

**COASTSIDE COUNTY WATER DISTRICT  
766 MAIN STREET  
HALF MOON BAY, CA 94019**

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**November 5, 2002 – 7:30 p.m.**

- 1) **ROLL CALL:** President John Muller called the meeting to order at 7:33 p.m. Present were Directors Jim Larimer, James Marsh and Chris Mickelsen. Director Eleanor Wittrup arrived at 7:55 p.m. Also present were Ed Schmidt, General Manager; Dave Mier, Superintendent; Anthony Condotti, Legal Counsel; James Teter, Engineer; JoAnne Whelen, Administrative Assistant; Glenna Lombardi, Project Coordinator; and Sherry Hartwig, Recording Secretary. There were approximately 12 people in the audience, including 2 representatives of Todd Engineers.
- 2) **PLEDGE OF ALLEGIANCE:** Everyone stood for the Pledge of Allegiance.
- 3) **INTRODUCTIONS:** The General Manager acknowledged and congratulated Matt Damrosch, who passed his Grade II Water Distribution Certification Exam, and Sean Donovan who recently passed his Grade III Water Treatment Certification Exam. President John Muller and General Manager Ed Schmidt introduced Sherry Hartwig as the Board's new Recording Secretary.
- 4) **PUBLIC ANNOUNCEMENTS:** None
- 5) **APPROVAL OF THE AGENDA:** Director Marsh expressed discomfort with the wording of Agenda Item 8A and moved to approve the meeting agenda following removal of the words "possible direction" from Item 8A. The motion failed for lack of a second.

**There was a MOTION by Director Mickelsen, seconded by Director Larimer, to change the order of the Agenda so that Item 8A would be discussed prior to Item 7B.**

**President Muller requested an amendment, which was accepted, to include that, out of courtesy to Director Wittrup who would be arriving shortly, the presentations go forward and discussion of Item 8A would be delayed until her arrival. The motion passed by the following roll call vote:**

<b>Director Larimer</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>Aye</b>
<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Wittrup</b>	<b>Absent</b>
<b>President Muller</b>	<b>Aye</b>

**6) CONSENT CALENDAR:**

A. Requesting the Board to review payment of claims for the month ending October 31, 2002 in the amount of \$336,708.98

B. Acceptance of Financial Reports

The General Manager reported that the one-page Investment Summary form was not available for the meeting, as the District's accountant was on vacation, but that it would be distributed upon his return. President Muller reported a positive review of the claims for the month ending October 31, 2002.

C. Minutes of the October 8, 2002 Board of Directors meeting

**ON MOTION by Director Marsh, seconded by Director Mickelsen, the Consent Calendar was unanimously approved in its entirety.**

**7) REPORT OF THE GENERAL MANAGER**

A. Discussion and possible direction to staff regarding the Groundwater Basin Geotechnical and Economic Feasibility Study, Lower Pilarcitos Creek Groundwater Project – Presentation by Iris Priestaf, Project Manager, Todd Engineers.

Iris Priestaf, Todd Engineers, presented an overview of the project. Director Larimer commended Ms. Priestaf for her thorough presentation, stating that it was exactly the kind of information that the Board needs. President Muller inquired about the number of wells in Half Moon Bay that are actually in working order. Ms. Priestaf stated that information regarding working wells versus abandoned or non-operational wells would be part of Todd's Engineering study. A member of the audience, then addressed the Board:

Keith Mangold, of El Granada: spoke to the Board regarding some stream clean-up that he has been involved in and observations he had made in regard to water levels during the summer. He requested to go on record as

saying that it is his assumption that the rate payers in this area probably do not want to see additional pumping of this creek, if in fact the creek is harmed by the pumping. He also requested that the information he has collected be incorporated into the study done by Todd Engineers.

President Muller stated that he believes this project is off to a good start and that the Board and the CCWD are committed to it. He expressed concerns about adding additional items to the study that would increase costs. President Muller said that the District should continue with the existing scope of work, and that additional work can be added at a later time. Director Marsh raised the issue of Cal Trans records related to this issue and Ms. Priestaf stated that she had been given the name of a contact source at Cal Trans. The General Manager thanked Todd Engineers for the large amount of work that they had accomplished in such a short period of time and indicated that the District can look forward to the presentation by Todd Engineers, scheduled for the mid-point project review.

**Item 8A was discussed at this point in the meeting and is reported below.**

**8) ATTORNEY'S REPORT**

**A. Discussion and possible direction to staff to revise Coastside County Water District's Transfer Policy**

Mr. Condotti addressed the Board regarding the current Transfer Policy and related agreements made before and after the Crystal Springs project. The General Manager made reference to a staff report on this issue that he and Glenna Lombardi corroborated on that contained three possible options. President Muller questioned the need for the Board to be involved in every transfer issue, as the transfer applications appear to produce a large volume of paperwork, and spoke in favor of streamlining the transfer processes. Director Larimer cited this as a very complex policy and thanked Dave Mier and Glenna Lombardi for the many hours of time they have spent with him in educating him about the process. He stated that he favored all three suggestions. He also stated that the current transfer policy has created unintended harm for some residents in a variety of ways, and identified five examples of the current transfer policy's unintended consequences:

- Current well-owner residents with no family members who may possess an available water connection.
- Customers with an existing structure and water service who may want to remodel or construct an addition to their dwelling, adding more fixtures than their current connection size allotment allows.
- Customers who have a service connection larger than required.
- Individuals who bought connections 15 or 20 years ago but cannot develop their property because of changed zoning policies.
- Property owners who would like to develop their property but have no water connection or access to any water connections, unless their property is considered “Priority”.

Director Mickelsen thanked staff for their work on this matter and stated that this is a difficult process and that the current policies are as restrictive as they can possibly be, yet transfers still take place, and believes that current policies have been intrusive in the lives of District customers. He indicated a preference for Options 1 and 2 and would like to see as much of the community completely off wells as possible. Director Muller asked for comments from the public:

Dave Worden, 418 Main Street, Half Moon Bay: indicated that he thought that the Board was handling the issue very well.

Judy Taylor, 210 Main Street, Half Moon Bay: discussed the logistics and internal processes of transfers, stating that there could be definite simplification of some procedures.

Director Wittrup stated that the effect of the first two suggestions stands to encourage the flow of uninstalled water connections from where they weren't being used to where they would be used. She also recommended that the statement concerning “failed wells” be expanded to include “all wells”. The Board members discussed the substantial complexities and potential inherent harm in the current policies, the compliance with City and County regulations, the need for simplification, the bad feelings that have been created by the current policy and the need for a more direct approach to handling the Transfers Program.

**ON MOTION by Director Wittrup, seconded by Director Marsh, the Board directed Staff to write a resolution implementing the first and second recommendations, with the**

**revisions to include (a) all wells, not just failed wells and (b) that transfer requests be processed directly by staff, with any questionable issues concerning interpretation of the transfer policy presented to the Board. The Board directed Staff to draft a resolution of the policy changes for review by the Board at the December Board meeting. A roll call vote was taken, as follows:**

<b>Director Larimer</b>	<b>Aye, (under protest) stating that he believes simpler wording should be used</b>
<b>Director Marsh</b>	<b>Aye</b>
<b>Director Mickelsen</b>	<b>Aye, (under protest) stating that more confusion is being added to a confusing policy</b>
<b>Director Wittrup</b>	<b>Aye</b>
<b>President Muller</b>	<b>Aye</b>

Following the lengthy discussion of Item 8A, a recess was taken and then the Board returned to begin discussion of Item 7B as follows.

- 7B.** Discussion and possible direction to staff regarding a letter dated October 28, 2002 from Mr. John L. deBenedetti of Magnolia Associates, LLC, requesting Board pre-approval to transfer a total capacity of (28) 5/8" non-priority water service connections from a third party to his property at Arleta Park

Director Wittrup stated that she was uncomfortable approving issues related to work not yet completed and urged that, per the previous discussion of Item 8A regarding revisions to the current Transfer Policy, the CCWD staff be allowed to go forward with policy modifications before this is decided. Director Mickelsen stated that this presented a good opportunity for the Board to enact the previous motion (from Item 8A).

**ON MOTION by Director Wittrup, and seconded by Director Larimer, the Board unanimously approved the authorization for staff to process the request contained in Mr. John L. deBenedetti's letter of October 28, 2002, and gave its provisional approval, assuming there are no uncertainties in the conformance to the policy, by roll call vote:**

<b>Director Larimer</b>	<b>Aye</b>
<b>Director Marsh</b>	<b>Aye</b>
<b>Director Mickelsen</b>	<b>Aye</b>
<b>Director Wittrup</b>	<b>Aye</b>
<b>President Muller</b>	<b>Aye</b>

**7C.** Discussion and possible Adoption of Resolution 2002-16 – Revised and Restated Coastside County Water District Personnel Policy

The General Manager suggested deleting the text on Page 2, Section 4, stating that he believes it does not apply in current times. In regard to controlled substance drug testing, on page 13, he suggested removing the list of substances, replaced by a reference to the legislation itself. He also suggested modifications to the wording for drivers license classes in Appendix A.

**ON MOTION by Director Mickelsen and seconded by Director Witttrup the Board unanimously approved the revisions to the District Personnel Policy including the changes suggested by the General Manager.**

**7D.** Discussion and possible approval of Coastside County Water District's participation in a new "Policy Formation Group" with San Francisco Public Utilities Commission and possible selection of one (1) or two (2) Board members to represent Coastside County Water District on this new group

The Board discussed their desire to participate with the San Francisco Public Utilities Commission in the new Policy Formation Group, particularly in the area of protecting endangered Steelhead. President Muller asked Director Mickelsen to serve as a representative of the CCWD and then also volunteered to serve as a representative as well.

