



Board of Public Utilities Regular Meeting Minutes - Draft

Thursday, June 21, 2018

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Board Member Dowd called the meeting of the Board of Public Utilities to order at approximately 1:30 p.m. Board Member Badenfort participated in the meeting via teleconference from the Pasea Hotel & Spa in Huntington Beach, CA.

Present 5 - Board Member Lisa Badenfort, Board Member Richard Dowd, Board Member Christopher Grabill, Board Member Matt Mullan, and Board Member Mary Watts

Absent 2 - Chair Daniel Galvin III, and Vice Chair William Arnone Jr.

2. STATEMENTS OF ABSEPTION BY BOARD MEMBERS

No statements of abstention were made by Board Members.

3. STAFF BRIEFINGS

3.1 CWEA LARGE COLLECTION SYSTEM OF THE YEAR

California Water Environment Association (CWEA) Redwood Empire Section President, Rodrigo Montanez, will present the Large Collection System of the Year award to the Board, recognizing Santa Rosa Water's Operations team and the City's outstanding maintenance programs, regulatory compliance, and safety and training procedures. The Large Collection System Award is awarded to agencies with over 500 miles of sewer main. With nearly 590 miles of sewer pipe, Santa Rosa Water just qualified as "large"; competing with much larger agencies, such as last year's winner, LA Sanitation, with a system of over 6,000 miles of pipe. In April, Santa Rosa Water's dynamic and dedicated staff that made this prestigious recognition possible were recognized at CWEA's annual conference and presented the award.

Presenter(s): Ben Horenstein, Director and Rodrigo Montanez, California Water Environment Association Redwood Empire Section President.

3.2 HAZARD MITIGATION GRANT PROGRAM FUNDING UPDATE

Water Department staff will provide information regarding the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP), and information on hazard mitigation projects potentially eligible for funding. The Board may discuss this item and give direction to staff.

Attachments: [Presentation \(added 6/19/18\)](#)

Presenter(s): Claire Myers, Sustainability Representative

4. STUDY SESSION

4.1 SANTA ROSA REGIONAL WATER RECLAMATION FACILITY NPDES PERMIT RENEWAL

Staff will provide an update on the Santa Rosa Regional Water Reclamation Facility National Pollutant Discharge Elimination System (NPDES) Permit renewal. This update will feature a summary of the first two Laguna de Santa Rosa Phosphorus Blue Ribbon Panel meetings and describe proposed NPDES permit modifications. The Board may discuss the item and give direction to staff.

Attachments: [Presentation \(added 6/19/2018\)](#)

Presenter(s): Heather Johnson, Environmental Services Officer and Sean McNeil, Sustainability Coordinator.

5. MINUTES APPROVAL

NONE.

6. CONSENT ITEMS

6.1 RESOLUTION - ASSIGNMENT AND ASSUMPTION AND CONSENT TO ASSIGNMENT AGREEMENT - GENERAL SERVICES (GSA) F001601 BIOSOLIDS HAULING SERVICES

RECOMMENDATION: It is recommended by the Finance and Water Departments that the Board, by resolution, authorize the Chairman of the Board to execute an Assignment and Assumption and Consent to Assignment Agreement for General Services Agreement (GSA) F001601 dated January 18, 2018, providing biosolid hauling services, from Andy Poncia dba Poncia Fertilizer Spreading, and assign to Poncia Fertilizer, Inc. Funding for this expense is included in the Water

Department Fiscal Year 2017-18 adopted budget. As a regular operating expenditure, the services as described are expected to be included in subsequent years' budget proposals when presented to the City Council.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Attachment 1](#)

A motion was made by Board Member Watts, seconded by Board Member Grabill to approve Item 6.1 - RESOLUTION NO. 1166 ENTITLED "RESOLUTION OF THE BOARD OF PUBLIC UTILITIES CONSENTING TO THE ASSIGNMENT OF GENERAL SERVICES AGREEMENT (GSA) F001601 FROM ANDREW PONCIA DBA PONCIA FERTILIZER SPREADING TO PONCIA FERTILIZER INC. AND APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT". The motion carried by the following vote:

Yes: 5 - Board Member Badenfort, Board Member Dowd, Board Member Grabill, Board Member Mullan and Board Member Watts

Absent: 2 - Chair Galvin III and Vice Chair Arnone Jr.

