



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, NOVEMBER 1, 2017 CALLED TO ORDER AT 4:03 PM.

1. **OPEN SESSION:**

2. **ROLL CALL:**

PRESENT: JILL TECHEL, Chair; RYAN GREGORY, Vice-Chair; MARY LUROS and DAVID GRAVES (absent at roll-call, present at 4:04 p.m.), Directors; and DORIS GENTRY, Alternate Director. ALSO PRESENT: TIMOTHY HEALY, General Manager; and JOHN BAKKER, Legal Counsel.

ABSENT: PETER MOTT, Director.

3. **REVIEW OF AGENDA:** Legal Counsel Bakker advised the Board that there is a need for two emergency Closed Session items. The items were brought to the General Manager's attention earlier today. PG&E has requested use of NapaSan land for storage of cut down trees as a result of the clean-up from the wildfires.

Bakker requested the Board approve adding two items to the Closed Session agenda relating to real property negotiations with PG&E for NapaSan's Somky Ranch and Jameson Canyon properties.

MR 17-102:

ADD EMERGENCY CLOSED SESSION ITEMS TO CLOSED SESSION AGENDA:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN: 057-010-036 and part of APN# 057-010-037 (Somky Ranch)

Agency negotiator: Tim Healy, General Manager

Negotiating parties: PG&E

Under negotiation: Price and terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN 057-020-056-000, 057-020-057-000 and 057-202-057 (Jameson Canyon Ranch)

Agency negotiator: Tim Healy, General Manager

Negotiating parties: PG&E

Under negotiation: Price and terms of payment

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

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

The emergency items will be added to the agenda after Item 13A on the Closed Session.

4. **SAFETY MOMENT:** Is there ever an excuse not to work safely?
5. **PUBLIC COMMENT:** None.
6. **SPECIAL PRESENTATIONS:** None.
7. **CONSENT CALENDAR:**
 - a. **MR 17-103**
APPROVAL/CORRECTION OF MINUTES FROM THE REGULAR MEETING ON SEPTEMBER 27, 2017.
 - b. **Receive County of Napa Voucher Register Dated 9/12/17 through 10/16/17.**
 - c. **MR 17-104**
AUTHORIZE OUT OF STATE TRAVEL TO VIRGINIA FOR TECHNICAL SERVICES DIRECTOR ANDREW DAMRON FOR THE PURPOSE OF ATTENDING THE WATER AND WASTEWATER LEADERSHIP CENTER FROM MARCH 4TH – 16TH, 2018.
 - d. **MR 17-105:**
AUTHORIZE THE PURCHASING AGENT TO EXECUTE TASK ORDER NO. 57 WITH GHD TO PROVIDE PROFESSIONAL SERVICES FOR THE INFLOW AND INFILTRATION (I&I) REDUCTION PROGRAM (CIP 13705) FOR COLLECTION SYSTEM FLOW MONITORING IN THE AMOUNT OF \$185,210.
 - e. **MR 17-0106:**
CONCUR WITH CEQA DETERMINATION IN CITY OF NAPA RESOLUTION R2016-115, PREPARED AND ADOPTED BY THE CITY OF NAPA, LEAD AGENCY UNDER CEQA FOR THE DEVELOPMENT PROJECT, SET BOND AMOUNT AT \$238,000; AND AUTHORIZE CHAIR TO SIGN THE IMPROVEMENT AGREEMENT AND PRIVATE MAIN AGREEMENT FOR THE REGISTER SQUARE.
 - f. **MR 17-107:**
AUTHORIZE AN INCREASE OF CHANGE ORDER SIGNING AUTHORITY FOR THE GENERAL MANAGER FROM \$36,494.50 (10% OF ORIGINAL CONTRACT) TO MAXIMUM OF \$72,989 (20% OF ORIGINAL CONTRACT) FOR THE EARTHQUAKE REPAIRS PROJECT (CIP 18727) FOR A POTENTIAL TOTAL APPROVED CONTRACT AMOUNT OF \$437,934).

g. **Receive General Manager's Report for August 2017.**

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

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

8. **REGULAR CALENDAR:**

a. **Receive presentation from staff and provide direction on sanitary sewer service for 410 Stonecrest Drive.**

Vice-Chair Gregory recused himself from discussion of this item due a conflict of interest and left the Boardroom.

Matt Lemmon, Senior Civil Engineer, gave a presentation to the Board on a request from Randy Gularte, the property owner's representative, to connect to NapaSan's sewer system through an Outside Service Agreement. The property is outside NapaSan's Sphere of Influence established by LAFCO. There is a public sewer main located in Stonecrest Drive approximately 100 feet from the property line. Lemmon explained the process for Outside Service Agreements (OSA) that allows NapaSan to provide service to a parcel outside the service area, which typically occurs when a septic system fails and there is an imminent threat to public health. He reviewed the history and current issues of the property at 410 Stonecrest Drive. He reported that RSA+ did a site evaluation at the property on September 14, 2017 and determined that the septic system needs repair and the site can support up to four bedrooms (smaller than the current property). Napa County Environmental Health Department concurred with the RSA+ report and recommended connection to NapaSan sewer system.

Lemmon reported that NapaSan responded to the property owner with a letter dated October 19, 2017 informing them that a Sphere amendment may be more appropriate than an OSA. NapaSan also indicated a study should be conducted and similarly situated parcels should be considered for service.

