

BAYSHORE SANITARY DISTRICT
MINUTES
Meeting of April 22, 2021

Roll Call:

The meeting was called to order at 7:02 P.M. As permitted per State of California Executive Order N-29-20 the meeting of the Bayshore Sanitary District was conducted via Zoom. Members of the public were invited to join the meeting. There were no requests for the meeting information.

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

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

- (4) Minutes of the Regular Meeting March 25, 2021
- (5) Payment authorization for bills and compensation
- (6) Accept March, 2021 report on District's current financial status
- (7) Accept March, 2021 checking account reconciliation

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

Board Reports – consideration of matters relating to:

- (8) President Gallagher
 - (a) LAFCo: No report.
 - (b) CSDA – Local Chapter: No report.
- (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 Pump Station is operating properly. The annual flow meter calibration was recently done by Telstar. In a follow up email Telstar reported that they found something amiss. They were contacted and advised that the flow meter which is about 10-15 years old will require some alteration in order to facilitate the yearly certification. The transmitter isn't working; however, the flow meter is functioning properly. The Maintenance Director and Engineer will make a recommendation for corrective action for consideration during the FY 2021-22 budget planning workshop.

Four laterals were inspected at The Overlook project. Three passed the final inspection and one failed due to excessive debris. It will be cleaned by the developer and reinspected. The project is likely to be completed within this year.

Received report of a broken pipe at 361 Accacia Street from North San Mateo County Sanitation District (NSMCSD). Responded and found that it was a broken water service line. Mr. Landi expressed his concern that NSMCSD doesn't collect adequate information from reporting parties. There was also a call for an overflow at 186 Rio Verde Street. NSMCSD responded and also notified the Maintenance Director. It took several days before we received the service request report. The report indicated that they spent about 3½ hours on site and experienced problems clearing the lateral. There were two prior responses to this address and there was a repair to the main as part of the 2008-09 CIP. Based on those prior reports there is reason to believe that this may have actually been a problem with the main, not the lateral or possible multiple connections to the lateral. We need to speak to NSMCSD personnel to get more information. It should be noted that the mainline manhole did not overflow.

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

(a) March meter reading data: There were two rainfall events in March generating 2" of rain. The average daily flow was 285,000 gallons – close to the February flow

(b) 2019-20 CIP: McGrath Electric, Tesco's subcontractor, restarted the work on Tuesday and completed work today on what they could until Tesco completes their scope of work. As discussed at the March meeting the District declined the \$22,000 change order for the pump room blower. The blower work was included in the contract but Tesco had a caveat that it was contingent on the blower having a separate cross line starter. Installation of an alarm only would be \$5,000-\$10,000 and that was rejected by the Maintenance Director and District Engineer. This did not result in a decrease to the contract amount; Engineer Yeager disagrees with that position. We have asked Tesco for a completion schedule and they have not responded. The Engineer believes it is time to tell Tesco that according to the contract they have 120 days to complete the project. They were granted an extension in January due to the lack of some components and the Covid 19 surge. He recommends that they be given notice that they have 25 days left to complete all work. Using today's date that would make the due date May 17. He advised the Board that Tesco has not been responsive when asked for scheduling and other items. The Board agreed with the District Engineer that we need to stand fast with the due date and that Tesco be reminded that if they fail to complete on time they will incur liquidated damages.

(c) Midway Village: Details associated with this project have become more complicated than they should be.

(1) Approve Resolution Summarily Vacating Public Sewer Easement: Midway Village is comprised of approximately 47 lots. There are a variety of easements both public utility and dedicated easements. An exhibit with color coded segments was posted on the screen depicting Phase 1 showing the existing and proposed easements. A new line through the field must be abandoned but a new line will be constructed. We will not be responsible for the interim line but we will for the permanent line.

