



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

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, DECEMBER 9, 2020 AT 7:00 P.M.**

**1. Call to Order**

President Dehn called the meeting to order at 7:04 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, Condotti by Zoom

Others Present: Dave Hilton, Marva Sheehan of HF & H, Rich Laureta of Freyer & Laureta, Sandy Barker and Dan Barker of Baker Wagner Architects, Sheldon Chavan of Chavan & Associates, Jeff Peterson of Sandhill Group.

**2. 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 2<sup>nd</sup> by: Otte Vote: AYE: 5 NAY: 0 Abstain: 0

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 Group; Fran Dehn and Roy Thiele-Sardiña, Recycled Water Advisory Group.

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

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

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

Comments: District Manager Ramirez gave a brief presentation on the final rate study.

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

5. **Consideration of Resolution to Approve Solid Waste/Recycling Collection Rates Effective January 1, 2021, and adoption of the rates for “Rates for Other Services,” and accept the Solid Waste/Recycling Rate Study 2021**

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

Comments: None.

6. **Discussion and Direction on Maintenance Building Feasibility Study**

Comments: Sandy Barker of Baker Wagner Architects gave a presentation on the feasibility study for the maintenance building. He presented 3 options to reconstruct the building. Secretary Walker would like the District to talk with the City of Menlo Park to discuss accessing the site through the City’s corporation yard. Director Otte requested a better explanation on the need for such a building. President Dehn requested staff review and include the operations building at the FERFF and provide an overview. Director Moritz stated there is more time to plan for the building. Projects & IT Manager Kitajima stated the next step would be for Baker Wagner Architects to conclude the study and draft a proposal for a conceptual design. More information will be presented to the Board at a future date.

7. **Consideration to Authorize District Manager to Distribute the Draft Environmental Impact Report for the Flow Equalization & Resource Recovery Facility Levee Improvement and the Bayfront Recycled Water Treatment Facility Project**

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

Comments: Rich Laureta of Freyer & Laureta gave a presentation on the draft EIR and its purpose. Mr. Laureta presented a project schedule. Director Moritz asked at which point can the Board have a cost analysis for reconstructing the levee. President Dehn asked if Holidays count towards the 45-day comment period. District Counsel Condotti clarified that CEQA restricts the comment period not to exceed 60 days and would include weekends and Holidays.

8. **Consideration of Awarding Bid for the North Bay Road and Ringwood Avenue Sewer Project to Precision Engineering, Inc.**

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

Comments: None.

9. **Consideration to Approve the Financial Statements FY 2020-21, First Quarter Ending 9/30/2020**

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

Comments: None.

10. **Consideration of Adopting the District's Audited Financial Statements for the Year Ended June 30, 2020**

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

Comments: Sheldon Chavan with Chavan & Associates presented the audit highlights to the Board.

11. **District Manager's Report**

1) Comments: **Administrative:**

- a. Developers in East Palo Alto have agreed to fund a flow study to see whether the District can accommodate new development flow. District Manager and District Counsel have drafted the agreement. Board will consider approving the agreement.
- b. Continuing to work with LAFCo on a CEQA review for the Stonegate Annexation in Portola Valley. District will require a formal application process.
- c. New intern from Menlo College will begin on Monday December 7<sup>th</sup> to help with Pilot Scanning Project.
- d. Staff continues to research a PG&E Energy Efficiency Retrofit Program for the Admin, Maintenance, and FERFF Buildings.

2) **Finance:**

- a. Staff has been working with SVCW team on the plant's financial plan.
- b. Staff met with HF&H to discuss the ongoing Sewer Service Rate Study for 2021.
- c. End of the 2019/2020 Fiscal Year audit is complete and will be presented to the Board.

3) **CIP & IT Projects:**

a. **Levee Improvement Project:**

- i. The Bayfront Environmental Impact Report Draft is complete. The Board will be asked to authorize the District Manager to commence the 45 day comment period planned for the middle of December 2020.
- ii. Aztec, the metal storage building contractor, may begin staging at the FERFF before Christmas 2020. Construction should be underway by January 2021.

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

- i. Bids for North Bay and Ringwood pipeline replacement are submitted. The lowest bid could be awarded at the December 9, 2020 Board Meeting.
- ii. The Board should discuss how to proceed with the proposed Maintenance Building Feasibility Study update. The architect will provide the Board a report at the December 9, 2020 Board Meeting.

iii.

#### 4) **Operations and Maintenance:**

##### a. **Large Diameter Pipe Project:**

- i. Crews have completed the 54 inch outfall pipeline to the Menlo Park Pump Station. Silicon Valley Clean Water has asked for a proposal to CCTV and Clean a 36 inch conveyance pipe.
- ii. Temporary Employees budgeted at \$45K is over by \$30K thus far due to the Large Diameter Project efforts.
- iii. **Pump Station:** Willow Pump Sta. Generator failed but deployed new portable to serve as backup power.