6.2 RESOLUTION - ASSIGNMENT AND ASSUMPTION AGREEMENT - GENERAL SERVICES (GSA) GRIT AND SCREENING DISPOSAL SERVICES

RECOMMENDATION: It is recommended by the Finance and Water Departments that the Board, by resolution, authorize the Chairman of the Board to execute an Assignment and Assumption Agreement with Total Waste Systems, Inc. (The Ratto Group of Companies) by Recology Sonoma Marin, d/b/a Recology Santa Rosa, a California Corporation, for grit and screening disposal services, Agreement number F001383 dated May 4, 2017. Funding for this expense is included in the Water Department Fiscal Year 2017-18 adopted budget. As a regular operating expenditure, the services as described are expected to be included in subsequent years' budget proposals when presented to the City Council.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Attachment 1](#)

A motion was made by Board Member Watts, seconded by Board Member Grabill to approve Item 6.2 - RESOLUTION NO. 1167 ENTITLED "RESOLUTION OF THE BOARD OF PUBLIC UTILITIES CONSENTING TO THE ASSIGNMENT OF GENERAL SERVICES AGREEMENT (GSA) F001383

FROM TOTAL WASTE SYSTEMS, INC. TO RECOLOGY SONOMA MARIN AND APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT". The motion carried by the following vote:

Yes: 5 - Board Member Badenfort, Board Member Dowd, Board Member Grabill, Board Member Mullan and Board Member Watts

Absent: 2 - Chair Galvin III and Vice Chair Arnone Jr.

6.3 RESOLUTION - WAIVER OF COMPETITIVE BIDDING AND SOLE SOURCE AWARD - SENSUS REMOTE AND STANDARD READ - TYPE WATER METERS, PARTS AND ANTENNAS BLANKET PURCHASE ORDER

RECOMMENDATION: It is recommended by the Finance and Water Departments that the Board, by resolution, approve waiver of competitive bidding and approve a sole source Blanket Purchase Order (BPO) for remote and standard read-type water meters, parts and antennas to Sensus USA Inc., Raleigh, NC, in the amount of \$612,000 plus a contingency of \$20,000, for a not to exceed amount of \$632,000. Funds required for this operations expense have been allocated in the Fiscal Year 2018-19 budget of the MSCN Warehouse inventory key 00100-1301. There is no fiscal impact to General Fund.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Attachment 2](#)
 [Resolution](#)

A motion was made by Board Member Watts, seconded by Board Member Grabill to approve Item 6.3 - RESOLUTION NO. 1168 ENTITLED "RESOLUTION OF THE BOARD OF PUBLIC UTILITIES WAIVING COMPETITIVE BIDDING AND AUTHORIZING ISSUANCE OF A BLANKET PURCHASE ORDER (BPO) FOR THE PURCHASE OF REMOTE AND STANDARD READ-TYPE WATER METERS, PARTS AND ANTENNAS.". The motion carried by the following vote:

Yes: 5 - Board Member Badenfort, Board Member Dowd, Board Member Grabill, Board Member Mullan and Board Member Watts

Absent: 2 - Chair Galvin III and Vice Chair Arnone Jr.

7. REPORT ITEMS

7.1 REPORT - APPEAL OF WATER DIRECTOR DECISION TO DENY A VARIANCE REQUEST FOR 1800 BRUSH CREEK ROAD

BACKGROUND: On February 12, 2018, the applicant for 1800 Brush Creek Road, Tony Cabrera of Cabrera and Associate on behalf of the property owners, submitted a variance application requesting a waiver of the City's design standards requirement to extend a public sewer main to serve the property and to instead allow for sewer service through extension of a private sewer lateral through a private easement across two residential parcels. On March 21, 2018 the Water Director denied the variance request finding that it would negatively impact and place undue financial burden on neighboring properties along Brush Creek Road and Normandy Drive. On April 4, 2018, the applicant filed an appeal requesting the Board of Public Utilities overturn the Water Director's decision.

