

APPROVED

**DONNER SUMMIT PUBLIC UTILITY DISTRICT
P.O. BOX 610 – SODA SPRINGS – CALIFORNIA – 95728
TELEPHONE (530) 426-3456 – FAX (530) 426-3460**

**Minutes of the Special Meeting of the Board of Directors
Held: February 14, 2012**

STAFF PRESENT: Tom Skjelstad, General Manager; Jim King, Plant Manager; Julie Bartolini, Office Manager

OTHERS PRESENT: Geoffrey O. Evers, General Counsel; Cheryl Lebel

1. Call to Order

The Special Meeting of February 14, 2012 of the Donner Summit Public Utility District Board of Directors was called to order at 6:00 p.m. by President Cathy Preis, at 53823 Sherritt Lane Soda Springs, California.

2. Roll Call

Cathy Preis, President	- Present
Taylor Dolph, Vice President	- Present
Bob Sherwood, Secretary	- Present
Philip Gamick, Director	- Present
Sara Schrichte, Director	- Present

3. Clear the Agenda

No Changes

4. Public Participation

None

5. Consent Calendar:

All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board requests an item to be removed from the Consent Calendar for a separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

- A. **Cash Disbursements – General, Month of December 2011 --
\$ 471,386.47**
- B. **Cash Disbursements – General, Month of January 2012 --
\$100,451.16**
- C. **Cash Disbursements – Payroll, Month of December 2011--
\$56,219.76**
- D. **Cash Disbursements – Payroll, Month of January 2012--
\$58,710.12**
- E. **Financial Statements through December 31, 2011**
- F. **Special Meeting Minutes of December 6, 2011**
- G. **Special Meeting Minutes of December 13, 2011**

Motion: Accept the Consent Calendar
By: Bob Sherwood
Second: Sara Schrichte
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain

Motion Carries

Public Hearing: Consider a 10% Retention Amount for the Construction Contract

Cathy Preis opened the Public Hearing at 6:12 p.m. to consider setting a 10% retention amount for the construction contract for the Donner Summit Public Utility District Wastewater Facilities Upgrade and Expansion Project. Tom Skjelstad informed the Board that on October 9, 2011 the Governor signed a Senate Bill 293 (SB293) that modifies several portions of State law that govern public works contracts. In particular, SB 293 lowers the retention amount for public works contracts from at least 5% to no more than 5%. However, a public agency can increase the retention amount above 5% if it finds, at a normally scheduled public hearing, that the project's complexity requires a higher retention amount. Due to the complexity of this Project, Tom Skjelstad is recommending that the Board of Directors find that the 10% retention is necessary for the Project. There was no public comment on setting a 10% Retention Amount for the Construction Contract for the Donner Summit Public Utility District Wastewater Facilities Upgrade and Expansion Project. The Public Hearing was closed at 6:13 p.m.

Motion: To set a 10% Retention Amount for the Construction Contract for the Donner Summit Public Utility District Wastewater Facilities Upgrade and Expansion Project

By: Bob Sherwood

Second: Phil Gamick

Roll Call Vote

Bob Sherwood - Aye

Phil Gamick - Aye

Cathy Preis - Aye

Taylor Dolph - Aye

Sara Schrichte - Aye

Motion Carries

6. Department Reports

A. Administration: Tom Skjelstad, General Manager

1. **Cal-Trans Rest Area EDU Update-** update of ongoing negotiations between the District and Cal-Trans relating to increased EDUs at the Interstate 80, Donner Summit rest areas. Tom Skjelstad reported that he had sent a letter to CalTrans on December 22, 2011 outlining all the issues that had been discussed over the past few months and that now have been resolved. Included in the letter was the revised billing for the additional 66 EDUs plus calculation of CalTrans project share costs. The contact at CalTrans and his supervisors have met and they agree that all the issues have been resolved and they were prepared to recommend that CalTrans pay its portion of the Upgrade and Expansion Project. However an attorney with CalTrans then raised the issue that CalTrans does not pay for other agency capital improvements, only the rates and charges for service. Tom Skjelstad explained to them that if this were the case then there would be no capacity for the rest areas at the wwtp and that this fact is contrary to the Settlement and Release Agreement and that Caltrans had paid for the capital improvements in 1974 when the water and sewer pipelines for the rest area were installed.

Geoff Evers reported that CalTrans is now and has always been a contract customer of the District and not a recognized rate payer within the District. The relationship was created in August 1975 by way of a contract entered into between DSPUD and CalTrans. In short, the contract effectively provided that DSPUD would provide sewer and water service to Cal Trans for its rest stops on Donner Summit on a contract basis with an agreed upon calculation of fees and charges. Further, CalTrans at that time agreed to pay \$174,007.00 for the cost of connecting the rest stops to the Donner Summit Public Utility District

system. The contract expired on August 8, 1995, and has been continued on a year to year basis subsequent to the August 8, 1995 date. More recently there was litigation between DSPUD and CalTrans. This litigation culminated with a settlement agreement between DSPUD and CalTrans and as well spurred conversations between DSPUD and CalTrans regarding CalTrans request to be brought into the District whether by annexation or other means and to have a relationship between the parties morphed from a contract for service customer to a rate payer of the District. It has been determined that annexation was not necessary as the Donner Summit rest stops were within our most recent sphere of influence and thus would allow the District to simply bill CalTrans for the costs of the EDUs (necessary connections) just as any other commercial rate payer within the District.

2. Stantec Monthly Activities- a summary of the ongoing work for the District's wastewater treatment plant upgrade and expansion project. Tom Skjelstad reported the following:

- Prepare and submit 50% complete drawings and specifications
- Conduct 50% submittal workshop
- Develop preliminary architectural floor plans and elevations
- Preparation of photo simulations showing new structures
- Meeting with USFS landscape architect, District Manager, Stantec architect and engineer to review and discuss photo simulations
- Complete the mechanical design to the plus 50% design level, including all major design elements and key infrastructure details.
- Complete the instrumentation drawings to the plus 50% level.
- Complete the structural and civil work to the 90% design level for Vactor Receiving Station.
- Select influent sample receiving concept and configuration.
- Reviewed plant piping layouts and update plant hydraulic profile calculations. Analyzed flow variability and appropriate controls for EST2 return pumps.
- Analyzed digester aeration piping head losses, pressures and temperatures.
- Continued refinement on membrane building layout, including coordination with structural, architectural and mechanical designers.
- Further work on modifications to Reactors 1 and 2.
- Prepare front end and technical specifications.
- Work on demolition and yard piping drawings
- Work on site paving and grading drawings and retaining walls
- Work on plant drain pump station
- Work on Division 2 earthwork specifications
- Work on Aerobic Digester/Storage Tank

- Work on Specifications for mixers, wall pumps fine bubble diffusers, ammonia scales, FRP panels, and blowers.

Total budget expended as of 12/31/11 is approximately \$769,000 or 47 percent of the design budget.

3. **Request for Qualifications for Construction Management Services-** the District RFQ for Construction Management services for the Wastewater Facilities Upgrade and Expansion Project were mailed to eligible firms. As directed by the Joint Facilities Committee and authorized by the DSPUD Board of Directors, the RFQ for Construction Management Services was mailed out to nine firms on Wednesday, January 4, 2012. The deadline for return to the District is February 16, 2012 at 2:00 P.M.
4. **Stantec Proposal for Architectural Services-** a proposal from Stantec for services to remodel and bring the DSPUD Admin. offices and building into compliance with current building requirements and add additional office space. Tom Skjelstad reviewed the Stantec proposal for Architectural Services. Discussion ensued. Staff was directed to get fee schedules from other firms and report back at the March Board of Directors meeting.
5. **Barnard & Vogler, Co. Engagement Letter for Bookkeeping Services thru December 31, 2012 -** renew annual letter of agreement.

Motion: Authorizing the General Manager to Sign the Engagement Letter with Barnard & Vogler, Co. for Bookkeeping Services thru December 31, 2012.

By: Bob Sherwood

Second: Taylor Dolph

Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain

Motion Carries

B. Sewer and Water Department – Jim King, Chief Plant Operator

1. **Waste Water Flow Data – for December and January -** Reported
2. **Fresh Water Flow Data – for December and January -** Reported
3. **Operations and Maintenance Summary –** activities during the month of December and January. Jim King reported the following:

Operations WWTP

December:

- New propane lines and meters installed for the administration and fire department buildings.

January:

- Staff conducted tour of the wastewater plant for perspective construction management contractors to oversee the upcoming plant upgrade.
- Back filled new propane lines and installed bollard.

Operations Water Plant

December:

- Ran on stand-by power for 17.6 hours due to PG&E power outages.
- Received delivery of chemical supplies in preparation for winter.

January:

- Performed quarterly calibrations on plant in-line turbidity meters.

Repairs and Maintenance WWTP

January:

- Serviced 98 Toyota and 07 Dodge trucks.
- Installed new steering stabilizer on 04 Ford.
- Installed new sump pump at sewer lift station #8.

Repairs and Maintenance FWTP

January:

- Repaired water leak and thawed out line at Donner Ski ranch.
- Repaired leak at Ski Inn.
- Replaced failed vacuum relief valve at Sugar Bowl.
- Replaced failed main line gate valve at Big Bend.
- Repaired water leak at Big Bend.

C. Monthly Safety Committee Meeting Minutes, Months of December and January

Motion: Accept the Safety Committee Meeting Minutes for December and January

By: Sara Schrichte

Second: Bob Sherwood

Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain

Motion Carries

7. President's Report:
Election of Board Officers – annual election of Board officers;
President, Vice President, and Secretary to the Board.

Motion: Nominate Taylor Dolph as Vice President

By: Cathy Preis

Second: Bob Sherwood

Vote: 5 Ayes 0 Noes 0 Absent 0 Abstain

Motion Carries

Motion: Nominate Cathy Preis as President

By: Bob Sherwood

Second: Sara Schrichte

Vote: 5 Ayes 0 Noes 0 Absent, 0 Abstain

Motion Carries

Motion: Nominate Bob Sherwood as Secretary

By: Phil Gamick

Second: Taylor Dolph

Vote: 5 Ayes 0 Noes 0 Absent 0 Abstain

Motion Carries

8. Correspondence: None

9. Ordinance:

Ordinance 01- 2012 - an Ordinance of the Donner Summit Public Utility District to Amend and Modify Ordinance No. 2008-01, Setting Sewer Rates and Charges.

Motion: Adopt Ordinance 01- 2012 - an Ordinance of the Donner Summit Public Utility District to Amend and Modify Ordinance No. 2008-01, Setting Sewer Rates and Charges.

By: Bob Sherwood

Second: Taylor Dolph

Roll Call Vote

Bob Sherwood - Aye

Phil Gamick - Aye

Sara Schrichte - Aye

Cathy Preis - Aye

Taylor Dolph - Aye

Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy

Motion Carries

10. Committee Reports:

Joint Facilities Committee: Letter dated, February 6, 2012 to Tom Skjelstad, DSPUD General Manager, from Geoff Evers, Legal Counsel for DSPUD. A letter summarizing a discussion between Geoff Evers and Mr. Jim Curtis, counsel for SLCWD. Geoff Evers reviewed his letter to Tom Skjelstad dated 02/03/2012. Geoff Evers also reviewed Jim Curtis's response dated 02/10/2012.

Meeting notes from the 50% final design submittal meeting held at Stantec. Bob Sherwood reported.

Report from the 90% final design submittal meeting of February 14, 2012. Bob Sherwood Reported.

Tom Skjelstad reviewed the items that were discussed being added to the Project. There was a discussion regarding the 100% meeting. It was decided to have the 100% Submittal Workshop on March 8, 2012.

11. Closed Session: None

12. Informational In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

13. Adjournment

Motion: Adjourn Meeting at 7:50 P.M.

By: Bob Sherwood

Second: Taylor Dolph

Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain

Motion Carries

Schedule of Upcoming Meetings

Special Meeting - March 8, 2012

Regular Meeting - March 20, 2012

Regular Meeting - April 17, 2012

The wording in these minutes are as reread from the notes by the Clerk of the Board.

Respectfully Submitted,



Deleane Mehler
Clerk of the Board