



North Bay Water Reuse Authority

Las Gallinas Valley Sanitary District | Napa County | Napa Sanitation District | North Marin Water District
Novato Sanitary District | Sonoma County Water Agency | Sonoma Valley County Sanitation District

BOARD OF DIRECTORS MEETING

AGENDA – PHASE 1

Monday, November 14, 2011
9:30 A.M.

Novato Sanitary District
500 Davidson Street
Novato, CA 94945

1. **Call to Order**
2. **Roll Call**
3. **Public Comment**
(Any member of the public may address the Board at the commencement of the meeting on any matter within the jurisdiction of the Board. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Board limit their presentation to three minutes. Any member of the public desiring to provide comments to the Board on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.)
4. **Introductions**
5. **Board Meeting Minutes of August 15, 2011 Meeting**
(The Board will consider approving the minutes from the August 15, 2011 Board meeting.)
6. **Report from the Program Manager**
6.a Consultant Progress Reports
(The Board will review the Report from the Program Manager and Consultant Progress Reports.)
7. **Budget Summary – Period Ending September 30, 2011**
(The Board will review the Budget Summary for the period ending September 30, 2011.)
8. **American Recovery and Reinvestment Act and Title XVI Projects and Schedule Updates**
(The Board will review the American Recovery and Reinvestment Act and Title XVI Projects and Schedule Updates.)

Action
Pages 3 - 5

Information
Pages 6 - 13

Information
Pages 14 - 15

Information
Pages 16 - 18

- Hearing**
Page 19
- 9. Hearing on Adoption of Conflict of Interest Code**
(The Board will hold a hearing to allow public comments on its proposed Conflict of Interest Code.)
- Action**
Page 20
- 10. Close Hearing on Adoption of Conflict of Interest Code**
(The Board will close the Hearing on its proposed Conflict of Interest Code.)
- Resolution**
Pages 21 - 25
- 11. Resolution Adopting the NBWRA Conflict of Interest Code**
(The Board will consider approving a Resolution adopting the NBWRA Conflict of Interest Code.)
- Information**
Pages 26 - 27
- 12. Report on United States Bureau of Reclamation Commissioner’s Tour of North Bay Water Reuse Program**
(The Board will be updated on the United States Bureau of Reclamation Commissioner’s tour.)
- Resolution**
Pages 28 - 29
- 13. Resolution Authorizing Sonoma County Water Agency to apply for a WaterSMART Grant on behalf of the NBWRA Member Agencies**
(The Board will consider approving a Resolution authorizing the Sonoma County Water Agency to apply for a WaterSMART Grant on behalf of the NBWRA Member Agencies.)
- Information**
Pages 30
- 14. Federal Funding Update**
(The Board will be updated on the status of Federal funding.)
- Information**
Pages 31 - 35
- 15. State Funding Update**
(The Board will be updated on the status of State funding.)
- 16. Adjournment**

<p>Next Board Meeting Monday, February 27, 2012, 9:30 A. M.</p>

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a Board meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Program Manager at (510) 410-5923. Notification of at least 48 hours prior to the meeting or time when services are needed will assist in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

(A copy of all the documents constituting the agenda packet is available for public inspection prior to the meeting at 500 Davidson Street, Novato, CA 94945. Any person may request that a copy of the agenda or the agenda packet be mailed to them for a fee of \$.10 per page plus actual mailing costs. If you wish to request such a mailing, please contact Chuck Weir, RMC, 2001 N. Main Street, Suite 400, Walnut Creek, CA 94596, 510-410-5923, cweir@rmcwater.com. The agenda and the agenda packet for each meeting are also available on-line at www.nbwra.com and will be available at the meeting.)

**North Bay Water Reuse Authority
Board of Directors Meeting
Phase 1 Minutes
August 15, 2011**

1. Call to Order

Chair Long called the meeting to order at 9:33 a.m. on Monday, August 15, 2011 at the Novato Sanitary District Boardroom, 500 Davidson Street, Novato, CA 94945.

2. Roll Call

PRESENT: Bill Long, Chair, Novato Sanitary District
Keith Caldwell, Vice-Chair, Napa County
Valerie Brown, Sonoma Valley County Sanitation District
Larry Loder, Las Gallinas Valley Sanitary District
John Schoonover, North Marin Water District
David Rabbitt, Sonoma County Water Agency
Jill Techel, Napa Sanitation District

ABSENT: None

OTHERS

PRESENT: Chuck Weir, Program Manager	RMC
Marc Bautista	Sonoma County Water Agency
Ginger Bryant	Bryant & Associates
Asavari Devadiga	ESA
Tim Healy	Napa Sanitation District
Beverly James	Novato Sanitary District
Pam Jeane	Sonoma Valley County Sanitation District
Andria Loutsch	CDM
Taylor McDaniel	Rauch Communications
Susan McGuire	Las Gallinas Valley Sanitary District
Drew McIntyre	North Marin Water District
Phillip Miller	Napa County
Monica Oakley	Oakley Water / RMC
Pilar Oñate-Quintana	KP Public Affairs
Michael Savage	CDM
Rem Scherzinger	City of Petaluma
Renee Webber	Sonoma County Water Agency
Mark Williams	Las Gallinas Valley Sanitary District

3. Public Comment

No members of the public addressed the Board.

4. Introductions

The Board of Directors and Program Manager introduced themselves and the agency or company that they represented.

5. Board Meeting Minutes of May 23, 2011

A motion by Director Schoonover, seconded by Director Caldwell to approve the May 23, 2011 minutes was unanimously approved.

6. Report from the Program Manager**6.a Consultant Progress Reports**

The Program Manager noted that this month's report included the July 2011 Progress Reports from the consultant team.

7. Budget Summary – Period Ending June 30, 2011

The Program Manager distributed an updated Budget Summary for the Period Ending June 30, 2011. Costs for FY2010/11 were within budget. The report included updated data on member agency assessments and balances.

8. American Recovery and Reinvestment Act and Title XVI Projects and Schedule Updates

Andria Loutsch reviewed the NBWRA schedule and status of member agency projects funded through ARRA. She also noted that the first request for reimbursement has been sent to US Bureau of Reclamation in the amount of \$1,085,721.

9. Agreement for Sale of Conservation Credits – Ohlone Mitigation Bank

A motion by Director Caldwell, seconded by Director Schoonover to approve the agreement for Sale of Conservation Credits through the Ohlone Mitigation Bank was unanimously approved. Director Brown inquired as to details regarding the Ohlone property, including size and protected species covered. Asavari Devadiga, ESA, indicated she would send information to the Program Manager for distribution to the Board.

10. Adopt Notice of Intention to Adopt a Conflict of Interest Code; Authorize and Direct Circulation and Filing of Notice; Set Hearing on Adoption of Conflict of Interest Code for November 14, 2011

A motion by Director Brown, seconded by Director Techel to approve adoption of a Notice of Intention to Adopt a Conflict of Interest Code, to authorize and direct circulation and filing of the Notice, and to set a Hearing on Adoption of Conflict of Interest Code for November 14, 2011 was unanimously approved. The Board acknowledged that there may be minor modifications to the Conflict of Interest Code based on review by Sonoma County Water Agency's conflict of interest specialist. It was further noted that the circulation and filing of the Notice would not occur until after that review.

11. Federal Funding Update

Ginger Bryant provided a report on the status of federal funding as described in the Agenda packet. She indicated that additional information would be provided in a presentation that would occur during the Phase 2 meeting.

12. State Funding Update

Pilar Oñate-Quintana provided an update on the status of State funding as described in the Agenda packet. She indicated that additional information would be provided in a presentation that would occur during the Phase 2 meeting. She also noted that NBWRA is set to receive a total of \$2,000,000 from Proposition 84 Funds.

13. Adjournment

There being no further business, Chair Long adjourned the meeting at 9:52 a.m.

Minutes approved by the Board on _____.

Charles V. Weir
Program Manager

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

ITEM NO. 6 REPORT FROM THE PROGRAM MANAGER

The October 2011 Report from the Program Manager includes the following item:

Item No. 6.a Consultant Progress Reports for October 2011

Program Management Services for North Bay Water Reuse Authority Phase 1
RMC Water and Environment
SCWA Order Number 7534A5, Account Number 391029-6570
RMC Job No. 0047-007.01

Phase 1 Progress Report

October 2011

Task 2.1 Board of Directors and Technical Advisory Committee (TAC) Meeting Management

- Prepared discussion item list and participated in consultant conference call.
- Prepared Agenda Packet for October 24, 2011 Technical Advisory Committee (TAC) meeting.
- Attended October 24, 2011 TAC meeting at Novato Sanitary District.
- Drafted minutes for October 24, 2011 TAC meeting. Transmitted to TAC for review and comment.
- Prepared list of short-term action items discussed at the October 24, 2011 TAC meeting. Transmitted action items to meeting attendees. Tracked progress of action items from previous meetings. Revised list based on comments received.
- Updated distribution lists.

Task 2.2 Budget Preparation and Reporting

- Reviewed consultant costs for September 2011 and updated summary of costs for FY2011/12.

Task 2.3 Project Support and Review

- Bill Long press release review and comment.
- Reviewed and commented on plans for outreach consultant selection process. Reviewed and rated outreach consultant Statements of Qualifications. Participated in conference call to develop short list for outreach consultants. Revised outreach consultant rating sheet and sent to TAC. Scheduled conference call for TAC to discuss outreach consultant selection.
- Responded to State Revolving Fund question from Assemblymember Allen's staff and notified SRF team.

Task 2.4 Program Planning

- Prepared October 2011 Progress Report and October 2011 Invoice.

Task 2.5 Governance Issues

- No work was conducted on this task during the period.

Task 2.6 Additional Tasks (Optional)

- No work was conducted on this task during the period.



2110 G Street, #2
Sacramento CA 95816

Activity Summary

November 1, 2011

Ms Renee Webber
Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa CA 95403-1936

**Re: October 2011 Activity Summary
North Bay Water Reuse Program - Phase 1 Program Development Services**

**SCWA Order # 7534A6
SCWA Account # 391029-6570**

Activity Summary

- Prepared monthly reports, submitted for TAC meeting packets and attended TAC meeting
- Prepared Quarterly Program Development Report for SCWA
- Coordinated with SCWA, Commissioner's DC office and Mid-pacific Region on Commissioner's tour
- Continued efforts to increase USBR internal program funding for WaterSMART construction grants
- Participated in monthly Program Management call with Roger Gwinn and Renee Webber
- Participated in Consultant Coordination call
- Participated in USBR Office of Inspector General Program tour

KP Public Affairs**NBWRA Report October 2011**

Below, please find a summary of significant activities conducted on behalf of NBWRA in October 2011:

- Continued to monitor outcome of legislation relevant to/of potential concern to NBWRA.

In particular, KP continued to monitor outcome of bills included on the report included in the Board Agenda packet, which include measures pertinent to integrated regional water management plans and recycled water.

- Continued to monitor and provide NBWRA with updates regarding the Prop. 84 Integrated Regional Water Management (IRWM) Program – including providing an update with respect to Department of Water Resource’s recently released schedule for Round 2 of the program, which will now kick off in Fall 2012.
- Continued to provide updates/forward information regarding California Water Commission (CWC) planned workshop pertaining to water storage. In particular:
 - 1) Coordinated and participated in calls with NBWRA staff/consultants regarding the CWC water storage workshop on October 25, 2011.
 - 2) Worked with NBWRA consultants and Sonoma County Water Agency staff to develop power point and talking points for General Manager use.
 - 3) Monitored the October 25, 2011 workshop and attended the regional storage panel.
- Continued discussions to plan for a potential state tour to include elected officials and Administration officials and, given delay in tour potential due to budgetary considerations, had preliminary discussions with staff regarding meetings with key legislators before the beginning of the year.
- Participated in the October 2011 TAC meeting via phone and provided updates re: IRWM program (planning grants and implementation grants) as well as WateReuse legislative plans for next year, etc.

**Rauch Communication Consultants Inc.**

936 Old Orchard Rd – Campbell, CA 95008

PH 408-374-0977

FX 408-374-2197

E info@rauchcc.com

M E M O

Progress Report, October 2011***North Bay Water Reuse Authority Program Outreach Activities:*****Task 1 – Hold Kickoff Meeting**

- No activities were carried out on this task for this period.

Task 2 – Research and Information Gathering

- No activities were carried out on this task for this period.

Task 3 – Update Outreach Materials

- No activities were carried out on this task for this period.

Task 4 – Update Outreach Plan, Themes and Messages

- No activities were carried out on this task for this period.

Task 5– Acquaint the Public with the Recycled Water Program

- Website maintenance post agenda.

Task 6 – Conduct Focused Outreach Activities

- No activities were carried out on this task for this period.

Task 7 – Conduct Remaining Outreach Actions

- No activities were carried out on this task for this period.

Task 8 – Coordination and Support

- Collect and send photos to SCWA
- Review agenda documents
- Prepared monthly report.
- Tracked phone hotline service and press coverage.

North Bay Water Reuse Authority
Professional Services by CDM

October 2011 Progress Report – Phase 1 Activities

Engineering Support

- Communicated with project team and member agencies about upcoming WaterSMART grant application funding and information needs.
- Updated Phase 1 construction schedule based on input from member agencies.
- Prepared consultant progress reports.
- Project management activities and project invoicing.

Dual Purpose Storage Investigation

- No work performed.

ARRA Reporting Coordination

- Prepared quarterly report covering July through September 2011.
- Drafted letters summarizing the member agency audits conducted in September 2011.
- Prepared summary of member agency grant amounts.
- Led member agency conference call on construction issues.
- Attended two-day federal grant and reporting training.
- Attended Bureau of Reclamation's financial assistance review of SCWA and SVCSD.
- Project management activities and invoicing.

Sonoma County Water Agency
Professional Services by ESA
ESA project # 206088.01

Progress Report

Oct 1-31, 2011

2011-12 Scope of Work

Task 1.1 MMRP Tracking

- Updated Draft Environmental Compliance Status Report for SCWA
- Prepared Draft “Pre-Project” Mitigation Monitoring and Reporting Program Products
 - Napa San District
 - SCVSD R5 Reservoir
 - LGVSD WWTP/NWMD South
 - NMWD/Novato San
 - NMWD Phase 1
 - Novato SD Tertiary Treatment
 - NMWD Phase 3

Task 1.2 USFWS Biological Opinion

No Activity

Task 1.3 Section 106 Consultation

No Activity

Task 1.4 NBWRA Environmental Coordination/Support

No Activity

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

ITEM NO. 7 BUDGET SUMMARY – PERIOD ENDING SEPTEMBER 30, 2011

Action Requested: None at this time.

As noted previously, beginning with FY2011/12 the Board and TAC will receive quarterly financial summaries. The Program Manager and SCWA staff are in the process of developing appropriate reports. The Program Manager tracks consultant costs on a monthly basis and has prepared the attached first quarter budget summary for FY2011/12 for the period ending September 30, 2011. All costs are within budget.

Recommendation

None at this time.

NBWRA FY2011/12 Consultant Cost Tracking

Phase 1

Month	RMC	Bryant	TFG	CDM	ESA	KP	RCC	SCWA	Total
July-11	2,673.92	5,075.07	5,000.00	6,200.00	2,184.45	4,000.00	738.69		25,872.13
August-11	4,002.71	7,110.07	5,000.00	7,817.03	5,810.00	4,000.00	1,436.19		35,176.00
September-11	2,881.25	5,226.25	5,000.00	10,914.15	2,392.00	4,000.00	421.15		30,834.80
October-11									0.00
November-11									0.00
December-11									0.00
January-12									0.00
February-12									0.00
March-12									0.00
April-12									0.00
May-12									0.00
June-12									0.00
Total	9,557.88	17,411.39	15,000.00	24,931.18	10,386.45	12,000.00	2,596.03		91,882.93
FY11/12 Budget	77,640.00	60,000.00	50,000.00	225,900.00	40,000.00	48,000.00	58,000.00	75,000.00	634,540.00
Amt Remaining	68,082.12	42,588.61	35,000.00	200,968.82	29,613.55	36,000.00	55,403.97	75,000.00	542,657.07
% Remaining	87.69%	70.98%	70.00%	88.96%	74.03%	75.00%	95.52%	100.00%	85.52%

Phase 2

Month	RMC	Bryant	TFG	CDM	ESA	KP	Outreach	SCWA	Total
July-11	1,724.55	7,585.00	-	14,500.00	-	-	-		23,809.55
August-11	2,736.98	7,862.50	-	5,006.56	-	-	-		15,606.04
September-11	1,370.00	6,752.50	-	4,901.50	-	-	-		13,024.00
October-11									-
November-11									-
December-11									-
January-12									-
February-12									-
March-12									-
April-12									-
May-12									-
June-12									-
Total	5,831.53	22,200.00	-	24,408.06	-	-	-		52,439.59
FY11/12 Budget	33,360.00	90,000.00	-	155,200.00	-	-	28,600.00	40,000.00	347,160.00
Amt Remaining	27,528.47	67,800.00	-	130,791.94	-	-	28,600.00	40,000.00	294,720.41
% Remaining	82.52%	75.33%	#N/A	84.27%	#N/A	#N/A	100.00%	100.00%	84.89%

Phase 1 & 2 Total

Month	RMC	Bryant	TFG	CDM	ESA	KP	Outreach	SCWA	Total
July-11	4,398.47	12,660.07	5,000.00	20,700.00	2,184.45	4,000.00	738.69	-	49,681.68
August-11	6,739.69	14,972.57	5,000.00	12,823.59	5,810.00	4,000.00	1,436.19	-	50,782.04
September-11	4,251.25	11,978.75	5,000.00	15,815.65	2,392.00	4,000.00	421.15	-	43,858.80
October-11	-	-	-	-	-	-	-	-	-
November-11	-	-	-	-	-	-	-	-	-
December-11	-	-	-	-	-	-	-	-	-
January-12	-	-	-	-	-	-	-	-	-
February-12	-	-	-	-	-	-	-	-	-
March-12	-	-	-	-	-	-	-	-	-
April-12	-	-	-	-	-	-	-	-	-
May-12	-	-	-	-	-	-	-	-	-
June-12	-	-	-	-	-	-	-	-	-
Total	15,389.41	39,611.39	15,000.00	49,339.24	10,386.45	12,000.00	2,596.03	-	144,322.52
FY11/12 Budget	111,000.00	150,000.00	50,000.00	381,100.00	40,000.00	48,000.00	86,600.00	115,000.00	981,700.00
Amt Remaining	95,610.59	110,388.61	35,000.00	331,760.76	29,613.55	36,000.00	84,003.97	115,000.00	837,377.48
% Remaining	86.14%	73.59%	70.00%	87.05%	74.03%	75.00%	97.00%	100.00%	85.30%

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

**ITEM NO. 8 AMERICAN RECOVERY AND REINVESTMENT ACT AND TITLE XVI
PROJECTS AND SCHEDULE**

Action Requested: None at this time.

The Board should refer to the attachment to this report. It is the NBWRA Phase 1 Project Schedule, which includes the status of the various projects by member agency. It also lists the various sources of federal funding.

This document is maintained by Andria Loutsch, CDM, with input from the member agencies and consultant team. Questions from the Board can be addressed at the meeting.

Recommendation

None at this time.

North Bay Water Reuse Program - Phase 1 Project Schedules

Project	Phase	Schedule	Federal Funding Sources
<i>Novato South (Hamilton Field)</i> LGVSD / WWTP Improvements	Design Bid Award Construction	Jan 2011 - Jul 2011 Aug 2011 Sep 2011 Sep 2011 - Sep 2012	ARRA & WaterSMART
NMWD / Stage 1 of Pipelines & Storage	Design Bid Award Construction	Oct 2010 - Oct 2011 Nov 2011 - Dec 2011 Jan 2012 - Feb 2012 Jan 2012 - Sep 2012	ARRA & WaterSMART
NMWD / Stage 2 of Pipelines & Storage	Design Bid Award Construction	Jul 2011 - Oct 2011 Jul 2012 - Sep 2012 Sep 2012 Oct 2012 - Sep 2013	WaterSMART
<i>Novato North</i> Novato SD / WWTP Improvements	Design Bid Award Construction	Feb 2011 Apr 2011 May 2011 Jun 2011 - Jun 2012	ARRA
NMWD / Segment 1	Design Bid Award Construction	completed Feb 2011 Apr 2011 Jun 2011 Jul 2011 - Dec 2011	ARRA
NMWD / Segment 2	Design Bid Award Construction	Feb 2011 - Sep 2011 Sep 2011 - Oct 2011 Oct 2011 - Nov 2011 Dec 2011 - Aug 2012	ARRA
NMWD / Segment 3	Design Bid Award Construction	Feb 2011 - Jul 2011 Jul 2011 - Aug 2011 Sep 2011 Nov 2011 - Jun 2012	ARRA
NMWD / Storage Rehabilitation	Design Bid Award Construction	completed Apr 2011 May 2011 - Jun 2011 Jul 2011 Aug 2011 - Dec 2011	ARRA
<i>Novato Central</i> Novato SD and NMWD	Design Bid Award Construction	Aug 2016 - Sep 2017 Oct 2017 - Nov 2017 Dec 2017 Jan 2018 - Jan 2019	Title XVI
<i>Sonoma Valley Recycled Water Project - SVCSD</i> Reservoir R5	Design Bid Award Construction	completed Jan 2011 Jan 2011 - Mar 2011 Apr 2011 Jul 2011 - Dec 2011	ARRA
Trunk Line	Design Bid Award Construction	completed Jan 2011 Jan 2011 - Mar 2011 Apr 2011 May 2011 - Nov 2011	ARRA

North Bay Water Reuse Program - Phase 1 Project Schedules

Project	Phase	Schedule	Federal Funding Sources
Pump Station @ WWTP	Design	Jan - Jun 2012	ARRA
	Bid	TBD	Title XVI
	Award Construction	TBD TBD	
<i>Napa-Sonoma Salt Marsh - SVCSD</i>	Design	Jan 2011 - Mar 2012	ARRA
	Bid	Nov 2012	Title XVI
	Award Construction	Jan 2013 Mar 2013 - Aug 2013	
<i>MST Recycled Water Pipeline - Napa SD & Napa County Pipeline</i>	Design	Dec 2010 - Oct 2011	ARRA
	Bid	2012	Title XVI
	Award Construction	2012 2012 - 2015	
Filters	Design	Aug 2011 - Sep 2012	ARRA
	Bid	2013	Title XVI
	Award Construction	2013 2013 - 2015	
<i>Napa State Hospital Recycled Water Pipeline - Napa SD & Napa County</i>	Design	2005 - Oct 2010	none
	Bid	Oct 2010 - Feb 2011	ARRA
	Award Construction	Feb 2011 May 2011 - Dec 2011	
2,500' Extension	Design	Mar 2011 - May 2011	ARRA
	Bid	May 2011	
	Award Construction	May 2011 Jul 2011 - Jul 2012	

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

ITEM NO. 9 HEARING ON ADOPTION OF CONFLICT OF INTEREST CODE

Action Requested: Conduct a hearing to allow public comments on NBWRA's proposed Conflict of Interest Code.

Background:

As reported to the Board at the February 15, 2011 meeting, California law requires public agencies to adopt "Conflict of Interest" codes to specify which agency officials and employees must file the "Form 700 Statement of Economic Interests" and to specify the categories of economic interests that must be disclosed. For agencies such as the NBWRA, which span more than one county, special procedures exist for the adoption of a Conflict of Interest Code.

At the February 15, 2011 meeting, the Board adopted a "Notice of Intention to Adopt a Conflict of Interest Code," pursuant to 2 Cal. Code Regs. Sec. 18750.1, which will commence the process for adoption of a Conflict of Interest Code for the NBWRA.

The Board set a public hearing on the adoption of the proposed Code for November 14, 2011, and to authorize and direct circulation and filing of the Notice with the California Fair Political Practices Commission (FPPC) and with NBWRA consultants as provided by the regulation.

After the Board closes the public hearing, and the Board adopts the proposed Code, the approved Code will be submitted to the FPPC for its review and approval. A copy of the proposed code is attached to the Resolution adopting the Code in Agenda Item No. 11.

Recommendation

Conduct a hearing to allow public comments on NBWRA's proposed Conflict of Interest Code.

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

ITEM NO. 10 CLOSE HEARING ON ADOPTION OF CONFLICT OF INTEREST CODE

Action Requested: After receiving comments from the public, the Board should close the hearing and then consider adopting the proposed Conflict of Interest Code.

Please refer to the discussion in Agenda Item No. 9, Hearing on Adoption of Conflict of Interest Code.

Recommendation

After receiving comments from the public, the Board should close the hearing and then consider adopting the proposed Conflict of Interest Code.

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Agenda Explanation
North Bay Water Reuse Authority
Board of Directors
November 14, 2011

ITEM NO. 11 RESOLUTION ADOPTING THE NBWRA CONFLICT OF INTEREST CODE

Action Requested: Approve the Resolution adopting the NBWRA Conflict of Interest Code

Please refer to the discussion in Agenda Item No. 9, Hearing on Adoption of Conflict of Interest Code. A Resolution adopting the Conflict of Interest Code and the Code are attached for the Board's consideration.

Recommendation

Approve the Resolution adopting the NBWRA Conflict of Interest Code.

Resolution No. 2011-01

RESOLUTION ADOPTING THE NBWRA CONFLICT OF INTEREST CODE

WHEREAS, the North Bay Water Reuse Authority (NBWRA) desires to comply with California Law which requires public agencies to adopt “Conflict of Interest” codes to specify which agency officials and employees must file the “Form 700 Statement of Economic Interests” and to specify the categories of economic interests that must be disclosed; and

WHEREAS, on August 15, 2011, The Board adopted a “Notice of Intention to Adopt a Conflict of Interest Code,” pursuant to 2 Cal. Code Regs. Sec. 18750.1, which commenced the process for adoption of a Conflict of Interest Code for NBWRA; and

WHEREAS, the Board held a public hearing on the adoption of the proposed Code on November 14, 2011; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby adopts the attached Conflict of Interest Code including its associated Appendices.

BE IT ALSO RESOLVED THAT the approved Code will be submitted to the Fair Political Practices Commission for its review and approval.

The foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the Board of the North Bay Water Reuse Authority at Novato Sanitary District, Marin County, California, at a meeting held on the 14th day of November, 2011, by the following vote of the members thereof:

- Ayes:
- Noes:
- Absent:
- Abstain:

William C. Long, Chair

Attest:

Charles V. Weir, Program Manager

**NORTH BAY WATER REUSE AUTHORITY
CONFLICT-OF-INTEREST CODE**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the North Bay Water Reuse Authority ("NBWRA").

Individuals holding designated positions and individuals covered by Government Code Sections 87200 shall file statements of economic interests with NBWRA, which will make the statements available for public inspection and reproduction (Government Code § 81008). Statements for all individuals holding designated positions and all individuals covered by Government Code Sections 87200 shall be retained by NBWRA.

