

1902 - Serving Our Community for over 120 Years - 2023
WEST BAY SANITARY DISTRICT
AGENDA OF BUSINESS
REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, AUGUST 23, 2023 AT 7:00 P.M.
RONALD W. SHEPHERD ADMINISTRATION BUILDING,
500 LAUREL STREET, MENLO PARK, CALIFORNIA 94025

Board Members

Fran Dehn, President
David Walker, Secretary
Roy Thiele-Sardiña, Treasurer
Edward P. Moritz, Member
George Otte, Member

General Manager

Sergio Ramirez

District General Counsel

Anthony Condotti, Esq.

AGENDA OF BUSINESS

To participate by telephone or Zoom meeting, public comments can be made by joining Zoom meeting at:

<https://us06web.zoom.us/j/82779173581?pwd=c1BhbDlieFNBR0ZocVZnby9NeDhodz09>

Meeting ID: 827 7917 3581 Passcode: 594613

NOTE: The Board may take action on any agendized item unless specifically designated a “discussion” item or a “report.”

1. Call to Order and Roll Call

2. Communications from the Public

3. Consent Calendar

Matters listed under this item are considered routine and will be enacted by one motion. The motion, seconds, and vote are applicable to any included resolutions and recorded accordingly. There will be no separate discussion of these items unless specifically requested by a member of the Board.

- A. Approval of Minutes for Regular Meeting August 9, 2023 Pg. 3A-1
- B. Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1629 for the Construction of Wastewater Facilities for 141 Durazno Way, Portola Valley, California Pg. 3B-1
- C. Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1606 for the Construction of Wastewater Facilities for 30 Holden Court, Portola Valley, California Pg. 3C-1
- D. Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1606 for the Construction of Wastewater Facilities for 30 Holden Court, Portola Valley, California Pg. 3D-1

- E. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 229 Grove Drive, Portola Valley Pg. 3E-1
 - F. Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1623 for the Construction of Wastewater Facilities for 229 Grove Drive, Portola Valley, California Pg. 3F-1
 - G. Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1623 for the Construction of Wastewater Facilities for 229 Grove Drive, Portola Valley, California Pg. 3G-1
 - H. Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit for the Construction of Wastewater Facilities for 214 Grove Drive, Portola Valley, California Pg. 3H-1
- 4. General Manager's Report Pg. 4-1
 - 5. Consider Awarding the Flow Equalization and Resource Recovery Facility Improvements Project to Anderson Pacific Engineering Construction, Inc. Pg. 5-1
 - 6. Consider Adopting Resolution Recognizing the Achievement of a Six Years Safety Record Without a Lost Time Accident by West Bay Sanitary District Employees Pg. 6-1
 - 7. Discussion and Direction on the West Bay and Sharon Heights Recycled Water Facility Pg. 7-1
 - 8. Discussion and Direction on Bayfront Recycled Water Project and Status Update Pg. 8-1
 - 9. Report, Discussion and Direction on South Bayside Waste Management Authority (SBWMA) including Solid Waste Franchise Re-Assignment Pg. 9-1
 - 10. Report and Discussion on Silicon Valley Clean Water (SVCW) Plant Pg. 10-1
 - 11. Closed Session:
 - A. Conference with Legal Counsel – Anticipated Litigation (Gov't Code Section 54956.9(d)(2)), significant exposure to litigation.
 - 12. Comments or Reports from Members of the District Board and Consider Items to be Placed on Future Agenda
 - 13. Adjournment

The West Bay Sanitary District does not discriminate against persons with disabilities. Upon request, the agenda and agenda packet can be provided in a format to accommodate special needs. If you require a copy of the agenda or related materials in an alternative format to accommodate a disability, or if you wish to attend this public meeting and will require special assistance or other special equipment, please call the District at (650) 321-0384 at least five days in advance and we will make every reasonable attempt to provide such an accommodation.



1902 - Serving Our Community for over 115 Years - 2023

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, AUGUST 9, 2023 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 (zoom), Director Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Ramirez, Beyer, Heydari AND Condotti by Zoom

Others Present: Kip Prah – Menlo Country Club, Virginia Croll, Elisa Lee, PE – Woodward & Curran

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 July 26, 2023
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru July 31, 2023
- C. WBSD Operations and Maintenance Report – July 2023
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – July 2023
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – July 2023
- F. Consider Authorizing the General Manager to Issue Class 3 Sewer Permit No. 18032 for the Construction of Force Main Extension, and Class 5 Sewer Permit No. 18033 for the Construction of Wastewater Facilities for 35 Possum Lane, Portola Valley, California

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

4. General Manager's Report

Discussion/Comments: General Manager Ramirez reported staff was trained on the recycling and organics program on August 1st. He also reported payment for SVCW bond debt has been paid in the amount of \$3.4M. General Manager Ramirez reported the SVCW bypass at the Menlo Park Pump Station is complete. General Manager Ramirez reported the District will sponsor and ride in the Tour de Menlo event on September 16th. General Manager Ramirez further reported the next regular Board meetings will be held August 23rd and September 13th. The complete General Manager's written report is in the August 9, 2023 agenda packet.

5. Presentation and Discussion by Woodard & Curran on the Woodside Recycled Water Facility Feasibility Study

Discussion/Comments: Elisa Lee, PE of Woodward & Curran reported to the Board on the draft Feasibility Study. Highlights included the study area, current supply, users demand, alternatives, flow monitoring/sampling results, and on-site treatment options. Board consensus was to bring the final Feasibility Study to the Board for consideration.

6. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: General Manger Ramirez reported 6.2MG were delivered in July and 1.05MG were used for dust control. He also reported the State no longer requires matching for the project. In addition, he reported paving for the Avy Altschul Pump Station will begin on August 11th.

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

Discussion/Comments: General Manager Ramirez reported habitat monitoring will continue on August 23rd & 24th. The Levee Improvement Project bid opening is scheduled for August 17th. A second pre-bid meeting was held with four additional contractors in attendance.

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

Discussion/Comments: None.

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

Discussion/Comments: None.

10. Closed Session

Entered closed session at 8:52 p.m. Left closed session at 9:16 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., - SM CSC
Case No. 18CIV02813

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

Reportable action: None.

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

Discussion/Comments: The Board requested staff add a monthly report on the solid waste re-assignment to agenda, on the second meeting of the month, and an update on District goals quarterly.

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

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WEST BAY SANITARY DISTRICT AGENDA ITEM 3B

To: *Board of Directors*

From: *Fariborz Heydari, P.E., Project Manager*

Subject: **Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1629 for the Construction of a 4-inch Sewer Main Replacement at 141 Duranzo Way, Portola Valley, California**

Background

This permit was for addressing a 4-inch sewer lateral which was improperly repaired by a contractor and without the benefit of a District permit. The District instructed the contractor, Wizard Plumbing, to replace part of 4-inch sewer main that serves 141 Duranzo Way. Due to the proximity of the existing 4-inch lateral to mature Redwood trees, a variance was given to maintain the 4-inch sewer main rather than upgrading to a 6 or 8 inch.

Analysis

The Board issued permit 1629 at the Regular Meeting of June 14, 2023. District staff worked with the contractor to assure the replacement was done in accordance with District Standards.

The work has been completed and has been inspected, tested, and approved by staff as being in conformance with District standards. A maintenance bond was not required in this case since the contractor agreed to replace a portion of the existing 4-inch main at their own expense.

Recommendation

The Project Manager recommends that the Board accepts this 4-inch sewer main and lateral replacement and directs the General Manager to approve the Class 3 Permit No. 1629.

Attachments: Class 3 Permit (1629)
Site map

WEST BAY SANITARY DISTRICT

500 Laurel Street
Menlo Park, California 94025
(650) 321-0384

Permit Number
1629

Type _____

APPLICATION FOR CLASS 3 SEWER PERMIT

To the WEST BAY SANITARY DISTRICT:

The undersigned, being the Owner Owner's Agent of the property located at

141 DURAZNO WAY, MENLO PARK 94028

does hereby request permission to construct sanitary sewers and related facilities to serve a

Residential Non-residential Development at said location.

ENGINEER'S

Name _____

Address _____

OWNER'S

Name

Address

LEW LEIBOWITZ

141 DURAZNO WAY, MP CA 94028

Mark Evans

Applicant's Signature

CONTRACTOR'S

Name

Address

MARK EVANS - WIZARD PLUMBING

2300 PALM AVE, SM 94403

MARK EVANS

Signed by - Please Print Name

2300 PALM AVE SM 94403

Address

Receipt of \$ 0 Application Fee is hereby acknowledged 7 Reese Date

Receipt of \$ 0 Cash Deposit or Performance Bond

Comments GENERAL MAIN WORK - NO FEE PERMIT FOR
4 INCH MAIN REPLACEMENT. JL

Approved by the District Board on _____

Application approved and permit issued:

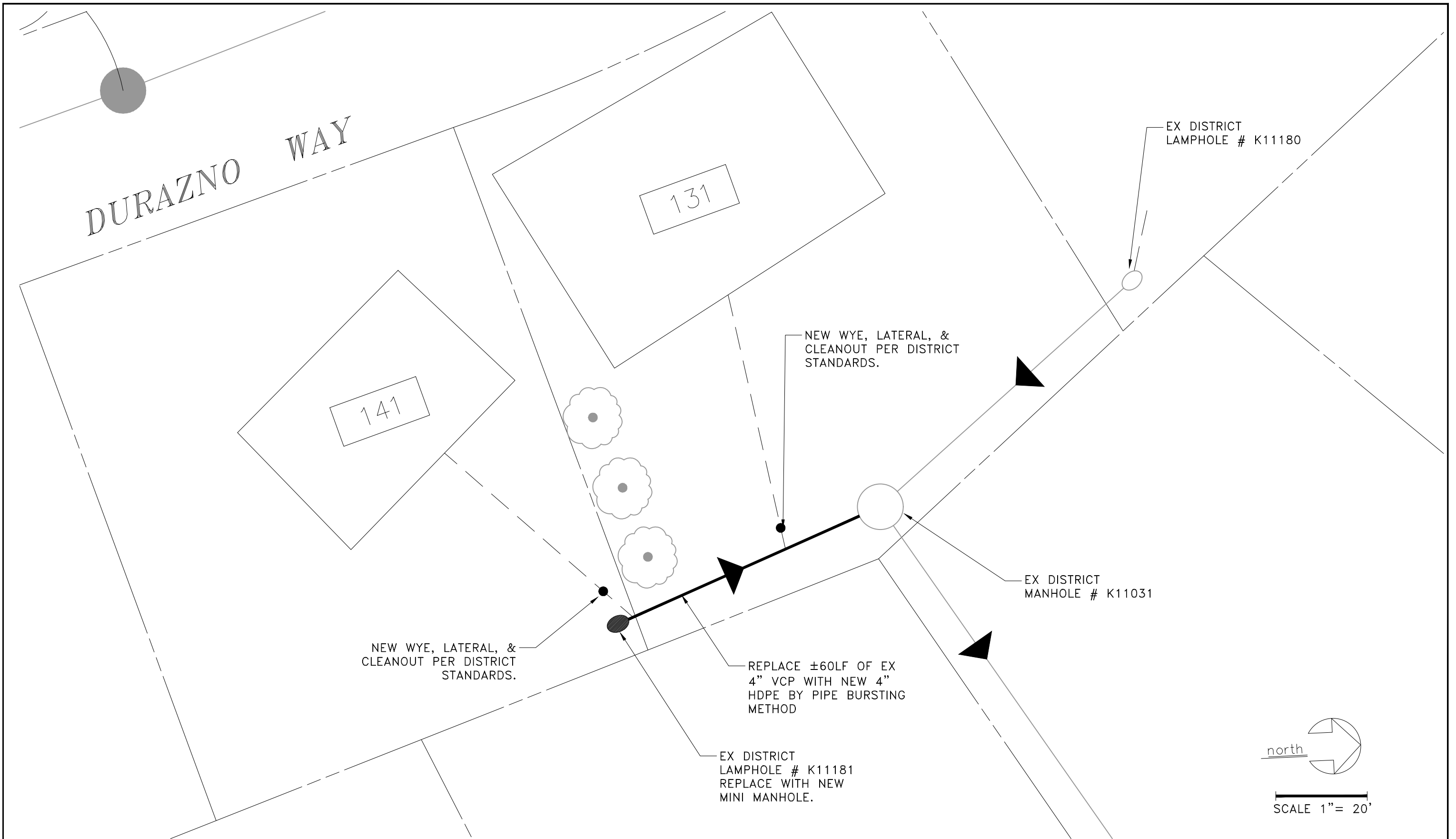
WEST BAY SANITARY DISTRICT
Sergio Ramirez, General Manager

Date 6/7/2023

By Sergio Ramirez

Final Acceptance by the District Board on _____

(SEE PERMIT CONDITIONS ON REVERSE)



DATE:	DESCRIPTION	DATE
4/03/23		
SCALE: AS SHOWN		
DESIGNED: JJF		
DRAWN: JJF		
CHECKED: FXH		
PROJ. ENGR: FXH		



WEST BAY
SANITARY DISTRICT

500 LAUREL STREET,
MENLO PARK CA 94025
PHONE: (650) 321-0384
info@WestBaySanitary.org

WEST BAY SANITARY DISTRICT
141 & 131 DURANZO WAY
PORTOLA VALLEY CA

SHEET 1 OF 1 SHEETS
JOB NO.
PERMIT # XXXX

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 3C**

To: Board of Directors

From: Fariborz Heydari, P.E. Project Manager

Subject: Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1606 for the Construction of Wastewater Facilities for 30 Holden Court, Portola Valley, California

Background

The District requires an easement to maintain the flow from the Grinder system that serves 30 Holden Court. The easement includes ingress and egress to the location of the Grinder system and is conforming to District specifications.

Recommendation

The Project Manager recommends that the Board adopt the attached Resolution accepting the Deed of Easement.

Attachments: Resolution ____ (2023), Grant Deed of Easement

RESOLUTION NO. _____ (2023)

IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT

COUNTY OF SAN MATEO, STATE OF CALIFORNIA

BE IT RESOLVED that the President and Secretary of the West Bay Sanitary District be and are hereby authorized to accept the attached Grant Deed of Easement by and between the following parties:

The Willian A. Lee 2016 Trust

BE IT FURTHER RESOLVED that the General Manager is hereby directed to place the same on record.

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 23rd day of August, 2023, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the West
Bay Sanitary District of San Mateo County,
State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo
County, State of California

RECORDING REQUESTED BY:
WEST BAY SANITARY DISTRICT

WHEN RECORDED MAIL TO:
WEST BAY SANITARY DISTRICT
500 LAUREL STREET
MENLO PARK, CA 94025

Title Order No. N/A
Escrow No. N/A
Parcel No. 079-092-150

GRANT DEED OF EASEMENT

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

- DOCUMENTARY TRANSFER TAX is \$0 CITY TAX is \$0
- computed on the full value of the property conveyed, or
 - computed on full value less value of liens or encumbrances remaining at the time of sale,
 - this is a conveyance of an easement and the consideration and value is less than \$100, R & T 11911.
 - Unincorporated area of San Mateo County City/Town of Portola Valley

FOR NO CONSIDERATION, receipt of which is hereby acknowledged, We

The William A. Lee 2016 Trust

Hereby GRANTS to:

West Bay Sanitary District, a Public Agency organized and existing under the laws of the State of California,

A perpetual easement to construct, install, maintain, use, repair, remove, replace any and all pipeline, fittings, and related facilities necessary for the operation of a wastewater conveyance system in the area described as follows over the following described real property in the Town of Portola Valley, County of San Mateo, State of California; more particularly described in Exhibit "A" and "B", attached hereto, and by this reference incorporated herein.

West Bay Sanitary District, its employees and agents shall have the right to enter upon the herein described real property at any and all times with such tools and equipment as may be necessary or convenient for the exercise of the rights herein granted to West Bay Sanitary District.

No building or structure of any kind shall be constructed upon the herein described easement, and should a building or structure be erected in violation of this provision, West Bay and its successors and assigns may still exercise all rights herein granted and shall have the right to remove, or Grantor to remove, at Grantors expense, any building or structure that may be erected upon or over the said parcel of real property. West Bay Sanitary District shall not be held liable in any manner whatsoever for any damages thereby incurred, nor shall West Bay have any obligation to replace any structure that may be removed from said property.

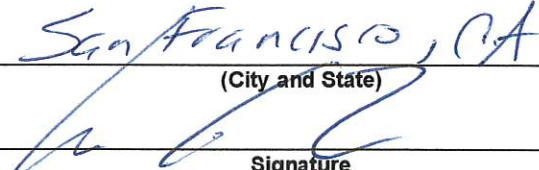
This grant of easement shall be binding upon and inure to the benefit of the respective administrators, executors, personal representatives, successors and assigns of the parties hereto.

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF

Also Known As: 30 Holden Court, Portola Valley, California

Assessor's Parcel Number: 079-092-150

Executed on 27 July 2023 at San Francisco, CA
(City and State)

William A. Lee 
 Printed Name Signature

Executed on _____, _____, at _____
(City and State)

 Printed Name Signature

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

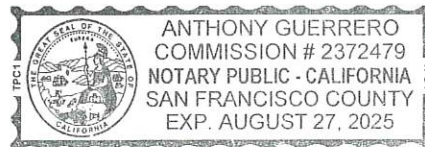
County of San Francisco)

On July 27th 2023 before me, Anthony Guerrero -----, Notary Public

personally appeared William A. Lee _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they exe-
cuted the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature
(s) on the Instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



(Seal)

Signature

Anthony Guerrero



County of San Mateo
TRANSFER TAX AFFIDAVIT

DTT AFFIDAVIT

Per San Mateo County Ordinance Code 2.93.050

NOTICE: Any material misrepresentation of fact in this affidavit is a misdemeanor under section 2.93.120 of the San Mateo County real property tax code.

This form must accompany any document that requires a Documentary Transfer Tax declaration, including but not limited to; Agreement for Sale; Assignment of Lease; Deed in Lieu of Foreclosure; Easement; Grant Deed; Land Contract; Lease; Memorandum of Lease;

The Assessor-Clerk-Recorder reserves the right to report potentially fraudulent recordings to the District Attorney's Real Estate Fraud Unit.

1. LOCATION OF PROPERTY: Assessor's Parcel Number: 079 - 092 - 150 City: Portola Valley

Street Address: 30 Holden Ct Document To Be Recorded: EASEMENT

2. IS THIS A FORECLOSURE OR TRUSTEE SALE? [] Yes [X] No (If yes, complete this section.)

a. Is the transferee the Beneficiary or Mortgagee? [] Yes [] No

b. Please provide. Name of Trustee: Date of original Deed of Trust:

3. IS THIS A LEASE? [] Yes [X] No (If yes or no, complete this section.)

a. Is remaining term of lease, including renewal options, greater than 35 years? [] Yes [X] No

b. If NO, submit a copy of the lease, or summary, or terms.

c. If YES, enter the value of the lease interest on line 9a. (For tax calculations.)

4. IS THIS A GIFT IN WHOLE OR IN PART? [] Yes [X] No (If yes, give a complete explanation.)

Name of the Donor:

Name of the Donee:

Please be aware that certain gifts in excess of \$13,000 per calendar year may trigger a Federal Gift Tax. In such cases, the Transferor/Donor may be required to fill out a Form 709 (Federal Gift Tax Return) with the Internal Revenue Service.

I, as the Transferor/Donor declare under penalty of perjury that I have read the above paragraph and acknowledge that a Federal Gift Tax may be triggered.

Signature of Donor: Print Donor Name: Donor Phone:

5. ARE YOU ADDING OR REMOVING A CO-OWNER FOR REFINANCING PURPOSES? [] Yes [X] No Initial here:

The pr[] optional ownership interest will revert back to its original holding within one (1) month from the date of recording, otherwise I will pay the applicable transfer tax.

TRANSFER TAX AFFIDAVIT, pg. 2

6. ARE YOU MOVING TITLE INTO OR OUT OF A TRUST? Yes No / Into Out of / Revocable Irrevocable

a. Name of Trust: _____ b. Date of Trust: _____

c. Name of Trustor(s): _____

d. Name(s) of Currently Active Trustee(s): _____

e. If this transaction changes who is on title or the proportional interest of how title is held, further explanation is required and may require additional time to review.

Attach additional page(s) if necessary.

7. DO YOU CONTEND THAT NO TRANSFER TAX IS DUE FOR A REASON NOT EXPLAINED IN #1-6? Yes No (if yes, give a complete explanation.)

a. The nature of the transaction is: DEED OF EASEMENT

b. The reason (exemption) you claim no tax is due: DEED TO PUBLIC ENTITY

8. IS THIS A TRANSFER BETWEEN LEGAL ENTITIES? Yes No
IF YES, TRANSFERS INVOLVING LEGAL ENTITIES MUST PROVIDE, PREFERABLY ONE (1) WEEK IN ADVANCE, APPLICABLE DOCUMENTATION. SOME EXAMPLES ARE LISTED BELOW. THIS TYPE OF TRANSACTION WILL REQUIRE 1-3 BUSINESS DAYS TO REVIEW.

Entity ownership documentation is required if you are a:

Corporation—A copy of the Articles of Incorporation amendments and any other documents showing the shares issued and share ownership; or

LLC—A copy of the Operating Agreement, amendments, and any other documentation showing the partners and ownership percentage; or

Partnership— A copy of the Partner Agreement, amendments and any other documents showing the partners and ownership percentage.

For all legal entities, provide the names of individuals and specific percentages held by each individual prior to and following the transfer.

9. TAXABLE TRANSACTIONS: Complete the following and calculate the tax below. Tax is calculated as \$0.55 per \$500 of line 9D. Example, \$100,000 value/\$500 increments = 200. 200 increments x \$0.55 = \$110 in tax due. You may also use \$1.10

A) Consideration paid or value. \$ _____

B) Full cash value. Less liens.

C) If less liens, loan amount assumed. \$ _____

D) Total consideration or value less liens. (Line A minus line C.) \$ _____

E) Tax due. \$ N/A

I DECLARE OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Are you the Transferee, Transferor, Both, or Representative with full knowledge of foregoing. Signature still required.

[Signature]
Signature of Transferee:

William A Lee
Print Name:

2735 Baker St
Address of Transferee:
San Francisco, CA 94123

Phone Number of Transferee: 650 245 9628

Signature of Transferor:

Print Name

Address of Transferor:

Phone Number of Transferor: ()

Place of Execution: (City, County, State where executed.)

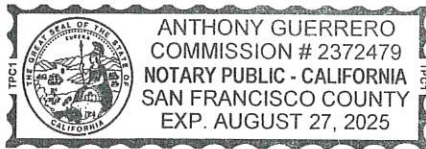
Date of Execution

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this 27th
day of July, 2023, by William A Lee

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in blue ink, appearing to read 'Anthony Guerrero', is written over a horizontal line.

EXHIBIT "A"
LEGAL DESCRIPTION FOR
WEST BAY SANITARY DISTRICT
ACCESS EASEMENT
30 HOLDEN COURT, TOWN OF PORTOLA VALLEY,
SAN MATEO COUNTY, CALIFORNIA

An easement over that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being a portion of the Lands of the William A. Lee 2016 Trust, as described in that certain Grant Deed filed June 20, 2016 as Document Number 2016-059790, Official Records of San Mateo County, said easement more particularly described as follows:

Commencing at the North corner of said Lands, said point being on the Westerly Right of Way line of Holden Court (40' radius);

Thence Southerly along said westerly right of way line coincident with the Easterly line of said Lands, along a non-tangent curve to the left with a radius of 40.00 feet from which a radial bears North 65°00'00" West, through a central angle of 33°22'09", an arc length of 23.30 feet to the **Point of Beginning**;

Thence continuing southerly along last said curve together with said right of way line coincident with said easterly line, through a central angle of 37°42'07", an arc length of 26.32 feet;

Thence leaving last said line along the following eight (8) courses:

- 1.) South 24°20'46" West, 40.57 feet
- 2.) South 02°30'20" West, 16.38 feet
- 3.) North 87°30'38" West, 10.00 feet
- 4.) North 02°30'20" East, 13.50 feet
- 5.) North 87°30'38" West, 16.85 feet
- 6.) North 02°30'20" East, 15.09 feet
- 7.) Along a curve to the right with a radius of 50.00 feet, through a central angle of 49°34'51", an arc length of 43.27 feet
- 8.) North 52°05'11" East, 15.17 feet to the **Point of Beginning**.

Containing 1,834 square feet, more or less.

The bearings shown herein are based on the radial line of the cul-de-sac shown on map entitled "Record of Survey, R/S No. 3181" filed in the office of the County Recorder of San Mateo County on May 22, 2018 in Volume 45 of L.L.S. Maps at page 92, being South 65°00'00" East.

A plat, entitled Exhibit "B", is attached hereto and by this reference made a part hereof.

END OF DESCRIPTION



LANDS OF FANTIN
& BERARDI
APN: 079-092-160

LANDS OF
WILLIAM A. LEE
2016 TRUST
DOC. NO.
2016-059790
APN: 079-092-150

POINT OF
COMMENCEMENT

(BASIS OF BEARINGS)
N65°00'00"W (RADIAL)

HOLDEN
COURT
(40' RADIUS)

POINT OF
BEGINNING

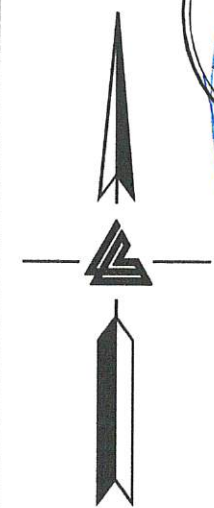
R=50.00'
L=43.27'
Δ=49°34'57"

WEST BAY
SANITARY
DISTRICT
ACCESS
EASEMENT
1,834 SQ.FT.+

R=40.00'
L=26.32'
Δ=37°42'07"



LANDS
OF
OLIVER
APN:
079-092-140

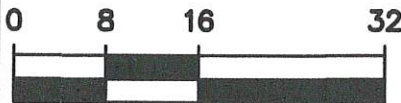


N87°30'38"W
16.85'

N02°30'20"E
13.50'

N87°30'38"W
10.00'

S02°30'20"W
16.38'



SCALE: 1" = 16'

THE BEARINGS SHOWN ARE BASED ON THE RADIAL LINE OF
CUL-DE-SAC SHOWN ON MAP ENTITLED "RECORD OF SURVEY,
R/S NO. 3181" FILED IN VOLUME 45 OF L.L.S. MAPS AT PAGE
92, SAN MATEO COUNTY RECORDS, SHOWN AS S65°00'00"E.



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS
BAY AREA REGION
2495 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4086
(F) (510) 887-3019
WWW.LEABRAZE.COM
SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916) 966-1338
(F) (916) 797-7363

EXHIBIT "B"
**WEST BAY SANITARY DISTRICT
ACCESS EASEMENT
30 HOLDEN COURT,
PORTOLA VALLEY, CA
SAN MATEO COUNTY**

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 3D**

To: Board of Directors

From: Fariborz Heydari, P.E. Project Manager

Subject: Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1606 for the Construction of Wastewater Facilities for 30 Holden Court, Portola Valley, California

Background

This permit request was for the construction of a Septic Tank Effluent Pumping (STEP) System and force main extension to connect into the existing force main on Golden Oak Drive to serve 30 Holden Court in Portola Valley.

Analysis

The Board issued this Permit at the Regular Meeting of July 14, 2021.

The work has been completed, inspected, tested, and approved by staff as being in conformance with District Standards. The property owner has submitted a one-year guarantee for the work in the form of a maintenance bond.

Recommendation

The Project Manager recommends that the Board accepts these facilities and directs the General Manager to approve the Class 3 Permit No. 1606.

Attachments: Class 3 Permit (1606)
Site map

WEST BAY SANITARY DISTRICT

500 Laurel Street
Menlo Park, California 94025
(650) 321-0384

Permit Number
1606

Type _____

APPLICATION FOR CLASS 3 SEWER PERMIT

To the WEST BAY SANITARY DISTRICT:

The undersigned, being the Owner Owner's Agent of the property located at

30 Holden Ct Portola Valley CA

does hereby request permission to construct sanitary sewers and related facilities to serve a

Residential Non-residential Development at said location.

ENGINEER'S

Lea & Braze

Name

2495 Industrial Parkway West
Address Hayward CA 94545

CONTRACTOR'S

Genuine Construction Inc

Name

1- Heather Pl Millbrae CA 94030
Address

OWNER'S

William Lee & Elizabeth Olek

Name

2735 Baker St
Address

[Signature]

Applicant's Signature

Albert Hui

Signed by - Please Print Name

1- Heather Plae Millbrae CA 94030
Address

Receipt of \$ _____ Application Fee is hereby acknowledged _____ Date _____

Receipt of \$ _____ Cash Deposit or Performance Bond

Comments New Septic to connect to main sewer

Approved by the District Board on _____

Application approved and permit issued:

WEST BAY SANITARY DISTRICT
Sergio Ramirez, District Manager

Date _____

By _____

Final Acceptance by the District Board on _____

CLASS 3 SEWER PERMIT

Permission is hereby granted to the applicant to construct sanitary sewers and related facilities ("the work") to serve the property described upon the following conditions:

1. **Compliance with District Regulations.** There shall be full compliance with all pertinent provisions of the District's Code of General Regulations.
2. **Performance of the Work.** The work shall be constructed:
 - (a) In accordance with the District's "Standard Specifications for Sanitary Sewer Construction —Part D"; and
 - (b) In substantial accordance with the drawings on file in the District Office and approved by the District Board; and
 - (c) Under the inspection of and to the approval of the District. In this regard, the District shall not control or direct the actual work of construction, but shall be the sole judge as to whether the work is completed and has met all requirements including requirements of quantity and quality of materials and equipment.
3. **Protection of the Work.** Until the work has been finally completed, it and all its component parts, materials, and equipment shall be cared for and protected by the Owner/Owner's Agent and the District shall have no responsibility whatsoever for such care and protection. Final acceptance shall not be deemed to have occurred until there has been formal action of the District Board accepting the work.
4. **One-Year Guaranty of the Work.** The Owner/Owner's Agent shall guarantee the work against leaks, breaks, and other unsatisfactory conditions due to defective materials, equipment, or workmanship for a period of one (1) year from the date of final acceptance. Upon discovery of any such unsatisfactory conditions, except in the event of an emergency requiring immediate action, the District shall give you prompt written notice thereof to the Owner/Owner's Agent requiring that repairs or replacements be promptly made to the work. Should the Owner/Owner's Agent fail to undertake the necessary repairs or replacements within five (5) days after written notice has been given or shall fail to promptly complete such repairs or replacements, or in the event of an emergency when the District shall be excused from giving prior written notice, the District may make such repairs and replacements and charge Owner/Owner's Agent for the cost thereof. The Owner/Owner's Agent shall defend and hold the District harmless from any and all claims, actions, causes of action, liability, damages, costs, expenses, attorney's fees or the like arising out of any occurrence resulting from an unsatisfactory condition of the work or from any repair or replacement thereof.
5. **Cash Deposit or Performance Bond.** The Owner/Owner's Agent shall furnish the District with a cash deposit or a corporate surety bond securing faithful performance of the one-year guaranty referred to in Condition No. 4 above, including the obligation to defend and hold the District harmless. The amount of the cash deposit or corporate surety bond shall be equal to fifty percent (50%) of the District's estimated cost of the work. Cash deposits shall not accrue interest for the benefit of the Owner/Owner's Agent. Corporate surety bonds shall be written by a company or companies and in a form acceptable to the District.
6. **Payment of District's Cost and Expenses.** The Owner/Owner's Agent shall reimburse the District for all of its costs and expenses in excess of the Permit application fee in connection with examination of plans and specifications, inspection of construction, testing of facilities, and the like. The amount of such costs and expenses shall be determined by the District.

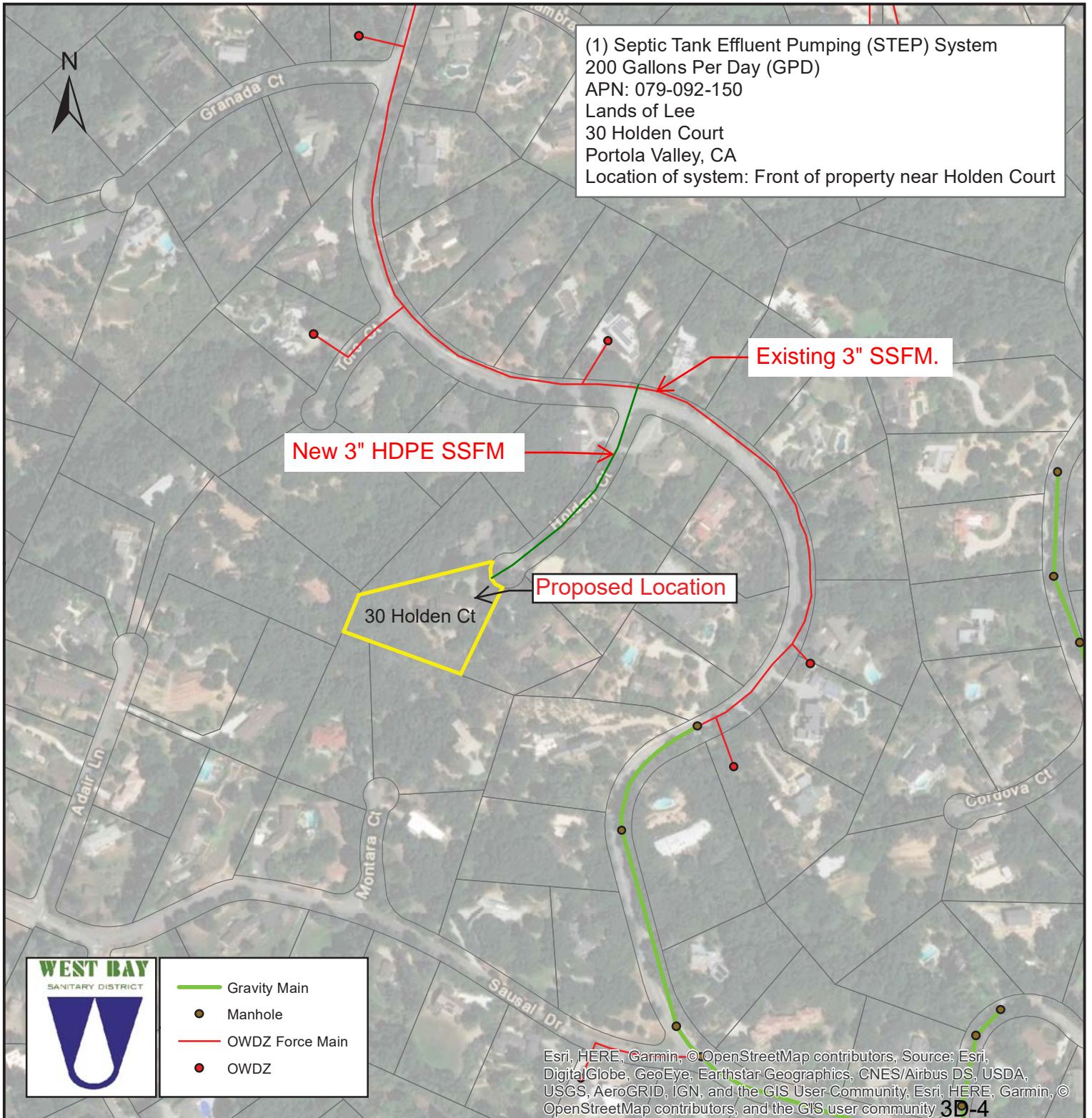
WEST BAY SANITARY DISTRICT

SITE LOCATION

30 HOLDEN COURT

PORTOLA VALLEY, CA

SEPTIC TANK EFFLUENT PUMPING (STEP) SYSTEM





WEST BAY SANITARY DISTRICT AGENDA ITEM 3E

To: *Board of Directors*

From: *Fariborz Heydari, P.E. Project Manager*

Subject: *Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 229 Grove Drive, Portola Valley*

Background

The attached agreement requires that a property owner, who seeks inclusion in the District's On-Site Wastewater Disposal Zone, shall protect and maintain certain portions of the system to ensure continuity of service.

Analysis

It had been staff's experience that transfer of the property from one owner to another invariably resulted in a failure to maintain the system as previously agreed. The attached Covenants of Agreements Running with the Land ensures that all future owners are required to comply with the District's Code of General Regulations and Specifications.

Fiscal Impact

Property owners have paid all annexation fees and the fiscal impact would be additional sewer service charge revenue to the District once the parcel is connected.

Recommendation

The Project Manager recommends the Board to approve the Resolution as presented.

Attachments: Resolution _____ (2023)
Covenants Running with the Land

RESOLUTION NO. _____ (2023)

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF “AGREEMENT
CREATING COVENANTS RUNNING WITH THE LAND,” BY AND BETWEEN
AMRITANSH AND LISA RAGHAV, OWNERS OF REAL PROPERTY, AND THE
WEST BAY SANITARY DISTRICT**

The District Board finds and determines as follows:

- A. The proposed Agreement provides adequate protection for the District’s interests so as to justify the requested action.

Based upon the foregoing findings and determinations,

IT IS RESOLVED by the District Board as follows:

The Agreement is approved and the President and Secretary are authorized and directed to execute the Agreement. The General Manager is directed to record the Agreement in the Official Records of San Mateo County.

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 23rd day of August, 2023, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the District Board of the
West Bay Sanitary District of San
Mateo County, State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San
Mateo County, State of California

Recording Requested By:)
)
 WEST BAY SANITARY DISTRICT)
)
 And When Recorded, Mail To:)
)
 West Bay Sanitary District)
 500 Laurel Street)
 Menlo Park, California 94025-3486)
 Attn: District Manager)

(Space above this line for Recorder's Use)

**AGREEMENT CREATING COVENANTS
 RUNNING WITH THE LAND**

Agreement entered into by and between West Bay Sanitary District, a public agency of the State of California ("District") and Amritansh and Lisa Raghav, owners of the property at 229 Grove Drive, Portola Valley, CA, ("Proponents").

RECITALS

1. Proponents represent that they are the owners of certain real property situated in the Town of Portola Valley, San Mateo County, California, which is commonly known as 229 Grove Drive, and which is more particularly described as follows:

Lot 20 in Block _____, as shown on that certain map entitled TRACT NO. 608, STONEGATE SUBDIVISION OF A PORTION OF CORTE MADERA RANCHO, SAN MATEO COUNTY ", filed in the office of the County Recorder of said County and State, on September 29, 1948 in Book 29 of maps at pages 31-33.

Containing an area of 1.0 acres, more or less (the "Real Property").

2. *Proponents' Real Property is developed with a single family residence. The residence is served by a septic tank/leachfield wastewater disposal system that has failed and cannot be repaired. Use of the present system must be discontinued or it is probable that conditions adversely affecting the public health, safety and welfare will develop on the Real Property and, potentially, off-site.*

or

Proponents' Real Property is developed with a single family residence. The residence is served by a septic tank/leachfield wastewater disposal system that is unable to meet current standards.

or

Proponents' Real Property is undeveloped. The proposed residence can not be served by a septic tank/leachfield wastewater disposal system.

3. To maintain wastewater disposal service to the site, Proponents have annexed the Real Property to the District and are seeking service from the District.

ATTORNEY FEES

In the event of any litigation between the parties to interpret or enforce this Agreement, the prevailing party shall be entitled to recover its attorney fees, court costs and litigation expenses incurred in the litigation.

BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the respective parties, their assigns, beneficiaries, personal representatives and successors in interest.

Executed at Menlo Park, California on the dates set forth.

DISTRICT:

WEST BAY SANITARY DISTRICT
A Public Agency

Printed Name:

By: _____
President of the District Board

Date: _____

Printed Name:

And by: _____
Secretary of the District Board

Date: _____

PROPONENTS:

Printed Name: Lisa Raghav

By: Y. Raghav Date: 08/10/2023

Printed Name: AMRITANSI RAGHAV

By: [Signature] Date: 8/10/23

(Attach Notary Acknowledgement Certificate)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo)

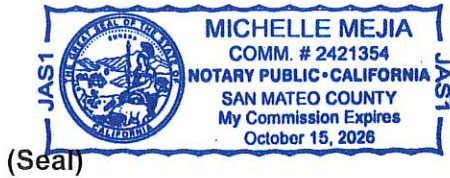
On August 10, 2023 before me, Michelle Mejia, Notary Public
(insert name and title of the officer)

personally appeared Lisa Raghav and Amritangh Raghav,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Michelle Mejia*



SEE ATTACHED
ACKNOWLEDGMENT/JURAT
NOTARY PUBLIC

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 3F**

To: Board of Directors

From: Fariborz Heydari, P.E. Project Manager

Subject: Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1623 for the Construction of Wastewater Facilities for 229 Grove Drive, Portola Valley, California

Background

The District requires an easement to maintain the flow from the Grinder System that serves 229 Grove Drive. The easement includes ingress and egress to the location of the Grinder system and is conforming to District specifications.

Recommendation

The Project Manager recommends that the Board adopt the attached Resolution accepting the Deed of Easement.

Attachments: Resolution ____ (2023), Grant Deed of Easement

RESOLUTION NO. _____ (2023)

IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT

COUNTY OF SAN MATEO, STATE OF CALIFORNIA

BE IT RESOLVED that the President and Secretary of the West Bay Sanitary District be and are hereby authorized to accept the attached Grant Deed of Easement by and between the following parties:

Amritansh and Lisa Raghav

BE IT FURTHER RESOLVED that the General Manager is hereby directed to place the same on record.

