

BAYSHORE SANITARY DISTRICT  
MINUTES  
Regular Meeting of June 30, 2022

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**Opening of Meeting and Roll Call:**

The meeting was called to order at 7:00 P.M. As permitted per State of California Executive Orders N-29-20 and N-08-21 the meeting of the Bayshore Sanitary District was conducted via Zoom. Members of the public were invited to join the meeting. The information on how to join the meeting was included in the posted agendas.

Present: Constantino, Gallagher, Rizzi, Swanbeck, Tonna  
Absent: None  
Staff: 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 communications to the District  
The District received notice from San Mateo County that they will continue to make ERAF distributions to special districts.

**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 Special Meetings of May 18 and June 16, 2022
- (5) Payment authorization for bills and compensation
- (6) Accept May, 2022 report on District's current financial status
- (7) Accept May, 2022 checking account reconciliation

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

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

- (8) President Gallagher
  - (a) LAFCo: Kati Martin was appointed as a regular Special District Commissioner; there we no other nominees. There will be another election for a Special District alternate.
  - (b) CSDA – Local Chapter: No report.

(9) Daly City: Director Swanbeck shared a flyer from MidPen announcing a wall raising at Midway Village in mid-July. She will provide a copy to others who have not received the notice.

(10) Brisbane: President Gallagher and Director Swanbeck attended the CAG meeting re the light rail maintenance facility. They will provide information under 12(k).

**Staff Reports:**

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

(a) Monthly report on District operations and maintenance: The Carlyle Pump Station (CPS) is operating properly.

- The lateral installation at 58 Pueblo Street is complete and has been inspected.
- ProPipe televised on Schwerin Street for PG&E. They are trying to field locate utilities.
- Inspected both crossings and the backfill on Carter Street. There is significant traffic control and they are now working their way down the hill.
- Finaled 5 properties on Crape Court in the Overlook development. There are about 11 properties left to be inspected.
- On June 1 had a pre-planning session with Pump Repair Service (PRS) re the flow meter installation. On June 3 Mr. Landi arrived at the CPS at 10:30 PM and PRS arrived at midnight. The CPS was shut down about 1:15 AM. Everything worked out perfectly and PRS's work was done about 5:15 AM. At 8 AM met with Telstar Instruments to electronically hook up the new meter. That work was complete about 11:00 AM and everything is operational.

- Conducted a final inspection of a cleanout installation at 135 Rio Verde Street.
- The last 3 manholes have been installed in the Midway Village project. All the pipe is in but needs to be air tested. They are required to televise the line prior to paving.
- Installation of a new lateral connection and cleanout at 453 Rio Verde Street is complete. This is the property where shipping containers are being used for a residence.

•North San Mateo County Sanitation District responded to a service request at 3211 Geneva Avenue – Mylo Hotel. There was no District problem.

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

(a) May meter reading data: The average daily flow was 281,188 gallons. This year's pumped volume vs. last years is 10 million gallons more. Engineer Yeager thinks this is due to heavier rainfall this year—about double the prior year. The dry weather flow appears to be consistently higher than previous years likely due to the new residences that have come on line. Also, some of that volume could be attributed to the Midway Village discharge.

(b) Midway Village: Discussed in 11(a).

(c) PG&E Egbert electric transmission line – Carter Street: Discussed in 11(a).

(d) Mag-Meter replacement: Discussed in 11(a).

(e) 200 Industrial Way (Florian): The recycling unit became operational in February and it has made a difference in the water consumption. It is down significantly and is now within their capacity entitlement. The Engineer recommends we withdraw the capacity charge invoice and that we not issue an invoice for this year. The Board concurred and the Engineer will handle the details.

(f) 10 Industrial Way rebate: This is the building next door to the CPS where it was determined that water was being stolen via an outside faucet. We held back the capacity invoice

but did levy sewer service charges. Since the faucet has been locked the consumption is down dramatically. Engineer Yeager recommends we refund \$4,896 to the property owner and also deduct 765 units from the information we provide to San Francisco. A motion was made by Director Swanbeck approving the refund. The motion was seconded by Director Tonna and passed unanimously by voice vote.

(g) Smart Cities Northern Corridor Expansion: This project involves the placement of control conduit on Bayshore Blvd. They have run into snags with Brisbane and PG&E and have not settled on a design. We anticipate receiving information for our review next month.

(h) North San Mateo County Sanitation District (NSMCSD) sewer system maintenance: We sent computations for FY 2022-23 to them but have not received a response.

(i) 2022-23 Sewer Service Charge: The total revenue is currently calculated to be \$1,403,863.

