

**Humboldt Bay Municipal Water District  
828 7<sup>th</sup> Street, Eureka**



**Minutes for Regular Meeting of the Board of Directors  
December 9, 2021  
Meeting Start Time: 9:00 am**

**DUE TO COVID-19 THE DISTRICT WILL BE HOLDING THE MEETING VIA ZOOM**

**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.*

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<b>Time Set Items:</b>	<b>9.1 Operations Supervisor Presentation</b>	<b>9:15 am</b>
	<b>8.1a WRP-Local Sales</b>	<b>10:00 am</b>
	<b>8.3 Public Hearing – Ordinance 23</b>	<b>10:30 am</b>
	<b>10.1 Engineering</b>	<b>11:00 am</b>
	<b>10.2b FY 2019-20 Regular Audit Report</b>	<b>11:30 am</b>

**1. ROLL CALL**

President Woo called the meeting to order at 9:01 am. Director Rupp conducted the roll call. Directors Fuller, Latt, Lindberg, Rupp, and Woo were present. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris, Tech Manager Dee Dee Simpson, and Board Secretary Fiona Wilson were present. Operations Supervisor Mario Palmero was present for a portion of the meeting. Nathan Stevens of GHD, Jacque Hostler-Carmesin of the Trinidad Rancheria, and Dr. Jo Archibald of Humboldt State University were present for a portion of the meeting.

**2. FLAG SALUTE**

President Woo led the flag salute.

**3. ACCEPT AGENDA**

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to accept the agenda.

**4. PUBLIC COMMENT**

There was no public comment.

**5. MINUTES**

**5.1 Minutes of the November 12, 2021 Regular Meeting**

In Section 8.3, Director Latt proposed the following change: “The Board discussed District concerns with Arcata’s Environmental Services Director Emily Sinkhorn regarding easements on other parcels that have been denied by the city,” will be changed to “The Board discussed District concerns with Arcata’s Environmental Services Director Emily Sinkhorn regarding easements for our transmission lines whose scope has been challenged by the city.” On motion by Director Lindberg, seconded by Director Latt, the Board voted 5-0 by roll call vote to accept the agenda.

## **6. CONSENT AGENDA.**

### **6.1 Media articles of local/water interest**

Director Rupp pulled Section 6, Page 5 for discussion. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to approve the Consent Agenda with the removal of Section 6, Page 5.

### **6.2 Section 6, Page 5**

Director Rupp acknowledged Director Fuller's prominent role in the Powers Creek restoration project. On motion by Director Rupp, seconded by Director Fuller, the Board voted 5-0 by roll call to approve Section 6, Page 5 of the Consent Agenda.

## **7. CORRESPONDENCE**

### **7.1 Division of Safety of Dams (DSOD) request for work plan**

GM Friedenbach introduced DSOD's request for a work plan to address spillway movements and the potential for backflow through drain system outlets. Regarding spillway movements, the District has proposed the preparation of a detailed crack map of the spillway slab and walls, and changes to survey methods and installation of tilt meters if necessary. Changes to survey methods could cause fluctuations in survey data of less than 0.5 inch. GEI is confident that Points West is using current data and state of the art equipment, and will provide a detailed report on their methodology. Regarding slab drains, the District has proposed dye tests on the subdrains and installation of drain slab plugs if necessary. Additionally, the DSOD proposed a 2D hydraulic model to evaluate possible backflow through the drain risers. GEI would prefer a 3D hydraulic model and will obtain quotes. The anticipated cost for the crack map, 3D model, and testing could be \$110,000.

### **7.2 HSU Environmental Resources Engineering capstone project letter**

GM Friedenbach introduced Dr. Jo Archibald, who explained her interest in capstone hydrology projects for Humboldt State seniors. Specifically, the university is seeking research and design projects with deliverables. She emphasized that the projects must include a design element. The Board proposed the following project ideas:

- 2D hydraulic model of R.W. Matthews Dam spillway
- Erosion and sedimentation caused by August Complex fire
- Instream flow availability in low-flow season vs. annually
- Industrial pipeline along Samoa peninsula
- Station 6 flow weir
- Samoa dunes infrastructure and environment
- Trinity County solar project
- 2029 water rights renewal
- Logging and debris flow at Ruth Lake

GM Friedenbach noted that the revised design for the Station 6 flow weir will be an \$80,000 project, and students could reduce the cost to ratepayers. Staff will compile the list of projects and evaluate projects before following up with Dr. Archibald. The Board expressed its appreciation of Dr. Archibald's interest and is pleased to provide the opportunity for students.

## **8. CONTINUING BUSINESS**

8.1 Water Resource Planning - General Manager Friedenbach provided a status report on water use options under consideration below.

a. Local Sales

i. Nordic Aquafarms update

Nordic is moving forward with permitting and the EIR document.

ii. Trinidad Rancheria Mainline Extension

On December 8, GM Friedenbach and District Counsel Plotz reviewed the agreement with Rancheria staff and are working to finalize the language. The final draft is scheduled to go to the Rancheria for approval on December 16, and will be presented for review at the January 13 Board meeting. Director Rupp will not be present at the January meeting. Rancheria CEO Jacque Hostler-Carmesin thanked the District GM and Counsel for their work and is confident that it will be ready to move through Tribal Council the week of December 16.

b. Transport

There was nothing to report.

c. Instream Flow

The Instream Flow Committee will meet on the morning of December 10.

