

BAYSHORE SANITARY DISTRICT  
MINUTES  
Meeting of May 23, 2019

---

**Roll Call:**

The meeting was called to order at 7:05 P.M.

Present: Constantino, Gallagher, Rizzi, Tonna

Absent: Swanbeck

Also: Maintenance Director Landi, Engineer Yeager, District Counsel Quint 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  
The Clerk reported that our new webmaster posted the agenda, approved April minutes and Director Constantino's SDLF Certificate Friday afternoon.
- (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 April 25, 2019
- (5) Payment authorization for bills and compensation
- (6) Accept April 30, 2019 report on District's current financial status
- (7) Accept April, 2019 checking account reconciliation

A motion was made by Director Rizzi, seconded by Director Tonna 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: The Maintenance Director attended Legislative Days, May 20-21 in Sacramento. He reviewed some of the activities and visits to 5 legislator's offices. There were 230 districts represented at the event and attendees were separated by regions. An award was given to Mike McGuire for Legislator of the Year. He was elected at 19 to serve on the Healdsburg City Council and is now the Senator representing Senate District 2. There are 3 proposed bills under consideration that will affect special districts: (1) bill limiting fees for

accessory dwelling units; (2) reduce passage of bond issues from ⅔'s to 55%; and (3) remove special districts from being required to have district wide elections vs. at large elections.

(9) Daly City: Director Rizzi said that Daly City is now designated as an elderly friendly city. Its mission will be about activities geared to make life better for the elderly.

President Gallagher received a call from a representative at Mid Peninsula Housing seeking a meeting to go over their design plans. She will refer the caller to Engineer Yeager.

(10) Brisbane: No report.

**Staff Reports:**

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

(a) Monthly report on District operations and maintenance: All systems are functioning well.

As reported in April, North San Mateo County Sanitation District (NSMCS D) was unable to clean a line on Industrial Way. The line was televised and it was determined that this line had been core tested and the core was filled with concrete. There is only one connection on the line and the building it serves is currently empty. The property owner should be notified that once the line is in use again, they will experience flow problems.

Television inspection of the smoke test area is now complete. Mr. Landi and the Engineer will meet to discuss the findings and potentially have recommendations for projects for FY 2019-20. Overall there were 338 properties in the test area and 119 laterals were televised. There were 83 properties with no cleanout and 32 properties were found to be non-conforming. In spite of the age of the laterals, they're not perfect, but they are in fairly good condition. There are a few that need to be replaced due to cracks.

(b) Generator painting: Found a second source in So. San Francisco, West Coast Powder. The Maintenance Director met with the owner and will provide him with measurements. The rusted portions of the generator would be sand blasted and powder coated before painting.

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

(a) April meter reading data: There were 8 rainfall events in April. The average daily flow was 302,656 gallons. The total this year through April is 103,100,100 vs. 89,079,000 gallons this time last year.

(b) Smoke Testing; I/I Analysis: Will meet with Maintenance Director to review the data and come up with a plan for projects.

(c) PG&E Industrial Discharge Permit: This discharge has not yet begun.

(d) PG&E Gas line construction permit: We have only learned about the PG&E projects via the USA notifications. A major problem is that there are different people involved in each of the project areas—there is no consistency. Pro Pipe is the subcontractor conducting the video inspections and has been very cooperative and compliant. We were notified by Pro Pipe that they have been asked to video more properties. They submitted a permit application and the applicable fees. PG&E has submitted an application but has not submitted the permit fees. Engineer Yeager said he doesn't think this permit needs to come back to the Board, but in general permits will not be issued before payment is received.

We received a USA notification for 1044 Schwerin Street for a gas line replacement. PG&E has no permit from Daly City and again, Pro Pipe will do the video inspection. We will not consider approval of anything if they have not obtained a permit from Daly City.

We have also received a USA notification for Rio Verde/Martin and Schwerin/Martin with a somewhat vague project description. It turns out that this work is to replace some gaskets in a gas line and will not interfere with our assets; therefore, no permit is required.

(e) Maintenance Contract with North San Mateo County Sanitation District: The contract work for this fiscal year has been completed. This consisted of regular flushing of portions of the system and flushing of the trouble spots (done 3 X per year). The Engineer and Maintenance Director reviewed the logs submitted. There are a few spots that were missed and an area that didn't need to be cleaned was cleaned. Their logs indicated that 27,653 feet of regular lines were cleaned and 7,502 of trouble spots were cleaned. Our GIS maps indicate footage for trouble spots as 7,825 and the contract amount was 6,085. There is no explanation for the difference. What is significant is the difference between the contract amount and the cost which is estimated to be about \$6,424 less than the contract amount. There were some preliminary meetings and site visits which could be billed additionally. It was the consensus of the Board that the contract hasn't been in force long enough to consider adjustments so we do not intend to renegotiate the contract.

(f) Undocumented Easements: Pro Pipe videoed the line going through the impound yard. The Maintenance Director and Engineer reviewed the tapes and also did a field investigation. The line goes through the Chevron property, through the impound yard and services a series of buildings on the Kreiland property. The line serves two customers, multiple buildings and 3 owners. In the case of the Industrial Way line, there is one owner.

Counsels Bakker and Quint have discussed this matter and feel there are two approaches – do we want an official easement or can access be handled less formally. The argument could be made that we have a prescriptive easement. Counsel will report back at the June meeting with regard to the best way to secure access.

(g) 595 Tunnel Avenue: Recology property. Plans were submitted for a modular bathroom for the site. The Engineer notified Recology that the lateral is private, is already on site and may be used again.

(h) Sewer Service Charge Report: All of Engineer Yeager's contacts for gathering water usage records from Brisbane, San Francisco and Daly City have changed. He received the final batch of data today but has no revenue prediction.

(i) Duplexes: During the lateral inspections, the Maintenance Director found two properties that each have two addresses, i.e., 200/200A. The Engineer will address the issue when compiling the annual sewer service charge report.

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

(a) 324 Accacia Street code violation: This is the property that had its roof gutter connected to the District's system. Counsel issued a Cease and Desist Order after the April meeting. The owner responded that the violation had been corrected. The Maintenance Director inspected the property and found that the gutter had been disconnected.

(b) Resolution abandoning Industrial Way sewer extension: This item is continued to the June meeting.

(c) Code Enforcement/Penalty options: Counsel Quint provided a memo to the Board with an analysis of the way the code is drafted with regard to enforcement/penalties. The way the code is currently written we don't actually have administrative penalties. Counsel reviewed some of the code sections that make mention of enforcement mechanisms. It was decided that this matter will be placed on the June agenda for further consideration. Counsel advised she would check with colleagues with regard to existing models covering penalty options and provide an estimate of the time it might take to further review and update the code if that is the direction the Board would like to take.

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

(a) Sexual harassment training: The District received a call from ADP alerting us to the fact that per Senate Bill 1343, all W-2 payees must receive sexual harassment training by January 1, 2020. She will check with ADP to find out if this is something that they offer to their clients. CSDA has scheduled a 2 hour training in June for a nominal fee. However, it is being conducted on a Thursday morning—a time that doesn't work for all Directors. She has inquired as to whether it might also be offered on-demand. Counsel expressed her opinion that since the Board are nonsupervisory employees, they would only need a 1 hour training.

**Old Business:**

None

**New Business:**

A FY 2019-20 Budget Workshop was scheduled for July 11 at 7:00 P.M.

(15) Reports on other matters: no action will be taken  
None

**Adjournment:**

The meeting was adjourned at 8:54 P.M. The next regular meeting is June 27, 2019 at 7:00 P.M.

Submitted by Joann Landi, District Clerk

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary