

BAYSHORE SANITARY DISTRICT  
MINUTES  
Meeting of November 16, 2023

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**Opening of Meeting and Roll Call:**

The meeting was called to order at 7: 04P.M.

Present: Constantino, Gallagher, Rizzi, Sy, Tonna

Absent: None

Staff: Engineer Yeager, District Clerk Landi, Counsel Mog and Maintenance Director 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  
Weekly newsletters from CASA and CSDA were distributed via email today. Also, we received an email from the President of the CSDA Local Chapter. He is attempting to organize a zoom meeting in December.

**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 October 26, 2023 meeting
- (5) Payment authorization for bills and compensation
- (6) Accept October, 2023 report on District's current financial status
- (7) Accept October, 2023 checking account reconciliation

A motion was made by Director Constantino, seconded by Director Tonna and passed by voice vote to approve items 4 – 7.

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

- (8) President Gallagher
  - (a) LAFCo: There was a meeting yesterday at 6: 00 P.M. in East Palo Alto regarding the future of the East Palo Alto Sanitary District. There is talk about the city taking over the District but the District has been given time to work out something else.
  - (b) CSDA – Local Chapter: As mentioned above the new President is trying to organize a meeting of the Chapter.

(9) Daly City: President Gallagher was surprised to learn of the rezoning changes in the Geneva corridor as reported in the Engineer's monthly report.

(10) Brisbane: No report.

**Staff Reports:**

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

(a) Monthly report on District operations and maintenance: As noted in the monthly report Pump #1 has been out of service for most of the month. Today the pump was pulled and heavy debris and rags were removed. It is back in service and pumping 1700 gallons per minute.

A number of inspections were conducted at Point Martin. They installed pipelines and manholes in Phase 1 for the model homes and sales office. There is more mainline to be installed and then we will conduct the testing. The section that has been installed will be paved for access to the models.

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

(a) October meter reading data: The daily flow was 278,448 gallons. There was one rainfall event.

(b) Various cabling projects: IIG installed some cable along MacDonald Avenue. The contractor wanted to proceed on Schwerin and Geneva Avenue but Daly City would allow no work on Schwerin Street. No other work has been done.

(c) Point Martin Phase 1 & 2: The Engineer provided connection fee information to KB Homes.

(d) North San Mateo County Sanitation District/City of Daly City maintenance contract: They provided a summary table which the Engineer has edited. He reviewed the cleaning schedule with the Maintenance Director and eliminated lines that don't need to be cleaned. Also, the Clerk provided some language to insert with regard to what information we want their staff to collect from reporting parties.

(e) Capacity Charge – Chevron Station: Mr. Yeager spoke to the property owner and he has communicated with the manufacturer of the car wash system. There was a check valve that was broken which likely caused the excess water usage. It has been repaired and future usage records will be monitored. We can wait until next year to determine if additional capacity is required.

(f) Overlook: Toll Bros. has not yet paid the sewer service charge billing. The Engineer will stay on this.

(g) Carlyle Pump Station Master Plan: This afternoon the Engineer and Maintenance Director met with Freyer & Laureta and their pump engineer and electrical engineer. They said the station is in amazing condition given that it is 50 years old. Typically what they see are total gut jobs. They are going to provide a proposal evaluating the station and creating a master plan. During this meeting we learned that Tesco was recently purchased by United Flow Technologies.

(h) Midway Village Phase 1 and 2: All Phase 1 District requirements have been met.

(i) Brisbane Baylands recycling: President Gallagher, the Engineer and Maintenance Director met with Brisbane staff and Cal Water. There was discussion about a future water recycling project for the Baylands and others. Engineer Yeager believes Cal Water wants the

facility and then will sell the water. He suggested putting a recycling plant south of the Carlyle Station and we and Brisbane could provide raw water. Cal Water needs the reclaimed water to provide to some of their customers which would free up fresh water.

