



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, FEBRUARY 15, 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, 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:** General Manager Healy requested that Item 8B be moved to 8C on the Regular Calendar due to the length of the meeting items.

4. **SAFETY MOMENT:** American Heart Month.

5. **PUBLIC COMMENT:** None.

6. **SPECIAL PRESENTATIONS:**

- a. Announcement to Appointment of Nick Becker to Collection System Manager and the Promotion of Seth Rossi to Collection System Supervisor.

7. **CONSENT CALENDAR:**

Item 7C was pulled for discussion by Chair Techel.

- a. **MR 17-018:**
APPROVAL/CORRECTION OF MINUTES FROM THE REGULAR MEETING ON FEBRUARY 1, 2017.
- b. **Receive County of Napa Voucher Register Dated 1/17/17 through 1/30/17.**

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

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

- c. **MR 17-019:**
APPROVE THE PROJECT, CONCUR WITH STAFF’S DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT, AND AUTHORIZE THE GENERAL MANAGER TO ISSUE NOTICE INVITING BIDS FOR THE SOSCOL/SOUSA TRUNK REHABILITATION PROJECT (CIP 17705).

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

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

Chair Techel inquired whether staff has dealt with the traffic concerns for the streets involved in the project. Kyle Broughton, Senior Civil Engineer, responded to the questions indicating NapaSan is coordinating traffic control and other issues with the City of Napa. He reported that City staff was notified of the project in September of last year. In November, 2016 the District held a meeting with the City of Napa Public Works Divisions informing them of details of the project. No work will be allowed during the BottleRock event or during the Napa Town & Country Fair. Broughton noted that another meeting will be held with City of Napa staff now that 100% design is complete.

8. **REGULAR CALENDAR:**

- a. **MR 17-020:**
DIRECT STAFF TO STUDY AND RECOMMEND A NEW METHODOLOGY FOR RESIDENTIAL CAPACITY CHARGES FOR ACCESSORY DWELLING UNITS.

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

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

John Bakker, District Legal Counsel, presented information on AB 2299 regarding Accessory Dwelling Units. He reported that AB 2299 amends Government Code Section 65852.2 to address items of concern regarding regional housing needs, zoning, compliance with Health and Safety Code, and connection fees and capacity charges for Accessory Dwelling Units (ADUs).

Bakker reported that provisions of Section 65852.2 regarding connection fees and capacity charges do not apply to Napa Sanitation District. The provisions apply to “local agencies” which is defined as a city, county, or city and county whether general law or chartered. He indicated that the Board could choose as a policy matter to comply with the intent of Section 65852.2.

Bakker noted that if the Board is interested in implementing a change to NapaSan's Code to accommodate ADUs, they may direct staff to study and recommend a new methodology for residential capacity charges.

Public comment was received from Bob Massaro and Grania Lindberg requesting that the District move ahead with a study to possibly reduce capacity charges for ADUs.

The Board held discussion and directed staff to move ahead with a study of the methodology for residential capacity charges to incorporate ADUs.

- b. **RES. 17-006:**
CONCUR WITH THE RECOMMENDED MITIGATIONS AND CEQA DETERMINATION THAT BY IMPLEMENTING SPECIFIC MITIGATION MEASURES THE PROJECT'S IMPACTS WOULD BE REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL PER SECTION 15070(B) OF THE CEQA GUIDELINES; APPROVE THE PROJECT; AND ADOPT RESOLUTION OF THE NAPA SANITATION DISTRICT ADOPTING MITIGATED NEGATIVE DECLARATION, APPROVING THE PROJECT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE BROWNS VALLEY TRUNK PROJECT (CIP 14703).

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

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

Andrew Damron, Technical Services Director, gave a presentation to the Board on the Browns Valley Trunk Project. He reported that the project is part of the 2007 Collection System Master Plan. He discussed the project alignment options that were reviewed during the initial design phase. Damron reported that staff will conduct a public outreach program with stakeholders prior to finalizing plans for the project, including meetings with residents of the community, City of Napa staff and Caltrans. He also reviewed the anticipated project schedule.

Damron reported that a letter from Jack LaRochelle, Public Works Director for the City of Napa, was received by NapaSan on Monday, February 13, 2017. This letter addresses concerns regarding design assumptions and constructability issues. District staff presented written responses from consultant GHD to Mr. LaRochelle's concerns.

Brian Bacciarini, Senior Environmental Scientist from GHD, reported on the CEQA initial study/mitigated negative declaration. He reviewed the summary of impacts and mitigations in the plan. Mr. Bacciarini reported that with incorporation of recommended mitigation measures, the project would not cause significant environmental effects.

Jack LaRochelle, Public Works Director for the City of Napa, addressed the Board with some issues the City of Napa Public Works Department is concerned with on the project. Tim Healy, District General Manager, responded to Mr. LaRochelle's concerns. The Board and staff held discussion.

- c. **MR 17-021:**
APPROVE POLICY ALLOWING NAPASAN TO ACCEPT CREDIT CARDS AND ECHECKS/ACH FOR PAYMENTS DUE TO NAPASAN, AND TO PASS TRANSACTION AND PROCESSING FEES ON TO THE CUSTOMERS.

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

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

Jeff Tucker, Administrative Services Director/CFO, gave a report on the proposed policy for accepting credit cards and eChecks/ACH payments for payments due to the District. He reported that customers have requested the ability to pay by credit card and eChecks/ACH payments for recycled water fees, monthly and annual sewer service charges, waste hauling, permit and inspections, and recycled water signs. Tucker reported the fees charged by the credit card processor varies depending on who pays them. If NapaSan pays the fees, the charge would be 1.42% of sale and \$0.12 per transaction for credit cards and \$0.95 for eChecks. If the customer pays the charge the fee would amount to 2.34% of sale for credit cards and \$1.50 per transaction for eChecks.

The Board held discussion and concurred with the policy to accept credit cards and eCheck/ACH for payments made to NapaSan, with the customer responsible for paying the associated processing fees.

- d. **MR 17-022:**
APPOINT DIRECTOR LUROS TO THE FINANCE, RECYCLING 2X2 AND THE LANDS COMMITTEES.

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

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

9. **GENERAL MANAGER REPORT:**

- a. None.

10. **LEGAL COUNSEL REPORT:**

- a. None.

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

- a. North Bay Watershed Association meeting (2/03/17) – Vice-Chair Gregory reported he attended the meeting. Topics discussed were ground water management plans and whether NBWA should start taking positions on legislation and other specific issues.

12. **UPCOMING MEETINGS:**

- a. Regular Board meeting – March 1, 2017
- b. North Bay Watershed Association meeting – March 3, 2017
- c. Regular Board meeting – March 15, 2017 (Board Workshop – 3 hour meeting)
- d. NBWRA Board meeting – March 27, 2017
- e. Regular Board meeting – April 5, 2017

13. **ADJOURN TO CLOSED SESSION: (5:45 P.M.)**

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One (1) Case
Facts and circumstances: Correspondence from Michael Durkee to District Counsel, dated March 16, 2016
- b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One (1) Case

14. **RECONVENE TO OPEN SESSION: 6:44 P.M.**

15. **REPORT FROM LEGAL COUNSEL ON CLOSED SESSION: (6:44 P.M.)**

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

16. **ADJOURNMENT: (6:44 P.M.)**

Adjourn to Napa Sanitation District Regular Meeting on Wednesday, March 1, 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