



1902 - Serving Our Community for over 115 Years - 2022

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, DECEMBER 14, 2022 AT 7:00 P.M.**

1. Call to Order

President Dehn called the meeting to order at 7:01 PM

Roll Call

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

BOARD MEMBERS ABSENT: Treasurer Thiele-Sardiña

STAFF MEMBERS PRESENT: Ramirez, Fisher, and Reese and Condotti by Zoom

Others Present: Rich Laureta – Freyer & Laureta, By Zoom: Dave Hilton
and Rick Simonson – HF&H, Tammy DeBene – Recology,
Sheldon Chavan – Chavan & Associates, Eileen
McLauhglin - CCR

2. Communications from the Public: None.

3. Public Hearing: Consideration of Proposed Solid Waste/Recycling Collection Rates for the Year 2023

Motion to Open by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported that a slight increase of rates for the residential 20, 32, and 64 gallon carts and 32 and 64 gallon carts for commercial customers is necessary. He also reported that no protest letters were received.

Motion to Close by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

4. Consideration of Resolution to Approve Solid Waste/Recycling Collection Rates and “Rates for Other Services” Effective January 1, 2023

Motion to Approve by: Walker 2nd by: Moritz Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: None.

5. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Regular meeting November 9, 2022
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru November 30, 2022
- C. WBSD Operations and Maintenance Report – November 2022
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – November 2022
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – November 2022
- F. Consider Approval of Resolution Authorizing District to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361
- G. Consider Approving Resolution of Intention to Annex Certain Territory (35 Possum Lane, Portola Valley) to the West Bay Sanitary District On-Site Wastewater Disposal Zone and to Establish the Date and Time of Public Hearing
- H. Consider Approving Resolution of Intention to Annex Certain Territory (115 Sausal Drive, Portola Valley) to the West Bay Sanitary District On-Site Wastewater Disposal Zone and to Establish the Date and Time of Public Hearing
- I. Consider Authorizing the General Manager to Issue Class 3 Sewer Permit No. 1627 for the Construction of Wastewater Facilities for 0 Alpine Road, Unincorporated Santa Clara, California
- J. Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1607 for Construction of Wastewater Facilities for 4 Navajo Pl, Portola Valley, California
- K. Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1607 for Construction of Wastewater Facilities for 4 Navajo Place, Portola Valley, California
- L. Bank of the West Monthly Investment Portfolio Statements
- M. Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1024 for Construction of Wastewater Facilities for 214 Grove Drive, Portola Valley, California

Motion to Approve by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

6. General Manager's Report

Discussion/Comments: General Manager Ramirez reported flow monitoring began in November. He reported the Master Plan Committee met on December 7th to review the proposal for the 2023 Master Plan. He also reported the Bayfront Park Sewer Improvements project has been awarded to Ranger Pipeline. He informed the Board recruitments for Project Manager and Associate Engineer are underway. He continued to report that the Board should consider cancelling the December 28th Board meeting due to a lack of a quorum. Board consensus was to cancel December 28th Board meeting. The next regular meetings are January 11th and January 25th. Lastly, General Manager Ramirez reported the annual Almanac Newsletter appeared in the December 9th edition and coincided with the District's 120th anniversary on December 10th. The complete General Manager's written report is in the December 14th, 2022 agenda packet.

7. Discussion and Direction with the Finance Advisory Committee

Discussion/Comments: Director Moritz reported on the recent meeting which included a discussion and review of the annual audit, report by Bank of the West on investments, and transferring funds from LAIF to Bank of the West.

8. Consider Adopting the District's Audited Financial Statements for the Year Ended June 30, 2022

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: District Finance Manger Fisher and Sheldon Chavan of Chavan & Associates presented the FY 2021-22 audit highlights to the Board.

9. Consider Approving the Financial Statements FY 2021-22, Year Ending 6/30/2022

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain:

Discussion/Comments: Finance Manager Fisher reported on the District's Unaudited Financial Statements for the year ending June 30, 2022. She reported the District had \$182,036,752 in total assets as of June 30, 2022, with total liabilities of \$19,617,070, for a Net Position of \$159,939,775, with Deferred Outflows and Inflows of Resources of \$242,338 and \$2,722,245, respectively. In Fiscal Year 2021-22, the District had a gross Revenue of \$41,185,957 and gross Expenditures of \$25,247,335, for a total \$15,938,622, increase in Net Position, including non-operating income and expense, pension adjustments, and prior period adjustments, through the year ending June 30, 2022.

10. Consider Approving the Financial Statements FY 2022-23, 1st Quarter Ending 9/30/2022

Motion to Approve by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: Finance Manager Fisher reported on the Unaudited Financial Statements for the year ending September 30, 2022, including Revenue, Expenses, and Changes in Net Position is reported by fund to better view the primary operations and other activities in; General, Capital, Solid Waste, and Recycled Water Funds.

