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

Thursday, February 10, 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 7:32 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: Sofia Garcia, Project Manager – Redistricting Partners
Dayna Louie, Attorney - Hanson Bridgett, LLP
Joubin Pakpour, Engineer- Pakpour Consulting
Brandon Laurie, Engineer – Pakpour Consulting
Asha Goel – WWD Customer

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 647, Declaring that District Meetings will Continue to be Held Via Teleconference.

Two of Thirteen
Minutes of the Regular Meeting of the Board of Directors
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Attorney Conneran stated that just as it was done in past meetings, the Board would be adopting a resolution which would allow the Board to meet via teleconference in accordance with AB 361. This law requires every 30 days or thereabouts to make a finding that the COVID emergency continues, so it is advised to practice social distancing, and he recommended approval of this resolution.

Director Chambers moved to approve Resolution 647, 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 other 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:

Asha Goel introduced herself as a customer of the District since 1985 and owner of her property since 1980. She wanted to add her husband's name to the account, and she felt she should be grandfathered from any new process that asked for additional information from her husband. General Manager Mairena inquired if the account was currently in her name.

Ms. Goel responded the account was currently under her name. General Manager Mairena stated she would investigate what the issue was because the Board of Directors had previously authorized transfer of account ownership between spouses, so she did not foresee any problems with adding her spouse's name to the account.

General Manager Mairena asked the Board if anyone had any other comments. There were none.

6. BUSINESS (OLD): None.

7. BUSINESS (NEW):

A. Public Hearing - Conversion from an At-Large Electoral System for Election of Members of the Board of Directors to One Based on Five Zones Pursuant to the California Voting Rights Act—Receive Public Input and Review Draft Maps.

President Bautista opened the Public Hearing.

Sofia Garcia, Project Manager with Redistricting Partners introduced herself and indicated she would be making a presentation regarding the Draft Maps.

Ms. Garcia reviewed the agenda and started her slide presentation which included the following:

- A Review of the Traditional Districting/Redistricting Principles

These are principles that drive the districting/redistricting process. There are a number of criteria that have been used nationally and upheld by courts.

- Relatively equal size in number of people, not citizens.
 - Contiguous – districts should not hop/jump.
 - Maintain “communities of interest”
 - Follow city and census designated place boundaries
 - Keep zones compact in appearance and functions.
- Current Maps

The District is currently at-large, so it is one large zone. Ms. Garcia presented 2020 Census data for the entire District, including Citizen Voting Age Population (CVAP).

- Draft Maps

Ms. Garcia introduced three draft map plans. Each draft plan was provided to the Board with both a PDF and online web-based format. Ms. Garcia stated that plans have to follow the stated criteria and must be under a 10% total plan deviation from each other in terms of population. She also stated that:

- Draft Map A – follows districting principles. This plan would allow all board members to keep their seats. This plan has a 4.9% total plan deviation.
- Draft Map B – Uses Callan Boulevard and Westborough Boulevard as dividers as much as the population permits and creates more compact districts. This plan has a 3.1% total plan deviation.
- Draft Map C – Different option also using Callan Boulevard and Westborough Boulevard as dividers as much as the population permits. This plan has a 4.4% total plan deviation.

- Next Steps

The Board can provide feedback and make use of these mapping options in a number of ways.

- Identify the preferred plan(s).
- Suggest possible changes – adjustments can be made to any of the draft plans.
- Provide director for the preparation of new draft map(s).

Ms. Garcia stated that as of now, the Board is scheduled to vote on a final map on March 10th. Ms. Garcia asked the Board for direction or comments.

President Bautista asked the Board to hold off comments until after he closed the public hearing and proceeded to close it.

Director Richards questioned the maps description regarding the Citizen Voting Age Population (CVAP). Ms. Garcia reviewed how the CVAP information was derived from another data set, the American Community Survey which is a long form survey. She also explained how for redistricting purposes, they do not look at the register data which contained actual voters age data, but instead, they look at total population count and those who are 18 years old or older, or of voting age. Ms. Garcia also stated the CVAP data was solely for redistricting.

Attorney Conneran asked Ms. Garcia to confirm that the data provided included the Census numbers which included everyone, no matter the age, and the number of people who were of voting age. Attorney Conneran also asked Ms. Garcia if part of the job was to provide an ethnic breakdown so to make sure that those ethnic groups were being represented but the age was not one of the categories that the law required to keep track of. Ms. Garcia confirmed that these statements were correct.

Director Chambers commented on a couple of the plans. He stated Map A had a bit of funny shapes, but if the numbers needed to be balanced, that was what needed to be done, as he had played with making the shapes more rectangular but was unable to make the numbers work. Director Chambers also commented on Map C, which had a conflict with both Directors Bautista and Richards being in the same zone and although he tried to change that, the numbers just did not work.

President Bautista asked if there were any other comments and thanked Ms. Garcia for her presentation.

B. Approve Award of Contract for the Skyline Tank No. 3 Exterior Recoating Project.

Engineer Joubin Pakpour started making a presentation but due to issues with his internet connection, he asked engineer Brandon Laurie to make the presentation instead.

Engineer Laurie gave a brief description of the tank status which was in severe need of painting due to corrosion from sea saltwater breeze. Engineer Laurie mentioned the District had a bid opening for the Skyline Tank No.3 Exterior Recoating Project on February 2, 2022. He stated there were originally nine contractors who had purchased a set of plans, six contractors had attended the pre-bid mandatory meeting, and four of those contractors had actually submitted a bid. Engineer Laurie reported that the apparent low bidder was Euro Style Management (ESM) with a bid of \$373,000 and the second lowest bidder was Olympus & Associates at \$395,000 with the original engineer's estimate of \$550,000. Engineer Laurie also reported that their firm had done a review of ESM's bid documents and had found them to be in conformance with the project's qualifications in addition to holding Quality Procedures for Field Coating Applications and Field Coating Removal of Hazardous Coating. Engineer Laurie mentioned he had talked to three water districts and ESM's references were very good and they would all use them again. He also mentioned that ESM had a welder as part of their team in the event that the tank required steel repairs, and hopefully the change orders for these repairs would be lower since the job would be done in-house. An analysis of the bid openings was presented to the Board verifying the proposals and bids were responsive.

Engineer Laurie stated the Board was being presented with the proposal of \$373,000

from Euro Style Management to award them the project. He also stated once approved, he could get a contract sent to the contractor within a week and the contractor would be available to start the project sometime in March.

Engineer Laurie mentioned that Pakpour Consulting owed the District a construction management proposal which would be presented at the next board meeting, but in the time being, there were enough funds in the design budget to assist with the coordination of the contract.

Engineer Joubin Pakpour added that the inspections would be conducted by a coating expert during the forty-five days the project is expected to last.

President Bautista asked General Manager Mairena if she had anything else to add. General Manager Mairena stated everything was well covered. President Bautista asked if there were any other comments.

Director Chambers stated the tank was in severe need and he agreed with proceeding with the project.

Director Amuzie inquired since the tank was in severe need if the District should have a schedule for these types of projects. Engineer Pakpour agreed and stated it was in the capital improvements list but was a matter of funding.

Director Medina moved to approve Euro Style Management's bid in the amount of \$373,000 for the Skyline Tank No.3 Exterior Recoating Project, seconded by Director Chambers.

General Manager Mairena asked if there should be a contingency percentage amount added over the contract and she asked Attorney Conneran for his opinion. Attorney Conneran replied that had been the case in the past and asked Engineer Pakpour for a recommendation as to the amount. Engineer Pakpour recommended a 10% contingency amount.

Director Chambers asked Director Medina to reword her motion to add the contingency amount and a review of the contract by Attorney Conneran. Attorney Conneran replied that the contract in the bid package had already been reviewed and it was a matter of filling in the blanks, and the Board could authorize General Manager Mairena to sign the contract. Attorney Conneran suggested to add \$37,000 for the contingency to bring it up to an even \$410,000.

Director Medina moved to approve Euro Style Management's bid in the amount of \$373,000, plus a \$37,000 contingency, not to exceed \$410,000 for the Skyline Tank No.3 Exterior Recoating Project, seconded by Director Chambers.

