

BAYSHORE SANITARY DISTRICT
MINUTES
Meeting of April 25, 2019

Roll Call:

The meeting was called to order at 7:08 P.M.

Present: Constantino, Gallagher, Rizzi, Swanbeck, Tonna
Absent: None
Also: Maintenance Director Landi, Engineer Yeager, District Counsel Bakker and Clerk Landi

Oral and Written Communications: *(Concerning matters not on the Agenda; no action will be taken nor will extended discussion be permitted.)*

- (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
None

Consent Agenda: *(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 28, 2019
- (5) Payment authorization for bills and compensation
- (6) Accept March 31, 2019 report on District's current financial status
- (7) Accept March, 2019 checking account reconciliation

A motion was made by Director Swanbeck, seconded by Director Constantino and passed by voice vote approving consent items 4-7.

Board Reports – consideration of matters relating to:

- (8) President Gallagher
 - (a) LAFCo: No report.
 - (b) CSDA – Local Chapter: No report on the Local Chapter. The Maintenance Director will attend CSDA Legislative Days in Sacramento, May 21-22. Vice President Tonna is unable to attend.
- (9) Director Constantino
 - (a) CSDA Leadership Academy: Director Constantino briefed the Board on the various topics discussed – ethics, finance, strategy, working as a team, overcoming differences of opinion, how to read body language, working as “we” instead of “I”, the importance of making yourself

known to the public and be ready to answer questions, financial planning to cover the unforeseen and be transparent with regard to rate increases. He said that the training was very informative and as a new director, he found it very helpful.

(10) Daly City: No report about City government. It was reported that the Board of Directors of the Cow Palace voted to eliminate the gun shows as of January, 2020.

(11) Brisbane: No report.

Staff Reports:

(12) Maintenance Director – consideration of matters relating to:

(a) Monthly report on District operations and maintenance: •The Carlyle Station is operating fine and the average daily flow is returning to normal levels. •Met with North San Mateo County Sanitation District (NSMCSD) personnel re their March preventive cleaning. •There are two repairs needed on MacDonald Avenue which should be budgeted for FY 2019-20. •Another portion of the smoke tested area was televised. •Also had field meetings with ProPipe and a representative from PG&E.

The service request at 120 MacDonald Avenue is one of the properties in need of a repair. Many of the small bungalows on MacDonald Avenue have two properties connected to one lateral.

The manhole work on Talbert & MacDonald Avenue has not yet been done. However, the contractor has found a source for a new manhole cover. The work will be scheduled as part of another project the contractor has in the area.

As evident in the monthly report, there have been a large volume of USA notifications. Several were not within the District's service area. The Clerk said that we need to review the USA mapping and tighten up the District boundaries.

(b) Generator painting: Mr. Landi hopes to have an estimate next week.

(13) District Engineer – consideration of matters relating to:

(a) March meter reading data: The average flow in March was 457,931 gallons per day. There were several rain events during the month.

(b) Smoke Testing; I/I Analysis: The Engineer and Maintenance Director will meet to review the testing results.

(c) PG&E Industrial Discharge Permit: This is a permit for discharge of construction ground water. The project may begin in a couple weeks. The discharge setup will be inspected by the Maintenance Director.

(d) PG&E Gas Line Construction Permit: The Engineer sent a letter to PG&E documenting the problems we have encountered and sought a solution. There was an exchange of emails which didn't actually provide any assurance that going forward PG&E's failure to notify the District and secure permits for projects won't happen again. The primary problem is that there is not a single point of contact.

(e) Maintenance Contract with NSMCSD: We have been provided with reports for the preventive flushing done in March. The Engineer and Maintenance Director have been reviewing the reports and there seem to be some areas that were missed as well as inaccurate map pages

cited. They will compare their findings and then let NSMCSD know what areas were missed. During the cleaning they found a blockage on the Industrial Way extension. That is in the area of the undocumented easement. Mr. Landi will attempt to flush the line and if he is unable to do so, the line will be televised. A measure down from the manhole rim to the invert will be done during the next phase of cleaning.

(f) Overlook Development: Toll Bros. secured eleven connection permits. Engineer Yeager reviewed the fees and charges paid for these properties. Daly City was notified that all fees have been paid and that the building permits can be issued.

(g) Undocumented Easements: There are two situations where there are undocumented easements but the District has been maintaining the sewers. The Kreiland sewer serves a single building with multiple tenants. The line goes through the impound yard and the Chevron property and ties into the sewer line on Bayshore Boulevard. A letter was prepared by the District Board in fall, 1982 with regard to the easement issue. It appears that there was no follow up since there is no information in the official minutes on this topic through 1983.

The second line is at the end of the cul de sac on Industrial Way. It does not appear that there is an easement for that line. The Engineer sought District Counsel's opinion on these matters and reviewed the questions he posed. Counsel said that these are similar situations in that we did not get a written easement. It could be considered that we likely own them by virtue of having accepted them and maintained them over the years. In a situation like this where the public agency maintains the line, it can be considered an implied dedication—that appears to be the case. The Kreiland situation crosses a third party property. In Counsel's opinion, the District probably doesn't want to own either of these lines. If the lines serve a single property, the Board could pass a resolution abandoning them. We could be responsible for overflows if we do not abandon the lines. And typically you wouldn't accept a line that does not meet your standard specs. Summing up, it is Counsel's legal recommendation that the lines be abandoned.

The Maintenance Director said he thinks that the Kreiland line and the line on the impound yard are separate lines. Since this is not what was previously discussed, we need to investigation. The Engineer is going to request a copy of the video inspection conducted by ProPipe.

The District's Ordinance Code considers a sewer to be public if there is more than one property connected. It is considered a private sewer if there is only one property connected. The line at the end of Industrial Way could be considered a private line since it serves just one property. If the Kreiland line serves two properties it would be considered a public sewer. If, on the other hand, the impound yard isn't connected to the line, then it would be a private line.

It was the consensus of the Board that we proceed with preparing a resolution abandoning the Industrial Way extension. The property owner will be given advance notice of any potential Board action. The matter of the Kreiland line is continued to the May meeting.

(14) District Counsel – consideration of matters relating to:

(a) 324 Accacia Street code violation: Counsel has drafted a letter and will have the Engineer and Maintenance Director review it before sending to the property owner.

(15) District Clerk – consideration of matters relating to:

(a) Website maintenance: The Clerk reported that emails, posting submissions and telephone calls to Oakhurst Media have all gone unanswered for over two weeks. Their website is still live and emails have not bounced back. With an agenda posting deadline looming, the Clerk

put out feelers for website maintenance. She received several referrals and found a local source that was familiar with the WordPress platform. She worked with our website host GoDaddy and secured the information needed to get into the website. John Lunceford has been brought on board to handle maintaining and posting duties for the District. On Tuesday he posted the agenda and February and March minutes. He has also backed up the site, checked out the security and provided website analytics. The Board said that the Clerk took proper action to replace Oakhurst Media since they abandoned their contract with the District.

Old Business:

None

New Business:

None

(16) Reports on other matters: no action will be taken

None

Adjournment:

A motion was made by Director Swanbeck, seconded by Director Rizzi and passed to adjourn the meeting at 8:14 P.M. The next regular meeting is May 23, 2019 at 7:00 P.M.

Submitted by Joann Landi, District Clerk

/s/ Iris Gallagher
President

/s/ Norman Rizzi
Secretary