

BAYSHORE SANITARY DISTRICT  
MINUTES  
Meeting of March 24, 2016

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**Opening of Meeting:** The meeting was called to order at 7:02 P.M.

**Roll Call:**

Present: Gallagher, Quinteros, Rizzi, Swanbeck, Tonna  
Absent: None  
Also: District Counsel Quint, Maintenance Director Landi, District Engineer Yeager  
Clerk Landi, and Xenia Gutowski

**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 Regular Meeting of February 25, 2016
- (5) Payment authorization for bills and compensation
- (6) Accept February 29, 2016 report on District's current financial status
- (7) Accept February, 2016 checking account reconciliation

A motion was made by Director Quinteros seconded by Director Swanbeck and passed approving consent items 4-7.

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

- (8) President Gallagher
  - (a) LAFCo: There was a meeting on March 16 but no District representative attended
  - (b) CSDA – Local Chapter: There will be a meeting in May.
  - (c) Redevelopment Oversight Board: There is nothing to report at this time.
- (9) Daly City: The Clerk reported that the Board of Supervisors has items on their March 29 agenda regarding preplanning for redevelopment of Midway Village. The proposal includes a Memorandum of Understanding between Daly City, the Bayshore School District and the Board of Supervisors.

Director Rizzi reported that the Robertson School project has suffered delays due to the County and School District having some issues with regard to ownership of a portion of the property.

(10) Brisbane: No report.

**Staff Reports:**

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

(a) Monthly report on District operations and maintenance: During the reporting period some work was done on Pump #3 and #4. Pump #4 was pulled because it was pumping less due to rocks. During the heavy rain episodes, Pump #3 wasn't operating properly, it wouldn't pick up suction. It was pulled and a new wear ring was installed. It is now pumping 1850 gpm.

The owner of 88 Accacia Street called to schedule a lateral inspection since the concrete had been removed from the cleanout which had prevented a previous attempt to inspect. There remains a problem in that there is a cap in the cleanout which we are unable to remove. The owner will be notified that they need to provide access so that we can perform a video inspection.

The property owner of 298 Accacia was having a cleanout installed at the property line and it was determined that there was a problem with the lateral. In addition to the installation of a cleanout the lateral was pipe burst all the way to the main. It was inspected and televised and looks good.

(b) Succession planning: Spoke with one of the South San Francisco representatives and was advised that they have nothing to report at this time.

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

(a) February meter reading data: The average flow in February was 332,000 gpd with 12 small rainfall events.

(b) SFPUC water quality sampling: The Engineer distributed a spreadsheet analyzing the data. These recent results seem to be more typical. The January-February data is fine but as reported before, we will not accept the November data. The dry weather monitoring will be done in May and June. If the data collected during that period looks good, we should discuss with the SFPUC the option of stopping the monitoring.

(c) Questions from customers: Received inquiries from customers during this reporting period regarding sewer service charges. There are a number of establishments on one APN which have multiple business operations and the property owners need the charges for the individual businesses.

(d) Development of GIS map: Murgreen Environmental has added the attributes but they have some questions for the Engineer. Mr. Yeager reported that this system allows us to capture a lot of data--both current and historical.

(e) 88 Accacia Street: Discussed above in Item 11(a).

(f) Coordination with Daly City: The handout has been amended based on comments made at the February meeting. With regard to a 50+% addition the Board may, at its discretion, waive the requirement for replacement if the line is inspected and found to be structurally sound for continued use.

(g) Accacia subdivision: The Engineer continues to receive plans that do not meet our standards. The developer is provided instruction on what they need to do to comply but fail to make the required changes. They have made changes to the sewer system based on Daly City regulations and those are not in compliance with District Specifications and Ordinances. A letter was sent yesterday with Engineer Yeager's most recent comments.

