

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



**Minutes for Regular Meeting of the Board of Directors  
November 14, 2024  
9:00 am**

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**1. ROLL CALL**

President Fuller called the meeting to order at 9:00 am. Director Rupp conducted the roll call. Directors Fuller, Lindberg, Rupp, Wheeler, and Woo were present. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris, and Board Secretary Contessa Dickson were present. Engineer Nate Stevens was present for a portion of the meeting.

**2. FLAG SALUTE**

President Fuller led the flag salute.

**3. ACCEPT AGENDA**

**ACTION: Motion to accept Agenda**

**Maker: Director Lindberg Second: Director Woo Vote: 5-0 to approve**

**4. PUBLIC COMMENT**

No public comment was received.

**5. MINUTES**

a. September 27, 2024, Special Joint Board Meeting with RLCSD Minutes

**ACTION: Motion to approve September 27, 2024, Special Joint Board meeting minutes**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

b. October 10, 2024, Regular Board Meeting Minutes

**ACTION: Motion to approve October 10, 2024, Regular Board meeting minutes**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve with edit**

Director Lindberg noted the title of item 9.b should say Department in place of Dam.

c. October 18, 2024, Special Board Meeting Minutes

**ACTION: Motion to approve October 18, 2024, Special Board meeting minutes**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

**6. CONSENT AGENDA**

**ACTION: Motion to approve Consent Agenda**

**Maker: Director Lindberg Second: Director Woo Vote: 5-0 to approve**

**7. CORRESPONDENCE**

a. Arcata Land Company demand letter

**Non Action item**

Mr. Friedenbach gave a brief overview of the easement between the District and Arcata Land Company. When out surveying the easement staff found multiple greenhouses that were built over the District's transmission pipelines. Notice of encroachment was sent with no response as of the day of this Board meeting.

**8. CONTINUING BUSINESS**

a. GM recruitment-pursuant to Government Code- GOV § 54957

Closed session was conducted from 1:31 pm to 2:42 pm. The Board returned to open session. President

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Fuller announced there was no reportable action.

b. 457 Plan Document Amendment

**ACTION:** Move to authorize submittal of the HBMWD 457 plan

**Maker:** Director Woo **Second:** Director Lindberg **Vote:** 5-0 to approve

Mr. Friedenbach outlined the 457 deferred compensation plan which was initially presented to the Board during the September meeting. Staff recommends the Board authorize to submit the HBMWD 457 plan amendment request to Corebridge Financial to allow for the group transfer of the individual employee accounts from Corebridge to another financial custodian if approved to do so.

8.1 Water Resource Planning (WRP)

**Non Action item**

The District received Notice of Acceptance of the Petitions for Change and Instream Flow dedication for water right permits 11714 and 11715 from The Water Board. The District WRP committee, counsel and staff met with Water Board staff to review their request for additional information.

8.2 McNamara & Peepe

Director Woo recused herself due to a conflict of interest.

a. Status update

i. October monthly summary and quarterly report

**Non Action item**

DTSC is still processing test results from February, District staff continues to wait for those results. An updated report concerning recent groundwater sampling was posted to Envirostor just prior to the board meeting. The next quarterly meeting is scheduled for January 2025.

b. Site maps & historical sampling results

**Non Action item**

These are included for informational purposes.

9. NEW BUSINESS

a. RLCSD Policy 6000.546 & 6000.544 revision

**ACTION:** Approve RLCSD Policy 6000.546 & 6000.544 revision

**Maker:** Director Lindberg **Second:** Director Woo **Vote:** 5-0 to approve

RLCSD is requesting the approval of modifications to policies 6000.546 & 6000.544 - Recreational Lease Site Standards. Historically, the use of signs on these properties was prohibited; however, RLCSD now seeks to permit signage exclusively purchased from RLCSD. They will provide two versions of no trespassing signs: one specifically designed for docks and another applicable to all other forms of entry.

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**b. FERC Part 12D-Comprehensive Assessment**

**ACTION: Approve entering in to contract in the amount of \$538,621 with Gannett Fleming to perform the FERC Part 12D-Comprehensive Assessment**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

Drew Kennedy and Liz Landowski with Gannett Fleming attended via Zoom for this agenda item. One of the FERC dam safety requirements is an independent consultant review of the dam construction, operating history, and maintenance every 5 years. There are numerous new requirements for these inspections. Staff recommends authorization to enter into contract in the amount of \$538,621 with Gannett Fleming to perform the FERC part 12D-comprehensive assessment for the R.W. Mathews Dam to be submitted to FERC by November 1, 2026. The Board asked several questions, and an in-depth discussion followed.

**c. CSDA Bylaw amendment and voting authority**

**ACTION: Approval of delegation to the General Manger CSDA Bylaw amendment and voting authority**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

The District is a member of the California Special District Association (CSDA) as well as a charter member of the Humboldt CSDA chapter. The last CSDA bylaw updates were enacted in 2021. The Board chose to delegate to the general manager to vote on their behalf.

**d. Trinity County Zoning Change to Ruth Lake Buffer Strip**

**Non Action item**

Mr. Friedenbach attended the RLCSD Board Meeting on November 12<sup>th</sup>, he reported on the meeting and detailed the proposed zoning Special Utility District (SUD) changes to the Ruth Lake buffer strip with his suggested edits.

**10. REPORTS (from STAFF)**

**10.1 Engineering –**

**a. Samoa Peninsula Waterline Right-of-Way Maintenance Project EIR**

**Non Action item**

Staff still progress in talks with potential mitigation partners.

**b. Reservoirs Seismic Retrofit Project**

**i. Samoa Tank Change Order 1**

**ACTION: Approve Samoa Tank Change Order in the amount of \$30,000 plus or minus 10%, the final number to be approved by the general manager**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

Paso Robles Tank is proposing to change the foundation design on the Samoa 1-million-gallon reservoir at an anticipated \$80,000 cost saving for the District. They are requesting an extra \$50,000 to construct a stronger roof for seismic stability with a difference of \$30,000.

**ii. Korblex Tank Change Order 1**

**ACTION: Approve Korblex Tank Change Order 1 plus or minus 10%, the final number to be approved by the general manager**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

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Paso Robles Tank is proposing to change the foundation design on the Korplex 1-million-gallon reservoir at an anticipated \$75,000 cost saving to the District.

c. Essex Onsite Sodium Hypochlorite Generation Project

**Non Action item**

i. Bid Award Recommendation

**ACTION: Approve bid award recommendation to Sequoia Construction Specialties in the amount of \$494,811**

**Maker: Director Lindberg Second: Director Rupp Vote: 5-0 to approve**

The District received four bids for the Onsite Sodium Hypochlorite Generation Project. Sequoia Construction Specialties is the low bid and has been found to be responsive and responsible.

d. Collector Mainline Redundancy

**Non Action item**

This project is still in FEMA's environmental review. District staff had a meeting with Cal OES the day before this meeting regarding this project.

e. TRF Generator

**Non Action item**

Staff anticipates to receive 100% designs from PACE Engineering soon.

f. Matthews Dam Advance Assistance Seismic Stability Project

**Non Action item**

District staff received notice of sub application grant approval from Cal OES/FEMA.

g. Collector 1-3 Rehabilitation Summary

**Non Action item**

This item was tabled to be brought back to the board at the December Board meeting.

**10.2 Financial**

a. October 2024 Financial Statement & Vendor Detail Report

**ACTION: Motion to approve Financial Statement & Vendor Detail Report in the amount of \$757,354.75.**

**Maker: Director Rupp Second: Director Lindberg Vote: 5-0 to approve**

Ms. Harris presented the October financial statement & vendor detail report. The General Account balance is \$900,000. The various investments balance is \$14 million. The advanced charges are \$5 million with a general reserve of 5 million.

b. Fieldbrook-Glendale contract revenue and Expense Summary

**Non Action item**

This section is presented for transparency.

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c. FY23 Audit

**ACTION:** Motion to approve FY23 Audit and directs the General Manager to sign the Management Representation letter

**Maker:** Director Rupp **Second:** Director Lindberg **Vote:** 5-0 to approve

Michael O'Connor with O'Connor & Company attended via Zoom for this item. Ms. Harris and Board members who attended the meeting shared an overview of the Audit Committee Meeting on November 13<sup>th</sup>. The FY23 audit was successful and there were no audit findings.

d. Capitalization Policy of Leases GASB 87 and GASB 96 – Subscription Based Information Technology Agreements

**ACTION:** Approve the Capitalization policy for leases and subscription-based IT arrangements

**Maker:** Director Rupp **Second:** Director Lindberg **Vote:** 5-0 to approve

This policy was recommended by the District Auditor. Staff recommends the Board approve the Capitalization policy for leases and subscription-based IT arrangements.

**10.3 Operations**

a. October Operations Report

**Non Action item**

Mr. Davidsen presented the October operations report. The Board asked some clarifying questions.

**10.4 Management**

a. HBMWD Easement Survey

**Non Action item**

Staff believe current easements need to be monitored and looked at periodically.

b. Dam monitoring

**Non Action item**

District staff recently installed a camera monitoring system at the R. W. Matthews dam.

**11 DIRECTOR REPORTS & DISCUSSION**

**11.1 a. General – comments or reports from Directors**

**Non Action item**

No comments or reports were received.

**11.2 ACWA**

a. Region 1 Event report out

**Non Action item**

Director Rupp reported on his attendance at the Region 1 Event on October 30<sup>th</sup> in San Rafael.

b. Notice of ACWA membership Meeting – December 4, 2024

**Non Action item**

The ACWA membership meeting will be held during the ACWA fall conference & Expo December 4<sup>th</sup>.

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**11.3 ACWA – JPIA**

- a. State of the Pool presentation from JPIA's CEO Adrienne Beatty

**Non Action item**

JPIA's CEO Adrienne Beatty and Director of pooled programs Jennifer Jobe attended the meeting. Ms. Beatty gave an in-depth presentation on ACWA/JPIA updates. The Board asked some questions and thanked Ms. Beatty for her thorough presentation.

**11.4 Organizations on which HBMWD Serves**

- a. RCEA:

**Non Action item**

Director Woo reported on the RCEA meeting she attended on October 24<sup>th</sup>.

- b. RREDC:

**Non Action item**

Director Lindberg attended the October 28<sup>th</sup> RREDC meeting, reporting on two presentations. One put on by Humboldt Builders Exchange, the other by County of Humboldt Economic Development Coordinator.

**ADJOURNMENT**

The meeting adjourned at 2:45 pm.

Attest:

A handwritten signature in blue ink that reads "Michelle Fuller".

Michelle Fuller, President

A handwritten signature in blue ink that reads "Bruce Rupp".

Bruce Rupp, Secretary Treasurer