

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 Regular Meeting of the Board of Directors
Held: November 15, 2011

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

OTHERS PRESENT: Geoffrey O. Evers, General Counsel by telephone from 8732 Casa Del Rio Court, Fair Oaks, CA 95628; Mike Gibson, Gibson & Co., Inc.; Cheryl LeBel, Bernard Pesch

1. Call to Order

The Regular Meeting of November 15, 2011 of the Donner Summit Public Utility District Board of Directors was called to order at 6:12 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 October 2011 -- \$164,354.92

B. Cash Disbursements – Payroll, Month of October 2011 -- \$56,205.16

C. Regular Meeting Minutes of October 18, 2011

Motion: Accept the Consent Calendar

By: Bob Sherwood

Second: Sara Schrichte

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

Motion Carries

Financial Statements for the Fiscal Year 2010/11- the District's annual independent auditor's report. Michael Gibson of Gibson & Company, Inc., Certified Public Accountant will be present to review the report.

Discussion and possible action. Mike Gibson reviewed the financial statement for the year ending June 30, 2011 in detail.

Motion: Adopt the Audit for the Fiscal Year ending June 30, 2011

By: Phil Gamick

Second: Taylor Dolph

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

Motion Carries

6. Department Reports

A. Administration: Tom Skjelstad, General Manager

- 1. Recommendation and Request to Initiate a Public Hearing to Increase the Retention Rate on Construction Projects-** State Senate Bill 293 (SB 293) will limit public agencies' authority to withhold retention from payments due to contractors to a maximum of 5% of the approved payment amount. Prior to SB293 the maximum retention was 10%. Staff is recommending and requesting that the District Directors make a finding that the District's Wastewater Treatment Facilities Upgrade and Expansion Project is a substantially complex project and as such a 10% retention is authorized as provided for in SB 293. Tom Skjelstad reported that during the last legislation session, Senate Bill 293 was passed and signed into law by Governor Brown. Basically, SB 293 limits public agencies authority to withhold retention payments due to contractors to a maximum of 5% of the approved payment amount. Maximum retention prior to SB 293 was 10%.

There is, however, a provision in SB293 that allows public agencies to increase the retention above 5% on projects that it finds are substantially complex (a undefined term in the bill), if the agency's governing body makes that finding by a majority vote after a noticed public hearing held before a project is advertised for bid. If adopted the findings and higher retention amount must be stated in the project bid documents.

Retention or withholding a certain percentage of approved payments is a means employed by public agencies as an incentive for contractors (and sub-contractors) to complete projects within the scope and specifications that were bid upon. Staff was directed to proceed with noticing the public hearing to find the Wastewater Treatment Plant Project to be a substantially complex project.

2. Monthly Progress Report from Stantec Engineering: summary of activities for the wastewater treatment plant upgrade and expansion project. Tom Skjelstad reported Stantec's activities for October:

- Reviewed GE submittal.
- Conduct GE kickoff and submittal review meeting.
- Develop control logic for carbon feed system.
- Develop plant hydraulic profile calculations
- Worked on UV piping layout and hydraulic interrelationships between membrane and UV systems.
- Review/coordinated work of other on equalization storage, plant piping, sludge handling, and PIDs.
- Coordinated additional survey work.
- Structural design and calculations for Membrane and Equipment Buildings.
- Update headworks screening plan from pre-design concepts
- Prepare demo drawings at existing headworks.
- Prepare Influent sampling plan.
- Coordinated addition of Vactor truck receiving station and conceptual details.
- Update equipment specifications.
- SOPQ coordination and meeting with Contractors.
- Updated demo sheets (markups).
- Modified yard piping (markups)
- Worked on plan and section drawings for EQ Tank No.1.
- Worked on plan and section drawings for EQ Tank No.2.
- Worked on specifications for new steel tank and new mixers for both equalization tanks
- Irrigation and Return Ditch Alignment and Profile (Design Layout).
- Irrigation 6" – Water Line Alignment and Profile (Design Layout)
- Irrigation 2" – sprinkler feed lines and locations Design Layout).
- Irrigation Details (approximately 25% finished)
- WWTP Site Design Grading Model.
- Rip Rap Line Ditch Design (50% Complete).
- WWTP Coordinate Labels and Tables.
- WWTP Site Design sheet layouts and labeling(for 50% Submittal).
- Started retaining Wall design and researched different alternatives.
- October 20 site visit by staff arborist to obtain GPS coordinated, species and DBH for trees potentially impacted on the WWTP site.

