize storage of certified payroll reports, data analysis and reports;
- Provide periodic status reports to the Owner/Client as requested;
- Upon request, prepare and submit fiscal year-end program reports to the Owner/Client including:
 - LCP Progress Report,
 - Monitoring and record keeping activities,
 - Labor Code violations identified and reported to the DLSE, and
 - Statistical analysis of the prevailing wage violations on public works project.

SUMMARY OF OUTREACH ACTIVITIES

- Prepare and submit a comprehensive annual Labor Compliance Program report to the Director of the Department of Industrial Relations, with copies distributed to the District which shall include, at a minimum, the following information:

The number of public works contracts awarded using specified Bond funds and their total value,

A summary of wages due to workers resulting from failure by contractors to pay prevailing wage rates, the total amount withheld from money due the contractors, and the total amount recovered by action in any court of competent jurisdiction,

A summary of penalties and forfeitures imposed and withheld or recovered in a court of competent jurisdiction, and

A summary of all audits that were conducted at the request of the Labor Commissioner.



RGM and ASSOCIATES
3230 Monument Way
Concord, CA 94518

(925) 671-7717

FAX (925) 671-7788

LABOR COMPLIANCE PROGRAM SERVICES
STANDARD HOURLY RATE SCHEDULE

Effective January 1, 2012

2012 Hourly Rates

Labor Compliance Officer/Principal Oversight	\$118.00
Labor Compliance Manager	\$113.00
Field Specialist/Site Monitor	\$108.00
Certified Payroll Administrator	\$ 77.00

*Aforementioned rates include all taxes, insurance, health and employee benefits, overhead and profit.
Annual fee increases will be based on data provided by the Bureau of Labor Statistics, Consumer Price Index.*

PROPOSAL BREAKDOWN – PHASE 2

Estimate Construction Duration – 7 Months

Estimated Closeout Duration – 6 Weeks

ESTIMATED BREAKDOWN

Labor Compliance Officer – 0.25 hour per month	1.75 x \$118.00 =	\$ 206.50
Labor Compliance Manager – 0.5 hour per week	15 x \$113.00 =	\$ 1,695.00
Field Specialist/Site Monitor – 2.5 hours per week	75 x \$108.00 =	\$ 8,100.00
Certified Payroll Administrator – 3.5 hours per week	105 x \$ 77.00 =	\$ 8,085.00
Closeout		\$ 2,015.00

Total Estimated Not-To-Exceed Fee

\$20,101.50

ATTACHMENT B

504 Redwood Blvd.

Suite 220

Novato, California 94947

T 415 / 382-3444

F 415 / 382-3450

November 27, 2012
File: 11-6019cpro.doc

The Covello Group
1660 Olympic Blvd., Suite 300
Walnut Creek, CA 94596

Attn: Mr. Steve Wrightson

Re: Proposal for Geotechnical Consultation, Inspection and Testing
NMWD – Recycled Water Pipeline South Phase 2
Novato, California

Introduction

Per your request, we are pleased to propose our geotechnical consultation, inspection and testing services for construction of the Phase 2 segment of the NMWD Recycled Water Pipeline South Service Area between Las Gallinas Sanitary and the Reservoir Hill Tank in Novato, California. The purpose of our services is to perform inspection and testing in order to form an opinion regarding the Contractor's compliance with the project plans and specifications.

We previously explored subsurface conditions along portions of the new recycled water pipeline as summarized in our report dated August 1, 2011. We understand the Phase 2 construction includes about 7,000 feet of new recycled water pipeline within various paved streets of the Hamilton development.

Scope of Services

We will provide on-call field testing and observation personnel as requested by the Construction Engineer/Manager. Our primary field equipment will be a nuclear density gauge for compaction testing of soils, aggregate base and asphalt concrete. We will follow general ASTM guidelines for both the field and laboratory testing required for the project.

During construction, we will intermittently observe and test the geotechnical portions of the work and provide geotechnical consultation. We anticipate most of our work will include field density testing on backfill for the new water pipeline trenches. The scope of our services is expected to include:

- Attendance at project meetings as requested;
- Submittal reviews for geotechnical items;
- Laboratory testing of Contractor-provided backfill materials;
- On-site compaction testing of trench backfill for the new recycled water lines;
- Compaction testing of aggregate baserock & asphalt concrete in new pavement areas;
- Sampling and strength testing of any structural concrete;
- A summary of the results of our observation and testing in a brief letter report.

Ideally, we would desire a 24-hour minimum notification for site visits; however, because our technicians are dispatched from our Novato office, we can often be at the site with little advance notice.



The Covello Group
Page 2 of 2

November 27, 2012

Project Personnel

Miller Pacific Engineering Group is a California corporation that focuses on providing geotechnical services in the Northern Bay Area. Scott Stephens, President, has been providing geotechnical engineering and design services in the North Bay Counties for over 20 years and will provide geotechnical oversight as project manager. Various personnel from our staff would be utilized for inspection and testing. Miller Pacific Engineering Group has completed Caltrans' Training and Certifying of Independent Assurance Samplers and Testers.

Fee Proposal

We anticipate we will be working with on-site representatives from North Marin Water District and the Covello Group to coordinate our on-call, intermittent testing of trench backfill for the new recycled water pipeline during construction. Our charges will depend on many factors, including Contractor efficiency and workmanship, construction delays due to unanticipated subsurface conditions, weather, and other factors. We propose our services on a time and expense basis in accordance with our attached Schedule of Charges. We will keep you informed of our actual charges by issuing periodic progress invoices, and will advise you of any changed conditions that might affect our scope of services or fees.

Phase 2 Budget Estimate: \$18,700

We are pleased to have the opportunity to work with you on this project and are prepared to begin our services soon after your authorization. Please let us know when you are ready to authorize our services and we will issue you a Miller Pacific Agreement or review a Covello Agreement. Feel free to call me if you have any questions concerning this proposal.

Very truly yours,
MILLER PACIFIC ENGINEERING GROUP

Scott Stephens
Geotechnical Engineer No. 2398
(Expires 6/30/13)

Attachments: Cost Estimate Sheet; Schedule of Charges



MILLER PACIFIC ENGINEERING GROUP
 Field Observation & Testing Budget Estimate Worksheet
 NMWD - Recycled Water Pipeline South Construction
 Novato, California
 Segment 2

Date: 11/27/12
 Project Number:
 By: sas

	PER UNIT	PER HOUR	SITE VISIT	HALF DAY	FULL DAY
Senior Tech - Prevailing Wage	\$ 98.00	0.5	1	2	4
Field Tech - Prevailing Wage Group 3	\$ 95.00	0.5	1	2	4
Field Tech - Prevailing Wage Group 4	\$ 90.00				
Field Vehicle/Equipment	\$ 9.00	1	1	3	7
Nuclear Density Tests	\$ 8.00	2	4	8	16
Miles	\$ 0.80	10	10	10	10
	\$ 129.50	\$ 242.00	\$ 485.00	\$ 971.00	

Work Item	Description	Estimated Days	HOURS	SITE VISIT	HALF DAY	FULL DAY
1.0	Intermediate Trench Backfill Testing	25		20	5	
2.0	Top of Rock Testing	6		3	3	
3.0	Asphalt Concrete Testing	4			4	
4.0	Concrete Sampling	3		3		
5.0						
6.0						
Totals		0		26	12	0
DOLLARS \$		-	\$ 6,292.00	\$ 5,820.00	\$ -	

Total Field Costs: \$ 12,112.00

LABORATORY TESTING		Quantity	Unit \$	Amount \$
Task	Description			
1.0	Soil - Compaction Curve	2	\$215	\$ 430.00
2.0	Aggregate Sub base - Compaction Curve		\$215	\$ -
3.0	Aggregate Base - Compaction Curve	2	\$215	\$ 430.00
4.0	Asphalt Concrete - S-value, Gradation, M.C., Unit Wt. & % Oil		\$1,050	\$ -
5.0	Concrete Compression Tests	12	\$42	\$ 504.00
6.0	R-value		\$230	\$ -
7.0	Sand Equivalent		\$60	\$ -
8.0	Durability		\$125	\$ -
9.0	Gradation/Sieve		\$100	\$ -
Total Lab Costs:				\$ 1,364.00

ENGINEERING/GEOLOGICAL CONSULT & REPORT		Hours	\$/Hour	Amount \$
Personnel	Title			
SAS	Principal Eng/Geologist	16	\$ 205.00	\$ 3,280.00
MPM/DSC	Associate Engineer II		\$ 192.00	\$ -
EAD	Associate Engineer I		\$ 172.00	\$ -
TJR	Senior Engineer III		\$ 160.00	\$ -
BSP/MJV	Senior Engineer I		\$ 140.00	\$ -
WGO / AJM	Sr. Tech II		\$ 97.00	\$ -
MFJ	Staff III	12	\$ 95.00	\$ 1,140.00
JSC/JBG	Staff I		\$ 75.00	\$ -
JTO	Tech III	8	\$ 85.00	\$ 680.00
KRB/SAB	Project Asst./Word Processor	2	\$ 65.00	\$ 130.00
Total Engineering Costs:				\$ 5,230.00

SUB TOTAL	\$ 18,706.00
CONTINGENCY	\$ -
TOTAL	\$ 18,706.00
USE FOR BUDGET	\$ 18,700.00



MILLER PACIFIC ENGINEERING GROUP
a California corporation

SCHEDULE OF CHARGES
PROFESSIONAL ENGINEERING AND TESTING SERVICES

Professional and Technical Personnel	Hourly Rate
Staff Engineer/Geologist – Level 1-3.....	\$75 - \$85 - \$95
Project Engineer/Geologist – Level 1-3.....	\$102 - \$112 - \$122
Senior Engineer/Geologist – Level 1-3.....	\$140 - \$150- \$160
Associate Engineer/Geologist – Level 1-2	\$172- \$192
Principal	\$205
Project Assistant/Word Processor	\$65
Technician Level 1-3	\$75- \$80- \$85
Senior Technician Level 1-2	\$92- \$97
Prevailing Wage Group 3	\$95
Prevailing Wage Group 4	\$90
Other Inside Charges	
Mileage	\$ 0.80 per mile
Vehicle (Field)	\$9 per hour
Nuclear Density Gage	\$8 per test
Inclinometer.....	\$150 per day / \$85 per half day
Laser Level.....	\$50 per day
Sampling Equipment.....	\$50 per day / \$30 half day
Outside Services	Cost + 20%
Rental of exploration equipment, instrumentation, photography, public transportation, per diem, shipping, courier/delivery services, outside reproduction, and other services and supplies not normally provided.	

***NOTES:**

1. Field site visits and travel time are normal hourly rates, portal to portal.
2. Overtime – Weekday & Saturday add \$25
Overtime – Sunday/Holiday/Night add \$35
3. Rates are for normal Geotechnical Engineering and Geological services. Rates for depositions and testimony are \$400 per hour for Principal; \$350 per hour for Associate and Senior. All other personnel are \$250 per hour. These fees are due and payable at the time of service.
4. Schedule of charges is effective as of August 2011. It is subject to revision annually and at other times without notice.
5. Prevailing Wage Note: Personnel working on Prevailing Wage Projects will be billed at normal hourly rates plus \$5 per hour, or at the Group 3 or Group 4 rate, whichever is applicable.

MEMORANDUM

To: Board of Directors

November 30, 2012

From: Chris DeGabriele, General Manager *CD*

Subject: Update - Recycled Water South Service Area Construction Contract Phase 1b and Impact on Meadow Park Hamilton Community

t:\gm\bod misc 2012\meadow park hoa impacts update 2.doc

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: \$19,250 to date

The Board last received an update on the subject recycled water construction impact to the Meadow Park Hamilton community at the November 6th Board of Directors meeting. At that time, the Board received a memorandum documenting a walk-through of the Meadow Park area which took place on October 26th with representatives of the Meadow Park Homeowners Association (HOA) and NMWD staff.

Since that time, the Board has authorized a consulting services contract with Data Instincts for public outreach for the remaining Phase 2 of the Recycled Water South Service Area Project. Additionally, the Board has awarded the construction contract for Phase 2 to Argonaut Construction; and at tonight's Board meeting, considered terminating the current construction manager (URS) and using The Covello Group as the construction manager for the Phase 2 work. Staff has also issued two purchase orders to Cagwin & Dorward, the HOA landscape contractor - one to perform a systems check of irrigation zones and controllers (\$5,000), and another to furnish and install replacement landscaping in areas of the Meadow Park community identified by the homeowners representatives during the walk-through as being damaged by the construction.

Currently, the Phase 1b contractor is completing punch list activities. These punch list items are expected to be completed within the next three weeks, and the project closed out by the end of December. Final completion for the Phase 1b contract is anticipated to be brought to the Board in January 2013.

The irrigation system check-out by Cagwin & Dorward looked at 12 controllers operating 550 irrigation valves and took three days to complete. Staff is awaiting a report/proposal from Cagwin & Dorward to identify any follow-up repairs needed for irrigation controllers, valves, sprinkler heads or ancillary items. Once received, staff will review the report/proposal with the Phase 1b construction manager and contractor to identify responsibility and ensure that where appropriate, contractor items are added to the punch list.

Additionally, staff has completed an extensive review of irrigation usage over the construction period in the Meadow Park area identifying water use at ten irrigation services which are eligible for bill adjustments. The bill adjustments recommended total just under \$8,510 (Attachment 1).