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 23rd day of August, 2023, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the West
Bay Sanitary District of San Mateo County,
State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo
County, State of California

RECORDING REQUESTED BY:
WEST BAY SANITARY DISTRICT

WHEN RECORDED MAIL TO:
WEST BAY SANITARY DISTRICT
500 LAUREL STREET
MENLO PARK, CA 94025

Title Order No. N/A
Escrow No. N/A
Parcel No. 079-011-050

GRANT DEED OF EASEMENT

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

- DOCUMENTARY TRANSFER TAX is \$0 CITY TAX is \$0
- computed on the full value of the property conveyed, or
- computed on full value less value of liens or encumbrances remaining at the time of sale,
- this is a conveyance of an easement and the consideration and value is less than \$100, R & T 11911.
- Unincorporated area of San Mateo County City/Town of Portola Valley

FOR NO CONSIDERATION, receipt of which is hereby acknowledged, We

Amritansh and Lisa Raghav

Hereby GRANTS to:

West Bay Sanitary District, a Public Agency organized and existing under the laws of the State of California,

A perpetual easement to construct, install, maintain, use, repair, remove, replace any and all pipeline, fittings, and related facilities necessary for the operation of a wastewater conveyance system in the area described as follows over the following described real property in the Town of Portola Valley, County of San Mateo, State of California; more particularly described in Exhibit "A" and "B", attached hereto, and by this reference incorporated herein.

West Bay Sanitary District, its employees and agents shall have the right to enter upon the herein described real property at any and all times with such tools and equipment as may be necessary or convenient for the exercise of the rights herein granted to West Bay Sanitary District.

No building or structure of any kind shall be constructed upon the herein described easement, and should a building or structure be erected in violation of this provision, West Bay and its successors and assigns may still exercise all rights herein granted and shall have the right to remove, or Grantor to remove, at Grantors expense, any building or structure that may be erected upon or over the said parcel of real property. West Bay Sanitary District shall not be held liable in any manner whatsoever for any damages thereby incurred, nor shall West Bay have any obligation to replace any structure that may be removed from said property.

This grant of easement shall be binding upon and inure to the benefit of the respective administrators, executors, personal representatives, successors and assigns of the parties hereto.

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A" AND "B" AND MADE A PART HEREOF

Also Known As: 229 Grove Drive, Portola Valley, California

Assessor's Parcel Number: 079-011-050

Executed on 08/10, 2023, at Redwood City, CA
(City and State)

Lisa Raghav Lisa Raghav
Printed Name Signature

Executed on 08/10, 2023, at REDWOOD CITY, CA
(City and State)

AMRITANSH RAGHAV [Signature]
Printed Name Signature

PLEASE SEE
ACKNOWLEDGMENT
FROM NOTARY PUBLIC

(ATTACH NOTARY CERTIFICATE)

PLEASE SEE ATTACHED
ACKNOWLEDGMENT FROM
NOTARY PUBLIC

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo)

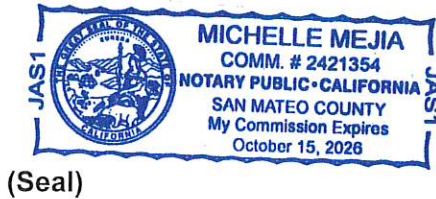
On August 10, 2023 before me, Michelle Mejia, Notary Public
(insert name and title of the officer)

personally appeared Lisa Raghav and Amritansh Raghav
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Michelle Mejia*



(Seal)



**County of San Mateo
TRANSFER TAX AFFIDAVIT**

DTT AFFIDAVIT

Per San Mateo County Ordinance Code 2.93.050

NOTICE: Any material misrepresentation of fact in this affidavit is a misdemeanor under section 2.93.120 of the San Mateo County real property tax code. Any person who makes such a representation is subject to prosecution for such offense.

This form must accompany any document that requires a Documentary Transfer Tax declaration, including but not limited to; Agreement for Sale; Assignment of Lease; Deed in Lieu of Foreclosure; Easement; Grant Deed; Land Contract; Lease; Memorandum of Lease;

The Assessor-Clerk-Recorder reserves the right to report potentially fraudulent recordings to the District Attorney's Real Estate Fraud Unit.

1. LOCATION OF PROPERTY: Assessor's Parcel Number: 079 - 011 - 050 City: Town of Protola Valley
Street Address: 229 Grove Drive, Document To Be Recorded: EASEMENT

2. IS THIS A FORECLOSURE OR TRUSTEE SALE? Yes No (If yes, complete this section.)

a. Is the transferee the Beneficiary or Mortgagee? Yes No

b. Please provide. Name of Trustee: _____
Date of original Deed of Trust: _____

3. IS THIS A LEASE? Yes No (If yes or no, complete this section.)

a. Is remaining term of lease, including renewal options, greater than 35 years? Yes No

b. If NO, submit a copy of the lease, or summary, or terms.

c. If YES, enter the value of the lease interest on line 9a. (For tax calculations.)

4. IS THIS A GIFT IN WHOLE OR IN PART? Yes No (If yes, give a complete explanation.)

Name of the Donor: _____

Name of the Donee: _____

Please be aware that certain gifts in excess of \$13,000 per calendar year may trigger a Federal Gift Tax. In such cases, the Transferor/Donor may be required to fill out a Form 709 (Federal Gift Tax Return) with the Internal Revenue Service. Please also be aware that the information stated on this document may be given to and used by governmental agencies, including the Internal Revenue Service.

I, as the Transferor/Donor declare under penalty of perjury that I have read the above paragraph and acknowledge that a Federal Gift Tax may be triggered.

▶ 
Signature of Donor:
SIGNATURE ON REVERSE STILL REQUIRED.

AMRITANSH RAGHAV
Print Donor Name:

(206) 290 - 4585
Donor Phone:

5. ARE YOU ADDING OR REMOVING A CO-OWNER FOR REFINANCING PURPOSES? Yes No Initial here: ▶ _____
If yes, Initial to the right to indicate your agreement with the statement below and sign on reverse.

The proportional ownership interest will revert back to its original holding within one (1) month from the date of recording; otherwise I will pay the applicable transfer tax.

TRANSFER TAX AFFIDAVIT, pg. 2

6. ARE YOU MOVING TITLE INTO OR OUT OF A TRUST? Yes No / Into Out of / Revocable Irrevocable

a. Name of Trust: _____ b. Date of Trust: _____

c. Name of Trustor(s): _____

d. Name(s) of Currently Active Trustee(s): _____

e. If this transaction changes who is on title or the proportional interest of how title is held, further explanation is required and may require additional time to review.

Attach additional page(s) if necessary.

7. DO YOU CONTEND THAT NO TRANSFER TAX IS DUE FOR A REASON NOT EXPLAINED IN #1-6? Yes No
(If yes, give a complete explanation.)


a. The nature of the transaction is: DEED OF EASEMENT


b. The reason (exemption) you claim no tax is due: DEED TO PUBLIC ENTITY

8. IS THIS A TRANSFER BETWEEN LEGAL ENTITIES? Yes No
IF YES, TRANSFERS INVOLVING LEGAL ENTITIES MUST PROVIDE, PREFERRABLY ONE (1) WEEK IN ADVANCE, APPLICABLE DOCUMENTATION. SOME EXAMPLES ARE LISTED BELOW. THIS TYPE OF TRANSACTION WILL REQUIRE 1-3 BUSINESS DAYS TO REVIEW.

Entity ownership documentation is required if you are a:

 **Corporation**—A copy of the Articles of Incorporation amendments and any other documents showing the shares issued and share ownership; or

 **LLC**—A copy of the Operating Agreement, amendments, and any other documentation showing the partners and ownership percentage; or

 **Partnership**— A copy of the Partner Agreement, amendments and any other documents showing the partners and ownership percentage.

For all legal entities, provide the names of individuals and specific percentages held by each individual prior to and following the transfer.

9. **TAXABLE TRANSACTIONS:** Complete the following and calculate the tax below. Tax is calculated as \$0.55 per \$500 of line 9D. Example, \$100,000 value/\$500 increments = 200. 200 increments x \$0.55 = \$110 in tax due. You may also use \$1.10

- A) Consideration paid or value. \$ _____
- B) Full cash value. Less liens.
- C) If less liens, loan amount assumed. \$ _____
- D) Total consideration or value less liens. (Line A minus line C.) \$ _____
- E) Tax due. \$ N/A

I DECLARE OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Are you the Transferee, Transferor, Both, or Representative with full knowledge of foregoing. Signature still required.

Signature of Transferee: _____

Print Name: _____

Address of Transferee: _____

Phone Number of Transferee: _____ () _____

Signature of Transferor:  _____

Print Name _____

Address of Transferor: 229 GROVE DR. FORTOLA VALLEY CA

Phone Number of Transferor: _____ () _____

Address of Transferor: 94028

Place of Execution: (City, County, State where executed.) _____

Date of Execution _____

PLEASE SEE ATTACHED
ACKNOWLEDGMENT/JURAT
FROM NOTARY PUBLIC

PLEASE
ACKNOWLEDGE
FROM NOTARY PUBLIC

3F-6

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo)

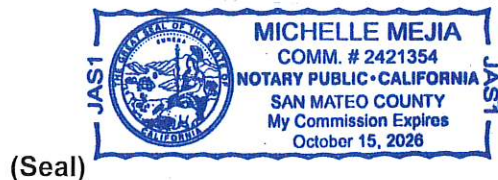
On August 10, 2023 before me, Michelle Mejia, Notary Public
(insert name and title of the officer)

personally appeared Amritansh Raghav _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Michelle Mejia* _____



SEE ATTACHED
EDGMENT/JURAT
OTARY PUBLIC

EXHIBIT 'A'
LEGAL DESCRIPTION FOR SEWER EASEMENT
229 GROVE DRIVE, PORTOLA VALLEY
SAN MATEO COUNTY, CALIFORNIA

ALL THAT REAL PROPERTY IN THE TOWN OF PORTOLA VALLEY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 20, AS SHOWN ON THE MAP ENTITLED "TRACT NO. 608 STONEGATE, SUBDIVISION OF A PORTION OF CORTE MADERA RANCHO", SAN MATEO COUNTY, CALIFORNIA, FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA ON SEPTEMBER 29, 1948 IN BOOK 29 OF MAPS AT PAGE 31 TO 33, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT, SAID POINT ALSO BEING ON THE NORTHWESTERLY CUL DE SAC RIGHT OF WAY OF GROVE DRIVE, WIDTH VARIES, THENCE ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET, A RADIAL TO SAID CURVE BEARS NORTH 51°33'00" WEST;

THENCE ALONG SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 7°10'51", AN ARC LENGTH OF 5.01 FEET TO THE **POINT OF BEGINNING**

THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°47'37", AN ARC LENGTH OF 19.40 FEET;

THENCE LEAVING SAID RIGHT OF WAY, SOUTH 87°11'32" WEST 33.00 FEET;

THENCE NORTH 02°48'28" WEST 22.00 FEET;

THENCE NORTH 87°11'32" EAST 35.11 FEET;

THENCE SOUTH 51°33'00" EAST 6.01 FEET TO THE **POINT OF BEGINNING**.

