

## **A G E N D A**

### **SAN RAFAEL SANITATION DISTRICT BOARD OF DIRECTORS**

**THURSDAY – MAY 5, 2022 - 11:00 A.M.**

**Join Zoom Meeting at <https://us06web.zoom.us/j/89521384378>**

**Meeting ID: 895 2138 4378**

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**+16699006833,,89521384378# US (San Jose)**

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**Meeting ID: 895 2138 4378**

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### **CORONAVIRUS (COVID-19) ADVISORY NOTICE**

Consistent with the provisions in Assembly Bill 361, this Board meeting will be held virtually using Zoom.

Public comments for this meeting can be submitted via email to the District Clerk at [Cindy.Hernandez@cityofsanrafael.org](mailto:Cindy.Hernandez@cityofsanrafael.org). The public comment period opens when the agenda is posted online and will close two hours prior to the start of the meeting. Include your name and the item you would like to provide written comment on.

To provide comments during the meeting, please use the “raise hand” feature in the Zoom Meeting and the host will notify and unmute you when it is your turn to speak.

If you experience an issue providing comments in the meeting or want to comment via phone, please call 415-485-3132.

**Members of the public may speak on Agenda items.**

#### **1. ROLL CALL**

#### **2. ADOPT TELECONFERENCE MEETING RESOLUTION TO COMPLY WITH ASSEMBLY BILL 361**

Adopt resolution making findings that the proclaimed state of emergency continues to impact the ability to meet safely in person and declaring that the Board will continue to meet remotely in order to ensure the health and safety of the public.

**SAN RAFAEL SANITATION DISTRICT**  
***Agenda Item No. 6.***

**DATE:** May 5, 2022

**TO:** Board of Directors, San Rafael Sanitation District

**FROM:** Doris Toy, District Manager/District Engineer

**SUBJECT:** Discussion on the Bayside Acres Beach Sewer Improvement Project

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**SUMMARY:**

Within the Bayside Acres Beach neighborhood, there are approximately twenty homes located along the beach with addresses on Beach Drive, Oak Drive, Marine Drive and Point San Pedro Road, where the homes sit between the road and the beach, and the road is at a higher elevation. Therefore, their laterals run down to the beach where the sewer main is located. The sewer was installed in 1972, and at that time, the high tides and sea-level rise were not an issue. At present, our sewer infrastructure is in the tidal zone; and the moderate to high tides cover the manholes, which have lids that have corroded shut. Due to this situation, our staff cannot access the sewer main to perform maintenance. In addition, staff has noticed that some laterals on the beach are exposed and are in poor condition.

Staff has developed and considered the following four alternatives to provide secure, cost-effective, and reliable sewer service to the impacted neighborhood:

1. Replace the sewer main in the same alignment in the beach;
2. Install a new above-tideline sewer main along the Bay front;
3. Install District shared pump systems; and
4. Install private individual pump systems.

The first two alternatives were developed to maintain a gravity sewer system. However, after considering the design and construction logistics, environmental permitting, costs, operations and maintenance considerations, and aesthetics, staff has determined they are infeasible. Thus, staff is now focused on Alternative 3, the District shared pump systems, and Alternative 4, the private individual pump systems.

Staff first began evaluating the challenges posed by the deteriorating sewer main in the Bay in 2014-15 to develop the project's scope and presented the project to the Board in April 2020. The Board entered a Professional Services Agreement with Nute Engineering in July 2020, which included the following sub-consultants, Prunuske Chatham, Inc. for environmental regulatory permitting, Beecher Engineering for electrical engineering, Willis Land Surveying for surveying, and Miller Pacific Engineering Group for geotechnical engineering. In the fall and winter of 2020, staff met with each of the property owners and assessed the existing conditions to provide design concepts and another round of site visits in the summer and fall of 2021 to assess the existing electrical and indoor plumbing conditions.

Staff has held two public meetings, virtually using Zoom, on March 23, 2022 at 1:00 p.m. and on March 24, 2022 at 6:00 p.m.; and a detailed information packet was emailed and/or delivered to residents in the neighborhood. Attached are meeting notes from both meetings.

After the public meetings, staff received numerous correspondence with comments and questions. In response, staff reached out to all 20 home owners asking if they would like to make phone appointments for a one-on-one call with staff to obtain additional information or to review any questions. Staff spoke to 15 home owners to date. The remaining five did not respond or did not wish to have an additional phone call. From our correspondence with the home owners, staff has developed a Questions and Answers sheet (see attached).

In addition, staff has prepared and attached a document stating its perspective on Shared Pump Systems (Alternative 3) and Individual Pump Systems (Alternative 4). While a majority of the home owners who have spoken out are in favor of the Shared Pump System (primarily because the District would maintain them), staff believes the District should base its decision on a broader range of issues, such as potential delays that could increase risk of a spill from the pipeline in the Bay, fairness to the other 16,000 District ratepayers, precedent for future projects, and long-term stability of the solution. Thus, taking all into account, staff believes the individual pump system is the better alternative.

### **RECOMMENDATION**

Staff recommends the following:

1. Board to continue discussion and take public comments.
2. Schedule a Special Meeting to be held on May 20, 2022, at 10:00 a.m. for further discussion, followed by a Board selection of an alternative to be constructed (either District shared pump systems or private individual pump systems).

### **ACTION REQUIRED:**

1. Schedule a Special Meeting to be held on May 20, 2022, at 10:00 a.m. for further discussion and the Board selects an alternative; or
2. Provide other direction to staff.

Attachments:

1. Staff Perspective on Shared Pump System (Alternative 3) and Individual Pump System (Alternative 4)
2. Bayside Acres Informational Packet to Property Owners
3. Bayside Neighborhood Meeting 3/23 & 3/24 Combined Notes
4. Questions and Answers About the Bayside Acres Sewer Project
5. Summary of Emails
6. Summary of Phone Conferences
7. Correspondence to the Board

Staff Perspective on Shared Pump System (Alternative 3) vs Individual System (Alternative 4)

Quick Recap: Why the Bayside Acres Beach Sewer Improvements Are Urgently Needed.

The aging and corroded sewer main that serves the Bayside Acres neighborhood is located underwater in the Bay and is in danger of failing. It must be replaced by a new, modern main sewer pipeline installed in the street. The District is taking action to construct the new pipelines this summer.

Because the new main sewer pipelines will be uphill from the Bayside Acres neighborhood, household sewage that once flowed by gravity into the pipeline in the beach will need to be pumped up to the new main sewer pipelines through a small pipeline called a lateral. All laterals are owned and maintained by the property owner.

Two Alternatives for Connecting Homes to the New Main Sewer Pipelines in the Street.

**San Rafael Sanitation District Will Pay All Construction Costs for the New Laterals and Pumps.** There are two options for connecting homes to the new main sewer pipelines: through shared laterals and pumps or individual laterals and pumps for each home. In either case, the District will pay all construction costs to install the systems, which is roughly \$40,000 to over \$100,00 per home, depending on the lot size and other factors.

Private Pumps and Laterals Alternative: Owned and Maintained by Property Owners (Formerly Alternative #4).

**This alternative involves installing a small pump-sump unit on each property. The pump-sump unit can often be hidden in crawl spaces, under decks, buried or partially buried.**

The District would plan, oversee and pay all construction costs totaling over \$1.6 million.

After construction, each property owner would own and maintain their individual, private system.

STAFF PERSPECTIVES ON INDIVIDUAL PRIVATE LATERALS AND PUMPS

- 1. More Fair for All Ratepayers.** The property owners would own and maintain their lateral systems, as does every other property in the District, including those with pump systems.
- 2. Potential for Fewer Delays and Lower Risk of a Spill in the Bay.** Because private laterals do not require public or private easements, they may be able to be completed faster than the shared pumps and laterals. This alternative would reduce the window of opportunity for a catastrophic sewer spill in the Bay before the project is complete.
- 3. The Overall Long-Term Costs are Lower for the Majority of Ratepayers Due to Lower Construction Costs and Lower Maintenance Costs.** About \$400,000 less in construction costs and \$185,000 per year less in maintenance. The 20 property owners with private laterals and pumps under this alternative would be responsible for maintaining them.
- 4. Pump-Sump Units and Control Panels for Individual Systems Are Smaller and Easier to Screen or Hide.** The pump-sump units for a typical home may vary, but it would be about three or four feet tall by four feet in diameter and require a roughly one-foot by one-foot control panel. As a result, these systems are much easier to conceal under a crawl space or deck, bury underground or tuck against a home.
- 5. Maintaining a Private Pump is Readily Manageable By a Homeowner – They are Designed for That.** About 25 years ago, the District developed another project with pressurized laterals and successfully handed the systems back to the owners. Also, a homeowner in the Bayside neighborhood has had a pump for over 20 years and provided extensive testimony that his pump is very reliable and easy to manage.

Shared Pumps and Laterals Alternative: Owned and Maintained by the District (Formerly Alternative #3)

**This alternative involves installing pump-sump units that would serve two to four properties. Property owners would need to obtain easements to run sewer laterals from their homes to the shared pumps across neighbors’ properties. The pump sump units are larger than private ones; and therefore, are likely to be harder to screen.**

Just like the private systems, if the shared systems are chosen, the District would plan, oversee and pay all construction costs totaling over \$2 million.

One big difference is that if the shared systems are selected, the District would own the shared systems and be responsible for the estimated \$185,000 per year of maintenance costs.

STAFF PERSPECTIVES ON THE SHARED LATERAL ALTERNATIVE

- 1. Less Equitable for Other Ratepayers.** It is the private property owner’s responsibility to connect their home to the public sewer main. The District does not pay for lateral maintenance anywhere else. Shared laterals and pumps, if chosen, would, for the first time, set a precedent for District ownership of individual sewer connections. Under either option, every property in this Bayside Acres project will receive a brand new shared or private lateral and pump system at District expense, costing roughly \$40,000 to \$100,000+ each. Asking the rest of the ratepayers also to pay \$185,000 or more per year to maintain the shared systems in perpetuity raises the question of whether this is fair to all other District customers who would shoulder this cost.
- 2. Longer Window for potential Sewer Ruptures and Sewage Spills While Negotiating Easements.** Shared pumps and laterals require both public and private easements across neighboring properties to install the shared systems. At least one property owner has publicly stated that they will not allow an easement through their property. Others could take a similar stance. The District has no control over obtaining private easements, which could lead to delays. In addition, the District would need to obtain public easements to place the shared systems within private properties. Obtaining easements can be a slow and costly process if property owners resist, refuse to cooperate, or are simply slow to respond.
- 3. Higher Overall Costs to the District and Ratepayers.** Installing shared systems requires about \$400,000 more in construction costs than private lateral systems. In addition, maintenance requirements for District-owned systems would add about \$185,000 per year that the District’s other ratepayers would have to shoulder.
- 4. Pump-Sump Units and Control Panels for a Shared System May Be a Visual Problem for Some Properties.** There will be limited choices about where shared pump-sump units can be located in order to receive flows from gravity laterals. In some cases, the pump-sump units may not be able to be fully buried to keep them above flood levels. The sizes of shared pump-sump units would vary but could be as much as seven feet tall by six feet wide for a four-home system or about seven feet tall by four-feet wide for a two-home system. Also, a control panel roughly two feet square and one foot deep would need to be situated.
- 5. Two necessary electrical panels may be a visual burden for the two nearest homes.** The shared alternative will need an electrical panel on both the north and south sides. This might have to take away a parking spot. The size may vary, but would be about three-feet high, up to five feet wide, and one-foot deep.



6. **Greater potential for disagreements between neighbors stopping the process. We have already seen a few neighbors getting passionate in disagreement about shared systems.** If one or more neighbors doesn't want to grant an easement, or doesn't want the shared sump-pump unit and controls on their property, the District has no role in resolving that. The District and remaining neighbors could be stuck.
7. **District policy does not allow for shared laterals.** In addition, when a shared lateral is found, or when a lateral crosses into another property, District policy is to move it onto its own property wherever possible. The purpose is to ensure it is clear who is responsible for maintaining and protecting each lateral.
8. **This project has to serve for future generations of owners as well and a shared system is not as secure.** Future owners may not want a Shared Pump-Sump Unit on their property or sewer (lateral) easement. This project has to serve indefinitely. These shared facilities may limit what individuals can do on their property, impact their property value, and they may not want District staff on their property (estimated to be about three times each week) to inspect and maintain it.

#### Additional Suggestions To Meet Neighborhood Requests

In response to public comment at the public meeting and after, Staff suggests additional steps to make the transition to individual or shared pumps easier for the property owners:

##### If the Board Chooses Private Pumps and Laterals Alternative

- District will provide a brand new, high-quality pressure lateral, and pump-sump unit that will cost between \$40,000 and \$100,000 at no charge. This is normally the full responsibility of the property owner.
- The District will restore all landscaping in kind and restore all construction damage, as it is standard District practice.

Staff is also proposing that the District take the following additional steps. These would require Board approval.

- District contracts with a plumber/contractor to provide phone support, training, and maintenance services for the first year to provide a transition period and ensure it is working well.
- Make a reasonable effort to screen or hide the control panel and pump-sump unit in the crawl space, under a deck, by burying it and/or with landscaping or fencing up to a pre-determined dollar amount.
- Provide a power backup source, i.e. small portable generator or battery for use during prolonged power shutoffs. Note that each pump-sump unit provides about 24 hours of backup capacity.

##### If the Board Chooses the Shared Pumps and Laterals Alternative

- The District will restore all landscaping in kind and restore all construction damage, as it is standard District practice.
- In addition, staff is proposing that the District make a reasonable effort to screen or hide the control panel and pump-sump unit using landscaping or fencing.

#### Summary

Staff recognizes that a majority of the neighborhood has spoken out in favor of shared systems, mostly because the District would maintain them. One or a couple have spoken out in favor of individual pumps and a handful have not made any clear preference.

While recognizing the interests and preferences of the 20 neighbors, staff wants to emphasize that the final decision must take into account and find the best balance based on a much broader range of issues: potential for delays that could increase risk of a spill from the pipeline in the Bay, fairness to the other 16,000 District ratepayers who will pay most of the costs, precedent for future projects, long-term stability of the solution, and more. Taking all into account, staff believes the private sewer pump system is the better alternative.



## You Are Invited to a Public Meeting on the Bayside Acres Sewer Rehabilitation Project

### Bayside Acres Project Summary

There is a half-century-old main sewer pipeline located in the Bay near Point San Pedro Rd., Beach Rd., Marine Dr., and Oak Dr. in the Bayside Acres Development that is aging and must be replaced.

#### **Aging, corroded, main sewer pipeline and manholes in the Bay.**

The District has been unable to properly inspect or maintain the underwater sewer pipeline due to high tides, corroded manhole lids, and general inaccessibility. The District is increasingly concerned about the manholes. The original four-to-six-inch-thick concrete structure protecting the manholes has been corroded down to about two inches. Wave action will eventually cause a break in the manholes, pollute the Bay, lead to regulatory fines, and require costly cleanup and repair.

**In addition, the private lateral pipelines that run from homes to the main sewer pipeline in the Bay are also corroding, and some may be leaking.** Leaking private laterals allow seawater to enter the sewer system and cause corrosion. These laterals must be replaced and, in most cases, redirected to new, secure sewer main pipelines in the streets.

The District is developing a plan to seal the old pipeline and manholes in the Bay, install new pipelines in the streets, and install new laterals and pumps from homes to the new pipelines.

### Two Virtual Neighborhood Meetings Will Be Held on The Bayside Project

Both meetings will provide identical information. District staff will explain the project's purpose, present the improvement alternatives that were evaluated, and provide details. You will have an opportunity to ask questions and get answers from District staff. Attend the one that is most convenient for you.

**Wednesday, March 23, 2022, at 1:00 PM OR**

**Thursday, March 24, 2022, at 6:00 PM**

*Meeting details on next page.*





## Information on the Bayside Acres Sewer Rehabilitation Project Public Meeting

### Two Virtual Neighborhood Meetings Will Be Held on The Bayside Project

Both meetings will provide identical information. District staff will explain the project's purpose, present the improvement alternatives that were evaluated, and provide details. You will have an opportunity to ask questions and get answers from District staff. Attend the one that is most convenient for you.

