



1902 - Serving Our Community for over 115 Years - 2021

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, OCTOBER 13, 2021 AT 7:00 P.M.**

1. Call to Order

President Dehn called the meeting to order at 7:00 PM

Roll Call

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

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Ramirez, Hulsmann, Condotti by Zoom

Others Present by Zoom: Greg Vontz – Sharon Heights Golf & Country Club,
Joe La Mariana and Julia Au – SBWMA,
Dave Richardson – Woodard & Curran

2. Communications from the Public: None.

3. Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Mckelvy (130 Shawnee Pass, Portola Valley)

Motion to Open Public Hearing by: Otte 2nd by: Thiele-Sardiña Vote: AYE: 5 NAY: 0 Abstain:

Discussion/Comments: None.

Motion to Close Public Hearing by: Moritz 2nd by: Otte Vote: AYE: 5 NAY: 0 Abstain 0

4. Consider 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 Mckelvy (130 Shawnee Pass, Portola Valley)

Motion to Approve by: Thiele-Sardiña 2nd by: Moritz Vote: AYE: 5 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 September 22, 2021
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru September 30, 2021
- C. WBSD Operations and Maintenance Report – September 2021
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – September 2021
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – September 2021
- F. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 130 Shawnee Pass, Portola Valley

Motion to Approve by: Otte 2nd by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

6. **Consider Authorizing District Manager to Enter into an Agreement for Preliminary Project Management, Engineering, and Support Services for the “Bayfront Recycled Water Facility Project” with Woodard & Curran**

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

Discussion/Comments: District Manager Ramirez reported that total appropriation for this agreement is \$62,170 and the total Project Management cost for the project is approximately \$2.5M. He also stated that Facebook is aware they will have to share approximately 50% of the Project Management cost.

7. **Consider Authorizing the District Manager to enter into an Agreement with Sharon Heights Golf and Country Club (SHGCC) and Allow the District Manager to Authorize an Application for a State Revolving Fund Loan from the State Water Resources Control Board for the Design and Construction of the Avy Altschul Pump Station**

Motion to Approve by: Dehn 2nd by: Thiele-Sardiña Vote: AYE: 5 NAY: 0 Abstain: 0

Discussion/Comments: District Manager Ramirez reported that SHGCC is formally requesting the District apply for the pump station SRF loan in order to add 100,000 gallons of recycled water to recycled water facility. SHGCC has agreed to pay for the loan application and construction of the pump station. Board consensus was to move forward with the SRF application pending entering into an agreement with SHGCC subject to District Manager and District Counsel approval.

8. Consider Accepting the Performance Merit Pay Program Results Oct. 1, 2020 to Sept. 30, 2021 and Authorize the District Manager to Disburse the Final Payout

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 5 NAY: 0 Abstain: 0

Discussion/Comments: Operations Superintendent Robert Hulsmann gave a presentation on the Performance Merit Pay Program results. He reported District staff achieved 98% of the goals which equals a maximum individual merit payout of \$4,900.00 for each regular, full-time employee.

9. Consider Approving District Treasury Report First Quarter FY 2021-22

Motion to Approve by: Walker 2nd by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

Discussion/Comments: District Manager Ramirez gave a summary on the District's financial positions including investments and cash positions.

10. District Manager's Report

Discussion/Comments: District Manager Ramirez reported that the LAFCo's Municipal Services Review (MSR) survey has been submitted and documents uploaded. He also reported the California Association of Sanitation Agencies will be holding an in-person conference in January 2022. He continued to report that he met with Cristo Rey High School regarding internship opportunities at the District. He also reported that the District has received recent deposits in the amount of \$500K from Mid-Pen Housing, \$20K from Menlo Country Club and \$109.9K from SHGCC. The complete District Manager's written report is in the October 13, 2021 agenda packet.

11. Discussion and Direction on the District and South Bayside Waste Management Authority (SBWMA) Implementation of California Senate Bill (SB) 1383 Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions

Discussion/Comments: District Manager Ramirez reported on Senate Bill 1383 model ordinance which must be adopted by the District. He continued to report that two MOUs should be considered. One MOU between the District and SBWMA and the other between the District and the County of San Mateo. The MOUs and proposed ordinance will be brought before the Board at the October 27, 2021 Regular Board Meeting.

12. October 13th Update Report on District Response to Corona Virus

Discussion/Comments: District Manager Ramirez reported that he and District Counsel are working with the Teamsters Union on requiring vaccinations.

13. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: District Manager Ramirez reported the facility treated 9.1 million gallons (MG) of water and delivered 6.9MG. He explained the reason for the discrepancy is that the golf course did not need the water due to cooler weather. He continued to report Freyer & Laureta is working on the design of the Avy Altschul pump station and discussing expanding an easement with the school district.

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

Discussion/Comments: District Manager Ramirez reported that the full SRF application has been submitted. He also reported HF&H is working on the financial plan and will have the report to the Board at the October 27 meeting. He continued to report that District Council Condotti is working on a MOA for the developers and early contributors to the project. District Manager Ramirez continued to report that the new Menlo Park Community Campus may be in need of recycled water from this project.

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

Discussion/Comments: President Dehn reported on the recent meeting which included items regarding compensation agreements with Recolgy and South Bay Recycling (SBR). In addition the Board approved the renewal of a construction demolition agreement with Zanker Road Resource Management. She also reported on an upcoming RFP for additional items to address Senate Bill 1383. President Dehn presented a spreadsheet that is used to track legislation including the recently approved bill on labeling non-flushable wipes.

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

Discussion/Comments: Director Otte reported that the Commission will be considering holding future meetings via zoom now that the Governor's Executive Order N-29-20 has expired. President Dehn inquired if the District should consider a similar item. District Counsel Condotti stated yes and said his office would look into the matter.

17. Closed Session

Entered closed session at 8:43 p.m. Left closed session at 9:35 p.m.

- A. CONF. WITH LABOR NEGOTIATORS (Cal. Govt. Code § 54957.6)
Agency designated representatives: District Manager/Legal Counsel
Represented, Unrepresented & Exempt employees

- 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

- C. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant Cal. Govt. Code §54956.9(d)(2): (1
potential case)

Reportable action: None.

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

Discussion/Comments: None.

19. Adjournment Time: The meeting was adjourned at 9:36 PM

/s/ David A. Walker
Secretary