General Manager Mairena asked if the Board was also authorizing her to sign the contract, and the Board concurred.

Roll Call

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

The motion was carried unanimously.

C. Consideration to Approve Billing Rate Increase for Pakpour Consulting Group, Inc., Effective March 1, 2022.

General Manager Mairena referred to the letter in the board packet from Pakpour Consulting Group requesting a billing rate increase due to the CPI and the new rates were stated in the letter. Ms. Mairena clarified for the record that when the Board recently approved the last agreement with Pakpour Consulting, there had been no increase in rates only a procedural change in which the tasks were assigned. General Manager Mairena recommended approval by the Board.

President Bautista asked Engineer Pakpour if he wanted to make any comments. Engineer Pakpour commented they had been the District's engineers since 2011, and they appreciate working with the Board. Engineer Pakpour mentioned they typically came back to review their rates on a two-year cycle, but with the high CPI this year, they reviewed them singularly. Engineer Pakpour also mentioned they had added new non-engineering categories which brought them in line with other firms. Engineer Pakpour mentioned the increase was about 3 to 3 ½ percent from March of last year's rate. Engineer Pakpour also clarified the category for Other Consultants which may be used from time-to-time to hire specialized consultants, and their rates would be taken from actual proposals received from them.

Director Chambers moved to approve the Rate Schedule stated on the board packet from Pakpour Consulting Group's letter, 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. Consideration to Reinstate Late Payment Fees, Water Shutoffs for Non-Payment, Door Collection Fees, and Reconnection of Water Service Fees.

General Manager Mairena stated she had asked Attorney Conneran to look into the status of the water shutoffs moratorium because she had checked with other districts and some of them had restarted the process of shutting off water and charging late fees, etc.

Attorney Conneran mentioned that with COVID, the Governor had passed an Executive Order that dealt with an indefinite moratorium for shutting off people's water, and the Legislature had followed up with SB 155, which set up a date for ending it or December 31, 2021. He reported that there was a restriction that dealt with overdue balances that were accumulated during the moratorium period and that a payment plan needed to be provided for these balances. Attorney Conneran stated the District could go back to the Termination Policy that the Board had previously adopted which was in compliance with the law that was approved in 2019 which protected individuals from shutoffs. He also stated that this was an acknowledgement that this period had ended, and District staff would be resuming policy. Attorney Conneran asked General Manager Mairena about the monies the District had received and if there were customers who had remaining balances in payment plans.

General Manager Mairena reviewed the most current age listing report detailing the customers who owed overdue balances. She stated that there were zero customers who owed balances prior to the September 15, 2022, billing, and this was due to the monies received from the State's Arrearages and the COVID Rent Relief Programs. Ms. Mairena also stated that there were still about 400 to 500 reminder notices and about 100 to 120 final notices, so she thought the District should restart the process.

Director Chambers moved to allow the General Manager to Reinstate Late Payment Fees, Water Shutoffs for Non-Payment, Door Collection Fees, and Reconnection of Water Service Fees, 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.

E. Consideration of Financial Assistance to Homeowners to Remove Potentially Hazardous Tree at 2600 Duhallow Way, SSF.

General Manager Mairena reviewed the pictures of the tree at 2600 Duhallow Way with the Board. Director Chambers stated the tree was on his daily walk and he had brought up the tree situation to the general manager. Ms. Mairena reviewed the two quotes received from: Pacific Coast Tree for \$8,600 and Encino Tree Services for \$8,750 for taking down the tree, cutting the stump to grade, and hauling all the wood and branches. General Manager Mairena stated she had spoken to the homeowner who wanted to save the tree but was also aware it posed a risk to the District's water main. General Manager Mairena also stated that in addition to the tree removal, the homeowner will also incur concrete repairs cost.

Director Chambers asked the Board and/or the general manager if anyone remembered what percentage or amount the District had subsidized towards the removal of the trees on Westborough Boulevard. General Manager Mairena replied that the only figure she had available was provided by former General Manager Barrow, and it was for assistance with the removal of a tree at 2957 Shannon Drive back in 2016 which amounted up to \$1,000 payable within three days after tree removal, and that costs had gone up quite a bit since. Ms. Mairena also reported that she had contacted the City of South San Francisco and they had stated it was not a city owned tree and the only time they would come out and inspected was if there was an application for tree removal.

President Bautista asked what the pleasure of the Board was. Director Chambers replied to offer the customer \$1,000 as previously done. Attorney Conneran stated that given the price to remove the tree, the Board may want to offer more since it had been six years since 2016. Attorney Conneran also stated that it would be good to try to work something out with the homeowner now instead of trying to collect later if there was a break in the main. Director Chambers stated he would be willing to have the general manager draft a letter offering up to \$2,000. President Bautista replied he would be fine with \$2,000.

Director Chambers moved to have the general manager write a letter to offer up to \$2,000 to remove the tree at 2600 Duhallow Way in the same precedent that was established previously, 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: None.

9. ATTORNEY'S REPORT: None.

Attorney Conneran reported he had provided the Board a Confidential Memorandum today regarding the pipeline incidents and he had also sent a draft letter to the general manager which needed a few more details before being sent out to the pipe contractor. Attorney Conneran stated the letter followed the direction that had been provided by the Board in closed session last month.

10. GENERAL MANAGER'S REPORT:

A. Report on New Hire for Operations Assistant Position.

General Manager Mairena notified the Board she had hired a replacement for the Operations Assistant position. Ms. Mairena reported that after a final request to the former Operations Assistant to provide a return-to-work plan, she had informed the general manager she would not be able to return to her full-time position. General Manager Mairena had replied to let her know that unfortunately the District would be unable to make the accommodations she had requested. Ms. Mairena stated that on January 29th she had posted the position on the District's website, and she had received one application and one inquiry. General Manager Mairena reported that on February 1st, she had hired the former temporary employee, Martha Mendoza, who had been performing the Operations Assistant duties for the past six months very effectively.

B. Report on District Internet Outage.

General Manager Mairena gave an overview of the agreement that was signed by former General Manager Barrow and Verizon back in February 2021, to improve the internet speed of 1.5MG and with an installation date of September 2021. Ms. Mairena stated that once the installation occurred, Verizon was unable to migrate the phone lines from the old circuit to the new one, so both circuits were left in place with the understanding that the District's services would remain intact until they were able to figure out a solution for migrating the phone lines. Ms. Mairena reported that unfortunately, on January 27th, Verizon killed the new circuit, so the District lost internet service, and no restoration date was provided. General Manager Mairena then directed Selerum, the District's IT services provider, to assist with finding a new solution, which ended up being Comcast. Ms. Mairena reported she had already started the process of moving all the services to Comcast and hoped to have the internet installed the next day, and the phone lines migrated shortly after. General Manager Mairena

stated she will be sending another strong letter to Verizon asking to dissolve the agreement. Ms. Mairena mentioned to Attorney Conneran that she may be reaching out to him for assistance.

General Manager Mairena also reported that during the internet outage time, she had purchased a hot spot unit which had been servicing all the District devices, including a tunneling connection that was created by Selerum and CWS, the District's financial software provider to reinstate the online payments portal.

C. Report on Customer Arrearages Collections Received.

General Manager Mairena reported on the funds that were received from the SWRB Arrearages Program. The District received a check on January 18th in the amount of \$5,706.82, including an administrative cost of \$166.22. Ms. Mairena stated these funds plus the COVID Rent Relief funds received had cleared all overdue accounts, including some in collections, and as part of the program, the District had to notify all three collection bureaus of the payments received on behalf of these customers and to have them removed from collections. In addition, the District had to notify all the customers of payments made on their behalf and if there were overages for current customers, the balances would be applied to their subsequent bills.

D. Report on District's Water Conservation for January 2022.

General Manager Mairena reviewed the District's usage as presented on her chart. Ms. Mairena stated the District's usage was still lower in comparison to the year 2020-2021 and also to the previous year 2019-2020.

Director Chambers commented on the water reduction by the District of 9.6% from last year and 16% for two years ago. Director Chambers stated the goal San Francisco had established was 10% based on 2019-2020, so a 16% reduction was good. Director Chambers also stated that overall BAWSCA's reduction was 6.4% and San Francisco was about 14% but it was mostly due to industry being down and their measuring period being longer. Director Chambers also commented on the system deliveries to wholesale customers creeping up, so we need to keep on pressing, especially if there is no rain.

E. Report on Service Line Repairs at 2473 Wexford Avenue, SSF.

General Manager Mairena reported on a leak at 2473 Wexford Avenue which was repaired by field staff Carlos and Tyler. Ms. Mairena shared pictures of the repairs before and after.

F. Update on DocuSign Plans and Pricing.

General Manager Mairena reported that she had the Office Supervisor check into the various plans offered by DocuSign and their cost. Ms. Mairena stated the plans were either monthly or annually and provided the Board with the cost for five directors' accounts. Ms. Mairena also stated she had asked neighboring water districts about using DocuSign and only Mid-Peninsula Water District used them regularly at a cost of \$8,780 for 500 envelopes per year with a 3-year contract. Ms. Mairena reviewed the different type of documents the Board currently signs and stated she did not really see a regular use for DocuSign and was it worth the money to spend on. Director Chambers expressed that this was a lot of money for the District to spend and that once the Board went back to in person meetings, it would be really easy to get signatures then. Director Chambers recommended that Staff plans a little bit better on when to get signatures.

Attorney Conneran commented that he did not think the District would need five accounts, since normally, it could be one person, the Board Secretary, who sends out all the documents. He thought one or two accounts would be good enough. Attorney Conneran suggested we check further into this because it would be nice to have it for agreements and also, this type of program was recognized by the Secretary of State.

Directors Medina and President Bautista commented on their good experience with DocuSign and their HOAs.

General Manager Mairena stated she would check further into this and would get back to the Board with any new information.

G. Report on the City of South San Francisco's Low Income Sewer Rebate Program.

General Manager Mairena reported on the Low-Income Sewer Rebate Program being offered by the City of South San Francisco. Ms. Mairena stated the District had received a web submission from the City Manager's Office on behalf of an elderly, low-income Westborough resident asking for the District to provide rebates too. General Manager Mairena stated she had replied letting the City Manager's Office know that due to Prop. 218, the District could not use rate-based funds to subsidize any discounts for a group of customers and in addition, if that customer was a low-user, the sewer charges would be a lot lower than the flat rate established by the City of South San Francisco. Ms. Mairena also stated that it would be nice for the City to notify the District ahead of time of any similar programs or at least add a note on their communication blasts for customers to contact the District because that program would not apply to them.

Attorney Conneran and Director Chambers commented on the funds used to subsidize the program. Director Chambers stated that if the City of South San Francisco was using taxes to subsidize this program, then it should also be extended to District's residents. Attorney Conneran commented that it was not worth pursuing, since the District had no program to determine low-income qualifications and the minimum sewer rate being charged was so low.

11. ITEMS FROM BOARD OF DIRECTORS:

A. Report on BAWSCA Meeting of January 20, 2022 (Chambers).

Director Chambers reviewed his written report with the Board and one of the main things was the approval of the Tier 2 contract. Director Chambers stated he also had a Board Policy meeting to review items that would be discussed at the next meeting. Director Chambers reviewed the advertising billboards with water conversation messages that will be going up and BAWSCA will be voting next month on footing the bill for billboards outside of San Francisco or around \$75,000. Director Chambers also stated that the BAWSCA assessment may be going up, so he had proposed to Nicole Sandkulla, CEO of BAWSCA, to wait past the first of the year until the bond refinancing savings kicks in, so the increase could be off set.

President Bautista asked Director Chambers if he knew the target date of completion for the Mountain Tunnel Project. Director Chambers replied that even if there was a date, it may not be a firm one. Also, the project would take several years since it was being done in phases and there was no back up for it to be shut down for long periods of time.


12. CLOSED SESSION: None

13. ADJOURNMENT:

Without objection, President Bautista adjourned meeting.
Time 9:22 p.m.



Secretary



President

03/15/2022

Date