

BAYSHORE SANITARY DISTRICT

MINUTES

Regular Meeting of April 22, 2010

Opening of Meeting:

The meeting was called to order by President Gallagher at 7:09 P.M.

Roll Call:

Present: Gallagher, Quinteros, Rizzi, Swanbeck
Absent: Tonna
Staff: Clerk Landi, District Counsel Bakker, and District Engineer Yeager

It was noted that Director Tonna and the Maintenance Director are in Sacramento at the annual CWEA Conference.

Oral and Written Communications:

- (1) Communications from members of the public
None
- (2) Communications from members of the District Board and Staff
None
- (3) Acknowledgment of recent correspondence to the District
Copies were provided in the monthly meeting packet.

Consent Items: (Any member of the Board or the public can request that an item be removed from the consent agenda. If there are no objections all items are voted upon by one motion.)

- (4) Minutes of the Regular Meeting of March 25, 2010
- (5) Payment authorization for bills and compensation
- (6) Accept 3/31/10 monthly report on District's current financial status
- (7) Accept March, 2010 checking account statement reconciliation

A motion was made by Director Quinteros, seconded by Director Swanbeck and unanimously passed by voice vote to approve the Consent items which include payment by check numbers 4973-4988.

Board Reports – consideration of matters relating to:

- (8) President Gallagher

a. LAFCO: There was a meeting yesterday and one item of business was reconsideration of an annexation to the West Bay Sanitary. The property owner requested that the annexation be reversed and that he be allowed to use a septic system. The reconsideration was denied.

Municipal Service Reviews for Redwood City and various other County Service Areas were delayed due to the current situation surrounding fire/police service consolidation/merging/service sharing. The draft 2010-11 budget was approved and will now be circulated among the Districts.

Bob Craig, one of the two District Commissioners has decided not to seek reappointment. So Special Districts will need to select a new Commissioner. LAFCo will soon be sending a letter to Special Districts calling for nominations. David Altscher has been the alternate, has attended all meetings and would like to be appointed to fill the opening. President Gallagher asked District Counsel if the District can communicate with other Districts urging their support of Mr. Altscher. This item, by unanimous agreement, was placed on the agenda as an emergency item since it came to our attention after posting the Agenda.

The Board unanimously agreed authorizing President Gallagher to send a letter to the other Special Districts on behalf of Bayshore SD supporting selection of David Altscher as the second Commissioner. She pointed out that if Mr. Altscher is elected, a new alternate would have to be selected and she endorsed Joe Sheridan. He is a member of the Broadmoor Police District and a long time, involved member in the Local Chapter.

b. CSDA: The next meeting is May 2nd and will be held in Redwood City at the Sequoia Hospital District office.

(9) City of Daly City: Director Swanbeck received a letter regarding the City of Daly City's update of their housing element. The requirement to update properties with various energy saving devices prior to sale has been removed. There will be a presentation on the vision of the Baylands and the High Speed Rail Project on May 15 at 10 A.M. at Lawson Hall.

(10) City of Brisbane: President Gallagher recently attended a CAG meeting where there was discussion regarding the water level. Not much can be done until the draft EIR is issued.

Director Swanbeck said that she has the draft plan for the High Speed Rail Project.

Staff Reports:

(11) **Maintenance Director** -- consideration of matters relating to:

a. Monthly report on District operations and maintenance: The monthly report is self explanatory.

(12) **District Engineer** – consideration of matters relating to:

a. Brisbane Landfill (Geosyntec): The permit has not been processed as yet since San Francisco hasn't issued their permit.

b. Kinder Morgan: The permit has been executed and returned.

c. March meter reading data: Pump #4 was out of service.

d. 26 Jacqueline Court: As directed by the Board at the last meeting, the property owner was advised that her request for an adjustment to her sewer service charges due to a water leak will be

considered when calculating the 2010-11 sewer service charges. That process will begin on May 1st.

(13) **District Counsel** – consideration of matters relating to:
No report

(14) **District Clerk** – consideration of matters relating to:

a. SB 90/State Mandated Cost Program, Brown Act Reform – update: Nothing to report.

b. Authorization to initiate small claims court action re delinquent sewer service charges: The Clerk reported that one property has not paid their sewer service charge for two years; one has not paid for 2009-10; and two owe their 2009-10 second installment. The Clerk suggested and the Board concurred, that a letter be written to each of the property owners advising them that a legal collection proceeding will be initiated unless payment is received within 10 days. After that time, the Clerk will file small claims action on the two properties most in arrears. The filing fee is \$30.00 and the process service fee is \$55. There will also be time involved for the Clerk to file the action(s).

c. Authorization to reimburse Director’s CWEA conference expenses: The Clerk advised that since the May meeting is so late in the month, failure to pay the approved expenses could result in late charges. She requested permission to pay the CWEA registration fee which was placed on the District’s Visa card and to reimburse Director Tonna for his hotel, per diem and incidental expenses that are within the Travel Policy limits. A motion was made by Director Quinteros, seconded by Director Swanbeck and approved by voice vote to authorize the Clerk to issue payment for the above conference associated expenses.

Old Business:

None

New Business:

(15) Reports on other matters; no action will be taken

Director Swanbeck reported to the Board that she volunteered to be part of a CSDA Public Contract team. The team will evaluate and report to CSDA on matters regarding new legislation and contract documents. She will keep the Board informed if there is anything pertinent to report.

Closed Session:

(17) Conference with Legal Counsel – existing litigation (Subdivision [a] of Section 54956.9)
Bayshore Sanitary District v. City & County of San Francisco, San Francisco
Public Utilities Commission: Case No. CGC 07-469434

The Closed Session began at 7:31 P.M. and ended at 7:33 P.M. No reportable action was taken.

Adjournment:

A motion was made by Director Quinteros, seconded by Director Rizzi and passed to adjourn the meeting at 7:34 P.M. The next meeting is May 27, 2010.