**7E.** Update on recent activities regarding the El Granada Pipeline Project Appeals and possible direction to staff regarding the California Coastal Commission Hearing for Appeal Nos. A-2-SMC-99-65 and A-1-HMB-99-20

The Board discussed the possible need for an additional special meeting at the end of November or early in December related to this issue. The General Manager stated that he would be meeting with representatives from the California Coastal Commission on Wednesday, November 6, 2002 and would be picking up the a copy of the California Coastal Commission's staff report on November 22<sup>nd</sup>, or as soon as available.

**7F.** Discussion and possible direction to staff to implement a new class specification for the Superintendent position and pay ranges for the Superintendent and Foreman positions

Director Marsh indicated that he may be applying for this position and so will recuse himself from any discussion on this issue and any vote that may be taken. President Muller mentioned that he was going to be sitting in on the interviews for the new Superintendent/Engineer position and he invited Director Larimer to join him. Director Larimer accepted the invitation.

**7G.** General Manager Activities

The General Manger briefly described his current activities, including an employee meeting, numerous meetings with a wide variety of consultants and professionals, meetings that he has attended and meetings he has scheduled.

**7H.** Correspondence: **(1)** e-mail correspondence from Kim Rosmaier, California Department of Water Resources dated October 30, 2002, regarding CCWD Urban Water Management Plan and CCWD's AB303 grant proposal; **(2)** e-mail from BAWUA dated October 21, 2002 forwarding S.F. Chronicle article supporting Proposition A; **(3)** e-mail from BAWUA dated October 9, 2002 regarding Bay Area Economic Forum.

**8B.** Request for Transfer of Non-Priority Water Service Connections to three individual parcels, same owner, David and Cindy Labuda Trustees of the Labuda Community Trust to the KPCET I Trust, Timothy Cremins, Trustee

**8C.** Request for Transfer of Non-Priority Water Service Connection, same owner, Labuda Family Foundation

Items B and C were addressed concurrently by Legal Counsel Anthony Condotti, who reviewed issues related to the transfer of non-priority water service connections, as outlined above. Director Muller suggested that the Board move forward to approve if there were no objections. Mr. David Labuda spoke to the Board and reviewed the land parcel and water connection issues.

**ON MOTION by Director Wittrup, seconded by Director Larimer, the Board unanimously approved the transfer of non-priority water service connections to three individual parcels, owners David and Cindy Labuda, Trustees of the Labuda Community Trust to the KPCET I Trust, Timothy Cremins, Trustee, and to approve the request for transfer of non-priority water service connection, same owner, Labuda Family Foundation.**

**9) ENGINEER'S REPORT**

**A. Engineering Projects Received in October, 2002**

The District Engineer, Jim Teter, stated that no engineering projects had been received for engineering in October.

**B. District Engineer Work Status Report**

Mr. Teter stated that there are currently four projects in progress and that he expected completion of all by the next Board meeting, at which time he would present the project information to the Board.

**10) OPERATIONS REPORT**

**A. Discussion and possible authorization to staff to purchase one new Ford F-150 truck for use by the field staff**

**ON MOTION by Director Wittrup and seconded by Director Marsh, the Board unanimously authorized Staff to purchase a new truck for field staff use.**

- B. Water Service Connections Installed, Priority and Non-Priority**
- C. Water Sample Report, Local Production, Water Purchases, Leaks, etc.**
- D. Carter Hill West Pipeline Pressure Readings**

**11) MEETINGS ATTENDED/SCHEDULED – BOARD OF DIRECTORS**

- A. Human Resource Committee Meeting – October 17, 2002**
- B. San Francisco Bay Decisionmakers Conference – October 22, 2002**



- C. San Francisco Bay Area Water Users Association – Suburban Tour – Pulgas Tour – October 24, 2002
- D. Scheduled – Hydraulic Model Committee meeting – November 14, 2002
- E. Scheduled – Environmental Analysis Workshop – Tues., January 29, 2002

Director Wittrup is not able to attend the ACWA/JPIA meeting in Anaheim. Director Mickelsen participated in the Pulgas Tour. President Muller stated that the CCWD Board of Directors and all CCWD staff should keep the evening of Friday, December 13<sup>th</sup> available for the annual holiday gathering and a farewell tribute to Superintendent Mier.

**12) AGENDA ITEMS AND DIRECTOR COMMENTS:** None

**13) CLOSED SESSION – CONFERENCE WITH LEGAL-COUNSEL EXISTING LITIGATION** (Cal. Government Code Section 54956.9)  
Beuth v. Coastside County Water District – SMSC Case No. 407917

The Board went into Closed Session at approximately 10:15 p.m.

**14) ADJOURN:** The Recording Secretary was not present for adjournment, which occurred after the Closed Session. The next meeting of the Board of Directors will be a Regular Meeting on December 10, 2002 at 7:30 p.m.

Respectfully submitted,

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Ed Schmidt, General Manager

APPROVED:

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John Muller, President