We don't have final County APNs. EDS usually get an updated property owner list in the spring which we use for the draft sewer service charges. Then EDS receives another in July with any changes to ownership or APNs. There usually aren't any changes to the APNs but there will be this year. Some properties have been added, some subdivided and the big one is that Midway Village was replatted and they have established new APNs but they are not in the system yet. Engineer Yeager hopes those changes are reflected in the next update from the County. That is holding him up front finalizing the report. He also is waiting for meter readings from Midway Village. Daly City provided an estimate but they are way below what had been used in the past. MidPen has asked that the phase one invoice be sent to them vs. to the SMC Housing Authority. What we would bill for is \$205 for each unit to keep their entitlement active. Continuing to pay the base charge of \$205 preserves the right to the capacity. Midway Village paid for 147 connections which calculates to \$30,135. That charge goes into effect the year after they purchase the capacity. That billing will go to MidPen. The groundwater discharge will also go to MidPen. The existing residential billing will go to the SMC Housing Authority. Midway Village is by far the largest customer in the District representing about 15% of the total. That will continue into the future.

(j) 135 Rio Verde Street: All the property owner was required to do was install a new cleanout. However, between the plumber starting without permits and communication difficulties with the owner, it took much more staff time than is usual. The plumber is expecting a refund but the permit deposit was depleted.

(k) Hi-speed Rail Project – Brisbane Light Maintenance Facility (LMF): Director Swanbeck brought this project to our attention. The final EIR for the San Francisco-San Jose portion of the project has been released and there will be a hearing to certify on August 17. It is Engineer Yeager's understanding that they will take comments and then approve. There was discussion of two alternatives, Brisbane East and Brisbane West. The east location includes the abandoned pump station, relocation of existing sewer lines and some businesses. So far they have not addressed issues associated with Tunnel Road. The project will impact our facilities minimally in relationship with the entire project. They do not indicate if they will be emptying holding tanks.

President Gallagher said the CAG meeting was to explain that the Brisbane East side was better than the west. All activity would be at night, i.e. cleaning cars, maintenance, etc. They indicated there would be no heavy duty maintenance and that the trains are electric not diesel. President Gallagher asked about the utilities and their response was that "they will be hooking into whatever is there."

Mr. Yeager read portions of the document which states the facility will be used to clean, service and store high speed rail trains and conduct exterior and interior inspections. They will make emergency repairs. This facility will operate on a 24 hour basis and the Engineer read the 24 hour schedule of activity. Director Swanbeck asked if this would affect our force main. The Engineer said that based on what we know now there would be no affect. The flow from this facility will go into the Tunnel Avenue sewer line. The property on the east side of the tracks will become solely industrial use. They need to tell us what they are planning to discharge and will need to obtain industrial discharge permits. Responses seem to be ignoring comments in staff letters so Engineer Yeager suggested a letter be sent under President Gallagher's signature. He added that he believes they need a site specific EIR. The Engineer and Maintenance Director will meet to discuss the project and draft a letter for President Gallagher's signature with copies to San Francisco and Brisbane.

(13) District Counsel – consideration of matters relating to: Counsel explained to the Board that SB 9, approved by the Governor in September, 2021 requires cities to allow one additional residential unit onto parcels zoned for single dwelling units. Only the city or county approve the maps, not the utility providers. She isn't sure if this is a problem for the District; however, our Ordinance Code requires a new lateral if there is a lot split. Engineer Yeager said there aren't many lots that could be split. He added that if someone applied for a Daly City building permit we would be notified.

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

(a) San Mateo County election instruction materials and Resolution 2022-03: This is the protocol we go through each year that there is an election. The County requires passage of a resolution, a map of the District, a form indicating which directors are up for election and if elected at large or by district and a form indicating the number of words for a candidate statement as well as who pays for the statement.

A motion was made by Director Swanbeck to adopt Resolution 2022-03, a Resolution of the Bayshore Sanitary District calling for an election to be held on November 8, 2022 for the election of two members of the governing board. The motion was seconded by Director Tonna and passed by the following roll call vote:

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

**Old Business:**

(15) Community outreach – newsletter; consider appointment of ad hoc committee: Directors Rizzi and Swanbeck are willing to work on this project. It was suggested that we pull information from various other documents and that Directors and staff provide the Clerk with their ideas for content. We will discuss this at future meetings.

**New Business:**

- (16) Adopt Resolution 2022-02 establishing FY 2022-23 appropriations limit

The Clerk told the Board that the calculation was provided by Fechter Co. CPAs. A motion was made by Director Swanbeck and seconded by Director Tonna to adopt Resolution No. 2022-02 establishing the FY 2022-23 appropriations limit.

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

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

**Closed Session:**

The Closed Session began at 8:04 P.M.

- (18) Significant exposure to litigation pursuant to §54956.9(b)(2): one case  
The closed session ended at 8:05. There is no reportable action.

**Adjournment:**

The meeting was adjourned at 8:08 P.M

Submitted by, Joann Landi

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary