

COASTSIDE COUNTY WATER DISTRICT  
Minutes of the Special Meeting of the Board of Directors  
766 Main Street, Half Moon Bay, CA 94019  
May 28, 2002 – 7:30 p.m.

- 1) ROLL CALL: President Eleanor Wittrup called the meeting to order. Present at roll call were Directors Chris Mickelsen, James Marsh, John Muller, and Jim Larimer. Also present were Ed Schmidt, General Manager; Dave Mier, Superintendent; Anthony Condotti, Legal Counsel; James Teter, Engineer; JoAnne Whelen, Executive Secretary; and Linda Goetz, Recording Secretary. There were approximately six people in the audience.
- 2) PLEDGE OF ALLEGIANCE: Everyone stood for the Pledge of Allegiance.
- 3) PUBLIC ANNOUNCEMENTS: None.
- 4) APPROVAL OF THE AGENDA:

**ON MOTION by Director Marsh, seconded by Director Mickelsen, the Agenda was unanimously approved as presented.**

5) REPORT OF THE GENERAL MANAGER:

- A. Discussion and possible direction to staff to approve the Resolution of Intention which would lead to an amendment of the existing Coastside County Water District contract with Public Employees' Retirement System (PERS) to allow staff with military service to purchase service credit: After presentation by the General Manager, the following action was taken:

**ON MOTION by Director Marsh, seconded by Director Mickelsen, the Board unanimously authorized staff to execute and submit the "Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the Board of Directors of the Coastside County Water District."**

- B. Discussion and possible adoption of Proposed FY 2003 Operating Budget for Coastside County Water District: The General Manager presented the Operating Budget reflecting changes requested by the Board, as well as the proposed Capital Improvement Projects Budget. Among other issues, discussion included the topics of fully funding depreciation, allowances for inflation, and the concept of restricting \$2.3 million from the unrestricted reserve as CIP funds. After staff and the District's CPA answered questions, the Board heard from the public as reported below. The Board will review salary and benefit changes and possibly adopt the budget at the June 10th meeting.

*Everett Ascher, 114 Cypress Pt. Rd., HMB:* asked if the potential cost of refunding the 305 "found" connections had been considered, and was informed that the cost cannot be predicted at this time.

C. Correspondence:

- (1) San Mateo County – Environmental Services Agency/Planning Commission-San Mateo County Mid-Coast Aquifers: Literature and Data Review Mid-Coast Groundwater Study, Phase 1 by Balance Hydraulics, Inc.; Review of Proposed Revisions to County Well Regulations for the Mid-Coast: The General Manager provided a overview of his notes from the groundwater/well ordinance meeting, which led to discussion of the District's exposure to failed wells.
- (2) Coastside County Water District 2001 Annual Water Quality Report: The report was presented and staff answered questions from the Board.
- (3) Letter from Sewer Authority Mid-Coastside dated April 29, 2002: The Sewer Authority declined interest in a joint-agency newsletter, stating that it does not appear useful in their outreach program at present.
- (4) Letter from Montara Sanitary District dated May 20, 2002: The Montara District also declined interest in a joint-agency newsletter, stating that it was unclear how it would be of interest to the different constituents.
- (5) Letter to United States Senator Barbara Boxer dated May 22, 2002 regarding support for the California Affordable Quantity and Quality Water Act (CAL-AQQWA): The General Manager presented a draft letter of support to be sent to Barbara Boxer for Board approval. The following action was taken:

**ON MOTION by Director Marsh, seconded by Director Mickelsen, the Board unanimously authorized sending the proposed letter of support for the CAL-AQQWA Act to Senator Boxer to be signed by President Wittrup as representative of the Board.**

- (6) Correspondence from BAWAU dated May 23, 2002 regarding – Update on Legislation – AB 1923: There was no discussion on this item.

BREAK: The Board recessed the meeting from 8:45 to 8:55 p.m.

- 6) AGENDA ITEMS REQUESTED BY BOARD MEMBERS;
  - A. Discussion and possible direction to staff regarding Master Plan Development (placed on the agenda at the request of President Wittrup.) A table of contents from a Water Master Plan was provided from two agencies, the City of Santa

Clara Water Utility and the City of Milpitas, for review and discussion purposes. The Directors responded as follows: Director Marsh felt that it is good business practice for the Board to move forward with planning, and suggested at least adding funds to the budget for future action. Director Mickelsen thought it was premature due to the lack of firm LCPs. Instead he suggested finishing the District's Water Master Plan by completing the next phase of the CSP. Director Larimer was of the opinion that the Board needs to focus all of its attention on catching up with completing the business of the past 15 years. Director Muller felt that a plan needs to be made, but this is not the right time. He said it might be better for the District to remain flexible without a Master Plan, gather more data, and watch the political climate over the next couple of years. President Wittrup provided her rationale for beginning the process, including the need for clear District policies in order to make reasonable and informed decisions. Other discussion included whether beginning this process fits into the goals set at the Board retreat.

**Director Larimer MOVED to table the topic of Master Plan Development, and Director Mickelsen SECONDED his motion. After more discussion of action previously taken relative to goals set at the Board retreat, Director Marsh MOVED TO AMEND the Motion by adding budget money for creating a Master Plan later, Director Larimer did NOT ACCEPT the amendment, and the original MOTION PASSED as follows:**

<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>No</b>
<b>Director Muller</b>	<b>Aye</b>
<b>Director Larimer</b>	<b>Aye</b>
<b>President Wittrup</b>	<b>No</b>

- B. Discussion and possible direction to staff regarding the development of a District policy for the individual Director's use of Coastside County Water District letterhead stationery for correspondence. (Placed on the agenda by Director Mickelsen.) Director Mickelsen presented his reasons for not issuing individualized CCWD letterhead to each Director. After each Director presented their opinion, and the Board received information from Counsel, the following action was taken:

**Director Mickelsen MOVED that the District's practice on the use of District stationery be as follows: All correspondence from the Board on District letterhead requires Board consensus and/or unanimous Board action, thus eliminating individual Director's use of Coastside County Water District letterhead stationery. Director Larimer SECONDED, and the motion PASSED as follows:**

<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>No</b>
<b>Director Muller</b>	<b>Aye</b>
<b>Director Larimer</b>	<b>Aye</b>

**President Wittrup No**

- C. Direct Coastside County Water District Counsel to prepare a request for an Attorney General's opinion/ruling on President Wittrup's residency status. (Placed on the agenda at the request of President Wittrup.) Director Wittrup removed herself from the Board panel for this topic, and as a member of the public asked the Board to direct Counsel to seek an opinion about her residency. Counsel provided an overview of the process. After discussion, the following action was taken:

**ON MOTION by Director Muller, seconded by Director Marsh, the Board voted 3 to 1 to *not* seek the Attorney General's opinion about Eleanor Wittrup's residency relative to her position on the Board. President Wittrup did not vote since she had removed herself from the discussion.**

<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>Aye</b>
<b>Director Muller</b>	<b>Aye</b>
<b>Director Larimer</b>	<b>No</b>
<b>President Wittrup</b>	<b>Abstain</b>

- D. Discussion and possible modification of the existing Coastside County Water District practice of having both "Public Announcements" and "Citizen's Comments" periods at the Coastside County Water District Board meetings; possible modification of the existing Coastside County Water District practice of allowing three minutes for public comments on the Coastside County Water District Board agenda items. (Placed on the agenda at the request of Director Mickelsen.) Director Mickelsen presented his reasons for wanting to establish a limit on total amount of time for receiving public comment as a way of streamlining the agenda. The other Directors generally concurred that although the Board encourages public input, the method of receiving it needs to be improved. Counsel offered to distribute a copy of the rules of order adopted by another agency for Board consideration.

