

**MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS**

**Thursday, May 12, 2022**

*Note: Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the AB 361 [Government Code Section 54953(e)]. Directors participated remotely, but the public was welcome to attend the meeting in person, as the General Manager was present at the Westborough Water District Office, in addition to participating remotely.*

The meeting was called to order at 7:35 p.m.

**1. ROLL CALL:**

Directors Present:

Don Amuzie  
Tom Chambers  
Janet Medina  
Julie Richards  
Perry Bautista

Directors Absent: None.

Staff Present: Patricia Mairena, General Manager  
Michael Conneran, Attorney

Visitors Present: None.

For the record, General Manager Mairena stated that she was present at the District's Office for any visitors who wished to attend the board meeting in person.

**2. PLEDGE OF ALLEGIANCE:** Led by Director Chambers.

**3. SPECIAL ORDER OF BUSINESS:**

**A. Consideration of Resolution 650, Declaring that District Meetings will Continue to be Held Via Teleconference.**

Attorney Conneran indicated the Board was once again adopting a resolution pursuant to AB 361 allowing the Board to continue to meet remotely due to the state of emergency that was declared by the Governor and continued recommendations from local and state public health authorities to maintain social distancing. Attorney Conneran stated the Board could entertain adopting the resolution being presented to them.

Two of Thirteen  
Minutes of the Regular Meeting of the Board of Directors  
Thursday, May 12, 2022

Director Chambers moved to approve Resolution 650, Declaring that District Meetings will Continue to be Held Via Teleconference, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**4. CONSENT CALENDAR:**

President Bautista asked the Board if there was any discussion; otherwise, he would entertain a motion to accept the consent calendar.

Director Chambers moved to approve the Consent Calendar, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**5. PUBLIC COMMENT:** None.

**6. BUSINESS (OLD):** None.

**7. BUSINESS (NEW):**

**A. Review/Approve 2022/2023 Capital Improvement Program.**

General Manager Mairena reported she had met with the Capital Improvement Committee and presented the Board a list of projects that the committee had selected to move forward for the upcoming fiscal year.

General Manager Mairena indicated that work had previously been done on the two sewer projects on the list and since the original budgeted amount for the Rowntree Pump Station Improvement was over two years old, Pakpour Engineering had recently updated it. General Manager Mairena stated she was still working on getting an updated cost for the Westborough Lift Station Titus Twister installation.

General Manager Mairena also reported that on the water projects, the committee had recommended to continue to do the additional work needed for Skyline Tank No. 3; however, the tank may need additional work for the roof rafters, so the amount stated on this list may not be enough to cover the work needed for the tank. General Manager Mairena mentioned that there were a couple of other smaller items listed such as the purchase of emergency hoses and a drain pump.

General Manager Mairena indicated the total of the proposed CIP budgeted amount was \$1,270,250. Ms. Mairena stated that she had also met with the Budget Committee, and they had agreed that it was best to designate an amount that the budget would allow, and once the Board had the updated cost for the work the Skyline Tank No. 3 needed, then the Board could decide how to proceed, so if the cost exceed the budgeted amount, then perhaps the seismic work could be postponed. General Manager Mairena asked the CIP Committee if they had additional comments.

Director Medina commented that basically, the committee was trying to take care of the projects that were already in progress and had thrown in a couple of smaller needed items.

Director Chambers stated that he had real concerns for the District's cash position. He expressed that planning a budgeted amount was not really a Capital Improvement Plan. Director Chambers felt the Board should not approve these projects yet but wait until the Board could get the final estimate on the work needed for Skyline Tank No. 3. Director Chambers expressed that we should preserve Skyline Tank No. 3 but postpone the seismic work for a later date. He reported that the District had \$2 million which was cash minus current liabilities, which was the recommended amount by the auditors. Director Chambers felt that the District should have a working capital of \$1.7 to \$2.2 million dollars due to the delay between water sales and payment collections, and also due to unexpected expenses, such as those incurred with the 14" transmission line and pump repairs up for approval later in the meeting. Director Chambers agreed with the committee's priorities but stated the other issue with the Water enterprise was that in the last audit report, it had negative cash reserves; hence, he felt, if necessary, we should postpone the seismic work until FY 2023-2024, when the Board could get a better idea of the cost and how the Drought would impact the District's finances. Director Chambers pointed out that water consumption was down and perhaps we

could leave Skyline Tank no. 3 out-of-service and fill out the other two tanks to meet our reduced water consumption. Director Chambers thought the Board could either postpone approval of this plan or approve it without Skyline Tank No. 3; though he would like to preserve what the District already had, and also for the roof work on the tank to be completed.

General Manager Mairena stated that Field Supervisor had responded to Director Chambers' question regarding the level the other two tanks were kept at. Mr. Kennedy had reported that both tanks are set to turn on at 16 feet and stop at 24 feet out of 29 feet. Mr. Kennedy had also reported that there were two reasons why the tanks were kept at those levels: to make sure there were no issues with lab samples and in the event of an earthquake, to prevent them the water from sloshing the tank roof. Director Chambers expressed that with the reduced consumption, it would be a stronger argument to leave Skyline Tank No. 3 out of service. General Manager Mairena indicated that this question would need to be reviewed with the Field Supervisor.

Director Medina asked Director Chambers if he was suggesting going ahead and approving everything except the seismic work improvements to Skyline Tank No. 3. Director Chambers replied perhaps we should postpone approving everything until next month or let the sewer projects go but wait for the cost of improvements for Skyline Tank No. 3 until we could get a good cost estimate and potentially not fill the tank for a whole year, until the seismic improvements could be done, depending on what the Field Supervisor says.

Director Medina asked General Manager Mairena what she thought. General Manager Mairena stated she did not see a problem with waiting until next month, and hopefully by then, the District would have a good estimate of the cost, then the Board could make a better determination. Director Chambers stated also good cash position beside the estimate.

This item was tabled until next month.

**B. Review Draft of 2022/2023 Operating Budget.**

Director Chambers stated he could give a preview. He told the Board the Budget Committee had bought in on the forecast of water sales presented by General Manager Mairena which included about 13% below last year's which was fitting of the current trend, but above the 10% SFPUC wanted us to conserve, and below the 15% the Governor was asking us to conserve. Director Chambers stated that the District would be passing along the approved 65-cents increase by San Francisco Water. Director Chambers explained to the Board that in order to be able to sustain a \$1.27 million CIP, the District would need an additional increase of 65 cents over the SFPUC's 65-cents increase to the water rate. Director Chambers reminded the Board that last year, the Board had passed a 120% increase to the meter charges, and he did not feel the District should increase meter charges again, since the District was at the right

level for percentage of income to the meter charges, and Best Practices stated the increase should come from the variable rate and not the commodity charge. Director Chambers commented on the re-formatting of the Excel worksheets done by General Manager Mairena, which made them more readable. Director Chambers also stated the District will be passing through an increase on the sewer service fees by the North San Mateo County Sanitation District. He asked Ms. Mairena if she wanted to comment further.

General Manager Mairena stated the committee had reviewed all the categories. She proceeded to do the same with the Board, providing clarification, and reviewing the new categories that she had created by splitting some of the old keys. General Manager Mairena told the Board that she had increased the budgeted amounts for those keys that usually go over budget.

Director Amuzie inquired about the Colina expenditure. General Manager Mairena replied that the District currently rented three parking spots behind the District's building and paid monthly rent per spot. Attorney Conneran explained the reason for the rental was that the parking lot needed to be reconfigured after the City had informed the District that it was not in compliance with ADA, so the District lost a couple of parking spaces in the process. General Manager Mairena added that in addition, the District had lost a couple more spaces when the new large generator was moved to the parking lot.

Director Chambers pointed out that some of the keys such as accountant and legal services showed half the cost. General Mairena apologized and explained the reasoning behind this. General Manager Mairena told the Board that she had created a new miscellaneous sewer expenditure key and half of these expenses would be charged to sewer, such as the annual audit, the accountant services, and the monthly legal retainer. In addition, there were other items, such as Prop. 218, public hearing ad notices, and election fees that will be added to this new key.

General Manager Mairena told the Board she had also created a new expenditure key for Banking and Credit Card Fees. Ms. Mairena stated that she had office staff checking into the number of large HOAs that were using the District's web payment system, since these could be costing the District large fees, and perhaps, the District could restrict them from using this service and instead, move them back to ACH payments. General Manager Mairena also stated the SSF Scavengers had a limit of \$500 when making online payments.

General Manager Mairena also reviewed the newly created expenditure key for Miscellaneous Sewer Expenses, and all the items that belong in that key, which have been charged to water in the past.

