

**MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS**

**Thursday, July 13, 2023**

The meeting was called to order at 7:30 p.m.

**1. ROLL CALL:**

Directors Present: Don Amuzie  
Perry Bautista  
Tom Chambers  
Julie Richards  
Janet Medina

Staff Present: Michael Conneran, Attorney  
Johnny Kennedy, Field Supervisor  
Wendy Bellinger, Office Supervisor  
Patricia Mairena, General Manager

Visitors Present: Gregory Lau, resident of the District

**2. PLEDGE OF ALLEGIANCE:** Led by Director Chambers.

**3. CONSENT CALENDAR:**

Director Chambers moved to approve the Consent Calendar, seconded by Director Bautista.

The motion was carried unanimously.

**4. PUBLIC COMMENT:** None.

**5. BUSINESS (OLD):** None.

**6. BUSINESS (NEW):**

**A. PUBLIC HEARING:** Consideration of Increase in Sewer Rates from \$11.05 up to \$11.86, Ordinance No. 75.

At the request of President Medina, Attorney Conneran opened the Public Hearing for Consideration of Increase in Sewer Rates from \$11.05 up to \$11.86, Ordinance No. 75.

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Mr. Lau commented that he and his neighbors were on a fixed income, and they had a hard time with increasing costs. Mr. Lau stated that the District had passed a rate increase last year and everyone was not happy with another increase. Mr. Lau thought the District could consider only increasing half of what was being asked, as his neighbors did not want to see an increase, but wanted to know why the District needed another increase so soon.

General Manager Mairena replied that the District was simply passing on the rate increase that had been assessed by the North San Mateo County Sanitation District (City of Daly City), who was in charge of processing the sewer for the District. Attorney Conneran clarified that the City of Daly City collected and treated the sewer for the District.

Mr. Lau did not think that the reason for the increase was clearly spelled out and his neighbors thought it was just another increase. General Manager Mairena stated that the Prop. 218 notice that was mailed back in May 2023, contained an explanation as to why the increase was needed. Mr. Lau suggested that more simplified wording was needed explaining why the increase was necessary.

President Medina told Mr. Lau that he had a really good point and although we had sent out a notice, customers either did not read it or did not understand it.

Director Chambers said the Prop. 218 notice had a lot of legalese and perhaps in the future, we should try to have an article on the newsletter to help customers understand what is really going on with the District's operations. Mr. Lau agreed that clarification was needed.

With no other comments from the public, President Medina closed the public hearing and opened up the topic for discussion by the Board.

Attorney Conneran mentioned that the District had received a total of seven written protests, some of them for water and sewer rates, and a couple just opposed, but none of them rose to the level that would prevent the Board from approving the increases. General Manager Mairena confirmed these letters had been provided to the Board.

Director Chambers moved to approve Ordinance No. 75, Consideration of Increase in Sewer Rates from \$11.05 up to \$11.86, seconded by Director Bautista.

Roll Call

Director Amuzie	Aye
Director Bautista	Aye
Director Chambers	Aye
Director Richards	Aye
Director Medina	Aye

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The motion was carried unanimously.

**B. PUBLIC HEARING: Consideration of Adoption of Report of Sewer Service Charges to be Collected on Tax Rolls and Requesting Their Collection by the County of San Mateo, Resolution No. 671.**

President Medina opened the Public Hearing for Consideration of Increase in Sewer Rates.

Attorney Conneran introduced the Consideration of Adoption of Report of Sewer Service Charges to be Collected on Tax Rolls and Request their Collection by the County of San Mateo, Resolution No. 71. Attorney Conneran noted that several years ago, the District switched their method of collecting sewer charges by placing them on the property tax rolls to ensure that every property owner pays their fair share and also to reduce the bi-monthly bill to the customers. Attorney Conneran explained that the way it works is that the District is required to hold a public hearing and adopt the list of sewer charges that will be sent out to the tax collector. Attorney Conneran pointed out that the Board had received the list of those charges and he recommended approval of Resolution No. 671.

With no comments from the public, President Medina closed the Public Hearing.

Director Chambers moved to approve Resolution No. 671, Consideration of Adoption of Report of Sewer Service Charges to be Collected on Tax Rolls and Requesting Their Collection by the County of San Mateo, seconded by Director Bautista.

