

COASTSIDE COUNTY WATER DISTRICT

766 MAIN STREET

HALF MOON BAY, CA 94019

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

Tuesday, February 14, 2023

Due to the Covid-19 pandemic, and in accordance with Assembly Bill 361, which modifies California Government Code Section 54953, the meeting was conducted by hybrid format offering the option of participating in person, zoom video conference, or by teleconference.

The Public was able to participate in the public meeting by joining the meeting in person or through the Zoom Video Conference link provided. The public was also able to join the meeting by calling a provided teleconference phone number.

- 1) **ROLL CALL** -President John Muller called the meeting to order at 7:00 p.m. Present at roll call: Vice President Chris Mickelsen, Directors Ken Coverdell, Bob Feldman, and Glenn Reynolds

Also present: Mary Rogren, General Manager, Patrick Miyaki, Legal Counsel; James Derbin, Superintendent of Operations; Cathleen Brennan, Water Resources Analyst; Gina Brazil, Office Manager; and Lisa Sulzinger, Administrative Analyst.

- 2) **MOMENT OF SILENCE FOR VICTIMS OF THE HALF MOON BAY SHOOTING**
- 3) **PLEDGE OF ALLEGIANCE**
- 4) **PUBLIC COMMENT** - There were no public comments.
- 5) **Consider and Reaffirm Resolution 2021-06 "Making Findings Pursuant to Assembly Bill 361 That the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person," and Discuss Pre-Covid and AB 2449 Teleconferencing Requirements.**

Governor Newsom's Executive Order dated back on March 4, 2020, declared a State of Emergency to exist in California because of the threat of COVID 19. The Executive Order N-29-20 suspended certain provisions of the Ralph M. Brown Act relating to

teleconferencing to allow legislative bodies to conduct meetings remotely to help protect the spread of COVID-19 and to protect the health and safety of the public. On June 11, 2021, the Governor issued Executive Order N-08-21 which specified that Executive Order N-29-20 remain in effect through September 30, 2021.

On September 16, 2021, the Governor signed Assembly Bill (AB361) into law to allow legislative bodies to continue to meet remotely during a proclaimed State of Emergency after September 30, 2021. On October 8, 2021, the Board adopted Resolution 2021-06. Per AB361, the Board will need to consider and reaffirm the findings of Resolution 2021-06 monthly proclaiming that the State of Emergency continues to impact the ability of members to meet safely in person, and state or local officials continue to impose or recommend measures to promote social distancing.

End of State of Emergency Expected February 28, 2023 - Mr. Miyaki summarized that after Governor ends the Covid state of emergency the Board will no longer be able to use AB 361, and the Board of Directors' and Standing Committee meetings are to be held in person. If a Board member is unable to attend a Board Meeting in person and wants to participate by teleconference, he/she has two options 1) Follow the original Brown Act pre-covid rules for teleconferencing or 2) follow the rules under AB2449, which became effective January 1, 2023. Mr. Miyaki summarized the requirements for both teleconferencing options.

ON MOTION BY Director Reynolds and seconded by Director Feldman, the Board voted by roll call vote to reaffirm Resolution 2021-06 "Making Findings Pursuant to Assembly Bill 361 That the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person":

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

6) CONSENT CALENDAR

- A.** Approval of disbursements for the month ending January 31, 2023:
Claims: \$ 1,431,706.05; Payroll: \$ 207,384.88 for a total of \$ 1,639,090.93
January 2023 Monthly Financial Claims reviewed and approved by Director Reynolds
- B.** Acceptance of Financial Reports
- C.** Approval of Minutes of January 10, 2023, Regular Board of Directors Meeting
- D.** Installed Water Connection Capacity and Water Meters Report
- E.** Total CCWD Production Report
- F.** CCWD Monthly Sales by Category Report January 2023
- G.** Leak/Flushing Report - January 2023

- H. Monthly Rainfall Reports
- I. SFPUC Hydrological Conditions Report – December 2022
- J. Request for Board to Provide Authorization to Write Off Bad Debts for Fiscal Year Ending 2021-2022
- K. Water Service Connection Transfer Report for January 2023
- L. Approval for President Muller Compensation and Expenses for Attending the Association of California Water Agencies (ACWA) Region 5 Midterm Board Meeting on January 27, 2023 at the Marina Coast Water District.

Director Reynolds stated he had reviewed the monthly financial claims and found all to be in order.

ON MOTION BY Director Reynolds and seconded by Director Feldman, the Board voted by roll call vote to approve the Consent Calendar:

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

7) MEETINGS ATTENDED / DIRECTOR COMMENTS

- President Muller attended the ACWA Region 5 Midterm Board meeting in Seaside on January 27, 2023 and provided a summary.
- President Muller, Director Coverdell, and Ms. Rogren attended the Brews & Views –A Panel Discussion about Coastside Infrastructure with District 3 Supervisor Ray Muller, Puente Executive Director Rita Mancera, ALAS Founder Belinda Hernandez-Arriaga, Department of Emergency Management Coordinator David Cosgrave, Senator Josh Becker, and CalTrans Director Arnica MacCarthy on February 2, 2023. All provided a brief report.
- Director Mickelsen attended a BAWSCA Board of Directors’ meeting and gave a brief report.
- Director Reynolds shared that he recently passed the Backflow Certification test. He also met with staff, the District’s engineer, and a pipeline vendor regarding new slip lining technology for the Medio Creek Project.
- Director Reynolds and Director Mickelsen inspected the storm damage on Highway 92 caused by the December/January storms.