RECOMMENDATION: It is recommended by the Water Department that the Board, by resolution, recommend that the City Council deny the appeal filed by Cabrera and Associates on behalf of property owners Rod and Lynne Wallace and uphold the Director of Water's decision denying a variance to waive the requirement of a public sewer main extension for new development proposed at 1800 Brush Creek Road.

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Attachment 2](#)
 [Attachment 3](#)
 [Attachment 4](#)
 [Attachment 5](#)
 [Attachment 6](#)
 [Attachment 7](#)
 [Resolution](#)
 [Presentation \(added 6/25/18\)](#)

The agenda item was heard with the Board acting in a quasi judicial fashion. Molly Maclean, Assistant City Attorney was seated with staff while Suzanne Rawlings was seated as the Board legal advisor.

The Board Members disclosed the following exparte communications:

Board Member Dowd reported that he has known Mr. Cabrera for a number of years and works with Rebuild Sonoma County. He also indicated the Wallace's were his next door neighbors for a time. He meet Mr. Cabrera for coffee and visited the property on Tuesday on

Brush Creek Drive. He indicated that there were no conflicts with financial interests in this matter.

Board Member Grabill reported that he had two conversations with Mr. Cabrera and emails. He indicated that there were no conflicts with financial interests in this matter.

Board Member Watts reported that she received an email from Mr. Cabrera but did not speak with any parties.

Board Member Mullan reported that he received an email from Mr. Cabrera and indicated to him that he would wait for the meeting to discuss this item.

Board Member Badenfort reported that she had coffee with Mr. Cabrera to review the agenda documents. She further reported that she and Mr. Cabrera both serve on the Chamber Advocate Committee in a professional capacity. She indicated she is not familiar with the property owners nor conducted a site visit.

Presenter(s): Caryn Lozada, Development Review Coordinator. Tony Cabrera, Cabrera and Associates spoke on behalf of the property owners.

Public Comment: Norman Amidon, spoke in support of a public sewer main.

A motion was made by Board Member Mullan, seconded by Board Member Watts to approve Item 7.1 - RESOLUTION NO. 1169 ENTITLED "RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SANTA ROSA DENY THE APPEAL FILED BY CABRERA AND ASSOCIATES, ON BEHALF OF PROPERTY OWNERS ROD AND LYNNE WALLACE, OF THE FINAL DECISION BY THE DIRECTOR OF WATER DENYING A VARIANCE REQUEST TO WAIVE THE REQUIREMENT TO EXTEND A PUBLIC SEWER MAIN TO SERVE A NEW DEVELOPMENT FOR THE PROPOSED PROJECT AT 1800 BRUSH CREEK ROAD". The motion

carried by the following vote:

Yes: 3 - Board Member Dowd, Board Member Mullan and Board Member Watts

No: 2 - Board Member Badenfort and Board Member Grabill

Absent: 2 - Chair Galvin III and Vice Chair Arnone Jr.

8. PUBLIC COMMENTS ON NON-AGENDA MATTERS

NONE.

9. REFERRALS

NONE.

10. WRITTEN COMMUNICATION (AND POSSIBLE BOARD DISCUSSION)

NONE.

11. SUBCOMMITTEE REPORTS

NONE.

12. BOARD MEMBER REPORTS

NONE.

13. DIRECTORS REPORTS

Ben Horenstein, Director reported on various department activities.

14. ADJOURNMENT OF MEETING

The meeting was adjourned at 4:02 p.m. The next regularly scheduled meeting of the Board of Public Utilities will be held on September 20, 2018.

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 on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available by contacting the Board Secretary at 543-3933 or one week prior to the meeting. For TDD call (707) 543-3063