

Minutes of the SPECIAL Board Meeting for the
Scotia Community Services District
Thursday, July 8, 2021 at 5:30 P.M.

A. CALL TO ORDER/ PLEDGE OF ALLEGIANCE at 5:31 PM

ROLL CALL

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

Leslie Marshall, GM; Amanda Urhammer, Legal Counsel; Frank Bacik, TOS; Mike Foget, SHN; Renee Abrams, member of the public.

B. SETTING OF THE AGENDA

No Changes

C. CONSENT CALENDAR

None

D. PUBLIC COMMENT & WRITTEN COMMUNICATION: None

E. ADJOURN TO CLOSED SESSION – at 5:34 PM

1. Call to Order

2. Roll Call

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

3. Government Code §54956.9; Discuss pending litigation with District Legal Counsel .

4. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel

5. Closed session discussion

F. ADJOURN TO OPEN SESSION – 6:13 PM

a. Report out of closed session

Board met in closed session to discuss two items, one pending litigation and one anticipated litigation. No reportable action.

G. PUBLIC HEARING – None

H. BUSINESS

1. New Business – None

2. Old Business –

- a. Discuss Scotia Subdivision & River Pumps and Approve Sending Board Signed Letter

LM introduced. Written communication received from Mike Foget & from Frank Bacik. Forwarded to the board and legal counsel prior to the meeting.

Frank Bacik: This is Frank Bacik. I'm the president of the Town of Scotia Company. I'm just assuming everybody's up to speed on where we were last time, we have entered into a binding contract with Wahlund construction to implement the plans and specifications that we've described to you and provided some timeline for its development. We had a kickoff meeting today with the electrical engineers, supervisors, the contractor, other staff, and any engineers. We have the contract in operation, and it's fully executed. Leslie was there during the kickoff meeting, as well as Jeff Lakim, your engineer. There will be working groups every Monday and anyone that we desire to have in attendance can come. Mike sent a notice out which has the meeting time. We're all calendaring regular attendance. So the project is now underway. We've worked with the supplier of the new motor, pump, and we're moving it from Sacramento to Red Bluff so that it can be shipped to us overnight in the event of need and eventually it will be shipped to us without the same urgency. They are collecting the pump and motor and putting them together and then they bring them to us in one piece so that we won't have to ship from disparate locations. We've also made an arrangement with the diesel pump, distributor, we've told you that they have several of those in stock but we have entered into an arrangement whereby if it comes down to them six of them in stock now on the shelf, but should there be some run or urgency and all of them are being snapped up. We have reserved the last one so that we will rent it and bring it to the site and just have it sit there in the event it is needed. So we won't lose an opportunity to put in an emergency backup withdrawal system. That's about all I have. Now all of these are major undertakings and it will cost a significant amount of money. I don't know whether or not we have gotten to you the bid plans and all of the other specifications of the executed contract. Maybe Mike can clarify that for me. If not, we certainly will get them to you. They can be emailed and I thought they may have been sent to Leslie earlier today.

Mike: Were you sent that?

Leslie: Yes, if that was one of the emails you sent me, I have already forwarded that to the board.

Bacik: If you've got any questions about the implementation of the contract - you may not have had a chance to review it. It's obviously a long piece of work. Let us know. If you have any other questions about supplying the emergency backup, diesel pump or anything else, let us know. But we're off and running. And the bid for the contract was accepted and complete and binding and it's exciting we're entering into the implementation stage of a very complex project. Under those circumstances, as I've argued to you before, it's unnecessary and inappropriate to issue a generic notice that you withhold approvals, sign offs or unrelated acknowledgments of other projects. It's just not necessary. And we're working as fast as is both possible and prudent to complete the project in the schedule that has relatively little wiggle room, but is realistic, and has been looked at closely and discussed at like today in a kickoff meeting, for a 90 day project. More details may be available about the engineering of the like from Mike.

Mike: As Frank stated, all the contracts have been executed, we had our kickoff meeting, they've already submitted a draft schedule. I can talk a little bit about the schedule, from a high level; at least, Wahlund is currently working on submittals. We have to confirm that everything is, per our plans and specifications. So Wahlund has to submit those documents. And that will happen throughout July. And then after the beginning of August, SHN, will review those submittals and confirm they are correct and per our plans. And then there is time for Wahlund to comment and coordinate with us. We have a little back and forth, worked into the schedule. And as I stated in previous meetings, part of this middle

process includes testing of the equipment. We have a first pump and motor that are going to be installed and run and they are brand new, they just got shipped. So they're under warranty. In the meantime, they're talking about the new motor which has never been started but it's been sitting for a year, it is going to get shipped back to get recertified that we'll have the warranty. These are some of the things that we're working on right now to have everything in place. We just got the schedule today so we still have to go through and confirm that some things are in order. We may still have comments on the schedule but, what I'm looking at right now we're looking at installing the pump here in late August and running that through late September on the first run. It's going to take the next month and a half really to deal with the submittals and the testing and making sure everything's in order before we're ready to start this thing up.

