



1902 - Serving Our Community for over 115 Years - 2023

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, MARCH 22, 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, Director Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Ramirez, Condotti by Zoom

Others Present: Rich Laretta – Fryer & Laretta

2. Communications from the Public: None.

3. Public Hearing: Consider Waiving Collection of Future Supplemental Connection Charges for the Blue Oaks Subdivision Reimbursement Agreement

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

Discussion/Comments: General Manager Ramirez reported the agreement was entered into in 2002 with Portola Valley Blue Oaks Ltd. Partnership in which the construction costs were collected through supplemental connection fees and then reimbursed to prior connectors. He continued to report the remaining balance of the agreement became too small to continue to collect on since the supplemental connection fee was \$5000 and reimbursed to over 100 connectors. Recent reimbursees received checks for approximately \$27.39. Therefor he recommended the Board of Directors waive collecting any further on this agreement. There was a motion to approve waiving further collection on the agreement by Director Moritz, a second by Secretary Walker and vote to approve 5 Aye, 0 Nay.

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

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

4. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None

- A. Approval of Minutes for Regular Meeting March 8, 2023
- B. Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1605 for the Construction of Wastewater Facilities for 30 Cheyenne Point, Portola Valley, California
- C. Bank of the West Monthly Investment Portfolio Statements

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

5. General Manager's Report

Discussion/Comments: General Manager Ramirez reported staff has updated the District Code of General Regulations and General Counsel is currently reviewing it before Board consideration. He reported staff are preparing an invoice for Silicon Valley Clean Water for use of the emergency pond at the Flow Equalization Facility (FEF.) He also reported the City of East Palo Alto is conducting a request for qualifications for operation and maintenance services. He reported the Construction Inspector's vehicle was totaled when a tree fell on it during recent storm events. General Manager Ramirez continued to report the Clerical Assistant's 18-month long project is complete and her last day will be April 4th. He reported there is still a considerable amount of material to scan in storage at the FEF. Board consensus was to continue the Clerical Assistant's employment for another year to work on the remaining scanning. The next regular Board meetings will be April 12th and April 26th. The Budget Workshop will be held on May 3rd. The complete General Manager's written report is in the March 22nd, 2023, agenda packet.

6. Consider Authorizing the General Manager to Issue the Call for Bids for the Avy-Altschul Pump Station Project

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

Discussion/Comments: None.

7. Consider Authorizing the General Manager to Issue the Call for Bids for the Flow Equalization and Resource Recovery Facility Levee Improvement Project

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

Discussion/Comments: General Manager Ramirez reported the project's projected cost is \$10,700,000.00. A National Fish and Wildlife Foundation grant will cover \$3,626,020 in construction costs and the remaining construction costs will come from the Construction in Progress Budget. Board consensus was to approve the call for bids with the understanding staff will consider a performance payment and return to the Board with addendums for approval.

8. Consider Authorizing the General Manager to Enter Into an Agreement for On-Call Construction Consultation Support with Freyer & Laureta, Inc. (F&L) for the Flow Equalization and Resource Recovery Facility Levee Improvement Project

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

Discussion/Comments: None.

9. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: General Manager Ramirez reported negotiations are underway with the Los Lomitas School District regarding an easement on their property for the Avy/Altschul Pump Station. The project will be funded by a \$950,000 SRF loan which includes

approximately \$333,000 in a grant. An agreement to pay back the SRF is being prepared by the District's General Counsel with Sharon Heights Golf Club. Construction is expected to begin June 15th when school is out of session.

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

Discussion/Comments: General Manager Ramirez reported SCWA will begin to monitor the habitat and wildlife at the site location. He also reported the project management agreement has been received from Meta/Signature Group in the amount of \$951,000 of which Meta will pay \$409,000. He stated the District is working with the City of Menlo Park for an encroachment permit for the levee.

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

Discussion/Comments: None.

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

Discussion/Comments: Director Otte reported on the approval of the design/build process for the Foods Waste Project. He also reported the SVCW General Manager has declared an emergency to repair a leak on the 54-inch forcemain leading to the plant.

13. Closed Session

Entered closed session at 8:56 p.m. Left closed session at 9:08 p.m.

- 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.* –
SMCSC Case No. 18CIV02183

Reportable action: None.

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

Discussion/Comments: None.

15. Adjournment Time: The meeting was adjourned at 9:09 PM

/s/ Roy Thiele-Sardiña
Secretary (pro tem)