


# SOLANO COUNTY WATER AGENCY



## MEMORANDUM

Agenda Item No. 7

**TO:** Board of Directors

**FROM:** David B. Okita, General Manager 

**DATE:** July 14, 2011

**SUBJECT:** July General Manager's Report

---

The focus of this month's meeting is on two litigation items we will discuss in closed session.

The first is a short update on the Hyatt-Thermalito litigation. This is a contract interpretation litigation that pits Northern California State Water Project contractors (north of the Tehachapi's) against Southern California contractors and the State. The issue is how power revenues from State Water Project hydropower facilities are allocated among contractors. The Northern contractors lost in Superior Court and the case is now in appeal.

The second case is our State Water Project area of origin litigation against the State. This very important case and we have just started mediated settlement discussions, pre-trial. The plaintiffs are SCWA, Napa County, Butte County and Yuba City. The State is the defendant and most of the State Water Project contractors south of the Delta have intervened. There has been a summary judgment hearing that resulted in no summary judgment for either party. We will update the Board on settlement discussions and get guidance for future settlement meetings.

In terms of this years' water supply, the State's reservoirs are almost all filled to capacity. Lake Berryessa peaked at 91% of capacity in April. Allocations for the State Water Project are at 80%, restricted by endangered species regulations in the Delta. Initial water supply allocations for 2012 will be much higher than in recent past years due to the wet conditions this year.

One of the suggestions of the Executive Committee, when reviewing the Agency's budget, is to try to go paperless with meeting agenda packets. We have been moving in that direction already, with most of our committee agendas going out by e-mail. I have directed SCWA staff to make this the norm for all committees unless there is someone who does not use a computer. For the Board, we

P.O. Box 349 • 6040 Vaca Station Road, Building 84  
Elmira, California 95625-0349  
Phone (707) 451-6090 • FAX (707) 451-6099  
[www.scwa2.com](http://www.scwa2.com)



will continue to snail mail hard paper copies of the Board packets and Executive Committee packets unless you request otherwise. In the new Board chambers there is wi-fi so you could access Board materials from our web page where they are posted. You could also download Board materials from our web site onto your portable device too. The best method would be for us to e-mail you materials that can be stored in your portable device. Let me or Mandi Ladd ([mladd@scwa2.com](mailto:mladd@scwa2.com)) know if you want us to stop mailing you Board packets.

If you have any questions please contact me at 455-1103 or by e-mail at [dokita@scwa2.com](mailto:dokita@scwa2.com).

July.2011.It7.mem

Time Period Covered: June 2011

**REPORT OF CONSTRUCTION CHANGE ORDERS  
AND CONTRACTS APPROVED BY GENERAL  
MANAGER UNDER DELEGATED AUTHORITY**

**Construction Contract Change Orders (15% of original project costs or \$50,000, whichever is less)**

Lister Construction Change Order #12 - \$8,340.71 – misc increases and credits.

**Construction Contracts (\$30,000 and less)**

Amendment to Eyasco Agreement to increase costs by \$2,500 (from \$13,825.35 - \$16,354.35) and extend term.

**Professional Service Agreements (\$30,000 and less)**

Western Weather Group – Calibration of Lake Berryessa Weather Station - \$3,000

Normandeau Associates – Fishery Monitoring - \$25,259

Laugenour & Meikle – Land Surveying and Civil Engineering - \$20,000

**Non-Professional Service Agreements (\$30,000 and less)**

**Construction contracts resulting from informal bids authorized by SCWA Ordinance**

Note: Cumulative change orders or amendments resulting in exceeding the dollar limit need Board approval.