

BAYSHORE SANITARY DISTRICT  
MINUTES  
Meeting of June 27, 2019

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**Roll Call:**

The meeting was called to order at 7:06 P.M.

Present: Constantino, Gallagher, Rizzi, Swanbeck, Tonna  
Absent: None  
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  
Director Swanbeck provided a packet of information regarding Little Commission recommendations, climate change and sea level rise vulnerability. She asked that the Board review the material and discuss at the July 25 meeting.

On June 24 President Gallagher attended a community meeting about development of the Cow Palace Property. Mike Pacelli and Dan Sax represented the development side of the discussion. The conceptual plans are interesting and would include housing. The Weiner bill which has been delayed seems to have resulted in the Cow Palace Board being willing to work with Daly City. Daly City will hold a study session on July 8 at 6 P.M. The Cow Palace Board wants confirmation that Daly City is willing to work with them.

- (3) Acknowledgment of recent correspondence to the District  
The Board was provided information about a Baylands lunch and presentation on Sunday from 1-5 P.M.

**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 May 23, 2019
- (5) Payment authorization for bills and compensation
- (6) Accept May 31, 2019 report on District's current financial status
- (7) Accept May, 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: The next meeting will likely be held in August.

(9) Daly City: No report.

(10) Brisbane: No report.

**Staff Reports:**

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

(a) Monthly report on District operations and maintenance: The Carlyle Station is operating fine. Mr. Landi reported on the following activity during the reporting period: (1) Met with the District Engineer and North San Mateo County Sanitation District (NSMCSD) representatives re District mapping; (2) Responded to a service request at 292 Oriente Street. The property does not have an approved cleanout so response by NSMCSD was not required; (3) Received a call from the Daly City Public Works Department regarding a buried/broken cleanout at 250 Rio Verde Street. This was discovered while the PWD was repairing the sidewalk where tree roots were lifting the pavement. Upon inspection it was determined that the damage was very likely caused by the PWD operation. Inspected the property today and found that the sidewalk has been repaired and a cleanout installed; (4) Did a plan check for 75 Pueblo – no permit or fees were required; (5) Assisted NSMCSD with the flushing operation of the Alexis Circle easement line. They were shown where there is a gate for access where they can enter and then drag the flush hose to the manhole; (6) San Francisco Underground is working on a project in the area and will replace the damaged manhole and install a new rim at Talbert & MacDonald Avenue. This item can be budgeted for FY 2019-20.

(b) Generator painting: The top panels and some side panels were removed and delivered to West Coast Powder Coat. The original estimate was \$775; however, one additional panel was added to the job.

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

(a) May meter reading data: The average daily flow is still running over 300,000 gallons. May was an unusually wet month.

(b) PG&E Industrial Discharge Permit: They have not discharged yet.

(c) PG&E Gas line construction permits: There are a number of projects in the area. The MacDonald Avenue project is finished. They are still working on Rio Verde and finishing up on Martin and Schwerin Streets. They are going to replace some service lines.

(d) Maintenance Contract with North San Mateo County Sanitation District: The first fiscal year work has been completed and the invoice has been received and reviewed. The cleaning exhibits have been updated.

(e) Undocumented Easements: Will be discussed under legal.

(f) 600 Tunnel Road: Google is proposing a bus storage facility at the site. It will have capacity for 90 buses with employees coming and going 24 hours a day. They applied for a 5 year temporary permit from Brisbane. If it were longer than 5 years the matter would have

to go before the Planning Commission. According to old records there was a sewer connection; however, the Maintenance Director didn't believe that was the case. Google wants to use port-o-potties at the site. The Engineer responded that we consider it a permanent facility and they need a permanent solution. The District does not consider 5 years to be a temporary situation. Our policy has been that connection is necessary if the property line of the parcel is located within 200 feet of a sewer which is accessible. We had a similar situation at the Recology site. They are going to install a modular bathroom facility and only have 10 employees.

(g) Sewer Service Charge Report: The water meter reading from Midway Village is in error. Typical 2 month usage is 2300 units. Since April the readings are significantly less indicating the meter needs to be replaced.

The preliminary estimate for sewer service charges for FY 19-20 is about \$4,000 less than FY 18-19. The final number should be ready for the budget workshop July 11. Two properties need to provide their flow data as of June 30.

(h) Capacity Entitlement: There are 4 accounts that have exceeded their capacity entitlement. Those are 2502-05-11 Geneva Avenue, 411 Allan Street, 2800 Bayshore Boulevard and 541 (575) Tunnel Avenue. The Engineer will send invoices to the property owners.