APPENDIX A
DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Members of the Board of Directors	1,2
Consultants*	1,2**

*Consultants include only those individuals who serve NBRWA in a staff capacity and in that capacity participate in making a governmental decision as defined in regulation 18702.2. Employees of NBWRA’s administrative agency (the Sonoma County Water Agency) who perform such services for NBWRA are included in the definition of “Consultants.” NBWRA has no employees.

**The Chairperson may determine in writing that a particular consultant, although in a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties, and based upon that description, a statement of the extent of the disclosure requirements. The Chairperson’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code.

APPENDIX B

Disclosure Categories

Category 1

Income, including gifts, loans, and travel payments, from, and investments and business positions in, sources of the type that engage in land development, construction, or the acquisition or sale of real property, and all interests in real property within the jurisdictions of the member agencies of NBWRA.

Category 2

Income, including gifts, loans, and travel payments, from, and investments and business positions in, sources of the type that provide services, supplies, material, machinery, or equipment of the type utilized by the member agencies of NBWRA or in projects funded by NBWRA.

Agency Positions that Manage Public Investments
for Purposes of Section 87200 of the Government Code

There are no NBWRA positions that manage public investments for purposes of Section 87200 of the Government Code.

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Agenda Explanation
North Bay Water Reuse Authority
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**ITEM NO. 12 REPORT ON UNITED STATES BUREAU OF RECLAMATION
COMMISSIONER'S TOUR OF NORTH BAY WATER REUSE PROGRAM**

Action Requested: None at this time.

Please refer to the attached schedule for the tour which was scheduled for November 9, 2011.
Ginger Bryant and other participants will provide a report on the tour.

Recommendation

None at this time.

**NBWRA Tour with USBR Commissioner Mike Connor
Wednesday November 9, 2011**

TIME	LOCATION	DESTINATION	SPEAKER	NOTES/Directions
0815	502 Palm Drive Novato	NSD		Pick up Ginger and USBR team drive NSD to begin tour.
0900	Napa SD	Napa State Hospital	IN TRANSIT	Intersection of Imola Avenue and Parrish Rd (Near 7/11)
0905	Napa State Hospital	TOUR STOP	Supervisor Caldwell	Use of recycled water to offset potable water
0915	Napa State Hospital	MST	IN TRANSIT	Drive east on Imola to Skyline Park/ turnaround back to Soscol towards Sonoma
0920	MST	TOUR STOP	Supervisor Caldwell –	Unclear if we are going into neighborhood
0930	MST	Napa-Sonoma Salt Marsh	IN TRANSIT	From 12/121 Exit Duhig Rd LT / Las Amigas Rd /RT to Buchli Station Road
0950	Napa-Sonoma Salt Marsh	TOUR STOP	Jessica	Wildlife enhancement, CDFG Project, Prior Project History
1020	Napa-Sonoma Salt Marsh	Reclamation Ponds	IN TRANSIT	From Buchli Station Rd north LT onto Las Amigas/ LT Duhig, turns into Ramal Rd
1035	SVCSD Reclamation Ponds	TOUR STOP	Ginger	Drive up to overlook discuss Multi-purpose Storage and Phase 2 Goals
1050	SVCSD Reclamation Ponds	R5	IN TRANSIT	LT onto Duhig, LT onto 121, LT on to Eighth St East [22675 Eighth St. E, Sonoma, CA]
1100	R5	TOUR STOP	Various	R5 Recycled Water Reservoir
1130	R5	Viansa Winery	IN TRANSIT	From SVTP RT on Eighth St E, RT 121 LT onto Arnold DR [25200 Arnold Dr, Sonoma, CA]
1140	Viansa Winery	LUNCH		
1215	Viansa Winery	Novato San Water Facility	IN TRANSIT	LT on Arnold Dr RT Highway 37 LT 101. Exit DeLong EAST RT onto Davidson [500 Davidson Rd]
1235	Novato Sanitary District/NMWD	TOUR STOP	Bev James NSD	Recycled Water Facility, Future Users: Valley Memorial Cemetery
1255	Novato Sanitary District/NMWD	Hamilton Field/Coast Guard Housing	IN TRANSIT	101 exit east Ignacio Blvd/ Bel Marin Keys/RT Nave/ LT Main Gate/ RT South Palm Dr/ RT Hanger Ave turns into Caliente Real
1305	Hamilton Field/Coast Guard Housing	TOUR STOP	Drew McIntyre - NMWD	Existing and Future Users: Coast Guard Housing, Parks/Housing,
1330	Coast Guard Housing	502 Palm Drive		USBR Staff ends tour

Staff Cell Phones: Kevin: 707-975-4395 Marc: 707-974-8657 Carly: 818-807-5371 Renee: 707-217-5315 Stephanie: 707-217-5315

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ITEM NO. 13 RESOLUTION AUTHORIZING SONOMA COUNTY WATER AGENCY TO APPLY FOR A WATERSMART GRANT ON BEHALF OF THE NBWRA MEMBER AGENCIES

Action Requested: Approve a Resolution authorizing the Sonoma County Water Agency (SCWA) to apply for a WaterSMART Grant on behalf of the NBWRA Member Agencies.