8.2 In-person Board Meetings

The District is required to reaffirm the circumstances that qualify this act every 30 days. The January, April, and July meetings in 2022 fall outside that 30-day requirement and will require special meetings to approve.

a. In-person

Business Manager Harris presented the current health orders, mandates, and requirements directly impacting in-person meetings: masks, social distancing, disinfection, ventilation, and general public attendance. Board Room capacity would be reduced from 49 to 13, with space for only four members of the public. In-person meetings would have to be hybrid to ensure all members of the public would be able to attend. The Board discussed the unanimous desire to return to in-person meetings as soon as it becomes feasible.

b. Not In-person: Resolution 2021-22 - Extension of AB 361

The District is required to reaffirm the circumstances that qualify this act every 30 days. The January, April, and July meetings in 2022 fall outside that 30-day requirement and will require special meetings to approve, if desired. The Board will need to hold a brief special meeting on January 4, 2022 to renew the extension until the January 13 Board meeting. On motion by Director Rupp, seconded by Director Latt, the Board voted 5-0 by roll call vote to approve Resolution 2021-22.

8.3 Public Hearing of Ordinance 23 – Water Theft Penalties

Business Manager Chris Harris introduced the Ordinance, and clarified that the Ordinance applies to theft from District owned facilities which includes the reservoir but not the Mad River. The rates for the penalties were established by state legislation. President Woo opened the public hearing on Ordinance 23. There were no public comments on the Ordinance. President Woo closed the public hearing. Director Rupp read the Ordinance. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to approve Ordinance 23. The Ordinance will go into effect on January 8, 2022.

#### 8.4 Ruth Lake Emergency Declaration

PG&E and Trinity County Roads are removing debris. The District has received permitting for slash pile burning. GM Friedenbach will notify the leaseholders' association of upcoming burn days.

#### 8.5 Boldway real property lot line

The Boldways have verbally requested a lot line adjustment and the District is awaiting their written proposal. No representative attended the meeting so the item was carried forward to the next meeting.

#### 8.6 USGS Lidar

\$3.5 million in grant funding has been approved by the USGS for the NCRP lidar proposal. The District will match up to \$10,000 this year and \$10,000 next year, since the entire Mad River watershed is included in the lidar project. The project will identify various types of lidar derived products which could be useful for the administration of CalFire forest health grants and other Ruth reservoir management projects.

#### 8.7 Closed Session - Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (DTSC)

President Woo recused herself due to a remote potential conflict at 2:11 pm. Vice President Latt conducted the remainder of the meeting. The Board came out of closed session at 2:28 pm with no action to report.

### 9. **NEW BUSINESS**

#### 9.1 Operations Supervisor Presentation – GIS (Geographic Information System)

Mario Palmero provided a PowerPoint presentation of the District GIS system and functions: ARC MAP is used to create, edit, and explore datasets; ARC Catalog stores and maintains geospatial data; and ARCGIS Online is a cloud-based mapping solution. The system can be used to map the spillway to define, map, and monitor individual crack repairs. The system can also be used to identify and analyze customers affected by shutoffs, check rights-of-way, or review severity of burned areas at Ruth Lake. Integrity of the data is important, so users must have a license for ARCMAP. The Assistant Water Operations Supervisor and Water Operations Specialist at Essex are currently learning the system. The Regulatory Analyst at the main office will be trained to use the system as well. Staff will develop a map of the Directors' district boundaries and divisions.

#### 9.2 Status of Peninsula CSD

This item was tabled to the January meeting, as no representative from the Peninsula CSD was present.

#### 9.3 Resolution 2021-23 Urban and Multibenefit Drought Grant Application

GM Friedenbach introduced the Resolution to apply for grant funding to complete rehabilitation of Collector 4's laterals, pumps, motors, and electrical system. On motion by Director Lindberg, seconded by Director Rupp, the Board voted 5-0 by roll call vote to approve Resolution 2021-23.

#### 9.4 January Board Elections

Staff will send committee assignments to the Board for their review prior to the January meeting. Committee assignments and offices except the Board President may be modified as desired by the Directors.

