



1902 - Serving Our Community for over 120 Years - 2023

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, SEPTEMBER 27, 2023 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: General Manager, Ramirez Present; and Ops.
Superintendent, Hulsmann, AND General Counsel,
Condotti by Zoom

Others Present: Finance Manager, Fisher.

2. Communications from the Public: None.

3. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Regular Meeting September 13, 2023
- B. Bank of the West Monthly Investment Portfolio Statements – July 2023
- C. Bank of the West Monthly Investment Portfolio Statements – August 2023

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

4. General Manager's Report

Discussion/Comments: General Manager Ramirez reported the implementation of the new permitting system is underway. He also reported Ranger Pipelines is not mobilizing as they should for the Bayfront Pipeline Project. He continued to report regarding the SRF loan for the Bayfront Recycled Water Project in which staff is working on the State required 5-year projection and is demonstrating to the State that the District is using cash contribution in lieu of debt for the Silicon Valley Clean Water debt service. He continued to report the East Palo Alto Sanitary District submitted an Alternative Proposal to LAFCo in which West Bay is being asked to respond. The Board's consensus was to support the City with the LAFCo application and to respond to LAFCo with the disapproval of reducing West Bay's sphere of influence. The complete General Manager's written report is in the September 27, 2023 agenda packet.

5. Consider Approving Performance Merit Pay Program for 2023-2024

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

Discussion/Comments: General Manager Ramirez outlined the FY 2023/24 program which is primarily focused on reducing spills. He reported the CIP/spot repair timeline was adjusted by calling for bids in January, awarding contract in March, and providing the notice to proceed to the contractor from by May. The changes would make the PMPP goal more realistic.

6. Consider Authorizing the General Manager to Enter into a Purchase Order Agreement with National Auto Fleet Group for a 2024 Freightliner Dump Truck

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

Discussion/Comments: General Manager Ramirez reported the 2024 Freightliner Dump Truck will replace the existing 2009, stick shift dump truck. He continued to report there were no EV Dump Truck options at this time. The FY 23/24 budget allows for a \$250,000 Dump Truck purchase and the proposed truck will not exceed \$194,339.45.

7. Consider Approving District Treasury Report Fourth Quarter FY 2022-23

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

Discussion/Comments: Finance Manager Fisher reported on the fourth quarter FY 2022-23 Treasury Report and Michael Smith, Investment Advisor with BMO discussed the rate of return on the District's investments.

8. Consider Approving Investment Policy and Resolution

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

Discussion/Comments: Finance Manager Fisher reported this item requires annual approval. She stated there were no significant changes to the policy and that it has been reviewed by the Finance Committee.

9. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: General Manager Ramirez reported August reclaimed water production was 8.1MG and 2.7MG delivered while 1.5MG was used for dust control.

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

Discussion/Comments: General Manager Ramirez reported a Recycled Water Committee meeting will be held with Meta in early October. The RFQ for the project is out and due October 19. He further reported Anderson Pacific met with SWCA biologists on-site regarding the Levee Project and the Saltwater Harvest Mice and Ridgway's Rail.

11. Report, Discussion and Direction on South Bayside Waste Management Authority (SBWMA) including Solid Waste Franchise Re-Assignment

Discussion/Comments: General Manager Ramirez reported he met with San Mateo County staff at a recent TAC meeting to discuss re-assignment of solid waste franchise to the County. At the TAC meeting he explained the Board would like to start the process of divestiture at staff level or that the Board may need to engage the Board of Supervisors if necessary.

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

Discussion/Comments: Director Otte reported SVCW will be working on a 10-year strategic goals plan. He also reported one of the two large odor control fans had a catastrophic failure and the contractor will need to replace it since it is under warranty.

13. Closed Session

Entered closed session at 8:54 p.m. Left closed session at 9:23 p.m.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Cal. Govt. Code § 54956.9(d)(1))

Name of Case: 1740 Oak. Ave., LP v. West Bay Sanitary District, et al., - SMCS
Case No. 18CIV02813

Reportable action: No reportable action. General Counsel Condotti stated there was one subsequent need item added regarding significant exposure to litigation. The Board voted 4 Aye, 0 Nay to add the item to closed session based on the fact the need for action arose after the posting on the agenda, and Board direction was necessary prior to the next Board meeting.

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

Discussion/Comments: Secretary Walker would like a review of construction contract terms regarding stored materials and materials paid for before the start of construction.

15. Adjournment Time: The meeting was adjourned at 9:25 PM

/s/ David A. Walker
Secretary