

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

*Revised*

**Thursday, August 12, 2021**

*Note: Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act. 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.*

The meeting was called to order at 7:30 p.m.

**1. ROLL CALL:**

Directors Present:

Janet Medina  
Perry Bautista  
Thomas Chambers

Directors Absent: None.

Staff Present:

General Manager, Patricia Mairena  
Attorney, Michael Conneran

Visitors Present: None.

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

**3. CONSENT CALENDAR:**

Director Medina moved to approve the consent calendar, seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

For the record, General Manager Mairena pointed out that there were two vacancies on the Board of Directors and that was the reason there were only three directors voting.

4. **PUBLIC COMMENT:** None.
5. **BUSINESS (OLD):** None.
6. **BUSINESS (NEW):**
  - A. **Consideration to Implement Stage 2 of the District's Water Shortage Contingency Plan and Urging Voluntary 15% Reduction in Overall Water Use by Customers in Response to Drought Conditions, Resolution No.633.**

General Manager Mairena reported the District had received a letter from BAWSCA and a copy of the Governor's Proclamation which now included San Mateo and Santa Clara counties, asking all individuals and businesses in California for a 15% reduction in water usage. General Manager Mairena stated that due to the current drought conditions, Stage 2 of the District's Water Shortage Contingency Plan (WSCP) needed to be implemented in order to achieve the requested 15% voluntary water reduction which included a list of water usage restrictions stated on Exhibit A of Resolution 633.

President Chambers mentioned that he had stopped by the office and had reviewed the District's water purchases with General Manager Mairena, and the District's purchases for the past two months were about 20% lower than those in 2020. He also stated that customers will need to be reminded of the thirteen restrictions listed on Exhibit A, so they can continue to conserve water.

Director Medina voiced out her concern about customers who have been conserving all along and their ability to conserve an additional 15%. President Chambers pointed out the conservation was voluntary for now and if the District did go into mandatory conservation, the Board would need to address how the new conservation measures would be achieved as a District.

President Chambers addressed his concern about the common greens looking so green, and the need to put pressure on the City of South San Francisco and any other irrigation meter accounts to reduce their usage, especially if the District was not meeting the requested 15% reduction.

Attorney Conneran stated the adoption of the resolution was mandated by our WSCP.

Director Bautista moved to approve Resolution No. 633, Consideration to Implement Stage 2 of the District's Water Shortage Contingency Plan and Urging Voluntary 15% Reduction in Overall Water Use by Customers in Response to Drought Conditions, seconded by Director Medina.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

**B. Consideration of Amended and Restated Professional Service Agreement between the Westborough Water District and Pakpour Consulting Group.**

General Manager Mairena stated there were no changes to any of the terms of the agreement that was already in place, but the only difference was how the work would be assigned to them, via task order. She asked Attorney Conneran if he would elaborate.

Attorney Conneran gave an overview of a situation Pakpour had gotten into. It involved another water district where after an auditor's investigation, Pakpour had concerns for the potential of a violation of the Conflict-of-Interest Statute Section 1090 in the way the District Engineer may undertake projects. Pakpour hired a respected public agency attorney to draft an agreement with similar terms which other water agencies had or were about to adopt. The new agreement spelled out when the District would give Pakpour a larger assignment, it would be written as a task order; thus, avoiding the idea that they automatically would have all the work, and have interest in keeping or doing additional work themselves. Attorney Conneran saw no reason why not approve the agreement since the terms would remain the same.

Director Bautista moved to approve the Amended and Restated Professional Service Agreement between the Westborough Water District and Pakpour Consulting Group, seconded by Director Medina.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

**C. ACWA Region 5 Election Ballot.**

President Chambers commented on the ballot and stated he knew his preferences and asked other board members for theirs. He also stated he would probably go with the nominating committee's recommendation and asked if the Board wanted to vote as a committee. He asked Attorney Conneran what kind of action the Board was required to take.

Attorney Conneran stated it was up to the Board to decide whether they wanted to empower someone, such as the Chair of the Board to make the selections or to vote as a Board.

Director Medina moved to enable President Chambers to make the selection for the ACWA Region 5 Election Ballot, seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

**D. Consideration to Authorize Attendance to ACWA Region 5 Virtual Event – Developments in Regional Water Management, August 19, 2021, 10 a.m. to 11:30 a.m.**

President Chambers asked other board members if there was interest in attending this event. Director Bautista indicated he would be interested in participating.