The needed landscape repairs identified in the walk-through with the HOA representatives include some Phase 1a work which was started on November 29th. Landscape repairs associated with Phase 1b are expected to begin on December 19th. The District has issued a \$5,740 purchase order to Cagwin & Dorward to furnish and install plantings, mulch and topsoil and to remove diseased plants, once again, as identified during the October 26th walk-through.

One area of concern questioned by the Board at the October 2 meeting was contractor responsibility for damage to existing utilities. NMWD Engineering staff has prepared a graphical summary contrasting "marked" versus "unmarked" utility conflicts for the Phase 1b project (Attachment 2). As shown in the attachment, the majority of the utility conflicts (67%) were caused by the contractor damaging buried utilities that were not marked after calling Underground Service Alert (USA). In looking at those 14 non-marked utilities: 11 were City of Novato/HOA irrigation lines, one was a City of Novato street-lighting cable, one was a traffic loop signal wire and one was an NMWD telemetry line.

The remaining utility conflicts are identified as being marked and in most cases the contractor's responsibility. It is acknowledged that the Phase 1b contractor is contesting this issue with the individual utilities on a case-by-case basis. There were a total of seven marked utilities that were damaged as shown in the bottom graph on Attachment 2, the most significant of which were damage to AT&T telephone, PGE gas and NMWD water main. The AT&T damage resulted in service outage to several hundred customers and the damage to the PGE gas line resulted in evacuation of numerous near-by homeowners. The damaged NMWD water main was "mismarked" resulting from an incorrect "as-built" record incorporated into the project design.

A final evaluation will be brought to the Board in January 2013 when final completion for the Recycled Water South Service Area Phase 1b contract is considered.

The Meadow Park HOA Board members have appointed an ad hoc committee to represent the HOA regarding issues associated with the recycled water project and Disney Construction, and the ad hoc committee members plan to attend the December 4 NMWD Board of Directors meeting.

11/30/2012

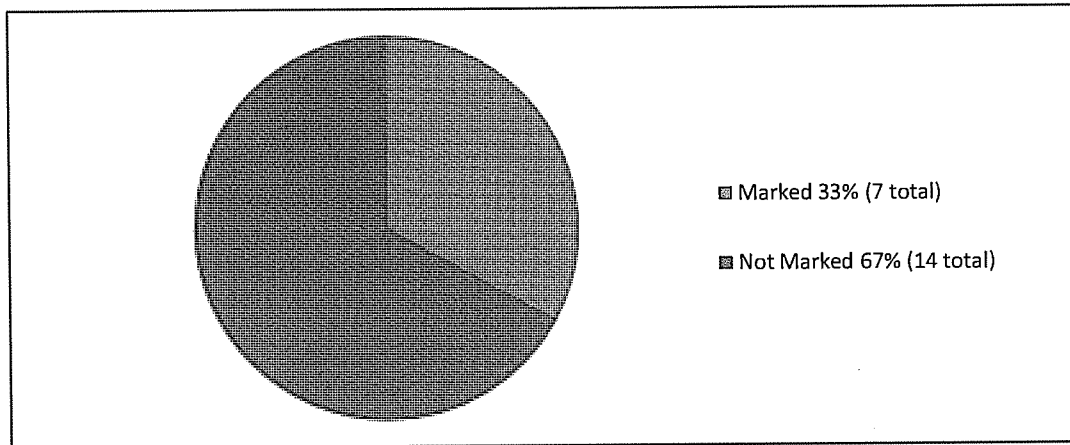
Ryan Grisso

List of Recommended Bill Adjustments For Meadow Park HOA

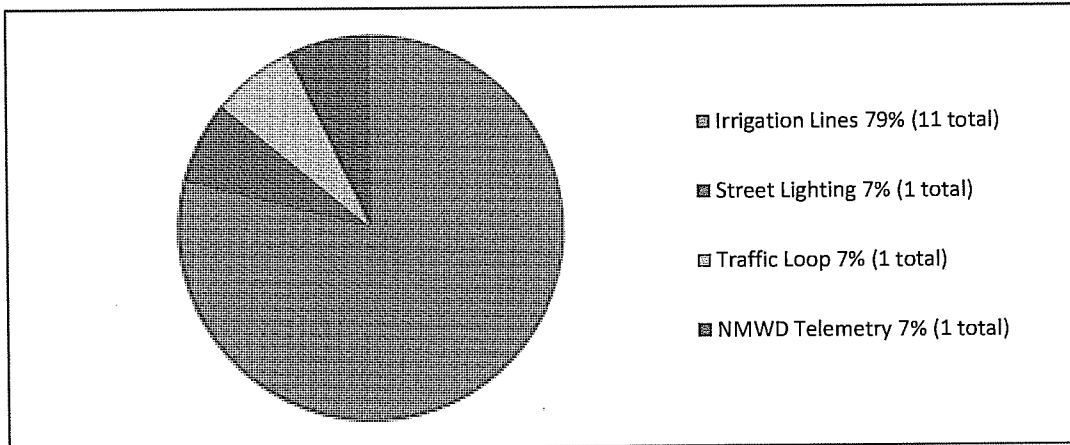
Service Address	Landscape Area	Billing Dates	Adjustment Amount
369 Bolling Circle	General Landscaping in the lower Bolling Area	5/14/12-7/17/12	\$1,790.37
930 Bolling Circle	Park Irrigation	5/15/12-7/17/12	\$438.06
930 Bolling Circle	Park Irrigation	7/17/12-9/14/12	\$307.18
20 March Field Ct.	General Landscaping on March Field Ct.	3/12/12-5/15/12	\$3,831.58
933 Bolling Circle	General Landscape Irrigation	7/17/12-9/14/12	\$772.50
87 Bolling Circle	Streetscape Irrigation	9/14/12-11/13/12	\$304.72
928 Bolling Circle	Irrigation (Bolling to Randolph)	7/17/12-9/14/12	\$701.61
928 Bolling Circle	Irrigation (Bolling to Randolph)	9/14/12-11/13/12	\$163.13
520 Bolling Circle	Streetscape Irrigation	7/17/12-9/14/12	\$119.97
520 Bolling Circle	Streetscape Irrigation	9/14/12-11/14/12	\$80.59
			\$8,509.71

RECYCLED WATER SOUTH PHASE 1B - DISNEY CONSTRUCTION

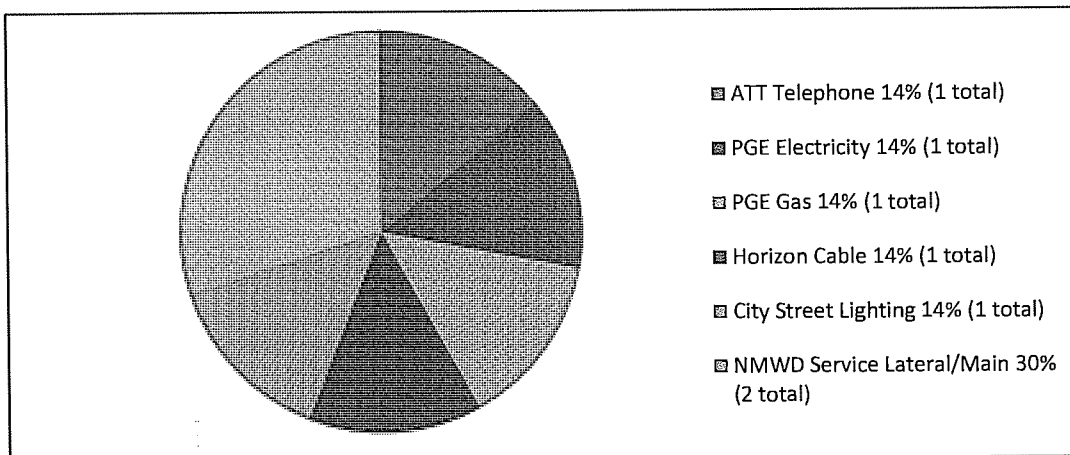
Utility Conflicts Summary



Not Marked



Marked



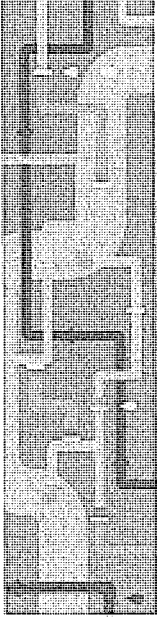


2012 Value of Water Index

AMERICANS ON THE U.S. WATER CRISIS

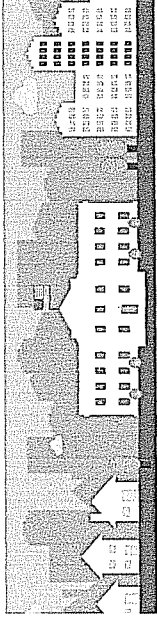
xylem
Let's Solve Water

3 Recognition of the Water Crisis



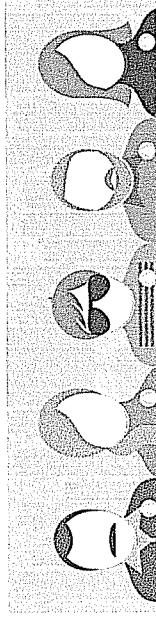
Americans recognize that demands on the nation's water resources are growing and are concerned about our infrastructure system. They believe reform or a complete overhaul are needed.

5 Government Has a Role to Play



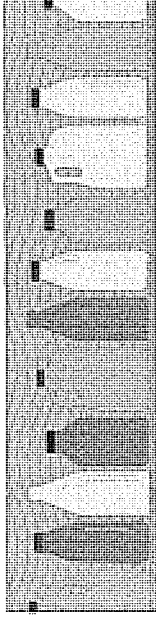
Americans believe the government should invest more time and money into upgrading our water pipes and systems and trust local and municipal governments over other entities.

7 A Sense of Personal Responsibility



Americans recognize that they also have a personal role to play and are willing to pay for upgrades to the water system.

9 Level of Disconnect Remains



Americans are largely unaware of the factors impacting water costs, their water footprint or the extent to which water infrastructure problems would impact them personally.

10 Additional Background Information

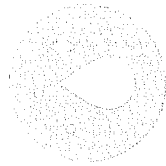
Clean Water is Perceived as Vital and Increasingly at Risk

97%



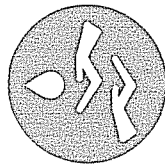
consider water an important service

98%



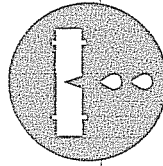
believe every American deserves clean water

79%



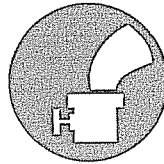
recognize that demand is growing and water is becoming scarce

50%



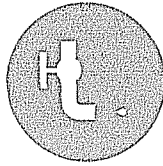
believe our pipes are old and leaking too much water

59%



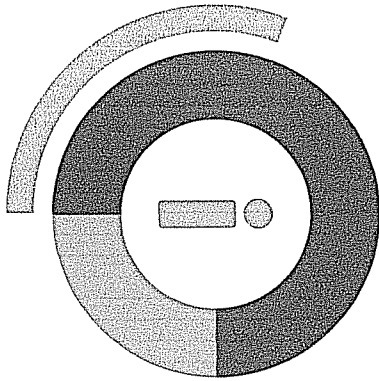
believe people are wasting too much water

86%



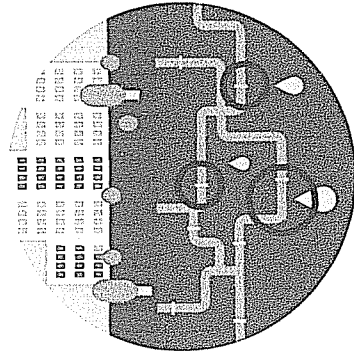
have experienced the impact of water shortages and contamination

Concern About Water Infrastructure and Demand for Reform are Growing



77% are concerned about the state of the nation's water infrastructure

31% say very concerned in 2012 as opposed to 22% in 2010

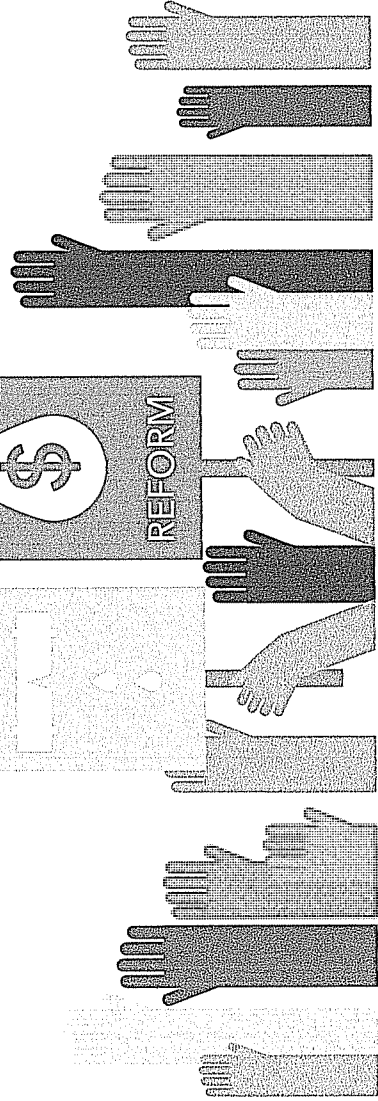
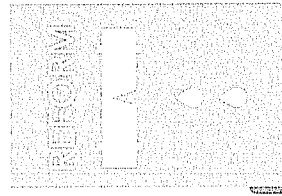
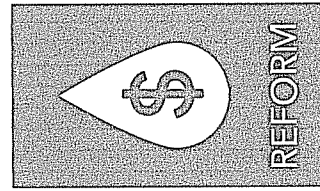


66% believe that water pipes and systems in America are crumbling and approaching a state of crisis

An increasing number of Americans believe our water infrastructure needs some sort of reform

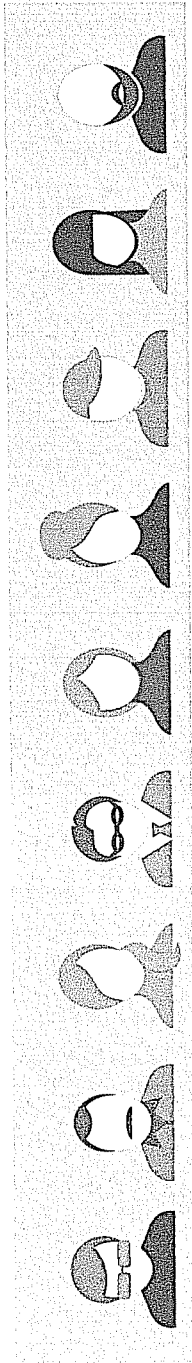
88% in 2012

80% in 2010

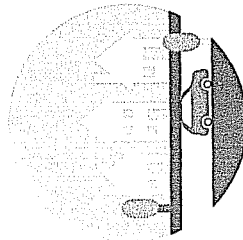


Belief That All Levels of Government Need to Invest in Water Infrastructure

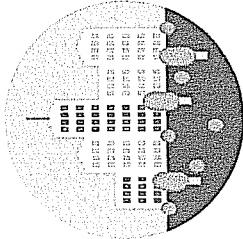
88% believe government entities have a role to play in solving water-related issues



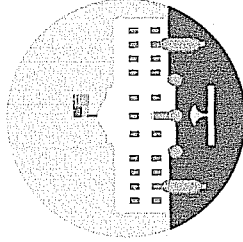
Americans believe that all levels of government have a role to play



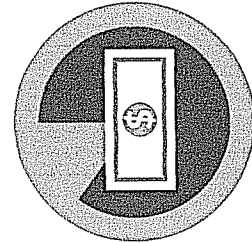
33% Municipal/local



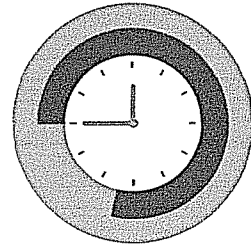
28% State



27% Federal

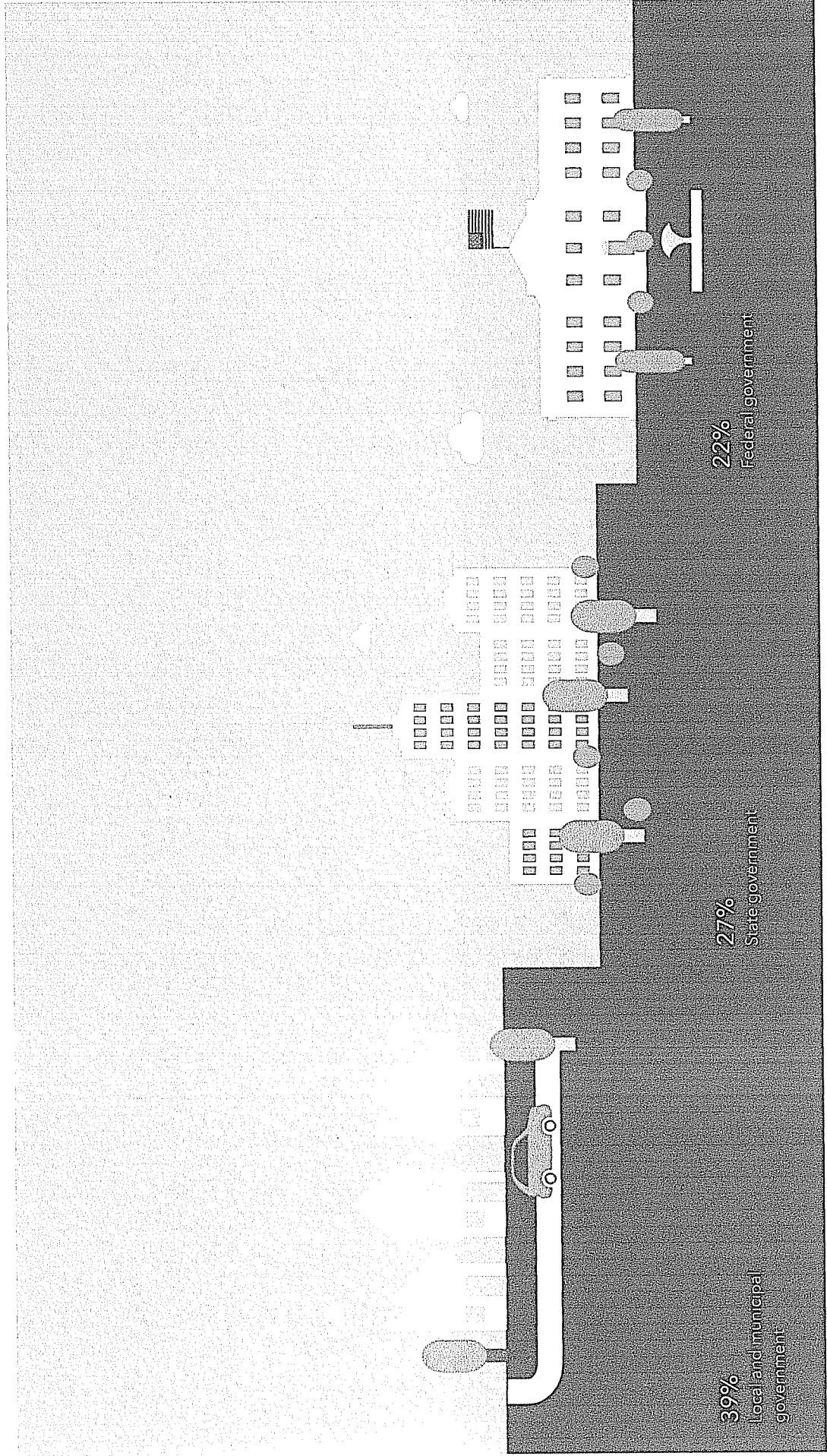


85% believe that our government should invest money in upgrading our water pipes and systems

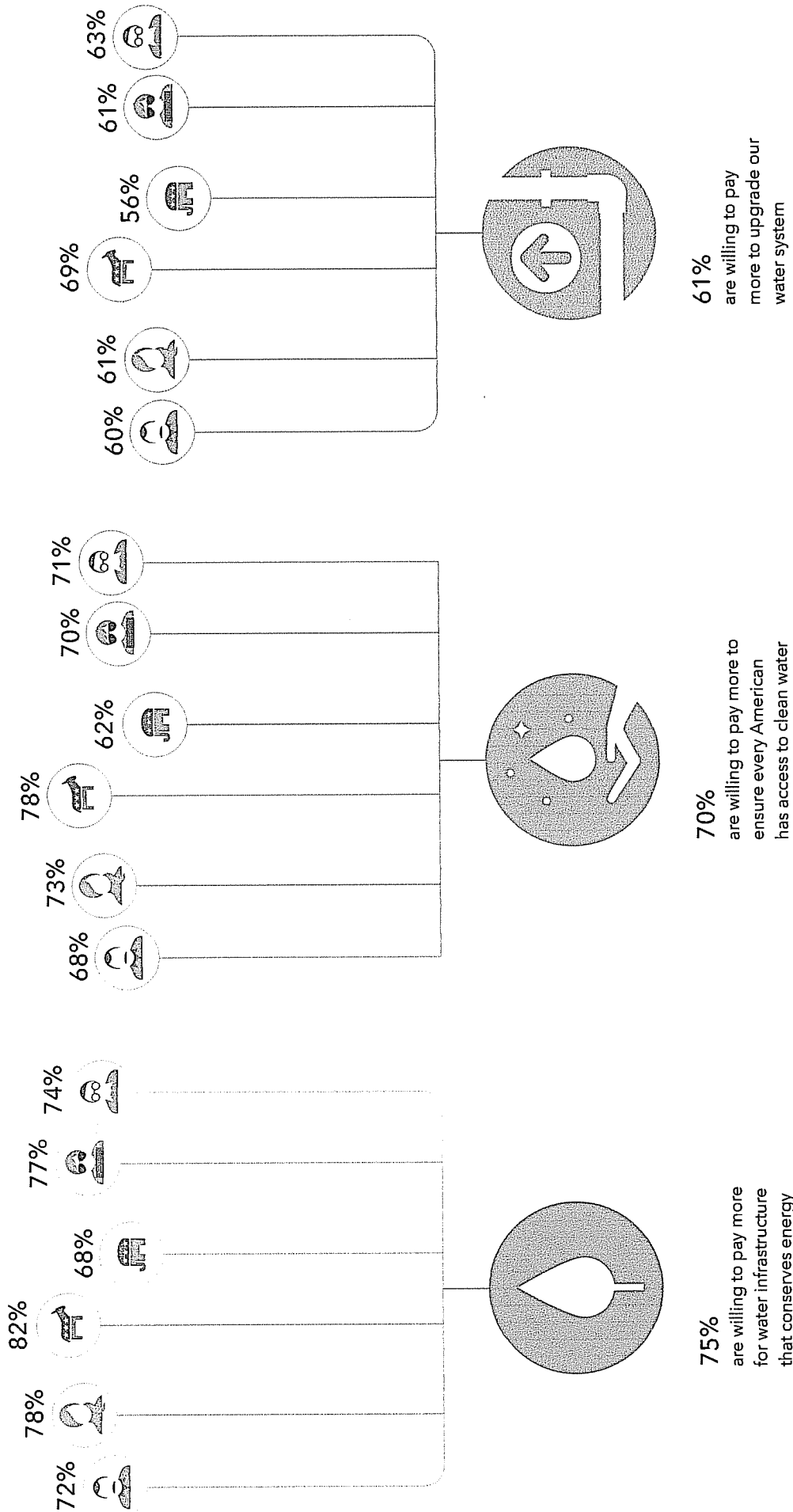


79% believe that our government officials should spend more time addressing water issues

Local and Municipal Entities Trusted Most to Address the Problem



Willing to Pay More for Water Infrastructure Upgrades



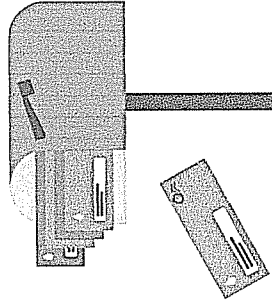
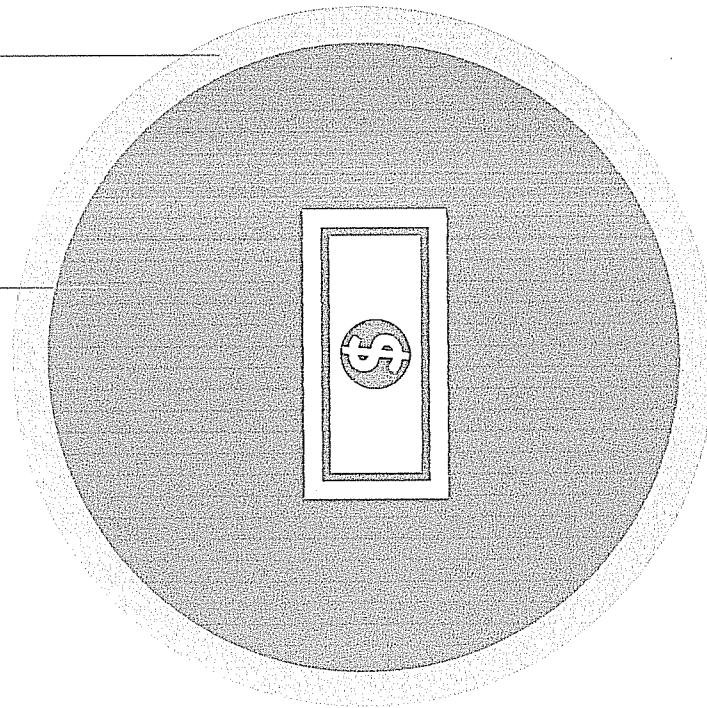
Growing Willingness to Take Personal Responsibility

The amount Americans are willing to pay has increased by 24% compared to 2010.

