

BAYSHORE SANITARY DISTRICT
MINUTES
Meeting of March 28, 2024

Opening of Meeting and Roll Call:

The meeting was called to order at 7:07 P.M.

Present: Constantino, Gallagher, Rizzi, Sy, Tonna
Absent: None
Staff: District Clerk Landi, Counsel Mog, Maintenance Director Landi, Engineer Yeager and Valerie Landi, Clerk Trainee

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
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 22, 2024 meeting
- (5) Payment authorization for bills and compensation
- (6) Accept February, 2024 report on District's current financial status
- (7) Accept February, 2024 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: President Gallagher and the Maintenance Director received a copy of the Chapter Bylaws and are among a group reviewing them. The next meeting is May 16.
- (9) Daly City: Director Rizzi mentioned that his wife is among a group of women being recognized for their public service by the City Council.
- (10) Brisbane: There will be a Citizens Advisory Group (CAG) in April.

Staff Reports:

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

(a) Monthly report on District operations and maintenance: The Carlyle Station is operating well but we are having problems with the generator again. Bayside Equipment Co. will be at the station tomorrow to troubleshoot. It's possible that we might need to have the fuel tank polished again.

There is a lot of potholing being done in the District. During the operation the contractor encountered Brisbane's force main. At the request of the contractor, met twice in the field but determined there was no District problem.

Freyer Laureta conducted pump station testing last week. Mr. Landi explained the testing process. President Gallagher acknowledged comments in the Freyer Laureta report about how well the station has been maintained.

In response to question from President Gallagher, the Maintenance Director said the pump hours for February were high due to the significant rain events.

As an FYI the Maintenance Director told the Board about a recent article in the San Francisco Chronicle about Bay Keepers suing San Francisco for pumping overflow discharge into Mission Bay.

Inspected a new lateral installation at 204 Accacia Street. Subsequent to that received a call from Daly City advising that they failed the City portion of the installation since there was not enough bedding in the trench. They also advised that they televised the line and there is a break past the cleanout. Before considering any action we will televise the line.

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

(a) February meter reading data: The average daily flow was 524,000 gallons – about twice the dry weather flow. There was a total of 13½ inches of rain in February.

(b) Various cabling projects: There are projects on Bayshore Boulevard at various stages. A project was proposed around 2700 Geneva Avenue; however, the plans were rejected by us and Daly City. The IIG project which is close to our force main has conducted a geotech investigation. We should have the report in a couple weeks. Testing was not allowed by San Francisco near the muni tracks. PG&E has a project going up Bayshore Boulevard to San Francisco. They submitted plans which were not accepted by the District or Daly City.

(c) North San Mateo County Sanitation District/City of Daly City maintenance contract: No report.

(d) PG&E Power Pole Replacements: Daly City let us know that they have been providing encroachment permits for replacement of PG&E power poles. The City was advised that it doesn't appear that there is a conflict with District assets.

(e) 260 Oriente and 466 Oriente Street: These are minor projects. The capacity fee and Class 4 permit for the detached ADU at 260 Oriente Street have been paid.

(f) Carlyle Pump Station Master Plan: Things are on schedule and the testing indicates the station is operating efficiently. The wetwell lids are reaching the end of their useful life. It was mentioned that the wetwell interior be coated to increase longevity. The Maintenance Director said the District should budget for new hatch covers.

(g) The Midway Village project manager requested fee information so they can budget for the next phase. They are proposing 113 new units and will be demolishing 60 units. The

charge for the difference of 53 units will be \$227,000. They currently are not using their allotted capacity for the school. There will be charges levied by San Francisco for two additional water meters.

(h) Brisbane Baylands – CalWater Non-binding Letter of Understanding: The meeting packets included a copy of the non-binding document. CalWater wants to be the water and reuse utility serving the Baylands and Sierra Point. Brisbane’s comments on the proposal declined CalWater’s request to provide water to Sierra Point. Engineer Yeager has reviewed the letter and proposes the following as the District’s response: (1) BSD should be explicitly named as the provider of wastewater collection services with all necessary assets constructed by Baylands according to BSD ordinances and dedicated to BSD upon successful completion; (2) All infrastructure assets required and/or modifications to existing BSD assets required to deliver BSD wastewater for reuse will be constructed by others at no cost to BSD; and (3) CalWater and/or Baylands shall be responsible for all BSD costs (legal, engineering, etc.) associated with the further development of a permanent agreement. District Counsel told the Board that this isn’t binding and also some of the language is a bit vague. He suggested an additional comment regarding confidentiality be added as follows: The confidentiality section will need to be updated to reflect obligations under the Public Records Act, subpoenas, and other legal processes. We recommend adding a requirement that notice be provided before confidential materials are disclosed pursuant to a legal requirement. Mr. Yeager mentioned that this impacts the Baylands EIR with regard to a source for water. It is likely that this proposal won’t actually be enacted for about 10 years.

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

(a) Taxpayer Protection & Government Accountability Act: CSDA has been following this Act and keeping its members updated. This ballot measure was proposed by the business roundtable. It limits local agencies ability to charge fee and taxes. Organizations like CSDA are fighting the measure. It has more impact on cities, counties and the state whereas the District relies on fees. It would require that all fees be adopted by ordinance which isn’t a problem for us. Prop 218 says that we can charge for service and that charge can’t exceed the reasonable cost to provide the service. Under this measure that would change to say the charge can’t exceed the actual cost of the service. Simply stated it makes it harder to implement taxes and fees.

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

(a) Clerk transition update: We are making slow and steady progress. President Gallagher said we will need to go with Quickbooks subscription service. We also need to order a Word software package and eventually purchase a laser printer.

Old Business:

(15) Succession Planning

Planning is an on-going project. The Clerk transition is in the works which leaves engineering and maintenance. President Gallagher asked the Maintenance Director about his future plans. He plans to be around for a couple more years but suggested that the District might want to request a quote from NSMCSD for maintenance of the Carlyle Station. The Engineer and Maintenance Director can create a scope of work. In addition to the station monitoring there are also USA markings, project inspections, landscape, etc. The Engineer has no immediate plans to

leave and said that he maintains and updates the procedures for reviewing the annual SFPUC sewer service charge.

(16) Approval of Legal Services Agreement with Redwood Public Law

A copy was provided in the Board's meeting packets. The scope of service and hourly rates are basically the same as they were under the agreement with Meyers Nave. One change is that the 3% overhead charge was eliminated and the hourly rates increased by 3%. With regard to future increases, going forward that will be tied to the CPI. A motion was made by Director Tonna, seconded by Director Sy and passed by roll call vote to approve the agreement with Redwood Public Law.

Ayes: Constantino, Gallagher, Rizzi, Sy, Tonna

Noes: None

(17) Provide direction on Non-Binding Letter of Understanding Regarding Water and Reuse for Baylands and Sierra Point Development

Discussed under item 12(h).

New Business:

(18) District's 100th Anniversary – established May 18, 1925

What can we do to recognize this milestone? Host an open house? Banner on the fence facing Bayshore Boulevard commemorating the occasion? We will continue to brainstorm ways to celebrate this achievement.

(19) Reports on other matters: no action will be taken

None

Adjournment:

The meeting was adjourned at 8:28 P.M.

Submitted by Joann Landi

/s/ Iris Gallagher
President

/s/Norman Rizzi
Secretary