**Wednesday, March 23, 2022, at 1:00 PM**

**OR**

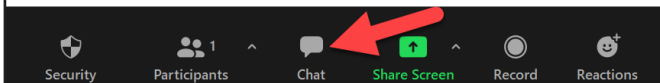
**Thursday, March 24, 2022, at 6:00 PM**

### Questions?

Please get in touch with Senior Civil Engineer David Nicholson with any questions you have before the meeting: by phone at (415) 458-5369 (Office) or email at [David.Nicholson@cityofsanrafael.org](mailto:David.Nicholson@cityofsanrafael.org)

**If you would like to speak during the public comment portion of the meeting, you have two options:**

**ONLINE:** Use the chat to ask to speak or submit your question. Chat is visible to all participants.



**PHONE:**

- Press \*9 to raise your hand/lower your hand
- Press \*6 to mute/unmute your phone
- Tap More in the lower right hand corner and then tap Chat

**If you are having difficulty logging in, you may call Lynda for assistance at (818) 839-8419.**

### This link and other details work for both meetings.

**Join Zoom Meeting** by clicking the link or copy and paste it into your web browser

<https://us02web.zoom.us/j/81513047400>

**When Prompted, enter the meeting ID: 815 1304 7400**

Or, If you do not have internet access, you can **join the meeting by phone**, dialing a nearby location:

1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

**When Prompted, enter the meeting ID: 815 1304 7400**



## Main Sewer Pipeline Options Considered

### **ALTERNATIVE-1 (*Infeasible*): Rehabilitate the Existing Main Sewer Pipeline in Place Underwater**

Rehabilitating the existing pipeline is infeasible due to the difficulty of obtaining permits from local regulatory agencies, such as the Bay Area Conservation and Development Commission, the risk of a spill that could immediately contaminate the Bay, and the visual impact caused by new manholes that would rise about 10 feet above the waterline.

### **ALTERNATIVE-2 (*Infeasible*): Construct a New Above-Water Main Sewer Pipeline**

The above-water (along the shoreline) main sewer pipeline is infeasible due to the difficulty of obtaining permits, the risk of a sewer spill that could lead to immediate contamination of the Bay, and the visual impact caused by an elevated structure needed to secure the pipeline that would rise 10 feet or more above the shoreline along the pipeline's entire length.

### **ALTERNATIVES-3 & 4 (*Feasible Options*): Install New, Secure Main Sewer Pipelines in the Streets**

New sewer main pipelines will need to be installed in Oak Drive, Marine Drive, and Point San Pedro Road. This new sewer main pipeline project is being designed and the District plans to award a contract for construction in May.

## Pump and Lateral Alternatives

### **Shared Pumps and Laterals (Alternative 3)**

New laterals from groups of two to four homes would be installed and sent to shared pumps that would send sewage to the new sewer main pipelines in the streets above.

- **Locations.** The final identified shared pump locations will allow the laterals from each home to flow by gravity to the central pump serving that home. These pump locations will, in most cases, not be practical to install in alternative locations.
- **Construction costs.** The District would pay all construction and maintenance costs estimated at \$2.0 million for construction and approximately \$185,000/year for ongoing maintenance.
- **Landscaping.** The District would take care with construction to minimize the impact on landscaping and clean up thoroughly. The District would not be responsible for replacing all landscaping to 100% original condition. The District will consider working with property owners on any aesthetic actions to hide the pumps and control panels.
- **Private easements.** Some property owners would need to obtain easements for their laterals to cross their neighbors' properties and reach the shared pump /sump stations. The District has no authority here but could provide some help.
  - a. **Public easements.** The District would need to obtain easements for the pumps and control panels and the pressurized laterals that would go to the main sewer pipelines in Point San Pedro Road, Marine Drive, and Oak Drive. Obtaining easements could extend the project timeline, increasing the risk of a spill from the existing main sewer pipe. Obtaining public easements also add cost to the project.





## Pump and Lateral Alternatives cont.

- **Ownership and maintenance**

- a. **Property Owner.** The portion of the lateral from the home to the shared pump stations would become the responsibility of the property owners after construction.
- b. **District.** The shared pump and pipeline from the pump to the main sewer pipeline in the street would be owned and maintained by the District. The District would conduct on-site inspections up to three times per week as it does for all its pump stations. Additionally, District staff would need 24/7 access to the pump stations to address maintenance issues.

- **Timing.** Design of the lateral replacement project is expected to begin mid-summer 2022. Construction is anticipated to start mid- to late-fall 2022 and take about 8 to 12 months to complete.

**Following careful review, the shared pump option is considered less desirable by the District** due to potential delays caused by the need to obtain public and private easements, the long-term maintenance cost for the District about (\$185,000 per year), the higher initial construction cost, and because it is unfair to other customers for the District to take responsibility for these laterals when all others are the responsibility of the property owner.

### Individual Pumps and Laterals (Alternative 4)

New private laterals and individual private pumps would be installed for each home and send sewage to the new main sewer pipelines in the streets.

- **Locations.** The final identified locations for pumps and laterals will, in most cases, not be practical to move.
- **Construction costs.** The District would pay all construction costs for the laterals, pump/ sumps, electrical equipment, and controls estimated at \$1.64 million.
- **Landscaping.** The District would take care with construction to minimize the impact on landscaping and clean up thoroughly. The District would not be responsible for replacing all landscaping to 100% original condition. The District will consider working with property owners on any aesthetic actions to hide the pumps and control panels.
- **Easements will not be needed.**
- **Ownership and maintenance.** Once constructed, the laterals, pumps, controls, and related equipment would become the landowner's responsibility. Note that it is District policy and the overall industry standard is for property owners to own and maintain their laterals. Following an inquiry with a local sewer pump maintenance firm, the cost for landowners to maintain a private pump system is estimated to be about \$300 annually to inspect and maintain and about \$60 for electricity at current rates. The lifespan of the pumps is dependent on the usage. For example, pumps with more dwelling occupants will increase usage and decrease lifespan. Likewise, certain items flushed down the toilet can reduce lifespan and increase maintenance such as feminine products, condoms, dental floss, wipes, and rags.
- **Timing.** Design of the lateral replacement project is expected to begin mid-summer 2022. Construction is anticipated to start mid- to late-fall 2022 and take about 8 to 12 months to complete.



*A corroded manhole in the Bay.*



*A non-corroded manhole on land.*



## Pump and Lateral Alternatives cont.

### What Happens Next

After staff create the engineering design and develop individual Agreements for each property, they will walk through the Agreement and all the project details with each property owner. The Agreement will be signed by both the property owner and the District. The agreement, among other details, will recognize that any individual laterals, pumps, controls, etc., that are replaced or upgraded by the District will be owned by and maintained by the property owner once installed.

The contractor will walk through the final construction details with each property owner both before and after construction.

### Decision-Making Process and Timeline for Main Pipeline and Pump Systems Design

Staff will consider the public input with all the engineering, financial, regulatory, and other parameters and make a recommendation to the District Board. We expect the District Board to select an alternative in April and direct staff to implement it.

**What is driving the project timing?** We know that private laterals are deteriorating and believe the 50-year-old main sewer in the Bay is also deteriorating and must be replaced before a break or clog spills sewage into the Bay. In addition, the County is resurfacing Point San Pedro Road this summer, which will start a 10-year moratorium on any construction in that street. Any sewer work in the road must be done before then, wait another decade, or pay to fully repave the street, which would be a waste of taxpayer dollars.

#### New main sewer pipeline installation and pump systems design timeline.

March	April	May	June	July	August
Hold Public Meetings.	Board selects an alternative.	Select contractor for main sewer pipeline construction in the roads. Begin working with property owners on lateral details.	Sewer main pipeline construction in the roads. Begin design of new pump systems.		Pt. San Pedro Road pavement construction by the County of Marin. Continue design of new pump systems (for 3 to 6 months estimated).

### Post Construction Assistance

District staff will provide post-construction assistance on the private pump systems for six months. This involves answering basic questions and helping identify resources if more complex inspection or maintenance is needed.



## What Shared Pumps Look Like

The pumps are housed in a sump, which is like a barrel to hold sewage and provide backup storage.



The picture below shows a pump under the blue lid. The control panel is the gray box on the wall. The pump is buried underground and can be hidden behind fences, landscaping, painted, etc. Note that pumps at sites near sea level will need to be above ground.





## Individual Pump System Questions and Answers

from a Neighbor with 30 Years' Experience Having a Pump in Their Home

One of the properties within the affected neighborhood installed a pump system 30 years ago and has been running it without incident since then. We asked the property owner about their pump; their answers are below. Minor edits and additions for clarity from District staff are shown with underlined text.

1. Q: How long has the pump been in place and functioning?

A: Over 30 years

2. Q: Have you experienced any issues since installing the pump (needs to rebuild or replace a pump)?

A: Once over 20 years ago, the pump was upgraded to a larger one because the first pump was too small.

3. Q: How often and how much maintenance has it required since installed? Do you do have any yearly preventative maintenance?

A: Yes, we check it out under the house to make sure it's not clogged. We are very diligent about NOT throwing anything other than biodegradable toilet paper down the toilet.

4. Q: What kind of maintenance is typically needed/encountered?

A: Not much maintenance is needed. All we do to ensure it's working, we set a certain time for it to go off every day and listen for the faint humming sound when it turns back on. There have been no problems with it.

5. Q: How have power outages affected its operation? And, how long can you use water during an outage before the holding tank fills up?

A: There has been no problem with a power outage. When electricity comes back on, it resets itself. The sump is designed to hold about 3-days of light sewage use as a backup, and the pump has battery backup.

6. Q: Do you have a backup generator to power the pump during an outage?

A: We have found no need for a backup generator. However, we have one but haven't needed to use it.

7. Q: How has having the pump affected your monthly electric bill?

A: Don't realize any additional cost. However, I'm sure there has to be, but it's minimal.

8. Q: When you installed the pump, did you need to make any upgrades to your electric panel and/or add any circuits?

A: We didn't, but that would be whatever additions your system would need.

9. Q: Are there any odors associated with the system?

A: A little smell inside the pump room under the house when the system is churning the waste disposal, but not within the house.

10. Q: How and where do you vent the sump?

A: For ventilation within the pump room itself, we have a large cement cellar with a door, of course, and windows. For venting the pump and sump, a pipe vents outside.

11. Q: Have you had any issues with the lateral (pressurized pipe between pump and sewer main pipeline)?

A: No, never.

12. Q: Can you hear the pump while inside your home? Does its operation interrupt your daily lives?

A: No daily interruption

13. Q: Do you have any alarms on the pump system, and if so, how often do they go off? (examples: pump fail, high water alarm, power outage, etc.)

A: Yes, we have an alarm on all of the system. Only has gone off a couple of times in 25 years when the power went out.

14. Q: Are you more mindful about what gets flushed down the toilet, such as wipes, dental floss, or feminine products, etc.?

A: Yes, you have to be prudent in maintaining your system. None of the above except biodegradable toilet paper.

15. Q: Overall, are you glad you installed the pump? Were there any options to avoid installing the pump?

A: We didn't see any other option. Very happy with the system that was installed.

16. Q: What does it cost to maintain and operate the pump.

A: The cost for electricity at PG&E's average peak rate of \$0.34/kwh would be about \$60 per year or about \$5 per month. Manufacturers recommend an annual inspection by a plumber and claim that typical pumps last 20 to 30 years before requiring replacement. Local plumbers tell us that a yearly inspection and maintenance would cost about \$300.





## What Individual Home Pumps May Look Like

The picture below shows a duplex dwelling with one pump in the ground and a control panel on each home's wall.

A single-family home would have only a single pump and controls.

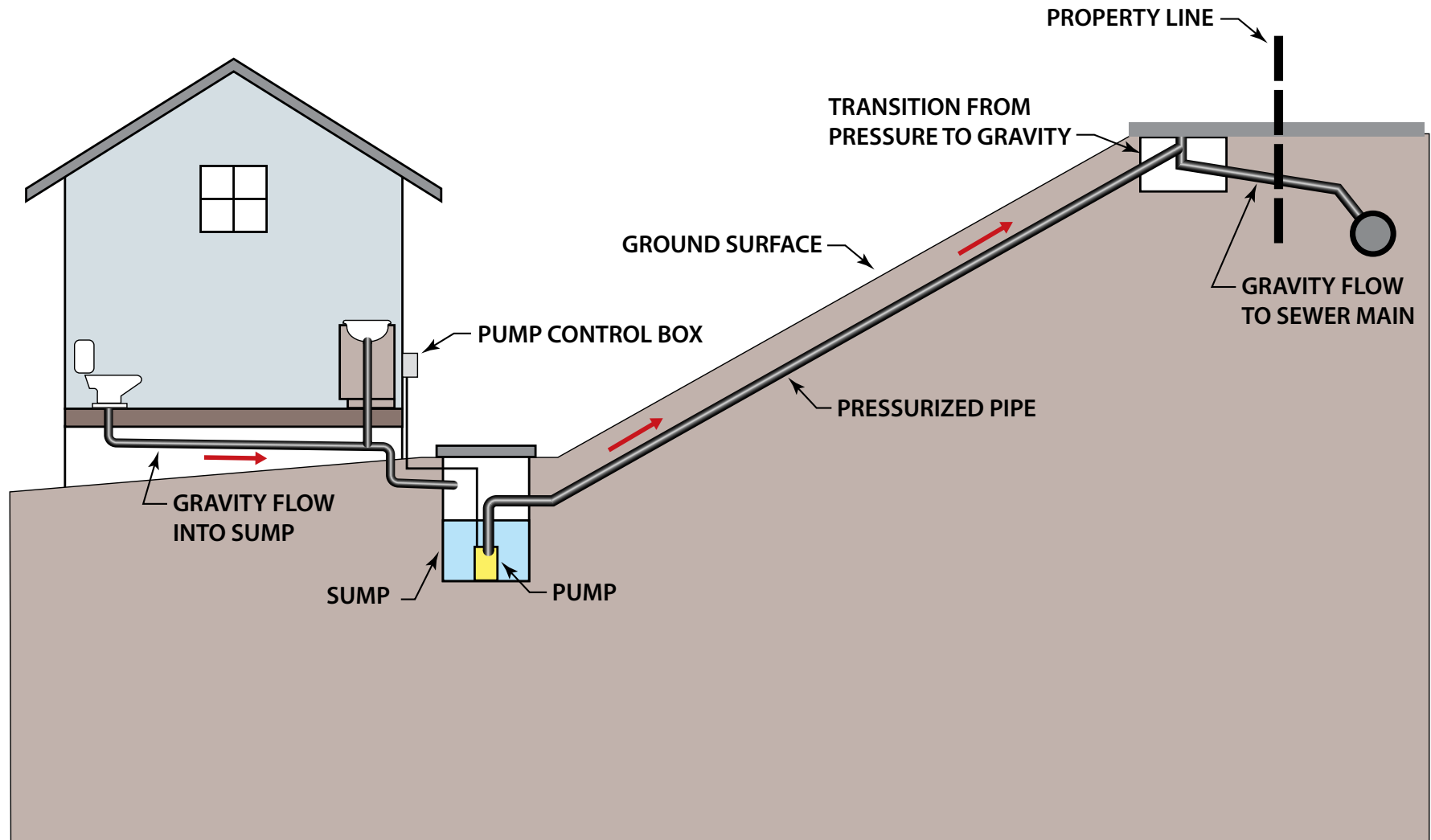


Pump and sump combinations can often be hidden or masked. Here is an example of a pump under a house. The pumps can be outside, under homes, under decks, etc.



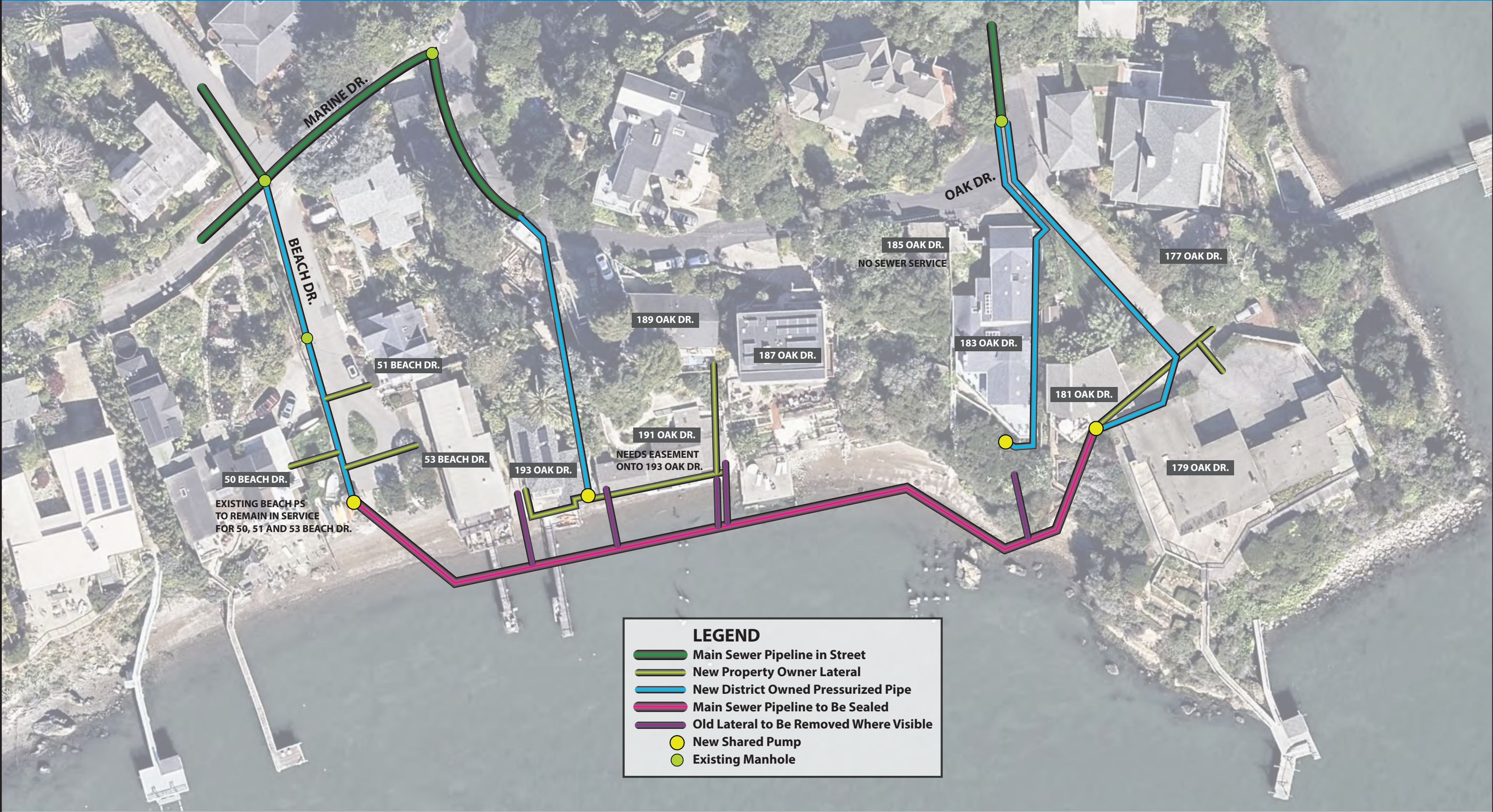


## Cross section Showing Pump & Laterals Connection to Sewer Main Pipeline



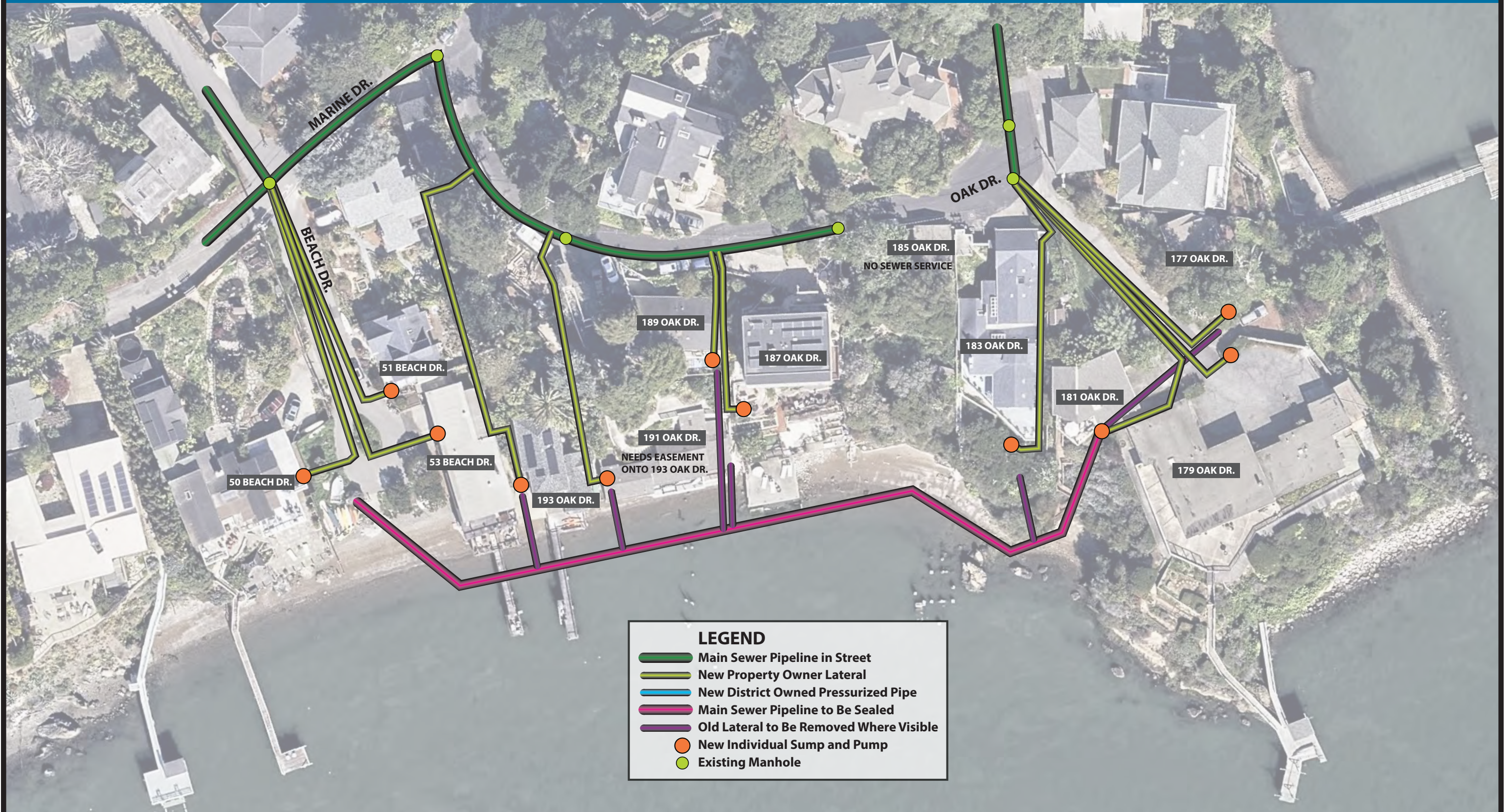


# Shared Pumps & Laterals South Line (Alternative 3)





## Individual Pumps & Laterals South Line (Alternative 4)



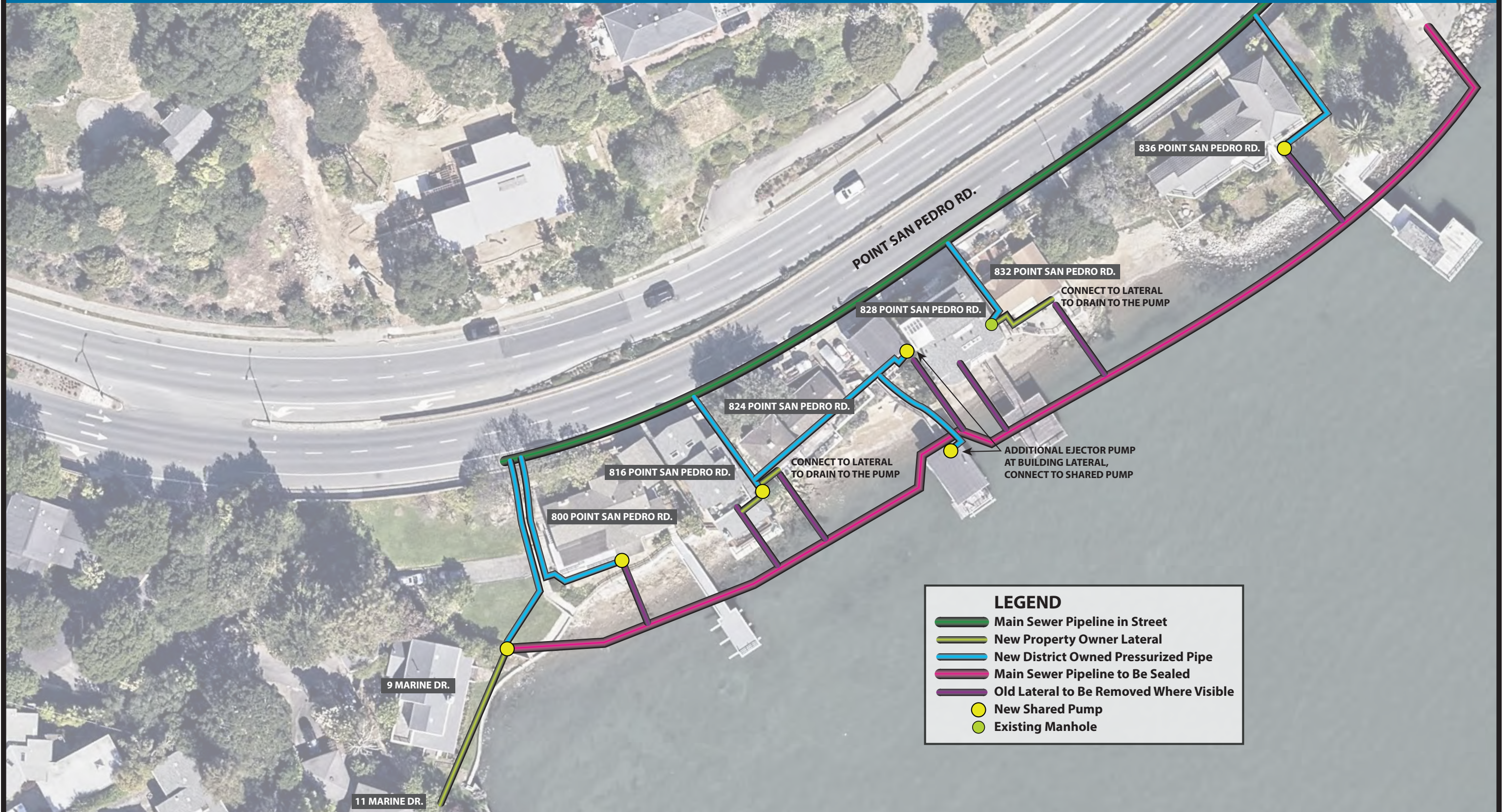


## Individual Pumps & Laterals North Line (Alternative 4)





## Shared Pumps & Laterals North Line (Alternative 3)





## Bayside Neighborhood Meeting 3/23 & 3/24 Combined Notes

Notes:

1. Bold lettering indicates the question posed.
2. Comments in brackets “[ ]” are added by District staff to provide context or clarity.

### Communications

**All will be reported to the board.** You can contact board members by sending an email.

**You can email Dave or Doris too.**

**David's email:** [David.Nicholson@cityofsanrafael.org](mailto:David.Nicholson@cityofsanrafael.org)

**Doris' email:** [Doris.Toy@cityofsanrafael.org](mailto:Doris.Toy@cityofsanrafael.org)

**How would we go about making a recommendation to the board? How do you recommend no?** The notes and comments from this meeting will be presented to the board both in written form and verbally. You can email comments [to either David or Doris]. **Make a notation here that one person is saying NO to this idea [to Alternative 3].**

### Board Meeting

**Is the board meeting in April public? The Board has got to allow for public comment.**x2 Yes.

**What is the date of the board meeting?**x3 It is the first Thursday of every month at 11:00 AM. The next one is on 4/7 via zoom. Details are posted on the website.

**I encourage all to attend the meeting. I agree 100%.**

**What is the time limit to respond to a board meeting? Do we need to put together all of the paperwork beforehand?** The deadline is up to Tues 4/5. You can also comment at the meeting.

**We need 45 days. 2-3 weeks isn't enough.**

**When will the decision be considered?** The final info [public comments and site findings] and staff report will be presented to the Board a few days prior. Both will be posted on the website. It will include today's meeting minutes as well.

**How long will it take for the board to make a decision?** We don't know. It is up to the Board. If they have more questions or research, it could take another month.

**3x/week** [shared pump inspections by District staff]

**If these systems are very reliable, why do they require inspection 3x/week? (x3 comments).** **The District inspects that often due to their level of care and regulatory requirements.** These are extremely reliable [pumps]. This would be an extremely proactive approach in comparison to a homeowner who might not be as proactive. More like 1x/year inspection [for individual pumps] by a homeowner.

**What is the difference between 3x/week and 3x/year?** The District inspects about three times per week. Homeowners less often.

### Alternatives

**Would older homes need electrical panel upgrades under Alternative 3 or Alternative 4? Would the sewer district help to fund that?** The District plans to cover this [cost] if needed for Alternative 4.

**Are the choices Alternative 3 or Alternative 4?** Both are still under consideration.

**Can you do shared systems where they make sense and individual systems where they make sense?** It will be one or the other.

**I didn't see the cost breakdown for Alternative 1. Can you comment on that?** I don't have the number here but by memory about \$5 million or \$6 million.

### **Alternative #3 Comments**

AGAINST:

- We would be at risk with Alternative 3 if a neighbor flushed a diaper etc. It could affect me. I don't want to do that.
- Why is the cost of Alternative 3 to be born by where the sump is cited or feeding into it [not clear what was being asked here]? Who is the lucky person who gets a shared pump on their property? Who pays for the power and maintenance? A: Both [Alternatives 3 and 4] are paid by the District. It [Alternative 3 pumps] would be maintained by the District, including the electricity.

FOR

- Alternative 3 works.
- I would vote for Alternative 3 emphatically.
- Alternatives 3 is much more in favor of the Homeowner.
- Alternative 3 is better. Older folks may be freaked out by the legal liability of the District.

### **Alternative #4 Comments**

AGAINST

- **There is a built-in bias on Alternative 4 from the consultants, District, and Board.**
- **I don't like the new mini districts. The financial obligation is pushed to Homeowners.**

FOR

- I'm in favor of Alternative 4. I'm not going to grant an easement that doesn't already exist. The larger the home, the more the flushes. It would be a noise nuisance if the neighbor flushed a lot.
- I like Alternative 4 because of the individual's responsibility for the systems.

COMMENTS

- **Why aren't Homeowners being reimbursed for the maintenance and electricity, if taxes are being paid for that?** This [operation and maintenance for private pumps and laterals] is the [legal] responsibility of the homeowner.
- **Do you think the Staff will recommend Alternative 4?** The staff won't be making any recommendations.

### **Parts and Services**

**What is the lifespan of the tank and motor?** According to a person who has one (more details in the presentation included), it shows [they've been operating it for] 20 years. It is made of non-corrosive material. These pumps are designed to be in sewage and sealed. Span is dependent upon the quality of



the pump. What we are looking at, one would expect 20 years if they are not abused by a home cannery or acidic acid in the tank, or swiftners, or flushing diapers.

**Is there an inspection by the District?** No.

**Who will size the system?** An engineer from Nute Engineering [and District staff]. They will work with homeowners.

**I had to replace the system a few years later because it was too small. How much will the system cost, in case of 3-5 years, if it's catastrophic?** Hard time deciding which is best. No question, just comment.

## **Pumps**

**What is the warranty on the pump and service?** It is based on the manufacturer's pump warranty. A shared pump system [operation and maintenance] would be assumed by the District. Individual pumps [operation and maintenance] would be handed over to the property owner.

**The liability on the pump would be a lot.**

**If you add 20 pumps, that adds 20 possibilities of failures. It introduces more sewer hazards. The bigger the pump, the bigger the failure.** These are harder to maintain. Smaller is easier. It's a wash [note the volume of material doesn't change by using one system over the other].

**How far below ground are the pump placements?** This will vary for various [site conditions and] engineering reasons. We will bury it as much as we can. These will vary.

**Define 24/7 access. Do you need interiors? Or do you just have outside access?** Exterior. It is associated with [operations and maintenance of the] shared pumps.

**How can the installation of 20 pumps versus 5-6 pumps be less intrusive?** The 20 pumps are less intrusive because they are smaller pumps. These can be put under decks and in crawl spaces so as not to be seen. The environmental issue is for [shared pumps] [at the bayfront] front in terms of aesthetics. The smaller the pump, the more efficient [can be hidden better, and has a smaller volume].

## **Understanding the Situation**

**We are currently obligated to maintain our laterals anyway.**

**Homeowners maintain their laterals. It is already part of their obligation.**

## **Dissatisfaction with the Situation**

**We are paying the same taxes and getting the burden and responsibility to maintain the sewer system. We pay the county sums of money.**

**There appears to be a major disconnect between the Staff, Board, and Homeowner preferences. I would like to make oral comments today.**

**I am disappointed with the grounds that decisions were made and generated.**

**I purchased my house in the 70s and the system was improved and assessed higher taxes. Now, I am being penalized because it is outdated.** The District is putting \$65-70K per dwelling. The District has no legal obligation to foot this bill, so the District thinks this is fair to Homeowners.