\$6.20
more per month
on average
in 2010

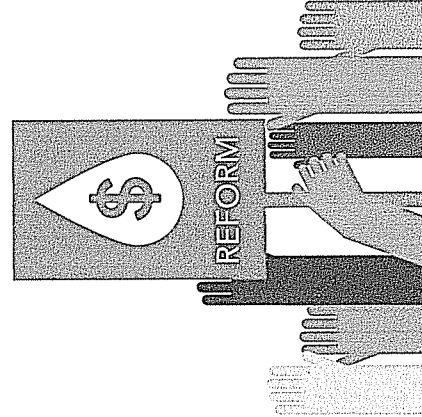
\$7.70
more per month
on average
in 2012

\$7.70
more/month
= 12%
increase in water
infrastructure
investments



59%

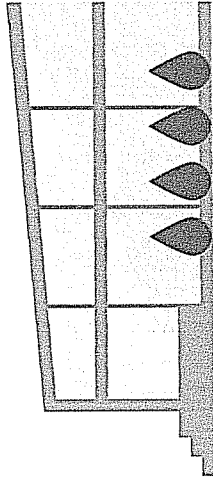
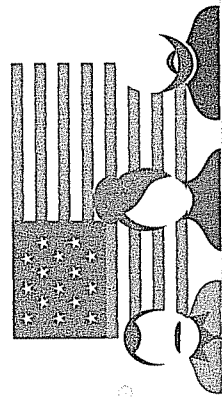
would pay more for water now to avoid excessive increases in the future



72%

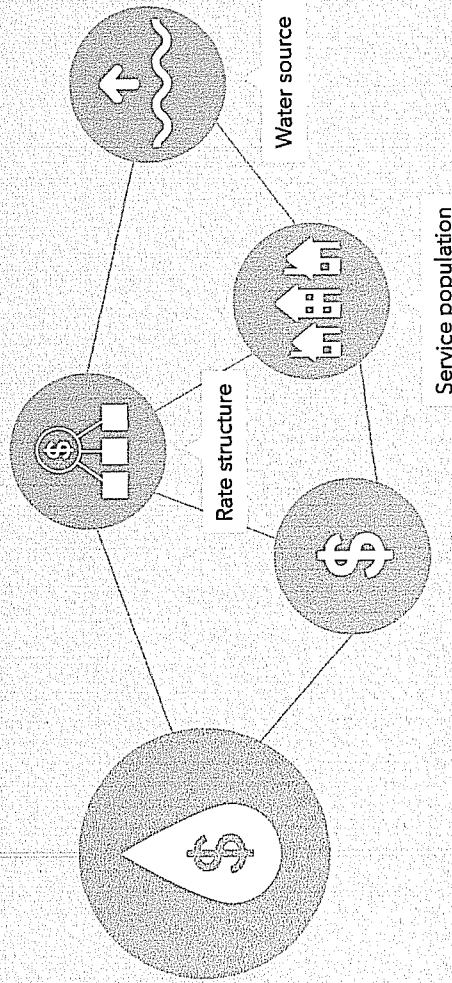
would advocate about the positive economic impact of water infrastructure investment

Unaware of Water Cost Drivers and Water Footprint



Few Americans are fully aware of the complex financial factors that influence the cost of water, associating cost with myriad factors:

However, according to analyses by the Columbia Water Center, the true factors driving cost are:

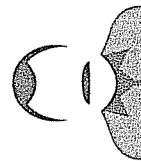


Quality

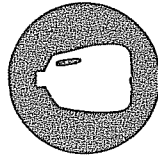
Utility company management

Water use

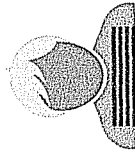
Access



50 gallons or less of water/day

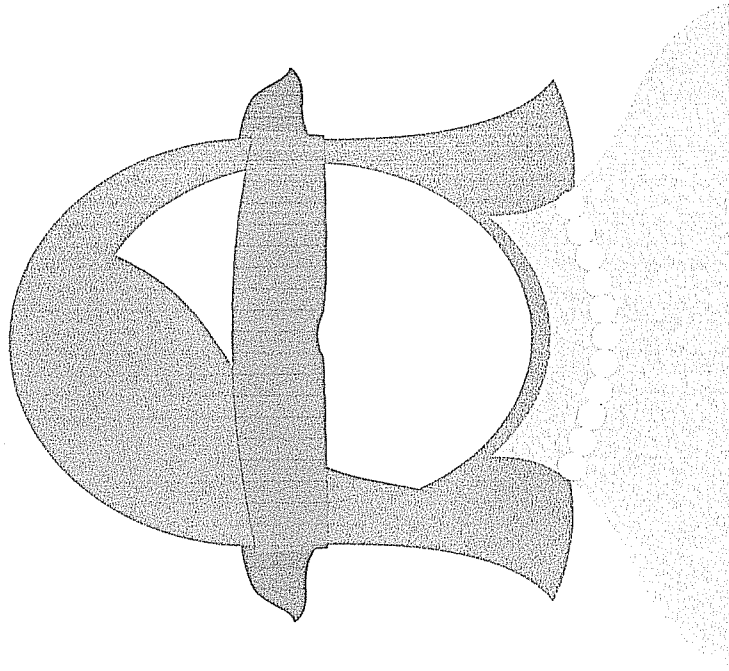


Yet they traditionally use double that amount

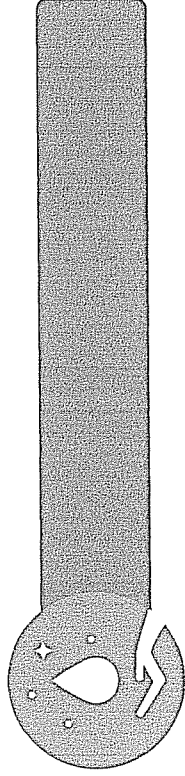


100 gallons/day

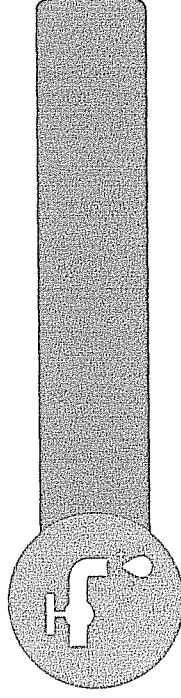
Disregard Personal Impact of Water Challenges



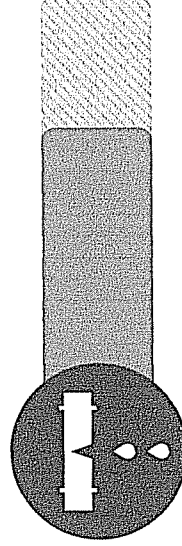
69% of Americans generally take access to clean water for granted



64% of Americans don't really worry about the water that comes out of their tap because it is generally clean and unpolluted



29% believe that water infrastructure problems would affect them "a great deal," compared to 41% in 2010.



About the Xylem Value of Water Index

The 2012 Xylem Value of Water Index is a nationwide poll of American voters detailing what they think should be done about the country's water crisis and who should pay for it. This index is the second Value of Water Survey. The first was conducted by ITT Corporation in 2010. The 2012 study builds on the 2010 results, providing new insights into public perception of the U.S. water crisis.

Methodology

The 2012 Xylem Value of Water Index is based on a telephone study of 1,008 American voters age 18 years and older and an oversample of 250 New York City residents. The national sample of voters is representative of the 2006 U.S. voting population on gender, age, region and ethnicity. The margins of error at the 95% confidence level are +/- 3.1% for the voter sample, and +/- 6.2% for New York City oversample. The study was approximately 30 minutes in duration, utilizing computer-assisted telephone interviewing (CATI) technology. The study was conducted between August 16 and 23, 2012.

About Xylem

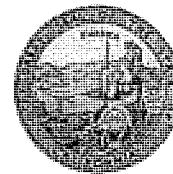
Xylem (XYL) is a leading global water technology provider, enabling customers to transport, treat, test and efficiently use water in public utility, residential and commercial building services, industrial and agricultural settings. The company does business in more than 150 countries through a number of market-leading product brands, and its people bring broad applications expertise with a strong focus on finding local solutions to the world's most challenging water and wastewater problems. Launched in 2011 from the spinoff of the water-related businesses of ITT Corporation, Xylem is headquartered in White Plains, N.Y., with 2011 revenues of \$3.8 billion and 12,500 employees worldwide. In 2012, Xylem was named to the Dow Jones Sustainability World Index and the Dow Jones Sustainability North America Index for advancing sustainable business practices and solutions worldwide.

The name Xylem is derived from classical Greek and is the tissue that transports water in plants, highlighting the engineering efficiency of our water-centric business by linking it with the best water transportation of all—that which occurs in nature. For more information, please visit us at www.xyleminc.com.

xylem
Let's Solve Water



State of California—Health and Human Services Agency
California Department of Public Health



RON CHAPMAN, MD, MPH
 Director & State Health Officer

EDMUND G. BROWN JR.
 Governor

RECEIVED

NOV 21 2012

North Marin Water District

November 16, 2012

Mr. Drew McIntyre
 North Marin Water District - Pt. Reyes
 P.O. Box 146
 Novato, CA 94948

Dear Mr. McIntyre:

**Water Security, Clean Drinking Water, Coastal And Beach Protection Act Of
 2002 Water Code, Division 26.5 Commencing With Section 79500 (Proposition 50)
 Chapter 4a.1 Funding For North Marin Water District - Pt. Reyes, Project P50-2110006-262**

The California Department of Public Health (CDPH), Division of Drinking Water and Environmental Management is pleased to invite you to submit an application for funding from Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. Proposition 50 funding is coming to an end, and it is likely that this will be the last round of funding. An invitation is not a guarantee of grant funding for your project. The total available grant funding is limited. You will be required to submit final plans and specifications and final environmental documentation prior to issuance of a Funding Agreement. Failure to submit final plans and specifications and final environmental documentation may result in the project being bypassed for funding. Projects that are ready to proceed will receive priority for funding. Your project is in competition for limited funds.

This invitation is for the following project:

Prop. 50 Chapter:	4a.1, Small Community Water System Facilities
Water System Name:	North Marin Water District - Pt. Reyes
Proposition 50 Number:	P50-2110006-262
Project Title:	Install Additional Wells and the Gallagher Pipeline

Enclosed with this letter are the following documents: Proposition 50 Funding Application, Application Guidelines, Notice of Intent, Project Technical Report Guidelines, and Environmental Information Form.

The Notice of Intent must be submitted to this office by **December 18, 2012**, or the project will be bypassed for funding this round.

The Prop 50 application and required attachments must be submitted to this office by **February 12, 2013**.

Drew McIntyre
Page 2 of 3
November 16, 2012

You are the only representative of your water system receiving this letter. If someone else needs to receive this letter, please forward it to that person and notify the Proposition 50 Funding Program so we can update our contact information.

Application Materials

The application materials are available for download at the following website:

<http://www.cdph.ca.gov/services/funding/Pages/Prop50AppInfo.aspx>

Submitting the Completed Application

You must submit **three (3)** complete application packages to the following locations:

Two (2) application packages, excluding plans and specifications, to:

Proposition 50 Program
Division of Drinking Water and Environmental Management
1616 Capitol Avenue
P.O. Box 997377, MS 7408
Sacramento, CA 95899-7377

One (1) application package, including plans and specifications (if available), to:

Drinking Water Field Operations Branch
Sonoma District Office
50 D Street, Suite 200
Santa Rosa, CA 95404

Thank you for your interest in the Proposition 50 Program.

Sincerely,



Dat Tran, P.E., Chief
Engineering Technical Assistance Section

Enclosures

cc: Linda Ng, Chief
Safe Drinking Water Office, Room 816
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

APPLICATION ASSISTANCE

Please note that CDPH staff in both the Sacramento Headquarters Office and the CDPH District Office are available to assist you with the application process as well as the technical aspects of the project. The following is the contact information for the Proposition 50 staff that will be working on your project:

Proposition 50 Headquarters Staff:

Administrative	(916) 449-5600	dwpfunds@cdph.ca.gov
Pipeline Coordinator: Sylvester Okeke	(916) 449-5156	Sylvester.Okeke@cdph.ca.gov
Senior Engineer: Brian Kinney	(916) 449-5630	Brian.Kinney@cdph.ca.gov

Environmental Review Staff:

Environmental Staff: Natalia Deardorff	(916) 445-2495	Natalia.Deardorff@cdph.ca.gov
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CDPH District Office Staff (Assistance with technical aspects of project):

District Engineer: Janice Thomas	(909) 388-2602	janice.thomas@cdph.ca.gov
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Department of Water Resources Staff: (Assistance with Financial Information)

Analyst: Adam St. Clair	(916) 654-0765	astclair@water.ca.gov
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State of California—Health and Human Services Agency
California Department of Public Health



**PROPOSITION 50 FUNDING
 NOTICE OF INTENT**

RON CHAPMAN, MD, MPH
 Director & State Health Officer

EDMUND G. BROWN JR.
 Governor

Applicant: North Marin Water District - Pt. Reyes

Proposition 50 Number: P50-2110006-262 Project Title: Install Additional Wells and the Gallagher Pipeline

Please select one of the following options, then sign and date this form below. Return the form by December 18, 2012, to the e-mail address shown at the bottom of the page.

- The applicant does NOT intend to apply for funding for this project for this grant program. Remove this project from the priority list.
- The applicant requests to be BYPASSED for funding at this time. Please keep this project on the priority list.

Applicant has received the invitation to submit a funding application for the above referenced project number and INTENDS to submit a full application for Proposition 50 funding to the California Department of Public Health (CDPH). Applicant understands that application materials must be submitted in a timely fashion or the project will be bypassed for funding. Specifically, the applicant agrees to abide by the following timelines:


- Submit full application (including technical report, financial information and environmental documentation) to CDPH no later than February 12, 2013.
- Sign and return acknowledgement of the terms of the Letter of Commitment (LOC) within 30 calendar days of the receipt of the LOC.
- Submit final plans and specifications, final environmental documents, and final financial information prior to deadlines specified in the LOC.
- Sign and return funding agreement documents to CDPH within 30 calendar days of the receipt of the funding agreement package.
- Initiate project construction within 120 calendar days of execution of funding agreement by CDPH.
- Complete project construction within three years of execution of funding agreement by CDPH.
- If any materials submitted for the application or to satisfy terms of the LOC are deemed incomplete, the applicant will submit additional information as specified by CDPH or DWR within 30 calendar days of notification by CDPH.

Applicant estimates 100% plans and specifications for this project will be completed no later than JULY 31 2013. (date)

Applicant estimates the environmental documentation for this project will be completed no later than ALREADY COMPLETED (date)

Applicant can provide audited financial statements that show water system is not operating at a deficit: Yes / No (circle one)

Failure to comply with deadlines will result in bypass of the project for funding. CDPH will terminate the application review process and will cancel any funding commitment. The funding will be made available to another project on the priority list.

 Applicant Representative's Signature	<u>11/26/12</u> Date	<u>DREW McINTYRE</u> Print or Type Name
<u>CHIEF ENGINEER</u> Title	<u>DREW@NMWD.COM / 415-897-4133</u> Email/Phone	
		<u>x 8510</u>

Submit Completed Form to Email: DWPFUNDS@cdph.ca.gov

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



TECHNICAL ADVISORY COMMITTEE

MONDAY, DECEMBER 3, 2012

9:00AM

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

1. Check In
2. Public Comment
3. Elect TAC Vice Chair
4. LRT2 Recommendation for FY 2013/14
5. Sonoma Marin Saving Water Partnership Annual Report FY 2011/12
6. Water Supply Strategies Action Plan Update
7. Biological Opinion Status Update
8. Items for next agenda
9. Check Out

MEMORANDUM

To: Technical Advisory Committee
From: Chris DeGabriele, Chair
Subject: L/R/T2 Program Funding for FY 2013/14
t:\gm\scwa\lrt2 subcommittee\fy 2013-14 program funding tac memo1.doc

November 28, 2012

On September 17, 2012 letters were sent to the cities of Santa Rosa, Rohnert Park, Cotati, Sonoma and to Marin Municipal Water District advising that: 1) those cities/water district have not yet received their full funding allocation under the original SCWA Local Supply/Recycled Water/Tier 2 Conservation funding program, and 2) soliciting project proposals.

The total remaining to be collected and allocated among all remaining recipients is ~\$2.6M. (Attachment 1) Four replies have been received (also Attached). Rohnert Park and Cotati request their full L/R/T2 funding allocation balance. For Rohnert Park this is expected to be \$324,129 and for Cotati this is \$157,235. Both cities request reimbursement of costs spent on rehabilitation of existing potable well supply. The City of Santa Rosa has also replied advising that Santa Rosa anticipates submitting projects for FY 2014/15. MMWD anticipates a project in FY 2018/19 for its remaining balance of \$723,926 and recommends that in addition to funding projects submitted for FY 2013/14, additional funds be collected in the upcoming budgets to fully fund the L/R/T2 projects.

In FY 2012/13, the SCWA O&M Recycled Water and Local Supply sub-charge, at \$15.99/AF, is less than 3% of the total SCWA wholesale water rate and collects approximately \$1M per year. SCWA is using those funds for both Agency and consultant services for the Sonoma Valley Groundwater Management Plan and Santa Rosa Plain Groundwater Study and Management Plan development. Additionally, \$325,000 is expected to be reimbursed in Rohnert Park. SCWA staff anticipates that the level of funding and expenditure for groundwater management will continue in FY 2013/14.

The L/R/T2 Subcommittee met on December 20, 2011 and agreed to propose an additional \$8.25/AF in FY 2012/13 and FY 2013/14 (<1.5% increase this year and next) to provide additional revenue and fulfill the remaining allocations outstanding within a five-year window. The actual amount added in the SCWA FY 2012/13 budget was \$6.99/AF so the additional amount needed this year is ~\$3.41/AF ($\$6.99 + \$3.41 = \10.40 /AF) which would generate just under \$500,000 per year and should be sufficient to meet the L/R/T2 future funding requirements.

RECOMMENDATION: TAC recommend adding \$3.41/AF to the L/R/T2 sub-charge in the SCWA FY 2013/14 budget (total \$10/AF for this program) to generate funds sufficient to reimburse Rohnert Park and Cotati and with the understanding that the sub-charge may be adjusted upon review of the proposed SCWA FY 2013/14 budget.



Russian River Biological Opinion Update – December 2012

The Sonoma County Water Agency is continually planning and implementing the Russian River Biological Opinion requirements. The following project updates provide a brief synopsis of current work. For more detailed information about these activities, please visit www.sonomacountywater.org.

Dry Creek Demonstration Project

- Construction is completed at the Quivira Vineyards and Winery segment of the demonstration project. This component includes (1) a 300-foot long backwater channel, (2) placement of approximately 15 large wood structures composed of nearly 130 large logs, root wads and 560 tons of boulders, and (3) removal of invasive plant species and replanting with native species. These changes will provide much needed winter refuge habitat for young endangered coho and steelhead salmon. **See photo on following page!**
- Construction plans, right-of-way negotiations and preparation of a construction bid package are underway for the remainder of the one-mile demonstration project.
- The US Army Corps of Engineers demonstration project on property it owns below Warm Springs Dam is scheduled for construction in 2013.

Dry Creek Habitat Enhancement

- Site identification, outreach to landowners and design consultant selection is underway for the second and third miles of habitat enhancement.
- 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 in early 2013.

Tributary Fish Passage and Habitat Enhancement Projects

- The Grape Creek passage project (creating fish passage through a box culvert) construction is complete. Sotoyome Resource Conservation District is managing the project for the Water Agency. **See photo!**
- Construction on the Wallace Creek project (the final tributary project) has been stalled due to lack of easement with one landowner. Other options are being pursued.
- During the summer season, thousands of juvenile steelhead and coho were counted and released in migrant traps in the Russian River, at Mirabel, in Dry Creek, Mark West Creek and Dutch Bill Creek. Final counts will be available later this year.

Mirabel Screen and Fish Ladder Replacement

- The Water Agency received a \$255,000 California Department of Fish and Game Fishery Restoration Grant for design of the project. The 90% design is anticipated in early 2013. An Initial Study and Mitigated Negative Declaration are anticipated to be released on December 10.
- The Department of Fish and Game's Peer Review Committee met on September 26th to discuss and score the project for its applicability for grant funds. The grant announcement is expected in early 2013.
- The inflatable dam was lowered November 21-23. While final numbers are being verified, the Chinook salmon count is in excess of 6,300, breaking previous records.

Russian River Estuary Management Project

- The 2012 Lagoon Management Period ended on October 15. The estuary closed briefly during the 2012 management period, but there were no opportunities to implement the outlet channel. Biological and water quality monitoring took place throughout the Lagoon Management Period.
- A study of the jetty is underway. The purpose of the study is to determine if and how it impacts the formation of the sand bar (barrier beach) and lagoon water surface elevation. Field investigations have been stalled, due to a lack of permit from the California Coastal Commission.

Fish Flow Project

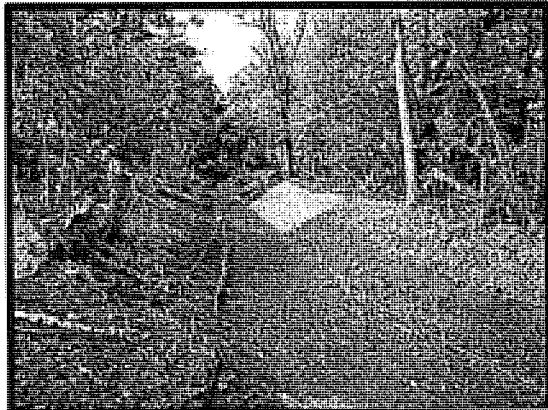
Work is occurring internally on the preparation of the draft Environmental Impact Report for the Fish Habitat Flows and Water Rights Project. The EIR is being prepared by Water Agency staff, with assistance from consultants on some areas of impact analysis. A draft EIR is anticipated to be released in 2013.

Interim Flow Changes

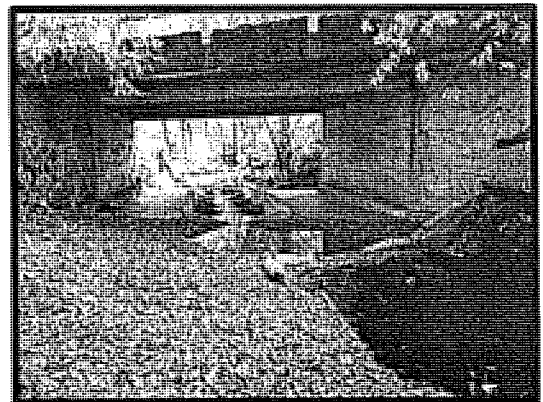
- The 2012 Temporary Urgency Change order period ended on October 15. Work is underway to prepare the fisheries, water quality and water use efficiency reports required under the order.

Public Outreach & Reporting

- The Public Policy Facilitating Committee meets at 9 a.m. on Thursday, December 20 for its annual progress update on implementation of the Biological Opinion.
- ABC Channel 7 did story on Dry Creek and Chinook salmon on November 23.
- The annual Biological Opinion Report (required by NMFS) is anticipated to be released by year end.



Backwater channel, with willow "wall."



New weir at Grape Creek, at bridge at West Dry Creek Road

**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, December 7, 2012
Time: 9:30 a.m. – 11:30 a.m.
Location: Conference Room 2
Petaluma (Lucchesi) Community Center
320 N. McDowell Boulevard
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. Historical Ecology and Resilient Landscapes (45 min.) Guest Speaker: Robin Grossinger, SFEI	Information
7. San Pablo Plan Update (30 min.) Guest Speaker: Jaime O'Halloran, USACE	Information
8. San Rafael Membership (15 min.) Harry Seraydarian	Information
9. Items of Interest	
10. Items for Next Agenda	

Next Meeting Information:

Next Meeting: January 4, 2013
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, November 2, 2012
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>
Steve Barbose	City of Sonoma and Sonoma Valley County Sanitation District	Ernie Ganas	Bel Marin Keys Community Services District
Megan Clark	Las Gallinas Valley Sanitary District	Jack Gibson	Marin Municipal Water District
Mike DiGiorgio	Novato Sanitary District	Kathy Hartzell	Central Marin Sanitation Agency
Rick Frites	North Marin Water District	Mark Luce	Napa Sanitation District
		Kate Sears	County of Marin

Directors present represented 10 out of the 16 agencies signatory to the Association MOU and Jeanne MacLeamy, represented the City of Novato, Associate Member.

Board Actions

1. Call to Order. Jack Gibson, Chair, called the meeting to order at 9:40 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 October 12, 2012. (See Handout) The Minutes of the Board Meeting held on October 12, 2012 were unanimously approved.
5. Treasurer's Report. (See Handout) The Treasurer's Report was accepted as presented by Harry Seraydarian.
6. Novato Creek History. Laurel Collins, Watershed Sciences, provided a PowerPoint presentation entitled "Historic Conditions and Influences of Legacy Land Use Practices in Novato Creek Watershed". Laurel first outlined her presentation and then displayed a conceptual diagram of the parts of a creek system on the valley floor. She addressed why land use history matters and highlighted that it helps with decisions regarding sediment management, assessing trends in channel stability, and flood management. Laurel summarized the general characteristics of the 44 square mile Novato watershed and tidal system. She noted all the tributary creeks and the adjacent Rush Creek to the north using Google Earth and the Bay Area Aquatic Resource Inventory. Laurel then presented a flood map and summary of flood recurrence intervals and noted the largest flood of record was 5,000 cfs in January 1982. She described the drainage characteristics of the flood control channel built in 1984, which is designed for 3,225 cfs. Laurel discussed some historic information on flooding assessments and displayed a map showing the geology of Novato creek drainage. She then displayed a number of historic maps and charts from 1834 through 1874 highlighting mission lands, homesteading, orchards, railroads, and historic channels and ponds. Laurel then focused on the Tidelands area and used several maps to display the historic extent of tidal wetlands versus present day tidelands with extensive levees. Laurel used a visual to explain the impact of tidal marsh reclamation with the loss of tidal prism and reduction in flood conveyance. She described the tidal transition zone and backwater flood area with maps and several photos and summarized flood events from 1862 until 2005. Laurel provided a number of pictures and articles related to historic flooding and also presented a 1909 parcel map indicating ditches were in place before impervious surfaces. Laurel displayed a map showing the historical flood zone, which suggests flooding may have moved into the Rush Creek area. Laurel provided a number of slides on the Upland Watershed Area with maps of the town of Novato, the valley floor, and an overlay of historic creek flow and artificial ditches. She also presented slides on the effects of channel incision on Novato Creek. Laurel ended her presentation with a number of conclusions: the creek is still adjusting to legacy and modern land use impacts; flooding is a part of the natural system; and understanding legacy impacts will help us manage sediment, channel stability, and flood impacts. The Board had one question regarding long term effects on Bel Marin Keys? (Will eventually flood more and require more dredging unless actions taken to reclaim tidal buffer.)

7. BAIRWMP Update. Harry Seraydarian used a PowerPoint presentation to provide an update on the Bay Area IRWMP: www.bairwmp.org. Harry first presented the projects submitted for the 2013 Plan Update – approximately 315 projects are now on the active list for the entire Bay Area which includes: 28 regional projects (2 or more sub-regions); North Bay (Marin, Napa, Sonoma and Solano Counties) – 79 projects; East Bay (Alameda, Contra Costa) – 166 projects; West Bay (San Mateo and City and County of San Francisco) – 30 projects; and South Bay, which had the least number of projects at 15. The North Bay includes 18 of the regional projects; 5 multi-county; Marin – 43; Napa – 14; Solano – 11; and Sonoma – 6. Harry walked through all the North Bay projects and estimated the total cost for all projects in the North Bay to be \$700 million. Harry then explained the project ranking process: <http://bairwmp.org/content/submitting-a-project-to-the-bay-area-irwmp> (Click on Project Scoring and Ranking Methodology). Harry then explained the process to correct any ranking errors and summarized the draft results of the ranking presented at the October 22 Coordinating Committee meeting – Tier 1 – top 50 (R-11,N-16, E-19, W-3, S-1); Tier 2 – 52 (more than ½ max score); and Tier 3 – 213 (remaining). Harry moved on to the next round of implementation grants for Prop 84 and 1-E: Harry laid out the tentative schedule for Round 2 of Prop 84: Lead Applicant identified: San Francisco Estuary Partnership (SFEP); October-November: Request additional information from project proponents interested in being considered for grant proposal; November: Develop recommendations on approach to next grant proposal; November-January: Carry out prioritization process for projects to include in proposal. Harry also noted that in parallel, SFEP is procuring a consultant to develop the application and develop a draft cost-sharing agreement. Harry emphasized that the Bay Area maximum for Round 2 is \$20,086 million and the application is due in mid-March. He noted there will be a Round 3 for the remainder of about \$74 million and a possibility of new bond funding in 2014. Harry summarized the policy areas that will be addressed in developing a proposal: regional, sub-region, functional area emphasis, climate change emphasis, planning and assessment, Disadvantaged Communities, and the use of ranking. Harry also noted the factors that will be considered in making policy decisions: fair and equitable allocation of funds throughout region, sub-regions, and functional areas; maintain stakeholder engagement throughout sub-regions and functional areas; efficient use of resources; and a successful grant proposal (meet DWR criteria for grant: Benefit/Cost Analysis (ability to provide detail for analysis), Match (25% match or DAC waiver), and Readiness to Proceed). Harry gave a breakdown of what the counties could expect their allocation to be at the \$5 million level using the same formula the Bay Area uses for sub-regions: Marin = \$1.435m; Napa = \$1.175m; Solano = \$1.355m; and Sonoma = \$1.035m. Harry summarized the Round 2 decision making process and the timeline. Harry also summarized the response to the call for Round 2 projects meeting a certain criteria – No. of Projects – 68 (> \$110 million), Regional Projects – 10 (~ \$13m), North Bay Projects – 21 (> \$20m), Marin – 10 (\$12m), Napa – 5 to 9 (~ \$3m), Solano – 2 (< \$1m), Sonoma – 3 (< \$4m), and one 3 County project for less than \$1m. Harry then presented the projects submitted for North Bay by county. Harry moved on and summarized 1-E Funding for Stormwater Flood Management. Projects must be: designed to manage stormwater runoff to reduce flood damages; multi-benefit, and in the IRWMP. \$92 million will be available in statewide competition with the maximum grant award amount at \$30m, match at 50%, applications are due by mid-January, 2013. Harry then described the ECONorthwest proposal that NBWA just approved to help applicants with Benefit/Cost Analysis – a draft of the proposal is scheduled for November 19. Harry ended his presentation with a description of the next steps for the Project Screening Committee and the Bay Area Coordinating Committee and noted a Watershed Council meeting will be scheduled for mid-December to review the Round 2 process.

8. Items of Interest.

- * "Reflections on Water: Marin Watershed Magic" celebrating the life and beauty of Marin creeks. Tues., Jan. 15-Sat., Feb. 23, 2013 – 9 am to 4 pm, Bay Model Visitor Center, 2100 Bridgeway, Sausalito, Sponsored by Gallinas Watershed Council (Gala Reception, Sat., Jan. 26th 12:30-3 pm)

9. Items for Next Agenda.

- * San Pablo Bay Plan Update, Jaime O'Halloran, USACE
- * Historical Ecology and Resilient Landscapes, Robin Grossinger, SFEI

Jack Gibson, Chair, adjourned the meeting at 11:25 a.m.

SUBJECT TO APPROVAL

Submitted By: Harry Seraydarian, NBWA Executive Director

NEXT MEETING INFORMATION

December 7 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Conference Room 2, Petaluma, CA 94954
January 4 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949



CITY OF
San Rafael

MAYOR GARY O. PHILLIPS
VICE MAYOR MARC LEVINE
COUNCILMEMBER DAMON CONNOLLY
COUNCILMEMBER BARBARA HELLER
COUNCILMEMBER ANDREW CUYUGAN MCCULLOUGH

PUBLIC WORKS DEPARTMENT: (415)485-3355 FAX: (415)485-3334
Nader Mansourian., Director of Public Works

November 7, 2012

Jack Gibson
Chair, Board of Directors
North Bay Watershed Association
220 Nellen Avenue
Corte Madera, CA 94925

File #01.11.105.01

Dear Mr. Gibson:

San Rafael hereby terminates its membership in the Northbay Watershed Association, in accordance with the provisions set forth in section 19(b) of the Memorandum of Understanding between the City of San Rafael and the Northbay Watershed Association. As stated in the MOU, I understand the termination will take effect 60 days from the date of this letter, on January 7, 2013.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Nader Mansourian", written over a horizontal line.

Nader Mansourian, Director

cc: Nancy Mackle, City Manager

2013 NBWA Board of Directors' Meetings Schedule

All meetings are held on Fridays from 9:30 a.m. to 11:30 a.m.

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

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

March 1 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

April 5 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954-Conf. Rm. 2

May 3 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949

June 7 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

July 12 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Novato, CA 94949

No August Meeting

September 6 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

October 4 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954-Conf. Rm. 2

November 1 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

December 6 – Petaluma (Lucchesi) Community Ctr., 320 N. McDowell Blvd., Petaluma, CA 94954-Conf. Rm. 2

DISBURSEMENTS - DATED NOVEMBER 29, 2012

Date Prepared: 11/28/12

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:

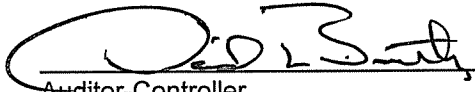
Seq	Payable To	For	Amount
1	AirGas	November Cylinder Rental (Carbon Dioxide) (STP)	\$24.45
2	Allied Electronics	Batteries for Storage Tank Security Cameras (2)	68.59
3	Anderson, Robert	Novato "Washer Rebate" Program	50.00
4	Athens Administrators	November Workers' Comp Admin Fee	1,000.00
5	AWWA CA-NV SEC	Water Quality Analyst Renewal - Grade 1 (Bena) (4/13-4/15) (Budget \$60)	55.00
6	Badger Meter	5/8" Water Meters (72) (\$4,021) & 1" Water Meters (48) (\$6,965)	10,986.69
7	Chandrasekera, Carmela	Exp Reimb: 11/15/12 BAWWA Dinner Meeting	40.00
8	Chase Card Services	Birthday Breakfasts (\$85), Memorial Flower Arrangement-Father of Employee, Reg Fee for ACWA Fall Conf-DeGabriele (\$635), Fee for Air Fare (\$10) (DeGabriele & Young), Parking, Board of Directors Name Plaques (\$211) & Replacement Refrigerator, Microwave & Dishwasher for District Kitchen (\$1,367)	2,451.22
9	Connolly, Michael	Exp Reimb: Parking - SCADA Training Class	38.00
10	Core Utilities	Consulting Services: October IT Support (\$5,000) & Annual Water Cost Calculator Modification	6,550.00
11	Costco Membership	Annual Membership Dues (DeGabriele) (Budget \$120)	110.00
12	DB Claims Services Group	Jonsen Claim Adjustment Services (5 Sutton Ln)	581.53
13	DLT Solutions	AutoCad Subscription Renewal (12/21/12- 12/20/13) (Budget \$2,810)	2,674.13

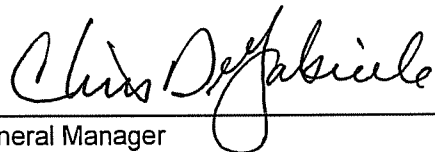
Seq	Payable To	For	Amount
14	Evantec	16 oz Amber Bottles (24) (Lab)	79.32
15	Charles Z. Fedak	Prog Pymt #6: Financial Statement Audit FY12 (Balance Remaining on Contract \$3,900)	600.00
16	Friedman Brothers	Brass Bushings (4)	17.15
17	GHD	Engineering Services: Novato Water System 2012 Master Plan Update (Balance Remaining on Contract \$24,418)	5,581.50
18	Grainger	Digital Sound Level Meter Kit (\$451), Fluorescent Lamps (36) (\$175), 120 Volt Bulbs (10), Pipe Sealant (12 8 oz cans) (\$149), Anti- Seize Compound (12 8 oz cans) (\$203) Measuring Tapes (5), 7" X 10" No Entry Sign & Pressure Switches for THM Reduction Pumps & PRE #2 Tank (2) (\$88)	1,150.51
19	Hallett, Michele	Novato "Washer Rebate" Program	50.00
20	Harmon, Isabel	Novato "Washer Rebate" Program	50.00
21	Home Depot	24" Loppers (2)	107.94
22	InfoSend	October Processing Fee for Water Bills (\$1,542) & Postage (\$3,965)	5,506.86
23	Irish & Son Welding	Weld 8" Tie-In-Connection for Novato Sanitary District	840.00
24	Johnson, Jacklyn	Novato "Washer Rebate" Program	50.00
25	Kemira Water Solutions	Ferric Chloride (9.52 tons)	7,040.80
26	Lermusiaux, Yves	Novato "Toilet Rebate" Program	600.00
27	Lincoln Life	Deferred Compensation PPE 11/30	10,368.33
28	Louderback, Karen	Novato "Washer Rebate" Program	50.00
29	Marin Reprographics	Full Size Drawings - Pt. Reyes Solids Handling (8 sets)	106.42
30	McInnis Park Golf Center	Holiday Party Room Rental & 91 Dinners	3,804.00
31	Meyer, William L	Novato "Washer Rebate" Program	50.00
32	Nationwide Retirement Solution	Deferred Compensation PPE 11/30	1,025.00

Seq	Payable To	For	Amount
33	Office Depot	Ice Packs for Lab	20.60
34	Pape Machinery	Rear Window Seal	75.47
35	Parkinson Accounting Systems	Quarterly Accounting Software Support (Nov-Jan) (\$1,500) & Modifications to Timesheet Program	2,389.00
36	PERS Health Benefits	December Health Ins Premium (Employees \$51,382, Retirees \$10,375 & Employee Contrib \$6,870)	68,627.67
37	NMWD Petty Cash	Petty Cash Reimbursement: Safety Buck, Safety Snacks, Mileage, Bridge Toll, Fuel, Coffee Filters & Camera Battery	120.42
38	Point Reyes Prop Mgmt Assn	November HOA Dues (25 Giacomini Rd)	75.05
39	RKN Remodeling	Jonsen Claim Investigation Report (5 Sutton Lane)	270.00
40	Rodgers, Howard	Novato "Washer Rebate" Program	50.00
41	Sequoia Safety Supply	Brief Relief Bags (100) & Earplugs	275.34
42	Shirrell Consulting Services	September Dental Expense	3,629.00
43	Siemens Water Technologies	Service on Lab Deionized Water System	440.12
44	Sonoma County Water Agency	October Contract Water	524,168.14
45	SPG Solar	Energy Delivered Under Solar Services Agreement (10/1/12 - 10/31/12)	9,592.76
46	Staples	Metallic Sharpie Pens, USB Flash Drives (2), Annual Report Covers & Premium Paper	101.64
47	Syar Industries	Asphalt (6.09 tons)	743.22
48	Torre, Peter & Marilyn	Novato "Washer Rebate" Program	50.00
49	Township Building Services	October Janitorial Service	1,754.84
50	Univar	Caustic Soda (7.05 tons)	4,587.44
51	URS Corporation	Prog Pymt #9: Construction Management Services for Recycled Water South Project (Balance Remaining on Contract \$240,104)	35,125.89
52	USA BlueBook	Replacement Windsock (\$76) & Lab Test Reagents (STP)	151.67

Seq	Payable To	For	Amount
53	Villa Entrada HOA	Novato "Smart Irrigation Controller" Program	2,460.00
54	Volvo Construction Equipment	Replacement Air Compressor (Budget \$20,000)	21,133.28
55	Wood, Steven & Marcia	Refund of Deposit/New Development/Water Conservation Restriction	1,000.00
		TOTAL DISBURSEMENTS	<u>\$738,548.99</u>

The foregoing payroll and accounts payable vouchers totaling \$738,548.99 are hereby approved and authorized for payment.

 11/27/12
 Auditor-Controller Date

 11/26/2012
 General Manager Date

DISBURSEMENTS - DATED NOVEMBER 21, 2012

Date Prepared: 11/20/12

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:

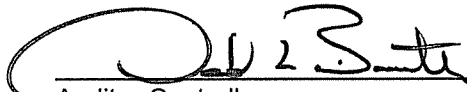
Seq	Payable To	For	Amount
P/R*	Employees	Net Payroll PPE 11/15	\$121,470.42
EFT*	US Bank	Federal & FICA Taxes PPE 11/15	43,915.14
EFT*	State of California	State Tax & SDI PPE 11/15	8,375.43
1	Allied Heating & Air Condition	Quarterly Maintenance on HVAC System (9/1/12-11/30/12)	361.00
2	All Star Rents	Propane (20 gals) (STP)	96.02
3	Alpha Analytical Labs	Lab Testing (Novato)	120.00
4	AT&T	Telephone Charges: Leased Lines	63.10
5	Bank of Marin	Bank of Marin Loan Principal & Interest (Pymt 13 of 240)	46,066.67
6	Black Point Tree Service	Remove Fallen Tree Across IVGC Road	1,375.00
7		Vision Reimbursement	239.97
8	Borges & Mahoney	Service on 1.75" Anti-Syphon Injector (STP)	355.38
9	Buck's Saw Service	Chain Saw File & Sharpen Hedge Trimmer	49.32
10	Bulleri, Cristina	Novato "Washer Rebate" Program	50.00
11	Calif Public Health Services	Exam Fee: Water Distribution Operator D2 Certification (LeBrun)	65.00
12	California Water Service Compa	Sept/Oct Water Service (OM) (0 Ccf)	137.31
13	Cole-Parmer Instrument	Buffer & Potassium Iodide Reagent (STP)	315.18
14	Cornerstone Env Cont	Refund Security Deposit on Hyd Meter Less Final Bill	394.65
15	Decker, Gary	Novato "Toilet Rebate" Program	300.00
16	Dinsmore, David	Refund Overpayment on Closed Account	20.57


Seq	Payable To	For	Amount
17	E & M	Reg Fee: 5 Day Training Course on Software Used to Run District SCADA Computers (Connolly & Garrett)	2,875.00
18	Engelke Construction	Retention Held for Leveroni Creek Bank Stabilization Project	7,250.00
19	Evantec Corporation	Nitrile Gloves (2,000) & Amber Bottles (12) (Lab)	242.29
20	Fedco Construction	Refund Security Deposit on Hyd Meter Less Final Bill	1,064.35
21	Fox, Clyde	Novato "Toilet Rebate" Program	100.00
22	Kevin Furlong Construction	Repair Wye & 8" S.S. Main @ Kailua, Repair Manhole & Pump Concrete Ring Around Manhole (OM)	6,475.16
23	GFOA	Review Fee for FY 12 CAFR (Budget \$450)	435.00
24	GHD	Engineering Services: Aqueduct Relocation (Balance Remaining on Contract \$28,895) & Pt Reyes Well #3 Replacement (Balance Remaining on Contract \$30,030)	4,550.38
25	Golden Gate Petroleum	Gasoline (\$3.57/gal) & Diesel (\$4.03/gal)	3,959.46
26	Grainger	Exit Bar for Lab Rear Door (\$217), Lens Cover & Light Cover for Sand/Media Blaster, Battery for Electric Gates & Reciprocating Saw Blades (5)	349.85
27		Vision Reimbursement	58.00
28	Hach	Replacement Turbidimeter & Chlorine Analyzer for Pt Reyes TP	6,233.34
29	Hanagan, Thomas	Novato "Toilet Rebate:" Program	175.00
30	Hertz Equipment Rental	Rental of Excavator & Dump Truck (Sediment Removal @ Novato Creek)	2,203.21
31	Kauwe, Joseph	Exp Reimb: Encroachment Permit Application	65.00
32	King, Susan & Albert	Refund Overpayment on Closed Account	10.48
33	Koenig, Ed	Novato "Washer Rebate" Program	50.00
34	Maltby Electric	Telemetry Line Pull String	49.60
35	Drew McIntyre	Exp Reimb: Aug - Oct Mileage	380.72

Seq	Payable To	For	Amount
36	MegaPath	DSL Internet Service (11/11/12 - 12/12/12)	142.88
37	Moss Rubber & Equipment	Couplers (11) & Clamps (2) for Vacuum Excavator Hose	252.23
38	Novato Lock	Install 2 New Locking Door Handles & Re-key Exterior Door to Limit Access (Lab)	519.23
39	Novato Sanitary District	Semi-Annual Sewer Charges (2012-2013)	1,723.04
40	Nute Engineering	Engineering Services: South Area Water Recycling Construction (Balance Remaining on Contract \$17,261)	1,456.00
41	Osborne, Ross	Novato "Washer Rebate" Program	50.00
42	Pace Supply	2" Meter Box Lids (6) (\$517), Steel Pipe (63') (\$407) & Couplings (3)	971.16
43	PERS Retirement System	Pension Contribution PPE 11/15	45,740.41
44	Pacific Gas & Electric	Power: Bldgs/Yard (\$1,234), Rectifiers/Controls (\$339), Pumping (\$36,509), Treatment (\$151) & Other (\$100)	38,333.39
45	Phillips & Associates	November O&M of O.M. Wastewater Treatment System	5,187.96
46	Radio Shack	Power Supply for Electric Eraser & Micro USB (Maint)	30.36
47	Rahman, Shad	Novato "Washer Rebate" Program	50.00
48	Ramudo, Pablo	Exp Reimb: Replacement Cooling Fan for Lab Computer, Mileage, Bridge Toll, Parking & Dinner Meeting (BAWWA) (\$55)	156.18
49		Cafeteria Plan - Child Care Reimbursement	916.68
50	Ranger Pipelines	Prog Pymt #8: RW North Seg 2 Project (Balance Remaining on Contract \$29,200)	180,291.84
51	Roberts & Brune	Hyd Extensions (6)	471.98
52		Cafeteria Plan - Uninsured Medical Reimbursement	124.99
53	Sahagun, Jose	Refund Overpayment on Closed Account	23.05
54	Shamrock Materials	Fast Drying Cement Curing Compound (5 gals)	180.01

Seq	Payable To	For	Amount
55	Siemens Water Technologies	Service on Lab Deionized Water System	196.78
56	State Water Resources Control	SRF Loan Principal & Interest RW N - Plum St Storage	13,593.22
57		Cafeteria Plan - Uninsured Medical Reimbursement	42.10
58	Team Ghilotti	Refund Security Deposit on Hyd Meter Less Final Bill	343.13
59	United Parcel Service	Delivery Service: Disbursement Requests - RW North Seg 2 & 3 & RW So Phase 2 Agreement Docs	20.86
60	USA BlueBook	16 oz Plumb Bob	30.23
61	Verizon	Telephone Charges: Leased Lines (\$673) & Minimum (\$28)	700.87
62		Exp Reimb: Vision Reimbursement	20.00
		TOTAL DISBURSEMENTS	<u>\$551,865.58</u>

The foregoing payroll and accounts payable vouchers totaling \$551,865.58 are hereby approved and authorized for payment.

 11/19/12
 Auditor-Controller Date

 11/19/2012
 General Manager Date

Yuba County Water Agency Signals Intent to Sue Over Jeopardy Opinion

The Yuba County Water Agency (YCWA) has notified federal agencies that it plans to file a lawsuit over a National Marine Fisheries Service biological opinion released earlier this year calling for extensive actions at two dams on the lower Yuba River to improve conditions for three threatened fish species.

YCWA announced Nov. 7 that it has given a 60-day notice of the planned lawsuit to the U.S. Department of Commerce and the U.S. Army Corps of Engineers. Water agency officials said they hope to use the time to engage the federal agencies to resolve what YCWA says is an impasse between the NMFS and the Corps about specifics of the biological opinion.

"We're committed to improve salmon and steelhead habitat in the Yuba River watershed, but we have to work together," Curt Aikens, YCWA general manager, stated in the announcement.

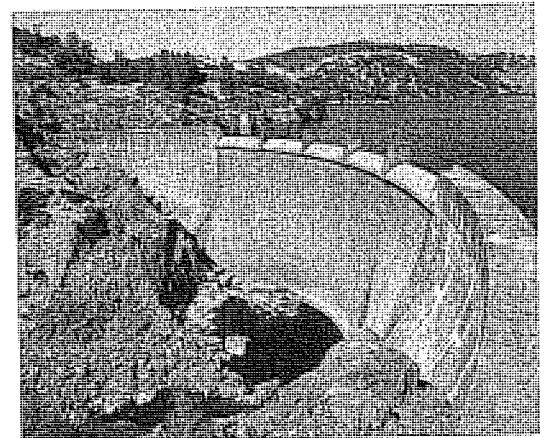
The biological opinion calls on the U.S. Army Corps of Engineers to take extensive actions to improve fish passage at Daguerre Point Dam and to provide fish passage for the first time ever at Englebright Dam.

The dams are owned and operated by

the Corps, which initiated consultation with the fisheries agency in October 2011 after a federal judge ordered a new opinion as part of an ongoing lawsuit against the Corps. Dam removal "is the most preferred approach," according to the 2012 biological opinion.

According to a FAQ document prepared by YCWA, there is "factual and legal" disagreement between the NMFS and the Corps regarding some of the 30 action points prescribed by the biological opinion to improve conditions for spring-run Chinook salmon, steelhead and green sturgeon. One point of contention, according to YCWA, is that the Corps believes it does not have the authority to remove the dams.

YCWA owns and operates the Yuba River Development project, which includes New Bullards Bar Dam and Reservoir, and the New Colgate Powerhouse — all north of Englebright Dam — as well as a water diversion facility downstream at Daguerre. YCWA says the fish passage plan at Englebright, or the dam's removal altogether, could reduce YCWA's future hydroelectric generation and negatively impact YCWA's ability to provide water to 85,000 acres of productive farmland. In addition, the two dams



Englebright Dam and reservoir, looking north. Photo courtesy of USGS

are retaining 30 million yards of contaminated hydraulic mining debris.

The biological opinion also would compel the Corps to require YCWA to take various other actions, some of which could impact the award-winning Lower Yuba River Accord, an agreement benefitting Yuba County agriculture and lower Yuba River fisheries.

"We're hopeful our letter will facilitate a more collaborative and focused effort with NMFS and the Corps to correct the problems in this biological opinion," said Mary Jane Griego, chair of the YCWA Board of Directors. ■■■

Continued from page 2

Bighorn-Desert View Water Agency asked ACWA to support its sponsored legislative proposal that would clarify a provision of law contained in its original enabling act from 1990. The section of law in question relates to the segregation of finances between a county water district and an acquiring public agency. Because Bighorn-Desert View Water Agency is a result of such a consolidation, it wishes to clarify the status of the law as it applies to its unique situation. The committee voted to lend support to Bighorn-Desert View's effort.

The third proposal was submitted by ACWA's Groundwater Committee. The proposal sought to define groundwater recharge as a "beneficial use" of groundwater under state law. The proposal would encourage the conjunctive use of surface water and groundwater supplies and the practice of groundwater recharge whenever water supplies permit, regardless of whether there is a plan for future extraction of the water, for purposes including mitigation of overdraft, seawater intrusion, water quality problems, and land subsidence.

There were several points expressed regarding the initial proposal language and a work group was formed to try and work through those issues and produce bill language acceptable to all parties. The proposal will be revisited at the next State Legislative Committee meeting on Jan. 18, 2013.

For more information on the proposals submitted for the 2013-2014 legislative session, please contact ACWA Senior State Relations Analyst Antonio Alfaro at antonioa@acwa.com. — ACWA State Relations Assistant Cole Smith-Crowley ■■■



Securing our Future by Investing in our
Water Resources, Environment & Community

BOD MUSC
PPFC Meeting
12/20/2012

[Home](#) [Outreach](#) [Calendar](#) [Russian River Biological Opinion Annual Meeting](#)

SCWA Events Calendar

Russian River Biological Opinion Annual Meeting
20th December, 2012

What's Happening in the Russian River and Dry Creek?

Annual meeting slated for Thursday, December 20 to discuss Russian River Biological Opinion

The Russian River Biological Opinion was released by National Marine Fisheries Service (NMFS) in September 2008. This 15-year plan requires the Sonoma County Water Agency (Water Agency) and the U.S. Army Corps of Engineers (USACOE) to modify Russian River water supply and flood control operations to prevent harm to endangered coho salmon and threatened steelhead trout. The Public Policy Facilitating Committee (PPFC) – comprised of elected and appointed officials from public agencies throughout the region – meets annually to review progress.

Meeting Details

When: 9 – 11:30 a.m., Thursday, December 20
Where: Sonoma County Board of Supervisors Chambers
575 Administration Drive, Santa Rosa

[Learn more about the Russian River Biological Opinion](#)



**NORTH MARIN
WATER DISTRICT**

999 Rush Creek Place
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Novato, CA 94948

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WEB

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North Marin Water District

November 14, 2012

Mr. Tom Cronin
Interim General Manager
Marin Municipal Water District
220 Nellen Avenue
Corte Madera, CA 94925-1169

Re: Letter Agreement between the North Marin Water District (NMWD) and the Marin Municipal Water District (MMWD)
Use of NMWD's Gallagher Well Power for the MMWD Fish Monitoring System

This agreement is made and entered into by NMWD and MMWD to provide MMWD with use of one electrical power circuit (120V/20A) from the NMWD electrical service panel at the Gallagher Well site in West Marin.

