

**TOWN OF WINDSOR
AGENDA REPORT**

Town Council Meeting Date: November 1, 2006

To: Mayor and Town Council
From: Richard W. Burt, Public Works Director/Town Engineer
Subject: Approval of the Third Amendment to the Reclaimed Water Agreement with Santa Rosa Junior College

Recommendation to Council:

Adopt the attached resolution authorizing the Town Manager to execute the Third Amendment to the existing agreement with the Sonoma County Junior College District (SRJC) for the supply of reclaimed water and the construction of a 40 million gallon recycled water storage reservoir.

Background:

The SRJC and the Town entered into a long-term agreement for the supply of recycled water for the SRJC Shone Farm in 2000. Facilities for the delivery and irrigation of recycled water were constructed in 2001, and the Farm has utilized the Town's tertiary treated recycled water since to irrigate over 50 acres of pastures, hay crops and orchards. In addition, plans are in place to irrigate over 60 acres of existing vineyards on the Farm.

The original agreement included a provision that a reclaimed water storage reservoir be constructed on the Shone Farm. The costs for development of the reservoir were to be reimbursed by the Town to the SRJC. The original agreement stipulated that the specific terms and conditions for creation of the reservoir were to be negotiated in good faith between the Town and the SRJC. The proposed "Third Amendment to the Agreement for Delivery and Use of Reclaimed Water" between the Town and the SRJC spells out those terms and conditions.

A "fatal flaw" analysis was conducted on the proposed reservoir site in 2001. The reconnaissance level analysis reviewed geotechnical and potential environmental issues associated with the reservoir site. Three sizes of reservoirs were reviewed. The analysis did not reveal any fatal flaws at that time.

Discussion:

The Town's water reclamation system employs storage ponds to hold tertiary treated recycled water for summer irrigation uses. Storage pond capacity is linked directly to the capacity of the overall reclamation system and to how much water the Town can recycle. With greater total storage capacity, the Town can recycle a larger amount of water. The Town currently needs to increase storage capacity. The creation of the Shone Farm Reservoir would increase system storage capacity by 40 million gallons. The reservoir would be operated by the Town and fully utilized in the Town's reclamation system.

The proposed reservoir site appears well suited for construction of a recycled water storage reservoir. The site is in the middle of the Shone Farm, surrounded on all sides by other parts of

the Farm. The nearest adjacent landowner, Gallo, is a current recycled water agricultural customer of the Town. Surrounding lands are predominately agricultural, with a very low population density. The reservoir site is in a natural land depression and, while surrounded by areas of the Shone Farm that are currently in crops, is not farmed due to its topography. The site has very few significant trees.

The Third Amendment calls for the SRJC to provide the constructed reservoir and for the Town to reimburse the SRJC for the cost of construction over a 10-year period. The amendment calls for an increase in the term of the agreement to 50 years. Budget costs for the reservoir inclusive of environmental review, permitting through State of California Division of Safety of Dams and other agencies, preliminary and final design, construction and construction administration are estimated to be in the range of \$3.6 million and \$4.5 million (\$3.6 million when applying a 20% allowance for contingencies and \$4.5 million when applying a 50% allowance for contingencies).

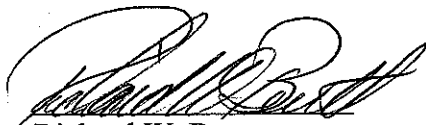
The Shone Farm is currently in transformation, with the addition of the nearly completed Warren Dutton Jr. Center becoming an educational showcase and center for Sonoma County agriculture. The Town's recycled water has been a key component to the long-term success of the Farm. Creation of the reservoir at Shone Farm is the final component of the original agreement formed between the Town and the SRJC in 2000.

On October 2, 2006, the SRJC Facilities Committee recommended approval of the agreement to the Board. The Third Amended Agreement was approved by the SRJC Board of Trustees at their October 10, 2006, meeting.

Attachments:

Resolution, Third Amendment to Agreement

Prepared By:



Richard W. Burt
Public Works Director/
Town Engineer

Recommended By:



J. Mathew Mullan
Town Manager

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
AUTHORIZING THE TOWN MANAGER TO EXECUTE THE THIRD AMENDMENT TO
THE AGREEMENT FOR DELIVERY AND USE OF RECLAIMED WATER BETWEEN
THE TOWN OF WINDSOR AND SONOMA COUNTY JUNIOR COLLEGE DISTRICT
SHONE FARM**

WHEREAS, the Town and the Sonoma County Junior College District (SRJC) executed an agreement for Delivery and Use of Reclaimed Water from the Town to the Shone Farm on February 16, 2000 (Original Agreement); and

WHEREAS, the Town and the SRJC, under the terms of the Original Agreement, have developed and are cooperatively operating a reclaimed water irrigation system that supplies recycled water to over 50 acres of pastures, hay crops and fruit trees, with the planned connection of irrigation for more than 60 acres of vineyard; and

WHEREAS, the Original Agreement provided that a reclaimed water storage reservoir would be constructed on the Shone Farm, with costs for design and construction reimbursed by the Town to the SRJC subject to the terms and conditions of an amendment to said agreement, and

WHEREAS, a Third Amendment has been negotiated by the Town and SRJC in good faith and addresses the specific terms and conditions under which the reservoir would be constructed and operated; and

WHEREAS, the Board of Trustees of SRJC has adopted the terms and conditions of the Third Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor hereby authorizes the Town Manager to execute the Third Amendment to the Agreement for Delivery and Use of Reclaimed Water between the Town of Windsor and the Sonoma County Junior College District Shone Farm.

PASSED, APPROVED AND ADOPTED this ____ day of ____ 2006.

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

ATTEST:

Town Clerk