The District had \$181,691,641 in total assets as of September 30, 2022, with total liabilities of \$20,138,695, for a Net Position of \$159,034,226, with Deferred Outflows and Inflows of Resources of \$203,525 and \$2,722,245, respectively. The District had gross Revenue of \$8,185,622 and gross Expenditures of \$9,091,171, for a total \$905,549 decrease in Net Position, including non-operating income and expense, through the quarter ending September 30, 2022 for all Funds. The District also expended \$216,652 on capital construction.

11. Consider Approval of Additional Contributions from LAIF to the Reserves

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: Finance Manager Fisher reported the Finance Committee recommended the District transfer \$10M from LAIF to the investment reserves account at Bank of the West.

12. Consider Resolution to Elect to the District Board, President, and Secretary, and Appoint a Treasurer and Consider Appointment of Committee Appointees and Alternates

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: The Board elected: Fran Dehn, President; David Walker Secretary; Roy Thiele-Sardiña, Treasurer; George Otte, SVCW Commissioner; Ned Moritz, SVCW Alternate; Fran Dehn, SBWMA Board of Directors, George Otte, Alternate SBWMA Board; Ned Moritz and Roy Thiele-Sardiña, Finance Advisory Committee; Fran Dehn and Roy Thiele-Sardiña, Recycled Water Advisory Committee; George Otte and David Walker, Master Plan Committee.

13. Consider Authorizing the General Manager to Issue the Call for Bids for the District's Capital Improvement Project – Point Repairs (High Frequency Pipeline Replacement and Repairs

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported Freyer & Laureta has identified \$12.5M in point repairs over 3 phases. There is currently \$2M budgeted for the project, however, \$4.2M is needed for the first phase.

14. Consider Authorizing General Manager to Extend the Agreement for Engineering Staff Augmentation Services with Freyer & Laureta, Inc

Motion to Approve by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported this agreement is necessary to assist the District with engineering services until a Project Manager and Associate Engineer are hired.

15. December 14th Update Report on District Response to Corona Virus

Discussion/Comments: General Manager Ramirez reported staff is currently updating the COVID-19 policy and accessing the travel outside of state and required testing section.

16. Consider Resolution Authorizing General Manager to Submit for an increase to a Clean Water State Revolving Fund Application for the “Aby Altschul Pump Station” and Approve the Reimbursement Resolution to Manage the Funding if Awarded

Motion to Approve by: Otte 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported the Board previously approved to apply for \$500,000 in an SRF application for the Aby Altschul Pump Station project. Costs are estimated at \$750,000 to \$950,000. General Manager Ramirez asked to increase the application request to \$950,000.

17. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: General Manager Ramirez reported the plant treated 5.9 MGD and delivered 310,000 gallons. He also reported the PG&E application for the Avy Altschul Pump Station is approximately \$18,000 and design for the project is nearly complete.

18. Consider Approval of an Agreement between West Bay Sanitary District and the City of Menlo Park Regarding Provision of Recycled Water Service within the Menlo Park Municipal Water District Service Area and Authorize the General Manager to Execute the Agreement

Motion to Approve by: Otte 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported the City of Menlo Park has approved the Willow Village Project and has agreed to designate West Bay as the recycled water provider in their water service area. He continued to report that approving this agreement with the City will allow the District to serve as the recycled water purveyor.

19. Discussion and Direction on Bayfront Recycled Water Project and Status Update

Discussion/Comments: General Manager Ramirez reported that permitting is underway for the project. He also reported that now that the Willow Village project is approved by the City there is a need to begin project management to obtain the 30% design required by a design-built team.

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

Discussion/Comments: President Dehn reported on the legislative meeting and gave a summary on legislative items. She also reported the recent Board meeting in which the successor agreement for the operation of Shoreway Environmental Center is commencing January 1, 2024 and was awarded to ACI.

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

Discussion/Comments: Director Otte reported the gravity pipeline is complete for the RESCU project. The Front of plant project is expected to be completed in March of 2023 and pump station improvements are estimated for completion in October 2023. He also reported on some of the project highlights which include progressive design-build, a risk register used by SVCW, and the low interest financing for the projects.

22. Closed Session

Entered closed session at 8:54 p.m. Left closed session at 9:24 p.m.

A. PUBLIC EMPLOYMENT/CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Sergio Ramirez; Tony Condotti

Employees: All Represented and Unrepresented Employees

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR NEGOTIATORS

Agency designated representatives: Board President/Legal Counsel

Unrepresented employee: General Manager

Reportable action: None.

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

Discussion/Comments: Finance Manager Fisher will present a detailed summary of personnel and the 5-year cash flow projections at the January 11th meeting. In addition, the Board will consider the approval of the Master Plan 2023 consultant on January 11th.

24. Adjournment Time: The meeting was adjourned at 9:26 PM

/s/ David A. Walker
Secretary