**It's a burden when you are retired and with limited income.**

## **Homes**

**You are only installing for existing dwellings and not lots?** This only pertains to existing properties.

**How many homes are affected?** 20

**What happens if a Homeowner adds rooms to their home and needs more capacity?** The Homeowner would pay. The District is only paying for the upfront costs [for the initial system installation].

## **Permitting Agencies**

**Does the negative response from permitting agencies indicate prohibition or prohibitive cost?** The regulatory and permitting agencies suggested [have said they will require] we pursue alternatives to having a pipeline in the Bay.

## **Other Considerations**

**Isn't there some kind of sophisticated failsafe mechanism that prevents spills? Maybe an alarm?** An alarm is really just a warning of spills. It's not preventative. There is no real failsafe other than an alarm that says there is a problem [with water level in the sump].

**Instead of coming out 3x week, if they have to dig up an old system anyway, can they put in a space-age one that can be checked remotely.x2 What about drones? We wouldn't have to go through this nonsense and laterals.**

**Have compostable toilets been considered?** [No]

**Is it possible to rehabilitate the pipe using pipe bursting?** No [it's encased in concrete and leaving the pipe in place within the Bay does not solve the maintenance access issue, and would not be approved by the environmental regulatory agencies].

## **Power Failure**

**What happens with PG&E power failures?x2 Can you continue service during a 4-day power outage for fire safety? How long can this be sustained?** Building code requires a 3-day backup. One can install a means of hooking up a portable generator. Many are doing that. It depends on the size of the sump. The larger the sump, the longer it would go. Individual property owners would need to be conscientious. You may choose to install a generator.

## **Reimbursement**

**Our pump service is every day. Since we will lose that service, will we get that fee credited back?** The neighborhood is not losing any service. There is no credit back.

**The costs in Alternative 3 will be taken away if go to Alternative 4.** The District is not willing to pay back the money.

## **REQUESTS**

- **Michael Isaeff asked if will send the slides/presentations to the group afterward?** Dave will share.
- **Can you provide a list of plumbing services that would agree to maintain a system under Alternative 4?**
- **Send meeting info for the April board meeting.** David will send a press release or public email. It's on the website if you go to the San Rafael Sanitation District website. There is info on board meetings there. Someone posted a link on chat.
- **Dr. K, Ron Pinto, and Joan Wright didn't receive the information packet.**
- **Copies of this presentation will be made available after this call to all. Request from Karin.** Martin said yes, will make copies for all.

- **Dr. K. is awaiting materials.**
- **Doris is to post a link to the website.**
- **Would like a list of board members.** It's on the website.
- Can google "City of San Rafael" for the website address.
- **How long will it take before you send out materials?** I will email Dr. K. David and will print it out tomorrow or Monday. I will hand-deliver these. Send David an email if you want one.
- **jim@jimnually.com**

## **PARTICIPATING MEETING #1**

- Dave Nicholson - District PM
- Kara Latz - Scribe
- Mark Wilson - Lead Engineer
- Martin Rauch - Consultant
- Doris Toy - Head of sanitary dept.
- Kerry Gerchow - Attorney
- Kathy Price - 800 Point San Pedro
- Michael Isaeff - 800 Point San Pedro (son)
- Michelle Wolfe - 50 Beach
- Mary Lou & George Marek - 11 Marine Dr.
- Susan & Peter - 51 Beach

## **PARTICIPATING MEETING #2**

- Doris Toy - General Manager.
- Dave Nicholson - Project Manager
- Mark Wilson - Consulting engineer
- Martin Rauch - Consulting Outreach
- Kris Ozaki
- Kara Latz - Scribe
- Hal Lauritzen - 53 Beach
- Ron Pinto
- Dr. Kirkle - 824 & 826 Point San Pedro
- Kathy Price
- David Scheufler
- 51 Beach (maybe)
- Karin - 181 Oak Dr.
- Joan Wright (maybe)
- Jim - 193 Oak

## Questions and Answers About the Bayside Acres Sewer Project

### Why The Pipeline Must Be Moved Out Of The Bay

**Q: Why can't the District just repair or replace the pipeline in the Bay.**

**A:** The aging and corroded sewer main that serves the Bayside Acres neighborhood is located in the beach and is in danger of failing. It must be replaced by new, main sewer pipelines in the streets. The primary concern is that access to the iron manholes is impossible because they are corroded. As a result, the District cannot get equipment into the main sewer pipeline to inspect or maintain it properly. In addition, the cement that forms the manholes has lost about two-thirds of its thickness from corrosion. The District is constructing new pipelines this summer.

### Helping the Property Owners with the Transition

**1. Q: How will the District help property owners to transition to the new systems.**

**If the Board chooses the private individual pumps and laterals alternative**

- The District will provide a brand new, high-quality pressure lateral, and pump-sump unit that will cost between \$40,000 and \$100,000 at no charge. This is normally the full responsibility of the property owner.
- The District will restore all landscaping in kind and restore all construction damage, as this is the standard District practice.

Staff is also proposing that the District take the following additional steps. These would require Board approval

- District contracts with a plumber/contractor to provide phone support, training, and maintenance services for the first year to provide a transition period and ensure it is working well.
- District makes a reasonable effort to screen or hide the control panel and pump-sump unit in the crawl space, under a deck, by burying it and/or with landscaping or fencing up to a pre-determined dollar amount.
- District provides a power backup source, i.e. small portable generator or battery for use during prolonged power shutoffs. Note that each pump-sump unit provides about 24 hours of backup capacity.

**If the Board chooses the shared pumps and laterals alternative:**

- The District will restore all landscaping in kind and restore all construction damage, as it is standard District practice.
- In addition, staff is proposing that the District make a reasonable effort to screen or hide the control panel and pump-sump unit using landscaping or fencing.

### Who is Responsible for What

**Q: Shouldn't the District take responsibility for maintaining the laterals?**

**A:** Every developed property in the District has a sewer lateral that is owned and maintained by the property owner. This is a standard requirement in the District including for properties with pumps and pressurized laterals.

**Q: Is it a liability to have private homeowners take over their own pumps?**

**A:** The District is decreasing liabilities by decommissioning the main sewer pipeline in the Bay and moving it into the streets. Small private pumps and laterals have a long and proven history of reliable use and should not be a major liability for the property owners.

**Q: I get that laterals are the homeowners' responsibility, but are pumps?**

**A:** The connection from a private home to a public main sewer pipeline is a lateral and is the responsibility of the homeowner whether it flows by gravity or requires a pump.

**Q: What if there is a power outage?**

**A:** Staff is proposing that the District provide a power backup source, such as a small portable generator or battery for use during prolonged power shutoffs. In addition, the sump is designed to provide about 24 hours of storage for a typical household.

### Cost Details

**COMMENT: If my home requires an electrical panel upgrade who is responsible for that initial cost?**

**A:** The District will pay all construction costs, including for a needed electrical panel upgrade.

**Q: Why doesn't the District show cost savings from not having to maintain the existing large pumps after they remove the Bay pipeline?**

**A:** District sewer service charges are calculated based on classes of customers. All single-family homes are charged the same amount wherever they are in the system. A customer near or far from a pump station is not charged a different amount. There is no basis in the District's charges for applying a change in costs for operation and maintenance and applying that to a small group of customers. If it costs less to maintain those pumps, then everyone in the community benefits. Similarly, the District is not adding the multi-million-dollar cost of constructing new sewer mains in the street to just the Bayside neighborhood. Everyone in the District shares in the cost.

**Q: How did you calculate the costs for easements?**

**Q:** The costs for easements are not easy to predict because it depends on the level of cooperation of the private property owners. The amount could be more or less depending on the response. Obtaining easements is a formal legal process that requires engagement of Staff and legal counsel in every case, and varying payments in some cases to property owners.

**Q: Why does the shared alternative cost more than the private lateral alternative even though there are fewer pumps and fewer feet of pipe?**

**A:** There are a lot of details that impacts costs, but here are some of the key reasons the shared pipelines alternative are estimated to cost more to construct in our rough pre-design estimates.

- **For the shared systems, the pressurized laterals are estimated to cost about \$90,000 more than for the private systems even though there are fewer of them.** This is because of both a project scaling issue (greater sewage flows and larger pipes and District responsibility issue (District is held to a different standard for a sewage leak compared to a homeowner by regulatory, and also liability for property damage).
- **For the electrical costs, there is an estimated increased cost of about \$125,000 or more for the shared systems.** The key point on the electrical is similar to above, the District must build to a municipal/commercial quality, engineered electrical feed system costing about \$50,000 more than the individual electrical systems. The District would have to acquire its own new power service for the southern portion (Oak Drive) and norther portion (Point San Pedro). This would require a \$75,000 PG&E fee for two new meters. Alternative 4 would look like what a homeowner needs to do to add an electrical powered hot tub. (add another breaker in the panel, route a ¾ inch conduit down to the hot tub and install a receptacle).
- **The nine shared pumps for the shared systems are estimated to be about the same cost as the 20 individual pumps,** due to the shared pumps larger size and higher municipal quality.

- **The shared system has a construction management costs estimated at about \$260,000 that are not needed for the private systems.** This is because again these shared systems are municipal quality pump stations which demand a higher level of scrutiny.
- **The contingency costs for the private systems are estimated at about \$100,000 higher than for the shared systems.** This is because of the unknowns of restoring twice as many properties for alternative 4 as alternative 3.

## MAINTENANCE

**Q: How much maintenance is needed or required for pumps?**

**A:** Here is what a neighbor in the Bayside community described as their 20+ years of experience with a pump. Underlining is from Staff for clarity. *Not much maintenance is needed. All we do to ensure it's working, we set a certain time for it to go off every day and listen for the faint humming sound when it turns back on. There have been no problems with it.*

**Q: Why does the District need to inspect and maintain shared pumps up to three times per week but homeowners only once a year or less?**

**A:** The individual pumps are very reliable and low maintenance as would be the shared pumps. However, there are several reasons why it would substantially be more effort and cost for the District to maintain shared pumps than for private owners of individual pumps.

1. The District, as a public agency, operates under numerous regulatory requirements and must seek to operate the system with no spills or problems. The District potentially faces costly fines for failures. Also, the District is required to use state-certified, professional operators to inspect and maintain the system and pay them competitive wages in a perennial tight labor market. The District inspects all of its pump stations three times per week due to the very high level of proactive maintenance it must provide as a public agency under regulatory scrutiny. District crews do inspect and repair their facilities at any time it is needed, every day, including holidays and around the clock. This is a standard practice and a level of professional quality that others are not required to meet.
2. In addition, the District does not know if or when people flush items that are inappropriate, so Staff must inspect regularly in case people overload the system. If the District is responsible for maintenance as in the shared pump-sump unit alternative, people may be less careful with what they flush since they won't be responsible for maintenance.
3. Homeowners, on the other hand, are under no specific requirements for maintenance. If a child or adult mistakenly flushes something inappropriate, the owner knows to check the system. Private owners may choose to simply let the system be and it may operate for years without a problem. Or the owner could choose to pay a plumber to inspect the system periodically.

## ALTERNATIVES

**Q: Can some people go with alternative 3 and others alternative 4?**

**A:** The Board could choose a combination of shared and individual laterals. Nonetheless, Staff has suggested that a combination of ALT 3 and 4 should not be pursued because it maintains all the negatives of shared systems:

1. **Less Equitable for Other Ratepayers.** It is the private property owner's responsibility to connect their home to the public sewer main. The District does not pay for lateral maintenance anywhere else. Shared laterals and pumps, if chosen, would, for the first time, set a precedent for District ownership of individual sewer connections. Under either option, every property in this Bayside Acres project will receive a brand new shared or private lateral and pump system at District expense, costing roughly \$40,000 to \$100,000+ each. Asking the rest of the ratepayers also to pay \$185,000 or more per year to maintain the shared systems in perpetuity raises the question of whether this is fair to all other District customers who would shoulder this cost.
2. **Longer Window for potential Sewer Ruptures and Sewage Spills While Negotiating Easements.** Shared pumps and laterals require both public and private easements across neighboring properties to install the shared systems. At least one property owner has publicly stated that they will not allow an easement through their property. Others could take a similar stance. The District has no control over obtaining private easements, which could lead to delays. In addition, the District would need to obtain public easements to place the shared systems within private properties. Obtaining easements can be a slow and costly process if property owners resist, refuse to cooperate, or are simply slow to respond.
3. **Higher Overall Costs to the District and Ratepayers.** Installing shared systems requires about several hundred thousand more in construction costs than private lateral systems. In addition, maintenance requirements for District-owned systems would add about \$185,000 per year that the District's other ratepayers would have to shoulder.
4. **The pump-sump units and Control Panels for a Shared System May Be a Visual Problem for Some Properties.** There will be limited choices about where shared pump-sump units can be located in order to receive flows from gravity laterals. In some cases, the pump-sump units may not be able to be fully buried to keep them above flood levels. The sizes of shared pump-sump units would vary but could be as much as seven feet tall by six feet wide for a four-home system or about seven feet tall by four-feet wide for a two-home system. Also, a control panel roughly two feet square and one foot deep would need to be situated.
5. **Two necessary electrical panels may be a visual burden for the two nearest homes.** The Shared alternative will need an electrical panel on both the north and south sides. This might have to take away a parking spot. The size may vary, but would be about three-feet high, up to five feet wide, and one-foot deep.
6. **District policy (under 2.01 of the District's Specifications for Side Sewers and Laterals) does not allow for shared laterals.** In addition, when a shared lateral is found, or when a lateral cross into another property, District policy is to move it onto its own property wherever possible. The purpose is to ensure it is clear who is responsible for maintaining and protecting each lateral. While there are exceptions, they are uncommon.
7. **This project has to serve for future generations of owners, as well, and a shared system is not as secure.** Future owners may not want a shared pump-sump unit on their property or sewer lateral easement. This project has to serve indefinitely. These shared facilities may limit what individuals can do on their property, impact their property value, and they may not want District staff on their property (estimated to be about three times each week) to inspect and maintain it.
8. **Having a combination system adds more complexity and may increase design and construction costs in ways that are not known.**

## SUMMARY OF EMAILS (MARCH 23, 2022 TO APRIL 29, 2022)

Property 1*Comments:*

- Overwhelming support for Alternative 3
- Vehement objection to Alternative 4
- David and I are retired and on a fixed income
- Pay our property taxes every year to support the county infrastructure
- Want to protect the Bay
- Suggesting we, as property owners take on the ongoing expense, operation and maintenance of our own pumps and sewer systems is completely unreasonable.
- It seems the more and longer the pipes and the increase in the number of pumps (Alt 4), present far greater risk to the Bay and our surrounding community than Alt 3.

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Property 2*Comments:*

- strongly prefer Alternative 3 where the SRSD installs new shared pressure systems
- It is an abrogation of SRSD's responsibilities as a public service to completely walk away from these systems that they have maintained over the many years. They have always been responsible for the complete system here from the end of our gravity laterals onward. That should stay the same with the new system.
- SRSD will remain liable for consequences when the County or environmental officials learn that you forced homeowners to take on this responsibility (Alt 4).
- Our overwhelming support for Alternative 3 is completely contrary to the District's statements to you by [REDACTED] at the previous Board meeting on March 3:  
*"[REDACTED] informed the Board that after speaking to many property owners, the majority appears to be supporting the individual pumps alternative. He noted that according to industry standard, the owner is responsible for financial and maintenance of his individual pump system."*
- No mention of any alternatives was discussed with me by Nicholson before the Presentation Package was sent to us on March 11 prior to the Zoom, which is after his comments above.
- Property owners were not even made aware of any "Alternatives" until the SRSD Zoom presentation on March 23rd and 24th, one week ago.
- This Zoom meeting has been the only community engagement over the past 14 months.
- Things are going too quickly and this is not real homeowner interaction or buy in
- It is our understanding that [REDACTED] repaving could possibly be postponed to accommodate the time to get this right.
- Firmly opposed to Alt 4
- Alt 4 is a recipe for an environmental disaster with 20 tanks of sewage only feet from the Bay and barely above sea level, in inexperienced hands, including renters and absentee owners.
- The inferior quality of Alternative 4 further magnifies the environmental risks previously noted about SRSD, leaving 20 mostly older homeowners on their own to manage these tanks next to the Bay.

- First of all, Alt4 piping is FIVE TIMES as long as Alt3, as shown in your plan for Property 1 & 2. In addition, Alt4 lines go through very narrow and utility-congested paths for both Property 1 & 2 and under a lot of pavement. Our gravity laterals and easements are already in place to our neighbor at Property 10.

