

BAYSHORE SANITARY DISTRICT
MINUTES
Meeting of March 23, 2023

Opening of Meeting and Roll Call:

The meeting was called to order at 7:02 P.M.

Present: Constantino, Gallagher, Rizzi, Sy, Tonna
Absent: None
Staff: Maintenance Director Landi, Engineer Yeager, District Clerk Landi, Counsel Alex Mog and Steve Savage (Toll Bros.)

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

Steve Savage was present to provide comment on Agenda item 12(b) Overlook. Engineer Yeager said that the CC&Rs were approved but not submitted to the District for review. Daly City did receive them but did not refer to the District. The CC&Rs state that the homeowners association will be responsible for payment of the annual sewer service charges. Mr. Yeager explained to Toll Bros. that is not the way our system is set up. Counsel and the District Engineer have discussed the matter and recommended that the CC&Rs be changed. Toll Bros. said that is almost impossible.

Mr. Savage acknowledged that the CC&Rs were routed to Daly City but not the District. They weren't trying to circumvent the District. The homeowners were made aware of the sewer service charges and that they would be placed on their tax bill. The development is on a master meter and then it is sub metered for each parcel. The homeowners association would provide the District with water meter readings. Eleven of the parcels are on a "public" street and served by Daly City; they will provide those readings. If the District is not provided with meter readings by the homeowners association the master meter reading will be divided by the applicable number of parcels and billed their share. Meters will begin being read on April 1. In prior years Toll Bros was billed for the water usage and the property owner was charged the fixed fee portion. This year Toll Bros. will pay as they have been doing for the past couple years.

A motion was made by Director Tonna agreeing with this arrangement for billing the Overlook subdivision. The motion was seconded by Director Sy and unanimously passed by voice vote.

(2) Communications from members of the District Board and Staff

The next meeting is April 27 and the President told the Board that she may be absent. She will also miss the June 22 meeting.

(3) 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.)*

- (4) Minutes of the February 23, 2023 meeting
- (5) Payment authorization for bills and compensation
- (6) Accept February, 2023 report on District's current financial status
- (7) Accept February, 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: No report.
 - (b) CSDA – Local Chapter: No report.
- (9) Daly City: No report.
- (10) Brisbane: Director Rizzi reported that he attended a meeting regarding the Baylands. He said that several times during the presentation it was stated that Bayshore Sanitary District will have nothing to do with the project. Per Counsel the Baylands is within District boundaries and as such an entity can't simply disregard the jurisdiction.

Staff Reports:

- (11) Maintenance Director – consideration of matters relating to:
 - (a) Monthly report on District operations and maintenance: (1) Pump #2 was off line for about 10 days while being overhauled. The delay was due to the difficulty in getting parts. The pump is back in service and the gallon per minute pumping rate has increased by about 250 gallons. (2) The mainline cleaning of the Overlook has been completed. (3) There were no service requests during the reporting period. (4) The new motor has been installed in the filter bed. (5) We have requested a quote from Pump Repair Service for new pumps.
- (12) District Engineer – consideration of matters relating to:
 - (a) February meter reading data: The average daily flow was 337,321 gallons. There was 3.8" of rainfall during February. During the heavy rain storm on March 14 it was evident that there is storm water entering the system. Once we're in a dry weather period the area in and around Industrial Way will be smoke tested.
 - (b) Overlook: The 3 final conditions have been met – the mains have been cleaned, Toll Bros. have provided maps and the CC&R issue is solved. Daly City has not finalized the development yet. There are sufficient funds remaining in their deposit to cover legal, engineering and mapping costs.
 - (c) IIG Geneva/MacDonald/Bayshore Blvd.: There are two firms proposing underground cabling projects down Bayshore Boulevard. IIG will be on the east side and they have

received permits for potholing to locate Daly City utilities and the force main. That must be done before the fiber optics cable is installed from Brisbane to San Francisco.