(j) SFPUC Annual Sewer Service Charge: In an email exchange with Brisbane the Engineer learned that Brisbane is charged \$9.35 for every 748 gallons of wastewater. Our equivalent charge is \$7.48. If we were charged Brisbane's rate our charge this year would have been about \$400,000 more. Brisbane is billed monthly and we are billed on an annual basis. Mr. Yeager shared the backup data that we received from the SFPUC with Brisbane. During contract renewal negotiations one item to be discussed is costs associated with Treasure Island.

(k) Connection Fee calculations: During the October meeting there was discussion about increasing our connection fee. This will be brought back at the December meeting since there are some public request issues. As a point of information Brisbane's connection fee is \$2,523.

(l) 5 Beatty – school bus yard: This project was brought to our attention by Brisbane. The site is exempt from our connection requirement since they are more than 200 feet from a main line. We are fine with them using port-o-potties, something done at the Brisbane Corp Yard; however, San Mateo County Health Department is requiring the site to be connected to public water and wastewater facilities. We wonder why the County is involved since this is within our jurisdiction. The proponents of the project are appealing the Health Department's determination.

(m) 2449 Geneva – Nick's Kitchen: Daly City provided notification of a remodel at this address. It is a restaurant and they are making modifications in the kitchen. It has been determined that they need to replace the sewer lateral. They were advised that a lateral replacement would require a District permit.

(n) Daly City – Geneva Avenue rezoning: We were notified by Planning and Zoning that Geneva Avenue has been rezoned from light commercial to commercial/mixed use. This allows taller buildings without a public hearing subject to Daly City design standards. Buildings can't be less than 3 stories and overhang onto the sidewalk is allowed. That would require relocation of our sewers which are located in the sidewalk.

(o) Caltrain: As discussed at prior meetings they want access to the timber box structure. The Engineer responded to Caltrain that the District does not own the structure that they have requested access for. We don't believe we have any property rights and have no information about the unrecorded deed. If we do have property rights we could allow them to enter at their own risk and hold the District harmless for any personal or property damage. We have not heard from Caltrain in response to that information. The structure extends from the Caltrain track to about the old pump station.

(13) District Counsel – consideration of matters relating to:  
No report

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

(a) FY 2023-24 audit update: Fechter & Co. is waiting for a response from us before finalizing the audit. The Clerk will forward the latest email to the President.

(b) ADP HR features: We were contacted by ADP advising that there are federal and state requirements that need to be in a written policy and agreed to by employees. The Clerk provided examples of the various policies, i.e. military leave, lactation accommodations, jury duty

leave, sexual harassment policy, crime victim leave, etc. Counsel said that when Directors receive a meeting stipend the IRS wants them to be a W-2 employee. The law doesn't really define employees. He doesn't feel that the Directors are employees in the true sense. The Board concurred with Counsel's opinion.

**Old Business:**

(15) Resolution No. 2023-06 Accepting Midway Village Phase 1 Sewer Lines

The Engineer provided a copy of the final record drawings to be attached to the resolution. A motion was made by Director Tonna to adopt Resolution No. 2023-06. The motion was seconded by Director Sy and passed by the following roll call vote:

Ayes: Constantino, Gallagher, Rizzi, Sy, Tonna  
Noes: None  
Absent: None

(16) Succession Planning

The Clerk said she has begun training her replacement. It is a process that will take several months. This month the Clerk in training prepared the financial report and assembled the meeting packets.

**New Business:**

(17) Resolution No. 2023-07 Abandoning Unrecorded Easement Regarding Wood Box Culvert

No one has been able to provide us with a copy of the unrecorded easement. We have not used it for more than 5 years so Counsel said we wouldn't need a public hearing to approve abandonment. We would provide a copy of the resolution to the County for recordation by the Assessor. Following that we would prepare and record a Quitclaim. After discussion it was the consensus to continue this matter to the December meeting.

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

**Adjournment:**

The meeting was adjourned at 8:32 P.M. Next meeting is December 21, 2023 at 6:00 P.M.

Submitted by Joann Landi

/s/ Iris Gallagher  
President

/s/ Norman Rizzi  
Secretary