There are two separate documents required by the lender Wells Fargo. They propose a license document be executed and a separate agreement calling for vacation of the easements in Midway Drive which will be replaced by a public utility easement. Our line is in the public utility easement which is better than location in a dedicated easement. District Counsel explained that an existing easement will be abandoned but we will need access until the line is replaced. The agreement must be approved prior to recording the map since the easement will be erased. The easement on Midway Drive was specifically dedicated to the District.

The proposed resolution was put on the screen. We do need to formally vacate the easement but we will not give up our current easement until we have a replacement easement. The developer has requested a quitclaim deed for clarity of the title. Counsel reviewed the resolution language. A motion was made by Director Swanbeck and seconded by Director Constantino to adopt Resolution 2021-01, a Resolution of the Board of Directors Summarily Vacating an Existing Public Sewer Easement Located at 47 Midway Drive, Daly City, California. The motion was approved by the following roll call vote:

Ayes: Constantino, Gallagher, Rizzi, Swanbeck, Tonna

Noes: None

(2) Authorize Staff to record Resolution and execute Quitclaim: It appears they require the quitclaim for finance purposes. Basically, we vacate the public utilities easement and they give the District a license agreement to service the line. A motion was made by Director Swanbeck authorizing the President to execute the license agreement on behalf of the District. The motion was seconded by Director Constantino and passed by the following roll call vote:

Ayes: Constantino, Gallagher, Rizzi, Swanbeck, Tonna

Noes: None

Counsel will do a little research to determine if the document needs to be notarized.

(d) Amendment #2 to North San Mateo County Sanitation District/City of Daly City O&M agreement: The revised document was delivered to NSMCSD. We have not yet received a signed copy.

(e) Connection Fee increase: No report.

(f) 32-38 Rio Verde Street: These two single family residences on the former El Rancho Market property have been inspected and accepted.

(g) The Overlook: Toll Brothers has taken out the final 14 permits. They have paid all District fees. We received their check for the SFPUC capacity fees; however, they overpaid and the check will be returned and reissued for the correct amount. In response to a question the Engineer said he believes the development has 71 homes.

(h) ADU at 494 Oriente Street: The Maintenance Director noticed activity at this property during a routine tour of the District. An accessory dwelling unit is being installed in the rear yard of the property. The Engineer requested plans and had a discussion with the Daly City Building Department regarding the need to see plans for all ADUs. Since this ADU is separate from the home and requires a connection fee. The fee is calculated on the detached accessory dwelling unit's square

footage. A connected or infill type ADU does not require a connection fee; however, it does trigger a second fixed fee.

(i) 2021 Sewer Service Charges: It is that time of year when we begin compiling information to calculate the annual sewer service charges. Engineer Yeager is working with EDS and sees no problem with the changes that will need to be made. He will request water usage data next month.

(j) Rate Increase: The mailing went out May 7. To date we have received 40 protests. We have had letters returned even though we use the County's property tax addresses. We have resent addressed to "Property Owner" or to an alternate address.

NSMCSD is also going through the rate increase process. Based on a 200 gpd discharge their charge is \$7.69 per unit and the District's is \$7.14. At the end of 3 years our rates will be less but the rates are tracking pretty closely.

The Clerk told the Board that she can order an add-on to the Zoom account to be able to accommodate 500 participants. The cost would be \$50 for one month.

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

As mentioned above, Counsel will inquire as to whether or not the license agreement needs to be notarized.

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

Reminded the Board that AB1234 training is due.

Old Business:

(15) Sewer Service and Capacity/Connection Charge increase discussion: We need to work out a format for conducting the meeting. Perhaps start with Engineer Yeager making a presentation based on the letter sent to each property owner. The Clerk, Engineer and President will prep prior to the May 27 meeting.

New Business:

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

Adjournment:

A motion was made by Director Rizzi, seconded by Director Swanbeck and passed by voice vote to adjourn the meeting at 8:28 P.M. The next regular meeting is May 27, 2021 at 7:00 P.M.

Submitted by, Joann Landi

/s/ Iris Gallagher
President

/s/ Norman Rizzi
Secretary