



MONTARA WATER & SANITARY
DISTRICT

BOARD OF DIRECTORS MEETING
September 4, 2018

MINUTES

SPECIAL SESSION BEGAN AT 7:33 p.m.

CALL TO ORDER

ROLL CALL

Directors Present: Boyd, Slater-Carter, Wilson, Harvey and Huber

Directors Absent: None

Staff Present: General Manager, Clemens Heldmaier
District Clerk, Tracy Beardsley

Others Present: District Counsel, David Schricker
District Sewer Engineer, Pippin Cavagnaro

PRESIDENT'S STATEMENT – Director Wilson welcomed everyone.

ORAL COMMENTS - None

PUBLIC HEARING None

CONSENT AGENDA

1. Approve Minutes for July 11, 2018
2. Approve Financial Statements for July 2018
3. Approve Warrants for September 1, 2018

4. SAM Flow Report for June and July
5. Monthly Review of Current Investment Portfolio
6. Connection Permit Applications Received
7. Monthly Water Production Report for July 2018
8. Rain Report
9. Solar Energy Report
10. Monthly Public Agency Retirement Service Report for May 2018

Director Huber moved to approve the Consent Agenda and Director Boyd seconded the motion. All Directors were in favor and the motion passed unanimously 5 – 0.

OLD BUSINESS - None

NEW BUSINESS -

1. **Review and Possible Action Concerning District Participation in Research Project Quantifying Fog-Precipitation and Contribution to Local Aquifer Recharge on Montara Mountain.**

General Manager Heldmaier stated that the San Francisco State University Geography Department has had fog collectors on the Montara Water and Sanitary District (MWSD) property for some years to research the qualitative aspects of fog water along the Coast. MWSD has also been exploring how much fog is precipitating on Montara Mountain and ending up in the potable tanks. This District is unique with its own water cycle, and a lot of humidity. MWSD has also done some isotope sampling in the Montara aquifers. So, when Emeritus Professor Dr. Sergio Aragon (San Francisco State University) proposed a collaboration of his fog research project with MWSD, it was an opportunity for the District to discover new information with minimal cost. General Manager Heldmaier recommended the Board to authorize the General Manager to spend no more than \$3,000 dollars in the next three fiscal years on samples and equipment for this research project. He introduced Emeritus Professor Dr. Sergio Aragon to the Board.

Dr. Aragon said that although he retired several years ago from San Francisco State University, his curiosity about the fog and local conditions led him to initiate this fog research project on Montara Mountain. He requested permission from the National Park Service (GGA) in May to install some fog collecting equipment on Montara Mountain. They gave him permission, and he proceeded to build and install fog collecting equipment on two sites along the Alta Vista Trail. He formed a team of colleagues from the San Francisco State University Geography Department and various other Agencies and Universities to work together on this research, and to utilize and share data on fog and water conditions in the area, lichen, macronutrients, etc. Thus, there is a broad section of different things that will be studied. But the information pertinent to the District will provide the amount and seasonality of the fog, as well as data from rain water during the winter

months. The isotopic compositions of fog and rain water are distinguishable, and will also be analyzed. He said there is data that has been collected at Point Reyes, but emphasized that he wanted to get data that was local because many variables depend on the temperature. He further explained that samples would be collected only a couple times a year, frozen, and sent to an isotope lab at the University of New Mexico that can analyze both isotopes simultaneously in the same sample (a cost saving measure). The electro-conductivity and PH of the samples will be measured, which may provide information about the salt from the ocean, and possibly smoke from the fires. Dr. Aragon said his permit runs through the year 2020.

General Manager Heldmaier reiterated that this benefits the District, and will be a minor change to the existing sampling schedule in accordance with Dr. Aragon's needs.

Director Slater-Carter said that she strongly supported this, and the more information we have about our own water the better. This will create a stronger data base, which is valuable, with very little cost. She stated that MWSD is one of the more interesting water districts, because they are self-reliant. She reminded the Board that MWSD may be required to participate in a very expensive ground water project that is not necessary, and the experts involved are being objected to the change in ground water status, and this information may help to show them that MWSD is independent of other influences.

Director Huber asked if two years was enough time to collect data, and draw conclusions.

