

**BAYSHORE SANITARY DISTRICT**  
**MINUTES**  
Meeting of July 28, 2022

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**Opening of Meeting and Roll Call:**

The meeting was called to order at 7:02 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

**Public Hearing:**

The Public Hearing was publicized twice in the San Mateo County Times. The Hearing was opened at 7:03 P.M.

- (1) Approval of Sewer Service Charge Report for FY 2022-23; Resolution No. 2022-04  
The final amount of sewer service charge for the fiscal year is \$1,420,146.24 of which \$1,329,066.40 will be placed on the San Mateo County tax rolls. A motion was made by Director Swanbeck, seconded by Director Constantino and passed by the following roll call vote:

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

- (2) Approval of Collection of Delinquent Accounts on County Property Tax Roll  
There are no delinquencies to be placed on the tax rolls.

- (3) Adoption of FY 2022-2023 Annual Budget; Resolution No. 2022-05  
An updated revenue sheet was provided to the Board and Staff prior to the meeting reflecting a \$13,000 increase in sewer service revenue for the year. A motion was made to adopt Resolution 2022-05 by Director Swanbeck, seconded by Director Tonna and passed by the following roll call vote:

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

The Public Hearing was closed at 7:06 PM

**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  
None
- (6) Acknowledgment of recent correspondence to the District  
The only recent correspondence was an email from CASA regarding their conference.

**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 June 30, 2022 meeting
- (8) Payment authorization for bills and compensation
- (9) Accept June, 2022 report on District’s current financial status
- (10) Accept June, 2022 checking account reconciliation

A motion was made by Director Swanbeck, seconded by Director Constantino and passed unanimously by voice vote to approve consent items 7 – 10.

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

- (11) President Gallagher
  - (a) LAFCo: We received notice that the alternate position for special district representative is open now that Kati Martin has been appointed as a regular member. President Gallagher will reach out to Kati to ask if she has a recommendation for an alternate.
  - (b) CSDA – Local Chapter: No report.
- (12) Daly City: The Boys & Girls Club has been repurposed as a community service facility.
- (13) Brisbane: No report.

**Staff Reports:**

- (14) Maintenance Director – consideration of matters relating to:
  - (a) Monthly report on District operations and maintenance:
    - Responded to a low wetwell alarm on July 4<sup>th</sup>. It was a glitch in the SCADA terminal.
    - Pump #4 was off line for a day. New parts were installed and it was put back into service.
    - PG&E is making good progress along Carter Street. Met with the contractor regarding reported wastewater in a storm drain. Part of Saddleback flow is in San Francisco and that system is combined and the line is part of that system. Engineer Yeager said he would like a diagram of that line. San Francisco never accepted that line so the residents are responsible for maintenance.
    - Did final lateral inspections of 5 properties on Crape Court in The Overlook. There are just 6 homes left and then the development will be complete.
    - There were no service requests during the reporting period.
- (15) District Engineer – consideration of matters relating to:

(a) June meter reading data: As is typical there were no rain events in June. The average daily flow was 267,400 gallons.

(b) Total discharge FY 2021-22: The flow that we will report to San Francisco is 134,102,147 gallons, a 6½% increase over FY 2020-21. Non pumped flow decreased.

(c) Midway Village: Our inspection is complete except for the CCTV inspection which will be done after water and air testing and the paving. Two invoices will be sent directly to MidPen – one for the ground water discharge and the other for sewer service charges for Phase 1. When a connection permit is issued the property is charged sewer service charges the next year. In this case the charge was \$29,930 (145 x \$205).

(d) Bridge Housing project (Carter & Midway): The project has reportedly been reconfigured. The Engineer attended a virtual meeting with Daly City to go over the project but he couldn't really tell what changes had been made.

(e) Point Martin: Made a site visit last week and saw the large dirt pile. Mr. Yeager called Daly City to find out what was going on and they said they had only issued a grading permit. The City is debating an enforcement action since they have worked beyond their permit. The Maintenance Director said the dirt pile has been lowered quite a bit.

(f) Smart Cities Northern Corridor Expansion: This is regarding the communications cable being proposed for Bayshore Boulevard. The consultant is still working on the design.

(g) North San Mateo County Sanitation/Daly City Sewer System Cleaning: As reported at the June meeting our FY 2022-23 calculations were sent to NSMCSO. Had a conversation with Josh Cosgrove and Kevin McCarthy today and answered their questions on how we calculated the new charges. Trouble spot cleaning was reduced to twice per year and a portion of line in Midway Village has been deleted. They are in agreement with the calculation and an amendment to the agreement will be prepared.

(h) Hi-Speed Rail Project – Brisbane Light Maintenance Facility (LMF): President Gallagher, Director Swanbeck and the Maintenance Director attended a virtual meeting but not much detailed information was forthcoming. The Engineer provided links to the Board which depict what is being proposed. This facility will extend from beyond the ARCO tank farm to Golden State Lumber. It includes the abandoned pump station site which they will need to acquire. They will have to rebuild a portion of the Tunnel Avenue interceptor. The Engineer prepared a letter for signature by President Gallagher pointing out where the project impacts our assets, advising that the project is entirely within the District boundaries and that they will have to comply with our regulations. It seems like this is a project way out in the future.

(i) 2022-2023 Sewer Service Charge: There were a lot of issues to deal with this year. EDS updated their program in the middle of the process. There were new parcels created and some deleted so the process took longer than usual.

(j) Capacity Entitlements 2022-2023: Surprisingly there are four properties that have exceeded their entitlement. One is a vacant building at 2463 Geneva Avenue with commercial on the bottom and 4 apartments on top. The water usage is more than 1000 gallons a day. A courtesy notice was sent to the owner and they responded that they had noticed the high water bills and plan to have a plumber check out the building. Royal Palace Motel was billed and has paid for the additional capacity. Dollar Tree at 2840 Geneva Avenue is using so much water that their excess usage is over \$43,000 which doesn't make sense. A letter was sent to the owner of record with a copy to the store manager. There has been response as of today. They have 30 days to respond and then an invoice would be issued. The Maintenance Director said he will check the

water meter. The fourth is TransDev a bus storage facility at 541 Tunnel Avenue. All of a sudden there were a couple billing periods when there was excessive water usage. The owner is Brisbane Baylands and this is a situation similar to 200 Industrial Way. TransDev has not responded to the courtesy letter so the next step is to bill Baylands.

Director Tonna said he noticed that the car wash at the Chevron Station is finally operational. Since it just opened we have no water usage records. We do know that their process recycles the water. The increased usage will show up when we obtain next year's water usage reports. They will need an industrial discharge permit from San Francisco and the District. We issue our permit after San Francisco and their procedure is to issue the permit after use begins.

Director Tonna also inquired about the San Francisco Impound Yard at 2650 Bayshore Boulevard. When the building was occupied by the USPS it was a 24/7 operation. They paid for a huge increase in capacity and that entitlement stays with the property. The impound yard is using less than the postal center.

(k) Entitlements, long term: This annual review of capacity entitlements brought up an issue with the Engineer and Clerk as they maintain records. Some of the entitlements have been handled via a resolution. For historical purposes that is the best way to memorialize the entitlements. The Clerk and Engineer will work to figure this out in a meaningful way.

(l) Increased Engineering billing rate: This is a request to increase the hourly rate \$5 from \$155 to \$160 effective July 1. A motion was made by Director Swanbeck to approve the increase. Director Tonna asked that there be discussion. In response to his question as to what engineers earn doing comparable work, Engineer Yeager responded that it would be about \$200 and up. Director Tonna said that he asked because he feels it is his responsibility to exercise due diligence with regard to financial matters. He expressed his complete confidence in Mr. Yeager's ability and service to the District. The motion was seconded by Director Tonna and passed unanimously by voice vote. The Engineer explained that some of the work he does is reimbursable by project developers.

(16) District Counsel – consideration of matters relating to:  
None

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

(a) FY 2021-22 audit preparation update: So far the process is proceeding smoothly. Michael Fink is working on the draft. He reached out to President Gallagher with regard to how we handle permit deposits. She will respond to him next week.

#### **Old Business:**

(18) Community outreach – newsletter: Any Director or staff with suggestions for content was asked to send them to the Clerk. We can look through past communications and other documents and pull some text to use for this fall newsletter.

Director Tonna asked when we might begin to meet in person. Counsel hasn't heard any news about virtual meetings. Without a permanent change to the Brown Act, once the Governor ends his Executive Orders, the amendment will end. President Gallagher said she likes this arrangement. Director Rizzi mentioned that the latest Covid variant is highly contagious. Director

Tonna said he would like to go back to in person meeting but only when everyone else is comfortable. He added that he would feel safe among his fellow Board members and staff.

**New Business:**

- (19) Resolution No. 2022-06 Allocating Funds to District Reserve, Contingency and Cash Flow Accounts for FY 2022-23

Each year since 2002 the Board has adopted a resolution allocating dedicated sums to various contingency funds. A motion was made by Director Swanbeck to adopt Resolution 2022-06. The motion was seconded by Director Tonna and passed by the following roll call vote:

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

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

**Closed Session:**

The Closed Session began at 8:07 P.M.

- (21) Significant exposure to litigation pursuant to §54956.9(b): one case

The Closed Session ended at 8:10 P.M. There is no reportable action.

**Adjournment:**

The meeting was adjourned at 8:11 P.M. The next regular meeting is August 25, 2022 at 7:00 P.M.

Submitted by, Joann Landi

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary