

MINUTES

BOARD OF DIRECTORS PLACER COUNTY WATER AGENCY

January 5, 2006
2:00 p.m. Regular Meeting

Board Directors present: CHAIR ALEX FERREIRA, LOWELL JARVIS, MIKE LEE, OTIS WOLLAN, PAULINE ROCCUCCI

Board Directors absent: None

Agency Personnel Present: DAVID BRENINGER, General Manager; ED TIEDEMANN, General Counsel, CHERI SPRUNCK, Agency Secretary/Clerk to the Board; NEIL BARTLETT, Systems Administrator; VALERIE LORD, Assistant General Manager and Director of Administrative Services; STEVE JONES, Power System Manager; JOHN KINGSBURY, Director of Customer Services; BRIAN MARTIN, Director of Technical Services; EINAR MASICH, Director of Strategic Affairs; MIKE NICHOL, Director of Field Services; JOSEPH PARKER, Director of Financial Services; BRENT SMITH, Deputy Director of Technical Services; MAL TOY, Director of Resource Development

A. CALL TO ORDER

Chair Ferreira called the regular meeting of the Placer County Water Agency Board of Directors to order at 2:03 p.m. in the Board of Supervisors Chambers, Placer County Administrative Center, 175 Fulweiler Avenue, Auburn, California. Former PCWA General Manager Bill Grant led the Pledge of Allegiance.

Chair Ferreira presented a plaque to 2005 Chair Pauline Rocucci.

B. PUBLIC COMMENT: No member of the public commented.

C. REPORTS BY DEPARTMENT HEADS

Power Manager showed slides and handed out photographs of the December 30–31, 2005, storm. The sediment pile at Oxbow eroded, the Duncan Diversion Road was washed out, a large multi-plate culvert collapsed, and the Duncan Diversion Dam and So. Fork Diversion Dam filled with sediment.

Director of Technical Services showed slides of the storm damage near the American River Pump Station. He reported the road below the pump station was washed out and the temporary pipe was bent. The coffer dam broke as it was designed to.

Director of Field Services showed slides and reported on storm damages to the Water System. Debris moved so that the Auburn Ravine dropped 3-4 feet and the Auburn tunnel outlet dropped 3-4 feet. A large amount of debris was deposited upstream of the dam at the Pump Mill canal intake and reservoir.

Director of Administrative Services reported Placer County declared an emergency on January 3, 2006, and contacted the Agency to find out the extent of our damages. She gave preliminary monetary estimates for repairs to the damages caused by the storm.

D. AGENDA CHANGES AND REVIEW

There were no agenda changes.

E. CONSENT CALENDAR:

1. Approve December 5, 2005, minutes.
2. Receive and file Check Register 05-25 expenditures disbursed.
3. Approve budget transfers, as recommended by the Director of Financial Services. **See attached and other non-routine budget transfers that may be included as part of specific items that follow.**
4. Approve matters related to the Board of Directors as follows:
 - a. Expenses for previous months;
 - b. Anticipated expenses in excess of \$500.00; **None at this time.**
 - c. Anticipated costs of transportation, lodging, and associated fees for travel outside the State of California to be paid by the Agency. **None at this time.**
5. Approve General Manager's expense reimbursement claim summary.
6. Approve modification to the US Bureau of Reclamation Water Efficiency Grant 04FG201014.
7. Approve Agreement for Installment Payments of Water Connection Charge with Gerard L. Mariner and Janis R. Mariner.
8. Receive Report on Review for CEQA for Fulweiler Avenue Waterline Replacement Phase 3, declare the project categorically exempt from CEQA, and authorize the filing of the Notice of Exemption.
9. Receive Report on Review for CEQA for Remote Telemetry System Improvements, declare the project categorically exempt from CEQA, and authorize the filing of the Notice of Exemption.
10. Receive Report on Review for CEQA for January-February 2006 Canal Gunite and Maintenance Projects, declare the project categorically exempt from CEQA, and authorize the filing of the Notice of Exemption.
11. Approve the following for the Foothill Raw Water Supply Pipeline project:
 - a. Purchase of Groth property, authorize staff to sign all escrow documents, authorize payment of \$35,684.00 purchase price and all buyers closing costs into escrow and \$487.00 payment to Mrs. Groth for an easement.
 - b. Right of Way and Easement Agreements and payment of \$4,900.00 to Glenn and John Nicholas; and
 - c. Right of Way and Easement Agreements and payment of \$3,500.00 to John and Doris Nicholas.
12. Approve the Business Center property purchase, authorize staff to sign escrow documents, and authorize payment of \$1,300,000.00 purchase price and all buyers closing costs into escrow.
13. Approve the Colfax Water Tanks property purchase, authorize staff to sign escrow documents, and authorize payment of \$3,000.00 purchase price and all buyers closing costs into escrow.
14. Approve the Werner Road Water Tank site property purchase, authorize staff to sign escrow documents, and authorize payment of \$850,000.00 purchase price and all buyers closing costs into escrow.