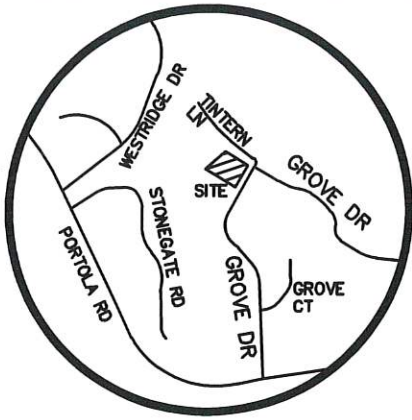
CONTAINING 788 SQUARE FEET MORE OR LESS

R Mather

08-10-2023

RICHARD F. MATHER
LS 8341



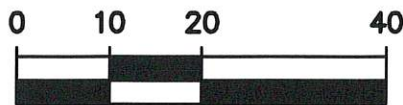
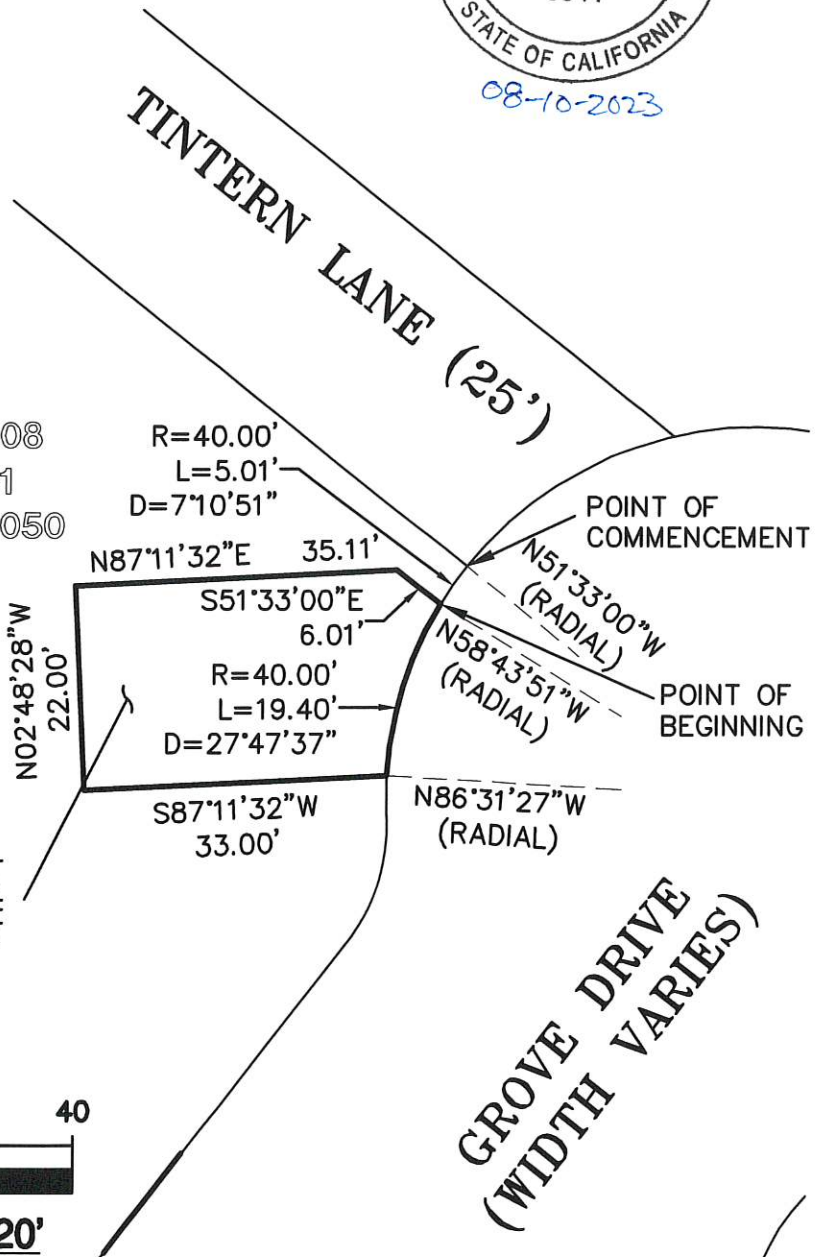


VICINITY MAP
NO SCALE



08-10-2023

LOT 20
TRACT No. 608
29 MAPS 31
APN 079-011-050



SCALE: 1" = 20'



LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS

SAN LUIS OBISPO OFFICE:
711 TANK FARM ROAD, SUITE 220
SAN LUIS OBISPO, CA 93401
(805) 476-4086
WWW.LEABRAZE.COM

REGIONAL OFFICES:
ROSEVILLE
PLEASANTON
SAN JOSE
HAYWARD

EXHIBIT 'B'

**PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR SEWER EASEMENT, 229 GROVE DRIVE
TOWN OF PORTOLA VALLEY, SAN MATEO
COUNTY, CALIFORNIA**

JOB NO 2200653

SCALE: 1" = 20'

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 3G**

To: Board of Directors

From: Fariborz Heydari, P.E. Project Manager

Subject: Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1623 for the Construction of Wastewater Facilities for 229 Grove Drive, Portola Valley, California

Background

This permit request was for the construction of a Grinder Pump System to connect to the existing force main on Grove Drive to serve 229 Grove Drive in Portola Valley.

Analysis

The Board issued this Permit at the Regular Meeting of September 28, 2022.

The work has been completed, inspected, tested, and approved by staff as being in conformance with District Standards. The property owner has submitted a one-year guarantee for the work in the form of a maintenance bond.

Recommendation

The Project Manager recommends that the Board accepts these facilities and directs the General Manager to approve the Class 3 Permit No. 1623.

Attachments: Class 3 Permit (1623)
Site map

WEST BAY SANITARY DISTRICT

500 Laurel Street
Menlo Park, California 94025
(650) 321-0384

Permit Number
1623

Type _____

APPLICATION FOR CLASS 3 SEWER PERMIT

To the WEST BAY SANITARY DISTRICT:

The undersigned, being the Owner Owner's Agent of the property located at

229 Grove Drive, Portola Valley CA 94028

does hereby request permission to construct sanitary sewers and related facilities to serve a

Residential Non-residential Development at said location.

ENGINEER'S

Lea + Brate Engineering Inc
Name

2495 Industrial Pkwy, W Hayward CA 94545
Address

CONTRACTOR'S

Shai Livne, SLBH Inc
Name

2088 Harvard St. Palo Alto CA 94306
Address

OWNER'S

Lisa + Anvitesh Raghav
Name

229 Grove Dr. Portola Valley CA 94028
Address

do Kateri
Applicant's Signature

Anvitesh Raghav (owners agent)
Signed by - Please Print Name

Address

Receipt of \$ 585.00 Application Fee is hereby acknowledged 9/13/2022 Date

Receipt of \$ 2,000 Cash Deposit or Performance Bond

Comments INSTALL OWNER pump System

Approved by the District Board on _____

Application approved and permit issued:

WEST BAY SANITARY DISTRICT
Sergio Ramirez,

Date _____

By _____

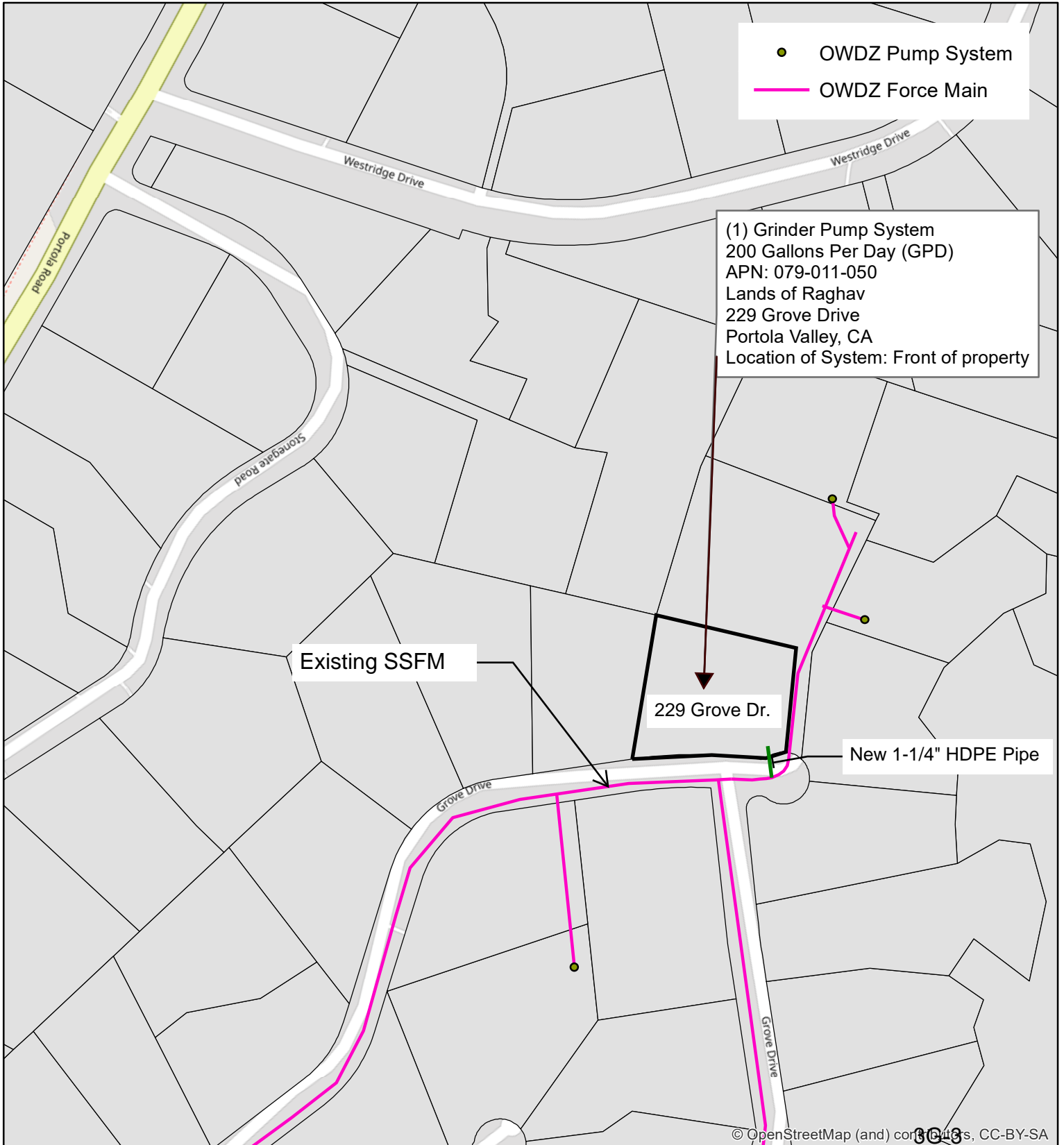
Final Acceptance by the District Board on _____

(SEE PERMIT CONDITIONS ON REVERSE)



WEST BAY SANITARY DISTRICT

SITE LOCATION 229 GROVE DRIVE PORTOLA VALLEY, CA GRINDER SYSTEM



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WEST BAY SANITARY DISTRICT AGENDA ITEM 3H

To: *Board of Directors*

From: *Fariborz Heydari, P.E. Project Manager*

Subject: **Consider Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1614 for the Construction of Wastewater Facilities for 214 Grove Drive, Portola Valley, California**

Background

This permit request was for the construction of a Grinder Pump System to connect to the existing force main on Grove Drive to serve 214 Grove Drive in Portola Valley.