The United States Bureau of Reclamation (USBR) released the Title XVI WaterSMART grant opportunity on November 7, 2011. Applications are due January 17, 2012 and have a ceiling of \$4 million. Only authorized Title XVI projects are able to apply. As the fiscal agent for the NBWRA, SCWA will be the official grant applicant. It is anticipated that Sonoma Valley County Sanitation District and Napa County will have projects to include in the grant application. The FY2011/12 Phase 1 Budget includes funds for CDM to preparing the WaterSMART grant application. The agencies that apply will need to provide information on their projects as requested by CDM to complete the application.

Since there are funds for this in the FY2011/12 Budget that was approved by the Board in May 2011, the Memorandum of Understanding allows the Technical Advisory Committee to approve this expenditure. However, it is desirable for the NBWRA Board to take an active role in initiating projects on behalf of the member agencies. Therefore, the attached resolution is presented for the Board's consideration. If approved, SCWA would adopt a more detailed resolution designating their General Manager and staff to work with the consultants to prepare the application as well as other efforts that are necessary to help to ensure approval by USBR.

Recommendation

Approve a Resolution authorizing the Sonoma County Water Agency (SCWA) to apply for a WaterSMART Grant on behalf of the NBWRA Member Agencies.

Resolution No. 2011-02

RESOLUTION AUTHORIZING SONOMA COUNTY WATER AGENCY TO APPLY FOR A WATERSMART GRANT ON BEHALF OF THE NBWRA MEMBER AGENCIES

WHEREAS, the North Bay Water Reuse Authority (NBWRA) and its member agencies desire to promote the use of recycled water in the North San Pablo Bay Region; and

WHEREAS, NBWRA’s projects have been authorized under Title XVI, which includes funding through the WaterSMART Grant Program; and

WHEREAS, the United States Bureau of Reclamation (USBR) released the Title XVI WaterSMART grant opportunity on November 7, 2011; and

WHEREAS, applications are due January 17, 2012 and have a ceiling of \$4 million; and

WHEREAS, the FY2011/12 Budget which was approved by the Board in May 2011 includes funding for the WaterSMART Grant application process; and

WHEREAS, the Sonoma County Water Agency acts as the administrative agent for NBWRA.

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby authorizes the Sonoma County Water Agency to submit an application for the WaterSMART Grant application including any follow up actions.

The foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the Board of the North Bay Water Reuse Authority at Novato Sanitary District, Marin County, California, at a meeting held on the 14th day of November, 2011, by the following vote of the members thereof:

- Ayes:
- Noes:
- Absent:
- Abstain:

William C. Long, Chair

Attest:

Charles V. Weir, Program Manager

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Agenda Explanation
North Bay Water Reuse Authority
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ITEM NO. 14 FEDERAL FUNDING UPDATE

Action Requested: None at this time.

Ginger Bryant will provide an update on federal funding opportunities.

Recommendation

None at this time.

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Agenda Explanation
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ITEM NO. 15 STATE FUNDING UPDATE

Action Requested: None at this time.

Please refer to the report from Pilar Oñate Quintana, KP Public Affairs, in Agenda Item No. 6.a. Also refer to the attached NBWRA Short Bill Report, which is a summary of current bills of interest in the State Legislature.

Recommendation

None at this time.

NBWRA Short Bill Report as of 10/11/2011

[AB 83](#)

(Jeffries R) Environment: CEQA exemption: recycled water pipeline.

Current Text: Introduced: 1/5/2011 [pdf](#) [html](#)

Introduced: 1/5/2011

Status: 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/11/2011)

Location: 5/10/2011-A. 2 YEAR

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified pipeline projects from the above requirements. This bill would additionally exempt a project for the installation of a new pipeline, not exceeding a specified length, for the distribution of recycled water within an improved public street, highway, or right-of-way. Because a lead agency, which may include a local agency, is required to determine whether a project qualifies for those exemptions, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 134](#)

(Dickinson D) Appropriation of water: Sacramento Regional County Sanitation District.

Current Text: Chaptered: 9/6/2011 [pdf](#) [html](#)

Introduced: 1/12/2011

Last Amend: 4/15/2011

Status: 9/6/2011-Chaptered by the Secretary of State, Chapter Number 212, Statutes of 2011

Location: 9/6/2011-A. CHAPTERED

Summary: Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water. This bill would authorize the Sacramento Regional County Sanitation District to file an application for a permit to appropriate a specified amount of water that is based on the volume of treated wastewater that the district discharges into the Sacramento River, as specified. The bill would authorize the state board to grant a permit to appropriate that treated wastewater upon terms and conditions determined by the state board. The bill would require the board, prior to granting a permit pursuant to these provisions, to comply with permit, approval, and review requirements and other laws applicable to the appropriation of water. This bill contains other related provisions and other existing laws.

[AB 157](#)

(Jeffries R) Safe, Clean, and Reliable Drinking Water Supply Act of 2012.

Current Text: Introduced: 1/19/2011 [pdf](#) [html](#)

Introduced: 1/19/2011

Status: 5/10/2011-Set for Hearing in W.,P. & W.

Location: 5/10/2011-A. W.,P. & W.

Summary: Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters at the November 6, 2012, statewide election, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. This bill would reduce by 25% the total amount of bonds authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes. This bill contains other related provisions.

[AB 275](#)

(Solorio D) Rainwater Capture Act of 2011.

Current Text: Vetoed: 10/9/2011 [pdf](#) [html](#)

Introduced: 2/7/2011

Last Amend: 7/13/2011

Status: 10/9/2011-Vetoed by the Governor

Location: 10/10/2011-A. VETOED

Summary: Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act. Existing law authorizes a city, county, or special district to develop, jointly or individually, stormwater resource plans that meet certain standards. This bill would enact the Rainwater Capture Act of 2011, which would authorize residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill would require a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system. This bill contains other related provisions and other existing laws.