Lemmon presented four alternatives to the Board: 1) Direct staff to apply for an OSA through LAFCO; 2) Request a Sphere amendment through LAFCO prior to providing service; 3) Take No action; and 4) Other action as directed by the Board.

Randy Gularte, the property owner's representative, addressed the Board and indicated the 2.57 acre property is primarily made of solid rock. He indicated that the property owner is willing to pay for a study, estimated at \$5,000-10,000.

Board and staff held discussion regarding the options available. The Board concurred with a modification of Option 1, directing staff to apply for an OSA through LAFCO and require a study of potential sewer service for nearby similarly situated parcels.

- b. **MR 17-108:**
CONDUCT SECOND READING OF ORDINANCE 107, BY TITLE ONLY AND WAIVING FULL READING, AN ORDINANCE AMENDING DISTRICT CODE SECTION 5.01 SEWER SERVICE CHARGES AND SECTION 5.02 CAPACITY CHARGES TO ADD AND MODIFY COMMERCIAL CATEGORIES; OPEN PUBLIC HEARING, HEAR ANY PROTESTS AND CLOSE PUBLIC HEARING.

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

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

ORDINANCE 107:
ADOPT ORDINANCE 107 OF THE BOARD OF DIRECTORS OF THE NAPA SANITATION DISTRICT AMENDING DISTRICT CODE SECTION 5.01 SEWER SERVICE CHARGES AND SECTION 5.02 CAPACITY CHARGES TO ADD AND MODIFY COMMERCIAL CATEGORIES.

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

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

Andrew Damron Technical Services Director, requested the Board open the public hearing and adopt Ordinance 107 as introduced. No protests or comments were made by the public during the Public Hearing. The Public Hearing was closed by motion, and a motion made to adopt Ordinance 107.

- c. **MR 17-109:**
AUTHORIZE THE PURCHASING AGENT TO EXECUTE TASK ORDER NO. 25 WITH CAROLLO TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE 2018 TREATMENT PLANT IMPROVEMENT PROJECT (CIP 18736) IN THE AMOUNT OF \$237,200.

Andrew Damron, Technical Services Director, gave a presentation on the 2018 Treatment Plant Improvement Project, which would combine eight smaller projects into one. The benefits of combing them into one project would make it a single point of contact for staff, lower bid prices, minimized conflicts during construction, coordinated system shutdowns, and decreased impacts to plant operations. The budget for the eight projects into a single capital project would be \$1,583,000. Damron indicated the schedule would include design commencing November, 2017 through February, 2018; bidding February, 2018 through April, 2018; and construction May, 2018 through October, 2018.

The Task Order for Carollo to provide engineering design services for the project is in the amount of \$237,200.

The Board inquired as to the availability of contractors who could take on all of the different projects and the percentage of total project cost for the design services. Damron responded that there are contractors able to take this project on and that one larger dollar project sparks more interest from contractors. He indicated that the task order is a bit higher than the normal 18% of total project cost. However, this is normal with different types of projects combined into one as each project is individualized.

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

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

- d. **Receive presentation from staff and provide direction on the schedule for the Browns Valley Trunk Project (CIP 14703).** .

This item was tabled to the November 15, 2017 Board meeting.

9. **GENERAL MANAGER REPORT:**

- a. General Manager Healy reported that the Collection Department staff has been working at Silverado Country Club area capping the sewer line lateral hookups on the homes that were lost in the wildfires. He reported that approximately 130 homes were lost, and Collection System Manager Nick Becker indicated that the crews have completed capping off 50 home connections and have another 16 open and ready to cap off. Healy reported that the connections are being backfilled with a type of crushed rock that will make it easy to locate them when the properties are rebuilt. He indicated that crews are taking necessary safety precautions while working with the possible toxic materials in the area.

10. **LEGAL COUNSEL REPORT:**

- a. None.

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

- a. North Bay Watershed Association meeting – (9/08/17): Vice-Chair Gregory was not able to attend the meeting.
- b. Personnel Committee meeting – (10/26/17): Chair Techel and Vice-Chair Gregory attended. The results of the meeting will be before the Board for discussion at a future meeting.

12. **UPCOMING MEETINGS:**

- a. North Bay Watershed Association meeting – November 3, 2017
- b. Finance Committee meeting – November 14, 2017

- c. Regular Board meeting – November 15, 2017
- d. North Bay Watershed Association meeting – December 1, 2017
- e. NBWRA Board meeting – December 4, 2017
- f. Regular Board meeting – December 6, 2017

13. **ADJOURN TO CLOSED SESSION: (4:43 P.M.)**

- a. **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
- b. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: APN: 057-010-036 and part of APN# 057-010-037 (Somky Ranch)
Agency negotiator: Tim Healy, General Manager
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- c. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
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Agency negotiator: Tim Healy, General Manager
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14. **RECONVENE TO OPEN SESSION (5:03 P.M.)**

15. **REPORT FROM LEGAL COUNSEL ON CLOSED SESSION: (5:03 P.M.)**

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

16. **ADJOURNMENT: (5:03 P.M.)**

Adjourn to Napa Sanitation District Regular Meeting on Wednesday, November 15, 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.

CHAIR

ATTEST:

Clerk of the Board