Analysis

The Board issued this Permit at the Regular Meeting of January 12, 2022.

The work has been completed, inspected, tested, and approved by staff as being in conformance with District Standards. The property owner has submitted a one-year guarantee for the work in the form of a maintenance bond.

Recommendation

The Project Manager recommends that the Board accepts these facilities and directs the General Manager to approve the Class 3 Permit No. 1614.

Attachments: Class 3 Permit (1614)
Site map

WEST BAY SANITARY DISTRICT

500 Laurel Street
Menlo Park, California 94025
(650) 321-0384

Permit Number
1614

Type _____

APPLICATION FOR CLASS 3 SEWER PERMIT

To the WEST BAY SANITARY DISTRICT:

The undersigned, being the Owner Owner's Agent of the property located at

214 Grove Drive, Portola Valley, CA 94028

does hereby request permission to construct sanitary sewers and related facilities to serve a

Residential Non-residential Development at said location.

ENGINEER'S

Rich Laurita, Freyer & Laurita, Inc.
Name
150 Executive Park Blvd, Suite 420
Address
San Francisco, CA 94134

OWNER'S

Elizabeth Holmes
Name
214 Grove Drive, Portola Valley
Address

CONTRACTOR'S

TBD
Name
Address

[Signature]
Applicant's Signature
Rich Laurita
Signed by - Please Print Name
150 Executive Park Blvd, Suite 420
Address

Receipt of \$ 585 Application Fee is hereby acknowledged 7. Reese 12/21/21 Date

Receipt of \$ 2,000 Cash Deposit or Performance Bond

Comments _____

Approved by the District Board on _____.

Application approved and permit issued:

WEST BAY SANITARY DISTRICT
Sergio Ramirez,

Date 1/12/2022

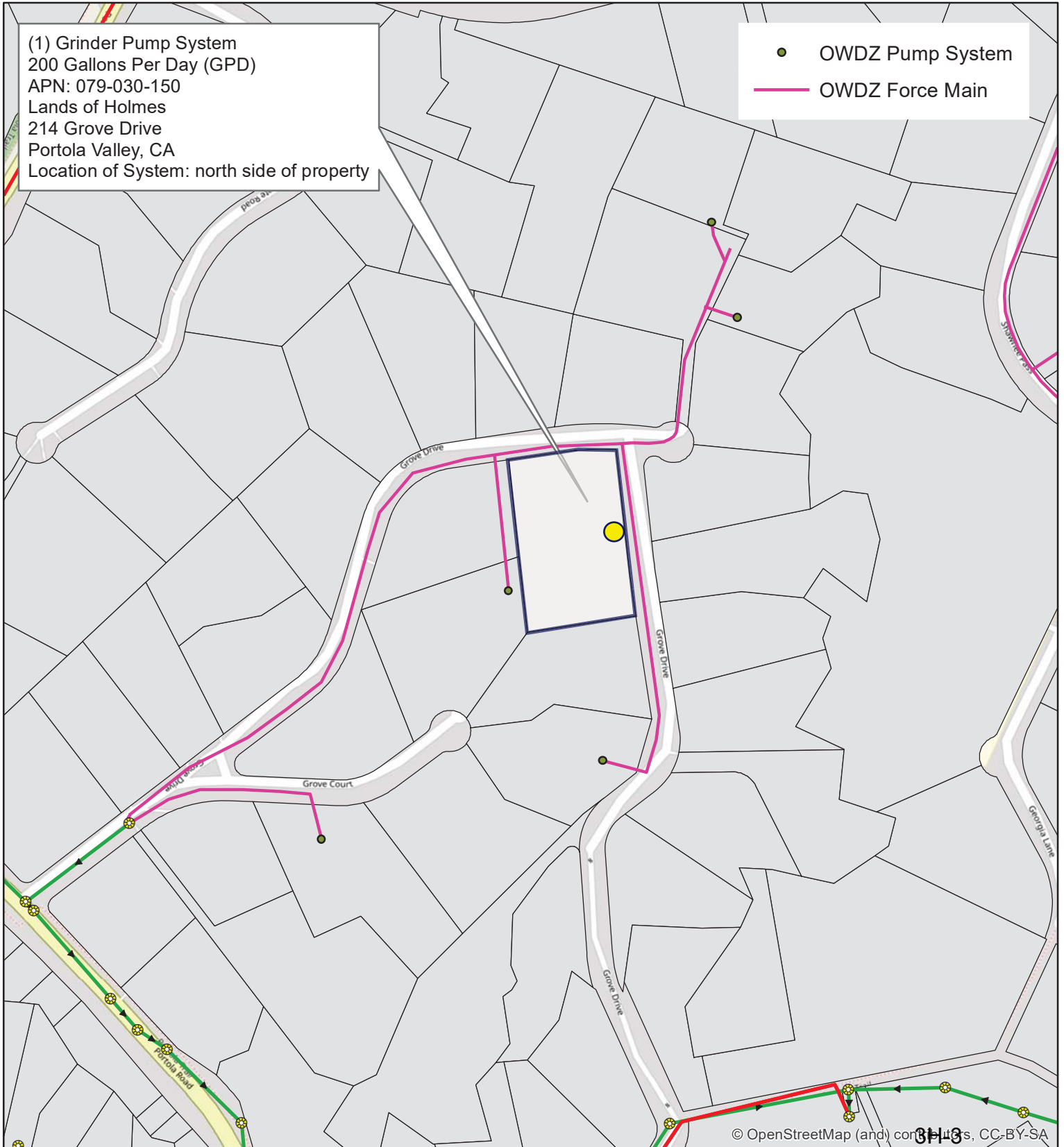
By [Signature]

Final Acceptance by the District Board on _____.

(SEE PERMIT CONDITIONS ON REVERSE)



WEST BAY SANITARY DISTRICT
EXHIBIT "B"
SITE LOCATION
214 GROVE DRIVE
PORTOLA VALLEY, CA
GRINDER SYSTEM



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To: Board of Directors
From: Sergio Ramirez, General Manager
Subject: General Manager's Report

1) Administrative:

- a. Staff is preparing the Sewer Maintenance and Operations Request for Proposals for the City of East Palo Alto and will bring the proposal to the Board on September 13th, 2023.
- b. Staff will participate in the Tour de Menlo again this year.
- c. The City of Menlo Park is hosting an open house and asked the District to participate. The open house is scheduled for September 16, 2023.

2) Finance:

- a. The Finance Manager is reconciling the District's accounting for the prior fiscal year and in preparation for the annual audit.

3) CIP Projects:

a. Construction Capital Improvement Program (CIP):

- i. Ranger Pipelines has obtained the final permits required for the Bayfront Park Sewer Improvements Project.
- ii. The Point Repair Project is underway. Several manhole-to-manhole pipe segments have been completed thus far.

b. Levee Improvement Project:

- i. Levee Improvement Project bid opening was held. The apparent low bidder is Anderson Pacific with a bid of \$15 million.

4) Information Technology (IT):

- a. Staff is working with Central Square on the new online permit system.

5) Operations and Maintenance:

a. Collection System:

- i. Staff received a demonstration on new fully electric excavators and front loaders.

b. Pump Facilities:

- i. The Pump Crew will begin the pump station telemetry upgrade project soon.

c. Training:

- i. Maintenance and Construction Staff will receive training on Asbestos Pipe handling in August.

- 6) **Water Quality:**
 - a. **Sharon Heights Golf and Country Club (SHGCC):**
 - i. Casey Construction commenced the Avy Altschul Pump Station project. The majority of the work in the street has been completed.
 - ii. The amendment to the Long-Term Agreement has been fully executed.
 - iii. The SHGCC pond has been refilled with reclaimed water.
 - b. **Bayfront Recycled Water Facility (BRWF):**
 - i. General Counsel is reviewing the draft finance agreement for the State Revolving Fund loan and grant.
 - c. **Woodside Recycled Water Facility (WRWF):**
 - i. The Woodside Recycled Water Facility feasibility study will conclude soon and will be brought to the Board.
- 7) **Fleet and Facilities:**
 - a. **Vehicle Maintenance:**
 - i. The new EV Charging Policy will be incorporated into the Personnel Policy and will come before the Board.
- 8) **Personnel:**
 - i. Recruitment for a Maintenance Worker began in late July.
- 9) **Upcoming Events:**
 - a. **Next Regular Board Meetings:** Wednesdays, September 13th and September 27th
- 10) **Misc. Items:**
 - a. **West Bay:** The General Manager will update the Board on miscellaneous items related to District operations.
 - b. **Town of Los Altos Hills:** Staff continues to provide maintenance and support to the Town.
 - c. **Town of Woodside:** The Town is working with Menlo Country Club on the proposed Woodside Recycled Water Facility.



WEST BAY SANITARY DISTRICT AGENDA ITEM 5

To: *Board of Directors*

From: *Fariborz Heydari, P.E. Project Manager*

Subject: *Consider Awarding the Flow Equalization and Resource Recovery Facility Improvements Project to Anderson Pacific Engineering Construction, Inc.*

Background

The District Board authorized the General Manager to call for bids for the Flow Equalization and Resource Recovery Facility (FERRF) Levee Improvements Project on March 22, 2023.

Freyer & Laureta, Inc. (F&L) with major support provided by SWCA Environmental Consultants (SWCA) worked with the West Bay Sanitary District (WBSD) staff to complete the design in June 2023 for the levee improvements around the Flow Equalization and Resource Recovery Facility (FERRF). The improvements include both sheetpile and nature-based adaptation measures (living shoreline) to combat rising sea levels.

Staff advertised the project in July and held a pre-bid meeting on July 11th with an original bid opening date of July 25th. Due to the complexity of the project, staff received numerous requests for information (RFIs) from contractors. In order to respond to RFIs and attract more contractor interest in the project, an extra pre-bid meeting was held on August 2nd and the bid opening date changed to August 17th. Three bid addendums were issued that included RFI responses, the added pre-bid meeting, and the bid opening date change.