- Coordination with SRF staff, District Manager, District financial consultant, and design team engineers related to SRF application.
- Coordination of design team developing irrigation system and expansion improvements and staff who prepared the project CEQA document.
- Development of a monthly cost estimate for construction of project improvements.
- Coordination with District Manager and project lead for USFS use permit update.
- Worked on control narratives and P&ID drawings.
- Attended meeting with Fire Department Public Safety and Information Officer (Gene Welsh).

The labor and expenses through October 28, 2011 is approximately \$212,954 (13 percent of the budget).

3. **Forest Service Special Use Permit Renewal-** ratify the District's Special Use Permit for the Wastewater Treatment Plant and Administrative Offices. The permit is for 30 years. Tom Skjelstad reported that the Forest Service Special Use Permit for the wastewater treatment plant and administrative offices was delivered last week and that he has signed and returned the Permit to the Forest Service. The new permit is for 30 years. Typically, Special Use Permits are issued for a maximum of 20 years. Working through the office of the Truckee Ranger Station, the District was able to secure a 30 year permit. This is critical to the District's financing plans for the WWTP Upgrade and Expansion Project. SRF stated early on that the term of construction loan would be the same as the term of the Special Use Permit for the Wastewater Treatment Plant and Administrative Offices.

Motion: To Ratify the General Manager executing the District's Special Use Permit

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** As Jim King was absent, Cathy Preis reported:

1. **Waste Water Flow Data – for October - Reported**
2. **Fresh Water Flow Data – for October - Reported**
3. **Operations and Maintenance Summary – activities during the month of October. Cathy Preis reported the following:**

Operations WWTP

- Discontinued discharge to irrigation field on 10/3/2011.
- Discharged 0.542 MG to spray irrigation.
- Conducted lateral, manhole and waterline inspection at the new sub-division on Mule Ear Court at Sugar Bowl.
- Staff gave a tour of the treatment plan to possible contractors for the treatment plant upgrade.
- Began having an outside contractor (Envirotech) process sludge at the drying beds.

C. Monthly Safety Committee Meeting Minutes, Month of October

Motion: Accept the Safety Committee Meeting Minutes for October

By: Bob Sherwood

Second: Taylor Dolph

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

Motion Carries

7. **President's Report:**
None

8. **Correspondence**

1. **Letter from DSPUD to Sierra Lakes County Water District Requesting Sierra Lakes Pay Stantec Invoice Number 531431 for Final Design Services.** Tom Skjelstad reported that he has spoken with Wade Freedle and Sierra Lakes County Water District will pay Stantec directly for final design services of the Wastewater Upgrade and Expansion Project.

2. **Rate Protest Letter from Andrei Gorbatenko-** Reported.

9. **Resolutions:**

1. **Resolution 2011-14 Amend and Restate the Donner Summit Public Utility District Money Purchase Pension Plan and the Donner Summit Public Utility District Money Purchase Pension Retirement Trust**

Motion: Adopt Resolution 2011-14 Amend and Restate the Donner Summit Public Utility District Money Purchase Pension Plan and the Donner Summit Public Utility District Money Purchase Pension Retirement Trust

By: Bob Sherwood

Second: Sara Schrichte

Roll Call Vote

Bob Sherwood - Aye

Phil Gamick - Aye

Cathy Preis - Aye

Taylor Dolph - Aye

Sara Schrichte - Aye

Motion Carries

2. Resolution 2011- 15 Adopt the 2009 Interim Plan Amendment

Motion: Resolution 2011-15 Adopt the 2009 Interim Plan Amendment

By: Bob Sherwood

Second: Sara Schrichte

Roll Call Vote

Bob Sherwood - Aye

Phil Gamick - Aye

Cathy Preis - Aye

Taylor Dolph - Aye

Sara Schrichte - Aye

Motion Carries

10. Ordinance: None

**11. Committee Reports:
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 7:20 p.m.

By: Bob Sherwood

Second: Phil Gamick

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

Motion Carries

Schedule of Upcoming Meetings

Special Meeting - December 6, 2011

Regular Meeting - January 17, 2012

Regular Meeting - February 21, 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