Roll Call

Director Amuzie	Aye
Director Bautista	Aye
Director Chambers	Aye
Director Richards	Aye
Director Medina	Aye

The motion was carried unanimously.

**C. PUBLIC HEARING: Consideration of Water Rate Increase from \$8.58 up to \$9.04, Resolution No. 672.**

President Medina opened the Public Hearing for Consideration of Increase in Water Rates.

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Attorney Conneran introduced the public hearing for the Consideration of Water Rate Increase from \$8.58 up to \$9.04, Resolution No. 672. Attorney Conneran pointed out a typographical error on the first line citing the resolution for the last rate increase which should be stated as Resolution No. 661. General Manager Mairena confirmed that the correction to the cited resolution number being presented to the Board had already been made.

Mr. Lau mentioned that water rate increases were also a concern to him and his neighbors, and if they could get better clarification why there was another increase from the last period, it would help them to understand it.

Director Chambers replied that last year's large increase was for capital improvements, as one of the District's water tanks was rusted pretty badly and needed to be fixed, and there were more capital improvements this year, so some of those monies would go towards those improvements. Directors Chambers explained that this year's increase was strictly for the increase that the San Francisco Public Utilities Commission (SFPUC) was passing on to the District.

Mr. Lau stated that again, it would be good for the District to communicate that to the customers so that they could better understand that this increase was being pushed to the District by the SFPUC, and not by the District.

With no other comments from the public, President Medina closed the Public Hearing and opened up the topic for discussion by the Board.

Director Chambers moved to approve Resolution No. 672, Consideration of Water Rate Increase from \$8.58 up to \$9.04, seconded by Director Bautista.

Roll Call

Director Amuzie	Aye
Director Bautista	Aye
Director Chambers	Aye
Director Richards	Aye
Director Medina	Aye

The motion was carried unanimously.

President Medina and the Board thanked Mr. Lau, and told him he was more than welcome to stay for the rest of the meeting. Mr. Lau thanked the Board for listening to him and stated he had put his two cents. President Medina told Mr. Lau that the Board appreciated his comments, and they would look at simplifying the wording on any future notices of increases.

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**D. Review/Approve Quote from Bess Testlab, Inc. to Perform Ground Penetrating Radar (GPR) to Locate the District's 14" Main Transmission Line across the Intersection of Westborough Boulevard and Junipero Serra Boulevard.**

General Manager Mairena referred to her report that was included with the board packet, and reiterated the importance of locating the main transmission line to prevent any catastrophic incidents in the future. General Manager Mairena asked Field Supervisor Kennedy for his input.

Field Supervisor Kennedy reported to the Board that staff had been working on getting companies that could help to locate the line, and he felt that GPR was the best option. Field Supervisor Kennedy stated that the District had also received another quote today from a vendor referred by the SFPUC called PSOMAS. Field Supervisor Kennedy clarified that if approved, the project would include locating the District's 14" Main Transmission Line across the intersection of Westborough Boulevard and Junipero Serra Boulevard, all the way to the District's Office. Field Supervisor Kennedy emphasized the importance of finding the line, as the District constantly receives requests to mark the lines due to underground boring, so he felt that locating our transmission line was extremely important to prevent another incident from happening such as the two previous incidents which cost the District over \$200,000.

Director Chambers asked if the project only included locating it from the office to Junipero Serra, and not past it. Field Supervisor Kennedy replied that the line had already been located past Junipero Serra down Westborough Boulevard. Director Chambers commented that we should still do this project, but pointed out that since the line was AC (Asbestos Cement), it would need to be replaced in the next few years before it fails.

General Manager Mairena noted that the two quotes were not for the same area, as due to miscommunication, the one from PSOMAS only included locating the line across the intersection of Westborough Boulevard and Junipero Serra Boulevard, and per conversations between Field Supervisor Kennedy and the Bess representative, the quote Bess Testlab had provided should be for locating the line all the way to the District's Office. Field Supervisor Kennedy stated that he would confirm with Bess Testlab the area of the project.

Attorney Conneran pointed out the call-before-you-dig statute that required people who were excavating to call first, but it also requires the District to locate the lines, and if they were to hit a located line it would be on them, but if the District did not mark the lines correctly, then it would become the District's problem. Attorney Conneran stated that knowing where the pipe was would help the District to provide accurate information in the future.

