**Westport County Water District (“District” or “WCWD”)**

**Board of Directors**

**Minutes of Special Meeting – Tuesday, August 23, 2022**

The special meeting of the Westport County Water District Board of Directors convened at 10:02 am via Zoom videoconference. Notice was previously properly issued, a Board quorum was present, and it was confirmed that each Director was able to hear and be heard by the other Directors.

1. **Roll Call at Inception (10:02 am)**

Present Board Members: Mr. Lee Tepper, Mr. Ryan Grossman and Mr. Gary Weiss

Not able to attend: Mr. David Brothers

Present Staff: Operations Manager and Chief Plant Operator Mr. John Morrill and Administrator Ms. Kayla Cooper

Present Members of the Public: Ms. Carla Thomas. Mr. Robert Finnell and Ms. Dorine Real (portion of the meeting)

1. **Consideration of the WCWD’s Potential Response to Mendocino County Department of Planning and Building Services’ Proposed Amendment of the County’s General Plan to Address the Disadvantaged unincorporated Communities that Exist Within the County as Required by California Government Code Section 65302.10(a), and Senate Bill 244**

In advance of the meeting, Director Grossman had downloaded and circulated to all attendees the Mendocino County Department of Planning and Building Services’ Proposed Amendment to its General Plan, to address the disadvantaged communities that exist within the County as required by California Government Code Section 65302.10(a) and Senate Bill 244 (the “Proposed Amendment,” a copy of which is attached to these minutes). In addition, Ms. Thomas had drafted and circulated a potential draft written response as well.

Chairman Tepper began by asking all attendees if they had read both the Proposed Amendment and Ms. Thomas’s potential draft written response. Each Director responded that they had done so.

The Board first discussed whether the WCWD should simply check the box on the County’s response form that says “No comment at this time,” or instead should fashion a substantive response. Mr. Morrill felt the former was the best approach. He stated that he had reviewed the Proposed Amendment and felt that, although Westport is one of the designated “disadvantaged communities” covered by the Proposed Amendment, most of what is being addressed in the Proposed Amendment does not apply directly to WCWD and would be covered in the permitting process in any event.

Ms. Thomas stated that she had approached her evaluation of the Proposed Amendment by envisioning where development might occur in or adjacent to Westport, what work the WCWD might have to undertake either to serve the new development or to protect its existing infrastructure (and to private property in Westport) from damage from the new development. She fashioned her draft response as a homeowner, but stated that she felt it was appropriate for the Board to express those concerns on behalf of the WCWD and its customers, who are also homeowners and residents who might be adversely affected. As much of the potential development might come in areas that are uphill from most of Westport, she stated that she had a significant concern about water drainage, erosion and other damage to Westport properties, water and sewer systems and roadways that would need to be prevented or mitigated if there were any such development. Chairman Tepper agreed that Westport as a whole is built underneath a hill and has drainage requirements. Mr. Morrill stated that the issues pointed out by Ms. Thomas and Chairman Tepper are likely going to be addressed by the Planning Department as part of any permitting effort. Ms. Thomas responded that the WCWD should be vigilant to ensure the permitting process vets these issues thoroughly and that submitting a substantive response now might make that more likely. She also stated her concern that unpermitted work might occur and trigger these problems.

Director Weiss stated that he felt the concerns expressed by Ms. Thomas and Chairman Tepper were legitimate and that the WCWD should check the box labelled “Other comments (attach as necessary)” and submit an edited version of what Ms. Thomas had drafted and circulated. Mr. Finnell agreed and said that it was important for the Board to express these concerns as a fiduciary to the homeowners and residents that are customers of the WCWD. Directors Grossman and Chairman Tepper stated their agreement with this approach.

The Board then took up a second concern expressed by Ms. Thomas about the Proposed Amendment: that any new hillside development might seek to have the WCWD expand its service boundaries to serve it. She stated that this would entail enormous expense and no means to fund it. Mr. Morrill said that the WCWD had no means of expanding its sewer system to serve new hilltop development – that there were already 74 connections out of a permitted 100 and that the WCWD could not handle more. Chairman Tepper said he felt that hillside development was unlikely but that if it happened, the WCWD cannot add more than 15% more service lines to our existing system. Director Grossman stated that as he understood the Proposed Amendment, its thrust was to say any new development must be considered judiciously and carefully, and that whenever development is approved it should be funded by grants and other public sources of funds because disadvantaged communities like Westport do not have the means to do so.

After further discussion, the Board agreed to fashion a response on behalf of the WCWD that both welcomed the Proposed Amendment’s focus on grant and other public funding of any infrastructure work necessitated by new development, but also expressed concern about both the sources of funding and the potential problems that could be caused by new development, particularly development that could impact water quality and sewer systems via drainage, erosion and other deleterious consequences.

By motion made by Director Weiss, seconded by Director Grossman and then unanimously approved by the Board, the Board resolved to request that Ms. Thomas and Director Weiss edit the draft response in accordance with the above guidelines, circulate the revised draft to the Directors and members of the public for comment and then submit a final edited response to the County Department of Planning and Building Services on or before the County’s deadline of August 25, 2022.

[Ms. Thomas and Director Weiss did so, and, Ms. Cooper submitted that response for the WCWD by its due date on August 25, 2022. It is attached to these minutes.]

Mr. Finnell stated that he feels the WMAC should be involved in this discussion. Ms. Real agreed and said that this is their specific purpose and function.

1. **Adjournment (10:37 am):**

Upon motion made (Director Weiss) and seconded (Chairman Tepper), the Board unanimously adjourned the Special Board Meeting of the WCWD at 10:38 am.

Respectfully submitted,

Gary Weiss

Temporary Secretary for the August 23, 2022 WCWD Special Board Meeting