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REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE MID-PENINSULA WATER DISTRICT

September 26, 2013
Belmont, California

1. **OPENING**

A. **Call to Order:**

The regular meeting of the Mid-Peninsula Water District Board of Directors was called to order by President Stuebing at 6:30PM.

B. **Establishment of Quorum:**

PRESENT: Directors Stuebing, Vella, Linvill, Altscher, and Zucca.

ABSENT: none

A quorum was present.

ALSO PRESENT: District Counsel Cassman, District Treasurer Ira, District Engineer Pakpour, District Secretary Pina, and Operations Superintendent Henry Young. General Manager Rudock was absent - excused.

C. **Pledge of Allegiance** – The Pledge of Allegiance was led by Operations Superintendent Young.

2. **PUBLIC COMMENTS**

- Mr. Keenan reported to the Board that his apartment complex does not have individual meters for their apartments, so everyone is billed a certain amount and an additional fee. He was concerned about the legality and wanted to inform the Board. He also expressed concern about water waste with the current system in place at his apartment complex.
- Michael Malekos, introduced himself as a candidate for the MPWD Board of Directors.

3. **AGENDA REVIEW: ADDITIONS/DELETIONS AND PULLED CONSENT ITEMS**

Minutes for Regular Board Meeting of August 22, 2013 were pulled from the consent agenda to make minor changes.

4. **ACKNOWLEDGEMENTS/PRESENTATIONS**

Employee Service Award – 20 Years: Chris Michaelis. President Stuebing presented Chris Michaelis with a plaque commemorating his 20 years of service to the District. Operations Superintendent Henry Young added that Chris is an exemplary employee, a huge asset to the District, a positive influence on his co-workers, and is very courteous to customers.

5. **CONSENT AGENDA**

- A. Approve Minutes for Regular Board Meeting of August 22, 2013
- B. Approve Expenditures from August 15, 2013, through September 18, 2013
- C. Approve the ACWA Region 5 Ballot for Region 5 Board Election for the 2014/2015 Term

51 With the removal of the minutes from the Consent Agenda, Director Linvill moved to approve
52 the consent agenda, Director Zucca seconded, and it was unanimously approved.

53
54 President Stuebing suggested a minor change to the Minutes before approving them.
55 President Stuebing moved to approve the minutes with the change, Director Altscher
56 seconded, and the motion passed. Vice President Vella and Director Zucca abstained
57 because they were not in attendance at the prior Board Meeting.
58

59 **6. HEARINGS AND APPEALS**

60 None

61
62 **7. REGULAR BUSINESS**

63 **A. Discuss DRAFT MPWD Indoor Water Use Efficiency Ordinance #109:**

64 Director Altscher asked if the public would be able to comment at this time on the
65 ordinances. District Counsel Cassman said the public had been notified of this public
66 meeting, and is able to comment at this time.
67

68 President Stuebing noted the comments Mr. Keenan made about his concerns with water
69 waste.
70

71 A member of the public asked who the ordinances would apply to, and it was clarified by
72 President Stuebing that they would apply to those seeking to undertake new construction or
73 remodel of their homes.
74

75 Director Zucca stated that these ordinances were drafted by BAWSCA in 2009-2010. The
76 Indoor Ordinance speeds up the implementation of the requirements in the 2014 Uniform
77 Plumbing Code and makes it effective sooner. The Outdoor Ordinance is already required
78 by the State and this ordinance clarifies the methodology and threshold to apply for re-
79 landscaping of homes. One of the concerns with the currently worded ordinances is that
80 they were written in 2009-2010, and they need to be updated. He pointed out there is a
81 state trigger level, and then a trigger for the Outdoor Ordinance. He would like to get
82 clarification on when the different triggers occur. On the Outdoor Ordinance, when it talks
83 about the Landscape Audit Report, under Tiers 1&2 Landscapes, these were written in
84 January 1, 2009 instead of January 1, 2010. Those dates need to be changed to January 1,
85 2014.
86

87 Staff was directed to sit down with BAWSCA and review the Ordinances to make the
88 language current.
89

90 Director Vella commented that Ordinances can be intimidating and complicated for the
91 general public, and he would like to see a simplified matrix or a point of reference to
92 understand. On the non-compliance section, when someone has been given the time and
93 there are no compliances, then it is given to the city attorney. Who pays for the city
94 attorney? District Counsel Cassman answered by saying these are land use ordinances,
95 and from the District's standpoint, these are really policies. These are the thresholds and
96 standards, but we don't have the means or authority to enforce them. These need to be
97 enforced by the City of Belmont, and so it is her recommendation that the MPWD coordinate
98 adoption of the Ordinances with the City of Belmont and assist in getting their Ordinances in
99 place, since the City will be enforcing them. She suggests we partner with the City of
100 Belmont to get the most out of these Ordinances.
101

102 President Stuebing summarized what was discussed, agreeing that we have to partner with
103 the City of Belmont, making sure our Ordinances will be enforceable.

104
105 Director Zucca offered additional comments about how the ordinances are intended to be
106 used. There is state law requiring that water use be reduced by 10% by the year 2015 and
107 then 20% by the year 2020. That is why it is important to put the Ordinances in place. In
108 that context, this is one of the tools to get us there, water rates being another tool. The
109 greater goal is that we come into compliance with state law.

110
111 President Stuebing brought the discussion to a close and commented that it is important to
112 ensure our compliance with state law.

113
114 District Secretary Pina summarized and reported on several emails received by customers
115 questioning the need for the Ordinances.

116
117 **B. Discuss DRAFT MPWD Outdoor Water Use Efficiency Ordinance #110:**

118 See discussion above as it relates to this Ordinance.

119
120 **C. Receive Report on the Actuarial Analysis of MPWD Retiree Health Benefits as of**
121 **July 1, 2012**

122 **1) Consider Resolution 2013-15: Reaffirming Health Benefit Vesting**
123 **Requirement for the General Manager**

124 To be presented when Mr. Itelson arrived.

125
126 **D. Receive BAWSCA Update:** Vice President Vella reported on the September BAWSCA
127 Board meeting. The meeting was dominated with congratulations to Art Jensen on his
128 retirement. He led BAWSCA well for the last 14 years. In the next meeting, Nicole
129 Sandkulla will be the new CEO leading BAWSCA. There was much discussion about
130 the Rim Fire. There were many updates from the SFPUC. The Rim Fire and ash
131 produced from it had a minimal impact on water quality. There was a lot of discussion
132 on the Pilot Water Transfer Plan. This is a plan that will allow us to get water in case of
133 a catastrophic event. There was a presentation from the Fluoride Action Network; they
134 are not in favor of putting anything in the water.

135
136 **[Back to C] Receive Report on the Actuarial Analysis of MPWD Retiree Health**
137 **Benefits as of July 1, 2012 revisited (see C above):**

138
139 Mr. Steven Itelson arrived to present the Actuarial report. He summarized his written
140 report, and then took questions. Director Altscher asked if the 7% growth was
141 reasonable for the next 2-5 years. Mr. Itelson had no comment on 2-5 years, but did
142 agree it was reasonable over a 30 year period over the long term. District Counsel
143 Cassman discussed Resolution 2013-15. In essence, this resolution is being considered
144 with Mr. Itelson, the actuary, present to fully comply with statutory requirements. As was
145 carefully evaluated at the time the Board hired our new General Manager and approved
146 of the Employment Agreement last December, there were compelling reasons to treat
147 her vesting requirement for the health benefit in a different manner. Discussion
148 continued to outline and reaffirm the reasons for the approach to the health benefit
149 vesting period that was made in this case. This treatment becomes District policy which
150 applies to future General Managers, and will help to attract the highly qualified
151 candidates needed to fill this position.

153 Director Altscher moved to approve Resolution 2013-15: Reaffirming Health Benefit
154 Vesting Requirement for the General Manager, Director Linvill seconded, and the voice
155 vote was taken and unanimously approved.
156

157 **8. MANAGER'S AND BOARD REPORTS**

158 A. General Manager's Report

159 1. Supplemented by Administrative Services Manager's Report:

160 The audit is complete and will be ready for the Audit Committee's review in October,
161 and is targeted to be presented to the Board at our October meeting.
162

163 2. Supplemented by Operations Superintendent's Report:

164 Slides were presented showing the Hersom Tank roof project.
165

166 3. Supplemented by District Engineer's Report:

167 District Engineer Pakpour reported that PG&E will be moving their power lines on
168 October 7, 2013. They will take three days to move. PG&E is also working with Cal
169 Water because of easements in place. Cal Water will be moving their antennas.
170 AT&T will be moving their lines after PG&E has completed moving their power lines.
171 Once all these lines are relocated, the Buckland Tank Replacement Project will go
172 out for bid.
173

174 B. Financial Reports

175 Staff requested feedback on the content and quality of the financial reporting. Director
176 Linvill inquired of District Treasurer Ira to give his thoughts on the question. Ira stated
177 the work was high quality and accurate, and now presents well.
178

179 C. Member Reports

180 It was mentioned that Art Jensen has been hired back as a consultant to BAWSCA, so
181 his years of knowledge will still be accessible to BAWSCA.
182

183 The Consumer Confidence Report that staff put out was praised for its quality and
184 professionalism. Director Linvill gave her copy of the report to Senator Jerry Hill at a
185 private meeting. She also attended a Chamber of Commerce mixer at the Fare
186 Restaurant opening.
187

188 **9. FUTURE AGENDA BUSINESS ITEMS**

189 Indoor and Outdoor Water Use Efficiency Ordinances to be discussed at the next regular
190 Board Meeting. Financial Audit will be presented at the next Board Meeting.
191

192 **10. COMMUNICATIONS**

193 Staff also communicated that General Manager Rudock sent Art Jensen a card on behalf of
194 the Board and the District congratulating him on his retirement.
195

196 **11. ADJOURNMENT at 8:10 PM**

197
198 
199 _____
DISTRICT SECRETARY

200 APPROVED:

201 
202 _____
203 BOARD PRESIDENT