



City of Santa Rosa

Council Chamber
100 Santa Rosa Avenue

**BOARD OF PUBLIC UTILITIES
REGULAR MEETING AGENDA AND
SUMMARY REPORT - CANCELLED
OCTOBER 1, 2020**

*****CANCELLED - DUE TO THE GLASS/SHADY FIRE INCIDENT, THE
BOARD OF PUBLIC UTILITIES MEETING HAS BEEN CANCELLED.*****

**DUE TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS
N-25-20 AND N-29-20 WHICH SUSPEND CERTAIN REQUIREMENTS OF
THE BROWN ACT, AND THE ORDER OF THE HEALTH OFFICER OF THE
COUNTY OF SONOMA TO SHELTER IN PLACE TO MINIMIZE THE
SPREAD OF COVID-19, THE BOARD MEMBERS WILL BE
PARTICIPATING VIA ZOOM WEBINAR.**

**MEMBERS OF THE PUBLIC CAN PARTICIPATE IN THE MEETING BY
VISITING [HTTPS://SRCITY-ORG.ZOOM.US/J/91848225465](https://srcity-org.zoom.us/j/91848225465) OR BY
DIALING 1-877-853-5257, THEN ENTERING WEBINAR ID: 918 4822 5465**

**THE MEETING WILL ALSO BE LIVE STREAMED AT
[HTTPS://SANTA-ROSA.LEGISTAR.COM/CALENDAR](https://santa-rosa.legistar.com/calendar).
CLICK ON THE "IN PROGRESS" LINK TO VIEW. THE MEETING CAN
ALSO BE VIEWED ON COMCAST CHANNEL 28 AND AT
[HTTPS://WWW.YOUTUBE.COM/CITYOFSANTAROSA](https://www.youtube.com/cityofsantarosa)**

The public accessing the meeting through the Zoom link will be able to provide public comment on agenda items at the time an Agenda Item is discussed during the Board of Public Utilities Meeting.

**Public Comment may also be submitted via e-mail at
bpu-comment@srcity.org
or recorded voice message at 707-543-4224.**

Deadlines and additional instruction for public comment are set forth below. The City of Santa Rosa has postponed many non-essential meetings until further notice. We appreciate your patience and willingness to protect the health and wellness of our community. If you have any questions regarding this meeting, please contact Roberta Atha at ratha@srcity.org.

1:30 PM (Virtual Meeting)

- 1. CALL TO ORDER AND ROLL CALL**
- 2. STATEMENTS OF ABSTENTION BY BOARD MEMBERS**
- 3. STUDY SESSION - NONE**
- 4. MINUTES APPROVAL**

- 4.1** September 17, 2020 - Regular Meeting Minutes

Attachments: [September 17, 2020 - Regular Meeting Minutes](#)

5. STAFF BRIEFINGS

- 5.1** 2020-2021 CAPITAL IMPROVEMENT CONSTRUCTION PROJECT UPDATE

Staff will present a brief update on completed water, wastewater and regional construction projects in 2020, highlighting key projects in each sector. Staff will also provide a preview of construction projects to be initiated in 2021. The Board may discuss this item and give direction to staff.

6. CONSENT ITEMS - NONE

7. REPORT ITEMS

7.1 REPORT - APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES WITH BOLD, POLISNER, MADDOW, NELSON & JUDSON, PC

BACKGROUND: The City Attorney's Office provides legal services to the Water Department and the Board of Public Utilities (BPU). The Assistant City Attorney currently providing these legal services has resigned from the City effective October 8, 2020. Given the number of matters and scope of the work performed for the Water Department and the BPU, the City Attorney's Office does not have the resources necessary to immediately address this need and proposes seeking outside legal services for an interim period to allow the City to recruit for this position. The City Attorney's Office has negotiated a professional services agreement (PSA) with the firm based on the City's standard PSA with a not to exceed amount of two hundred thirty thousand dollars (\$230,000).

RECOMMENDATION: It is recommended by the Board of Public Utilities Contract Subcommittee, City Attorney's Office and the Water Department that the Board of Public Utilities, by motion, approve a professional services agreement with the law firm of Bold, Polisner, Maddow, Nelson & Judson, PC for legal services for the Water Department and Board of Public Utilities in an amount not to exceed two hundred thirty thousand dollars (\$230,000).

Attachments: [Staff Report](#)
[Attachment 1 - PSA for Legal Services](#)

8. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Public Comment may be submitted via e-mail or recorded voice message.

Live Public Comment: The public accessing the meeting through the Zoom link or dial-in will be able to provide public comment on agenda items at the time an Agenda Item is discussed during the Board of Public Utilities Meeting.

Go to <https://srcity.org/virtualparticipation> for more information.

E-mail Public Comment: To submit an e-mailed public comment to the Board of Public Utilities, please send to: bpu-comment@srcity.org by 5:00 p.m., Wednesday, September 30. Identify in the subject line of your e-mail the Agenda Item Number on which you wish to comment, provide your name in the body of the e-mail and your comment. These comments will be e-mailed to all Board Members, will be posted to the agenda documents on-line, and be made part of the archive packet.

Recorded Voice Message Public Comment: To submit a voice message public comment, please call 707-543-4224 by 5:00 p.m., Wednesday, September 30. State your name, the Agenda Item Number(s) on which you wish to comment, and your comment. Recordings will be limited to 3 minutes. Recorded comments may be played at the time that the Agenda Item is discussed during the Board Meeting.

Recorded public comments on public hearing items may be played at the time when the hearing is opened.

9. REFERRALS

10. WRITTEN COMMUNICATION (AND POSSIBLE BOARD DISCUSSION)

11. SUBCOMMITTEE REPORTS

12. BOARD MEMBER REPORTS

13. DIRECTORS REPORTS

14. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION

14.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One case, related to claims filed by TerraCon in connection with Contract C02081 - Post Ct and Simpson PI Sewer Replacements

**15. ADJOURN TO OPEN SESSION AND ANNOUNCEMENT OF CLOSED SESSION
ACTION, IF ANY**

16. ADJOURNMENT OF MEETING

The Board of Public Utilities encourages public comments regarding the above items. If you are unable to attend this meeting, please feel free to call the Water Department at 543-4200 or forward written comments to the City of Santa Rosa, Water Department, 35 Stony Point Road, Santa Rosa, CA 95401. All comments will be forwarded to the Board at the meeting.

The City of Santa Rosa does not discriminate against individuals with disabilities in its employment, services, benefits, facilities, programs or activities. Requests for accommodations, auxiliary aids, or services necessary to participate in a City program, service, or activity, including printed information in alternate formats, are available by contacting the Secretary at (707) 543-4266 (TTY Relay at 711) or ratha@srcity.org. Requests should be submitted as far in advance as possible, but no later than two business days before the scheduled meeting. Meeting information can also be accessed via the internet at <http://srcity.org>.