

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

Revised

Thursday, November 11, 2021

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 7:42 p.m.

1. ROLL CALL:

Directors Present:

Perry Bautista
Janet Medina
Don Amuzie
Julie Richards
Thomas Chambers

Directors Absent: None.

Staff Present:

Patricia Mairena, General Manager,
Michael Conneran, Attorney

Visitors Present: Joubin Pakpour, Engineer- Pakpour Consulting
Brandon Laurie, Engineer – Pakpour Consulting

For the record, General Manager Mairena pointed out 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 Bautista.

3. SPECIAL ORDER OF BUSINESS:

A. Consideration of Resolution 638, Declaring that District Meetings will Continue to be Held Via Teleconference.

President Chambers clarified why it was necessary for the Board to approve this type of resolution every thirty days.

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Director Bautista stated he had no issue with continuing virtual meetings, but perhaps the District should switch meetings carrier due to the connection issues with the current carrier.

Director Bautista moved to approve Resolution 638, Declaring that District Meetings will Continue to be Held Via Teleconference, seconded by Director Medina.

Roll Call

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

The motion was carried unanimously.

President Chambers instructed General Manager Mairena to look into Zoom for conducting the next meeting.

4. CONSENT CALENDAR:

President Chambers asked the Board if there were any discussion or corrections to the Consent Calendar. There were none.

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

Roll Call

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

The motion was carried unanimously.

5. PUBLIC COMMENT: None.

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

7. **BUSINESS (NEW):**

A. **Consideration of Resolution no. 639, Authorizing the General Manager to Execute and Accept a Grant of Non-Exclusive Access Easement and Consenting to the Recordation of the Same.**

Attorney Conneran gave an overview as to why the Board needed to accept an easement from the Developer of a new car dealership on Gellert Boulevard, and that due to the location of the District's pump station in that property, clarification was needed as to how the District would access the pump station. He stated that after some negotiating, the Developer had granted the District the easement being presented to the Board. He also stated this easement clarifies what the District's access rights are, and also, as a public agency, the legal requirement to authorize the recordation of the Deed. Attorney Conneran asked Engineer Pakpour if he wanted to add anything, since he had been involved in the negotiations.

Engineer Pakpour told the Board that this had been a good project for the District and as part of the new development, the two old shopping centers private facilities had been abandoned, and all the meters had been moved to Gellert Boulevard, a public area. He reviewed with the Board how critical this pump station was to the District, and that this easement will ensure no cars park and block the area, and the District has access 24 hours a day, 7 days a week. He stated that after an eight to ten months process, everyone had finally signed, and this would be the last step to take.

President Chambers asked for clarification on the statement on page 7.A.5, *Item 2 (b) Use of Access Easement Area...* "The Grantee Party's rights to the Access Easement pursuant to this Agreement shall at all times be exercised in such a manner as not to interfere with the use or enjoyment of the Access Easement Area by the Grantor Party." President Chambers inquired if based on that statement, the dealership could then tell the District "we are using this area, so you cannot have it now." Attorney Conneran and Engineer Pakpour both expressed that this statement only clarifies that the District cannot park in the area unless there was an emergency. Attorney Conneran stated he was fine with the language.

Director Medina moved to approve Resolution no. 639, Authorizing the General Manager to Execute and Accept a Grant of Non-Exclusive Access Easement and Consenting to the Recordation of the Same, seconded by Director Bautista.

Roll Call

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

The motion was carried unanimously.

B. Consideration of Resolution No. 640, A Resolution of Westborough Water District Authorizing the Adoption of the San Mateo County Multijurisdictional Local Hazard Mitigation Plan.

Engineer Pakpour provided background on this item and stated that this plan was an upkeep of the one that was put together five years ago. He stated that jurisdictions within San Mateo County had piggybacked on the County, who was the lead on putting together this document. Engineer Pakpour stated that by adopting this plan, the District would be eligible for additional FEMA (Federal Emergency Management Agency) funding, if a disaster was to occur.

President Chambers expressed a concern on page 7.B.15 that the District had a long list of CIP projects but not a five-year plan. Attorney Conneran clarified that the statement in the plan did not commit the District to the projects listed on the plan, but simply, the District needed to have the plan in place.

Director Bautista moved to approve Resolution No. 640, A Resolution of Westborough Water District Authorizing the Adoption of the San Mateo County Multijurisdictional Local Hazard Mitigation Plan, seconded by Director Richards.

Roll Call

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

The motion was carried unanimously.

C. Review/Approve Revised 2021/2022 Capital Improvement Projects.

General Manager Mairena reviewed her report on the board packet with the Board. She stated that after meeting with Field Supervisor, Johnny Kennedy, and Engineers Joubin Pakpour and Brandon Laurie, it was decided that it would be best not to do Skyline Tank No. 3 in piecemeals, but instead, only concentrate on the exterior painting of the tank. General Manager Mairena asked Engineer Pakpour if he could expand on this.

Engineer Pakpour reviewed some of the history of the tanks. He stated that back in late 2017 and early 2018, the District had conducted a comprehensive structural analysis of all three Skyline tanks. The analysis was performed by structural engineers, TJC and Associates from Oakland. Their findings indicated that all three tanks required extensive seismic upgrades and were in danger of catastrophic failure, even during a moderate earthquake. Engineer Pakpour mentioned the needs of these improvements, along with the entire 40 million CIP were presented to the Board back in September 2020, and although all three tanks required extensive structural upgrades, Skyline Tank number 3 (T3) external coating was also failing.

Engineer Pakpour also stated that back in May 2021, after a request from former General Manager, Darryl Barrow, and given a \$1 Million available for improvements, the Board was presented with three options, and due to the financial constraints, the Board then decided to only do two of the options (2 and 3): full exterior coating and foundation improvements.

Engineer Pakpour mentioned that with the new General Manager coming on board, he had met with her, Field Supervisor Kennedy, and Engineer Brandon Laurie, and had looked at this project in detail. He stated that with the help of the structural engineer, they had priced up the full upgrade listed on page 7.C.2 of what would be required to make T3 fully seismically upgraded, so it would not fail after an earthquake. He reported the cost came out to \$2.2 Million which the District did not have previously or at the moment. He said that by doing the project on a piecemeal approach, the work would be doubled up because as the tank was painted, some of the new interior coating would be damaged when additional seismic work was done. Engineer Pakpour stated that it was decided at a staff level, to come to the Board and recommend doing the exterior coating only and doing the entire seismic upgrades when funds became available. He commented that the exterior paint will have very minimal damage by the seismic work that is to be done at a later date.

President Chambers reviewed his concerns about the District's increasing CIP annual expenditures, its cash reserves as recommended by the District auditors, and the actual funds that were available for unexpected expenditures. He stated that Pakpour's proposal from September included construction cost only and there was possibly another 26% on top of that amount for design, contingency, etcetera, so the District may not even have the funds to

complete the full seismic project next year, but that would need to be reviewed by the Board when the projects get prioritized for next year. President Chambers also reviewed the years when all three tanks were exterior painted: Tank 3 on 2012-2013, Tank 2 on 2013-2014, and Tank 1 on 2014-2015. He mentioned it was possible the other tanks may need to be recoated soon, but that would have to be reviewed when the Board meets to review the CIP. President Chambers stated he does support Staff's recommendation.

General Manager Mairena stated that when the CIP projects were reviewed for this current year, the Board had approved the continuation of the meter replacement program provided there were funds left over after the improvements to Skyline Tank No. 3, and since not all the work would be done for the tank, Staff was recommending the purchase of additional 550. Ms. Mairena also stated that the supplier, Aqua Metrics, had communicated there was a 44-week delay due to supply chain shortages and that the District should submit a purchase order as soon as possible because they were expecting another brass increase soon. Ms. Mairena stated the cost had already gone up about 13% from the last time. President Chambers inquired about the cost of the meters. General Mairena replied that the quote for the 550 meters including tax and no shipping and handling, was \$208,000 vs. \$185,000 the last time the meters were purchased.

Director Bautista moved to accept Staff's recommendations for the painting of the exterior of Skyline Tank No. 3, and proceed with the purchase of 550 additional meters, funds permitting, seconded by Director Medina.

Roll Call

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

The motion was carried unanimously.

D. Consideration to Approve Pakpour Consulting's Proposal dated November 5, 2021, for Skyline Tank No. 3 Exterior Coating Project.

Engineer Pakpour stated that, based on the previously discussed item, they had been asked to put together a proposal to focus only on the coating of the exterior of Skyline Tank No. 3, so this proposal was essentially for putting together a bid package for the painting. He mentioned that typically this is done by a paint consultant, including the specifications, and that

part of the cost for the proposal is for managing the bid process, the awarding, and advertising, and so forth.

President Chambers inquired about the total cost of the project including the estimates from Gaya Coating Consulting Inc. Engineer Pakpour stated that you do not know the actual cost of the construction because it would go through a public bid process and that when the specs were fully completed, we would know the number of days required to paint the tank. Engineer Pakpour stated we will not know the exact cost until after the sealed bids are opened and the project is awarded to the lowest responsible bidder.

Director Medina moved to approve Pakpour Consulting's Proposal dated November 5, 2021, for Skyline Tank No. 3 Exterior Coating Project, for \$19,767, seconded by Director Bautista.

Roll Call

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

The motion was carried unanimously.

Engineer Pakpour apologized for neglecting to introduce his partner Engineer Brandon Laurie, who had been working and will continue to work on this District's project. Engineer Pakpour apologized and stated he needed to leave the meeting, but Mr. Laurie was to remain for the duration of the meeting.

E. Authorize General Manager to Accept Mercedes Benz Project as Complete.

General Manager Mairena reported that the Mercedes Benz Project had been moving along and just recently had notified the District they were pushing to have occupancy of the Showroom by Thanksgiving. Ms. Mairena told the Board that she had verified the inspection with Sanitation, and they only needed the as-built plans, and as far as the water inspection, there were minor items from the punch list and the as-built plans to be completed. General Manager Mairena stated she was finalizing the invoice for reimbursable fees due to the District for engineering, legal, and Staff time, and her recommendation was for the Board to authorize the General Manager to accept the Mercedes Benz Project as complete once these items have been taken care of, including the items on the punch list and the payment of the fees.

Director Bautista moved to authorize General Manager Mairena to Accept the Mercedes Benz Project as Complete, seconded by Director Medina.

Roll Call

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

The motion was carried unanimously.

F. Consideration of Resolution No. 641, Authorizing Amendments to Agreement with Tri Counties Bank Regarding Banking Services.

General Manager Mairena stated that this resolution was related to banking agreements due to the new membership of the Board, and since the District had added two new board members, Amuzie and Richards, it was necessary to adopt this new agreement.

Director Medina moved to approve Resolution No. 641, Authorizing Amendments to Agreement with Tri Counties Bank Regarding Banking Services, seconded by Director Bautista.

Roll Call

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

The motion was carried unanimously.

G. Appointment of Board Committees by President Chambers.

President Chambers stated that he had placed Director Amuzie on former Director Irwin's committees: Public Relations and Capital Improvement. He also stated he had placed Director Richards on the Personnel Committee and the Special District Meeting (former Director Al-Arabi's committees).

8. WRITTEN COMMUNICATIONS:

- A. Letter Dated November 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 – New Deadline.**

General Manager Mairena communicated to the Board that the District had received the letter on their packet regarding a revision to the deadline for San Mateo County (SMC) to receive the shapefile for the re-zoning of the District. Ms. Mairena stated SMC moved the deadline from May 12, 2022, to April 18, 2022, and that Redistricting Partners had been advised and they were confident there would be no problems in meeting the deadline. General Manager Mairena notified the Board she had a virtual meeting scheduled for next Monday, November 15, 2021, with them to discuss the timeline and the next steps to be taken.

9. ATTORNEY'S REPORT: None.

10. GENERAL MANAGER'S REPORT:

- A. Report on District's Water Conservation for October 2021.**

General Manager Mairena reviewed the District's usage as presented on her chart. She stated that the District had not done as good a job with conservation in comparison to last year, in part because more water was used to fill the tanks after the transmission line repairs, and the District having to catch up with filling up the Christen Hill Tank, which staff had not been able to pump because of the transmission main break.

President Chambers commented on the calculation percentages but stated the numbers were good. He stated, it was hard to get a clean cut between months because the usage was dependent on the timing of when we filled our tanks and when SFPUC read our master meter.

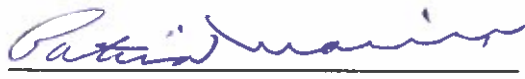
President Chambers also responded to Attorney Conneran's question from the previous board meeting on how many gallons per day per capita was used by District customers in comparison to the 55 gallons per person per day (GPD) the State had set per person. President Chambers said he had calculated the per capita per day to be 56.6 GPD. He also mentioned that overall, the District usage was down about 15.67%, which was pretty close to the 15% requested by the Governor.

11. ITEMS FROM BOARD OF DIRECTORS: None.

12. CLOSED SESSION: None.

13. ADJOURNMENT:

Without objection, President Chambers adjourned meeting.
Time 8:32 p.m.



Secretary



President



Date