

Humboldt Bay Municipal Water
District 828 7th Street, Eureka



Minutes for Regular Meeting of the Board of
Directors
January 12th, 2023

District Mission

Reliably deliver high-quality drinking water to the communities and customers we serve in the greater Humboldt Bay Area at a reasonable cost. Reliably deliver untreated water to our wholesale industrial customer(s) at a reasonable cost. Protect the long-term water supply and water quality interests of the District in the Mad River watershed.

1. ROLL CALL

President Woo called the meeting to order at 9:00 AM. Directors Fuller, Latt, Lindberg, Rupp, and Woo were present. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris, and Board Secretary Angela Smart were present. District Engineer Nathan Stevens was present for a portion of the meeting. Director Rupp conducted the roll call.

2. FLAG SALUTE

President Woo led the flag salute.

3. ACCEPT AGENDA

The agenda was accepted on motion by Director Rupp, seconded by Director Lindberg, with a Board vote of 5-0.

4. PUBLIC COMMENT

No comments were received.

5. MINUTES

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 4-0 to approve the December 8th, 2022, minutes with the edits suggested. President Latt abstained as he didn't attend the December meeting.

6. CONSENT AGENDA

The Board approved the Consent Agenda on motion by Director Fuller, seconded by Director Lindberg, and voted 5-0 in approval.

7. CORRESPONDENCE

7.1 NCRP Proposition 1 IRWM Round 2 Grant Approval

GM Friedenbach presented the Board with final approval from North Coast Resource Partnership (NCRP) regarding the IRWM funding for the Prop 1 Round 2 grant. The District received \$712,500 in grant funding.

7.2 Letter to Planning Clerk with County of Humboldt P & B Dept RE: Northwind Management LLC

GM Friedenbach sent a letter to the County of Humboldt Planning Department (CHPD) regarding Case# PLN 2021-17447, Parcel Number 401-112-030 assuring them that the District can provide the 384K gallons of potable water annually to the North Wind Management, LLC through the Harbor District meter. The Board decided there would be Board-to-Board communication with the Harbor District regarding their internal water distribution grid.

7.3 R.W. Matthews Dam Emergency Action Plan December 2022 Update

Staff prepared and distributed updated documentation to all 66 plan holders of the District's Emergency Action Plan (EAP).

8. CONTINUING BUSINESS

8.1 Water Resource Planning – Top Tier Water Use Options

a. Local Sales

- i. Nordic Aquafarms -The project continues in the permit challenge process.
- ii. Trinidad Rancheria Mainline Extension. The Rancheria prepared a draft RFQ for engineering services which may be publicly solicited soon.

b. Transport

GM Friedenbach spoke with Peter Kavounas, General Manager of Chino Basin Watermaster, whom he initially met with at the ACWA/JPIA Conference in November. After reviewing the Reconnaissance-Level Pipeline Study, Mr. Kavounas expressed interest in additional information about permitting and planning.

Kelly Lincoln asked about transport to Chino, and the staff/Board answered questions regarding the possibility of transporting water out of Humboldt County, something the District has been looking at under the Water Resources Planning Effort. The Board reiterated the District's priority is ensuring that the transport would only be to another public agency, that the local water supply is plentiful, and that the process of water transportation will be transparent.

c. Instream Flow

The Board suggested the sub-committee discuss the finalization of the draft narrative and submit it to the State Water Resources Control Board (SWRCB). Margaret Tauzer, Hydrologist with National Marine Fishers Service, stated she intended to submit written comments to the District.

8.2 McNamara & Peepe

Director Woo recused herself, citing a conflict of interest. Additional documents were handed out at the meeting consisting of a letter from the Department of Toxic Substances Control (DTSC) to Patrick Murphy, Humboldt Health Care LLC Co., who is the owner of the former McNord Lumber Company. The letter requested a response to the soil testing Preliminary Endangerment Assessment (PEA) performed on May 26th, 2022, under the Standard Voluntary Agreement. It outlined the repercussions of non-compliance.

Jennifer Kalt, Humboldt Baykeeper, stated that she and GM Friedenbach met with a consultant for Patrick's current company Emerald Farms, years ago concerning this site and the extent of likely contamination. President Latt spoke previously with Ms. Kalt regarding a grant program available to private landowners. Ms. Kalt clarified that the money could be used to assess the property but any cleanup can only be done if the owner is a public agency.

The second document was a copy of a letter to DTSC from GM Friedenbach on December 9th, discussed at last month's Board Meeting, which was finalized and sent.

9. NEW BUSINESS

9.1 Officer and Committee Assignments

This item was time set at 9:05 a.m. and occurred between agenda items 3 and 4.

a. Election of officers:

The election/appointment of officers and committee members were approved as follows:

- President: Neal Latt
- Vice-President: Michelle Fuller
- Secretary/Treasurer: J. Bruce Rupp
- Assistant Secretary/Treasurer: David Lindberg

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 to approve the governing body as indicated.

b. Appointment to committees

All appointments will remain the same, except for the addition of David Lindberg, serving as an alternate for the Water Task Force Committee, replacing President Latt.

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 to approve the committee changes as indicated.

9.2 CalOES Resolution for Non-State Agencies – Resolution 2023-01

CalOES requested a resolution updating the governing body post-election through the standard form provided. This resolution would apply to current and future grant funding for a period of 3 years, including FEMA Hazard Mitigation programs.

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 to approve Resolution 2023-01, Designation of Applicant's Agent Resolution for Non-State Agencies.

9.3 **CLOSED SESSION**- this was the last item on the agenda

Public Employee Performance Evaluation for General Manager (pursuant to Section 54957(b)(1).

Closed session was conducted from 2:28 pm to 2:41 pm. The Board returned to open session and Director Woo announced there was no reportable action.

9.4 Diversity, Equity, and Inclusion

The Board has been interested in proactively including Diversity, Equity, and Inclusion (DEI) in District policies and procedures. Staff prepared a memo defining DEI and outlining the Board's possible actions. After discussion, the Board agreed that staff will gather draft resolutions for the Board's consideration, focusing on professional community, recruitment, and vendor selection policies.

9.5 Ruth Lake reforestation project

- a. The Ruth Lake reforestation project is related to CalFire Healthy Forest grant for reforestation at Ruth Lake. The District's consultants, BBW & Associates, prepared the staff memo. Included are the Initial Study CEQA document and Notice of Exemption (NOE) to be filed for the project. This filing includes information regarding a larger footprint than the salvage logging which previously occurred and will extend the CEQA for four more years. The current work is covered until April 2023 under the CEQA completed for the salvage logging.

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 to approve the Ruth Lake reforestation project.

- b. The Board reviewed the CEQA exemptions listed.

On motion by Director Fuller, seconded by Director Rupp, the Board voted 5-0 to adopt the exemptions as listed in the Board Packet and directed the filing of the NOE with Humboldt County and the State Clearinghouse.

10. REPORTS (from STAFF)

10.1 Legal

CLOSED SESSION — Conference with Legal Counsel – Existing Litigation: Initiation of litigation pursuant to paragraph (1) of subdivision (d) of § 54956.9 (Van Duzen) Case # CV2201489

President Latt recused himself, citing a conflict of interest. Closed session was conducted from 1:30-1:43. The Board returned to open session and Director Woo announced there was no reportable action.

10.2 Engineering

- a. 12 kV Switchgear Relocation (\$858,332 District match)

Mr. Stevens provided an update on the project. The equipment for removing the upper breakers in the Switchgear was received, though some of the needed components are still missing. The revised Arc Flash study is now focusing on aspects outside the 12kV project.

- b. Collector 2 Rehabilitation Project

Construction bids advertised on December 21st are due back on January 26th. Once received, the Board will review accepted submissions for responsiveness and references. Mr. Stevens will create a recommendation memo for the February Board Meeting.

- c. Collector Mainline Redundancy Project

This project is the installation of a new redundant pipeline from Essex to the Turbidity Reduction Facility (TRF). The District published a Request for Qualifications (RFQ) with a reply deadline of February 3rd. GM Friedenbach has established a selection committee and will review incoming submissions after the deadline. A special Board Meeting will be required to review and approve a potential bid for a contract.

- d. Essex Onsite Sodium Hypochlorite Generation Project

Contract negotiations are complete with the selected equipment supplier PSI. GM Friedenbach sent a signed acceptance of their proposal for the budgeted amount of \$512K.

- e. Matthews Dam Advance Assistance Seismic Stability Project

Last month the District received an RFI from CalOES, to which GM Friedenbach responded. Mr. Stevens is hoping for a reply back from CalOES soon.

- f. Status report re: other engineering work in progress

Mr. Stevens said there is nothing further to report this month.

10.3 **Financial**

December 2022 Financial Statement & Vendor Detail Report

Ms. Harris advised the Board that the current general account is \$3.8 million, with various investments at \$7.9 million. Funds allocated to specific projects (advanced charges) are currently \$5.7 million. General reserves are at \$2 million.

On a motion by Director Latt, seconded by Director Lindberg, the Board voted 5-0 to accept the December 2022 Financial statement and Vendor detail in the amount of \$392,050.01.

10.4 **Operations**

a. December 2022 Operation Report & Graphs

Mr. Davidsen provided the December 2022 Operational Report. Ruth Hydro produced 247,200 KWh in December. Ruth Lake recorded 18.54" of rain in December. The lake level was 2660.92. The lake discharge averaged 411 cfs, with a high of 6248 cfs on December 31st. The river at Winzler Control Center had an average flow of 9397 cfs, with a high of 33,900 cfs on December 31st. HazWoper training was held on December 1st and the monthly safety meeting was held on December 15th. A 6.4 Earthquake happened on December 20th. Staff inspected all facilities and made repairs as required.

b. Storm Damage

On January 4th, Essex lost power due to the extreme weather that Humboldt County experienced as staff prepared to backwash two filters. The on-site 100kW generator runs all electrical loads except for the backwash cycle. Operating staff had two generators delivered successfully by 3:30 PM that afternoon and ran a successful backwash cycle at 7:30 PM. The river rose again, and because of the staff's quick and efficient actions, the District avoided having to issue a boil water notification and the systems were functioning properly.

10.5 **Management**

a. Draft letter from RLCSD; RE: Master Lease Extension

GM Friedenbach presented a draft letter from the RLCSD that will be discussed at their Board Meeting on Tuesday, January 10th. GM Friedenbach asked for questions or concerns regarding the content so he can submit responses before their February Board Meeting. President Latt spoke briefly about terms in the Master Lease that protect the District's input in the content of the Sublease.

b. Presentation to employee.

Angela Smart, the new Executive Assistant / Board Secretary, was presented with a District jacket, as is the custom for welcoming new employees to the Humboldt Bay Municipal Water District.

c. RLCSD draft Sublease

The ten-year term of the RCLSD Leaseholders Sublease is nearing its end this spring, 2023. Last month, GM Friedenbach presented a draft letter to the Board regarding penalty provisions suggested for the Sublease. The letter was finalized and sent to RCLSD for discussion at the January Board Meeting. GM Friedenbach asked for feedback to present to the RLCSD Board in February, along with the input for the Master Lease. The Subleases must be signed by the tenants and returned before the term begins this coming May, requiring a finalized document in March.

11. DIRECTOR REPORTS & DISCUSSION

11.1 General - comments or reports from Directors

The regular May Board Meeting date on the 11th conflicts with the ACWA Conference.

The Board agreed to move the Board Meeting to May 18th.

On motion by Director Rupp, seconded by Director Fuller, the Board voted 5-0 to approve the Board meeting date change to May 18th.

11.2 ACWA

a. Director report out, if any

Director Rupp reported he will be attending ACWA's Board meeting on January 29th.

b. CAFWA (California Forest Watershed Alliance) letter to Governor Newsom

GM Friedenbach received a coalition letter from CAFWA, through the ACWA Headwaters Committee, regarding the California State budget. The letter reiterated the intent to keep money in the budget for Forestry management, particularly for watersheds where Municipal water agencies operate.

11.3 ACWA – JPIA

Director report out, if any

Director Rupp announced the Executive Committee elections in May, which will require a Resolution from the District to nominate Director Rupp. Director Rupp mentioned Fred Bockmiller may be requesting a concurring resolution from our District for Fred's separate nomination to the Executive Committee. Both resolutions will be considered at the February board meeting.

11.4 Organizations on which HBMWD Serves

a. RCEA Board of Directors report out

Director Woo spoke briefly regarding the creation of an entity that may take over the distribution and transmission of the local energy grid. Further discussion between our Board members suggested that this is a common practice in Redding, Palo Alto, Alameda, and Santa Clara.

b. RREDC

The December meeting was canceled, so there was no report

ADJOURNMENT

The meeting adjourned at 2:42 pm

Attest:


Neal Latt, President


J. Bruce Rupp, Secretary/Treasurer