



MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT, NAPA COUNTY, CALIFORNIA, HELD AND CONVENED AT SOSCOL RECYCLED WATER FACILITY ADMINISTRATION OFFICE, WEDNESDAY, SEPTEMBER 6, 2017 CALLED TO ORDER AT 4:03 PM.

DRAFT

1. **OPEN SESSION:**

2. **ROLL CALL:**

PRESENT: JILL TECHEL, Chair; RYAN GREGORY, Vice-Chair; MARY LUROS, PETE MOTT and DAVID GRAVES, Directors. ALSO PRESENT: TIMOTHY HEALY, General Manager; and JOHN BAKKER, Legal Counsel.

ABSENT: None.

3. **REVIEW OF AGENDA:** No Changes.

4. **SAFETY MOMENT:** Emergency Preparedness.

5. **PUBLIC COMMENT:** None.

6. **SPECIAL PRESENTATIONS:** None.

7. **CONSENT CALENDAR:**

- a. **MR 17-086**  
**APPROVAL/CORRECTION OF MINUTES FROM THE REGULAR MEETING ON AUGUST 16, 2017.**
- b. **Receive County of Napa Voucher Register Dated 8/01/17 through 8/21/17.**
- c. **RES 17-015**  
**ADOPT RESOLUTION OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT ADOPTING A BUDGET AMENDMENT REPRESENTING F/Y 2016-17 ADJUSTMENTS FOR DEPRECIATION EXPENSE.**
- d. **RES 17-016:**  
**ADOPT RESOLUTION OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT ADOPTING A BUDGET AMENDMENT REPRESENTING OPERATING AND CAPITAL APPROPRIATION CARRY FORWARDS FROM F/Y 2016-17 TO F/Y 2017-18 AND ADDITIONAL APPROPRIATION TO THE FY 2017-18 CAPITAL BUDGET.**

- e. **MR 17-087:**  
**ACCEPT THE EMPLOYEE AND BOARD OF DIRECTORS REIMBURSEMENT REPORT FOR F/Y 2016-17.**
- f. **MR 17-088:**  
**CONCUR WITH CEQA DETERMINATION IN THE CITY OF NAPA RESOLUTIONS R2016-136 AND R2016-137, PREPARED AND ADOPTED BY THE CITY OF NAPA, LEAD AGENCY UNDER CEQA FOR THE DEVELOPMENT PROJECT; SET BOND AMOUNT AT \$867,128; AND AUTHORIZE THE CHAIR TO EXECUTE THE IMPROVEMENT AGREEMENT FOR ANDERSEN RANCH.**
- g. **MR 17-089:**  
**REJECT THE BID FROM MURRAY BUILDING, INC. AS NON-RESPONSIVE BECAUSE MURRAY BUILDING, INC. DOES NOT MEET ANY OF THE THREE SAFETY CRITERIA TO BE ELIGIBLE TO WORK FOR NAPASAN; AND AWARD CONSTRUCTION CONTRACT FOR THE EARTHQUAKE REPAIRS PROJECT (CIP 18727) TO THE LOWEST RESPONSIVE BIDDER, ASHRON CONSTRUCTION AND RESTORATION, INC. FOR THE BID AMOUNT OF \$364,945 AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT WITH THE CONTRACTOR AND ISSUE THE NOTICE TO PROCEED, WHEN APPROPRIATE.**
- h. **MR 17-090:**  
**CONCUR WITH CEQA DETERMINATION IN THE CITY OF NAPA RESOLUTIONS PC2016-22, PREPARED AND ADOPTED BY THE CITY OF NAPA, LEAD AGENCY UNDER CEQA FOR THE DEVELOPMENT PROJECT; SET BOND AMOUNT AT \$29,600; AND AUTHORIZE THE CHAIR TO EXECUTE THE IMPROVEMENT AGREEMENT FOR BYWAY EAST APARTMENTS.**
- i. **MR 17-091:**  
**AUTHORIZE AN INCREASE OF CHANGE ORDER SIGNING AUTHORITY FOR THE GENERAL MANAGER FROM \$228,581.50 (10% OF ORIGINAL CONTRACT) TO A MAXIMUM OF \$457,163 (20% OF ORIGINAL CONTRACT) FOR THE MST RECYCLED WATER EXPANSION PROJECT (CIP 16722) FOR A POTENTIAL TOTAL APPROVED CONTRACT AMOUNT OF \$2,742,978.**
- j. **MR 17-092:**  
**AUTHORIZE THE PURCHASING AGENT TO EXECUTE A TASK ORDER WITH CONSOLIDATED CM TO PROVIDE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE EARTHQUAKE REPAIRS PROJECT (CIP 18727) IN THE AMOUNT OF \$95,004.**
- k. **Receive and file the Quarterly Report and Priority Project Status for April, May and June 2017.**
- l. **Receive General Manager's Report for July, 2017.**