## 10. REPORTS (from Staff)

10.1 Engineering- District engineer Nathan Stevens provided updates on the projects listed below.

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

The switchgear building is in place and installation is underway. Staff are working with PG&E to schedule installation of the meter. Completion of the project is estimated for early May. Staff will request a grant extension from CalOES if necessary.

i. Grant Budget Increase Request Letter

The District submitted a formal request for \$410,000 of additional funding that is now available.

ii. Sequoia Construction November Pay Request

The \$1.2 million pay request includes expenditures for the IPA building, access road, metering, breakers, feeders, battery, and testing.

iii. Change Order #6 (Feeder #5 and extra dig out)

The change order includes \$12,496.61 to replace cables between Feeder #5 and Pole #2, and \$2,798.31 for railroad grade improvements. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to approve the change order in the amount of \$15,294.92. GM Friedenbach recognized the District engineer's thorough review of change orders.

b. R.W. Matthews Dam & Spillway Seismic Stability Analysis and Design HMGP (\$510,988 match)

CalOES has forwarded the project application to FEMA. Historically, FEMA has approved applications that were approved by CalOES.

c. Reservoirs Seismic Retrofit Project (\$1,435,173 match)

The District submitted a formal request for \$2,083,690 of additional funding that is now available. Supply chain delays have caused inflation of an estimated 10-15%.

d. Collector 2 Rehabilitation Project

Project bid specs were finalized and went to bid on November 30, deadline is January 21, 2022. Staff anticipate bringing a recommendation to the Board in February.

e. Status report re: other engineering work in progress

Nothing to report.

## 10.2 Financial

a. November 2021 Financial Statement & Vendor Detail Report

Business Manager Harris presented the November 2021 financial statement & vendor detail report. Director Latt reviewed the bills for the month. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to approve the Financial Report and payment of bills in the amount of \$392,334.52.

b. FY 2019-20 Regular Audit Report

Business Manager Harris introduced the Regular Audit Report. No single audit was required for FY 2019-20. The audit was delayed by Covid-19 and the August Complex fire but the District will not be

negatively impacted. There were no audit findings and the District received a “clean opinion.” Staff will bring additional OPEB information to the March Board meeting. The Audit Committee reviewed the Report and recommended approval to the Board. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to approve the Audit Report.

### 10.3 Operations

a. Monthly report on projects and operations

The Board discussed the November Operations report that was included in the Board packet as presented by Superintendent Davidsen.

b. Ford F-250 surplus request

A previously surplus vehicle was put back into the fleet for temporary use. On motion by Director Rupp, seconded by Director Latt, the Board voted 5-0 by roll call vote to surplus the 2004 Ford F-250.

## 11. MANAGEMENT

### 11.1 ACWA New Water System Approval Fact Sheet

GM Friedenbach provided the fact sheet with information about legal requirements for water systems.

### 11.2 ACWA Response to Draft Cap-and-Trade Auction Investment Plan

GM Friedenbach introduced the ACWA letter to CARB regarding fleet electrification. The District has until 2027 to begin electrifying the fleet. Light-duty pickups are currently on the market, but heavy-duty vehicles that could meet District needs are not yet readily available and are very costly.

### 11.3 NSDC Letters of Support for SB 3092 and SB 3093

GM Friedenbach introduced the letters of support for legislation that would increase FEMA funding to low-income districts and improve FEMA’s approach to wildfire response.

### 11.4 CSDA 2022 Board Member Resources

Staff will send training due dates to Directors and register them for trainings as schedules allow.

### 11.5 ACWA Fall Conference

GM Friedenbach provided a report on the following JPIA and ACWA sessions: JPIA Keynote Speaker Andy Sells, Seven Decades of Medicare, Success in Succession Planning, ACWA Communications Committee, Energy Committee, Headwaters Wildfire Roundtable Discussion, NASA and Water 2021, and Cybersecurity in Water Systems. GM Friedenbach conveyed his appreciation to the Board for the opportunity to attend the conference.

## 12. DIRECTOR REPORTS & DISCUSSION

### 12.1 General - comments or reports from Directors

The Board requested consent articles prior to assembly of the Board packet.

### 12.2 ACWA

a. Region Chair Orientation and Board Meeting

Director Rupp will become Region 1 chair effective January 1, 2022.

b. ACWA Fall Conference

Director Rupp provided a report on the following JPIA and ACWA sessions: Benefits of JPIA,

Executive Committee, Seven Decades of Medicare, Finance Committee, Membership Committee, Section 115 Trust for Unfunded Pension Liability, Down to a Trickle – Successive Years of Shortage, Headwaters Wildfire Roundtable Discussion, and NASA and Water 2021. At dinner with newly elected President Pam Tobin and Vice President Kathy Green, Green expressed her appreciation for the letter of support. For the first time in ACWA history, both positions are held by women. Director Rupp noted that with the exception of District per diem, ACWA-JPIA paid for his attendance at the conference.

12.3 ACWA – JPIA

There was nothing additionally to report.

12.4 Organizations on which HBMWD Serves

a. RCEA News and Updates

The Harbor District's RFQ for a heavy lift terminal has been released. Bids for the offshore wind farm auction will open in the fall of 2022. RCEA will likely have corporate competition, but if RCEA wins the auction, the community will have a stake in the generation.

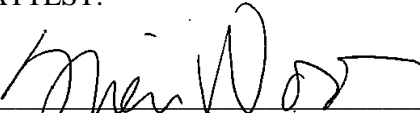
b. RREDC

The November meeting was canceled.

**ADJOURNMENT**

Vice President Latt adjourned the meeting at 2:29 pm.

ATTEST:

  
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Sheri Woo, President

  
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Michelle Fuller, Assistant Secretary/Treasurer