Director Medina made a motion to authorize Director Bautista to attend the ACWA Region 5 Virtual Event – Developments in Regional Water Management, August 19, 2021, 10 a.m. to 11:30 a.m., seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

***For the record, there was no item E on the Agenda.***

**F. Consideration to Approve Resolution No. 634, Thanking Director Al-Arabi for her Dedication and Service to the District.**

President Chambers mentioned everyone knew how much Karema had done for the District.

Director Medina moved to approve Resolution No. 634, Thanking Director Al-Arabi for her Dedication and Service to the District, seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

**G. Consideration to Approve Resolution No. 635, Thanking Director Irwin for his Dedication and Service to the District.**

President Chambers mentioned everyone knew Director Irwin.

Director Medina moved to approve Resolution No. 635, Thanking Director Irwin for his Dedication and Service to the District, seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

**H. Consideration to Approve Field Maintenance Worker to Take Home District Vehicle.**

General Manager Mairena referred the Board to the list of reasons stated on her memo as to why she felt it was important for Field Maintenance Worker Armstrong to be able to take the District vehicle home. President Chambers asked if Mr. Armstrong was on call every night. General Manager Mairena responded there was a four-person rotation for on call duty.

President Chambers stated he did not see a need for Mr. Armstrong to take the District vehicle home unless he was always on call. General Manager Mairena reviewed with the Board other reasons including loss of parking space due to the generator being moved to the parking lot and expediting response time because Mr. Armstrong would not waste time picking up the vehicle from the District Office. She also told the Board with former General Manager Barrow no longer assisting field personnel with after-hours emergency repairs, and Field Supervisor Kennedy sometimes being away visiting his family, having the tools readily available inside the truck would expedite response and minimize water loss.

Director Medina asked if it would be appropriate, in the event this request was approved, to do a write up that the vehicle would only be used for the purposes of conducting District business.

Attorney Conneran discussed the potential for tax liability when driving a District vehicle home and stated if the Board felt inclined to approve this request, they should place a condition on not using the vehicle for personal business, thus avoiding a potential tax liability the employee may have for the value of using the District vehicle for their daily commute.

President Chambers stated he had a problem with all four employees taking the District vehicle home and the risk and cost associated with employees driving the District vehicle home every day. General Manager Mairena stated only the Field Supervisor and the Senior Field Maintenance Worker were already taking the truck home, as it had previously been approved by the Board, and it made it much easier for them to respond to emergencies, especially when needing to turn off valves; thus, minimizing water loss which is so important during the Drought.

President Chambers asked about the frequency of use for after-hours emergency calls. General Manager Mairena stated she did not have specifics.

Director Bautista mentioned it would be costly to get an additional parking space and also, he would be concerned about the amount of water lost if field staff could not expedite a response. He inquired about the process in the event someone responded and did not have a truck. General Manager Mairena replied that the worker would drive up to the District's office, pick up the truck, and drive to the site. Director Bautista agreed with the General Manager's reasons.

President Chambers stated he wanted to get more data on how often these emergency situations happened.

Director Medina suggested to have a trial period of three months to allow Mr. Armstrong to take the vehicle home and to find out if it was beneficial at all and compare cost to response time. She asked Attorney Conneran if that was a possibility. Attorney Conneran stated it should be set as a condition with the requirements he previously mentioned as far as not driving the vehicle for personal use. Director Bautista thought this was a good idea.

President Chambers also inquired about the tools on the vehicle and whether they would be less secured in Mr. Armstrong's care. He inquired about the storage of the vehicle.

General Manager Mairena suggested this item be tabled to the next board meeting and she would ask Field Supervisor Johnny Kennedy to be present, and that he could put together the requested data and have answers to the requested information.

The Board agreed to postpone action on this item.

No other action was taken.

**I. Field Supervisor's Anniversary of 20 Years of Service.**

General Manager Mairena displayed a picture of a service award she had ordered for Field Supervisor Johnny Kennedy's Anniversary of 20 Years of Service.

Director Medina indicated that if Mr. Kennedy was to be present at the next meeting, it would be nice to present it to him in person. The Board agreed.

**7. WRITTEN COMMUNICATIONS:**

**A. Letter Dated August 3, 2021, from the San Mateo County Office of Assessor-County Clerk- Recorder and Election Division Regarding Verification of Jurisdiction Boundaries – Moving to District Elections.**

General Manager Mairena discussed the letter received from the Office of Mike Church, San Mateo County Assessor-County Clerk-Recorder regarding moving to District Elections and away from At-Large Elections and asking to confirm the boundaries for 2022. General Manager Mairena reminded the Board they had already sent a letter to the County confirming the move, but in order to submit the boundaries, the District would need to hire a demographer. General Manger Mairena told the Board she had already reached out to neighboring districts to get contact information and was in the process of getting quotes to hopefully present to the Board next month since the shapefile containing the boundaries would be due by May 12, 2022.

President Chambers inquired if it would be possible to have one more At-Large election in the event the District could not meet the deadline. Attorney Conneran stated he supposed they could, but it would be better not to do that, and there was still enough time to complete the process. The only problem he foresaw was having to pay the \$30,000 that would cost if one of the attorneys writing letters to other agencies would write one to the District. Attorney Conneran commented one of his partners was working on getting a demographer for the District. Also, in addition to getting the report, there would be five public hearings.

President Chambers inquired if the law stated that there should be a board member that resides on each of the districts. He asked Attorney Conneran if as a board member he could represent a different district than the one he resides. Attorney Conneran stated the purpose of the law was that each district had representation. President Chambers replied, the district would be represented by the vote of the board member. Attorney Conneran stated he would look further into that and would get back to the Board.

Director Medina commented on how the District already had a hard time getting board members and districting would make it so much harder.

Attorney Conneran mentioned that the appointed board members filling the two vacancies may need to run in the next election. He told the Board he will reply with the residency requirement and how that would work with the next election.

General Manager Mairena notified the Board that she already had the commitment of Redistricting Partners to provide a quote and that the North Coast County Water District process had taken three months total, but they were in a hurry to complete it.

**8. ATTORNEY'S REPORT:** None.

**9. GENERAL MANAGER'S REPORT:**

**A. Report on Manhole Rehabilitation at Westborough Sewer Lift Station and Manhole on Westborough at Olympic Near Stairway.**

**1) Sewer System Overflow (SSO) at Westborough Sewer Lift Station Manhole.**

General Manager Mairena reported on a small SSO that happened during the rehabilitation of the Westborough Sewer Lift Station Manhole. She stated Kevin from the NSMCSD had been very helpful in helping her file the report which they normally submit on the District's behalf since they have the necessary data. She indicated it was very good to learn about the process and that the SSO had been very small, only 360 gallons, because Kevin had responded within 14 minutes.



**2) Change Order for Additional Work Needed in the amount on \$1,800 for Manhole at Olympic Near Stairway due to Missing Channel.**

General Manager Mairena reported on the other manhole being rehabilitated at Olympic near the stairway. She stated when it was opened up it was missing a channel and needed extra work. She discussed this matter with former General Manager Barrow who stated that since everything had been mobilized, the work should be authorized. General Manager Mairena also contacted Attorney Conneran prior to her approval of a change order in the amount of \$1,800 to complete the work, which was done a week earlier than scheduled.

**B. Update on Volvo Portable Standby Generator.**

General Manager Mairena reported on moving the Volvo generator from the Skyline tank site to the District's parking lot. She displayed pictures and described how the generator was being protected with wheel locks and a post. She also reported that the electrical connections were completed, and the generator should be run once a month, but field staff had not run it yet, since the District did not have the necessary permit from the Bay Air Quality Board; all the paperwork had already been filed. General Manager Mairena explained that in the event the generator was needed to run the pumps, there were already connections in the pump room, and field staff would just run a long cord, plug it, and flip a switch to run the pumps.

**C. Drought Update.**

General Manager Mairena stated that since the District's water purchases had been discussed earlier, she would just review a chart she prepared of the water purchases from SFPUC for FY 2020-2021 and FY 2021-2022, so the Board could see the drop in usage for the first two billing cycles of the current year which was about 20% less than the prior year.

General Manager Mairena reported the following conservation measures would be taken:

- Ordering a new banner to remind customers to conserve water.
- Sending letters to all the irrigation accounts, specifically the City of South San Francisco and some homeowner associations that had higher usage than last year.
- Adding a message to be sent with the next bill letting all customers know about the new usage restrictions.

President Chambers recommended that the number of days in the billing cycle be added to the worksheet for a better comparison, since that had been problematic in the last Drought.

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

**A. Report on BAWSCA Meeting of July 15, 2021.**

President Chambers reviewed his written report with the Board and elaborated on a couple of the items: Director Bautista had asked about the refunding of 163 million of the tax-exempt bonds, and the Metropolitan Commission and ABAG ignoring our UWMP.

**B. Report on CSDA Meeting of August 3, 2021.**

Director Bautista asked a question regarding Director Chambers was aware if Facebook was building a seawall around their campus.

**11. CLOSED SESSION:**

**12. ADJOURNMENT:**

Without objection, President Chambers adjourned meeting.  
Time 8:50 p.m.

  
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Secretary

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Date