

BAYSHORE SANITARY DISTRICT  
MINUTES  
Meeting of July 25, 2019

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**Roll Call:**

The meeting was called to order at 7:02 P.M.

Present: Gallagher, Rizzi, Swanbeck, Tonna  
Absent: Constantino  
Also: Maintenance Director Landi, Engineer Yeager, District Counsel Quint and Clerk Landi

**Public Hearing:**

- (1) Approval of Sewer Service Charge Report for FY 2019-20; Resolution No. 2019-02
- (2) Approval of Collection of Delinquent Accounts on County Property Tax Roll
- (3) Adoption of FY 2019-2020 Annual Budget; Resolution No. 2019-03

The Public Hearing was opened at 7:03 P.M. The Clerk advised the Board that the legal notice was published in the San Mateo County Times on July 11 and July 18.

With regard to (2), there are no delinquent accounts. There was no one from the public in attendance so the Public Hearing was closed at 7:05 P.M. With regard to (3) the amount of sewer service charges has been reduced \$1,000.

A motion was made by Director Swanbeck and seconded by Director Tonna to approve Resolution Numbers 2019-02 and 2019-03. The motion passed by the following roll call vote:

Ayes: Gallagher, Rizzi, Swanbeck, Tonna  
Noes: None  
Abstain: None  
Absent: Constantino

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

- (4) Communications from members of the public  
None

- (5) Communications from members of the District Board and Staff

A sample business card was provided to the Board. No Director present needs cards at this time. Since the Maintenance Director is the only one with a low supply of cards, we may attempt to design a simple card using Vista Print or a similar vendor.

- (6) Acknowledgment of recent correspondence to the District

**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.)*

- (7) Minutes of the Regular Meeting of June 27, 2019 and Special Meeting of July 11, 2019

- (8) Payment authorization for bills and compensation
- (9) Accept June 30, 2019 report on District's current financial status
- (10) Accept June, 2019 checking account reconciliation

A motion was made by Director Swanbeck, seconded by Director Tonna and passed by voice vote approving consent items 7-10.

**Board Reports** – consideration of matters relating to:

- (11) President Gallagher
  - (a) LAFCo: No report.
  - (b) CSDA – Local Chapter: The next meeting will likely be held in August. President Gallagher, Treasurer of the Chapter, says that they are currently being charged a monthly maintenance fee. The Maintenance Director is the second authorized signer so they need to get together and close the current account and set it up at an institution that does not levy a fee for a low balance account.

(12) Daly City: Directors attended a study session hosted by the City of Daly City that provided information on proposed development plans in the area of Martin and Carter Streets. There were 3 alternatives – high density, medium/mixed use and housing. The consensus leaned toward mixed use. At the regular meeting of the Council immediately following the study session, the Cow Palace Board reached out seeking support from the City to develop their land. The City did decide to support the Cow Palace whose tentative plans include a grocery store, post office and possibly parking, a hotel or business that is needed by the community. The Cow Palace Board would receive the lease monies which they could use to improve the Cow Palace.

(12) Brisbane: The CAG had a special meeting at City Hall at which Universal Paragon (UPC) provided an update on development of the Schlage Lock property. They want to begin building soon. There was also discussion about UPC's leachate discharge. Engineer Yeager advised that their pumping system isn't currently working but they typically average 10 gallons per day.

**Staff Reports:**

- (14) Maintenance Director – consideration of matters relating to:
  - (a) Monthly report on District operations and maintenance: The Carlyle Pump Station continues to operate well. •The generator panels that were repainted by West Coast Powdercoat have been replaced on the generator. •The manhole raising project on Tunnel Road is complete. There is one manhole on the side of Tunnel Road that needs repair. •More sewer lines have been installed in the Overlook subdivision. Inspections were done on Court A and Court B. The lines will be air tested and televised in late August.

- (15) District Engineer – consideration of matters relating to:
  - (a) June meter reading data: The average daily flow was 257,000 gallons, typical dry weather flow.
  - (b) PG&E Industrial Discharge Permit: This permit was for a ground water discharge which never occurred. A refund will be made.

(c) PG&E Gas line construction permits: A permit was issued for gas line replacements at 11 properties. Engineer Yeager has requested a copy of the CCTV tape to evaluate the condition of the laterals from the main back to the residence. USA markings have been received so the replacements may be starting.

(d) Maintenance Contract with North San Mateo County Sanitation District(NSMCSD): The contract was discussed during the Budget Workshop and at that time it was thought the increase would be 3.6%. It is actually 3.22% and Engineer Yeager would like authorization to send Contract Amendment #1 to the NSMCSD. A motion was made by Director Swanbeck, seconded by Director Tonna and unanimously passed by voice vote approving Amendment #1.

(e) Undocumented easements: The proposed resolution abandoning a portion of the mainline at the end of Industrial Road was provided to Howard Pearce. Mr. Pearce has no problem with that and was also advised that there is concrete in the line which should be removed. Counsel pointed out a minor correction. A motion was made by Director Swanbeck to approve Resolution 2019-05, a Resolution Releasing Obligation and Control of a Portion of Industrial Way Sewer. The motion was seconded by Director Tonna and passed by the following roll call vote:

Ayes:	Gallagher, Rizzi, Swanbeck, Tonna
Noes:	None
Abstain:	None
Absent:	Constantino

(f) Sewer Service Charge Report: The Engineer advised the Board that the final amount of sewer service charges for FY 2019-20 decreased \$1,000. The budget was edited to reflect the change. The process was a little cumbersome this year due to personnel changes at the County.

