



HUMBOLDT BAY MUNICIPAL WATER DISTRICT
828 7th Street, Eureka



Minutes for Meeting of Board of Directors
October 10, 2019

A. ROLL CALL

President Woo called the meeting to order at 9:00 am. Director Rupp conducted the roll call. Directors Fuller, Hecathorn, Latt, Rupp and Woo were present. Superintendent Dale Davidsen and Board Secretary Sherrie Sobol were also present. Samantha Ryan, Regulatory Analyst and Pat Kaspari of GHD were present for a portion of the meeting.

B. FLAG SALUTE

President Woo led the flag salute.

C. ACCEPT AGENDA

President Woo stated since the General Manager and Business Manager are not able to attend the meeting, Items H2-3, J2 and K1-2 will be continued and adjourned to the next regular November Board meeting. On motion by Director Hecathorn, seconded by Director Latt, the Board voted 5-0 accept the agenda as modified.

D. MINUTES

Director Fuller requested some clarification in the Water Resource Planning section of Continuing Business and President Woo requested a correction. On motion by Director Fuller, seconded by Director Latt, the Board voted 5-0 to approve the Minutes of September 19, 2019 Regular Meeting as amended.

E. PUBLIC COMMENT

Ms. Elaine Weinreb addressed the Board. She stated she has great respect for Board however, she does have issues with how Board handles closed sessions. Most boards have their closed sessions at the beginning or end of their meetings. HBMWD holds their closed sessions in the middle of the meetings and she believes this is not only rude but a violation of the Brown Act as well. She stated if she sees another agenda with a closed session in the middle of the meeting schedule, she will file a formal complaint.

Mr. Richard Marks addressed the Board. He stated that not only does he serve on the NCRA and Harbor Commission but he is now the Northern Regional Compliance Manager of the Construction Industry Force Account Council (CIFAC). They work to ensure that state and local governments are in compliance with the Public Contract Code. He was here to introduce himself in this new capacity and he shared his business cards with the Board and staff.

F. CONSENT AGENDA

President Woo requested Page 25, the article on the Klamath River having the legal rights of a person be pulled. She stated that when she previously did a talk at the Humboldt Bay symposium on dedicating a portion of portion of the District's water rights to instream flow, she was asked if the District was trying to get personhood rights for the Mad River. She stated she was caught off guard by the question but now understands where it was coming from. On motion by Director Fuller, seconded by Director Hecathorn, the Board voted 5-0 to approve the Consent Agenda.

G. CORRESPONDENCE

District letter to Humboldt County Planning re: Hemp Cultivation Ordinance

Mr. Davidsen shared the District's letter to the Planning Commission regarding the Hemp Ordinance. The District requested the addition of the verbiage to include the words "drinking water supplies" be added to the Ordinance Section 55.5.2. Director Rupp requested staff follow up on this.



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District letter to Humboldt County Planning Commission re: Mad River as a Critical Municipal Water Supply Area

The District submitted a letter to the Planning Commission requesting the designation of the Mad River Watershed as a Critical Municipal Water Supply Area. Mr. Davidsen reported the District has not yet received any response to the request. Staff will follow up regarding next steps.

H. CONTINUING BUSINESS

1. Water Resource Planning

Mr. Davidsen shared that the Nordic Aquafarms board in Norway has not yet made a decision regarding the Humboldt County facility. There are no other updates.

2. Cannabis affecting Mad River Watershed

This item was continued and adjourned to the next regular November Board meeting.

3. **CLOSED SESSION:** Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (2 cases)

This item was continued and adjourned to the next regular November Board meeting.

4. Samoa Peninsula Vault Art

President Woo acknowledged and thanked the artists who were present. She stated that after the resolutions are read and Board action is taken, she will request the artists come up to the dais to accept their resolution and take a photograph. Director Rupp read Resolutions 2019-9 and 2019-11 through 2019-18 Expressing Appreciation for the Peninsula Vault Artwork Beautification. The Board voted 5-0 by roll call vote to approve all the resolutions. Patricia Sennott, Charli Murphy and Ben Goulart were present to accept their resolutions. The Board thanked them for their beautification artwork and noted the unique challenges they faced with sand dunes and the vaults as a cylindrical canvas.