*Questions:*

1. Over the past five years what has been the total District costs per year to maintain the 20 systems being revised (and breakdown, if available)?
2. Do you have a complete breakdown of the "construction" costs for the 2 options:  
Alt 3 - \$1.70M Alt 4 -\$1.35
3. It seems unusual that the "shared" option costs more. Per plan diagrams, Alt 3 has only 11 pumps while Alt 4 has 21. A bigger shared pump would cost more than an individual pump, but would a complete installation of 1 shared pump cost more than 3 complete installations of individual pumps of the same quality?

**Answer:** The SRSD-owned system is industrial grade, designed for a 40-50 year life, while the homeowner-owned system is lower "homeowner" grade with expected life of 6-16 years like a garbage disposal or a refrigerator. The SRSD system would use stainless steel components and long lasting specialized plastic pipes, while the homeowner system would use fiberglass tanks and PVC piping.

These short lives and additional repair and replacement costs to homeowners were not addressed in homeowner costs and are significant.

There were also revelations that make the \$185,000/yr SRSD O&M cost suspect and questions about the figure of \$100,000 to resolve easements used without any definitive study of the cost.

4. The sewer piping is significantly longer for individual systems as you would expect. For the "South Line," I estimated Alt 4 is 42% longer than Alt 3. At Property 1 & 2, the current 40 foot lateral would be used for Alt 3, and a estimated 335 foot pressurized lateral for Alt 4. Can a standard pump handle that length and lift?
5. Do you have a list of the elevations of all of the pumps and dwelling sewer outlets for both cases that I could see?
6. For Property 2, do you know the electrical requirements (which box, etc.) and the routing of the lines for Alt 4?
7. I notice there are extensive pavement markings on [REDACTED] near sewer covers. Is this work related to the 20 parcel sewer modification project that is under consideration or something else?

Answer: Yes, the pavement markings that you're referring to (in your photo) is for our sewer project; they are for our geotechnical study.

8. Have you narrowed down the pump manufacturers and models for both Alt 3 and Alt 4, and if so what is your analysis so far (with numbers)?
9. A system similar to ours has been successfully implemented before. Can you tell me the name of that project and where I can get details?
10. Can you please confirm that the May 5 meeting will be recorded to be viewed online later?
11. In Shared Alternative 3, how will power be supplied to the shared pumps?

## Property 4

### *Comments:*

- As has been often mentioned by me, pumping stations on individual properties is not an option worth considering by me @ Property 4.
- Parking will be a problem, once the project begins. I will assume that a clearing will be designated, so as to accommodate the inconvenience of some people
- Alternative 3' is most suited to our unique area of san rafael. by sharing pump stations among 2-4 properties, the mostly retired property owners
- A signed signature petition' on file.
- It is my opinion that [REDACTED] must be in a situation to ..reveal that he is responsible for making notes, favoring the Alternative # 4, as opposed to most of the property owners who are in favor of ' alternative # 3 '
- That my property ( back side ) is a natural habitat, established in the 1980's...free of any development, related to construction ( even any proposal of sewer pumping station considerations ) [REDACTED]  
[REDACTED] y property is only Parcel # [REDACTED]. When viewing the records, it shows clearly that the land south of my property is Parcel # [REDACTED] IS a Natural Habitat property. Such a property was designated as a location for a pumping station..on the Legend Map for ( alternative # 3 and alternative # 4 )
- I am desiring a public open forum for future discussions related to sewer modification /. sewage ejector pump stations...etc. COVID PROTOCOL is marginal now. I would like using the 4th street assembly room, within the Mayors Office.
- our best interest is NOT being considered. I am concerned that [REDACTED] and his consultant [REDACTED] ..have continually overlooked our best interests..by NOT making us very clear the true consequences of what they were planning to do in our area.
- Properties 17, 18, 19 are mapped to show shared laterals branching from one pump...serving these (3) three properties. I suggest relocating the pumping station to accommodate (4) four properties...equi-distent as possible.....on that short down-slope part of [REDACTED], adding a lateral from my property ( Property 4 ) to join their lateral system at Property 18 will 'direct' toward the proposed Pump Station... as part of the Alternative # 3 arrangement.
- Property 4 should be given a 'Ball-Park' estimate, as to 'the real costs' involved...to include her in the ' plumbing grid '. All other properties, privy to the Sewer modification, are well-established with electrical, plumbing, and basic water needs. [REDACTED] property will need a full ' work-over ' with any possible thoughts of including her in the ' plumbing grid 'and possibly sharing with other property owners.

### POINTS THAT CONCERN ME:

- 1) The lack of a walk through with engineers, explaining the project in detail
- 2) The short time that meetings were called, not giving absent people enough time to study all aspects
- 3) Misrepresentations by District spokespersons, including inadequate and incomplete disclosures....full packet was never delivered to my mailbox..for dedicated review.
- 4) My belief that more research and examination of relative facts/ information is STILL necessary.
- 5) The fact that [REDACTED] and his consulting engineer [REDACTED] ..failed to adapt my particular situation ( part of my back property lot is a Natural Habitat location..not suitable for a pump )..simple over-looking of a REAL issue. Therefore, a delay is necessary..before final decision.

***Please see my responses in red below (from [REDACTED] )***



I would like to request your presence ...reviewing my home Property 4 before board meeting on April 7, 2022. you are still on the payroll with the city..it is assumed...being available for review. I will be happy to come out to your residence again. But it is my understanding the board meeting is being postponed (see comment in my email above). So as a consultant to the District I need to get further direction on how my work will proceed before I come back out to your property. I will make a note of your request. For your information all of the sites will be visited again after the Board makes a decision on which alternative to proceed with.

I believe that my sewer low point is just below kitchen area. this being the case, a lateral can be positioned to connect with adjoining property ( east side )...needing an easement provided by 1Property 18. i agree that it appears that this might work, pending a check on site elevations.

the point: my lower area is a ' natural habitat ', not assumed as a good placement of a pump station. the "natural habitat" easement does appear to show up on the county records.

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## Property 7

- See letter regarding the Chicken Point sewer project

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## Property 9

- he is violently opposed to Option 3 and signed the petition for Option 4.

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## Property 10

### *Comments:*

- We have a legal right to grant or to deny request for an easement going through our property. We want to make clear we are not in favor of a shared pump system with any of our neighbors (Properties 1 & 2) and will not allow an easement for neighbors to go through our property for any such use nor do I want to share a pump or lateral in anyway. Additionally, please be advised an easement sought on behalf of the utility for our neighbors would be challenged in court. We would not grant an easement to the District for a shared pump system.
- I request Option #4 Individual Pump & Lateral North Line for my two properties located at Property 10 in addition to the adjacent parcel I intend to build on in the future.
- We are not concerned about any impacts from a private residential system to their property.
- We believe my mother ( ) is being harassed by the owners of Properties 1 & 2 to go along with their push for a shared system alternative. She was wondering if the Board could address the issue of civility among the people of the neighborhood, as this project process moves forward? And refrain from direct lobbying of the neighbors.
- I have experience with individual home sumps and find the systems to be reliable and inexpensive all the while maintenance is minimal. These systems provide greater options suited to the individual homeowner's unique needs.

### *Questions:*

1. What size pump will be provided?
2. Can I increase the size of the pump if desired?
3. If my home requires an electrical panel upgrade who is responsible for that initial cost?
4. What if any alarms do the pump system have including but not limited to

- a) auto shut off
  - b) capacity limit
  - c) overflow etc.
5. Do I have a choice where to install the septic tank pump?
  6. What is the setback requirement from the property line for sewer piping installation, more importantly how far from the property line will my neighbor's sewer pipe reside?
  7. What is the depth requirement of the sewer pipe?
  8. What is the piping made of (plastics or cast-iron metal)?
  9. What is the estimated construction timing for my specific property, how long will I be out of my home?
  10. Will SRSD absorb temporary relocation costs for housing?
  11. How do we set up a 1:1 individual meeting between Property Owner and SRSD to review process and logistics?

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## Property 11

### *Comments:*

- We adamantly oppose Alt 4 (private residential systems) primarily because we object to the long term maintenance burden for the maintenance of a private system.
- We also strongly support Alt 3.
- There is a small percentage of homes in San Rafael that actually have a private pumping system
- We think the planned Alt 4 pumping systems will be of inferior quality to the planned Alt 3 systems because of the estimated costs presented in the SRSD power point presentation earlier this month.
- another point about shared costs regarding the median on [REDACTED] for which we pay & receive no benefit, as there's only a cement wall in front of our house & no beautification, as there is in front of other properties. My point here is sewer maintenance should be a shared cost for all residents, not a fee to be absorbed by some unlucky few

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## Property 14

### *Comments:*

- wants whatever is the cheapest alternative
-

## Property 18

### *Comments:*

- The 13 pages of conceptual drawings representing Alternatives 3 and 4 and estimated costs that were provided to affected homeowners by [REDACTED] disclosures") differ from the conceptual drawings and estimated costs prepared and provided by Nute to the SRSD staff and Board. Accordingly, there has not been complete transparency in notifying homeowners of what alternatives they may be eventually forced to live with, including quality, life expectancy, sustainability and location of pumps, laterals, pressurized pipes, and main sewer lines, as well as the extent of the related actual comparative costs and financial and legal responsibilities for the proposed Alternatives 3 and 4.
- In the [REDACTED] disclosures, neither Alternative 3 nor Alternative 4 proposes a possible connection of the laterals from the Property 4 parcel to a proposed pump to the east on the Property 18 parcel (my home.) You noted that the topography and elevations of the Property 4 parcel do not lend themselves to such a connection and rather that the Property 4 laterals would more appropriately and conveniently be connected to a pump located on its own parcel or to a pump located on a parcel west of Property 4. This is consistent with my position that an easement for and placement of laterals running under my home originating from Property 4 makes no sense and is absolutely unacceptable to me for numerous physical and other reasons.
- [REDACTED] has not been directed by the District or Board to further explore or analyze Alternative 3 but has been directed to further study Alternative 4, and [REDACTED] is now over budget because of that directive. You had previously recommended that the Board adopt Alternative 3.
- The vast majority (94%) of the 19 homeowners affected by this Project have indicated their vehement opposition to Alternative 4 as represented in the [REDACTED] disclosures and said homeowners have sent a petition to SRSD to that effect, urging adoption of Alternative 3. These homeowners have also prepared a 2-page statement with in-depth explanation of their reasons for opposing Alternative 4 and favoring Alternative 3, which statement will be provided to the SRSD staff, consultants and Board prior to the May 5, 2022 Board meeting and read into the record on May 5, 2022.
- You opined that homeowner concerns over the apparent disparities in quality, efficiency and life expectancy of the Alternative 3 and 4 infrastructures anticipated by the [REDACTED] disclosures are not well-founded. Nonetheless, it appears to the homeowners that the SRSD favors and intends to provide a cheaper, lesser quality, lesser efficient system under Alternative 4 (with homeowner financial and legal responsibility) vs. a higher quality, more efficient, longer lasting, more reliable system under Alternative 3 (with SRSD financial and legal responsibility.) Those intentions appear to homeowners as an abrogation by the SRSD of its financial, operational and legal responsibilities as a local government agency.
- Some homeowners are anticipating litigation and/or other actions in the event that the Board adopts Alternative 4 despite the homeowners' overwhelming opposition to it.
- Adopting a hybrid of Alternatives 3 and 4 based on individual homeowners' circumstances and needs is not presently under consideration.
- There will be no decision about this Project taken at the May 5, 2022 Board meeting, but there will likely be a future special Board meeting for making a decision.
- The SRSD passing off its financial and legal responsibilities for sewage infrastructure maintenance and system operation to inexperienced and in some cases disabled, frail or incapacitated retirees is illogical and inappropriate and lends itself to mismanagement of infrastructure failures and heavy criticism of this local government agency if there is a spill

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## Properties 19 & 20

### Comments:

- I would like to register my vote for ALTERNATIVE 3.
- I am opposed to the other 3 alternatives

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## Property 21

### Comments:

- We are alarmed at the impact of new sewer plans on our home, landscape and old trees, and our quality of life! A quality of life that we pay for dearly with our property taxes.
- Cannot support Alt 3 because it places a pump station next to our dining room window, and requires a new easement across our property. If the main line being suggested adjacent to our home in Alt 3 continued another few feet to the interconnect to the existing pump on Beach Drive the solution for us may be solved and we might support that alternative. That pump station is much closer to our home than installing a new line hundreds of feet across our property.
- Suggest a couple alternatives the SRSD did not consider
  - The first is composting toilets and gray water systems. This would be our first choice at Property 21. The compost can be used in the yard or put in the compost bin. The captured gray water can be used in the garden. This is cost-effective and is the future of sewage and waste water systems in our changing world. If the District is thinking even 10 years ahead, this would be wise to implement now. The Ecology Center in Occidental may have expertise in installing and educating people about this ecological, sustainable method. We have used these systems, they are not smelly or high maintenance.
  - Another is to bring the main sewer line closer to the homes on the water front and use welded plastic pipe encased in a concrete trench. This is actually part of your Alternative 3 design, if a little more thought is put into that you could potentially do away with two or three proposed pumps.

We have a couple of requests that we need urgent attention to:

- copy of the notes from the conversation, we want to make sure our concerns are thoroughly and accurately represented,
- date and time for site visit and walk-through with [REDACTED] or another knowledgeable engineer to identify the issues that urgently concern us about options.
  - Our property has some unique and potentially *extremely disruptive* consequences from your proposed plans (including disruption of heavily used living areas in very tight spaces between our home and the two neighbors, and very old terraced landscape stones, paths, and a *rare and endangered 75 year-old 80 foot Auracaria tree right on the path* from the house to the street).
- we need to know specific, real options for our property, not some sketchy ideas with no discussion or walk-through with us.
- We are scheduled to leave town April 28-May 13th and do not want to engage in this important process from the road.

Please put us on record that:

- we are being forced to assume lateral maintenance costs shifting from about 6-10 feet currently to 300 feet
- we are being forced to tear up 300 feet, and in one possible scenario, on BOTH sides of our very narrow property,
  - with serious disruption to living space quality, use and flow, given how we are situated just feet from neighbors on both sides,
- the options have been sketched out without enough specifics and discussion with us about our specific property and living space, and this is being forced on us too quickly!
  - We want this process to slow down until the most palatable and specific options have been discussed and negotiated with us, and we will fight it until that happens.
- We have hired [REDACTED] to represent us, she will be in touch re concerns specific to our property.
- In alternative 3, lines and pumps would be maintained by the SRSD as opposed to alternative 4, this is a critical part of the new proposals. I raised the point at the Zoom meeting on 3/24/22, installing 20 separate pumping stations in such close proximity to the bay creates more likelihood of an environmental hazard. The odds of mechanical failure due to lack of professional maintenance, electric outages, storm damage, is increased exponentially with the so many pumps and lines being added. Homes like ours that are on the beach, where we are in zones that need to have zero potential for failure of mechanical equipment or pipes and fittings, raw sewage spills into the bay are a very real hazard, with these issues and with Alternative 4 in general

*Questions:*

1. Property is in the County and not the City. Concerned not represented electorally. Since live in the County does that mean no direct representation? Or does the Board appointment someone to represent the County areas?

**Answer:** Yes, the District has some incorporated areas. Our Board has 3 board members. Two of them are from the City Council, which is appointed from the City Council; and the third member is appointed by the Marin County Board of Supervisors, who is currently [REDACTED]

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# Bayside Acres Beach Sewer Conference Call Notes (public version)

The following are summaries of the phone calls made between Residents and Mark Wilson or Martin Rauch from Tuesday, April 19, 2022 through Friday, April 29, 2022. *(For the public version, all private and personal information has been removed.)*

## **Property 1**

Owners are strongly in favor of Alt 3 and signed the petition on record. After I clarified that both Alt. 3 and Alt 4 have only been designed to the predesign/conceptual level we discussed the technical aspects of both.

- Conceptual shared pump location either on Property 10 or possibly Property 1.
- Location of shared force main up to the street level (Marine Dr.) (They were adamant that shared force main would not fit up the narrow north side of their property, right now the alt 3 concept shows it going through Property 10)
- Easement issues (Property 2 already has an easement across Property 1). (Property 10 adamantly does not want any easements) (difficulty in routing shared force main up to Marine Drive on Property 2)
- Operation and maintenance of a private (Alt 4) pump system issues (they seemed interested in the possibility of placing either a private pump or the shared pump on the south side of their property)
- Conceptual location of Property 1 private pump system.
- Back up electrical power provided for a private system by the District. (small gas generator and looking into the concept of battery backup)

## **Property 2**

Owners were formerly in favor of keeping the old sewer in the bay. They now understand this is not a good idea. Owners are strongly in favor of Alt 3. After I clarified that both Alt. 3 and Alt 4 have only been designed to the predesign/conceptual level we discussed the technical aspects of both.