*Everett Ascher, 114 Cypress Pt. Rd, HMB:* pointed out inconsistencies on the Speaker Slip form which staff will revise to reflect the two different comment periods.

*George Carman, Half Moon Bay:* recommended making a "call for regular order" to avoid public intrusion during the meeting.

**Director Mickelsen MOVED to eliminate Public Comment at the end of the agenda and adhere to a reasonable time limit on individual public comment to be monitored at the discretion of the Chair. Director Marsh SECONDED, and the MOTION PASSED 4 to 1, with Director Wittrup voting "No."**

<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>Aye</b>
<b>Director Muller</b>	<b>Aye</b>
<b>Director Larimer</b>	<b>Aye</b>
<b>President Wittrup</b>	<b>No</b>

7) ATTORNEY'S REPORT:

- A. Status of El Granada Transmission Pipeline Analysis to be presented to the California Coastal Commission (CCC Appeal Nos. A-2-SMC-93-63, A-1-HMB-99-20): Counsel presented the final draft of staff's analysis explaining why the El Granada Pipeline Project is consistent with the policies contained in both the City of Half Moon Bay and County of San Mateo Local Coastal Program Land Use Plans. The Board provided minimal comments which will be integrated into the report, in addition to Director Larimer's editorial recommendations. Director Larimer also suggested that the potential of inadequate water pressure for firefighting be included as an additional concern for consideration. After discussion, which included whether to present the fire flow issue as part of the report or in a separate letter, and after hearing from the following members of the public, the Board took the action recorded below.

*Mary Ascher, 114 Cypress Pt. Rd., Half Moon Bay*: described the effects of low water pressure in a fire in Malibu.

*George Carman, speaking as a Half Moon Bay Planning Commissioner*, asked the Board to consider suggesting a pipeline size that the Coastal Commission would endorse.

**President Wittrup MOVED to direct staff to make the changes indicated, including the editorial/housekeeping suggestions to be provided by Director Larimer, and send it to the Coastal Commission with a cover letter expressing fire flow and water pressure concerns. President WITHDREW her motion when Director Muller MOVED and Director Marsh SECONDED to change the motion by directing that the potential fire hazard letter be sent separately so as to not delay delivery of the report. The motion PASSED unanimously.**

8) ENGINEER'S REPORT:

- A. Department of Health Services – Drinking Water Field Operations Branch – Notice of Violation (Chemical Monitoring Failure): The Engineer and the General Manager informed the Board of the steps being taken to comply with the California Department of Health Services public notification requirements, as well as training and procedures being initiated to prevent reoccurrence of violations.

9) CITIZENS' COMMENTS: None.

10) AGENDA ITEMS AND DIRECTOR COMMENTS:

Director Marsh requested that Mr. Dean Peterson be invited to speak on the topic of wells. He also asked for clarification of the powers of the Water Authority and a description of the District's physical boundaries. Staff will provide available information and contact Mr. Peterson.

Director Larimer asked the Board to consider changing the time or date of the next regular Board meeting so that he can be in attendance. After discussion, the following action was taken:

**ON MOTION By Director Muller, seconded by Director Mickelsen, the Board unanimously agreed to cancel the regular June 11<sup>th</sup> meeting and scheduled a Special Meeting on June 10<sup>th</sup> at 7:30 p.m.**

11) CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS/PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Agency Designated Representative: General Manager, District Counsel. Position being considered: Superintendent. The Board went into Closed Session at 11:02 p.m. when staff and the public were permitted to leave. Any action taken during Closed Session will be reported by Counsel in a separate memorandum.

12) ADJOURN: The Board adjourned after Closed Session. The next meeting of the Board of Directors will be a Special Meeting on June 10, 2002 at 7:30 p.m.

Respectfully submitted,

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Ed Schmidt, General Manager

APPROVED:

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Eleanor Wittrup, President