(d) Sagebrush cabling projects: This is the second firm proposing cabling on the west side of Bayshore Boulevard. They have submitted plans and finally submitted their permit fee. We are working with Daly City on the approvals. They too, will be doing potholing.

(e) Brisbane brick arch storm drain: Caltrans requested records from Brisbane regarding the design of the facility. City Engineer Randy Breault contacted Engineer Yeager. We do not know who built it or who it belongs to. It is located within the District boundaries. There is a drainage facility that captures the water and then goes into a brick arch culvert which goes under the highway and the District out past the old, abandoned pump station and out to the bay. The Maintenance Director said the portion that goes under the Carlyle Pump Station (CPS) is under the landscaped area. It is 8 feet high, is made of brick and was probably built about 100 years ago. Mr. Yeager said that while researching old GIS maps a lot of the area around the CPS was part of the bay.

(f) SSMP revisions: The Regional Water Control Board issued an order on December 6, 2022 which changed the requirements of the sewer system management plan. There is action that needs to be taken before the June 6, 2023 effective date. DKF Solutions has been providing some online seminars that the Engineer and Clerk have attended. They have provided information on the requirements, how it is to be done and the deadlines. One big change is the definition of a sanitary sewer system. It is "A sanitary sewer system is a system that is designed to convey sewage, including but not limited to pipes, manholes, pump stations, siphons, wetwells, diversion structures and/or other pertinent infrastructure, upstream of a wastewater treatment plant headworks, including laterals owned and operated by the entity...." Does this mean that the District will be responsible to report spills from laterals? We do not own or operate laterals but we provide maintenance of an approved cleanout/lateral. Another change is who is the legal responsible official (LRO). Currently the Clerk fills that slot but going forward it will have to be someone with operational authority over the system with the required experience, etc. The Clerk could be the reporter with the Engineer or Maintenance Director designated the LRO. The Board will have to take action to appoint the LRO. The Engineer prepared an organization chart and North San Mateo County Sanitation District (NSMCSD) is part of the chart since they respond to District emergencies. There is a section in the SSMP that is called an overflow emergency response plan. That has been renamed spill emergency response plan and must be updated by the June 6 deadline. NSMCSD's existing plan is 96 pages long. Engineer Yeager suggested we adopt the NSMCSD plan as an appendix to our update. There is also an annual audit requirement which we haven't submitted in recent years. The Clerk said that back 10-11 years ago when the original plan was instituted we would get a reminder to submit a report. When that reminder was no longer received it was thought that the monthly reporting sufficed. The Engineer provided a table listing the 7 spills reported since the inception of the SSMP. In each case corrective action was taken.

In closing the Engineer said that before the end of June we must have the SSMP revised, the draft sewer service charge report prepared, a draft 2023-24 budget formulated and notification to property owners re the sewer service charge rate increase.

(g) Point Martin Phase 2: As discussed at the February meeting they wanted to discharge 2 laterals into the manhole – something we do not allow. We have asked for more information on the matter but have not received a response.

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

(14) District Clerk – consideration of matters relating to:
No report.

Old Business:

(15) Community outreach – newsletter: The Board and Staff were provided a copy of Director Sy’s first draft. It will likely be a two page document. Engineer Yeager will provide Director Sy with a copy of the text regarding the sewer service charge increase. The mailing needs to be ready by May 1st.

New Business:

(16) Letter of support for AB 759 re Sanitary District Act accounting procedures
CSDA advised its members about this legislation and encouraged support. The bill would modernize existing accounting practices and give discretion to a governing body to establish protocols to authorize funds. This type of change has already been afforded to a variety of similar special districts. The consensus of the Board was to approve the letter.

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

Closed Session:

(18) Significant exposure to litigation pursuant to §54956.9(b): one case
The Closed Session began at 8:26 P.M. and was closed at 8:48 P.M. No reportable action was taken.

Adjournment:

The meeting was adjourned at 8:49 P.M. The next meeting is April 27, 2023 at 7:00 P.M.

Submitted by, Joann Landi

/s/ Iris Gallagher
President

/s/Norman Rizzi
Secretary