



1902 - Serving Our Community for over 115 Years - 2022

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, JUNE 22, 2022 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: Ramirez, Hulsmann, Schiedt, and Condotti by Zoom

Others Present: Steve Gortler – Consultant

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 Raghav (229 Grove Drive, Portola Valley)

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

Discussion/Comments: None.

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

4. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Regular Meeting June 8, 2022
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru May 31, 2022
- C. WBSD Operations and Maintenance Report – May 2022
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – May 2022
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – May 2022
- F. Consider Adopting Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 229 Grove Drive, Portola Valley (079-011-050), Lands of Raghav

- G. 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 Raghav (229 Grove Drive Portola Valley)
- H. Consider Authorizing the District Manager to Issue the Class 3 Permit for the Sewer Realignment Required for 1173 Saratoga Avenue, East Palo Alto and Ratify Authorizing the District Manager to Execute an Agreement with the Property Owner

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

5. Discussion and Direction Following the Approval by San Mateo LAFCo on the Municipal Service Review for the City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District

Discussion/Comments: District Manager Ramirez reported on the June 15th meeting and stated that it appears that the City of East Palo Alto will be moving forward with an application to dissolve the East Palo Alto Sanitary District. At the meeting he expressed the District's desire to support the community of East Palo Alto.

6. District Manager's Report

Discussion/Comments: District Manager Ramirez reported a request for proposals is being prepared for the District's 2023 Master Plan & Hydraulic Study. He also reported the District will be a sponsor of the Tour de Menlo in September. He continued to report on a letter that was received from a Registered Municipal Advisor and that he would prepare a response. District Manager Ramirez informed the Board that a root foam agreement will be considered at the next Board meeting. He also reminded the Board the next Board meetings are scheduled for July 13th and July 27th. The complete District Manager's written report is in the June 22, 2022 agenda packet.

7. Approve Resolution for Sanitary Sewer System Operation and Maintenance Services for The Town Of Los Altos Hills And Authorize The District Manager To Execute an Agreement

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

Discussion/Comments: Board consensus was to approve this item with a provision of re-opening the contract if the Consumer Price Index exceeds 4% in year 3 of the contract.

8. Approve Resolution for Amendment No.9 to the Maintenance Services Agreement Between West Bay Sanitary District and the Town Of Woodside for Sanitary Sewer Maintenance Services and Authorize the District Manager to Execute the Amendment

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

Discussion/Comments: None.

9. Presentation and Direction on District Root Foaming Services

Discussion/Comments: Operations Superintendent Robert Hulsmann and Assistant Operations Superintendent Robert Scheidt reported on the current chemical root control program, proposed changes to the program, and gave recommendations.

10. Approve Additional Contributions from Connection Fees to the Treatment Plant Reserve in FY 2021-22

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

Discussion/Comments: District Manager Ramirez reported that SVCW no longer charges an additional connection fee. The balance of such connection fees is \$2.2M. He requested authorization to move these funds to the new Treatment Plant Reserve (TPR) from the Local Agency Investment Fund (LAIF).

11. June 22nd, 2022 Update Report on District Response to Corona Virus

Discussion/Comments: District Manager Ramirez reported one employee is out with COVID-19 and one is working from home as a precaution.

12. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: District Manager Ramirez reported the plant is delivering recycled water based on the available capacity at the holding pond. The golf course has notified the District they will be changing their watering schedules and will not be supplementing with portable water. In addition, he stated a project management agreement with Meta is still pending.

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

Discussion/Comments: District Manager Ramirez reported that permitting is underway with the Army Corps of Engineers. He also reported that a Title XVI "Crosswalk" report was submitted to the Bureau of Reclamation.

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

Discussion/Comments: None.

15. 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 approved a \$8M change order for work that was not included in the original design/build contract. He also reported that a \$1M water reuse contract with Kennedy\Jenks was approved.

16. Closed Session

Entered closed session at 8:52 p.m. Left closed session at 9:54 p.m.

- 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.* –
SMCSC Case No. 18CIV02183

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

Reportable action: None.

17. Consider Resolution Authorizing the President and Secretary of the District Board to Restate Employment Agreement Between the West Bay Sanitary District And Sergio Ramirez (District Manager)

Motion to Approve by: _____ 2nd by: _____ Vote: AYE: _____ NAY: _____ Abstain

Discussion/Comments: Board consensus was to table this item until the next Board meeting.

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

Discussion/Comments: Consider approval of root foam agreement.

19. Adjournment Time: The meeting was adjourned at 10:05 PM

/s/ David A. Walker
Secretary