Motion by MOTT, seconded by GRAVES, by the following vote:

AYES: GRAVES, GREGORY, LUROS, MOTT, TECHEL  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: GREGORY (Item 7F only)

8. **REGULAR CALENDAR:**

- a. **RES 17-017:**  
**ADOPT RESOLUTION OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT APPROVING THE 457(B) DEFERRED COMPENSATION PLAN AND 401(A) DEFINED CONTRIBUTION PLAN DEFERRED COMPENSATION PLAN COMMITTEE CHARTER TO PROVIDE ADDITION GOVERNANCE AND OVERSIGHT OF NAPASAN'S 457(B) AND 401(A) PLANS.**

Motion by MOTT, seconded by GRAVES, by the following vote:

AYES: GRAVES, LUROS, MOTT, GREGORY, TECHEL  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

Jeff Tucker, Director of Administrative Services/CFO, introduced consultant Vincent Galindo of Hyas Group, Inc. Mr. Galindo reported that NapaSan has deferred compensation 457(b) and 401(a) plans, and explained the Board's and certain staff's fiduciary responsibilities of the plans. He also explained the points of fiduciary relief in having a Charter document and a committee to meet and regularly review the plans and fees associated with them. He reported that NapaSan has created a committee of five key staff members and one retired employee. This committee would also be considered a fiduciary to the plans and their participants.

Board, staff and consultant held discussion and the Board voted to approve the Deferred Compensation Plan Committee Charter document to provide additional governance and oversight to NapaSan's 457(b) and 401(a) plans.

- b. **Receive presentation from Christian Zavala, Engineering Intern, on the summer internship projects.**

Christian Zavala, Engineering Intern, gave a presentation on his summer engineering intern projects and accomplishments, including assisting with the Summer 2017 I&I project and general research and assistance for NapaSan engineers. Mr. Zavala is a returning intern from last summer, which he indicated made for a smooth transition coming back to NapaSan. He learned new technical skills with AutoCAD, development reviews, principles of Fluid Mechanics in addition to refining his communication skills and professional development. He thanked staff and the Board for the opportunity to intern at NapaSan once again.

- c. **MR 17-093:**  
**INTRODUCE ORDINANCE 106 FOR FIRST READING, BY TITLE ONLY, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT, AMENDING DISTRICT CODE SECTION 5.04 DEVELOPMENT FEES TO MODIFY INSPECTION FEES AND ESTABLISH A NEW INFLATION FACTOR.**

Motion by GREGORY, seconded by LUROS, by the following vote:

AYES: GRAVES, LUROS, MOTT, GREGORY, TECHEL  
 NOES: NONE  
 ABSENT: NONE  
 ABSTAIN: NONE

Jeff Tucker, Director of Administrative Services/CFO, introduced the ordinance that amends the District Code relating to development fees and adds an inflation factor. The inflation factor would be consistent with the Consumer Price Index (CPI) for All Urban Consumers, San Francisco-Oakland-San Jose Metropolitan Area (1982-84 = 100), published by the U.S Department of Labor's Bureau of Labor Statistics and be effective July 1, 2018.

