

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

**Thursday, March 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 7:34 p.m.

**1. ROLL CALL:**

Directors Present:

Don Amuzie  
Janet Medina  
Tom Chambers  
Julie Richards  
Perry Bautista

Directors Absent: None.

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

Visitors Present: Elizabeth Stitt, Project Manager – Redistricting Partners  
Dayna Louie, Attorney - Hanson Bridgett, LLP

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

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 agencies every 30 days or so to make a finding that the COVID emergency continues, so it is advised to practice social distancing, and he recommended approval of this resolution.

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Director Chambers moved to approve Resolution 648, 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 Richards.

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):**

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

General Manager Mairena reminded the Board that this item had been on the agenda last month and the Board had made a financial offer to the homeowner to remove the tree; however, after the homeowner got quotes to remove the tree, she realized how much it was going to cost her, so she had contacted General Manager Mairena and requested that the Board consider additional financial assistance since her homeowners' insurance would not

provide her any financial support.

Director Chambers stated the Board had already doubled the financial assistance that was offered to the homeowner from the last time a similar situation came up, plus there were other trees to be taken care of, and he felt the District should not create a precedent of doing more and more. Director Chambers suggested the attorney, or someone write a letter to the homeowner stating she was responsible for her tree and if it damaged the water line, she would be liable, and that our \$2,000 financial assistance offer would stand up to six months or a year while she was able to fund the project. He also stated that the \$2,000 reimbursement would be made within 3 days of the tree being cut down.

Director Amuzie inquired if there was a precedent for the District making payments for tree removal. Attorney Conneran replied that there was, and the District had paid \$1,000. General Manager Mairena confirmed that the District had paid another customer back in 2016, as well as for several trees on Westborough Boulevard for a homeowners' association.

Attorney Conneran stated the District had an easement and under easement law, the District's rights were paramount which meant the homeowner or servient tenement could not interfere with the property use by the owner of the easement (or dominant tenement).

President Bautista asked Director Chambers if his position was to stand firm on the \$2,000 offer. Director Chambers replied that it was and restated letting the homeowner know she was responsible and extending the offer for up to 6 months or a year.

Director Medina suggested another letter be sent to the homeowner stating that the Board fully understood and sympathized with her position, but unfortunately the \$2,000 was the maximum amount the Board could offer which was already double the amount offered in the past. Director Chambers requested to emphasize to the homeowner she was legally liable for her tree.

President Bautista asked General Manager Mairena if she could take care of writing the letter. Ms. Mairena mentioned to the Board the customer seemed pretty willing to remove the tree and she felt that a nice letter stating the above should be fine and if that did not work, then the matter could be referred to Attorney Conneran. General Manager Mairena asked the Board if they would be fine with granting the homeowner only 6 months for the tree removal because the more time elapsed, the more risk to the water main; the Board agreed. Attorney Conneran offered to assist with writing the letter.

**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/Approve Draft Maps.**

President Bautista opened the Public Hearing and introduced Liz Stitt from Redistricting Partners.

Liz Stitt, Project Manager with Redistricting Partners introduced herself and indicated she would be making a presentation regarding the Draft Maps. She stated this was the 4<sup>th</sup> Public Hearing and since this was a CRVA (California Rights Voting Act) conversion, five public hearings were required. She also stated this presentation would be pretty similar to the last one.

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

- Traditional Districting/Redistricting Principles

Ms. Stitt refreshed the 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; US Census data is used.
- 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. Stitt presented 2020 Census data for the entire District, including Citizen Voting Age Population (CVAP). She stated that once the District is split into zones, each zone would have about 2,700 residents, out of the 13,500 District total population.

- Draft Maps

Ms. Stitt re-introduced the three draft map plans. Each draft plan was provided to the Board with both a PDF and online web-based format. Ms. Stitt 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 place each board member in a different zone. 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

- Identify the preferred plan(s).
- Suggest possible changes – adjustments can be made to any of the draft plans. The Board could provide feedback so the changes could be implemented, and a revised map(s) could be presented at the next board meeting.
- Provide direction for the preparation of new draft map(s).

Ms. Stitt stated that as of now, the Board was scheduled to vote on a final map on April 14<sup>th</sup>, but she hoped the Board could select a map tonight. Ms. Stitt concluded her presentation and asked the Board if there were any questions on the maps.

President Bautista stated the Public Hearing had been opened and requested comments; and hearing no comments from the public, he proceeded to close it.

President Bautista asked if there were any other comments from the Board. He also asked Ms. Stitt if Map A was the one where each director had a district, and Ms. Stitt confirmed.

General Manager Mairena informed the Board that Director Medina was on mute, and she was unable to unmute her.

President Bautista stated he favored Map A and asked the other directors how they felt. Director Chambers replied he also was fine with Map A. Director Richards stated that she would like to review the maps in more detail before choosing; Director Chambers reminded her she would have to decide by the next board meeting. Director Amuzie stated he was fine with Map A as well. President Bautista inquired if Director Medina was back on the line; General Mairena stated she was still on mute.

Director Chambers provided information on how Director Medina could unmute herself on her cell phone (or \*6). Director Medina came back on the line and stated she had been listening all along and liked the map in which all of the directors would be able to stay within their own district, which she thought was Map A.

President Bautista asked Attorney Conneran if the Board could make a motion tonight and approve Map A. Attorney Conneran stated that the Board would have to wait until the next meeting to do so, but they could certainly express that it was their consensus their preference was Map A.

President Bautista told Ms. Stitt that it looked like the preference of most of the board members was Map A and the Board would be voting at the next meeting. He thanked Ms. Stitt for her presentation.

**B. Consideration to Approve Pakpour Consulting's Proposal dated February 28, 2022, for Skyline Tank No.3 Exterior Coating Project Construction Management Services Proposal.**

General Manager Mairena stated she had told Pakpour the proposal was pretty straight forward and there was no need for their attendance at this meeting. Ms. Mairena reminded the Board that at the last meeting, Pakpour had stated they would be submitting a proposal for management services for this project.

General Manager Mairena reviewed the proposal which encompassed \$52,371 from Gaya Coating & Consulting (including the 10% contingency already approved at the last meeting), plus \$32,810 for Pakpour Consulting, plus \$1,641 for other Direct Expenses, for a grand total of \$86,822 to be approved by the Board.

Attorney Conneran reviewed the new procedures that were adopted by Pakpour Consulting after receiving legal advice to avoid any conflicts of interest. He told the Board that the District's agreement with Pakpour Consulting had been revised (as well as two other Districts they work for) in order to create a process in which they are already under contract with the District and so that not to create a new contract they would come forward to the Board with a detailed scope of work for each project they will be undertaking. Attorney

Conneran stated what was in front of the Board was typical of what they will see in the future when there is major work to be undertaken and that the rates were what was approved at the last board meeting. He also stated that he had mentioned to Pakpour he would like to see the subcontractors' insurance to make sure coverage was the same.

General Manager Mairena reviewed Gaya Coating Consulting's figures and confirmed that it already included the 10% contingency amount. Attorney Conneran confirmed.

Director Chambers moved to approve Pakpour Consulting's Proposal dated February 28, 2022, for Skyline Tank No.3 Exterior Coating Project Construction Management Services Proposal for \$86,822 with the request that insurance papers for the subcontractors be submitted to the District, 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.

**C. Consideration to Attend the ACWA's 2022 Spring Conference & Exhibition in person at the SAFE Credit Union Convention Center in Sacramento, May 3 – 5, 2022, or the Virtual Option: On-Demand Conference Recordings Only Which Includes On-demand Access to All Recorded Sessions After the Live Conference.**

President Bautista inquired if there were any directors who would be interested in attending this event. General Manager Mairena clarified that this event will be held in person in Sacramento and the option for the conference recording would only be available after the live conference.

Director Richards inquired on the number of days the conference was. General Manager Mairena replied the conference was three days, but attending directors usually participated in the JPIA part of the conference, which was one additional day, so a total of four days.

Director Amuzie inquired if any directors had previously attended this type of conferences and what their experience was. President Bautista stated they had, and the conference was highly informative and would be worthwhile for new directors. Director Amuzie replied he would be interested in going and he would call to get additional information.

Attorney Conneran stated office staff will make all the arrangements and that there was a legal requirement for directors to make a report afterwards to present to the Board what they had learned. Director Chambers offered to share his reports with Director Amuzie.

Director Richards also stated that she would like to attend the conference.

Attorney Conneran asked General Manager Mairena if she would be attending. General Manager Mairena replied she was going to let the Board know she may not be around for this conference.

Director Chambers moved to approve attendance for both Directors Richards and Amuzie to the ACWA's and/or JPIA's 2022 Spring Conference & Exhibition in person in Sacramento, May 2 – 5, 2022, selections to be reviewed with General Manager, 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 District Newsletter.**

General Manager Mairena stated she had met with the Public Relations Committee to put a newsletter together to notify customers of the various things that will be happening in the District including the Drought and the 15% voluntary reduction, the end of Moratorium for shutoffs, disconnection and late fees, options for paying bills, reminder on late fees and penalties, the sewer service charge on property tax bill, introduction of new staff, a message on redistricting, and tips on earthquake preparedness.

Attorney Conneran commented on Prop 73 which has a requirement that you cannot send more than 200 pieces by mail that have a picture or anything more than a roster listing of the directors. Since the proposition predates the internet, you may put it on the District's website or send it via email, just not by mail. He thought this was a good learning experience.

Director Chambers commented he did not want to change anything on the newsletter, but he wondered if people knew the water heater was a good source of water, since it was hard to keep fresh gallons of water around.



Director Chambers moved to approve the District Newsletter as presented, seconded by Director Richards.

Roll Call

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

The motion was carried unanimously.

**E. EKI's Proposal for Preparation of First Annual Water Supply and Demand Assessments (AWSDAs) due to Department of Water Resources (DWR) by July 1, 2022.**

General Manager Mairena stated she understood this was like a mini-Urban Water Management Plan (UWMP). There had been several requests for updated data from different agencies. She commented that the State Water Resources Board would like updated data on water use due to the water shortages. General Manager Mairena also stated that the proposal was for \$7,500, since the deadline was coming up on July 1<sup>st</sup> and the District lacked resources to do it in-house, she recommended approval of this proposal. She reminded the Board that EKI had done the UWMP for the District, so they had all the data, and they could collect whatever other data they needed.

Attorney Conneran noted he could put together a contract for this pretty easily, since the District had done previous agreements with them.

Director Chambers commented that this may be BAWSCA wide. He inquired if other agencies that had their UWMP prepared by EKI were also using them for this. General Manager Mairena stated some of them were, but the larger cities most likely had someone from their staff doing it

Director Chambers moved to accept EKI's Proposal for Preparation of First Annual Water Supply and Demand Assessments (AWSDAs) due to Department of Water Resources (DWR) by July 1, 2022, for the estimated price of \$7,500, 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.

**F. Report by General Manager Regarding the Emergency Replacement of a Water Valve at the Intersection of Avalon Drive and Waverly Court, and Emergency Expenditures.**

General Manager Mairena reviewed her written report with the Board. She stated she had to make a decision to have a broken 8" valve at Waverly Court and Avalon Drive replaced before PG&E restored the street they had been working on, thus, saving the District approximately \$10,000 in concrete costs. Ms. Mairena stated the replacement could not be done by field staff, so she had requested quotes from contractors. The District received two quotes: SF Underground for \$16,000 and MK Pipelines for \$39,370. Since PG&E was pressing to start the street restoration project, General Manager Mairena went ahead and approved SF Underground's quote and the work was completed on March 4<sup>th</sup>, and as of today, PG&E had completed the restoration of the street.

Director Amuzie asked General Manager Mairena if her spending limit was \$10,000; she replied it was. Director Amuzie stated the Board should find a way to increase that limit so that General Manager Mairena did not have to come to the Board on similar emergencies.

General Manager Mairena asked Attorney Conneran about the spending limit. Attorney Conneran replied that the limit could be increased. He suggested to check with other neighboring district managers to see what their spending limits are, and then bring it back to the Board next time.

**8. WRITTEN COMMUNICATIONS:**

- A. Email from Connie Juarez-Diroll, San Mateo County Chief Legislative Officer, Requesting "Oppose Unless Amended" Letters be Sent to the Assembly and Senate Budget Sub-Committees No. 4 on the State's Proposed Draft Trailer Bill Language (TBL) Seeking to Use Excess ERAF to Pay for the State's Vehicle License Fee (VLF) Obligation and General Manager's Response.**

General Manager Mairena reported on the letter she sent to Connie Juarez-Diroll, San Mateo County Chief Legislative Officer. Ms. Mairena stated that basically, the bill would cause the District to lose some of the ERAF money.

Attorney Conneran explained how after Prop 13, there has been a back and forth between the State and the local agencies that receive property taxes. He indicated that it looked like the State was making a grab of local tax money to pay its obligations of the vehicle license fees (VLF). Attorney Conneran stated that we did not want them to take that money away, so that was why General Manager Mairena had sent that letter.

**B. Momentum - Annual DocuSign Live Event, April 4-5, 2022.**

President Bautista stated that he had asked General Manager Mairena to add this item to the agenda since it was free and there were 50 sessions.

Director Chambers stated that he thought the Board had decided it was not interested in DocuSign, so he did not think the Board should send anyone.

President Bautista also stated he thought the cost was too expensive and Director Medina agreed.

**C. ACWA Urges Member Agencies to Sign on to An Oppose-Unless-Amended Coalition Letter on SB 1157.**

President Bautista inquired what the pleasure of the Board was regarding this request.

General Manager Mairena stated she had asked Attorney Conneran regarding this request and that one of the reasons why she thought the District would like to oppose it was because the indoor gallons per capita daily (GPCD) would drastically be reduced by 2030.

Director Chambers commented that California had a water shortage and most likely the impact would be on Districts who used a lot of water. He felt there was not enough data and there needed to be more conservation.

Attorney Conneran commented if the State should mandate this or should it be left on the hands of the local water jurisdictions to have their water conservation programs.

President Bautista inquired if there should be a motion made. General Manager Mairena asked Attorney Conneran if that could be done since the item was listed under Written Communications on the agenda. Attorney Conneran stated the item should be placed on the agenda next month for a motion if the Board desired.

Director Chambers stated it looked like the State was trying to set indoor standards, but he did not know how that would work since our measurement included everything. He thought perhaps by measuring lot size, rain in the area, climate, and we should just let the State do whatever it was they were doing. He stated we could bring back this item in the future.

**9. ATTORNEY'S REPORT:**

Attorney Conneran reported he had been going back and forth with the contractor for the Skyline Tank No. 3 Recoating Project on their builders' risk insurance which would protect us during the course of the work. It was required in our plans and specs, and the contractor had forgotten to include it, and when they did, they had the wrong insured and the wrong address. Attorney Conneran stated everything had been ironed out and he would get a signed agreement to General Manager Mairena tomorrow via Express Mail.

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

**A. Report on District's Water Conservation for February 2022.**

General Manager Mairena reviewed the District's usage as presented on her chart. Ms. Mairena stated the District's usage had crept up a little bit in comparison to the year 2020-2021 and also to the previous year 2019-2020.

Director Chambers stated the bar charts were not correct and had not updated properly, but the numbers were correct. He thought the reason for the increase was that February was so dry and people had used more water. Director Chambers stated that San Francisco was going to use 2019-2020 and they had called for a voluntary 10% cut. San Francisco was going to accumulate an average for three or four months, and the conservation could be carried from month-to-month. Director Chambers stated General Manager Mairena should receive reports from the SFPUC.

Attorney Conneran reported that he had made a rough calculation and in comparison to the months we have, the District is down about 15% which is what we are supposed to do.

**B. Report on District Internet Outage and New Provider.**

General Manager Mairena reported the phone lines had been merged from Verizon to Comcast effective March 4<sup>th</sup> and everything was working fine, and as mentioned previously, the internet was switched on February 11<sup>th</sup>. She reiterated everything was working fine and the internet was faster, and the District should see some savings soon. She also reported that she had not heard back from Verizon, but she had cancelled the service.

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

**A. Report on CSDA Zoom Meeting of March 8, 2022 (Chambers).**

Director Chambers reported on the CSDA Zoom Meeting of March 8, 2022. There were only about 12 people in attendance (2 from North Coast County Water District, 2 from LAFCo and so on); still not very well attended. He stated LAFCo was experimenting on getting attendance up. Their meeting was normally quarterly, and this was their first meeting since last August. The guest speaker was Rob Bartoli, Interim Executive Director of LAFCo. Director Chambers also stated that since the new District's board members were not aware of what LAFCo did, he would review what Rob had presented: LAFCo was established by the Legislature in 1963 and it deals with the sphere of influence of public agencies which has to do with how much area any city of local agency serves. LAFCo is not a county agency but the board is made up of two county supervisors, two reps from city councils, two members from special districts, and one member of the public, with each member category having an alternate. Director Chambers also stated LAFCo is supposed to conduct Municipal Services Reviews (MSRs) periodically, about every 5 years for each agency although the District's was last done more the 20 years ago. The District's MSR is in-progress and is being combined with that of the City of South San Francisco (SSF) and is expected to be released this summer. One of their recommendations 20 years ago, was that the District be disbanded and merged with the City of SSF; although that never occurred as the City of SSF was not interested in taking over the District, specially, since the sewer alone would cost millions to re-route to the City of SSF's plant. LAFCo's recommendations are not binding, but if based on sound reasoning, such a change could easily happen.

Director Chambers mentioned we should be seeing a mailing for nominations for new CSDA board members and, later on, mailing for voting. He reported no Treasurer's report was presented since the Treasurer was absent and minutes were not taken at the last meeting of August 7, 2021. There was no roundtable or discussion on the pros/cons of this meeting. The next meeting is scheduled for June 7 at 2pm, probably via Zoom, if possible. Director Chambers sated there was some talk on whether or not CSDA meetings were subject to the Brown Act. Attorney Conneran stated perhaps someone could check with CALAFCO, the agency that oversees the LAFCos and the CSDA to see how elections are organized, et cetera.

**12. CLOSED SESSION: None**

**13. ADJOURNMENT:**

Without objection, President Bautista adjourned meeting.  
Time 9:00 p.m.

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\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
President

04/15/2022  
Date