15. Approve Right of Way Agreement, payment for the Sugarloaf Canal Pipe Replacement of \$1,600.00 to Mr. and Mrs. Thomas, and payment of \$8,600.00 to CH (Loomis) L.P. for necessary easements.

Motion by Director Rocucci approving Consent Calendar items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15; motion seconded by Director Lee and adopted by unanimous vote of directors present.

F. AGREEMENTS AND CONTRACTS:

1. Receive for filing Contract Change Order No. Four with Pacific Mechanical Corporation for General Punch List Work for Foothill WTP 28-MGD Expansion Project, Contract #2005-06, for the addition of Punch List Tasks to Exhibit B to the Contract, approved by the Director of Technical Services pursuant to authority previously granted by the Board of Directors.
2. Approve Progress Pay Estimate No. Two with Clayborn Contracting Group for the Bowman Water Treatment Plant Filter Gallery Enclosure Project, Contract #2005-03, in the amount of \$59,211.09.
3. Approve Change Order No. One with Slayden Construction, Inc. for the Sunset Industrial Storage Tank and Pump Station Project, Contract #2005-01, in the increased amount of \$36,115.19.
4. Approve Task Order 2006-1 to the Engineering Services Contract with Steve Yaeger, P.E. for the Werner Road Storage Tank project in an amount not to exceed \$89,500.00.
5. Award a construction contract to Pacific Mechanical Corporation for the Foothill Raw Water Pump Station Project, Contract #2005-09, in an amount not to exceed \$34,914,810.00.
6. Approve an engineering services contract with West Yost & Associates for the Foothill Raw Water Pump Station Project, Contract #2005-09, for construction management services in an amount not to exceed \$1,887,578.00.
7. Approve the following for the PCWA Zone 3 Water Treatment Plant Discharge Elimination Program with Peterson, Brustad & Pivetti, Inc:
 - a. Consulting Services Contract for engineering consulting services on a Task Order basis; and
 - b. Task Order No. 2006-01 for the PCWA Zone 3 Water Treatment Plant Discharge Elimination Program in an amount not to exceed \$107,670.00.
8. Authorize Amendment #1, extension of the expiration date, to the Eldorado National Forest Collection Agreement #04-CO-11050353-003, Middle Fork Surge Rehabilitation Project.
9. Approve Engineering Services Contract with JSP Automation for development of SCADA Hardware/Software Standards and Master Plan in an amount not to exceed \$169,380.00.
10. Award bid P-05-10 for janitorial services to Camellia Building Services for a 12 month period.

Items F2, F5, F6, F8, and F10 were pulled for further discussion.

Motion by Director Jarvis approving Agreements and Contracts items 1, 3, 4, 7, and 9; motion seconded by Director Wollan and adopted by unanimous vote of directors present.

Regarding item F2 Director Lee make inquiries about the delay in schedule of the project. Director of Technical Services responded to his inquiry. Motion by Director Lee approving Agreements and Contracts item 2; motion seconded by Director Jarvis and adopted by unanimous vote of directors present.

Regarding item F5 Director Lee made inquiries about the budget for the project. Director of Technical Services and Director of Finance Services responded to his inquiry. Motion by Director Lee approving Agreements and Contracts item F5; motion seconded by Director Jarvis and adopted by unanimous vote of directors present.

During discussion and vote on item F6, Director Roccucci left the room due to a possible conflict of interest. Motion by Director Wollan approving Agreements and Contracts item F6; motion seconded by Director Jarvis and adopted by unanimous vote of directors present.

F8 and F10 were pulled for brief inquiry, response, and discussion. Motion by Director Jarvis approving Agreements and Contracts items 8 and 10 motion seconded by Director Roccucci and adopted by unanimous vote of directors present.

G. WATER AVAILABILITY AND REQUESTS FOR NEW WATER SERVICE

1. Zone 1 water service:
 - a. Treated Water
 - 1) Facilities Agreements (FA) - Three agreements for 6 total acre feet for 9 equivalent dwelling units (EDUs)
 - FA 2060 Sewer and Water Improvement Plans for Celia Demink & Jan Bilotti, Penryn
 - FA 2186 Whitney Ranch Unit 23, Rocklin
 - FA 2251 Holverstott Waterline Relocation, Rocklin
 - 2) Single Connections (In fill): **None at this time.**
 - b. Raw Water: **None at this time.**

Director of Technical Services reported on applications for 6 acre feet of treated water for Facilities Agreements, for a total net increase of 6 acre feet. Motion by Director Lee approving water service applications in the total amount of 6 acre feet; motion seconded by Director Roccucci and adopted by unanimous vote of directors present.

2. Increase water availability for Zones 1 and 5 by 2,000 acre feet annually to reflect the use of the Agency's Canyon Creek Water Right. Take action as necessary and appropriate.

Director of Technical Services reported; discussion followed. Motion by Director Roccucci to increase water availability for Zones 1 and 5 by 2,000 acre feet annually to reflect the use of the Agency's Canyon Creek water rights; motion seconded by Director Wollan and adopted by unanimous vote of directors present.

3. Requests for response from Agency on water availability.
 - a. SB 221 (tentative map) – **None at this time.**
 - b. SB 610 (environmental process) – **None at this time.**
 - c. All other requests

4. Facility reports;
 - a. Yuba/Bear River diversion
 - b. American River diversion
 - c. Sacramento River diversion

No reports received.

H. GENERAL ITEMS

1. Board organizational matters continued from December 15, 2005, meeting:
 - a. Discuss 2006 calendar to determine other dates for Board meetings (such as workshops, tours, etc.)
 - b. Such other organizational matters as Directors may want to comment on or consider.

There was discussion about Water Resources and Energy Committee.

I. REPORTS BY DIRECTORS:

Director Wollan reported on a productive meeting with Ron Parr and Mike Lee regarding Zone 4's regional plan in which one of two entities are not in agreement.

Director Rocucci noted there is a January 11 LAFCo meeting regarding water. She also noted there is a January 25 and 26 Northern California Power Agency strategic workshop.

J. REPORTS BY LEGAL COUNSEL: No report received.

K. REPORTS BY GENERAL MANAGER

General Manager reported the following:

- Staff has been meeting with the County regarding 1) LAFCo and West Placer land use intentions and 2) to understand the County's request for SB221 and SB610 letters beyond the General Plan.
- Noted the Placer Cities and County Association meeting on January 26
- Suggested an ad hoc committee for the rules and regulations
- The Agency made a proposal to ACWA to help underwrite the water program by Huell Howser.
- Under the Regional Water Authority we need \$3,000 to help fund the Huell Howser program.
- Noted the Agency's legal counsel's fee increases
- Noted part of the Governor's state of the State address will include a billion dollar water bond that includes user fees which will be on a future ballot.
- Discussed January 10 joint County/Agency Board meeting regarding the Middle Fork Project Joint Powers Authority

L. CLOSED SESSION

With all members present, as heretofore designated, the meeting adjourned to closed session at 3:07 p.m. to consider the following:

1. **Conferences with legal counsel – existing litigation** – Pursuant to Subdivision (a) of Section 54956.9 of the Government Code.
Name of Case: Azteca Construction v. PCWA, Sacramento County Superior Court Case No. 04A500120
2. **Conference with real property negotiator-** pursuant to Section 54956.8 of the Government Code.
Property: APN 040-111-046 and APN 040-200-047
Agency negotiators: Brian Martin, Director of Technical Services and Myra Cooper, Property Specialist
Under negotiation: Price and/or terms of payment
Negotiating parties: Neil and Mary Miller
3. **Conference with labor negotiator** – Pursuant to Section 54957.6 of the Government Code
Agency Negotiators: David Breninger and Valerie Lord
Employee Organizations: All Units

Director Lee left at 3:30 p.m. Directors returned from closed session at 4:10 p.m.

Director of Administrative Services highlighted five items in each Unit's agreement. Legal Counsel read the following statement:

"In closed session the Board was presented with summaries of settlements with each of the following bargaining units and the Board gave its unanimous approval to these and asked that the Memoranda of Understandings incorporating the settlements be prepared and presented to the Board for formal approval at its next meeting. The settlements shall be effective January 1, 2006."

M. REPORT FROM CLOSED SESSION

N. ADJOURNMENT

At 5:08 p.m. Director Jarvis made a motion to adjourn to the January 10, 2006, 1:30 p.m. adjourned Board meeting; motion seconded by Director Wollan and adopted by unanimous vote of directors present.

ATTEST:

Cheri Sprunck, Clerk to the Board
Placer County Water Agency