Three construction companies submitted bids for the project. The anticipated construction cost for this project was \$13,061,000.00.

Analysis

The bid opening for this project was on August 17, 2023, at 2:00 PM. The District received a total of three (3) bids, which were as follows:

Bidder	City	Bid Total
Anderson Pacific Engineering Construction, Inc.	Redwood City	\$15,095,950.00
Anvil Builders, Inc.	Emeryville	\$15,644,448.60
Pacific States Environmental Contractors, Inc.	Dublin	\$19,283,256.00

It is understood that the project shall be awarded to the lowest responsible bidder.

Fiscal Impact

The District applied for a loan from the State Water Resources Control Board (SWRCB) State Revolving Fund (SRF) to design and construct the Levee as well as the Recycled Water facility. The SWRCB awarded the project \$66.6 million including \$14.7 million in State grants. The SRF will fund the recycled water facility and a portion of the levee. The District also received a National Fish and Wildlife Foundations (NFWF) grant for \$4.7 million for the living shoreline constructions and monitoring.

The Capital Assets Fund for Fiscal Year 2023-2024 for the FERRF Levee Improvements Project has an approved budget of \$10 million. The NFWF Grant toward project construction costs is \$3.6 million. Appropriations to the FY2023/24 budget will be necessary since construction will take place over several years.

Staff is asking for an additional \$5,095,950 to be added to the budgeted \$10 million. Staff is requesting the appropriation of approximately 10% contingency to the bid price. Therefore, an additional \$1.6 million would need to be allocated for a total project amount of \$16,700,000 (rounded up to \$100,000).

Recommendation

The Project Manager recommends the District Board of Directors authorize the General Manager to award the Flow Equalization and Resource Recovery Facility Levee Improvements Project to Anderson Pacific Engineering Construction, Inc. based on Anderson Pacific being the lowest bidder.

Attachment: Resolution

RESOLUTION NO. _____(2023)

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE FLOW EQUALIZATION AND RESOURCE RECOVERY FACILITY LEVEE IMPROVEMENTS PROJECT NO. 1762.0 TO ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. AND ALLOCATE FUNDS FOR CONSTRUCTION

WHEREAS, the **Flow Equalization and Resource Recovery Facility Levee Improvements Project No. 1762.0** plans and specifications were prepared by Freyer & Laureta, Inc. of San Mateo, California, and

WHEREAS, Anderson Pacific Engineering Construction, Inc. is the lowest bidder for the project, and

WHEREAS, there was no irregularity or material defect in Anderson Pacific Engineering Construction, Inc.'s bid package, and

WHEREAS, Anderson Pacific Engineering Construction, Inc.'s base bid amount was \$15,095,950.00, and

WHEREAS, this was the lowest responsible and responsive base bid, and

WHEREAS, based on available funds, the Bid be awarded to Anderson Pacific Engineering Construction, Inc.'s for \$15,095,950.00, and

WHEREAS, the Capital Assets Fund for Fiscal Year 2023-2024 for this project was proposed for \$10,000,000.00; however, \$6,700,000.00 is now allocated to this project.

NOW, THEREFORE, BE IT RESOLVED that the District Board of the West Bay Sanitary District, County of San Mateo, State of California, does hereby award a construction contract to Anderson Pacific Engineering Construction, Inc. in the amount of \$15,095,950.00 for the **Flow Equalization and Resource Recovery Facility Levee Improvements Project No. 1762.0**, and subject to review and approval as to form by District's General Counsel, authorizes the General Manager to execute the construction contract, and allocate an additional \$1,600,000.00 for construction contingencies out of the Capital Assets Fund.

PASSED AND ADOPTED by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 23rd day of August, 2023, by the following votes:

Ayes:

Noes:

Absent:

Abstain:

President of the District Board of the
West Bay Sanitary District of San
Mateo County, State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo
County, State of California



WEST BAY SANITARY DISTRICT AGENDA ITEM 6

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Consider Adopting Resolution Recognizing the Achievement of a Six Years Safety Record Without a Lost Time Accident by West Bay Sanitary District Employees*

Background

On July 8, 2023 West Bay Sanitary District employees surpassed six years without a lost time accident which represents one of the lowest rates of on-the-job injuries in the wastewater and public works industries. Employees have worked over 374,000 hours without a lost time accident.

Analysis

As a result of working year after year without a lost time accident, the District has realized a savings in insurance contributions to the California Sanitation Risk Management Authority.

A proactive safety program is an essential part of effective risk management and provides benefits other than insurance premiums such as improved morale, increased productivity, employee' wellbeing, and reduced equipment and vehicle repair costs.

Over the last six years, the District's Workers' Compensation Experience Modification Factor (X-MOD), which adjusts premium based on loss history, declined over 35%. In Fiscal Year 2021-22, it declined 38% from the prior year (from 1.22 to 0.76) resulting in savings of approximately \$26,000. In Fiscal Year 2022-23 the X-MOD factor continued remain below 1.0 at .91 which resulted in additional savings.

Fiscal Impact

There is no fiscal impact of this resolution.

Recommendation

The General Manager recommends the Board adopt the resolution recognizing the achievement of a six years safety record without a lost time accident by West Bay Sanitary District employees.

Attachment: 2023 Reso Six Year Safety Record w/o Lost Time Accident

RESOLUTION NO. _____ (2023)

RESOLUTION RECOGNIZING THE ACHIEVEMENT OF A SIX YEARS SAFETY RECORD WITHOUT A LOST TIME ACCIDENT BY WEST BAY SANITARY DISTRICT EMPLOYEES

WHEREAS, on July 8, 2023 West Bay Sanitary District employees have surpassed six years without a lost time accident; and

WHEREAS, this achievement represents one of the lowest rates of on-the-job injuries in the wastewater and public works industries; and

WHEREAS, the prior record for a similar achievement had been four years, recognized on March 21, 2011; and

WHEREAS, the DISTRICT has realized reductions in insurance contributions for Workers' Compensation coverage, due to positive loss history, reducing the experience modification factor by 35% over six years and saving approximately \$26,000 in FY 2021-22 and additional savings in FY 2022-23; and

WHEREAS, the DISTRICT benefits from a proactive safety program that includes, classroom training, hands-on training, tailgate safety meetings, annual reviews of safety procedures, and an inclusive safety committee; and

WHEREAS, a proactive safety program and passionate participation by all employees promotes a safe and energetic work environment.

NOW, THEREFORE, BE IT RESOLVED that the District Board of the West Bay Sanitary District, County of San Mateo, State of California, does hereby recognize the achievement of a safety record of six years without a Lost Time Accident by West Bay Sanitary District employees.

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent minutes of the Board and that suitably inscribed copies be displayed at District buildings in view of employees, board members and the public, and distributed to other appropriate agencies.

PASSED AND ADOPTED by the District Board of the West Bay Sanitary District at a special meeting thereof held on the 23rd day of August, 2023, by the following votes:

Ayes:

Noes:

Absent:

Abstain:

President of the District Board of the
West Bay Sanitary District of San
Mateo County, State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo
County, State of California



**WEST BAY SANITARY DISTRICT
AGENDA ITEM 7**

To: Board of Directors

From: Sergio Ramirez, General Manager

Subject: Discussion and Direction on the West Bay and Sharon Heights Recycled Water Facility

A discussion will be held on the Sharon Heights Recycled Water Facility and other events related to the recycled water plant. The Board will have opportunity to provide direction to staff and legal counsel.

Recycled Water Facility Production Data:

2020	Treated	Delivered
August	8.8MG	8.2MG
September	8.2MG	5.1MG
October	7.4MG	4.5MG
November	5MG	1.4MG
December	4.7MG	.55MG
2021	Treated	Delivered
January	4.8MG	.23MG
February	4.4MG	.13MG
March	5.9MG	1.8MG
April	8.5MG	7.6MG
May	9.3.MG	8.2MG
June	9.8MG	8.7MG
July	9.5MG	9.1MG
August	9.4MG	9.0MG
September	9.1MG	6.9MG*
October	7.6MG	2.6MG**
November	5.2MG	0
December	4.7MG	0

2022	Treated	Delivered
January	4.4MG	97,000 gallons
February	4.4MG	1.5MG
March	6.6MG	3.5MG
April	7.6MG	3.8MG
May	9.2MG	7.4MG
June	9.8MG	8.7MG
July	9.6MG	8.1MG
August	9.2MG	8.1MG
September	8.6MG	6.7MG
October	7.9MG	4.6MG
November	5.9MG	310,000 gallons
December	5.4MG	154,690 gallons

2023	Treated	Delivered
January	5MG	0 gallons
February	3.3MG	0 gallons
March	3.5MG	0 gallons
April	4.9MG	32k gals. Dust Control
May	5.1MG	432k gals. Dust Control
June	4.8MG	456k gals. Dust Control
July	6.2MG	1.05MG Dust Control

* Sharon Heights substantially tapered off their water usage for September which is the reason for the large discrepancy between treated and delivered.

** Treatment was reduced in the second half of the month. Rain in late October and an irrigation equipment malfunctions caused water delivery to decrease.

The following is a disclosure statement required for any document, written report or brochure prepared in whole or in part pursuant to the Finance Agreement with the State Water Resources Control Board for the West Bay Sanitary District Recycled Water Project - Sharon Heights: Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board. California's Clean Water State Revolving Fund is capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.



**WEST BAY SANITARY DISTRICT
AGENDA ITEM 8**

To:*Board of Directors*

From:*Sergio Ramirez, General Manager*

Subject:*Discussion and Direction on the Bayfront Recycled Water Project
and Status Update*

A discussion will be held on the District's Bayfront Recycled Water Projects and other events related to the recycled water projects including financing, environmental review, design/build issues and grant applications.

The Board will have the opportunity to provide direction to staff and general counsel.

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 9**

To: Board of Directors

From: Sergio Ramirez, General Manager

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

The District's representative to South Bayside Waste Management Authority (SBWMA), President Fran Dehn, will report on any pertinent items regarding SBWMA business. General Manager Ramirez will report and seek direction on the solid waste franchise re-assignment.

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**WEST BAY SANITARY DISTRICT
AGENDA ITEM 10**

To: Board of Directors

From: Sergio Ramirez, General Manager

**Subject: Report and Discussion on Silicon Valley Clean Water (SVCW)
Plant**

The District's representative to Silicon Valley Clean Water (SVCW), Commissioner George Otte, will report on pertinent items regarding SVCW Operations, CIP and Finance.

Report to the District Board for the Regular Meeting of August 23, 2023

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