

**North Bay Water Reuse Authority**  
**Board of Directors Meeting**  
**Minutes**  
**January 28, 2019**

**1. Call to Order**

Chair Rabbitt called the meeting to order at 9:42 a.m. on Monday, January 28, 2019 at the Novato City Hall Council Chambers, 901 Sherman Avenue, Novato, CA. Members and Consultants unable to attend in person may call in: (Local dial in): +1 (602) 567-4030, Toll Free: +1 (888) 227-0011, Access Code: **1988** <https://Conferencing2.brwnald.com/conference/1988>

**2. Roll Call**

<b>PRESENT:</b>	David Rabbitt, Chair	Sonoma County Water Agency
	Jill Techel, Vice Chair	Napa Sanitation District
	Mariam Aboudamous	City of American Canyon
	Jack Baker	North Marin Water District
	Rabi Elias	Las Gallinas Valley Sanitary District
	Jack Gibson	Marin Municipal Water District
	Susan Gorin	Sonoma Valley County Sanitation District
	Bill Long	Novato Sanitary District
	Kevin McDonnell	City of Petaluma
	Belia Ramos	Napa County (by phone)
	Dennis Rodoni	Marin County

**ABSENT:** None

**OTHERS**

<b>PRESENT:</b>	Chuck Weir, Program Manager	Weir Technical Services
	Kevin Booker	Sonoma County Water Agency
	Ginger Bryant	Bryant & Associates
	Anne Crealock	Sonoma County Water Agency
	Grant Davis	Sonoma County Water Agency
	Rene Guillen	Brown & Caldwell
	Steve Hartwig	City of American Canyon
	Ben Horenstein	Marin Municipal Water District
	Sachi Itagaki	Kennedy Jenks
	Sandeep Karkal	Novato Sanitary District
	Chris Landwehr	Data Instincts
	Drew McIntyre	North Marin Water District
	Mark Millan	Data Instincts
	Phil Miller	Napa County
	Jim O'Toole	ESA
	Pilar Oñate-Quintana	The Oñate Group (by phone)
	Larry Russell	Marin Municipal Water District
	Dan St. John	City of Petaluma
	Mike Savage	Data Instincts

Brad Sherwood  
Jake Spaulding  
Melanie Tan  
Jeff Tucker  
Rocky Vogler

Sonoma County Water Agency  
Sonoma County Water Agency  
Kennedy Jenks (by phone)  
Napa Sanitation District  
North Marin Water District

### **3. Public Comments**

There were no comments from the public

### **4. Introductions**

Introductions of the Board were made.

### **5. Board Meeting Minutes of October 22, 2018.**

On a motion by Director Baker, seconded by Director Gorin, the minutes of the October 22, 2018 meeting were unanimously approved by the Board.

### **6. Election of Officers**

The Memorandum of Understanding requires that the Board elect a Chair and Vice Chair at its first meeting of each calendar year. Director Gibson motioned, seconded by Director Long to nominate David Rabbitt for Chair and Jill Techel for Vice Chair for 2019. The motion was unanimously approved by the Board.

### **7. Report from the Chair**

#### **a. Consultant Progress Reports**

The Board reviewed the consultant progress reports for October, November, and December 2018.

#### **b. Financial Reports**

The Board reviewed the Final Financial Reports for Fiscal Year 2018/19 through December 31, 2018. Through the second quarter of the year all expenses are tracking normally.

### **8. Phase 1: Status of Reconciliation and Closeout Activities**

Mike Savage gave a brief report on this item. Phase 1 Member Agency financial reconciliation is underway. Grant and project close out activities will be more fully discussed under Agenda Item No. 10.

### **9. Phase 2: Consultant Reports**

Ginger Bryant reported on Phase 2 Implementation activities to support Phase 2 projects and securing state and federal funding assistance for the \$72.5M in Phase 2 projects. She described issues related to a new Congress and Legislature. Her team will be addressing funding in two stages; first is appropriations and the “language fix” to the Phase 2 authorization allowing funds to be earmarked under the “Legacy Project” account, which would provide a larger source of funding. The second stage would focus on amendments to the WIIN Act to disaggregate sections related to Title XVI to make it easier to secure grant funds, extending the term of the WIIN program by 10-years and increasing the funding to \$50M annually. She also noted that there is a possibility, yet to be fully evaluated, to incorporate projects into CalTrans stormwater TMDL funding.

Pilar Oñate-Quintana provided a summary of the November statewide election. There is a new Governor and Democrats have a super majority in both the Senate and Assembly. She also summarized key committee membership assignments and the Governor's Office staff appointments. Emerging water issues include a Governor supported drinking water tax, recycled water funding under Prop. 68, and the reemergence of ocean discharge limitations, which would impact NWBRA wastewater agencies. Drew McIntyre asked about other possible appointments by the Governor, including the State Water Board. The Chair is up for reappointment and should be supported by NBWRA. There is also another vacancy on the State Water Board.

Rene Guillen provided a summary of engineering support activities. Melanie Tan provided an update on the financial capability analysis. A draft will be submitted to the agencies for review by the end of January 2019. Following a review period, the draft will be submitted to USBR in March 2019.

Jim O'Toole provided an update on the status of the EIR/EIS. The Waiver needed to complete Reclamation review and publish the ROD is still needing approval from the Commissioner's office. The primary issue is the number of pages and efforts are being made to seek a Waiver. Plan B, discussed and approved at the October 22, 2018 meeting has not been implemented as Reclamation advised against it due to no significant change in the project, so there is still money for ESA available to completed the task once Reclamation provides direction and processes the Waiver. Ginger Bryant outlined plans and options to move this issue forward in an upcoming meeting with the Commissioner's office.

Mark Millan updated the Board on public outreach activities, which are largely related to the EIR/EIS process. He also discussed the upcoming WaterReuse Conference in Orange County March 17-19, 2019.

Jake Spaulding gave an update on the IRWM Grant. The group is working through various issues as there are more projects than available funding.

#### **10. Beyond June 2019: Phase 1 Closeout and Phase 2 Implementation**

Mike Savage reported that he has retired from B&C and continues to provide support to NBWRA as a subconsultant to Data Instincts. He provided a summary and timeline of activities required to close out Phase 1 and implement Phase 2. Closing out Phase 1 includes required audit activities from USBR. A final report must be submitted to USBR before the term of the agreement with USBR ends on September 30, 2020. Chuck Weir summarized the options for Phase 1 agencies, not participating in Phase 2, once all Phase 1 activities have been completed. They could withdraw from NBWRA or become an Associate Member. Phase 2 activities will require federal and state advocacy to ensure funding; program administration and fiscal agent, and program support services.

Over the course of the construction of Phase 1 projects, some project titles were changed from what was originally submitted to USBR. The final list will need to be updated. Jake Spaulding will send out the spreadsheet for the member agencies to update.

Ginger Bryant summarized needed activities to assist the agencies in funding and completing Phase 2 projects. Since her agreement ends on June 30, 2019, a Request for Qualifications (RFQ) will need to go out soon to ensure services can be provided beginning July 1, 2019. She suggested an 18-month timeframe to coincide with the federal and state legislative sessions. She also noted that the anticipated time to close out Phase 1 would be on the order of 18 months, and the implementation of Phase 2 is six to eight years.

Jake Spaulding summarized the engineering services agreement and noted that it currently extends through October 30, 2019. There is adequate funding for all activities provided by the B&C team to extend beyond that date. He indicated that with no change in the agreement amount it could be administratively extended.

### **11. Discussion and Direction: Phase 1 Closeout and Phase 2 Implementation**

Chair Rabbitt led a discussion on the need for an RFQ to cover an 18-month timeframe and that it be coordinated with the member agencies. The Water Agency would issue the RFQ. Vice Chair Techel asked that the Technical Advisory Committee (TAC) be included in the process. The number of future meetings was also discussed. Chuck Weir noted that the Board reviews financial statements and must approve the annual budget and that in the past it has also approved consultant agreements and the process for applying for grants. He noted that some of those tasks could be delegated to the TAC and that the total number of meetings could likely be reduced. Mike Savage stated that there are adequate remaining funds in the B&C agreement to cover all the B&C team's activities, including engineering, environmental and outreach for an 18-month period from now through June 30, 2020.

Director Long noted that his agency is nearing completion of their Phase 1 projects, has adequate recycled water to meet the needs of the water agencies and that his agency would likely become an Associate Member at the completion of Phase 1.

Following discussion, the Board approved the following items:

1. A motion by Director Gibson, seconded by Director Gorin to extend the B&C agreement through June 30, 2020 was unanimously approved.
2. A motion by Director Gorin, seconded by Director Rodoni to authorize Sonoma County Water Agency to work with the Member Agencies to issue a Request for Qualifications for Program Development, Federal Advocacy, and State Advocacy for the period July 1, 2019 to December 31, 2020 was unanimously approved.

Both items will be brought back to the Board at the April 22, 2019 meeting for final approval. At that meeting a firm will be recommended based on the RFQ process for an 18-month agreement to be effective July 1, 2019. The agreement will include the full scope of services and meeting schedule.

### **12. Items for Future Discussion and Comments from Chair, Board, or Member Agencies**

Items for the next meeting include: regular business reports, Status Reports on Phase 1 and Phase 2 activities, final approval of the no-cost agreement extension for B&C, and a recommendation

to enter into an 18-month agreement with the firm selected through the RFQ process for Program Development, State Advocacy, and Federal Advocacy.

**13. Adjournment**

Chair Rabbitt adjourned the meeting at 11:22 a.m. The next meeting will be Monday, April 22, 2019 at 9:30 a.m. at Novato City Hall.

Minutes approved by the Board April 22, 2019.

A handwritten signature in black ink, appearing to read "Charles V. Weir". The signature is written in a cursive style with a large initial "C".

Charles V. Weir  
Program Manager

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