



*1902 - Serving Our Community for over 110 Years - 2020*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, SEPTEMBER 23, 2020 AT 7:00 P.M.**

**1. Call to Order**

President Dehn called the meeting to order at 7:02 PM

**Roll Call**

BOARD MEMBERS PRESENT: President Dehn, Secretary Walker, Treasurer Thiele-Sardiña, Director Moritz, Director Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: District Manager Ramirez, Condotti by Zoom

Others Present: Marva Sheehan and Dave Hilton with HF&H by Zoom.

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

**3. Consideration to Accept the HF&H Solid Waste Rate Study, Set a Public Hearing for December 9, 2020 to Review Proposed Solid Waste and Recycling Rates for the Year 2021 and Providing Staff Direction by Minute Order Regarding the Rate Adjustment for 2021 and Mailing of the Proposition 218 Notice for a Public Hearing**

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

Comments: District Manager Ramirez read three areas of concern Director Moritz had regarding "Fixed Solid Rate Route Collection Costs." His concern was the potential 23% increase to the 20 gallon cart in one year. Marva Sheehan with HF&H explained the increases are due to the new SBWMA Restated and Amended Agreement. Director Moritz insisted the rate was too high for most customers to endure. Director Moritz made a motion to accept the report but only if a reduced increase to the 20 gallon cart was considered as part of the report. The Board provided direction to the District Manager to forward the rate study report for review once the edits were made by HF&H.

**4. Consideration to Approve Performance Merit Pay Program for FY2020-21**

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

Comments: President Dehn would like Staff to normalize the data results when approving the PMPP payout next month. The purpose in normalizing the data will be to highlight the impacts of COVID-19 on the level of production through the restricted work schedules.

**5. Consideration to Approve the Preliminary Financial Statements FY 2019-20 for Fiscal Year ending 6/30/2020**

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

Comments: Finance Manager Fisher reported on the District Financial Statement for Fiscal Year ending June 30, 2020. She highlighted Revenues and Expenditures; as well as the status of Reverses and the District's overall Net Position. Several members of the Board complimented her on a job well done with the report.

**6. Consideration to Approve the Report of GASB 75 Actuarial Valuation as of 6/30/19 for Fiscal Year ending 6/30/2020**

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

Comments: None.

**7. District Manager's Report**

Comments: District Manager Ramirez asked for direction on the November meeting schedule. It was determined the November 11<sup>th</sup> and 25<sup>th</sup> Board meeting will be canceled and a scheduled a meeting on Wednesday, November 18, 2020 instead. Additionally, the Thanksgiving Lunch was scheduled for Tuesday, November 10<sup>th</sup>. All COVID-19 response guidelines will be followed.

**1) Administrative:**

- a. HF&H submitted proposal for FY21/22 Sewer Rate Study in the amount of \$36,000 to address next year's revenue requirements, SVCW Bonds Refund plan, and the plant's Regional Environmental Sewer Conveyance Upgrade (RESCU) Program. The amount has been budgeted. District Manager Ramirez will enter into an agreement to retain their services.
- b. Staff is reviewing scanners for the Pilot Scanning Project. A local Intern will be used once staff has created a planned approach to the project.

**2) Finance:**

- a. Prepared the End of the Year Preliminary Financial Statement for the September 23<sup>rd</sup> Board meeting.
- b. Received two SRF reimbursements for \$415,966.00 and \$224,931.00 from the State.
- c. Finance Manager Fisher is working extensively to address SVCW's credit rating consultant inquiries regarding the District's finances in preparation for the Plant's Debt Refinancing.

**3) CIP & IT Projects:**

**a. Levee Improvement Project:**

- i. F&L is continuing to work on the Environmental Impact Report and preparing Draft review for late September or early October with a scheduled submittal for Mid-October.
- ii. Recycled Water Committee and Staff met with potential funding partners for the proposed Bayfront Recycled Water Facility on September 16th.

**b. Construction Capital Improvement Projects (CIP)**

- i. Design work for Bay North and Ringwood pipeline replacement continues. Final design should be completed this fall.
- ii. Contractor is working with Menlo Park on the Metal Storage Building permit.