President Medina asked General Manager Mairena what her recommendation was. General Manager Mairena replied that it would be to accept the quote from Bess Testlab with

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the 10% contingency she had requested, as there were many variables in the quote, such as the possibility of nighttime over-time work, etc.

Field Supervisor Kennedy informed the Board that there was no guarantee that the line would be located and that was why we would have the company pothole.

Director Chambers moved to approve the Quote from Bess Testlab, Inc. to Perform Ground Penetrating Radar (GPR) to Locate the District's 14" Main Transmission Line across the Intersection of Westborough Boulevard and Junipero Serra Boulevard to in front of the District Office for the quoted amount of \$29,341, plus a ten percent contingency, or \$32,275.10, seconded by Director Bautista.

The motion was carried unanimously.

**E. Consideration to Authorize Attendance to ACWA/JPIA 2023 Fall Conference, Indian Wells, California, November 27 - November 30, 2023.**

General Manager Mairena stated that although the registration for this event had not yet opened up, once it does, housing for the conference would go fast, especially now that people had started attending conferences again; hence the reason for adding this item to the agenda for approval now.

President Medina asked if any director was interested on attending this conference. Director Amuzie stated he would be interested, and President Medina replied that perhaps other directors may also be interested. There was no interest from the other directors on attending the event.

President Medina asked if there was any interest from staff in attending this conference. General Manager Mairena stated she would pass this time.

Director Chambers moved to Authorize Director Amuzie's Attendance to the ACWA/JPIA 2023 Fall Conference, Indian Wells, California, November 27 - November 30, 2023, seconded by Director Bautista.

The motion was carried unanimously

**F. Consideration of Cost-of-Living and Salary Adjustment for General Manager.**

This item was discussed at the end of the meeting after the Closed Session.

**7. WRITTEN COMMUNICATIONS: None.**

**8. ATTORNEY'S REPORT:**

Attorney Conneran reported on the statute that Director Chambers had asked about at the last board meeting, which provides a shortened statute of limitation for challenging increases to the water rates. Attorney Conneran stated that it basically requires that there be a statement in the prop. 218 notice stating that if you are going to challenge this increase, you have 120 days to do so. Attorney Conneran noted that the statement has been in our notices, so the District was already in compliance.

**9. GENERAL MANAGER'S REPORT:**

**A. Report on District's Water Conservation for June 2023.**

General Manager Mairena presented the water conservation efforts for June 2023, showing a slight increase in usage which she thought was due to the hotter weather in the summer months and the fact that some of the restrictions had been lifted. General Manager Mairena stated that she hoped customers would continue being mindful of water conservation.

**B. Report on Agreement for Water and Sewer Service for 528 Avalon.**

General Manager Mairena referred to her report on the board packet and reminded the Board about the agreement that was approved at the last board meeting which included a \$50,000 amount for the bonds. General Manager Mairena told the Board that she had met with the homeowner to sign the agreement and collect the bonds, but the homeowner told her that it was expensive to obtain the bonds, so he had decided to put a \$50,000 check deposit instead, and when he was asked for another \$50,000 check for the second bond, the homeowner was shocked and stated he would not be able to afford \$100,000. General Manager Mairena contacted Attorney Conneran to ask for his advice, and it was decided to have the homeowner go back to his architect and ask him to provide the District in writing with an accurate estimate of the costs of the improvements being dedicated to the District.

General Manager Mairena notified the Board that the homeowner subsequently provided the letter enclosed in the board packet from his architect stating that the amount should be \$20,000, and that District's Engineer Pakpour had determined it to be an appropriate amount. General Manager Mairena also stated that since this revision was not considered a material change to the contract, Attorney Conneran agreed that she only needed to report the change in the bonding amount to the Board. General Manager Mairena offered to put this matter back on the agenda for the next board meeting if anyone desired to do so. Attorney Conneran confirmed that the value was appropriate and that the District would be sitting on this money for a long period of time.