Leslie: Mike that pump is being sent all the way back to Texas to get recertified under

Mike: The motor, yes, that's correct. It's a Hitachi motor. It will be tested in the shop to make sure it is fine and re-up its warranty. The warranty is based on ship date. Not when you operate it so the warranty is expired even though we haven't operated it. That will be the second motor to operate. That will be the one that we run on the second pump and motor. The first set will be all new.

Leslie: Do you have a timeline for how long that's going to take to ship it to Texas get it recertified and get it shipped back?

Mike: We'll probably get that through the middle RFI process. That will be on Pro Core and Jeff will be able to see that information. It would be wise for Brandon Wishneff to have access to that since he will be the operator. For the board members, Pro Core is like an electronic filing room. So everything that we do on this project is done electronically and it's all kept in one place. Any questions, responses to questions, schedules, updates, and changes the drawings will all be kept in one place. You will be seeing that as it progresses.

Ansted: Are you talking about the schedule?

Mike: Yes but also about how the project will be. In our plans and specs we ask for certain documentation to be submitted, to confirm that it meets all of the requirements in our plans. So there is a 3 week timeline for Wahlund to pull all of that together. And then we have 10 days to review and agree or comment and ask for a resubmittal. That process will go from now to mid August The pump is scheduled to be installed August 24th. The last week of August will be making sure everything is in order.

Ansted: For my count, based off the schedule, I've got 14 weeks total starting today, and six weeks of the 14 weeks are submittal. And test.

Mike: I'm looking at 7-8 weeks. Starting 7/4. They already started submitting stuff. We aren't trying to delay things. If there are things that need to be resubmitted or corrected it is because we want to make sure everything is in order before we start the pump up. That is why we're taking 6 weeks to make sure everything is ok. That is why we have weekly meetings scheduled to see if there are any impacts to schedules. The CSD is part of that process.

Bacik: From the point of view of someone who is as impatient as I can be about getting this project done. This method, which seems to slow things down is essential and important. All major infrastructure is commissioned using this kind of methodology, whether it's a dam or a power plant. Even the government uses something like this for nuclear submarine construction, when there are dire consequences and a huge potential waste of time and money. You want a project to be as transparent as, as humanly possible. And that's what this process does. Haste makes waste in building something as complex that needs commissioning, like public utility. And we've already burned up two motors by trying to hurry and get it done each of them as a \$50,000 item. And, it left us without completing the project or the alternative power source that we need ultimately, and so hurrying up and skipping some of

these steps is what got us here to begin with. And so while it's painful, to look at contractors preparing plans and submitting them for review and approval by the assembled wisdom of electrical engineers and civil engineers in the light, that's really the only way to, to proceed. We, couldn't then in good conscience now say, let's just cut off a few weeks and double the pace of submission, for example.

Ansted: Thank you for that explanation. Frank. Can I ask another question about item 21, which is the pump one test run on the schedule? It was my recollection that that was going to be a 30 day run. But I'm seeing that that is actually at 20 days.

Mike: That's 20 working days. So it doesn't include weekends when it says days. And obviously is running over the weekend as calendars and working days. So Monday through Friday.

Ansted: And the second pump is only going to test for five days?

Mike: So this is one of the things we talked about today. There is what we call suspending the working day schedule, in terms of when the pumps running. So the contract was aggressive to get this up and running. But what we discussed today is like let's focus on getting pump one up and running. And then we can discuss, and this includes the district, of how long do we want to run, pump one, to where everyone's comfortable to then remove the high voltage pump. And we'll have that discussion. So right now I want to really focus on getting the pump one up and running. Before we remove the high voltage pump, because that it's not just removing the pump, there's a lot of plumbing and things that we have to just assemble to put the other pump in before putting in the other low voltage new pump. So we can have that conversation once, early September, we can revisit this subject.

Ansted: You know, Mike, I don't really understand that explanation if the pump is being installed, regardless if it's one or two, shouldn't they be tested for the same amount of time? Why aren't you just putting that in the schedule, rather than waiting to discuss it in 14 weeks?

Mike: We have an aggressive schedule. And because the district said we're halting all work unless you get everything done and completed. So we put a very aggressive schedule together. We want to get pump one up and running. Then we talk about running days where people are comfortable. So my direction was: let's get an aggressive schedule to say we're up and running. We'll get this to say we're up and running in terms of the district being comfortable. We're taking a lot of time to make sure we're checking everything too because the whole point of this is to turnover system that you're comfortable taking on, that's going to be functional. That's why we're being very methodical, going through everything to make sure this is a properly robust system. We don't want to just slap something together and walk away.

Ansted: Well, I can only agree with that, except that it does seem to me that this schedule is incomplete. If you're still not sure what you're going to do with the second pump, or how long you're going to test.

Mike: It's the same submittals, all the same information. So we're testing that first one out to make sure that's fine. We'll run the second one - that can be fairly quick. And then yes, run it for that period of time we can discuss how long do we want to run this on the commissioning before we turn everything over? We want both pumps up and running

Frank: Is it assumed that these pumps are and motors are fungible. In other words, if you test the first one, and you're examining all these parameters, like pressure and temperature, and whether it's rattling or instability, and automatic shut offs, and all those things, and you have agreement from the experts as to how long that should occur. Do we assume that the second pump will behave in exactly the same way?

Ansted: We shouldn't assume anything ever.

Mike: We want to run the second pump as well, this was just with our contract days. So that's why I said we can suspend the contract while it's running. So I said, we're talking about two different things. Part of

this are contractual days with the contractor, because there's penalties if it isn't completed on time. So that's why we set an aggressive schedule, but there's days where you suspend this, we can extend the days of the contract based on when it's operational

Ansted: So the contract with Wahlund is only till the first comp is fully installed, tested and running?

Mike: No, the contract with Wahlund is for two pumps to be operational in a certain amount of time. One of the strategies we can use in a contract is to suspend working days or to extend working days. And that's why we have weekly meetings. There are working days in the contract. And then there's the testing period, making sure everything works. And there's pre testing of both pumps in this contract. There is testing while it's running at startup and there is testing to confirm that it is operational. There are submittals and data collected for both scenarios. And we're going to do that with both pumps.

Ansted: So this schedule is preliminary, not final.

Mike: As I said, this is a draft, and I want to convey to you that schedules are dynamic for construction. Conditions change. And so schedules can be modified. So one of the things that you look at in your weekly meeting is: Are there any impacts to the schedule? Is the schedule going to change? And Leslie and Brandon will be part of those meetings so you guys will know if there's any change to the schedule. I wanted to focus on getting pump one running, and then discussing how long we want to do pump commissioning. I want to focus on getting pump one up and running first. That is my big focus right now

Bacik: Presuming we're successful with the first pump, if the assembled the wisdom and district believes, certainly will test the second one the same amount of time or let it run the same amount of length. It may be then, again, some urgency or just the desire to get it done has all the electrical engineers and the district engineer agreeing then we don't have to test it as long. But one of the things that is a little mysterious in this schedule is that during the letting it run period, you don't have eight guys from Wahlund standing around watching the pump work. And so we don't kick off days within which the contract must be done so that they get penalized for not getting the contract done. That's what Mike means by suspends the contract. And so we'll suspend it for as long as people think that's necessary and appropriate for the first pump and the second pump. Schedule doesn't show the exact date.

Ansted: I haven't had a chance to actually look at the contract that was sent to us, but how many days does Wahlund have?

Bacik: 90

Mike: 90 working days

Ansted: So they have 18 weeks

Mike: End of or Mid of October.

Mike: We can extend the days on the run time on the pump

Leslie: So Mike, real quick, the project completion dates kind of running into when weather's turning sour in Humboldt County, potentially. I mean, we did have a drought year this year, but who knows what we've got in store? How will weather impact the project?

Mike: The main issue would be with the river coming up. Usually that will happen in late November or December. I don't see that happening in October. Gregory did that analysis when he was working there.

Gregory: Typically more in December January when you tend to see high waters. And even if we did see high waters, they normally recede within two to five days. So you know, unless there are some really unusual year happening. I feel like we'd still be able to get in there and get the second pump installed in a window of time. You know, throughout the winter.

Mike: Right now we're seeing pump 2 go in in September. Even if it is in October we're still fine.

Leslie: Does anyone else have any questions?

Gregory: There is a desire to see a specific amount of test run time. We can pass that along and we can make a modified schedule showing those runtime.

Sellen: You mean on the second pump?

Gregory: Yes, on both pumps.

Ansted: I'm not qualified to tell you how long you should test a pump, I am qualified to look at a schedule. And know there's a big difference between 20 days and five days. So I want to point that out to you to make sure that you're aware that we're relying on you to certify this pump so that our constituents will have water.

Gregory: We're planning to monitor and test it for five days. After that five days working period if we feel confident, then for the next three weeks after that we let it run, and see what happens. So that that's why the second test one was only five days, because that's what we felt we would need to make the determination that everything was working accurately. And the second request of I want to have a pump run for a month test period.

-Comments are inaudible briefly-

Mike: Just to be clear again, you're confusing real time with contract days. We've even had this discussion with Leslie about suspending some days to have some additional days of run time. Gregory has a lot front loaded with the submittals. There are set times in contract docs that say you have to do these things and allow certain amounts of time for them to be completed. I really want to get pump on in and then we will have more information based on submittals and pretesting results and that will build our confidence and we will make decisions based on that information that we're getting.

Ansted: The certification on the pump, when we're done, can we get a look at what that paperwork is going to look like?

Mike: That is part of the submittals – there will be a lot of information generated from the submittals process. That is part of the required documentation.

Sellen: It is the goal that one pump runs for a while and then only use the other pump as an emergency pump or will they rotate back and forth for certain amounts of time? Would the other pump sit there not being used?

Mike: It would be a lead-lag system. We will work with your operator Brandon on how often he wants to do that. That is part of this process – learning what the pump/motor recommendations are. And then all that is set in the programming. There will be times when both are running during high demand. You can rotate it with the programming.

Sellen: Does the manufacturer have recommendations?

Mike: Yes, That is part of all of this. It's not good to have a pump sit without running so we want to make sure we run both pumps.

Sellen: Is that going to be part of the process? You say the five day testing, you're just doing the five day testing without actually stopping running pump one, and using pump two, you're just talking about still using pump one and testing pump two?

Mike: First, we got to run pump one and be comfortable with how everything is running. Once we're confident, then we're removing the existing (high voltage) pump, it goes away and we install the second one and we want to run that to make sure that works. And then we can start with the programming, that is pretty straightforward.

Sellen: I would hope we're going to actually test it. Like it's going to be running, you know, for the 30 days or whatever, when it's going to be in the rotation and back and forth between one and two, what the manufacturer recommends, right?

Mike: We have to test each pump independently first. We're testing if it runs mechanically – it either runs or it doesn't. Then we test the control logic – switching it back and forth.

Sellen: We want to see it work the way it's meant to be working. Not just a test for five days, for example, working independently from the first pump.

Mike: It's all the same plumbing – the programming is just whether I turn on pump one or turn on pump two.

Sellen: You will be making a recommendation to us or to Brandon when it is turned over, correct?

Mike: Yes, it's called commissioning. It's a whole process of turning over the project. It is an operational system and Brandon is going to be part of the whole thing. He is part of the training, He has to be trained and comfortable with it too. There is an O&M manual – all that is laid out in the contract as well.

Gregory: There is a contractor warranty period which begins once the project has been accepted as complete. Once everyone is satisfied, that is when the one year begins. Product issues or mechanical issues arise – Wahlund is there to come in and help determine what any issues are.

Mike: And they are there to back up the warranties and guarantees. If it is a manufacturer or issue or some other issue then we have recourse to go to back to the motor or pump folks. It's not 5 days, it's a year.

Newmaker: Any other public comment? If not then I will accept a motion.

Bacik: Can I ask what the letter is going to say?

Amanda: Public Comment is closed; the board has the letter.

Motion: To Approve Sending the Board Signed Letter about the Scotia Subdivision and River Pumps.

Motion: Sellen **Second:** Pryor

Motion Vote: Aye Ansted, Black, Pryor, Sellen, Newmaker **Opposed:** None **Absent:** None **Abstain:** None

I. BOARD TRAINING - None

J. ADJOURNMENT at 6:58 PM

Approved:

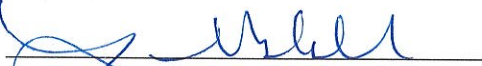


Paul Newmaker, President

Board of Directors

Scotia Community Services District

Attest:



Board Clerk

Scotia Community Services District

for Julie Hawkins

7/16/21

Date

7/16/2021

Date