(g) Capacity Entitlement: We have received varying responses from three billings. The County's address of record for UPC is incorrect; the bill was returned. It was emailed to Howard Pearce who will see that it gets to the proper department. Abbey Rental had a significant increase in their usage. The Engineer suggested they check for leaking plumbing fixtures. They found none but their range of services has increased which could explain the increased usage. The Palace Laundry/Golden Moon Restaurant/Coin Laundry have been contacting the Clerk and Engineer for an explanation for the increase to their capacity. It was explained to the laundromat operator that the increase is based on water usage. They reported a leaking water heater; however, the increased usage occurred after the water heater was replaced. On the other hand, the property owner has expressed her intent to pay the invoice. The Engineer will continue to work with the operator and owner.

(h) Midway Village: The Engineer and Maintenance Director met with BKF to discuss the utilities for the project. Engineer Yeager previously met with Daly City personnel and the developers to go over the revised plan for Midway Village. He displayed the current version of the plans for purposes of this discussion. This project will be done in phases with ground breaking the first quarter of 2021. One phase will require the relocation of the sewer and elimination of others. There will be 10 single family homes that will be sold as low income housing. The District requires that these homes be connected to a public sewer. They would like to put sewers between buildings and not in the road. They have been advised that there is a requirement for a 15 foot easement in hardscape. Any non-compliant issues would require that they apply for a variance. If the proposed condominiums stay under the ownership of Midway Village/Housing Authority they could be private sewers. There are revisions being issued in August. We require that the

developer show the impact on the Carlyle Pump Station and the force main since they will be adding 80,000 gallons per day in dry weather flow when built out. Any plan they come up with will likely require applying for variance(s) to the District's Ordinances. The Engineer and Maintenance Director will continue to work with BKF.

At the end of this discussion Engineer Yeager mentioned that depending on how the Cow Palace property is developed, that additional flow may have to be directed straight to San Francisco.

(i) 383 Accacia Street: Andy Tam is the developer for this property which is currently a 2 story building with living quarters upstairs and a full garage down. They are remodeling the downstairs to include 2 bedrooms and a kitchen. Our policy has been that if a kitchen is added that becomes another dwelling unit subject to a capacity charge. Assembly Bill 2299 which was passed in 2017 regulates accessory dwelling units (ADU) statewide. The State believes that ADUs provide affordable housing and is defined as a unit not intended for sale but separate from the main house. It can be attached or detached but cannot exceed 1200 sf or 50% of the main unit. Under AB 2299 the District cannot charge a capacity charge for this unit. Counsel mentioned that there are some rare instances when a reasonable charge can be levied. We need to bring our Ordinance into compliance with the State mandate. Engineer Yeager believes the issue can be resolved in one or two paragraphs.

(j) Chevron carwash: This project has been pending for a while but is now close to completion. The permit was taken out in January, 2018. The property owner will need to obtain an industrial discharge permit. The Engineer will contact the SFPUC.

(k) Proposed Ordinance amendment – cleanout replacement: This amendment provides language for replacement of cleanouts when there is new construction and the existing cleanout does not conform to District standards. Now the Ordinance states that the cleanout is the homeowner's responsibility and doesn't give the District any authority. This proposed amendment adds language (Section 301.6) regarding replacement of non-conforming cleanouts when there is new construction. After discussion a motion was made by Director Swanbeck and seconded by Director Rizzi to approve Ordinance No. 105. However, after further discussion Director Swanbeck withdrew her motion and Director Rizzi agreed so that the matter can be reconsidered when Director Constantino can be part of the decision process at the August meeting.

(l) Other Ordinance amendments – discussion only: In the course of dealing with other projects, the Engineer came across some Ordinance language which he feels needs to be revised. In a number of places we need to provide more clarifying language, i.e. what is a private sewer and what is a public sewer, etc.

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

(a) Resolution abandoning Industrial Way sewer extension: Discussed under 15(e) earlier in the meeting.

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

(a) Sexual harassment training: The Clerk reported that she took the online training from Compliance Training Group. It took a total of about an hour and a half for the one hour non-supervisor training at a cost of \$19.99. You can take the training at your own pace and have one month to complete from the date of ordering. This training is required by January, 2020. The Clerk will provide the Directors with the information needed so they can take the on-line training.

**Old Business:**

None

**New Business:**

- (18) Resolution #2019-04 allocating funds to District Reserve, Contingency and Cash Flow Accounts for FY 2019-20

We adopted the practice of allocating our reserve funds for their current and future use in the early 2000's when the State was taking what they considered "excess" funds from districts. A motion was made by Director Swanbeck to adopt Resolution No. 2019-04. The motion was seconded by Director Rizzi and passed by the following roll call vote:

Ayes: Gallagher, Rizzi, Swanbeck, Tonna  
Noes: None  
Abstain: None  
Absent: Constantino

- (19) Discussion of Little Hoover recommendations, climate change and sea level rise vulnerability (Swanbeck)

Director Swanbeck suggested we take a proactive course of action and post information on our website responding to questions in the 2017 Little Hoover Report. The questions were also provided to members of CSDA. Counsel explained that participation is optional. The Clerk volunteered to investigate a little further.

- (20) CSDA September 25-28 conference

No Director is planning to attend.

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

**Adjournment:**

The meeting was adjourned at 9:07 P.M. The next regular meeting is August 22, 2019 at 7:00 P.M.

Submitted by Joann Landi, District Clerk

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary