

REDWOOD VALLEY COUNTY WATER DISTRICT
2370 Webb Ranch Road
Redwood Valley CA 95470
(707) 485-0679

MINUTES
BOARD OF DIRECTORS
Regular Meeting
Thursday, October 17, 2013

Directors Present: Granville Pool, Jeanette Hallman, Pamela Ricetti, Jack Spilman, Ken Todd
Directors Absent: None
Staff Present: General Manager Bill Koehler
Recording Secretary: Linda Groth
Others Present: Will Carson/Millview CWD, James Damiano

CALL TO ORDER: 7:03 P.M.

1. ROLL CALL.

Jeanette Hallman, Board Vice-President
Jack Spilman, Director
Pamela Ricetti, Director
Ken Todd, Director
Granville Pool, Board President

2. HEARING OF COMMENTS OR QUESTIONS FROM THE ATTENDING PUBLIC.

Mr. Will Carson representing Millview CWD stated that after 10 years of service on the Board of Directors of Millview CWD, he is not running for reelection. Tonight is the last Redwood Valley Board Meeting he will be attending as a Millview Director. Mr. Carson said he has always been impressed by the way the Board thoroughly discusses the subjects before coming to decisions. President Pool expressed appreciation of Mr. Carson's attendance here and his contributions to the water business in the Ukiah Valley throughout the years. Director Ricetti added that the Board will miss him.

On another topic, GM Koehler informed the Board that a member of the public, James Damiano, is here to discuss Agenda Item 8.g. and as a courtesy, perhaps the Board would consider hearing this Item earlier in the Meeting.

3. CONSIDER HEARING OF URGENT ITEMS RECEIVED SINCE THE AGENDA WAS POSTED.

Nothing submitted.

4. ACCEPTANCE OF AGENDA.

The Agenda was presented for Acceptance.

MOTION: Accept the Agenda as presented but with the change that Item 8.g. be moved to the next Item to be heard.

Hallman/Ricetti Discussion CARRIED
AYES: Hallman, Ricetti, Spilman, Todd, Pool
NOES: None
ABSENT: None

5. SCHOOL WAY CUSTOMER. (Agenda Item No. 8.g.).

James Damiano began by informing the Board that during all of his interactions with the District regarding this problem, GM Koehler was very professional yet without admitting any culpability on the District's part. Mr. Damiano is contesting a water bill for 108,551 gallons usage received by his 91-year-old mother-in-law for the month of July, 2013. This occurred a year after he had called the District and had the meter shut off so he could cap the line. GM Koehler reported he spoke about this with Rod Huls of R. H. & Sons Water Services, the contractor who has been performing annual tests on backflow prevention devices in the District for the past 18 years and has an exemplary record. As standard procedure, if the contractor finds a valve on, he leaves it on; if he finds it off, he leaves it off. GM Koehler sees two coincidences: 1. There is always a little usage after a backflow test. 2. In March, 2012 the same usage phenomenon occurred and yet the backflow testing wasn't performed until August, 2012.

Director Spilman reminded Mr. Damiano that the established policy is to charge for water that passes through the meter. The June bill (previous month) showed usage of 871 gallons and that should have been his warning that water was passing through that meter. Mr. Damiano said he lives out of town and didn't see the June billing until after the July bill was received.

Director Hallman doesn't agree with the established policy in this situation and thinks the customer should be given an exemption.

President Pool warned against setting a precedent to ignore the established policy.

After much discussion and the concern of needing to avoid setting a precedent or ignoring the established policy, the Board agreed that Director Spilman's reminder is appropriate. The customer must pay for the water that passes through a meter. The customer will be charged at the lowest tier and will have 12 months to pay, with no doorhanger or late fee's.

Mr. Damiano left the meeting at 8:05 p.m.

President Pool called for a Motion.

MOTION: The July, 2013 charge to this customer is to be billed at the lowest tier, with 12 months to pay, and no Doorhanger fee's or Late fee's.

Spilman/Ricetti Discussion CARRIED
AYES: Spilman, Ricetti, Todd, Pool
NOES: Hallman
ABSENT: None

6. APPROVAL OF CONSENT CALENDAR. (Agenda Item No. 5).

- a. Financial Statement.
- b.-1. Bills Paid since those approved at last Meeting.
- b.-2. Bills Paid as approved at previous Meeting.
- c. Bills Payable.
- d. District Activity.

After review and clarifications, a Motion was made.

MOTION: Approve the Consent Calendar as presented.

Ricetti/Todd Discussion CARRIED
AYES: Ricetti, Todd, Hallman, Spilman, Pool
NOES: None
ABSENT: None

7. APPROVAL OF MINUTES AS PRESENTED. (Agenda Item No. 6).

Minutes of the September 19, 2013 Regular Meeting were presented. Under Item 7.b. on page 2, a Notation will be made to indicate the wording was reported correctly, but the information so stated was not accurate. It will be Noted with accurate information: 1) a governing Board of 5 people.

MOTION: Approve Minutes of the September 19, 2013 Regular Meeting with a Notation showing the correct information at the end of the paragraph.

Spilman/Ricetti Discussion CARRIED

AYES: Spilman, Ricetti, Hallman, Todd, Pool

NOES: None

ABSENT: None

8. DIRECTOR AND STAFF REPORTS AND DISCUSSION OF NON-ACTION TOPICS. (Agenda Item No. 7).

a. Personnel Committee Report.
None.

b. Ad Hoc/Consolidation Committee Report.

GM Koehler reported that during his time in Eureka for training classes, he was also able to make an appointment and meet with the LACO representative who had attended the recent Dual Boards Meeting at the Barra Facility. Turns out, two of the LACO principals are anxious to get this consultant work and they seem to feel that our \$5,000 guesstimate is not too far off in terms of what it would cost although it might be a bit more. They brought up the Dual Boards' discussion to have the consultant prepare both the application for the grant and the application for dissolution and annexation. They informed GM Koehler that CDPH won't award a grant if the applicant already has a consultant under contract; the CDPH requires that applicants go through a bidding process. So, we can't really get the same person committed to do both.

The LACO people also agreed that the grant application is not a good fit for us.

GM Koehler has attempted to contact the CDPH grant representative for this area to find out if there are any deal-killers in there, but the rep is out of town right now. Unfortunately, the grant is designed to either remedy a water quality problem or it's to create a legal entity that is able to receive State Revolving Funds. The RV and the FCD are both legal entities already.

GM Koehler has also asked George Rau for an opinion. The deadline for filing an application for a grant is November 8, 2013.

Also, as a result of Sean's attendance at the annual CSDA conference in Monterey, there are 2 or 3 additional names of qualified consultants for GM Koehler to contact.

The next Dual Boards Meeting is scheduled for 4:00 p.m. on November 13, 2013 at the Barra Facility.

The other issue coming up that needs to be determined, which GM Koehler will bring up at the next Dual Boards Meeting, is the advantage of sharing information, etc. He has done a lot of research and after reading the Principle Act of the Mendocino County Russian River Flood Control & Water Conservation District (not the Improvement District), and then the Mendocino County Water Agency and then the Principle Act of the Improvement District, he cannot find anything that says the agency has authority to produce water. Obviously it can be done if SCWA has the authority to produce potable water, and sell it. This is just something else we need to explore. Sean should be able to contact the attorney for CSDA and get a definitive answer to that question. Typically the powers of a flood control/water conservation district are to store water, or to pump water back in the ground again for storage. Typically it is not for producing potable water.

c. Discussion of rates.

The Water Rate Protest Hearing is set for 7:00 p.m. on Wednesday, December 4, 2013 at the Redwood Valley Grange Hall on East Road.

9. GENERAL MANAGER'S REPORT AND ACTION ITEMS, OCTOBER 17, 2013, (Agenda Item No. 8).

A. District Operations.

The District is operating well. The last lake pump controller is now complete. The valve to one of the clearwells broke and will need to be replaced before the expected springtime consumption demands.

B. Training.

Our District hosted a Filter Assessment Training for the CDPH on October 3rd. Three CDPH staff attended as did 18 operators from the Lake and Mendocino Counties and it was generally a very positive experience. This also satisfied our requirement to annually inspect the filters.

C. Audit.

The Audit is complete except for the Auditor's Recommendations. In addition, Director Hallman's concern regarding the reporting of depreciation as an expense has been resolved: Depreciation is properly reported as an expense.

D. Board of Supervisors.

GM Koehler attended the October 8, 2013 BOS Meeting. The issue was Supervisor Pinches' argument that Mendocino should be suing the Sonoma County for payment of surplus water exported to Marin County. There were two public comments, attorneys Chris Neary and John Sackowitz, both urging the Supervisors to sue, and then the Board went into Closed Session as Agendized. It is the opinion of GM Koehler that these two attorneys read into the Decision 1610 just far enough to make their assumptions, but that they didn't really read through the document. According to Janet Pauli and Supervisor Carre Brown, the Decision was even later amended to allow that Sonoma County may sell its own surplus water to Marin County without involving Mendocino County. The language in the original version of D1610 specifically states that the Mendocino County allotment of 8,000 ac-ft may not be exported out of Mendocino County, period.

Mr. Will Carson/Millview informed the Board that Mr. Neary was speaking his own opinions and has no tie with Millview CWD regarding this subject. President Pool stated that he would have never assumed otherwise.

E. Caltrans Meter.

Caltrans has an ag meter installed at West Road and School Way. They have never used it and they are now requesting that the meter be removed and taken out of their name. Paula has provided Caltrans with a Cancellation Form to sign and return per District procedure.

A concern is that in the Evaluation done by Brelje & Race Engineers, there are many points throughout the ag system in the valley that experience insufficient pressure and excessive headloss. This is why B&R came in and installed restrictor plates at several meter locations. Relocating a service could impact most of the ag distribution system.

GM Koehler has also contacted SCWA to ask whether they care about relocating an active service.

F. Feasibility Study.

The U.S.Army Corps of Engineers will be holding a meeting on October 31st, 10am-12noon, at the Conference Center in Ukiah. GM Koehler will attend.

G. School Way customer.

This topic was heard earlier in the Meeting.

H. Customer complaint.

Nothing received.

I. LAFCO.

LAFCO is hosting a "Water in the Ukiah Valley" Community Conversation and has invited water board members and staff to participate. Even though this event is not a Board Meeting, it is posted in three locations and if there are 2 or more Board Members attending from an agency they will be seated at different roundtables for discussion. There will be no violations of the Brown Act.

Frank McMichael has indicated that the Ukiah Valley Sanitation District will not be in attendance.

J. SCWA.

GM Koehler and GM Sean White (Flood Control District) met with SCWA staff for about 4-hours on October 1st. The primary purpose of the meeting was to observe a test run of their power point presentation reviewing their modeling of improved lake storage operations.

A big drive is taking place to avoid repeating the U.S. Army C.O.E. dumping of early winter water in anticipation of later rains. Had they avoided that last winter, they would have retained approximately 10,000 additional acre-feet of water. SCWA wants to evaluate the conditions much more often and to make adjustments much more frequently, most likely on a monthly basis.

Bill and Sean also briefed SCWA staff on the current status of the annexation process including mentioning that we would likely be trying to obtain all or a portion of RRFC's application for 6,000 AFY.

K. NIDIS. (National Integrated Drought Information Service).

GM Koehler attended the recent meeting in Santa Rosa. The focus was on improved storm and drought forecasting for the Russian River Watershed because within the whole State this is the region that varies the most. They are trying to improve the communication between the State and Federal weather agencies. They are able to track the atmospheric rivers from the South China Sea where they begin, all the way here. The Eureka office is going to send a drone to measure the various factors, but they cannot figure why occasionally the atmospheric rivers stall. The stalling is what brings large amounts of rainfall.

L. Frost Water.

The Sonoma County Grape Grower Consortium and the Light's have responded to the Brief. The State Water Board is actively pursuing its attempt to declare that use of water for frost protection violates the Public Trust Doctrine. Also noted, the AB 2121 which seeks to limit diversions from the river is back in the courts.

M. School Way Bridge.

The project will be going to Bid for a July 2014 start. The National Marine & Fishery Service has limited the construction window, so this is now a 2-year project. The first year will consist of only the abutments and wing walls. The second year will be the bridge deck and after that we will relocate our mains. The change in timing is intended to mitigate for the bio-acoustic impact of the pile driving on migrating and spawning fish. The construction estimate for relocating our mains is currently ~\$400,000.

N. Fire Service.

Cerro Pacific needs to install a fire sprinkler system. A dedicated fire sprinkler system off of the ag main is not a violation of the moratorium. The customer will hire the contractors and will pay all costs; there is no cost to the District.

The Directors instructed GM Koehler to address concerns for avoiding any impact upon ag customers during frost protection circumstances. GM Koehler will follow through with the matter.

O. Contract with U. C. Davis.

We now have a contract from an independent consultant and a payment schedule for the shared costs of the modeling of Lake Mendocino reliability. The \$20,000 contract is split equally; \$10,000 from each District. This has been previously discussed and approved by the Board of Directors and is included in our Budget.

MOTION: Have President Granville Pool sign the approved contract.

Hallman/Spilman Discussion CARRIED

AYES: Hallman, Spilman, Ricetti, Todd, Pool

NOES: None

ABSENT: None

P. Letter from concerned Districts.

The Directors have received and read the letter. Sections 6a and 6b are of some concern and GM Koehler has spoken with Tim Bradley and Dave Redding about this and he understands their issues. He also discussed it briefly when he was with the LACO people in Eureka recently. This is certainly grounds for a CEQA protest and it is completely understandable. However, if RVCWD gets a piece of the 6,000 AF, that will make the whole issue disappear.

Q. Quagga Mussel Agreement.

We finally have an agreement with SCWA that allows us to contribute the agreed upon sum of \$5,000 for their Quagga Mussel Abatement Program. This is the authorized expenditure out of water purchase monies from three years ago and the Agreement is ready to be signed.

MOTION: Have President Granville Pool sign the Agreement and then follow-up with sending SCWA the payment of \$5,000 with the signed Agreement.

Ricetti/Todd Discussion CARRIED
AYES: Ricetti, Todd, Hallman, Spilman, Pool
NOES: None
ABSENT: None

R. RRFC Contract.

The RR Flood Control District will be holding a meeting at the ARC on November 6, 2013, 6-8p.m. to finalize their water supply contracts. It has been approved in writing by the Farm Bureau and by CDPH. GM Koehler will try to attend although we do not currently have or need a contract, but at some point we may need to be familiar with the process.

10. FINANCIAL REPORT. (Agenda Item No. 9).

The Financial Report for September, 2013 was reviewed and discussed.

MOTION: Approve the September, 2013 Financial Report as presented.

Ricetti/Spilman Discussion CARRIED
AYES: Ricetti, Spilman, Hallman, Todd, Pool
NOES: None
ABSENT: None

The Financial Report for October, 2013 was reviewed and discussed.

MOTION: Approve the October, 2013 Financial Report as presented.

Ricetti/Spilman Discussion CARRIED
AYES: Ricetti, Spilman, Hallman, Todd, Pool
NOES: None
ABSENT: None

11. LOCAL AGENCY FORMATION COMMISSION. (Agenda Item No. 10).

Discussed previously in the Meeting.

9:10 p.m. BREAK
9:20 p.m. RECONVENE

12. M. C. INLAND WATER & POWER COMMISSION. (Agenda Item No. 11).

There was no quorum for the scheduled meeting.

However, those in attendance were Supervisor Carre Brown, Janet Pauli, Consultant Paige Poulos, Will Carson/Millview CWD and GM Koehler/RVCWD. All agreed that although there was no quorum and there could be no voting, they would have a general conversation. The biggest issue is that the Russian River Preservation Alliance is moving ahead with the coordination with the Land Stewardship Institute and most of the social issues have been resolved. There is some concern that the Stewardship Institute would be seen as not being impartial, with the independent science review panel, but they've got that resolved and now they are working out how the bank accounts of the two organizations tie together and yet remain separate.

13. MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL & WATER CONSERVATION IMPROVEMENT DISTRICT. (Agenda Item No. 12).

There were only three Trustees in attendance; Judy and Lee were not present.

The Trustee's spent a lot of time discussing the fact that the closed session meetings to complete an evaluation of GM Sean White's performance, isn't getting it done. A suggestion was made that if the current committee can't get this done, then perhaps a different committee should be appointed.

They also suggested that GM Koehler contact George Rau for the RFQ for the grant. George asked and GM Koehler concurred, that George may get in contact with Counsel Minasian for clarification of some information so that he is creating an appropriate RFQ.

14. SONOMA COUNTY WATER AGENCY. (Agenda Item No. 13).

Discussed earlier in the Meeting.

15. REPORT OF ATTENDANCE AT AGENCY MEETINGS OR OF ANY OTHER ENTITY NOT LISTED SEPARATELY HEREIN. (Agenda Item No. 14).

GM Koehler attended the Board of Supervisors Meeting and was able to verbally address the Supervisors.

16. CONSIDER ATTENDANCE AT SEMINARS, TRAINING EVENTS, CONFERENCES AS RECEIVED SINCE LAST MEETING. (Agenda Item No. 18).

On October 24th GM Koehler will be at the City of Sonoma to participate in 'Proper Disposal of AC Pipe' as qualified training for the renewal of his WTPO license. His attendance will not require an overnight stay.

17. SCHOOL WAY CUSTOMER, CONTINUED: (See Agenda Item No. 5 , page 2)

Director Spilman expressed concern about avoiding any misunderstandings of customer responsibility and liability vs. District responsibility when a customer requests a long-term shut off at their meter. During a brief discussion, Will Carson/Millview CWD said that Millview has created an Agreement that is used under this circumstance. The Directors instructed GM Koehler to create an Agreement Form for a long-term shut-off request showing the ID information and location, the Effective Date and including a Date/Signature/Phone Number box to be signed by the property owner.

The Meeting Ended at 9:34 p.m.

The next Regular Meeting will be at 7:00 p.m. on Thursday, November 21, 2013 at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

Respectfully Submitted,
Linda Groth, Recording Secretary

APPROVED: _____ Board of Directors _____

DATE APPROVED: November 21, 2013

SIGNED: _____ Paula Berezay _____
Secretary, Board of Directors