

**BAYSHORE SANITARY DISTRICT**  
**MINUTES**  
Meeting of May 27, 2021

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**Roll Call and Introduction of District Board and Staff:**

The meeting was called to order at 7:05 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.

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

President Gallagher provided a brief explanation of how the Public Hearing would be conducted.

**Proposition 218 Public Hearing:**

- (1) Introduction by District Counsel: Counsel's presentation was shared on the screen. She explained (1) why we are conducting a public hearing as required by the Right to Vote on Taxes Act aka Proposition 218; (2) how rates are set; (3) the public process; and (4) how the public can participate.
- (2) President opens Public Hearing: The Public Hearing was opened at 7:11 P.M.
- (3) District Engineer: Engineer Yeager's presentation was shared on the screen. He provided (1) a history of the District; (2) an overview of District finances; (3) the projected revenue/expense picture; (4) the methodology and basis for the proposed rates; (5) the impact of the proposed rate increase on customers; and (6) a comparison with other local agencies/entities.
- (4) Comments from the audience: There were no comments or questions from the public. The Clerk reported that 64 written protests were received; far less than a majority.
- (5) Close Public Hearing: The President closed the Public Hearing at 7:21 P.M.
- (6) Adoption of Ordinance No. 107, an Ordinance Amending the Bayshore Sanitary District Code to Increase Sewer Service Charges to Residential and Commercial Customers: A motion was made by Director Swanbeck to adopt Ordinance No. 107. The motion was seconded by Director Constantino and passed by the following roll call vote:

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

The Clerk will have the Ordinance published in the San Mateo County Times and it will go into effect one week after publication.

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

- (7) Communications from members of the public  
None
- (8) Communications from members of the District Board and Staff  
Engineer Yeager advised the Board that he attended a zoom meeting of the Daly City Planning and Zoning Division. The meeting was in regard to 2091 Geneva Avenue where a 179 unit apartment complex is planned. It will be an all studio building rising 7 stories. It will front on Geneva Avenue between Castillo and Pasadena Streets. He provided the developer with a Class 2 Permit application and requested a deposit to cover staff time.
- (9) 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.)*

The Clerk clarified that item 12 & 13 refer to April, 2021 report and reconciliation; not March as erroneously indicated.

- (10) Minutes of the Regular Meeting April 22, 2021
- (11) Payment authorization for bills and compensation
- (12) Accept April, 2021 report on District's current financial status
- (13) Accept April, 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 10-13.

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

- (14) President Gallagher
  - (a) LAFCo: No report
  - (b) CSDA – Local Chapter: There was a meeting earlier this month. No one from the District attended and it seems that there were technical difficulties.
- (15) Daly City: Director Swanbeck said she is following parking issues and challenges to the Midway Village redevelopment.
- (16) Brisbane: Director Swanbeck is monitoring Caltrain information issued by Brisbane.

**Staff Reports:**

- (17) Maintenance Director – consideration of matters relating to:
  - (a) Monthly report on District operations and maintenance: The office at Midway Village will be demolished on June 10 per the USA marking request. They are removing gas lines. The Housing Authority office will be moved into the daycare center.

The Carlyle Station is operating properly. Some required routine/annual inspections have been performed – fire extinguisher service, inspection by Brisbane Fire and backflow preventer inspection by Gotelli Backflow.

Conducted a final inspection of a portion of a lateral and cleanout replacement at 220 MacDonald Avenue.

On May 24 five more properties at The Overlook were video inspected; 1 failed. To date three have failed and will be reinspected.

We received a call from NSMCSD regarding a service request at 6 Nancy Lane. They were told to hold off a response. Our records indicate that there is no cleanout at the front property line. Mr. Landi spoke to the reporting party and learned that the resident had called a plumber. The plumber called Daly City to inquire if a permit was needed to make a repair. This was not a call to respond to a sewer backup. The Maintenance Director reiterated his concern that not enough information is secured by NSMCSD and that we need to revert back to the pre-agreement days when all calls were routed to the District. The Engineer and Maintenance Director will discuss this further prior to the next amendment to the agreement.

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

(a) April meter reading data: The average daily flow was 262,000 gallons—more like a summer reading. There were no rainfall events.

(b) 2019-20 CIP-SCADA system: Tesco returned on May 11; however, McGrath hadn't done their portion of the work. The panel was delivered in December and has been lying on the floor in the pump station ever since. Tesco says they were misinformed by McGrath. Start-up is schedule for June 1-4 with both Tesco and McGrath on site at 6:00 A.M. Tesco has missed the contract completion date. They have submitted the O&M manual which Engineer Yeager has been reviewing—it needs work and is not sufficient to operate the station.

(c) Midway Village: After the last meeting it was learned that Housing Authority comments hadn't been included in the agreement we signed and returned. We should receive signed copies of the new agreement next week. Utility construction will start in late June or early July. They are applying for a ground water discharge permit from the SFPUC. Daly City may issue a foundation permit first and then follow-up with a building permit. The permit can't be issued until all fees are paid.

(d) Connection fee increase: No report.

(e) Overlook: They have paid all District and SFPUC fees and Daly City has been notified.

(f) ADU at 494 Oriente Street: The property owner was invoiced for the proportionate connection fee. No payment was received by the due date and a new bill was sent with a late penalty. If it is not paid the amount due will be put on the sewer service charge report.

(g) 2021 Sewer Service Charges: Engineer Yeager has all the water data from the SFPUC, Daly City and Brisbane. EDS has updated reports and imported the water data. He will process the sewer service charge report using the new rates.

Daly City is going through a rate increase and sent mailings to District residents. They were notified and with the assistance of Engineer Yeager, promptly sent a follow-up notice rescinding the rate increase notice.

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

None

- (20) District Clerk – consideration of matters relating to:  
(a) Budget planning workshop: It was the consensus of the Board to combine a budget workshop with the June 24, 2021 meeting.

**Old Business:**

None

**New Business:**

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

**Closed Session:**

- (21) Significant exposure to litigation pursuant to §54956.9(b): one case  
The Closed Session began at 7:49 P.M. and ended at 7:59 P.M. No reportable action was taken.

**Adjournment:**

President Gallagher adjourned the meeting at 8:01 P.M. The next regular meeting is June 24, 2021 at 7:00 P.M.

Submitted by, Joann Landi

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary