



SOUTH FEATHER WATER & POWER AGENCY

TO: Board of Directors

FROM: Michael Glaze, General Manager

DATE: March 20, 2007

RE: General Information (regarding matters not scheduled on the agenda)
3/27/07 Board of Directors Meeting

Relicensing

By the time you read these words, the application for a new license with FERC will have been filed. Nevertheless, we continue our discussions with the resource agencies regarding minimum flow requirements for the project. The next two days of meetings are scheduled for this coming Thursday and Friday in Sacramento. I will be able to give you a verbal update at the board meeting on any progress that may result.

Future Power-Purchase Agreement Discussions

The pricing component of PG&E's proposal has been received and reviewed by our consultants, McDonald Partners. Michael and Sandra McDonald, Jeff Meith, Kathy Petersen, and I, together with the Ad Hoc Power Marketing Committee (Directors Cecchi and Edwards) will be meeting with PG&E representatives on Monday, March 26, to continue discussions regarding their proposal.

Mooretown Rancheria

The temporary service agreement you authorized last month was subsequently executed by Tribal Chairman Gary Archuleta. In his letter transmitting the signed agreement he said, "Please thank the Board of Directors for their approval of the Temporary Service Agreement. We trust that the Bureau of Indian Affairs will complete the right-of-way application as expediently as possible."

If the permanent easement has not been received by February 27, 2008, SFWPA staff will proceed to terminate all water services in the new subdivision, with prior notification to the occupants of the homes, on the following day.

Also, Mr. Archuleta has executed an Offer of Dedication for the water system in the new phase of Mooretown's residential subdivision, allowing the new water-distribution facilities to be added into the Agency's maintained system. This was the final action needed for water service to commence.

Brown Act Amendment Proposal

Senate Local Government Committee Chair Gloria Negrete McLeod is proposing an amendment to the Brown Act (SB 343). Specifically, the bill would amend Government Code Section 54954.2 to read:

Notwithstanding any other provision of law, no action or discussion shall be undertaken on any item appearing on the posted agenda which is subject to discussion or consideration at a public meeting of the legislative body of the local agency unless all writings and documents included in an agenda packet prepared by a local agency or its employees or agents in connection with the item are made available to the public no later than the date the agency posts the agenda that includes that item of business.

Senator Negrete proposed the amendment after lobbyists representing the real estate industry requested a law that would prevent the planning staff of cities and counties from placing an item on a city council's or county board of supervisor's agenda (complying with the 72-hour notice requirement), but then continuing to work on the written report that the council or board would receive shortly before the meeting – too late for concerned citizens to evaluate and prepare responses.

Although targeted initially at cities and counties, special districts are also being included in the amendment's application. If passed and signed into law, it will require no additional effort on the part of SFWPA's staff. Except for information unknown to staff at the time the agenda is posted, all written reports and documents that are in agenda packets are posted to the Agency's website the same day, at least 72 hours prior to the board meeting.

The bill's author is presently considering how to handle those situations where information becomes available after the agenda's posting. Although infrequent, this happens often enough that a strict interpretation of the language quoted above would make it difficult to handle those last-minute situations.

North Yuba Water District

Effective March 16, the name of Yuba County Water District was changed by board action to North Yuba Water District. Tired of being confused with Yuba County Water Agency, the board decided to change the district's name to better reflect the geographical area of its service boundaries.

LAFCo Sphere of Influence Update

LAFCo wants to initiate an update of SFWPA's sphere of influence to avoid problems for pending and future developments that are outside our present sphere boundary (e.g., Stringtown Mountain). Because of new legislation, developments proposed after January 1, 2008 could possibly be delayed in their County processing until after an update is completed.

LAFCo Executive Director Steve Lucas and I met today to discuss a possible timeline for the update and, tentatively, we agreed to have the project finished by early in 2008. Matt Colwell, Alex Brown, and I will first have to draft a service-expansion master plan for the update (over the next four to six months), and then an initial study will have to be done to comply with CEQA. I will probably come back near the end of this year with a recommendation to retain Jones & Stokes again to accomplish the CEQA processing (a project similar to the one they did last year for our water rights permit time extension).