(h) PG&E Martin Service Center (MSC) Construction Dewatering Permit: PG&E's representative contacted the Engineer after the last meeting stating that they needed a construction water permit and needed it quickly since construction was to begin right away. They were advised of the District requirements. PG&E's initial letter from the SFPUC indicated that the SFPUC would bill PG&E for the discharge. They were advised that the Engineer could not approve this administratively since the levying and collection of charges by the SFPUC was a change from how these permits have been handled. PG&E received a second letter deleting the language with regard to the SFPUC collecting charges. The project involves placing a new 24" gas line through a micro tunneling project involving jacking and receiving pits where they could encounter significant amounts of ground water. They estimate that they will discharge up to 3 million gallons of water over the next few months. This project requires a pre-inspection by the District. PG&E has submitted the permit and fees.

(i) Robertson School: The City of Daly City Planning Department has notified the District that they are in the process of approving the tentative map. It was submitted and reviewed by Engineer Yeager and he provided revised language to be incorporated in the letter listing the terms.

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

(a) Discussion regarding District Capacity Charge and noticing requirements: Counsel told the Board that capacity charges are not subject to Prop 218. At the last meeting it was agreed that a letter be sent to the SFPUC expressing concern about the significant increase to the charge in just a three year period and also with the change in methodology in calculating capacity charges. The letter also includes a permanent request that we be notified in advance of any proposed increases

(b) Consider resolution adopting revised SFPUC Capacity Charges: In 2013, the Board adopted a resolution approving the SFPUC capacity charge. A new resolution must be adopted reflecting the new rates.

The District has on file, a request from Building Industry Association (BIA) asking to be notified of fee increases. Law dictates that 14 days notice be given. Therefore, the resolution which has been drafted will be continued to the April meeting. The Clerk reported that BIA was notified today.

With regard to capacity charges being exempt under Prop 218, the Maintenance Director asked if that means that the Board could simply agendaize an increase and approve it without going through the Prop 218 notification and hearing process. Counsel Quint read from an opinion letter by Counsel Bakker which indicates that notification would be given to any person or entity that had requested they be notified of any proposed charges.

Engineer Yeager reiterated his opinion that using meter size to determine capacity charges is something unusual. He added that the SFPUC capacity charge was passed via a resolution and applies to all of San Francisco not just the District. It was suggested that the Clerk make a public records request for the documentation and data used to compute the charge.

In response to a question from Director Swanbeck as to what percentage of the SFPUC system the District uses, the Engineer said our agreement with the SFPUC treats all their treatment plants as one unit. We primarily use the Southeast Treatment Plant with the Northeast Plant used during overflow events.

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

(a) Demand for payment of taxes re abandoned pump station property: The Clerk reported to the Board that we were contacted by the San Mateo County Tax Collector's office last week about overdue taxes for the abandoned pump station site. The charges were levied by the Bayshore School District for the Measure K parcel tax. Apparently correspondence had been sent to various addresses, none of which were current. The Tax Collector's office was in the process of auctioning the property to collect the taxes; that action has been halted. On advice of County Counsel's Office, the School District was contacted and asked to have the charges removed. Information was provided to the Superintendent on March 18. The Clerk will follow up next week to make sure that they have begun to take corrective action. The District is not subject to property taxes.

**Old Business:**

(15) Ratification of Ordinance No. 102, An Ordinance Amending Sections 500 and 601 of The Bayshore Sanitary District Code Regarding Permits Required for Wastewater Discharge and Sewer Connection Permit re permit and reinspection fees

Under the Brown Act our listing of this Ordinance on the February agenda wasn't proper so we are remedying that by ratifying the Ordinance this evening. A motion was made by Director Swanbeck and seconded by Director Rizzi to ratify approval of Ordinance #102. The motion carried by the following roll call vote:

Ayes: Gallagher, Quinteros, Rizzi, Swanbeck

Noes: Tonna

**New Business:**

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

**Adjournment:**

A motion was made by Director Swanbeck, seconded by Director Rizzi and passed to adjourn the meeting at 8:04 P.M. The next Regular Meeting is April 28, 2016 at 7:00 P.M.

Submitted by Joann Landi