AB 1048 (Harkey R) Water quality: recycled water and wastewater: fluoride.

Current Text: Introduced: 2/18/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Status: 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.S. & T.M. on 3/16/2011)

Location: 5/10/2011-A. 2 YEAR

Summary: Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and requires the regional boards to adopt regional water quality control plans in compliance with the state policies. This bill would require the state board, on or before July 1, 2012, to adopt a statewide policy establishing standards for levels of fluoride in recycled water and wastewater, as specified. The bill would require the state board to provide direction to the regional boards to revise their respective regional water quality control plans to ensure consistency with that statewide policy.

AB 1152 (Chesbro D) Groundwater.

Current Text: Chaptered: 9/7/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 6/30/2011

Status: 9/7/2011-Chaptered by the Secretary of State, Chapter Number 280, Statutes of 2011

Location: 9/7/2011-A. CHAPTERED

Summary: Existing law authorizes specified entities, including, among others, local agencies managing a groundwater basin or subbasin pursuant to existing law relating to groundwater management plans or integrated regional water management plans, to assume responsibility for monitoring and reporting groundwater elevations in all or a part of a groundwater basin or subbasin. Existing law requires an entity seeking to assume those functions to notify the Department of Water Resources, and requires the department to determine which entities will perform monitoring functions. Existing law requires monitoring entities to commence monitoring and reporting groundwater elevations on or before January 1, 2012. This bill would add to the list of entities that may assume responsibility for monitoring and reporting groundwater elevations, a local agency that has been collecting and reporting groundwater elevations and that does not have a groundwater management plan, if the local agency adopts a groundwater management plan in accordance with specified provisions of existing law by January 1, 2014. The bill would permit the department to authorize the local agency to conduct monitoring and reporting of groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first. This bill contains other related provisions and other existing laws.

AB 1221 (Alejo D) State Water Quality Control Fund: State Water Pollution Cleanup and Abatement Account.

Current Text: Chaptered: 10/7/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 6/28/2011

Status: 10/7/2011-Chaptered by the Secretary of State, Chapter Number 517, Statutes of 2011

Location: 10/7/2011-A. CHAPTERED

Summary: Existing law, the Porter-Cologne Water Quality Control Act, authorizes the imposition and collection of civil and criminal penalties for specified violations of that act. The act requires certain moneys, including General Fund revenues of penalties, collected pursuant to these provisions to be deposited in the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund. The act continuously appropriates the money in the account to the State Water Resources Control Board for specified cleanup programs. This bill would additionally authorize the state board to pay these moneys to specified tribal governments and not-for-profit organizations serving disadvantaged communities, as defined, that have authority to clean up or abate the effects of waste. By authorizing new expenditures from a continuously appropriated account, this bill would make an appropriation. This bill contains other existing laws.

SB 34 **(Simitian D) California Water Resources Investment Act of 2011.**

Current Text: Amended: 4/13/2011 [pdf](#) [html](#)

Introduced: 12/6/2010

Last Amend: 4/13/2011

Status: 7/13/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was APPR. on 5/4/2011)

Location: 7/13/2011-S. 2 YEAR

Summary: Under existing law, various measures provide funding for water resources projects, facilities, and programs. This bill would enact the California Water Resources Investment Act of 2011 to finance a water resources investment program. To finance the program, the bill would impose on each retail water supplier in the state an annual charge based on the volume of water provided in its service area that is provided for nonagricultural uses and an annual charge based on each acre of land within its service area that is irrigated for agricultural purposes. The bill would require the State Board of Equalization to collect the charges from retail water suppliers in accordance with the Fee Collection Procedures Law, and would authorize the State Board of Equalization and the Department of Water Resources to adopt and enforce regulations for the administration and enforcement of the charges and related requirements as emergency regulations. This bill contains other related provisions and other existing laws.

SB 834 **(Wolk D) Integrated regional water management plans: contents.**

Current Text: Vetoed: 10/2/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 8/25/2011

Status: 10/2/2011-Vetoed by the Governor

Location: 10/2/2011-S. VETOED

Summary: The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act requires an integrated regional water management plan to address specified water quality and water supply matters. This bill would additionally require an integrated regional water management plan to identify the manner in which the plan furthers a specified state policy concerning reducing reliance on the Sacramento-San Joaquin Delta for water supply and improving regional self-reliance for water, if the region depends on water from the Delta watershed. The bill would require integrated regional water management plans to incorporate that requirement when they are developed, updated, or amended in accordance with guidelines established by the Department of Water Resources. For an application for funding for a plan that is made prior to an update or amendment of the plan, the bill would require an applicant to specify how the existing plan advances the specified state policy concerning reducing reliance on the Delta for water supply and improving regional self-reliance for water.

SB 846 **(Berryhill R) The California Water Plan: water data.**

Current Text: Amended: 5/3/2011 [pdf](#) [html](#)

Introduced: 2/18/2011

Last Amend: 5/3/2011

Status: 8/26/2011-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011)

Location: 8/26/2011-A. 2 YEAR

Summary: Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. Existing law prescribes the contents of The California Water Plan, and requires the department to include a discussion of various strategies in the plan, including strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use,

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and water transfers that may be pursued in order to meet the future needs of the state. This bill would additionally require the department to include in the plan an assessment of the state's water data system and would prescribe requirements relating to the contents and conduct of the assessment .

Total Measures: 10

Total Tracking Forms: 46