



1902 - *Serving Our Community for over 115 Years* - 2022

WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, JUNE 8, 2022 AT 7:00 P.M.

1. **Call to Order**

President Dehn called the meeting to order at 7:15 PM

**Roll Call**

BOARD MEMBERS PRESENT: President Dehn, Secretary Walker, Director Moritz

BOARD MEMBERS ABSENT: Treasurer Thiele-Sardiña, Director Otte

STAFF MEMBERS PRESENT: Ramirez, Finance Manager Fisher, and Condotti by Zoom

Others Present: Resident – Chris Buja, Consultant – Steve Gortler

2. **Communications from the Public:** Resident Chris Buja said he would like to encourage the Board to buy out the existing reimbursement agreements and have the District collect from future connectors. He stated it would benefit future customers and the District.

3. **Consent Calendar**

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

Discussion/Comments: None.

- A. Approval of Minutes for Regular Meeting May 25, 2022
- B. Consider Approval of Resolution Authorizing District to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361
- C. Bank of the West Monthly Investment Portfolio Statements

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

4. **District Manager's Report**

Discussion/Comments: District Manager Ramirez reported the new CSRMA deductibles will begin July 1<sup>st</sup> and will raise the deductibles from \$2,000 to \$10,000 thus lowering the premiums. He also reported that design is underway for the high frequency pipeline repair project. He continued to report the LAFCo municipal services review hearing will be held on June 15<sup>th</sup>. District Manager Ramirez informed the Board that staff performed urgent repairs, in-house, to two check-valves at the Willow Pump Station. The check valves were originally installed in the late 1970s. He continued to report there will be a root foam presentation at the June 22<sup>nd</sup> Board meeting. He also reminded the Board the next Board meetings are scheduled for June 22<sup>nd</sup> and July 13<sup>th</sup>. The complete District Manager's written report is in the June 8, 2022 agenda packet.

**5. Consider Rejection of All Bids for the Bayfront Park Sanitary Sewer Improvement Project**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Discussion/Comments: District Manager Ramirez reported that one bid was received and it was double the engineer's estimate. Staff recommendation is to reject all bids.

**6. Consider Approving Resolution Adopting Fiscal Year 2022-23 Budget**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 9 Abstain: 0

Discussion/Comments: District Manager Ramirez reported on the proposed Budget Fiscal Year (FY) 2022-23, highlighting changes since the May 9, 2022 Budget Workshop, which included updates in the Sewer Service Charge revenue, Other Revenues, and changes to Insurance Expenses. Overall Operating Revenues are \$30,777,959, a 0.3% decline from FY 2021-22, while Operating Expenses are \$22,222,874, a 3.3% increase. The District FY 2022-23 Budget has a \$5,280,495 increase in Net Position, including \$9,050,085 increase in the General Fund Net Position, which is available for Capital expenditures.

**7. Consider Adopting Resolution Establishing Rates of Pay and Related Compensation Provisions**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Discussion/Comments: District Manager Ramirez reported the 4% increase is per contract and reported that employees will now pay 1% of the Employer PERS contribution. He also reported that there is one remaining year in the contract.

**8. June 8<sup>th</sup>, 2022 Update Report on District Response to Corona Virus**

Discussion/Comments: District Manager Ramirez reported two employees are out due to COVID 19 exposure and three others are out as a precaution.

**9. Report and Discussion on Sharon Heights Recycled Water Plant**

Discussion/Comments: District Manager Ramirez reported the State Water Resources Control Board - Division of Financial Assistance received the District's Annual Report and issued a letter. The report was in accordance with the *Water Recycling Funding Program Guidelines* and the letter stated, "*The District has met its recycled water deliveries goal and is no longer required to report annual recycled water deliveries for the Project.*" He also reported that 9.2 million gallons per day (MGD) of reclaimed water was treated and 7.4 MGD were delivered. He continued to report that recent sampling showed higher than normal levels of coliform due to a vendor error while the vendor was calibrating the flow meters. The incident did not require reporting to the state because water was not being delivered during the incident.

## 10. Discussion and Direction on Bayfront Recycled Water Project and Status Update

Discussion/Comments: District Manager Ramirez reported the District is waiting for a response from U.S. Army Corps of Engineers on permitting. He continued to report that the National Fish and Wildlife Foundation agreement has been completed.

## 11. Report & Discussion on South Bayside Waste Management Authority (SBWMA)

Discussion/Comments: President Dehn reported on the legislative committee and on new bills that are being considered at the state level. She stated the next meeting will be held on June 23<sup>rd</sup>.

## 12. Report, Discussion & Direction on Silicon Valley Clean Water (SVCW) and Discussion on SVCW CIP Program and Financing

Discussion/Comments: None.

## 13. Closed Session

Entered closed session at 8:06 p.m. Left closed session at 8:13 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Cal. Govt. Code §54956.9(d)(2):  
(1 potential case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Cal. Govt. Code §54956.9(d))  
Name of Case: *1740 Oak Avenue, LP v. West Bay Sanitary District, et al.* –  
SMCSC Case No. 18CIV02183
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR  
NEGOTIATORS  
Agency designated representatives: Board President/Legal Counsel  
Unrepresented employee: District Manager

Reportable action: None.

## 14. Comments or Reports from Members of the District Board and Consider Items to be Placed on Future Agenda

Discussion/Comments: None.

## 15. Adjournment Time: The meeting was adjourned at 8:14 PM

/s/ David A. Walker  
**Secretary**