8) GENERAL BUSINESS

- A) Consider Resolution 2023-02 Authorizing Actions by the General Manager in Recognition of the Federal, State, and Local Declared State of Emergency Due to the Late December/Early January Winter Storm Event

Ms. Rogren summarized Resolution 2023-02, that authorizes the General Manager's actions in recognition of the Federal, State, and Local Declared State of Emergency due to the "Late December/Early January Winter Storm Event". District staff is pursuing FEMA grant and other funding opportunities for its restoration efforts due to the storm damage. This resolution will be attached when the District applies for grants and other funding.

ON MOTION BY Director Feldman and seconded by Director Reynolds, the Board voted by roll call vote to approve Resolution 2023-02 authorizing actions by the General Manager in recognition of the Federal, State, and Local Declared State of Emergency due to the Late December/Early January Winter Storm Event.

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

B) Approval of Professional Services Agreements with EKI Environment & Water, Inc. for 1) Geotechnical Investigation for the Highway 92 Potable Water Pipeline Emergency Restoration Project; and 2) Geotechnical Investigation for the Highway 92 Potable Water Pipeline Replacement Future Phases Project

Mr. Derbin summarized the two proposed agreements with EKI Environment & Water, Inc. for geotechnical investigations for 1) the Highway 92 Potable Water Pipeline Emergency Restoration Project with a not-to-exceed budget of \$63,400; and 2) the Highway 92 Potable Water Pipeline Replacement Future Phases project for a not-to-exceed budget of \$54,200.

ON MOTION BY Director Coverdell and seconded by Director Reynolds, the Board voted by roll call vote to approve professional services agreements with EKI Environment & Water, Inc. for 1) geotechnical investigation for the Highway 92 Potable Water Pipeline Emergency Restoration Project; and 2) geotechnical investigation for the Highway 92 Potable Water Pipeline Replacement Future Phases Project

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

C) Approval of Amendment to Professional Services Agreement with Analytical Environmental Services for Environmental Consulting Services for the Denniston/San Vicente Water Supply Project

Ms. Rogren summarized the amendment and noted that the District has been using Analytical Environmental Services (now “Montrose Environmental Solutions, Inc.”) since 2010. Montrose prepared the Environmental Impact Report (EIR) for the Denniston/San Vicente Water Supply Project that was certified in 2015. The District continues to require the services of Montrose in preparing its permit applications and other regulatory reporting.

ON MOTION BY Director Reynolds and seconded by Vice President Mickelsen, the Board voted by roll call vote to approve the Amendment to Professional Services Agreement with Analytical Environmental Services (Montrose Environmental Solutions, Inc) for environmental consulting services for the Denniston/San Vicente Water Supply Project for costs not to exceed \$54,500.

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

D) Consider Resolution 2023-01 Concurring in Nomination of Jack Burgett of the North Coast County Water District to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority (“ACWA/JPIA”)

ACWA-JPIA has invited member agencies to submit nominations to fill a vacancy on the ACWA-JPIA executive Committee. Jack Burgett, President of the Board of Directors of North Coast County Water District has requested the District’s support of his nomination by submitting a concurring resolution.

ON MOTION BY President Muller and seconded by Vice President Mickelsen, the Board voted by roll call vote to approve Resolution 2023-01 Concurring in Nomination of Jack Burgett of the North Coast County Water District to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority (“ACWA/JPIA”)

Director Coverdell	Aye
Director Feldman	Aye
Director Reynolds	Aye
Vice-President Mickelsen	Aye
President Muller	Aye

9) **MONTHLY INFORMATIONAL REPORTS**

A. General Manager's Report

Ms. Rogren summarized that the BAWSCA refunding of revenue bonds has been completed. The District's monthly bond surcharge expense will be reduced from \$25,587 per month to \$18,772 per month or a savings of \$81,780 annually. The savings is already shown in the District's approved Fiscal Year 2022-2023 budget.

B. Superintendent of Operations Report

Mr. Derbin summarized the Operation Highlights for the month of January 2023.

C. Water Resources Informational Report

- Ms. Brennan reported that the Regional Water System (RWS) is expected to fill by April 1, 2023 and SFPUC is anticipating they will be able to meet full demand of the BAWSCA agencies.
- The U.S. Drought Monitor continues to show weekly improvement to drought conditions across state. San Mateo County is still in a moderate drought.

10) **DIRECTOR AGENDA ITEMS - REQUESTS FOR FUTURE BOARD MEETINGS**

President Muller requested support of SB23 which addresses Continued Investment in California Infrastructure And Water Supply Flood Risk Reduction. ACWA has requested the support of its members for this bill. As staff, Ms. Rogren noted that she can provide a letter of support to ACWA's coalition.

11) **ADJOURNMENT - Board Meeting Adjourned at 8:15 p.m.**



John Muller, President
Board of Directors



Mary Rogren, General Manager
Secretary to the District