Tucker reported the fee changes include inspection fees for installing a residential cleanout (\$90), tenant improvements with no outside site improvements (\$179) and installing a grease interceptor (\$179). He indicated the new ordinance would offer elimination of the fee for inspecting private laterals, which is currently \$179. The ordinance proposes to waive the fee for rehabilitation and replacements of private laterals if the permit is secured prior to the work being done. The ordinance also proposes a fee of 1.5 times the normal fee for inspections done after hours that requires overtime by NapaSan staff.

- d. **Receive presentation from staff on the 2016/17 Inflow/Infiltration (I/I) Reduction Program flow monitoring results. .**

Andrew Damron, Technical Services Director, gave a presentation on the Inflow and Infiltration (I/I) program 16/17 flow monitoring results. The 2007 Collection System Master Plan recommended a 5 year I/I reduction program. Results of the 5-year program have been delayed by lack of rainfall during the drought. Damron reviewed the flow monitoring areas within the system, the annual and special project results, and analysis of the variables that impact the results.

The results of the flow monitoring during the past six years of projects data points indicate results of 11-69% peak flow rate reduction, averaging to 40 percent, based on partial system rehabilitation. Industry expected results are 30-70% for partial to complete system rehabilitation.

Damron reviewed the upcoming projects and next steps, which includes updating the Collection System Master Plan in FY 2019/20 after two more years of project data.

9. **GENERAL MANAGER REPORT:**

- a. None.

10. **LEGAL COUNSEL REPORT:**

- a. None.

11. **BOARD OF DIRECTORS REPORTS/GENERAL DISCUSSION:**

- a. CASA Conference – 8/22/17-8/24/17: Director Luros and Vice-Chair Gregory reported on the conference. Luros reported on a presentation by Mayor Kevin Faulkner of San Diego on Pure Water of San Diego. Gregory reported he attended a presentation on potable reuse. It was also noted that General Manager Healy gave a presentation on NapaSan's Prop. 218 process at the conference.
- b. NBWRA Board Meeting – 8/28/17: Chair Techel reported that she attended the meeting. She noted SCWA's commitment to an expanded role for NBWRA in watershed management.

12. **UPCOMING MEETINGS:**

- a. North Bay Watershed Association meeting – September 8, 2017
- b. Regular Board meeting – September 27, 2017
- c. North Bay Watershed Association meeting – October 6, 2017
- d. Regular Board meeting – October 18, 2017

13. **ADJOURN TO CLOSED SESSION: (5:14 P.M.)**

- a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: A portion of APN 057-010-010 that consists of the surface of Pond 4 and a portion of Pond 3  
Agency Negotiator: Tim Healy, General Manager  
Negotiating Parties: Ciel Et Terre USA  
Under Negotiations: Price and terms of payment
- b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One (1) Case  
Facts and Circumstances: Correspondence from Michael Rupprecht to Tim Healy dated July 24, 2017
- c. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Property: Portion of APNs 057-060-007-000 and 057-070-001-000 (Vineyard/Golf Course) along south side of State Route 12  
Agency Negotiator: Tim Healy, General Manager  
Negotiating Parties: California Department of Transportation  
Under Negotiation: Price and terms of payment

14. **RECONVENE TO OPEN SESSION: (5:35 P.M.)**

15. **REPORT FROM LEGAL COUNSEL ON CLOSED SESSION:**

Legal Counsel reported the Board took no reportable action in Closed Session.

16. **ADJOURNMENT: (5:35 P.M.)**

Adjourn to Napa Sanitation District Regular Meeting on Wednesday, September 27, 2017 at 4:00 p.m. for a Regular Meeting to be held at the Napa Sanitation District Administration Building, 1515 Soscol Ferry Road, Napa, California.

**Respectfully submitted,**

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**Clerk of the Board**