##### b. **Training:**

- i. PACP training for new CCTV Technician Justin Kinder.
- ii. COVID 19 Staff re-Training was conducted on November 16, 2020.

#### 5) **Water Quality:**

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

- i. The District and Sharon Heights O&M meeting continue monthly.
- ii. Operations going well. To date over 19million gallons of recycled water has been delivered.

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

- i. Environmental Impact Report (EIR) draft will be submitted on December 9<sup>th</sup> to the Board.

##### c. **FOG Inspections:**

- i. FOG inspection will resume in the 4th quarter via ZOOM and telephone.

#### 6) **Fleet and Facilities:**

##### a. **Vehicle Maintenance:**

- i. Redwood City began vehicle maintenance services and has repaired 3 vehicles thus far.
- ii. Working on new Service Van and should be completed by the end of December.

#### 7) **Upcoming Events:**

- a. **Holiday Lunch:** Holiday lunch is cancelled due to COVID 19 restrictions. There will be a Zoom event on December 16<sup>th</sup> in which employees will receive a \$50 gift card in lieu on lunch.
- b. **December 23, 2020 Meeting:** Cancelled
- c. **Next Regular Board meeting:** January 13, 2021

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

- a. **West Bay SSOs:** Zero SSOs for November (18 months in a row w/o SSO).
- b. **LAH Contract:** Zero SSO for November. 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 \$520,000 in Sharon Heights SRF reimbursements from the State and approximately \$14,000 for permit and sewer services fees.

## 12. **Consent Calendar**

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

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

Comments: None.

- A. Approval of Minutes for Special meeting November 18, 2020
- B. Approval of the Financial Activity Report/Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for December 9, 2020
- C. WBSD Operations and Maintenance Report – November 2020
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – November 2020
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – November 2020
- F. Bank of the West Monthly Investment Portfolio Statements
- G. Consideration of Authorizing the District Manager to Issue Class 3 Sewer Permit No. 1132 for the Construction of Wastewater Facilities for 17 Redberry Ridge, Portola Valley, California

## 13. **Consideration to Authorize the District Manager to Execute Sampling Services Agreement between West Bay Sanitary District and Silicon Valley Clean Water**

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

Comments: District Manager Ramirez reported that SVCW has been great to work with and have agreed to conduct the District sampling for Sharon Heights Recycled Water Treatment Plant.

## 14. **Consideration to Authorize the District Manager to Enter Into a Sewer System Capacity Study Pre-Funding Agreement between West Bay Sanitary District and East Palo Alto Developers**

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

Comments: None.

**15. Consideration to Approve Authorizing the President and Secretary of the District Board to Enter into a “Tuition Loan Agreement Between the West Bay Sanitary District and Jed Beyer (Water Quality Manager).”**

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

Comments: None.

**16. December 9<sup>h</sup> Update Report on District Response to Corona Virus**

Comments: District Manager Ramirez reported on new CAL/OSHA requirements.

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

Comments: District Manager Ramirez reported that staff met with PG&E about the rates for the plant. PG&E has stated that the District qualifies for a better rate potentially saving the District approximately 25% in energy costs.

**18. Discussion and Direction on Bayfront Recycled Water Treatment Facility and Status Update**

Comments: Dave Richardson of Woodward Curran gave a presentation to address the Board’s concerns about evaluating not just new developments but existing buildings as well. President Dehn suggested the team consider the proposed Menlo Community Center as a user of recycled water as well.

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

Comments: President Dehn reported on the calendar year’s final meeting which included a request for payment adjustment for South Bay Recycling (SBR) for two compensation adjustments. One adjustment based on change in law in the People’s Republic of China and one adjustment based on the Authority’s decision to close the Buyback Center. The request for an adjustment based on change by law in the People’s Republic of China was not approved. The request for adjustment based on the Authority’s decision to close the Buyback Center was approved. She also reported that the resolution on SB 1383 Compliance Plan was approved. The 2021 calendar year budget was approved as was the 2021-2023 Public Education Plan.

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

Comments: Director Otte reported on the change order to install a new Belmont truck line to eliminate the Belmont pump station.

**21. Closed Session**

Entered closed session at 10:05 p.m. Left closed session at 10:33 p.m.

Reportable action: None.

- A. 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
  
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR  
NEGOTIATORS  
Agency designated representatives: Board President/Legal Counsel  
Unrepresented employee: District Manager

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

Comments: None.

**23. Adjournment Time:** The meeting was adjourned at 10:35 PM

/s/ David Walker  
Secretary