It is understood that final connection of the MMWD facilities to the NMWD circuit shall be completed under the supervision of NMWD staff. It is further understood that the electrical load to be utilized by MMWD from the NMWD circuit is less than one ampere; and thus MMWD shall not be charged any annual cost for this use by NMWD. The duration of MMWD's use of the NMWD circuit is expected to be for five years, upon which time this letter agreement shall be reviewed and may be renewed in a form satisfactory to both parties.

This agreement does not convey any other rights or access permission for the site which MMWD may require for the installation and operation of their fish monitoring system on Lagunitas Creek at the Gallagher Ranch location.

Agreed and acknowledged this date by:

Tom Cronin
Interim General Manager
Marin Municipal Water District

Chris DeGabriele
General Manager
North Marin Water District

Cc: Robert Clark, NMWD
Eric Ettlinger, MMWD

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Ex-Sonoma County counsel in line for interim Marin job*Posted:*

marinij.com

After a fruitless search for a lawyer to head the Marin County Counsel's Office, county supervisors have decided to appoint a caretaker pending another recruitment effort.

County Administrator Matthew Hymel is recommending that the board appoint Steven Woodside of Santa Rosa, former Sonoma County counsel, to the job "on an interim basis" through the end of the fiscal year.

Woodside, who retired as Sonoma County's top lawyer in 2010 after 12 years of service, previously headed the Santa Clara County Counsel's Office. He holds a law degree from the University of California at Berkeley and has served as counsel to public agencies for 35 years.

Hymel recommended payment of about \$18,000 a month, including a \$2,000 "in lieu" allocation since Woodside won't get health or pension benefits.

The county administrator said a new search for someone to head Civic Center's legal office will be launched and that Woodside will help officials pick a replacement for Patrick Faulkner, who retired last year after serving since 1997.

The county board decided in closed session to seek more candidates after interviewing four finalists, among them veteran Assistant County Counsel Jack Govi, who has been in charge of the office in recent months.

Govi issued a heartfelt statement pledging to continue doing his best to serve the county and the public.

"I've given the best I've got to the county, so naturally I'm very disappointed," Govi said of the turn of events. "I feel somewhat similar to how the 49ers' Alex Smith must feel," he added. "However, I will continue to give my heart and soul to the county counsel's office, the county of Marin and the Marin community."

A new recruitment process will begin next year.

The supervisors are expected to endorse Hymel's proposal when they meet Tuesday.

Contact Nels Johnson via email at ij.civiccenter@gmail.com. Follow him at twitter.com/nelsjohnsonnews

Novato fire chief retires abruptly, former county chief takes over immediately

Posted:

marinij.com

In an unexpected and unexplained move, Novato Fire Chief Marc Revere abruptly announced his retirement at the district's Wednesday night board meeting. Former Marin County Fire Chief Ken Massucco took over as interim chief of the Novato Fire District effective Thursday, a board member confirmed.

"Marc (Revere) announced his retirement last night," said Farhad Mansourian, a member of the district's board, on Thursday morning. "Ken Massucco has agreed to be interim chief while we go through the process" of finding a new chief, Mansourian said.

Revere, 59, is a 35-year veteran of the fire service who served as chief for seven years. His most recent salary was \$189,085. He was saluted by county supervisors in October for his recognition as "Fire Chief of the Year" by the Center for Public Safety Excellence.

"The district is in very good hands and is very stable," Mansourian said.

The chief is the second top district official to leave in less than two months' time.

Eric Nickel, who served as deputy chief of the district for the last five years, left his position in October to become Palo Alto's new fire chief. Nickel had overseen the Novato Fire District's field operations division.

"There is no other information we need to tell you," said Jim Galli, president of the Novato Fire District board, when reached by phone to elaborate on the press release the board issued Thursday morning.

Asked whether Galli had known in advance that Revere was going to retire, the board president refused to answer. He also refused to say why Revere retired.

Asked whether Revere had given a reason for his retirement Wednesday night, Mansourian said, "He is not required to give a reason and I am not discussing any reason."

"It's a big surprise," said Bob Briare, president of the Marin Professional Firefighters Local 1775. "I don't see Marc all the time, but there has been no indication of anything like this coming up."

Briare said he wished Revere well in his retirement, and that he appreciated the former chief's support for regionalization of Marin's fire departments.

"He wasn't just looking at Novato. He was looking at Marin globally, as one big department," Briare said.

The union and the Novato Fire District worked together to provide fire ground survival training for

all of Marin's fire departments in the spring of 2012, Briare said.

"It was pretty sudden," said Nick Zagaris, president of the Novato Professional Firefighter's Association, adding, "He had a lot of time in," and because of this, Revere "could have retired pretty much whenever he wanted to.

"I would like to thank Chief Revere for his years of service. He did a lot for the department. We wish him the best," Zagaris said. The firefighter and association president said he did not know why Revere retired.

According to Jeff Wickman, retirement administrator with the Marin County Retirement Association, "typically, someone who knows they are retiring sends me something (about it) a month or two before they are wanting to retire," but Wickman has not heard anything from Revere.

"The chief has yet to apply for his retirement benefit," Wickman said.

"We can't really say anything other than that he (Revere) retired," said Brad Beedle, vice president of the district's board.

Asked about the sudden nature of the chief's departure, Beedle said, "I have nothing more to say other than I'm returning your phone call. I wish the chief well and Novato is moving on."

The Novato district has 89 employees, including firefighters and administrative staff, and a \$29 million annual budget. The district encompasses 71 square miles and a population of more than 63,000 people.

Massucco retired this year after a 37-year career in fire service. At the time, he said his immediate plans were to enjoy more time with his family and friends and continue to be involved in the community.

Contact Janis Mara via email at jmara@marinij.com. Follow her at [Twitter.com/jmara](https://twitter.com/jmara).

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Record number of salmon return to Russian River

By **BOB NORBERG**
THE PRESS DEMOCRAT

Published: Thursday, November 22, 2012 at 4:12 p.m.

A record number of Chinook and Coho salmon are moving up the Russian River to spawn, an indication of rich ocean conditions necessary for those fish to survive, fisheries biologists said.

It may also be an indication that the millions of dollars being spent on habitat restoration to keep those fish from extinction may also be working.

There have been 6,348 Chinook salmon photographed as of Wednesday moving through the fish ladders at the Sonoma County Water Agency's dam at Forestville, which is inflated during low river flows to create a pool for the agency's water pumping system.

The number surpasses the record 6,103 seen in 2003 and is the third year that the numbers for that fish, which is on the threatened list, has increased, said Dave Manning, principal environmental specialist for the Water Agency.

"The good news is we officially have a record number of Chinook returning to the river. We have been getting a ton of fish returning the past few days," Manning said. "We are definitely over that old record total number and we will probably beat it by quite some margin."

The Water Agency has also counted 44 Coho salmon, which are an endangered species, moving through the Russian River near Austin Creek, even though it is still very early in that run.

Those salmon were tagged at the Warm Springs fish hatchery, where they are raised, before being released. The tags are read by an array of antennas at several spots of the Russian River and some of the tributaries.

"The numbers we are seeing are encouraging. The trend is again this year showing it is in the right direction," said Gregg Horton, a senior environmental specialist for the Water Agency. "It sounds like small numbers of fish, but 10 years ago there was less than a dozen. We have seen a dramatic rise."

Chinook and Coho salmon are both native to the Russian River, which they leave as juveniles to return two to three years later to spawn.

The Water Agency is spending \$1 million a year to monitor both species of salmon and steelhead, which are also a threatened species.

In the ocean, the fish feed on krill and small crustaceans, which for the past few years have been in abundance.

Still, the survival rate of salmon is only between 1 percent and 5 percent, one of the reasons perhaps that the female lays 3,000 to 5,000 eggs.

"They have a challenging lifecycle," Manning said. "They face perils in the river and at sea. It is why salmon produce so many offspring."



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For Chinook salmon, which spawn mainly in the Russian River, the Water Agency has reduced the overall flows by 44 percent and keeps a reserve of water in Lake Mendocino to release during the fall spawning run.

Coho salmon, which were on the verge of extinction, take much more work. Last year, there were 380 Coho estimated to be in the Russian River and its tributaries.

A breeding program at the Don Clausen Hatchery at Warm Springs Dam has been operating since 2001, with about 150,000 young Coho released each year.

About 20 percent of those fish now have tags that can be read by Water Agency antennas.

The Water Agency, local resource conservation districts and other agencies and landowners are also spending between \$36 million and \$48 million to improve habitat on Dry Creek and other Russian River tributaries over a dozen years.

Coho like cold water and rocks, logs and eddies to get out of the flow of the stream.

“Coho are the biggest challenge. But one of their biggest requirements, abundant cold water, we already have in Dry Creek from Lake Sonoma,” Manning said. “It is meeting the velocity and the depth and the cover that will be our challenge. Dry Creek represents so much potential habitat.”

MALT announces new executive director

Posted:

marinij.com

The Marin Agricultural Land Trust, which has saved hundreds of acres of land in West Marin from potential development by purchasing development rights from ranchers, has named a new executive director.

Jamison Watts, 42, executive director of the Northern California Regional Land Trust, has been tapped for the job to replace Bob Berner, who has led the organization for the last 28 years.

"Marin takes land conservation very seriously," said Watts, who has led the MALT-like trust in Butte, Tehama and Glenn counties since 2006. "It is important to a lot of people there and I want to be a part of it."

Watts is the great grandson of John Muir's sister, Margaret Muir Reid and grew up in Contra Costa County. His interest in conservation led him to earn a degree from UC Davis in environmental biology with an emphasis in conservation biology.

He spent 12 years as a field and wildlife biologist, while earning a master's degree in biological sciences from Chico State before taking over his current land trust, where he tripled protected lands from 4,800 to 15,100 acres. The majority of his work focused on protecting farm and ranch land while raising public awareness of watershed protection and land stewardship.

"The board unanimously selected Mr. Watts for his energy, leadership skills, passion for farmland conservation and entrepreneurial spirit that will continue to advance MALT's mission," said Rick Lafranchi, MALT board chairman.

Watts said his outlook on conservation was formed as a young boy growing up in the East Bay.

"I grew up in Walnut Creek, which was a small town then with a strong agricultural heritage," said Watts, who will start at MALT on Jan. 13. "My grammar school was located next door to Shell Ridge, which is protected rangeland. I think that upbringing was the genesis of my land ethic and why protecting agriculture is so important to me personally and professionally."

Watt and his wife will relocate from Chico to Petaluma for his new job.

MALT helps local farmers and the preservation of open land by purchasing development rights from ranchers. That keeps the land free of sprawl and provides dollars to agriculture to support new endeavors.

MALT, a member-supported nonprofit organization created in 1980, has bought rights on nearly 45,000 acres on 69 family farms and ranches.

The organization benefited by the passage of Measure A earlier this month. Some 20 percent of the quarter cent sales tax money, or about \$2 million a year, will support the farm programs. MALT is

in line to be the key farm administrative agency, although other agricultural groups could make a bid for funding as well.

"That was important," said Watts of Measure A, adding he would like to reach out to the private sector to raise dollars. "Funding is trending downward in the state and nationally; that is something we are all working at."

Contact Mark Prado via email at mprado@marinij.com

BOB MASC

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Bates to leave Public Works Department

BY EMILY CHARRIER-BOTTS INDEX-TRIBUNE ENTERTAINMENT EDITOR



After 10 years with Sonoma's Public Works Department, the last five of which she served as director, Milenka Bates is returning to rainier pastures in Washington state, closer to her family.

She'll wrap up her commitment to the city on Dec. 7. She has accepted a position as the administrative division manager for public works for the City of Bremerton, Wash.

"Milenka's skills, abilities and initiative have been key to managing the diverse range of services provided by public works day in and day out, including parks, streets, water and cemeteries," said City Manager Linda Kelly, who is herself leaving Sonoma. "Her commitment to serving our community has been outstanding and she will be sorely missed. We wish her well and know she will be an asset to her new city," Kelly added. Kelly will also be leaving her post next month to take the job of Windsor town manager.

Bates said she has valued her time in Sonoma, but the draw of family was too strong. Her eldest daughter, grandson, mother, brothers, nieces and nephews all live near the city on the banks of the Puget Sound.

"I'll be working 30 minutes away from everybody," she said. "I'm going home. But how do you leave Sonoma?"

She said she is sad to say goodbye to her colleagues on the city's staff, who have grown close "as a family" dealing with a rough few years. The workers were tasked with finding a way to keep city services functioning after losing all funding from the now defunct redevelopment agency.

"It aged me a bit," she laughed, saying that it took creative solutions to keep everyone employed. "When the new construction was way down, instead of laying off a building inspector, we absorbed her into public works."

She said she is most proud of the collaborations she oversaw as the public works director, including working with the Sonoma Ecology Center on preserving Nathanson Creek and helping the Sonoma Community Center build its water-wise demonstration garden and rain water catchment system.

"I just feel that we have integrated really well with the community," she said.

When asked what she'll miss most about Sonoma, she said, "The sun, I don't know what I'll do without it."

While the City of Sonoma is losing its public works director and city manager within a week of each other, Mayor Pro Tem Ken Brown said he's confident the transition of leadership will be smooth.

"We've lost two extremely valuable city employees," he said. "There are, gratefully, a lot of people who work for the city with an institutional memory. They know their jobs and are capable and willing to grow."

He added that the council had already met in closed session twice to develop a strategy to replace Bates and Kelly, but no concrete decisions have been made as of yet.

"That's still one of the things we're talking about," Brown said.