

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

Thursday October 12, 2023

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

1. ROLL CALL:

Directors Present: Don Amuzie
Perry Bautista
Tom Chambers
Janet Medina

Directors Excused: Julie Richards

Staff Present: Michael Conneran, Attorney
Johnny Kennedy, Field Supervisor
Patricia Mairena, General Manager

Visitors Present: Joubin Pakpour, Pakpour Engineer (via Zoom)

2. PLEDGE OF ALLEGIANCE: Led by Director Bautista.

3. CONSENT CALENDAR:

President Medina asked the Board if there was any discussion.

Director Chambers moved to approve the Consent Calendar, seconded by Director Amuzie.

The motion was carried unanimously.

9. GENERAL MANAGER'S REPORT:

B. Update on the Request for Proposals for the Water and Sewer Rate Study.

President Medina stated that for the sake of District Engineer, Joubin Pakpour who had joined the meeting virtually, item 9.B will be discussed first.

Engineer Pakpour told the Board that he was pleased to report that the District had received three proposals for the Rate Study, and these were from firms the District had targeted. Engineer Pakpour reviewed the next steps in the process consisting of: staff and the District's engineer forming a committee which will review and rank the proposals and then bring back the recommendations to the Board, either in November or December timeframe, depending on how the interviews could be scheduled. Engineer Pakpour mentioned that as part of this committee, a board member would be asked to join for the ranking and interviews. Engineer Pakpour explained that the hiring of professional services had a different process than the one for awarding construction projects which would go to the lowest bidder. With professional services, there should be a review of the quality of the proposal and the selection is called qualification-based selection. The cost could then be negotiated after a consultant was selected. Engineer Pakpour stated that the full Board would have the final say on the selection and the ability to override any selection the committee made. Engineer Pakpour reported that all three proposals were within the range of the budgeted amount, some were more, some were less. Engineer Pakpour asked the Board if anyone had any questions.

General Manager Mairena inquired if it would be okay for President Medina to appoint a director to the Selection Committee. Attorney Conneran replied that in the event of a protest, which was unlikely, the Director which participated in the interview panel would not be able to participate in that process.

President Medina stated that she would like to appoint Director Chambers to the Selection Committee. Director Chambers replied that it depend on when these dates were. General Manager Mairena mentioned that the committee could work around his dates. President Medina replied that she could also appoint a backup. Director Chambers agreed if he was available, he would do it.

Engineer Pakpour stated that either he, or General Manager Mairena would contact Director Chambers to review the process and get the proposals over to him. He also asked if there were any questions he could answer.

President Medina asked if she needed to appoint a backup at this point. Attorney Conneran replied that she did not need to do that. Engineer Pakpour mentioned that the committee will work around Director Chambers' schedule, and that he hoped to schedule the interviews in early November.

Engineer Pakpour apologized for not being there in person and excused himself from the rest of the meeting. The Board thanked him for his presentation.

4. PUBLIC COMMENT: None.

5. BUSINESS (OLD): None.

6. BUSINESS (NEW):

A. Review Letter Dated September 11, 2023, from the State Water Resources Control Board Regarding the 2023 Sanitary Survey Findings and District's Letter of Response.

General Manager Mairena reported that District staff had two meetings with the District's Water Resources Board Engineer, Tess Hoang, one was held virtually and the second one was an in-person inspection of the water system on August 23, 2023. General Manager Mairena asked Field Supervisor Kennedy to review the inspection process with the Board.

Field Supervisor Kennedy gave an overview of the inspection which included the pump room, all the buildings, the SFPUC turn-out, the tank site, all three tanks, etc. Field Supervisor Kennedy mentioned that Ms. Hoang had pointed out the rust on the roof of Skyline Tank no.2, as well as overgrown vegetation around the tanks which was due to all the rains and would take field staff a couple of days to clear out. Field Supervisor Kennedy mentioned that no pictures had been received, and that General Manager Mairena had already requested them earlier in the day.

Field Supervisor Kennedy and General Manager Mairena reviewed the Sanitary Survey findings with the Board. Field Supervisor Kennedy mentioned that one of the items that Engineer Hoang had stressed was the need to work on the rust of Skyline Tank No.2 and that he had told her this item was already on the CIP, possibly for next year. Field Supervisor Kennedy told the Board that all of these are recommendations and not requirements.

Director Chambers commented that the Board will need to look at the CIP to see what was proposed for the \$2.4 million of improvements for this tank and decide what could be done. General Manager Mairena mentioned that once the District receives the pictures, then staff would be able to get a quote for the patching work for this tank.

Field Supervisor Kennedy and General Mairena made additional remarks on the District's response to the Sanitary Survey findings and mentioned that staff is awaiting a reply from the Water Boards.

President Medina commended staff on a job well done, which did not seem to be an easy job, specially with the size of our staff.

Director Amuzie asked if this was something that was done every year or if it was random. Field Supervisor Kennedy replied that it used to be every year, but because of the shortage of engineers and the pandemic, the last time this survey was done was before COVID.

7. WRITTEN COMMUNICATIONS:

A. Central Coast Water Agency Collaboration Forum Invitation from Valley Water Board Chair John L. Varela.

General Manager Mairena stated that this letter was addressed to President Medina and that the Santa Clara Valley Water District was asking if the District would like to join a forum. General Manager Mairena mentioned that they were seeking agencies with similar issues related to the Central Valley. President Medina commented that although the issues were not relevant to the District, it was nice that they had sent the letter to the District, so she wanted the letter added to the agenda.

General Manager Mairena asked if there was any interest and there was none.

8. ATTORNEY'S REPORT:

Attorney Conneran reported that it was the end of the legislative year and there was a Howard-Jarvis initiative which was scheduled for November. This is a proposed constitutional amendment initiative which states that if a measure is passed which requires a higher vote to pass a tax, that requirement needs to be approved by at least that same amount of votes.

9. GENERAL MANAGER'S REPORT:

A. Report on District's Water Conservation for September 2023.

General Manager Mairena reported that water consumption for September 2023 had gone down in comparison to last year's consumption. General Manager Mairena displayed the charts comparing the current usage to the prior years and stated that the usage was lower in comparison to the previous years, and overall, the District's customers were doing pretty good considering the end of the drought restrictions and the hotter weather conditions.

General Manager Mairena mentioned that she had attended a BAWSCA meeting today and that the SFPUC had reported good water supplies and that in addition, this was an El Nino year, which hopefully would bring more water.

10. ITEMS FROM BOARD OF DIRECTORS:

Five of Six
Minutes of the Regular Meeting of the Board of Directors
Thursday, October 12, 2023

A. Trip Report - ACWA Region 5 Meeting on September 22, 2023 at Alameda County Water District (Chambers and Amuzie).

Director Chambers briefly reviewed his written report and commented that what he did find most interesting was the saltwater intrusion from the Bay to the Alameda County Water District (ACWD) groundwater and their process for cleaning it. ACWD also gets some of its water from the State Project and the SFPUC.

Director Amuzie added that JPIA will have a new executive officer as Andy Sells will be retiring. Director Amuzie reviewed his written report with the Board and pointed out the difficulties JPIA is having with the insurance market rates.

B. Report on BAWSCA Meeting of September 27, 2023 (Chambers).

Director Bautista asked Director Chambers if he could elaborate more on SB 389. Director Chambers stated that he could not elaborate much more on the amendment. Director Chambers briefly commented on how this would give the State Water Resources Control Board the authority to get data to verify pre-1914 water rights.

C. Other Items from the Board.

Director Bautista commented on a call he received from one of the directors of the same HOA he is on, regarding an irrigation backflow leak and the person who responded from the after-hours answering service (Direct Line) was very well spoken and professional, so he wanted to communicate that to the Board.

President Medina mentioned that normally, she would take her Sexual Harassment training for managers and directors at the ACWA Conferences, but since she had not attended any, she was going to be taking a virtual class on October 17th. President Medina asked General Manager Mairena if she was familiar with this type of format. General Manager Mairena replied that she had actually taken recorded classes and virtual classes, and the format for the virtual class was more like the one presented at the conferences, with possibly a test being submitted at the end.

11. CLOSED SESSION: None.

12. ADJOURNMENT:

Without objection, President Medina adjourned the meeting.
Time 8:16 p.m.

Six of Six

Minutes of the Regular Meeting of the Board of Directors

Thursday, October 12, 2023



Secretary



Vice-President



Date