- Conceptual shared pump location either on Property 10 or possibly Property 1.
- Location of shared force main up to the street level (Marine Dr.)
- Easement issues (Property 2 already has an easement across Property 1) (Property 10 adamantly does not want any easements) (difficulty in routing shared force main up to Marine Drive on Property 1)
- Operation and maintenance of a private (Alt 4) pump system issues
- Conceptual location of Property 2 private pump system.
- Back up electrical power provided for a private system by the District.

Owners reiterated their position that the District would be abrogating their responsibility if Alt 4 was selected.

## **Property 4**

- Owner signed the pro - Alt 3 petition and seems to be strongly in favor of Alt 3 and has submitted several emails to that effect which are part of the project record. After I clarified that both Alt. 3 and Alt 4 have only been designed to the predesign/conceptual level we discussed the technical aspects of both.
- Conceptual shared pump location either on his property Oak Drive. Owner thinks that this would violate the special nature conservancy easement to his parcel, but it appears the pump could be located above this.
- Location of shared force main up to the street level (Oak Drive)
- Easement issues (Property 5 would have to have an easement across his lower property).
- Operation and maintenance of a private (Alt 4) pump system issues
- Conceptual location of Property 4 private pump system. Owner thinks this would violate the nature easement.
- Back up electrical power provided for a private system by the District.

Owner has been pushing his neighbor Property 18 to allow his lateral across her property to a shared pump system on her property. The owner of Property 18 has made it clear that this is not acceptable.

### **Property 5**

Owner indicated that she favors Alt 3 the shared pump system.

I brought up the following points:

- The shared pump system design has not been finalized and it seems likely that Property 5 and Property 4 would be shared. If that was the case we are not sure whether the shared system would be on the property of Property 5 or Property 4.
- Regardless of the selected alternative, a new sewer main extension will need to be constructed so that both Property 5 and Property 4 could somehow be pumped up to instead of flowing downhill into the sewer buried in the beach.

### **Property 6**

- Owner right away indicated that she had signed the petition for Alternative 3.
- Owner said that the board should know that she does not think that building and “presenting an alternative 4 private system to a homeowner who has zero knowledge how the system works makes sense and would be a mistake”!
- I discussed that both the design for alternative 3 and alternative 4 are at the conceptual/predesign level and that her home could likely share a pump with Properties 19, 20 and 21 for Alt 3. Current concept design has her lateral going across Property 21 and she would need to obtain an easement for this. Owner is a real estate agent and the easement issue did not seem to phase her. I discussed Alt 4, and she understands that she would not need an easement for that alternative. I discussed providing backup electrical power for the pump system and that did not affect her opinion. I discussed the maintenance issue with her and she seemed to be in the camp where she feels the District has a responsibility to handle the sewage for her house.
- She did have some information regarding her neighbor to the east of her property Property 5. She wanted to make it clear that this property should not be considered vacant because there is

a cottage where people can spend a weekend. Owner was concerned that the sewer for the property may just be going on to the beach. I told her that I will make sure the District is checking on this, to ensure that there is no sewage being discharged into the environment.

### **Property 8**

- Owners say they represent Properties 7, 8 and 9 and are not necessarily aligned with the rest.
- We want alternative 3, no easement issue, much safer environmentally, properties close to each other and an existing line in the street with a pump station.
- Inequity starts with us being abandoned.
- Concern about alternative 4. Don't want a gas-powered generator. I mentioned battery backup is being considered but isn't fully evaluated yet.
- This change is being foisted on us and we won't accept option 3.
- They wanted to be sure that we would pass this information to the Board. I told them we would pass all the information to the Board.
- They stressed their unique situation and said they felt the Board could choose a mix of 3 and 4. I acknowledge their unique situation in terms of easements and existing pump station, etc. Other issues to consider about Alt 3 besides whether it is practical or cost effective among their three homes (see next bullet)
- Ultimately, Board will decide. Other perspectives to consider as well: cost and time it might take for easements with option 3 delaying the project and adding risk. That there are a few people who have stated they won't allow an easement. Also, some people may not realize the visual issues with shared sumps and that they need to be in someone's yard. Also, that in a narrow legal sense, the District doesn't have a responsibility to pay for construction but they are and that they are not responsible to pay for maintenance (as in option 3). From other ratepayer perspectives, this may be unreasonable.
- They asked if there is an appeal process or other remedies. I said I was not sure but believe the Board is the final authority and after that legal attempt to change it.

### **Property 9**

Immediate neighbor with Properties 7 and 8 and have jointly signed and sent a letter to the District Board of Directors on April 6, 2022 in support of Alternative 3. This letter made the following points:

- Concerned about the environmental impact and homeowner risks if the District does not maintain the sewage system (e.g. owner maintained systems of Alt 4)
- They point out that their properties are unique in their proximity to Beach right of way and no easements are necessary, and a shared system decreases the complexity of the system.
- Requiring residents who are already paying \$900 annually to take on the additional responsibility of their own pumps is inequitable.

In addition, owner offered these follow up points:

- In 1973 when owner bought his house the City built the gravity sewer in the beach, and the homeowners were assessed to pay for the construction costs. The District is now penalizing the homeowner for a bad decision.
- Because of his fixed income any additional costs would be difficult for him.



Owner remembered our site visits last year when we discussed possible locations for his own pump system. I pointed out some of the difficulties in siting a shared system in other areas of Oak Dr and Pt. San Pedro Road, including easement acquisition.

### **Property 10**

They have sent a few emails and a letter to the District Board on March 28<sup>th</sup> indicating that they are strongly in favor of Alt 4.

From the phone conversation they made two strong points:

- They will not grant an easement to their neighbors (Properties 1 & 2) for a sewer pipeline. They would not grant an easement to the District for a shared pump system. Therefore they're strong support of Alt 4. Additionally they are not concerned about any impacts from a private residential system to their property.
- The final point is they believe they're being harassed by the owners of Properties 1 & 2 to go along with their push for a shared system alternative. They were wondering if the Board could address the issue of civility among the people of the neighborhood, as this project process moves forward? And refrain from direct lobbying of the neighbors.

The positions of this resident is the strongest indicator yet of the easement obstacles Alt 3 may likely face.

### **Property 11**

The main points from our conversation:

- They adamantly oppose Alt 4 (private residential systems) primarily because they object to the long term maintenance burden for the maintenance of a private system.
- They also strongly support Alt 3.
- They agreed that there is a small percentage of homes in San Rafael that actually have a private pumping system.

Think the planned Alt 4 pumping systems will be of inferior quality to the planned Alt 3 systems because of the estimated costs presented in the SRSD power point presentation earlier this month. My response to this is that final Alt 4 pumping systems have not been finally designed and selected and that any system eventually selected will be of high quality.

### **Property 14**

Owner only response was to Barbara Dabney on the phone – she indicated that she did not need a phone conference with Mark or Martin and then said, “I want whatever is the cheapest alternative.”

### **Property 17**

- Owner supports Alt 3, but does not want any easements on her property. When it comes time to locate a shared pump she and her neighbors will have a pump location issue to deal with.

- likes the concept that she would not have to pay to maintain or maintain the system.
- I made it clear that she would still have to maintain her short lateral.

## **Property 18**

**On 4/28/2022 at 10:00 am Mark Wilson spoke with Owner who sent her own call synopsis.**

The following are my takeaways and I want to confirm them to you and to San Rafael Sanitation District (SRSD) staff with the understanding that this information will be provided to the members of the SRSD Board of Directors in advance of their upcoming meeting on May 5, 2022.

1. The 13 pages of conceptual drawings representing Alternatives 3 and 4 and estimated costs that were provided to affected homeowners by Dave Nicholson ("Nicholson disclosures") differ from the conceptual drawings and estimated costs prepared and provided by Nute to the SRSD staff and Board. Accordingly, there has not been complete transparency in notifying homeowners of what alternatives they may be eventually forced to live with, including quality, life expectancy, sustainability and location of pumps, laterals, pressurized pipes, and main sewer lines, as well as the extent of the related actual comparative costs and financial and legal responsibilities for the proposed Alternatives 3 and 4.
2. In the Nicholson disclosures, neither Alternative 3 nor Alternative 4 proposes a possible connection of the laterals from the Property 4 parcel to a proposed pump to the east on the Property 18 parcel (my home.) You noted that the topography and elevations of the Property 4 parcel do not lend themselves to such a connection and rather that the Property 4 laterals would more appropriately and conveniently be connected to a pump located on its own parcel or to a pump located on a parcel west of Property 4. This is consistent with my position that an easement for and placement of laterals running under my home originating from Property 4 makes no sense and is absolutely unacceptable to me for numerous physical and other reasons.
3. Nute has not been directed by the District or Board to further explore or analyze Alternative 3 but has been directed to further study Alternative 4, and Nute is now over budget because of that directive. You had previously recommended that the Board adopt Alternative 3.
4. The vast majority (94%) of the 19 homeowners affected by this Project have indicated their vehement opposition to Alternative 4 as represented in the Nicholson disclosures and said homeowners have sent a petition to SRSD to that effect, urging adoption of Alternative 3. These homeowners have also prepared a 2-page statement with in-depth explanation of their reasons for opposing Alternative 4 and favoring Alternative 3, which statement will be provided to the SRSD staff, consultants and Board prior to the May 5, 2022 Board meeting and read into the record on May 5, 2022.
5. You opined that homeowner concerns over the apparent disparities in quality, efficiency and life expectancy of the Alternative 3 and 4 infrastructures anticipated by the Nicholson disclosures are not well-founded. Nonetheless, it appears to the homeowners that the SRSD favors and intends to provide a cheaper, lesser quality, lesser efficient system under Alternative 4 (with homeowner financial and legal responsibility) vs. a higher quality, more efficient, longer lasting, more reliable system under Alternative 3 (with SRSD financial and legal responsibility.) Those intentions appear to homeowners as an abrogation by the SRSD of its financial, operational and legal responsibilities as a local government agency.
6. Some homeowners are anticipating litigation and/or other actions in the event that the Board adopts Alternative 4 despite the homeowners' overwhelming opposition to it.
7. Adopting a hybrid of Alternatives 3 and 4 based on individual homeowners' circumstances and needs is not presently under consideration.

8. There will be no decision about this Project taken at the May 5, 2022 Board meeting, but there will likely be a future special Board meeting for making a decision.

9. I opined to you that the SRSD passing off its financial and legal responsibilities for sewage infrastructure maintenance and system operation to inexperienced and in some cases disabled, frail or incapacitated retirees is illogical and inappropriate and lends itself to mismanagement of infrastructure failures and heavy criticism of this local government agency if there is a spill.

## **Property 21**

We spoke for about an hour, and they had extensive questions and requests:

They are opposed in general to the entire project – and not sympathetic to the challenges of permitting a rebuild of the pipeline in the Bay. They think it should be repaired or replaced in the same place. They don't think there has ever been a sewer spill there anyway. I explained it is not just permitting but ongoing maintenance difficulties in the Bay and the risk of spills there: environmental, regulatory, cost, reputation. The world has changed, and a sewer pipeline in the Bay is unacceptable.

If not, they have an idea to run a new main sewer from the current pump station on land near Property 18 towards Property 4 and Property 6 and have simpler laterals. They want to discuss this with Mark.

They are opposed to Alt #3. The location of the sump pump unit is right where they spend time.

If there must be new laterals, they prefer Alt #4 but have additional comments and concerns:

- They want the sump pump unit on Property 20 away from their property. It impacts their kitchen, the patio they use, etc. They say that neighbor would be ok with that.
- They feel there are serious problems with the current conceptual path of the lateral: tens of thousands of dollars of custom rock walls in the way, established planting, lots of new concrete foundations and paths are in the way. Instead, there is a pathway to Marine that is easier.
- The conceptual location for the individual pump-sump unit is in a place that they use all the time, both indoors and outdoors, and full of concrete. Also, the plumbing runs about 3 feet below that, so it would have to be deep. They reminded that they were pouring a foundation when Mark was out, and he asked them to put a 2" pipe through it to route the lateral. Finally, they would like Mark to walk through their property, explain how he can solve all these obstacles, and give a better idea about the location, elevation, odor, and noise.
- They think the District should pay for maintenance of 4 if chosen because the new lateral would be way longer and include a pump, go up and down in elevation, etc.
- They wanted to know if there would be public meetings before a decision. I said yes, two.
- They noted that their home is in the County and asked about electoral representation on the Board of Directors of San Rafael Sanitation District. Response from Doris Toy:

Yes, the District has some incorporated areas. Our Board has 3 board members. Two of them are from the City Council, which is appointed from the City Council; and the third member is appointed by the Marin County Board of Supervisors, who is currently Supervisor Katie Rice.

**On April 29, 9:30 AM, Mark Wilson also had in person walk through meeting with Owners.**

Discussed their sewer needs for both Alt 3 and Alt 4. I emphasized that my discussion was conceptual and any solution will need to be verified with final engineering. The following are their key concerns:

- Have been through a difficult permitting/remodel process, and they are concerned with impacts to their actual living area which is focused close to the bay edge.
- For Alt 3 or Alt 4, if it has to be located near the lower part of the property near bay edge, they want to minimize the visual, noise and odor impacts.
- Protection of some of their specimen trees during the installation of any buried pipeline or conduit is critical. (Generally for Alt 4 running the new 2 inch pipe along their western fence is acceptable, as long as tree roots are protected).

Discussed their idea for gravity sewer collection for Properties, 18, 4, 5, and 6 and indicated this was similar in difficulty to Alt 2, in regards to environmental permitting and impact to property improvements.

Discussed the construction obstacles for Alt 3 and Alt 4. For Alt 3, they feel strongly about not having a shared pump system on the southwest corner of Property 20, because their kitchen and dining area would be right above this.

For Alt 4, I pointed out one of the biggest challenges is the depth of the existing building sewer leaving their house at the bottom of the structure, because of making a sewage sump deeper.

## **Property 22**

Owner did not have an opinion on the project, just some questions and one comment.

First, he suggested that the sump-pump could go in the empty lot by his home which he owns. He says he plans to sell the two properties together.

He wanted to know when the project would be built. I told him that a decision by the Board on the laterals was expected by early June or before. Also that the main sewer in the street was planned to be built this summer. Construction of the laterals would follow. I added to make sure he was aware that there are two lateral options, shared and individual and described them each in a basic way.

He said "we" should prefer three then. I said many people prefer 3, but some prefer option 4. One reason some don't like 3 is because it requires easements across properties. I mentioned that staff is expected to recommend option 4 but the Board decides.

# COMMUNICATIONS

## FROM RESIDENTS TO BOARD MEMBERS (by date)

### Property 2

From: George Marek [REDACTED]  
 Date: **Wed, Mar 30, 2022 at 2:22 PM**  
 Subject: Impending Bayside Acres Sewer Modification - URGENT Homeowner Concerns  
 To: <[REDACTED]>  
 [REDACTED]  
 Cc: [REDACTED], Sackett, Mary [REDACTED], George Marek [REDACTED], Mary Lou Marek [REDACTED]  
 March 30, 2022  
 To: Kate Colin, Chair; Maribeth Bushey, Secretary/Director; Katie Rice, Director  
 Ref: Bayside Acres Sewer Modification Project

Dear Members of the Board of the San Rafael Sanitation District (SRSD),

We would like to voice our concerns about the Sanitation District's plan to move our sewer systems. While removing them from the Bay is a good idea, RSD's preferred option (Alternative 4) transfers all ownership and responsibility to each property owner.

**We would instead strongly prefer their Alternative 3 where SRSD would continue to fully own, manage and be responsible for shared systems.**

Alternative 4 would leave about 20 buried sewer systems mere feet from the Bay, barely above sea level, in the hands of inexperienced homeowners, including renters and absentee owners. **THIS IS AN ENVIRONMENTAL HAZARD AND A LIABILITY THAT NO ONE IN THE SANITATION DISTRICT, MARIN COUNTY, OR EVEN WE PROPERTY OWNERS SHOULD ACCEPT.**

It is also an abrogation of SRSD's responsibilities as a public service to **completely walk away from these systems** that they have maintained over the many years. They have always been responsible for the complete system here from the end of our gravity laterals onward. That should stay the same with the new system. With Alternative 3, the pumps and pipes are reversed, but the basic design is the same as before. Of course, we remain completely responsible for our gravity laterals to their pump.