General Manager Mairena reviewed the summarized budget page which included updated figures for the previous four years. Ms. Mairena told the Board the projected figures were not correct since some of the expenses were one-time expenses and the formula in the worksheet calculated higher amounts. Director Chambers clarified that some of the income such as property taxes which was not received every month was overstated and so were some of the expenses, but overall, this gave us an idea of where the District stood.

Director Chambers told the Board that General Manager Mairena had worked with Attorney Conneran on getting the Prop. 218 notice ready and the notice will state an increase of up to \$1.30 which was half for the District and half for San Francisco, plus the sanitation pass through, which meant the District could raise the rates to a lesser charge, but not higher than what was stated. General Manager Mairena commented that Attorney Conneran had finished his review and the Prop. 218 notice would be sent to the printers tomorrow, stating an increase of up to \$8.58 for the water portion.

General Manager Mairena stated that this had only been a review of the budget and not for approval. Director Chambers commented that the rates would be approved at the July meeting and so would the budget. General Manager Mairena clarified that the budget is usually approved at the June board meeting.

**C. Review/Approve Proposal from Pump Repair Service to Repair Westborough Pump Station: Pump No.3.**

General Manager Mairena reported that pump no. 3 at the Westborough Pump Station had been taken out-of-service because it had stopped working, so Pump Repair had removed it thru the roof with a crane and had taken it to disassemble and inspect it. General Manager Mairena reviewed the two recommendations made:

1. Repair pump and motor for \$26,622.86, with an 18-week turnaround.
2. Replace bowl assembly, repair pump and motor for \$57,059.77, with a 16-week turnaround.

General Manager Mairena stated that she had discussed the proposals with both Field Supervisor Johnny Kennedy, and Management Consultant Darryl Barrow. Mr. Barrow had contacted Wayne from Pump Repair to discuss the situation. Mr. Barrow's recommendation was that the District approve option no. 2 for the following reasons:

- Without replacing the assembly, the pump would not operate as efficiently.
- Pump Repair could not guarantee how long the old assembly would last if it was not replaced.

- Money savings because with the new assembly, the pump would operate more efficiently, and avoiding the cost to remove and reinstall the pump and motor when the old assembly finally breaks down.

Director Chambers inquired if there was a warranty with either option. General Manager Mairena told the Board she was sure there was one for Option 2, so she would find out and let the Board know.

President Bautista asked General Manager Mairena if option 2 was also her recommendation. General Manager Mairena replied that it was, and although it was a large expenditure, she felt that it was best to have the pump fixed properly.

President Bautista asked the Board if there was any further discussion.

Director Chambers moved to approve option 2 of the Proposal from Pump Repair Service to Repair Westborough Pump Station: Pump No.3, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**D. Review/Approve Proposal to Participate in BAWSCA Water Loss Management Program for 2022-2023.**

General Manager Mairena explained to the Board that this was a program that was done every year in order to meet the State's requirements on Water Loss Management, and that BAWSCA contracted with this vendor. General Manager Mairena stated that the proposed cost for this year was \$15,400, and there was a lot of data that would need to be submitted to them, so the District would need to get started right away, as she did not feel there was a way around this, and the District had been doing this for years.

Director Chambers moved to approve the Proposal to Participate in BAWSCA Water Loss Management Program for 2022-2023, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
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Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**E. Consideration of Financial Assistance to Homeowners to Remove Potentially Hazardous Tree at 2601 Tyrone Court, SSF.**

General Manager Mairena stated that this was the other tree that the Board had previously discussed which also sat on top of a District's water main. Ms. Mairena displayed homeowner Paul Genzink's formal request for financial assistance for the tree removal as well as a copy of the letter she sent to him with pictures of the tree. General Manager Mairena also stated Mr. Genzink had agreed to remove the tree but would like financial assistance to do it.

President Bautista inquired as to what the financial assistance amount had been for the previous tree. General Manager Mairena responded that it had been \$2,000.

Director Chambers asked General Manager Mairena about the other smaller bushes or brush on the other side of the tree, not bigger than 3 inches which he hoped would be pulled once the tree was removed. General Manager Mairena replied that field staff could take care of them, since they already cleaned around the tank area. Director Chambers stated that this would be a good thing, so that in the future, they do not grow as big as this tree.

Director Chambers moved to approve a \$2,000 Financial Assistance to the Homeowner to Remove Potentially Hazardous Tree at 2601 Tyrone Court, SSF, seconded by Director Medina.

Director Amuzie commented that the Board was going to offer the homeowner \$2,000, but the removal cost was still unknown. General Manager Mairena replied that there was no way to offer him more than the previous homeowner had received. Director Amuzie agreed to proceed with roll call.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye



The motion was carried unanimously.

**F. Special District LAFCo Election: Submit Written Nominations for the Regular LAFCo Member and Authorization to Transmit the LAFCo Special District Member Ballot by Electronic Mail.**

General Manager Mairena reviewed the email she had received and forwarded to President Bautista on the LAFCo Special Districts Election. General Manager Mairena stated that there were two Special Districts commissioners, but only Josh Cosgrove's term was expiring in May 2022. General Manager Mairena specified that for nominations, the District would need to return to LAFCo a signed letter by the Special District Board President (or appointed alternate board member) in District letterhead, no later than 5:00pm on May 26, 2022, via mail, fax, or email. General Manager Mairena also stated that the Board would need to return a signed Authorization to Transmit the LAFCo Special District Member Ballot by Electronic Mail in the same manner.

Director Chambers stated he was aware that Josh Cosgrove would not re-run for another term, and he had some concerns about candidates who had not shown up to the meetings. Director Chambers also stated he had emailed Kati Martin, and she had told him she will be putting down her name for nominations, which he felt confident was a good nominee, as Ms. Martin is the chair of the CSDA, San Mateo Chapter. Director Chambers told the Board he felt satisfied with not nominating anybody for this position and only completing the form to be able to vote when the time comes.

President Bautista inquired if the Board did not need to make a motion. General Manager Mairena replied that the authorization form still needed to be signed and return. Attorney Conneran stated the Board should have a vote, since they would be approving an authorization which confirmed verification.

Director Chambers moved to Authorize President Bautista to Transmit the LAFCo Special District Member Ballot by Electronic Mail, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**G. Review/Approve 2021 Bartel Associates Actuarial Valuation Results.**

General Manager Mairena reviewed Joe D’Onofrio’s comments on the 2021 Bartel Associates Actuarial Valuation Results which had been sent to her late today; hence, she was unable to include them with the board packet. Ms. Mairena commented on the Status of the Fund, which likely was lower, and the Contribution Policy, since this year, the District had started making payments of health benefits for a retiree, Darryl Barrow; therefore, the District would have the option to request re-payment from the fund or deduct the cost from the annual contribution to the fund which is due in June.

Director Chambers inquired if the 90% funded status was for the retirement or the health care. General Manager Mairena replied this was all health care and the 90% was due to previous assumptions made in the past.

General Manager Mairena reviewed the various slides in the report. Director Chambers inquired about the pie charts on slide E-20 which showed a higher unfunded liability and asked if these included CalPERS. Attorney Conneran seemed to think they did and suggested to General Manager Mairena to ask Bartel that question.

President Bautista asked the Board if there was any discussion; otherwise, he would entertain a motion.

Director Chambers moved to Approve 2021 Bartel Associates Actuarial Valuation Results, seconded by Director Medina.

Roll Call

Director Amuzie	Aye
Director Chambers	Aye
Director Medina	Aye
Director Richards	Aye
Director Bautista	Aye

The motion was carried unanimously.

**8. WRITTEN COMMUNICATIONS:**

**A. Email from Shirley Tourel, San Mateo County Assistant Controller Regarding Vehicle License Fee (VLF) Fix Legislative Update.**

General Manager Mairena told the Board she wanted to give an update on this matter that had previously been brought up to their attention, it had to do with Excess ERAF the State wanted to use for the shortfall in the Vehicle License Fees (VLF), and reported the bill was apparently still moving forward. General Manager Mairena asked Attorney Conneran and if he

had heard anything. Attorney Conneran replied that this was part of the Sacramento shuffle, in which they moved funds from one pot and replaced it with another, but it looked like they wanted to use the Excess ERAF to cover the deficit in VLF.

**B. Email from Angel Torres with the City of South San Francisco Engineering Division Regarding the SSF Pavement Rehabilitation Project.**

General Manager Mairena reported that Field Supervisor, Johnny Kennedy, had brought to her attention that the City of South San Francisco (SSF) was starting a street resurfacing project in Westborough for which the District was never made aware of. The project involved covering several sewer manholes (about 100) and water valve boxes (about 36). General Manager Mairena contacted the Engineering Department of the City of SSF and the North San Mateo County Sanitation District (NSMCSD), who were also not aware of the project, which was very problematic for them, since during a major backup having no accessibility to a sewer manhole could create major issues for the lower point in the area. General Manager Mairena stated she had a three-way conversation with the City of SSF and the NSMCSD. The NSMCSD expressed that the City of SSF should try to salvage most of the sewer manholes which should not have the wear and tear of those in heavily trafficked areas, as replacement of these would run about \$1,000 to \$1,500 each, a huge expense for the District. The items that were agreed upon were the following:

1. The sequence the sewer manholes would not be accessible will be 7 to 10 days. The contractor will provide the WWD with a schedule for lowering and raising the sewer manholes and the water valve boxes.
2. There will be Reference Points (RPs) at the curb for the sewer manholes, making it easier to locate the cover sewer manholes.
3. The contractor would salvage most of the sewer manholes and would contact the NSMCSD for inspection of those that are broken and would need to be replaced.
4. The contractor would try to salvage the water valve boxes and would contact the WWD for inspection so these may be replaced.
5. The contractor will pay for any sewer manholes or water valve boxes that are broken by them.
6. The WWD will accept the City of SSF's details for adjusting to pavement finished grade.

Director Chambers inquired if the District would need to pay for raising or lowering the sewer manholes. General Manager Mairena responded that there would be no such cost, only for the actual replacement of the sewer manholes or the water valve boxes. Director Chambers also commented that it was too bad the City of SSF did not consult with the WWD ahead of the project in case there was any sewer work to be done in those areas, since there are sewer lines

that need replacement and the City of SSF would not like us to tear up the street once these are resurfaced.

General Manager Mairena agreed that it was too bad the WWD was not consulted ahead of the project, and this seemed to be due to the fact that the City of SSF had a lot of interns working there who were not aware that the WWD owned both the water and sewer systems in this area.

Director Amuzie commented that moving forward, perhaps we should talk to someone from the City Council who may live in the Westborough area. Director Bautista replied that the Mayor of the City of SSF lives across from him. Director Amuzie stated it was important the City of SSF kept us in the loop and it was a matter of policy. Attorney Conneran also commented that there needs to be a dialogue, with either the Mayor or the Public Works Director. Attorney Conneran suggested to send copies of any future plans, even next year's, just so they have them and they cannot deny getting them.

#### **9. ATTORNEY'S REPORT:**

Attorney Conneran reported that he had attended a City Attorneys Conference in Carlsbad and learned of a statute that was passed that creates a new obligation on reporting connection fees. Attorney Conneran will have someone in his office draft an email to the clients and send to the General Manager. Attorney Conneran indicated that basically, the developer community wants to know how these fees are spent.

General Manager Mairena asked Attorney Conneran when the statute would become effective. Attorney Conneran replied it had become effective in 2021, but there should be no penalty and we would just need to catch up.

#### **10. GENERAL MANAGER'S REPORT:**

##### **A. Update on the Skyline Tank No. 3 Exterior Recoating Project.**

General Manager Mairena reviewed the report that was dated May 5<sup>th</sup>. So far, 69% of the work had been completed as of that date. Ms. Mairena stated the District will cut a check for the work completed in the amount of \$243,770 (excluding the retention of \$12,830). General Manager Mairena reviewed the pictures of the tank and pointed out that EMS will be using their own welder to place 3 x 3 steel plates to cover the pinholes on the tank.

##### **B. Report on District's Water Conservation for April 2022.**

General Manager Mairena reviewed the District's usage as presented on her chart and told the Board the District usage had gone up. Ms. Mairena told the Board she was going to

have office staff look into the irrigation accounts to make sure they were not overdoing it and will have them send letters and copies of the restrictions.

Director Chambers stated the usage per month was up 5.8% from 2021, and down 9.76% for 2020, which was what San Francisco is using. Year-to-date, the District is down 12.5%, which is better than what San Francisco needs us to do, and 13.5% from 2020. Overall, Director Chambers felt we were doing better than Southern California who had seen a spike in usage.

**11. ITEMS FROM BOARD OF DIRECTORS:**

Director Amuzie reported he had attended the ACWA/JPIA Conference last week but would not have his report ready until the next board meeting.

President Bautista reported Lake Mead had been getting so low, that they had started finding bodies.


**12. CLOSED SESSION:** None


**13. ADJOURNMENT:**

Without objection, President Bautista adjourned meeting.

Time 9:11 p.m.

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Date