**C. On Call Worker Position – Hiring New Worker.**

General Manager Mairena notified the Board that On Call Worker Pat Sumner had given notice to the District that his last day would be June 30, 2023. General Manager Mairena stated that she met with both Field Supervisor Kennedy and Senior Field Maintenance Worker Arias, discussed the On Call Worker position, and talked to a couple of people, one being Donald Louie, who works for the City of South San Francisco in the Common Greens Department. General Manager Mairena stated that Donald had actually assisted the District in the past, but was not on the on-call rotation. General Manager Mairena reported that she hired Donald as of July 1, 2023, to replace Pat Sumner, and that his first shift had actually started yesterday, Wednesday, July 12<sup>th</sup>.

Field Supervisor Kennedy stated that field staff had worked closely in the past with both Donald and his co-worker Pete, assisting them with common greens leaks. Field Supervisor Kennedy also stated that Donald had worked for the City of South San Francisco almost for as long as he had been with the District, and he felt that Donald was a good worker and a good fit for the District, and in addition, he was very knowledgeable as to where the irrigation meters were throughout the District.

**D. Emergency Valve Repairs (*added report*).**

Director Chambers asked General Manager Mairena about an SF Underground bill for a valve repair listed in the Claims Register. General Manager Mairena replied that it was an emergency valve repair, and in addition, there will be a second bill for another valve repair, which she meant to update the Board on. Director Chambers asked about the location of these repairs. Field Supervisor Kennedy replied that the valve repairs were located inside the property on the first house on Radburn at Williamsburg, and they were leaking pretty good.

**10. ITEMS FROM BOARD OF DIRECTORS:**

Director Chambers suggested to the Board to have the Rate and Fee Study contractor consider adding a flat charge fee to the sewer rate structure on top of the variable charges which are based on the usage of January and February. Director Chambers stated that the flat charge could be used for capital improvements and the variable charge would pay Daly City, and that the rate model could be used for both water and sewer. Attorney Conneran replied that this could be added to the RFP (Request for Proposal) and then the Board could decide at a later date on how to proceed.

Director Chambers mentioned that he had attended the United California Conference funded by BAWSCA and then he gave an overview of the program to the Board.



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Director Amuzie mentioned that the District should work on providing literature in other languages. General Manager Mairena replied that the District already does on items that are mandated, such as the shutoff notices or the Water Quality Report, which had to be provided in Spanish this year. General Manager Mairena stated that per the last Census, one of the larger ethnic groups in the District was Asian, but when she tried to get a breakdown from Redistricting Partners, they were not unable to provide that information.

President Medina asked if the City of South San Francisco provided translation services. General Mairena replied that she was not aware of that, but the District only translated what was mandated and the cost for the Water Quality Report translation to Spanish had been around \$400 to \$600.

#### **11. CLOSED SESSION:**

##### **A. Closed Session – Public Employee Performance Evaluation, Government Code Section 54957.**

**Title: General Manager**

Attorney Conneran took the Board to closed session at 8:30 p.m. to discuss the General Manager's performance evaluation. The Board reconvened at 8:57 p.m. Attorney Conneran stated that no reportable actions were taken.

#### **6. BUSINESS (NEW): (Continued)**

##### **F. Consideration of Cost-of-Living and Salary Adjustment for General Manager.**

Attorney Conneran summarized that the General Manager was under a four-year contract and that last year, an amendment was signed adjusting her salary based on the COLA. Attorney Conneran pointed out that each year there was a built-in merit increase to account for her increase in seniority.

Director Chambers moved to revise the employment agreement to give the General Manager the COLA which was 4.9%, and to adjust the remaining years accordingly. The motion was seconded by Director Bautista.

The motion was carried unanimously.

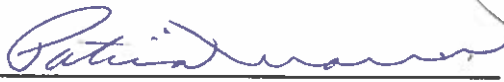
General Manager Mairena thanked the Board for their support.

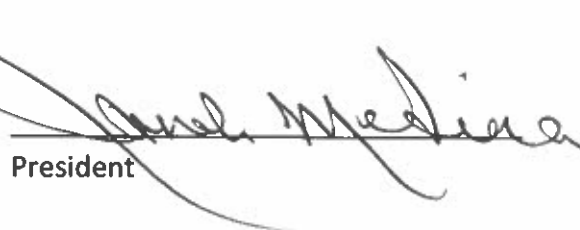
Director Bautista told the General Manager that he would forward the board members' performance evaluations to her.

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**12. ADJOURNMENT:**

Without objection, President Medina adjourned the meeting.  
Time 9:00 p.m.

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
President

August 10, 2023  
Date