**We have attached a property owner Petition signed by 18 affected property owners representing 14 of the 20 properties.** This constitutes 70% of all affected property owners and 93% of those we have been able to contact. Virtually everyone contacted has endorsed Alternative 3; we believe only one property owner has firm objections. We are still trying to contact the remaining affected homeowners to ensure that they are aware of this project and its implications.

Our overwhelming support for Alternative 3 is completely contrary to the District's statements to you by David Nicholson at the previous Board meeting on March 3: ***"Nicholson informed the Board that after speaking to many property owners, the majority appears to be supporting the individual pumps alternative. He noted that according to industry standard, the owner is responsible for financial and maintenance of his individual pump system."*** Property owners were not even made aware of ANY

"Alternatives" until the SRSD Zoom presentation on March 23rd and 24th, one week ago. This Zoom meeting has been the only community engagement over the past 14 months.

We have had barely a week to consider this, so a PAUSE to better inform property owners of the exact details is in order. It is our understanding that Point San Pedro Road repaving could possibly be postponed to accommodate the time to get this right.

Also attached is a three page BACKGROUND BRIEF detailing our concerns, a list of affected properties, and the initial presentation to us from SRSD.

We will deliver the original petition and signatures in person to Mayor Kate Colin's office.

*We would appreciate the opportunity to meet with each or all of you to explain our concerns, answer your questions and take your advice.*

Thank you for your time and consideration.

George Marek

[REDACTED]

Representing Affected Homeowners

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**From:** George Marek [REDACTED]

**Sent:** Thursday, April 7, 2022 2:56 PM

**To:** Mayor Kate [REDACTED]

**Cc:** [REDACTED] George Marek [REDACTED]; Mary Lou Marek [REDACTED] >

**Subject:** Bayside Acres Sewer Modification - Update from Homeowners

Mayor Kate Colin,

We homeowners welcome the postponement of the April 7 SRSD Board meeting to be able to further discuss our concerns and preferences about this project.

I am representing the affected property owners as a group. Since I delivered the homeowners' original signature Petition to your office **6 days ago**, our percent of **properties preferring Alternative 3** has risen to **84%** of all affected properties and **94%** of all we could contact (one says no).

We only received knowledge of any project options April 24th, and saw the evaluation package from Dave Nicholson **8 days ago**. *So things are going too quickly and this is not real homeowner interaction or buy in.* If SRSD is already pursuing Alt4 with no consideration for Alt3, I would ask you to PAUSE and seriously consider our Petition. Supervisor Connolly's office advises that PSP Road repaving will occur late in the year, so that is not a constraint.

**I would very much like to meet with you in person** to focus on the main points in the documents I left for all the Board members and Doris Toy. I was planning to do that today at

the Zoom Board meeting. I hope you can schedule a meeting with me soon, since I will be out of the country during May and will miss the rescheduled Board meeting.

**It is really important that SRSD continues to maintain full responsibility for these systems so close to the Bay.**

Thank you so much for your consideration. Our local governments listened to affected citizens about the PSP Road revision and I hope the Board and District will listen to us.

George Marek



Property 10

*Joyce V Price*



March 28, 2022

San Rafael Sanitation District & City of San Rafael  
111 Morpew St,  
San Rafael, CA 94901

Attn: Board Members

Re: Bayside Acres Sewer Rehabilitation Project – Property 10 plus adjacent parcel

I want to make my stance regarding the Bayside Acres Project known to the City of San Rafael, the San Rafael Sanitation District and The Board of Directors.

I **favor** the **Individual Pump System Alternative #4** solution for my two properties located at Property 10 in addition to the adjacent parcel I intend to build on in the future.

I have experience with individual home sumps and find the systems to be reliable and inexpensive all the while maintenance is minimal. These systems provide greater options suited to the individual homeowner's unique needs.

I am **not** supportive of Alternative #3, the shared pump solution nor will I provide an easement for my neighbors to run their laterals through my property.  
Please let me know if you have any questions.

Sincerely,

Joyce V Price



## Property 4

**From:** [REDACTED]  
**Sent:** Tuesday, April 5, 2022 9:04:20 AM  
**To:** Maribeth Bushey <[REDACTED]>  
**Subject:** Thoughts, with regards to SRSD sewer modification plans for 20 plus property owners.. [REDACTED]  
[REDACTED] --San Rafael

Tues., April 5, 2022 @ 8:45 A.M. Pacific

Good Tuesday morning Ms. Bushey, ( Director / Secretary of SRSD )

Kindly let me introduce myself Ms. Bushey. I am a property owner of Property 4, San Rafael...living and paying taxes for the last 26 years.

During that time, I have continually been concerned with the rusted ' out--of-code ' sewer system on our beach head...established in the 1970's.

Now we are confronted with the efforts to do some modification of our sewer system, that requires our strict attention, because it is evident that our best interest is NOT being considered. I am concerned that Mr. Nicholson and his consultant Mr. Wilson..have continually overlooked our best interests..by NOT making us very clear the true consequences of what they were planning to do in our area.

Many times, did I try to contact Mr. Toy..for an update and clarification of the plan of work. Many months have gone by and SUDDENLY, Mr. Nicholson and others are trying to convince The Board that we all are satisfied and well agreed upon..with regards to an agreement ' will be generated and saving the property owners financial burden. NEVER REALLY DONE. ...and we decided to introduce A PETITION TO THE BOARD FOR CONSIDERATION...MANY SIGNATURES ARE EVIDENT OF THE FACT THAT WE ARE SPECIFIC ON WHAT WE PREFER FOR OUT NEIGHBORHOOD...ALTERNATIVE # 3 !!

Please Kindly listen to our spokes persons, with the idea of giving us more TIME AND CONSIDERATION , IN DEALING WITH OUR EFFORTS TO PASS THE ' ALTERNATIVE # 3 '

THANK YOUR FOR READING THIS STATEMENT BY ME.

Cordial regards,

Ronald V. Pinto. --owner of [REDACTED]  
[REDACTED]

**From:** Mayor Kate [REDACTED]  
**Sent:** Tuesday, April 5, 2022 11:45 AM  
**To:** [REDACTED]  
**Cc:** Doris.Toy  
**Subject:** Re: Thoughts in favor of 'Alternative # 3, with regards to San Rafael Sewer Sanitation project for [REDACTED]  
[REDACTED]

Mr. Pinto - Thanks for taking the time to share your thoughts. I am including the GM of the Sanitation Agency on this response so your email can be part of the public record and your input will be a part of the agenda packet for the Board.

I am glad that the neighbors recognize that this situation must be addressed and I apologize that it seems rushed to you. I became the Chair of the Sanitation Agency just over a year ago and this has been at the top of my priority list. The Board will consider this item at our May meeting so the additional 5 weeks will provide more time for you.

Warmly,  
Kate

Kate Colin  
Mayor, City of San Rafael



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**From:** [REDACTED]  
**Sent:** Tuesday, April 5, 2022 8:41 AM  
**To:** Mayor Kate [REDACTED]  
**Subject:** Fwd: Thoughts in favor of 'Alternative # 3, with regards to San Rafael Sewer Sanitation project for [REDACTED]  
[REDACTED]

COPY: Good Tuesday morning Mayor Colin.

I would like to emphasis that Mr. Nicholson recently mentioned to you ..that 'most' property owners are leaning toward the individual pump system....SIMPLY NOT TRUE, as indicated by many signatures on our Petition..submitted to The Board.

Thank you,

R.V. Pinto-owner of [REDACTED]

## Properties 7, 8 and 9

4/6/22

Dear San Rafael Sanitation District Board of Directors,

Properties 7, 8 and 9

We, the residents of [REDACTED] are writing to express our concerns about the Bayside Acres sewer project. After reviewing the SRSD proposals and attending the informational session on March 23/24, we want to strongly express our preference for option 3 for the following reasons:

1. Our primary concern is the potential environmental impact of not having a SRSD maintained sewer system for our waterfront houses. Being waterfront, sewage spills from our neighborhood could have catastrophic impacts on the bay. With electrical outages sure to continue and even increase with each fire season, sewage spills are a real risk if individual households are responsible for managing their pumps. To maintain low risk of spillage, residents would have to be able to afford a generator, be willing to purchase one, and use it when power is out. In addition, general maintenance and monitoring of pumps will be required. While some households will not struggle with this, we are certain that some will; our neighborhood includes an AirBnB rental with the owner living in another state, retired people living on a fixed income, and people with cognitive and physical disabilities. With our unique waterfront location, these are not risks we believe the SRSD should take.
2. The location of our three houses makes it very amenable to placing a pump on county property with no need for an easement. Rather than purchasing 3 separate pumps and laying 3 separate pipelines from each of our houses up the street, a single pump with 1 pipe is more cost effective and decreases the complexity of the system.
3. Requiring residents who pay a sewage tax of nearly \$900 annually to now take on this additional responsibility is inequitable. Our small neighborhood should not be excluded from the comprehensive sewer management that we have experienced for decades and that other residents will continue to experience.

We appreciate your time and consideration.

Sincerely,

  
Hal Lauritzen  
[REDACTED]

  
Susan Matross and Peter Stack  
[REDACTED]

  
Wayne and Michelle Wolfe  
[REDACTED]

## Property 1

**From:** [REDACTED]  
**Sent:** Tuesday, April 19, 2022 10:28 AM  
**To:** Mayor Kate [REDACTED]; Katie Rice [REDACTED]; Maribeth Bushey [REDACTED]  
**Cc:** Doris Toy [REDACTED]; [REDACTED]; D Connolly [REDACTED]  
<[REDACTED]>; [REDACTED]  
**Subject:** Bayside Acres Sewer Modification Project

Fr: Constance Fox and David Scheufler  
Property 1

We are writing to voice our overwhelming support for Alternative 3 and our vehement objection to Alternative 4 for the Bayside Acres Sewer Modification. I know you've heard from many property owners and received the 3/30/22 email from George Marek which clearly details our concerns, so I won't reiterate what's already been stated.

David and I are retired and on a fixed income. We pay our property taxes every year to support the county infrastructure as we have for the past 30+ years. We want to protect the Bay as much as everyone else. However, suggesting we, as property owners take on the ongoing expense, operation and maintenance of our own pumps and sewer systems is completely unreasonable. It seems obvious the more and longer the pipes and the increase in the number of pumps (Alt 4), present far greater risk to the Bay and our surrounding community than Alt 3.

Thank you for your consideration and support of Alternative 3.

# DRAFT

## SRSD BOARD MEETING MAY 5, 2022 STATEMENT FROM AFFECTED HOMEOWNERS

By 94%+, affected homeowners strongly prefer Alternative 3 (Alt3) which retains complete responsibility for our sewer systems with SRSD (San Rafael Sanitation District). We vehemently oppose Alternative 4 (Alt4) which transfers all responsibility, liability, and costs from the District to 20 homeowners. We have delivered an original signed Petition to this effect to Kate Colin, the Chair of the Board of SRSD, along with extensive details and explanations of our position. Since then, we have only been advised to wait until the next Board meeting with no feedback. Alt4 is an irresponsible position for a civil service who should be helping their taxpayers and customers.

1. The District is actively pursuing next steps for Alt4 (despite their denials to us “no decision has been made”) and is taking no further action in pursuit of Alternative 3.
2. The full responsibilities (liability, costs, maintenance, power, power outage, etc.) for 20 tanks of sewage just feet from the Bay should remain with the District which has the professional capabilities and resources to continue to do their job - as it has been for 50 years. Retired homeowners and absentee landlords cannot be relied upon for such complex work.
3. Any environmental spill or disaster will be blamed on the County and SRSD, not the homeowners, because these government agencies abrogated their responsibilities.
4. SRSD comparisons between Alternatives 3 & 4 are biased in favor of removing the SRSD from continuing responsibility, costs, and liability for these systems. Despite questions from homeowners, no substantiation (or even discussion) has been provided for suspect costs and conclusions.
5. The concept that these alternatives are still “laterals” that now become homeowner responsibility is a red herring. The current pipes that are under the Bay are NOW District responsibility even though they are on homeowner property. Where our current gravity laterals empty into those pipes ends our responsibility and SRSD takes over as they should. The new pipes and pumps should also remain SRSD responsibility. Of course, our gravity laterals from our homes to the SRSD pumps or pipes would still remain our responsibility under law.
6. Alternative 4 could easily double the costs we currently pay for this service through our taxes. The District will be saving all the time and funds currently devoted to our system. There is no question that Alt4 will also negatively affect our property values as well.

**IN ALL FAIRNESS AND RESPONSIBILITY, SRSD, AS A PUBLIC UTILITY, SHOULD APPROVE AND PROCEED WITH ALTERNATIVE THREE, OWNED AND OPERATED BY THE DISTRICT.**

MOST OF US ARE NOT CONSTITUENTS OF SRSD BOARD MEMBERS, BUT WE HOPE THAT IN YOUR ROLE AS BOARD MEMBERS YOU WILL LOOK OUT FOR OUR BEST INTERESTS. THANK YOU FOR YOUR ATTENTION.



# Petition

With Reference to:

**Sewer Modifications Proposed by San Rafael Sanitation District (SRSD) on March 24, 2022 to 20 properties in Bayside Acres, San Rafael, Marin County, California**

***We, the undersigned property owners, submit this petition to the San Rafael Sanitary District Board of Directors for your serious consideration.***

The San Rafael Sanitation District has decided to discontinue the existing sewer systems for these properties and reroute sewer lines away from the Bay. They propose two feasible alternatives:






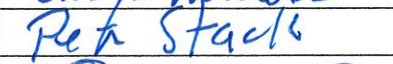

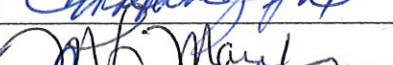
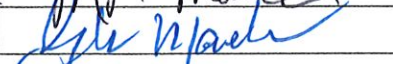


***"Alternative 3" which uses shared pumps and lines on District rights-of-way and leaves the full responsibility of the system under SRSD ownership, control and management as it has been for many years.***

***"Alternative 4" which uses individual property owner pumps and lines and, after installation, transfers the full ownership, maintenance and financial responsibility to each individual property owner including electricity, maintenance, repair, power outage, replacement and all other costs - unlike virtually any other systems in the District.***

***It is not right for the District to walk away from their responsibilities for this system. Their job is to manage sanitary systems FOR us. It would be irresponsible to hand over so many tanks of dangerous sewage just a few feet from the Bay to homeowners who have no knowledge or experience with these systems, and especially since some are renters or absentee owners. Of course, we will continue to be responsible for our own gravity laterals as required by law.***

## **WE STRONGLY URGE THE BOARD OF DIRECTORS TO SUPPORT ALTERNATIVE 3**

A background brief is attached to explain our petition in greater detail. The original of this petition with the original signatures will be delivered to the Chair of the Board of the Sanitation District. Thank you for your consideration of our concerns.

Address	Owner	Signature	Date	Phone
816 Pt San Pedro	Brian & Susan Telford		3/26/22	415 482 9446
179 Oak Dr	JOAN WRIGHT		3/26/22	415-454-2117
187 Oak Dr	Janette Miller		3-26-22	415-308-9413
183 OAK DR	Ronald V. Pinto		3-26-22	415-652-6000
53 BEACH DR	HARLAURITZEN		3/26/22	415-457-9963
9 MARINE	David Schaeffer		3/26/22	415-117-4911
51 BEACH DR	Susan Matross		3/26/22	415-456-7691
51 Beach Dr	Pat Stack		3/26/22	" " "
50 Beach Dr	Wayne Wolfe		3/26/22	415-505-6726
9 Marine Dr	Constance Fox		3/26/22	415-717-3511
11 Marine Dr	MARY LOU MAREK		3-27-22	707-321-3880
11 MARINE DR	GEORGE MAREK		3/27/22	707.328.1431



# Petition

With Reference to:

**Sewer Modifications Proposed by San Rafael Sanitation District (SRSD) on March 24, 2022 to 20 properties in Bayside Acres, San Rafael, Marin County, California**

***We, the undersigned property owners, submit this petition  
to the San Rafael Sanitary District Board of Directors for your serious consideration.***

**The San Rafael Sanitation District has decided to discontinue the existing sewer systems for these properties and reroute sewer lines away from the Bay. They propose two feasible alternatives:**

***“Alternative 3” which uses shared pumps and lines on District rights-of-way and leaves the full responsibility of the system under SRSD ownership, control and management as it has been for many years.***

**“Alternative 4” which uses individual property owner pumps and lines and, after installation, transfers the full ownership, maintenance and financial responsibility to each individual property owner including electricity, maintenance, repair, power outage, replacement and all other costs - unlike virtually any other systems in the District.**

***It is not right for the District to walk away from their responsibilities for this system. Their job is to manage sanitary systems FOR us. It would be irresponsible to hand over so many tanks of dangerous sewage just a few feet from the Bay to homeowners who have no knowledge or experience with these systems, and especially since some are renters or absentee owners. Of course, we will continue to be responsible for our own gravity laterals as required by law.***

**WE STRONGLY URGE THE BOARD OF DIRECTORS TO SUPPORT ALTERNATIVE 3**

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[illegible]

\_\_\_\_\_

**Sewer Modifications Proposed by San Rafael Sanitation District (SRSD) on March 24, 2022 to 20 properties in Bayside Acres, San Rafael, Marin County, California**

***to the San Rafael Sanitary District Board of Directors for your serious consideration.***

**and reroute sewer lines away from the Bay. They propose two feasible alternatives:**

**of the system under SRSD ownership, control and management as it has been for many years.**

**full ownership, maintenance and financial responsibility to each individual property owner including electricity, maintenance, repair, power outage, replacement and all other costs - unlike virtually any other systems in the District.**

***sanitary systems FOR us. It would be irresponsible to hand over so many tanks of dangerous sewage just a few feet from the Bay to homeowners who have no knowledge or experience with these systems, and especially since some are renters or absentee owners. Of course, we will continue to be responsible for our own gravity laterals as required by law.***

\_\_\_\_\_

original signatures will be delivered to the Chair of the Board of the Sanitation District. Thank you for your consideration of our concerns.