Dr. Aragon replied that he will have data on three separate years. Many published studies conducted north and south of us were only one or two years. He commented that he is a Chemical Physicist, and fog is new to him. However, the basics necessary to understand this are all physics, and he feels this can be done.

Director Boyd commented that all the research he has seen has larger scale aspects to it, and noted that this was very interesting.

Director Slater-Carter made a motion to authorize the General Manager to spend no more than \$3,000 dollars in the next three fiscal years on samples and equipment for this research project. Director Huber seconded the motion, and all Directors were in favor and the motion passed unanimously 5 – 0.

2. Review and Possible Action Concerning Bid Award for AW3 Rehabilitation Project.

General Manager Heldmaier announced that there has been much discussion about the Airport Well 3 rehab project--taking care of the well, the above ground structures, and adding an ion exchange unit similar to what is at Airport Well #2.

MWSD went out to bid for the major portion of this project, and one bid was received by the Pump Repair Services Company of San Francisco, in the amount of \$170,060 dollars. It is close enough to our District Engineer's estimation of cost. Thus, he recommended the Board to award construction contract to the Pump Repair Services Company in the amount of \$170,060 dollars for the Airport Well #3 Rehabilitation project.

Director Wilson inquired if this was for information only or to adopt a resolution.

General Manager Heldmaier replied that the Agenda has an administration error on it, and the Board should adopt the revised resolutions from District Counsel Dave Schricker.

District Counsel Dave Schricker stated that the Board should consider the adoption of two resolutions. The first resolution being the resolution of the Montara Water and Sanitary District approving contract documents for AW3(Airport Well #3) rehabilitation project, declaring lowest responsible bidder for said project, accepting bid of said bidder, rejecting all other bids, approving and authorizing execution of agreement for the project and directing return of security deposits upon execution of the project contract by the lowest responsible bidder. The next resolution is the resolution of the Montara Water and Sanitary District acknowledging and authorizing the filing of Notice of Exemption under the California Environmental Quality Act for the AW3 (Airport Well #3) Rehabilitation project. The Board can adopt both of these resolution with the same motion.

Director Wilson asked for comments from the Board and heard none.

Director Slater-Carter moved to adoption the resolution of the Montara Water and Sanitary District approving contract documents for AW3(Airport Well #3) rehabilitation project, declaring lowest responsible bidder for said project, accepting bid of said bidder, rejecting all other bids, approving and authorizing execution of agreement for the project and directing return of security deposits upon execution of the project contract by the lowest responsible bidder, and the resolution of the Montara Water and Sanitary District acknowledging and authorizing the filing of Notice of Exemption under the California Environmental Quality Act for the AW3 (Airport Well #3) Rehabilitation project. Director Boyd seconded the motion. All Directors were in favor and the motions passed unanimously 5 – 0.

3. Review and Possible Action Concerning Adoption of Appropriations Limit for FY 2018-2019

General Manager Heldmaier announced that this is an annual item, required by the California State Constitution, also referred to as the Gann Appropriations limit. It

places a limit on the amount of proceeds of taxes State and local agencies can appropriate and spend each year.

Last year the appropriations limit was \$2.2 million dollars, and based on different factors and adjustments, the new appropriations limit for this fiscal year is \$2.294 million dollars. MWSD is well below the Gann limit, by 1.8 million dollars. His recommendation is to adopt the resolution of the Montara Water and Sanitary District determining the 2018-2019 Appropriations Limit.

Director Boyd motioned to adopt the resolution of the Montara Water and Sanitary District determining the 2018-2019 Appropriations Limit, and Director Slater-Carter seconded the motion. All Directors were in favor and the motion passed unanimously 5 – 0.

4. Review and Possible Action Concerning Employee Wellness Program.

General Manager Heldmaier said this Wellness Program for full-time employees was introduced to the Board last year. This year, MWSD received another Wellness Grant of \$280 from ACWA/JPIA (Association of California Water Agencies Joint Powers Insurance Authority), and would like to continue the Wellness Program. The District contributes \$25 per month towards a fitness or health facility of the employee's choice, upon proper documentation for expenditure. Last year, the District spent \$675 towards reimbursement to the employees. If all employees were to utilize this program, the annual cost would be \$1,820 dollars. He recommended that the Board authorize up to \$1,820 dollars of District funds for contributions to MWSD full-time employees participation in the Wellness activities of \$25 per month per employee after proof of payment by the employee.

None of the Directors made any comments.

Director Huber made a motion to authorize up to \$1,820 dollars of District funds for contributions to MWSD full time employees participation in the Wellness activities of \$25 per month per employee after proof of payment by the employee. Director Slater-Carter seconded the motion. All Directors were in favor and the motion passed unanimously 5 – 0.

5. Review and Possible Action Concerning Adoption of Ordinance Relating to Sewer Service Charges.

General Manager Heldmaier stated that MWSD recently adopted new sewer service charge rates, and they have recently been changed to reflect a more comprehensive, industry standard format. Previously, the rates were specific to the wet weather months, increased the consumption by a factor of 3 to assume that it is spread over the entire year. Now, MWSD is dividing that sum by 3, in layman's terms, and assessing an annual sewer service charge and not a wet weather

month sewer service charge. However, MWSD still considers the wet weather months as the basis for sewer service charges. Nothing is really changing. However, it does require MWSD to amend the District Code, and District Counsel David Schricker prepared a draft Ordinance of the Montara Water and Sanitary District amending Section 4-2.100 of the Montara Water and Sanitary District Code relating to Sewer service charges. He recommended the Board approve this Ordinance.

Director Slater Carter thanked General Manger Heldmaier for making the changes so that the rates are in industry standard, comprehensive format, making it more transparent. She made a motion to adopt the Ordinance of the Montara Water and Sanitary District amending Section 4-2.100 of the Montara Water and Sanitary District Code relating to Sewer service charges. Director Boyd seconded the motion. All Directors were in favor and the motion passed unanimously 5 – 0.

6. Review and Possible Action Concerning Cancellation of Next Regular Scheduled Meeting September 6, 2018.

General Manager Heldmaier said that the September 6th meeting had already been cancelled, but it is for public notification.

Director Slater-Carter commented that the meeting date was changed due to a mediation meeting scheduled for September 6th.

All the Directors were in agreement.

REPORTS

1. Sewer Authority Mid-Coastside Meeting (Boyd) –

Director Boyd said the audit was presented at the meeting, and there was some concern expressed in the audit—there were some issues that SAM had last year, but they were identified and cleaned up. There was much concern about the depleted SAM reserves—which has been discussed at MWSD in past meetings. He was pleased to report this discussion proved to be constructive as everyone discussed the importance of getting the reserves back on track. He was glad the auditor called it out. This was a tough audit. Some of it was no surprise--there were big financial hits on the spills, fines, and repairs. It is a situation that we need to get better a handle on. It will be a useful tool to gain some consensus around the table that we have to pay for keeping the agency running. The rest of the meeting was in Closed Session.

2. Mid-Coast Community Council Meeting (Slater-Carter) – none

3. CSDA Report (Slater-Carter) – none

3. Attorney's Report (Schricker) –

District Counsel Schricker reported that he is on the ACWA legal committee and they have a committee meeting from time to time when they get requests for support. He will be attending by phone tomorrow morning for a few hours to review a couple of cases on the agenda. One case involves a water system in Maui and other in Stockton or the Central Valley. They are not cases that ACWA is a party to, but the request is to get ACWA institutional support for the position of the water agencies involved.

5. Directors Report – None

6. General Manager’s Report (Heldmaier) – None

Director Harvey was present via teleconference.

FUTURE AGENDAS

ADJOURNMENT

SPECIAL MEETING ENDED at 8:30 P.M.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code § 54956.9(d)(1))

Case Names: *City of Half Moon Bay v. Granada Community Services District, et al.* (Santa Clara County Super, Crt. No. 17CV316927)

Regional Water Quality Control Board v. Sewer Authority Mid –Coastside (ACL Complaint No. R2-2017-1024)

Regional Water Quality Control Board v. Montara Water and Sanitary District (ACL Complaint No. [unspecified])

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Government Code § 54956.9(d)(2))

Significant Exposure to Litigation
Number of cases: 2

REPORT OF ACTION TAKEN IN CLOSED SESSION, IF ANY

ADJOURNMENT

**Director Harvey participated by teleconference in all or a portion of the meeting of the Board, including Closed Session, from the following location:
11940 Rhineland Avenue, Truckee, California 96161**

Respectfully Submitted,

Signed _____
Secretary

Approved on the 4th, October 2018

Signed _____
President

RESOLUTION NO.

RESOLUTION OF THE MONTARA WATER AND SANITARY DISTRICT APPROVING CONTRACT DOCUMENTS FOR AW3 (AIRPORT WELL #3) REHABILITATION PROJECT, DECLARING LOWEST RESPONSIBLE BIDDER FOR SAID PROJECT, ACCEPTING BID OF SAID BIDDER, REJECTING ALL OTHER BIDS, APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT FOR THE PROJECT AND DIRECTING RETURN OF SECURITY DEPOSITS UPON EXECUTION OF THE PROJECT CONTRACT BY THE LOWEST RESPONSIBLE BIDDER

WHEREAS, in response to advertisement for sealed bids, bids were received for the construction of the AW3 (Airport Well #3) Rehabilitation Project ("Project"); and

WHEREAS, the bid of Pump Repair Service Co. of San Francisco, California, is the lowest responsible bid submitted;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MONTARA WATER AND SANITARY DISTRICT, A PUBLIC AGENCY IN THE COUNTY OF SAN MATEO, CALIFORNIA, AS FOLLOWS:

1. Those certain contract documents entitled, "Montara Water and Sanitary District AW3 Rehabilitation Project," a copy of which is on file in the Administrative Offices of the District, are hereby approved, including the design, plans and specifications therefor.

2. The bid of Pump Repair Service Co., Inc. received on August 1, 2018 in the amount of One Hundred Seventy Thousand and Sixty Dollars (\$170,060.00) is hereby accepted and said bidder is hereby declared to be the lowest responsible bidder for the Project.

3. Any and all informalities in the aforementioned bid of Pump Repair Service Co. are hereby waived.

4. The President and Secretary of the Board, Montara Water and Sanitary District, are hereby authorized and directed to execute and to countersign, respectively, that certain agreement for construction of the Project by and between Pump Repair Service Co., Inc. and the Montara Water and Sanitary District, a copy of which agreement is on file in the Administrative Offices of the District, to which copy reference is hereby made for the full particulars thereof.

5. The District Secretary is hereby authorized and directed to return to all unsuccessful bidders the bid security furnished by them, and to return such

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security submitted by Pump Repair Service Co., Inc. to said bidder upon execution of the agreement hereinabove referenced.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

* * * *

I HEREBY CERTIFY that the foregoing Resolution No. ____ was duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, San Mateo County, California, at a meeting thereof held on the 4th day of September, 2018, by the following vote:

AYES, Directors:

NOES, Directors:

ABSENT, Directors:

Secretary, Montara Water and Sanitary District

RESOLUTION NO. _____

**RESOLUTION OF THE MONTARA WATER AND
SANITARY DISTRICT ACKNOWLEDGING AND
AUTHORIZING THE FILING OF NOTICE OF
EXEMPTION UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT FOR THE AW3
(AIRPORT WELL #3) REHABILITATION PROJECT**

**BE IT RESOLVED BY THE BOARD, MONTARA WATER AND
SANITARY DISTRICT, A PUBLIC AGENCY IN THE COUNTY OF SAN
MATEO, CALIFORNIA, AS FOLLOWS:**

This Board hereby finds and declares that the AW3 (Airport Well #3) Rehabilitation Project is categorically exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and Section 15302 of the "State CEQA Guidelines" (14 CCR §15000 et seq.); and the District Secretary is hereby authorized and directed to cause a Notice of Exemption to be filed for said project in the office of the County Recorder, San Mateo County, California.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

* * * *

I HEREBY CERTIFY that the foregoing Resolution No. _____ was duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, San Mateo County, California, at a meeting thereof held on the 4th day of September, 2018, by the following vote:

AYES, Directors:

NOES, Directors:

ABSENT, Directors:

Secretary, Montara Water and Sanitary District