



*1902 - Serving Our Community for over 110 Years - 2019*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, APRIL 10, 2019 AT 7:00 P.M.**

**1. Call to Order**

President Dehn called the meeting to order at 7:03 PM

**Roll Call**

BOARD MEMBERS PRESENT: Dehn, Otte, Thiele-Sardiña, Walker, Moritz  
BOARD MEMBERS ABSENT: None  
STAFF MEMBERS PRESENT: Scott, Condotti, Sturman  
Others Present: SVCW – Matt Anderson  
Fieldman & Rolapp – Lora Carpenter, Robert Porr

**2. Communications from the Public: None.**

**3. Silicon Valley Clean Water WIFIA Loan and Bond Presentation and Discussion - Continued**

Comments: Matt Anderson presented an update on the CIP projects and funding. Lora Carpenter reported on current market conditions and discussed the decision on WIFIA loan deferment of 3-5 years. Today's interest rates are approximately 2.8%. Anderson stated that loan deferral of 3 or 4 years would be best. Board consensus was to move forward with 4 year term of WIFIA loan deferral.

**4. Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District's On Site Wastewater Disposal Zone – Lands of Sharma (15 Kiowa Ct, Portola Valley**

Motion to Open: Moritz 2<sup>nd</sup> by: Thiele-Sardiña Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: None.

Motion to Close: Moritz 2<sup>nd</sup> by: Thiele-Sardiña Vote: AYE: 5 NAY: 0 Abstain: 0

**5. Consideration of Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Sharma (15 Kiowa Ct, Portola Valley)**

Motion by: Walker 2<sup>nd</sup> by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: None.

6. **Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Burrell (40 Sioux Way, Portola Valley)**

Motion to Open: Otte 2<sup>nd</sup> by: Walker Vote: AYE: 5 NAY: 0 Abstain:0

Comments: None.

Motion to Close: Otte 2<sup>nd</sup> by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

7. **Consideration of Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Burrell (40 Sioux Way, Portola Valley)**

Motion by: Thiele-Sardiña 2<sup>nd</sup> by: Walker Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: None.

8. **District Manager's Report**

Comments:

1) **CIP Project:**

- a. **Belle Haven III:** CIP construction began July 23. Currently performing open trench to replace some segments of sewer main along Alameda/Santa Cruz. 90% complete. Running into very poor soil. May reduce scope of project slightly to mitigate costs.
- b. **FERRF Metal Storage Building Update:** Construction delayed awaiting revised soils report for City submittal.
- c. **Alpine Road Pipeline Replacement Project Update:** Construction started along Alpine near Creek Park Drive.
- d. **FERRF Levee Project:** Scheduling a meeting with Army Corp and Regional Board to discuss the strip of CMPK land between FERRF and Bay and whether sheet piling will be acceptable.

2) **Affiliate Agency/Association News:**

- a. **SLAC:** Finalizing the last items of SLAC's discharge permit implementation plan including a timeline for providing for time-delay discharge to avoid excessive salts introduced in the recycled water facility's process.
- b. **Facebook ORTP:** Writing a draft provisional Discharge permit for Facebook for their Onsite Reuse Treatment Plant.
- c. **SVCW:** Updated Presentation by SVCW staff scheduled for April 10 to discuss the WIFIA Loan financing and possible deferment of initial payment for 4 years.
- d. **Town of Atherton:** The Civic Center construction award bid is \$47M

3) **Upcoming Events:**

- a. **Board meetings:** SSC rates public hearing = April 24. Budget workshop = 5 pm May 8.
- b. **Union Negotiations:** First meeting scheduled for April 8.

4) **Misc./Action Items from Previous Meeting:**

- a. **SSOs:** Zero SSO for March. 2019 Total = 2.
- b. **10 Coyote Hill, PV:** Geotech firm through F&L Engineering performed soil boring March 29<sup>th</sup>, to help determine cause of erosion on hillside within District easement, document and develop engineering plan for remediation. Awaiting results.
- c. **Personnel:** Mario Zamora, obtained his CWEA Grade 1 certificate this week and Dave Lojera received his Class A driver's license.
- d. **Finance Manager:** DM Scott introduced the new Finance Manger Donald Sturman to the Board.
- e. **Retirement:** DM Scott announced to the Board that the Sr. Admin. Tech has submitted a letter of retirement effective July 19.

9. **Consent Calendar**

- A. Approval of Minutes for Regular meeting March 27, 2019
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for April 10, 2019
- C. Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 15 Kiowa Ct, Portola Valley (077-242-100), Lands of Sharma
- D. Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 40 Sioux Way, Portola Valley (077-310-040), Lands of Burrell
- E. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 40 Sioux Way, Portola Valley
- F. Consideration of Ratifying the District Manager's Acceptance of Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1079 for Sewer Extension Required for the Development Project at 133 Encinal Avenue, Menlo Park,
- G. WBSD Operations and Maintenance Report – March 2019
- H. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – March 2019

Motion by: Otte 2<sup>nd</sup> by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

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

Comments: None.

**10. Consideration of Establishing May 22, 2019 as the Date of Public Hearing to Consider a General Regulation Amending the Code of General Regulations for Board Member Compensation**

Motion by: \_\_\_\_\_ 2<sup>nd</sup> by: \_\_\_\_\_ Vote: AYE: \_\_\_\_\_ NAY: \_\_\_\_\_ Abstain: \_\_\_\_\_

Comments: Board consensus was to re-visit this item in the Fall.

**11. Discussion and Direction on Recycled Water Projects - Sharon Heights & Bayfront, Including Project Status**

Comments: DM Scott presented to the Board a time-lapse video on construction of the Sharon Heights Recycled Water Project. He reported the SFPUC permit is in process, the pump station is complete except for the motor controls, payment by Sharon Heights Golf Course for markups has been received, Caltrans water use agreement is proceeding, Bayfront Facilities Plan meeting will be held on April 11 and preliminary work on the IRWM grant application has begun. DM Scott also reported on the finance information which was request by the Board which includes an accounting of the all the invoice that have been received and paid for the Sharon Heights Recycled Water Project. DM Scott informed the Board that reimbursement payments from the State of California have not been received since January thus \$5M of the \$8M cash flow has been used and the State expects that the \$4M submitted for disbursement will be paid to the District in 30-45 days.

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

Comments: President Dehn reported on the recent meeting which included approval of agreement with Recology for re-location of an organics recovery system for the Organics to Energy Project. Dehn also reported on an amendment to the agreement for the South Bay Recycling for the operation of the Shoreway Recycling and Disposal Center.

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

Comments: Secretary Otte reported that the next Commission meeting is on April 15. DM Scott reported he proposed two options to SVCW regarding the next bond payment of \$13M and they agreed to a \$6.6M payment in June from District investment maturities and \$1.07M each month July-December 2019 to equal \$13.016M.

**14. Closed Session**

A. CONFERENCE WITH LABOR NEGOTIATORS  
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: District Manager, Legal Counsel, IEDA  
Employee Organization: Exempt Employees, Unrepresented Employees, & Teamsters Local 350

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.* – SMCS  
Case No. 18CIV02183

Entered closed session at 8:14 p.m. Left closed session at 8:48 p.m.

Reportable action: No Reportable Action

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

Comments: None.

**16. Adjournment Time:** The meeting was adjourned at 8:49 PM

/s/ David Walker  
Secretary (pro tem)