[illegible]



# **PETITION BACKGROUND BRIEF**

## **FOR SAN RAFAEL SANITATION DISTRICT (SRSD) SEWER LINE MODIFICATION**

**MARCH 2022**

### **INTRODUCTION**

The decision by SRSD to close the existing sewer lines because they are buried under the Bay came as a surprise to affected property owners. There have been no interruptions of service or even warnings of proper usage to us. In fact, even during PG&E fire safety power outages service has continued without interruption. The news of this change to discontinue use of the north pumping station in Bayside Park came even as the Park built a wide driveway across the length of the park to accommodate access to that station. Explanations that the tide was the problem are confusing since the systems have been serviced for the past many years of tides and storms.

SRSD own the pipes that are partly buried under the Bay, but they are on our properties. Our gravity laterals (downhill flow, no pumps) are connected to it (with easements) and are our complete responsibility.

SRSD examined two modification alternatives that would leave their pipe under/near the Bay but rejected them for various reasons. Instead, they offered two other alternatives that require several smaller pumps and lines to carry sewage uphill to main sewer lines. In both options the District will pay costs for installation of the new complete system.

### **ALTERNATIVE 3 (SHARED PUMPS AND LINES)**

This option, which we will abbreviate as "ALT3-SRSD-OWNED," combines 2-4 neighboring properties into a shared pump and line that is then owned and maintained by the District going forward. Full responsibility remains with SRSD as it is now and has been before. This option requires additional easements to be acquired by the District for the "community" systems. THE VAST MAJORITY OF PROPERTY OWNERS WE HAVE BEEN ABLE TO REACH STRONGLY PREFER THIS ALT3-SRSD-OWNED.

### **ALTERNATIVE 4 (INDIVIDUAL PUMPS AND LINES)**

This option, which we will abbreviate as "ALT4-WALKAWAY" has the pump and piping routed only on each property owner's land thus minimizing easements. Once completed, the "keys" are handed over to the property owner and SRSD has repeatedly acknowledged they will have no more responsibility for it. No training, not a help line, emergency service, nothing. Property owners must now handle all aspects and situations on their own. Walkaway.

***BY SHIFTING THE RESPONSIBILITY FOR 21 NEW BURIED SEWER PUMP SYSTEMS AND LINES WITHIN FEET OF THE BAY FROM THE SANITATION DISTRICT TO INEXPERIENCED HOMEOWNERS, SRSD CREATES A SERIOUS ENVIRONMENTAL HAZARD. THE SANITATION DISTRICT AND THE COUNTY TAKE ON HUGE LIABILITIES BY RELINQUISHING THEIR CONTROL AND MANAGEMENT. DON'T TAKE THIS RISK.***

### **ALT4-WALKAWAY IS OBVIOUSLY PREFERRED BY THE DISTRICT BUT IS VERY BAD FOR THE PROPERTY OWNERS**

SRSD has prepared their study comparison to minimize their costs and management so ALT4-WALKAWAY looks great for them. But they have neglected to recognize that they have walked away from their previous responsibility and liability, and put the burden entirely on the property owners who do not know anything about taking care of such a system. SRSD shows what their estimated costs will be to maintain the new system in ALT3-SRSD-OWNED, but they do not reflect the savings for eliminating the existing system. When asked what the value of the current pumps (to be removed) are, they indicated that all the pumps are just part of their department and the pumps will just return to their stockyard. Those pumps have obvious value if sold or used elsewhere instead of new pumps, and so defray the costs and expenses of ALT3-SRSD-OWNED.

Similarly with the other expenses. For example, they indicated on the one hand that these pressure sewers would be easy for us to maintain and only needed quarterly or annual inspections (ALT4-WALKAWAY), but that if they retained ownership they would have to inspect all of them three times per week at any time 24/7 (ALT3-SRSD-OWNED). They

could not explain why this difference in the Zoom meeting, only that they were providing a public service. Also, their costs for easements seems high, especially for a governmental agency. Nor did they subtract their current operating and maintenance costs.

**THE DISTRICT HAS DISMISSED THE POSSIBILITY OF A COMBINATION OF ALT 3 AND ALT 4 SYSTEMS WITHOUT A GOOD REASON, BUT IT COULD BE AN OPTION**

If a few property owners are convinced that they want to go on their own (ALT4-WALKAWAY) and most want to have the SRSD remain responsible for providing full sanitation services (ALT3-SRSD-OWNED), it should be easy to do that. Just install all the systems and then manage the ALT3-SRSD-OWNED properties. The ALT4-WALKAWAY properties will simply disappear from the SRSD system and be of no concern to them. The only reason to not consider this combination, is if SRSD just wants to rid itself of ALL ongoing responsibility for these 21 properties.

**THE DISTRICT SAYS THE NEW PUMPS AND LINES ARE PROPERTY OWNERS RESPONSIBILITY BECAUSE THEY ARE LATERALS. NOT TRUE.**

Our current systems drain each of our laterals into SRSD-owned pipes buried under the Bay. These pipes are on our properties, not public property. The SRSD pipes take the sewage to large pumps that then push it up to sewer mains. SRSD is now responsible for everything from the end of our gravity lateral forward.

The new design is essentially the same except the pumps and lines are reversed in order. Our gravity laterals would take the sewage to the pumps first, then up SRSD pipelines to the main. SRSD wants to claim that the whole system is just a lateral and belongs to the property owner, but it is obvious it does not since the current system is the same structure and belongs completely to SRSD. Of course the gravity laterals from our homes to the pump would remain our responsibility as they are for all residents.

SRSD has told us that most, if not all, other homeowners who have pressure sewer systems in Marin have CHOSEN to accept that system during construction (unless they have broken some rule). We do not have that choice.

In addition, the vast majority of laterals in the County are passive gravity piping as we now have. Imagine telling all those customers that they now have to pay extra for pumping and maintenance.

**SRSD IS IMPOSING A HEAVY BURDEN ON PROPERTY OWNERS FOR ELECTRICAL POWER**

From the beginning, SRSD has maintained that it must take electrical power from homeowners' panels. In cases where those panels have no additional capacity, they will modify them. They have examined all our panels, but not told us what their power requirements will be nor what changes would be required to our electrical system. Their claim that the electrical cost will only be \$60 per year does not address the amount of electrical panel capacity it will consume. We know that in the near future we will be required to limit our use of natural gas for climate change and we must save panel capacity for future electrical appliances to replace our gas furnaces, water heaters, or other appliances. So if SRSD uses up our panels with 220 volt lines, we may later be faced with the cost to upgrade on our own.

SRSD now provides seamless service even during power outages, even resorting to portable generators and/or tank trucks to maintain service. We asked about this for the new system. The response was that each property owner should buy a generator. Walkaway.

**SRSD HAS APPARENTLY SKEWED DATA AND ARGUMENTS IN THEIR PRESENTATION**

Some of the facts and conclusions in SRSD's presentations to property owners must be questioned. It is unreasonable to believe that the combined systems (ALT 3) are actually more expensive than 21 individual systems. SRSD did not detail those expenses to explain. One larger pump serving three properties would reasonably cost less than three smaller pump installations. One larger control system would cost less than three smaller installations. Also just look at the schematic of the two systems. It's obvious by inspection that the total length of pipeline for ALT3-SRSD-OWNED is substantially shorter than ALT4-WALKAWAY because they are combined. We estimate from the drawing about 2-4 times shorter! Additional paperwork for easements and permits is part of each project but should not add such large costs.

### **SRSD HAS USED THREATS AND DECEPTION TO ENCOURAGE PEOPLE TO CHOOSE ALT4-WALKAWAY**

From the very outset, SRSD has told us more than once that "if we do not cooperate with them, they will just shut off our system and we can find our own way to reconnect." That's no way to work with the taxpayers. Their statement, mentioned previously, that pressure sewers were easy to maintain in one case but, if they retained ownership, would all have to be inspected three times per week at any time 24/7 is clearly a scare tactic to induce property owners to select their preferred option to avoid the threatened constant intrusion.

### **OVER THIS PAST YEAR, THE DISTRICT HAS BEEN UNRESPONSIVE TO QUESTIONS AND INQUIRIES**

It is fair to say that all interactions with the District staff and consultants, etc., have been friendly and they have said they are looking out for property owners' interests. They have usually made visit appointments and come on time, and answered most emails.

However, despite that, they have conveyed very little information to us and mostly answered our questions with "that hasn't been decided yet" or "we haven't figured that out yet." Even in the recent substantial Zoom presentations just given they could not address questions like "about how much do these pump units cost", "can you give us a list of companies that can maintain these systems", "what are the warranties and who manages them." Questions they should know the answers to before they make a recommendation to you! As one example, they were asked about the problems and costs of the existing system on Jan 7, 2021 over a year ago with no response, and again asked after the recent presentation with no response so far. When asked about restoration of landscaping and fencing, damage to other service lines, etc., the response was we will try to do the best we can. The recent presentation was on Zoom with no reminders a day or two before, no phone help for people having trouble logging in, and no follow up with more answers or access to presented materials. In fact, one group (there was a presentation on two subsequent days) was not even told the date and time of the deciding Board meeting coming up very soon on April 7.

### **SUMMARY**

It is a good thing that SRSD would like to prevent damage to our beautiful Bay with this project and we support it. We just want them to step up and continue to provide responsibility for this sanitation system that is their job, rather than force their property owners to take on all of the costs, responsibilities and liabilities.

Thank you for your attention to our concerns.

Affected Bayside Acres Property Owners

# BAYSIDE ACRES HOMEOWNER SEWER MODIFICATION LIST

3/29/2022

Mtg#1	Sign	Address	Owner	Email	Phone
XX 1	YY	9 MARINE DR	George & Mary Lou Marek	geomarek@gmail.com	707.328.1431
X 2	Y	11 MARINE DR	David Scheufler/Connie Fox	davidscheufler@comcast.net	415.717.4911 415.717.3511
3		175 OAK DR	Angela Long (called gkm)		707.480.6520
4		177 OAK DR	rental		
X 5	Y	179 OAK DR	Joan Wright	jmw179@aol.com	415.454.2117
6	Y	181 OAK DR	Karin Hern	hernkarin@yahoo.com	415-328-2224
X 7	Y	183 OAK DR	Ron Pinto	horsepinto@aol.com	415.652.6000
8		185 OAK DR	Georgette Scardina		415.621.0286
X 9	Y	187 OAK DR	Jan Miller	Jan@millerandperotti.com	415.308.9413
10		189 OAK DR	Mark Holguin	numbersonemortgage@gmail.com	619.772.6085
11		191 OAK DR	Mark Holguin	5436 N Avenida Colina, Tucson 85749	619.772.6085
12	YY*	193 OAK DR	Jim Nunally / Hilary Perkins YY*- See letter attached to Petition	jim@jimnunally.com hilary@hilaryperkins.net	510.787.0050 510.708.3147
13	N	800 PT SAN PEDRO	Joyce Price		
X 14	Y	816 PT SAN PEDRO	Susan Telford	susantelford@msn.com	415.482.9446
15	Y	824 PT SAN PEDRO	Dr Louis Kirkos	dlk@max-imaging.com	
16	Y	828 PT SAN PEDRO	Dr Louis Kirkos	dlk@max-imaging.com	
17		832 PT SAN PEDRO	Brooks		
18	Y	836 PT SAN PEDRO	Maritza Hankins	none	415.454.4601
X 19	YY	50 BEACH DR	Michelle White/Wayne Wolfe	michelle@4wildwolves.com	415.235.2185
XX 20	YY	51 BEACH DR	Peter Stack/Susan Matross	chickenpoint1@gmail.com stackapete@gmail.com	415.456.7691
X 21	Y	53 BEACH DR	Hal Lauritzen	halphoto@comcast.net	415.457.9963

3/28/2022

Dear SRSD,

We, Hilary Perkins and Jim Nunally at 193 Oak Drive in San Rafael, are concerned about the new sewage line alternatives as proposed by the SRSD.

Alternative 3 seems to be the preferred choice of many in the neighborhood, yet we cannot support it because it places a pump station next to our dinning room window, and requires a new easement across our property. If these issues were somehow mitigated we may support that alternative.

In alternative 3, lines and pumps would be maintained by the SRSD as opposed to alternative 4, this is a critical part of the new proposals. I raised the point at the Zoom meeting on 3/24/22, installing 20 separate pumping stations in such close proximity to the bay creates more likelihood of an environmental hazard. The odds of mechanical failure due to lack of professional maintenance, electric outages, storm damage, is increased exponentially with the so many pumps and lines being added. Homes like ours that are on the beach, where we are in zones that need to have zero potential for failure of mechanical equipment or pipes and fittings, raw sewage spills into the bay are a very real hazard, with these issues and with Alternative 4 in general.

If the main line being suggested adjacent to our home in Alternative 3 continued another few feet to the interconnect to the existing pump on Beach Drive the solution for us may be solved. That pump station, is much closer to our home than installing a new line hundreds of feet across our property.

We also feel that there may be a couple alternatives the SRSD did not consider.

The first is composting toilets and gray water systems. This would be our first choice at 193 Oak. The compost can be used in the yard or put in the compost bin. The capture gray water can be used in the garden. This is cost-effective and is the future of sewage and waste water systems in our changing world. If the District is thinking even 10 years ahead, this would be wise to implement now. The Ecology Center in Occidental may have expertise in installing and educating people about this ecological, sustainable method. We have used these systems, they are not smelly or high maintenance.

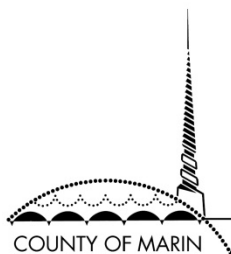
Another is to bring the main sewer line closer to the homes on the water front and use welded plastic pipe encased in a concrete trench. This is actually part of your Alternative 3 design, if a little more thought is put into that you could potentially do away with two or three proposed pumps.

We request, that prior to any decisions being made based on the current alternatives, that you please consult with us directly to get our feedback on this matter. Jim has extensive history in offshore oil rig construction, Alaska pipeline pumping stations, oil refinery construction, among other piping and bridge projects.

Thank you for considering our thoughts on these matters.

Regards,

Jim Nunally and Hilary Perkins  
193 Oak Drive  
510-787-0050



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May 5, 2022

**CONFIDENTIAL**

Board of Directors  
San Rafael Sanitation District (SRSD)  
111 Morpew St.  
San Rafael, CA 94901

**Re: Closed Session – Public Employee Performance Evaluation**

Dear Directors:

I request that you conduct a closed session during your regular meeting on May 5, 2022, to discuss the following matter: public employee performance evaluation of the District Manager. In my opinion, public discussion of this matter would prejudice your position.

The specific reason and the legal authority for the closed session are:

Government Code section 54957: A legislative body of a local agency may hold closed sessions to consider the evaluation of performance of a public employee.

It should be noted that Government Code section 54954.5 requires the Board to post a Closed Session item on the Board Agenda. With respect to the above referenced matter, you should include the fact that you are conducting a public employee performance evaluation, the code section involved, and the title of the employee involved as set forth below.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
California Government Code Section 54957  
Title: District Manager**

Should you have any further questions, please contact me.

Respectfully submitted,  
BRIAN E. WASHINGTON  
Marin County Counsel

By:   
Kerry Gerchow  
Deputy County Counsel