(i) Midway Village: The Engineer was notified that there is a Planning & Zoning Department design review meeting scheduled for July 3. The revised plans have changed the linear park to a rectangular park which will accommodate soccer fields. They have not addressed the Engineer's concerns with regard to the sewer. In fact it doesn't appear that they have dealt with the utilities. A number of residences will be sold separately along Schwerin and Martin Streets. There is a sewer line running behind the homes and we commented that a 15 foot easement with a hardscape service is required. Mr. Yeager will attend the July 3 meeting. The revised plans still indicate 555 units in 3 story buildings. Director Rizzi said that a presentation was made at a senior citizens meeting.

(j) 3101 Geneva Avenue: Habitat for Humanity has paid all their permit fees. This is a 6 unit townhouse project with individual owners. They have responded to our comments regarding utilities.

(k) Laterals: There is currently a significant amount of remodeling activity. Daly City has their portion of the laterals replaced when there is significant modification. We only require a new lateral if they are adding more than 500 square feet or if they are adding a 2<sup>nd</sup> unit. There is one instance where Daly City required a property owner to replace not only the lateral from the property line back but also from the property line to our main.

The Maintenance Director would like the District to consider requiring installation of a cleanout if there is not one or if it is non-compliant, during these major remodels. The Engineer will draft some Ordinance language for consideration.

(l) 2019-20 CIP: The Maintenance Director and Engineer have developed a proposed Capital Improvement Plan for the next fiscal year. This will be discussed at the July 11 Budget Workshop.

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

(a) Resolution abandoning Industrial Way sewer extension: At the last meeting, the consensus of the Board was to abandon or release any interest in the sewer. Counsel provided a resolution releasing obligation and control of a portion of the Industrial Way sewer. Notice has not been given to Sunquest/UPC. We can approve the resolution and send them a copy or

defer approval of the resolution and advise Sunquest/UPC. The Engineer volunteered to contact Howard Pearce and the Board agreed with that approach.

The Kreiland sewer line serves multiple tenants and involves 3 owners. Counsel Bakker suggested talking to them about the need for maintenance access. An argument could be made that we have a prescriptive easement. The access problem is with the manhole in the S.F. towing yard. At this time staff agreed not to pursue the matter.

(b) Code Enforcement/Penalty options: Counsel Quint reviewed the memo provided to the Board in May. At that meeting it was decided to continue the matter to the June meeting to decide whether or not Counsel should proceed with developing enforcement measures. It was the decision of the Board to table this topic to an unspecified date.

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

(a) Sexual harassment training: ADP, who brought this requirement to our attention, does not offer 1 hour training. CSDA has not responded to an inquiry about their training being available on demand. Three companies have been found that offer on line training. Career Resources, Inc. (CRI) has a 1 hour, self-paced training that is available 24/7 for \$19.90 per person. CalChamber has a similar program for \$25.99 as does Compliance Training Group for \$19.99 per person. The training must be completed prior to January 1, 2020. In response to a question the Clerk advised that she didn't believe the training could be taken as a group exercise. She will investigate a bit further; the matter is continued to the July meeting.

**Old Business:**

None

**New Business:**

(15) Resolution No. 2019-01 Establishing Appropriations Limit for FY 2019-20

The limit must be set each year based on information secured from the California Department of Finance. That information is provided to the auditor who calculates the limit. A motion was made by Director Swanbeck, seconded by Director Tonna and passed by roll call vote to approve Resolution No. 2019-01

Ayes: Constantino, Gallagher, Rizzi, Swanbeck, Tonna

Noes: None

Absent: None

(16) FY 2018-19 audit

The Clerk has been in contact with Fechter & Co., CPAs. They have scheduled their visit for July 25. The fee will be modestly increased.

(17) CSDA request for input - Little Hoover Commission Recommendation 11 (Swanbeck)

As mentioned under Oral Communications (2), Director Swanbeck provided materials for Board review and discussion at the July meeting.

The Clerk and President will complete the CSDA/ILG questionnaire on behalf of the District.

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

**Adjournment:**

The meeting was adjourned at 9:00 P.M. There will be a special meeting on July 11 at 7 P.M. to prepare a preliminary Fiscal Year 2019-2020 budget. The next regular meeting is July 25, 2019 at 7:00 P.M.

Submitted by Joann Landi, District Clerk

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President

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Secretary