5. Ordinance 22

Earlier this year, the Board approved Ordinance 22 which provided terms and conditions for public access to the Mad River via the District owned property for recreational purposes. The Board also directed staff to review and suggest any recommended changes to the ordinance in six months. The Board waived the full reading of the ordinance and Mr. Davidsen reviewed the suggested edits to four sections. Most of the changes just clarified that the lands being referred to are unimproved lands. The big change is that horses are now permitted on District lands. Originally, in Ordinance 22 horses were not permitted. The Board concurred with the suggested edits and requested staff move the process forward to incorporate the changes and update Ordinance 22.

I. NEW BUSINESS

ICS Memo

Mr. Davidsen and Ms. Ryan discussed the ICS structure for the R.W. Matthews Dam Emergency Action Plan (EAP) and the recommended training levels required. Ms. Ryan stated the basic awareness courses such as ICS 100, 700 and SEMS G606 for example are available online. Directors inquired if the basic level courses were available in person as well and staff stated they would check into it.

2018 Water Loss Audit

Mr. Davidsen stated the water loss audit is a very time-consuming report that is a regulatory requirement. Ms. Ryan prepared the Water Loss Audit and Ms. Harris conducted the Certified Water Loss Audit Validation Report. Ms. Harris also did the validation for the City of Arcata and Eureka, McKinleyville CSD, Humboldt Community Services District. The Board asked several questions including any benefits



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gained from the report. Ms. Ryan stated the reporting format is not set up very well for wholesalers and as such does not provide as much benefit as some of the municipal customers might get from the report. The report does show there is some water loss but overall the District is doing well. Mr. Davidsen added the water loss shows that calibrations are needed but that does not affect how he runs operations.

J. **REPORTS (from Staff)**

1. **Engineering**

12kV Switchgear Replacement (\$441,750 District Match)

Mr. Kaspari reviewed the proposed schedule. He is hoping to release the project for bid on November 5. Traditionally, staff has brought full bid package to the Board before going out to bid. The timing of this would require a special meeting. Director Rupp recalled the Board authorized staff to go to bid without requiring Board approval. Mr. Kaspari confirmed this but added he wanted to bring it up given the cost of the District match. Director Rupp stated he appreciates Mr. Kaspari's diligence and trusts him. He does not feel that a special meeting is needed. The Board concurred no special meeting is necessary and the project should go to bid per policy.

Collector 4 Emergency Work

Mr. Kaspari shared photos of the emergency work project. The portion of the project they are able to work on at this time is complete and the exposed pipeline has been covered. Additional work is needed but staff needs to wait for the water levels in the river to drop. The remainder of the work will have to occur later.

Collector Mainline Redundancy Hazard Mitigation Grant (\$790,570 District Match)

Nothing to report.

Reservoir Structural Retrofit Hazard Mitigation Grant (\$914,250 District Match)

Mr. Kaspari stated he is hoping the environmental work starts soon, but he has not received any updates.

Matthews Dam Spillway Analysis Pre-Disaster Mitigation Grant (\$1,666,667 District Match)

Mr. Kaspari stated the District did not receive a Hazard Mitigation Grant (HMG) as previously reported however, there is an opportunity to apply for a Pre-Disaster Mitigation Grant (PDMG). The PDMG is a nation-wide grant opportunity versus the statewide Hazard Mitigation grant. Costs to put together the application is roughly \$3,000. He noted that the District has submitted three PDMG applications in the past and none of them have been funded. He inquired if the Board still wants to move forward with the application. After brief discussion, the Board consensus was not to apply for the PDMG and wait to apply during the next round of HMG funding opportunities.

TRF Generator Hazard Mitigation Grant (\$460,431 District Match)

Mr. Kaspari stated there is no news on this grant. He noted that as part of this project, a new 10,000-gallon fuel tank is included along with the new generator. This could be useful in the event of the another of PSPS since the TRF runs in the winter months and this would not be a conflict.

Other items

Mr. Kaspari reminded the Board about the invitation to the GHD Open House on October 23rd. He stated he hopes they all can attend.



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2. Financial

This item was continued and adjourned to the next regular November Board meeting.

3. Operations

Mr. Davidsen provided the October Operational Report. Mr. Raschein has officially begun training for the Ruth Hydro Operator/Ruth Representative position and he is doing well. Staff replaced the mainline valve on the 1 MG reservoir and all went well. Staff are also prepping for the TRF start-up. Maintenance completed the 90-day BIT inspections for the commercial fleet vehicles. Two staff from Essex took their Treatment exam in Redding and felt they did well on the test. Mr. Davidsen stated Ruth rainfall for the water year hit eighty inches and the lake was approximately two-feet above normal. Director Latt noted that Ruth tends to receive about sixty percent more rainfall than Eureka.

K. MANAGEMENT

1. CSDA

This item was continued and adjourned to the next regular November Board meeting.

2. Dunes Retreat

This item was continued and adjourned to the next regular November Board meeting.

3. Water Task Force meeting

The Water Task Force is a ad hoc ad advisory group whose purpose is to work with HBMWD to consider and/or evaluate matters of regional and significant nature within HBMWD's jurisdiction. The task force is advisory in nature and has no decision-making authority.

In 2018, the task force requested to meet two times per year. The 2019 spring meeting was cancelled due to lack of response to meeting requests. The response to the 2019 fall meeting was a little better but still minimal after multiple email efforts, with four people able to attend on any one of the suggested dates. Ms. Sobol inquired how the Board wished to proceed and what additional level of effort, if any should be invested into scheduling the meeting. Director Latt noted that the Water Task Force requires five for a quorum and currently there is no quorum. The Board held a brief discussion and directed Ms. Sobol to cancel the fall Water Task Force meeting. The Board concurred that due to lack of response and staff time and effort being put in, the Water Task Force meetings will occur as needed to consider and/or evaluate matters of regional and significant nature within HBMWD's jurisdiction in conformance with the purpose of the task force.

L. DIRECTOR REPORTS & DISCUSSION

1. General -comments or reports from Directors

No comments were received.

2. ACWA

Region 1 Board Election Results

The Board congratulated Director Rupp on being elected to the Region 1 Board. Director Rupp thanked the Board for their support.

Public Safety Power Shutoffs (PSPS) Conference Call

ACWA hosted a PSPS Lessons Learned conference call. Mr. Davidsen stated he and Mr. Friedenbach participated on the call. He took notes based on other people's experiences but now he has his own!



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Mr. Davidsen stated when the PSPS occurred and power went out at Essex, the generator kicked in, the District's 12kV grid fed the system and it worked flawlessly. In regards to communication, there were some issues since the internet was down and staff could not see water levels at Fieldbrook for that system which we manage for FGCSD. This was not super critical as staff was able to go and manually check tank levels. Overall, the shutdown was a challenge, but the District met the challenge, and he is happy with the results.

3. ACWA – JPIA

Nothing to report.

4. Organizations on which HBMWD Serves: RCEA, RREDC

President Woo stated RCEA has been conducting lots of public outreach for the CAPE document. She also spoke with Executive Director Matthew Marshall about doing a presentation to our Board and he said he would be happy to do so. Director Hecathorn attended the RCEA meeting and stated it was a short meeting. Tesla solar panels are being installed at California Redwood Coast Humboldt County Airport.

Director Latt attended the RREDC meeting. The program was a presentation by the Humboldt Bay Housing Development Corporation. They are expanding to become a regional housing corporation to cover six counties. They are currently looking to fund homeless housing developments as well.

ADJOURNMENT

The meeting adjourned at 11:58 a.m.

Attest:

Sheri Woo, President

J. Bruce Rupp, Secretary/Treasurer

