

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

Revised

Thursday, September 9, 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: Paul Causey from Causey Consulting.

For the record, General Manager Mairena pointed out that there were two vacancies on the Board of Directors, and 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 Bautista.

3. CONSENT CALENDAR:

Attorney Conneran pointed out he had one edit to the minutes on the 3rd line of page seven: "Attorney Conneran stated it should be set as a probation with the requirements he previously mentioned" should read "as a condition" instead of "as a probation".

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

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

4. PUBLIC COMMENT: None.

5. BUSINESS (OLD):

A. Consideration to Approve Field Maintenance Worker to Take Home District Vehicle.

B. Field Supervisor's Anniversary of 20 Years of Service.

Per General Manager Mairena's recommendation, both items A and B were postponed to a later meeting. The Board concurred with her decision.

6. BUSINESS (NEW):

President Chambers moved the order of Item D to be discussed first, since Mr. Causey from Causey Consulting was present.

A. Review of Candidate Applications for Board Vacancies. Consider Appointments to Fill Board Vacancies.

President Chambers stated the District had received a total of three applications for the two board vacancies and due to the current COVID situation, it may have been too risky to fit an uncertain number of candidates in the District office; hence, the participants were not invited to interview in person. President Chambers stated the Board should review the applications and make selections.

Director Bautista suggested they discussed each candidate at a time. Each board member had the opportunity to review the qualifications of each candidate, make comments, and rank them.

President Chambers ranked his selections as follows: 3 points for Amuzie, 2 points for Richards, and 1 point for Primo.

Director Bautista ranked his selections as follows: 3 points for Primo, 2 points for Richards, and 1 point for Amuzie.

Director Medina ranked her selections as follows: 3 points for Amuzie, 2 points for Richards, and 1 point for Primo.

President Chambers tallied the points for each candidate: Primo had 5 points, Amuzie had 7 points, and Richards had 6 points. President Chambers stated the appointees would be Amuzie and Richards. He asked Attorney Conneran if the Board could appoint, or they need to make a recommendation to the county on who to appoint. Attorney Conneran informed the Board that their vote was the appointment. President Chambers stated the two newly appointed board members would have to run in 2022 for the remaining two years of their seat. Attorney Conneran confirmed that they would run in at-large races in 2022, and the other directors running for a four-year term would run in district races.

Director Medina moved to appoint Don Amuzie and J.L. Richards to fill the board vacancies until they run in the next election at-large, seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

President Chambers stated he hoped candidate Nelson Primo will consider running in the next election.

B. Review/Approve Resolution No. 636, Adopting and Restating the Rate and Fee Schedule.

Attorney Conneran explained that when the Board modifies the rates and fees, these become effective immediately through the actions of the Board, but in order to have them documented so these can be displayed, it is a good practice to update the Rate and Fee Schedule, as seen on the last page where all the revisions are detailed. Attorney Conneran also stated the District may have a couple other charges to be revised, but these would need to come back to the Board as an action item for the Board with a public hearing. Attorney Conneran mentioned the District could probably wait until next year when and if there were other rate changes, so it could be done with one notice.

Director Medina moved to Approve Resolution No. 636, Adopting and Restating the Rate and Fee Schedule, seconded by Director Bautista with the above correction.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

C. Review/Approve Proposal from Redistricting Partners in the Amount of \$32,000 for the Zoned-Based Election Process Demography.

General Manager Mairena stated that the proposal the Board had in front of them was related to what she had talked about in the previous meeting. Ms. Mairena told the Board she had tried to secure another proposal from NDC, the company Coastside Water District had used, but they never replied to her request, so this was the only proposal the District had received.

Attorney Conneran noted his firm was familiar with this company and one of his partners had worked with them and recommended them. His colleague had reviewed the cost and it was within acceptable range. Attorney Conneran stated the District should be happy to have at least one proposal from a qualified company, since they are all very busy, and the process should be pretty straight forward with a series of public hearings, which he recommended be publicized through the bills, and any other communications means possible. President Chambers stated the Board had budgeted \$28,000 for this item, and \$32,000 was within the ballpark.

Attorney Conneran asked General Manager Mairena if it was necessary to provide a mapping file at an additional cost, and he was not sure if the Board needed to approve it now. General Manager Mairena told the Board she had discussed this with Adrienne Carr (from North Coast County Water), and she had told her it was not necessary to provide the mapping file, so they had not done it. Ms. Carr also recommended the District had virtual meetings, which were less costly.

Attorney Conneran recommended that a motion be made not to exceed the \$32,000 amount, and a contract to follow in a form acceptable to counsel.

Director Bautista moved to approve the Proposal from Redistricting Partners not to exceed \$32,000 for the Zoned-Based Election Process Demography, and written on a form acceptable to counsel, seconded by Director Medina.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

D. Review/Approve Proposal from Causey Consulting for a Maximum Amount of \$36,550 for the Sanitary Sewer Management Plan (SSMP) Biannual Internal Audit and Plan Revision, Including Updates to the District Overflow Emergency Response Plan (OERP) and to the Water Quality Monitoring Plan (WQMP).

General Manager Mairena gave a brief background on how Cynthia Rogers from the North San Mateo County Sanitation District (NSMCSD) used to prepare the SSMP Plans and revisions for the District, but since she had retired the District had fallen behind on reporting. Ms. Mairena had sent the proposal from Causey Consulting to Kevin McCarthy from the NSMCSD and he had reviewed it and agreed with the proposal. General Manager Mairena stated the SSMP audits had to be done every two years and the SSMP revisions every five years from the date of adoption.

President Chambers asked Mr. Causey if he had any additional input; he stated General Manager Mairena had already stated everything.

Director Medina moved to approve the proposal from Causey Consulting for a maximum amount of \$36,550 for the Sanitary Sewer Management Plan (SSMP) Biannual Internal Audit and Plan Revision, including updates to the District Overflow Emergency Response Plan (OERP) and to the Water Quality Monitoring Plan (WQMP), seconded by Director Bautista.

Roll Call

Director Medina	Aye
Director Bautista	Aye
Director Chambers	Aye

The motion was carried unanimously.

7. WRITTEN COMMUNICATIONS: None.

8. ATTORNEY'S REPORT:

Attorney Conneran reported his firm was watching the Legislature and what it was going to do with regards to virtual meetings since the Governor's Executive Order was to expire on September 30th. At this point, they were not sure if the Governor was going to extend it, or enact some other legislation, the primary one is AB 361 which is an urgency measure that would need to be adopted by October 10th. In his opinion, this piece of legislation has some changes but overall, it does the job in continuing to allow virtual meetings. Attorney Conneran will inform General Manager Mairena if there were any arrangements to be made prior to the next meeting.

President Chambers shared with the Board about BAWSCA BPC putting out that if signed, this legislation would become effective as soon as the Governor signed it, but no later than October 11th. He stated that this legislation effectively allows agencies to use existing teleconferencing requirements whenever the state or counties have declared a state of emergency and state, or local officials have recommended social distancing. President Chambers expressed that as long as those conditions were met and since the District office was not large enough to accommodate proper social distancing, especially with five board members, and any members of the public, it would be good to continue with virtual meetings. President Chambers also stated these findings would need to be renewed every 30 days. Attorney Conneran commented the Board may need to hold special meetings if the timing was not to work out.

Attorney Conneran also mentioned about additional litigation San Francisco had filed against the State challenging the restrictions on the pre-1914 water rights. Other interests, such as Agriculture, have already filed against the State. Both President Chambers and Attorney Conneran commented on voluntary agreements, and that there was talk that after the Recall Election, the Governor may institute mandatory rationing.

9. GENERAL MANAGER'S REPORT:

A. Report on District's Water Conservation for August 2021.

General Manager Mairena displayed a chart showing a comparison of the District's water purchases for this year in comparison to last year's, so far the District has been doing a decent job with conservation. Ms. Mairena told the Board she had already ordered a conservation banner and was working with securing a waiver from the City of South San Francisco, since they had a restriction on the number of days a banner could be displayed.

General Manager Mairena informed the Board a flyer will go out with the next bills being mailed, which will include an explanation of the rates and fees increases and the capital

projects, specifically Skyline Tank no.3, as well as a listing of the thirteen restrictions approved by the Board at the last meeting with regards to Stage 2 of the Water Shortage Contingency Plan. In addition, the District had mailed letters on August 18th to 95 irrigation accounts and 5 multi-family or commercial accounts with usage higher than last year's, and a copy of the thirteen restrictions was also included.

B. Report on BAWSCA Virtual Meeting of September 2, 2021.

General Manager Mairena reported on the BAWSCAs meeting of September 2, 2021, she had attended, and that collectively, the wholesale accounts needed to do a better job at conserving water.

C. Report on 14" Transmission Main Being Damaged by Contractor.

General Manager Mairena notified the Board that a contractor doing boring along Westborough Boulevard on the eastbound direction, had hit the District's 14" transmission main. Luckily former General Manager Barrow happened to be in the vicinity, so he had assisted Field Supervisor Kennedy on shutting off the valves. Both Mr. Barrow and Mr. Kennedy were working on contacting contractors to do the repairs. Currently the District was unable to receive water from SFPUC and the District customers were being serviced by the water on the tanks. The current tank levels were 14 feet and the District used about 5 feet per day. The earliest one of the contractors, MK Pipelines, could do the repairs would be Saturday, September 11th. General Manager Mairena explained that field staff would be unable to do the repairs since the pipe was about 14 feet deep and that would require shoring. Ms. Mairena will make a full report at the next board meeting.

D. Award Presentation to Former General Manager Darryl Barrow.

General Manager Mairena informed the Board she had ordered a retirement award for former General Manager Darryl Barrow, and since he had been at the office today, she had presented it to him on behalf of the Board and the District. Ms. Mairena shared photos of the presentation.

E. Water Shutoff Moratorium.

General Manager Mairena reported the State Water Shutoff Moratorium was due to expire on September 30, 2021, and she wanted the Board to know if it did not get extended, she will bring the matter at the next meeting to see what the Board would like to do.

Attorney Conneran inquired how many customers were at risk of having their water shutoff. General Manager Mairena stated since the District still delivers final notices, there were less than ten accounts that would be on the shutoff list.

President Chambers commented that he would like to add an additional number to the report – per capita, per day consumption. Although the State prohibited diverting water from the streams, they plan on granting exceptions for health and safety for up to 55 gallons per capita per day.

10. ITEMS FROM BOARD OF DIRECTORS:

A. Report on ACWA Region 5 Meeting of August 19, 2021.

Director Bautista reported on the ACWA Region 5 Meeting he attended virtually on August 19, 2021. He shared a problem observed by the Pajaro Water District, an agricultural district, which has been dealing with seawater intrusion and squid getting into their filtration system. To alleviate the problem, they are working on depending less on using ground water.

Director Bautista also mentioned the next three speakers talked about the same subject, building a future market for water, since the price of water was climbing, and if any agency was to find the right supply, they could reduce the price of water significantly. President Chambers commented on higher water rates and a podcast he listened from Australia where people bid on water rights, sometimes to resell. He mentioned that if that happened in California, we would have to do away with water rights, and that, probably would not happen.

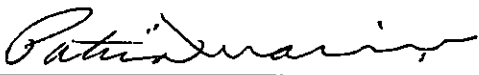
Director Medina thanked General Manager Mairena for her assistance with technical support with completing all her required training.


11. CLOSED SESSION: None.

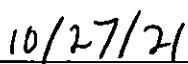
12. ADJOURNMENT:

Without objection, President Chambers adjourned meeting.

Time 8:27 p.m.


Secretary


President


Date