**4) Operations and Maintenance:**

**a. Performance Merit Pay Program:**

- i. Responded to clean out service call in the Town of Woodside on September 11, 2020.
- ii. Staff is wrapping up the goals for the PMPP. Operations Superintendent to present results at the October 28<sup>th</sup> Board meeting.
- iii. Maintenance Worker a submitted a 15 day resignation notice.
- iv. Recruiting for Pump Facility Supervisor and a Maintenance Worker.

**b. Training:**

- i. Overflow Emergency Response Plan Staff Training went well
- ii. COVID 19 Updated Plan Staff reviewed and updated by Du-All Safety Training scheduled for Mid-October

**5) Water Quality:**

**a. Sharon Heights Golf and Country Club:**

- i. Operations going well. To date over 11 million gallons of recycled water has been delivered.
- ii. SHGCC Final Retention Payment is due to Anderson Pacific on September 27, 2020.

**b. Bayfront Recycled Water Plant (BRWP):**

- i. Working on Environmental Impact Report (EIR)
- ii. Board should consider a discussions whether to cover a portion of the Bayfront Recycled Water Plant.

**6) Fleet and Facilities:**

**a. Vehicle Maintenance:**

- i. The District is now entered into an agreement with the City of Redwood City for vehicle maintenance services.
- ii. New Service Truck Unit 208 is being deployed to the field in the next 45 days. The new service unit is a tall Ford Transit Van.

**7) Upcoming Events:**

- a. **Board meetings:** Next regular meeting will be held on October 14, 2020.
- b. **November Board Meeting falls on Veteran's Day:** Discuss holding Special Board Meeting on November 18<sup>th</sup>.

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

- a. **West Bay SSOs:** Zero SSO for August. 2020 Total = 0. 15 months in a row w/o SSO.
- b. **LAH Contract:** Zero SSO for August. 2 SSO in 2020. Continuing to maintain the collection system and both Publicly Owned Pump Stations.
- c. **Town of Woodside Contract:** Continuing to maintain High Frequency cleaning downtown and both Publicly Owned Pump Stations.
- d. **Revenue:** Received approximately \$758,000 from August 27 to September 15, 2020 for permits issued, SRF reimbursements, and services rendered to others.

**8. Consent Calendar**

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

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

Comments: None.

- A. Approval of Minutes for Regular meeting September 9, 2020 Pg. 8A-1
- B. Approval of the Financial Activity Report/Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for September 23, 2020 Pg. 8B-1
- C. Bank of the West Monthly Investment Portfolio Statements Pg. 8C-1
- D. Consideration to Accept the Work by Air & Lube Systems, Inc. for the Diesel Tanks Replacement Project and Authorizing the District Manager to File the Notice of Completion Pg. 8D-1

**9. Consideration to Approve Resolution Revising the Record Retention Policy and Record Retention Schedule**

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

Comments: The Board mentioned a proper naming convention should be used by Staff when saving and sending documents in the future. Item was approved pending District Counsel review of personnel records requirement section 3.50 and to report back any comments.

**10. September 23<sup>rd</sup> Update Report on District Response to Corona Virus**

Comments: District Manager Ramirez gave an update on latest COVID-19 response plan.

**11. Consideration to Authorize the District Manager to Remit Final Retention Payment to Anderson Pacific Engineering Construction Inc. in the Amount of \$258,753.88 for the Recycled Water Project – Sharon Heights**

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

Comments: Member Moritz suggested sending Anderson Pacific a big thank you for completing such a large project within budget and without using any of the contingency money in the project.

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

Comments: DM Ramirez gave an update on the new treatment plant and the Bayfront Recycled Water Project. Director Thiele-Sardiña asked if bringing recycled water from Redwood City to Bayfront had been considered.

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

Comments: President Dehn reported the Town of Atherton has chosen to exit the JPA and go to Green Waste. The Town will need to pay \$2.2M in order to exit and the Town has agreed to pay.

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

Comments: Director Otte reported SVCW will be refinancing the treatment plant's debt.

**15. Closed Session**

Entered closed session at 9:22 p.m. Left closed session at 9:26 p.m.

Reportable action: None.

- 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.* – SM CSC Case No. 18CIV02183

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

Comments: None

**17. Adjournment Time:** The meeting was adjourned at 9:27 PM

/s/ David Walker  
Secretary