



1902 - Serving Our Community for over 110 Years - 2018

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, DECEMBER 12, 2018 AT 7:00 P.M.**

1. Call to Order

President Moritz called the meeting to order at 7:00 PM

Roll Call

BOARD MEMBERS PRESENT: Moritz, Dehn, Thiele-Sardiña, Walker, Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Scott, Ramirez, Choi (for Mr. Condotti), Kitajima

Others Present: Marva Sheehan – HF&H, Jeff Tarantino – Freyer & Laureta,
Gino Gasparino – Recology

2. Communications from the Public: None

3. Public Hearing: Consideration of Proposed Solid Waste/Recycling Collection Rates for the Year 2019

Motion to Open: Dehn 2nd by: Otte Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: None

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

4. Consideration of Resolution to Approve Solid Waste/Recycling Collection Rates Effective January 1, 2019, and adoption of the rates for “Rates for Other Services”, and accept the Solid Waste/Recycling Rate Study 2019

Motion by: Dehn 2nd by: Walker Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: Marva Sheehan outlined the rate study and the need to increase 20 and 32 gallons residential bins near the cost of service.

5. Discussion and Update on FERRF (Flow Equalization and Resource Recovery Facility) Levee Project

Comments: Jeff Tarantino presented an update on the FERRF Levee Project. He outlined the timeline which includes design and permits in 2018 and construction in 2019

6. Consider Authorizing the District Manager to Execute an Amendment for Additional Services to the FERRF Levee Improvement Project Consultant Agreement with Freyer & Laureta, Inc.

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

Comments: Board voted to authorize DM to execute an amendment for additional services for nearly \$60k to the Freyer & Laureta agreement subject to being “approved as to form” by District legal counsel.

7. District Manager’s Report

1. CIP Project:

- a) Belle Haven III CIP construction began July 23. Currently performing pipe-bursting to replace some segments of sewer main. 50% complete.

2. Affiliate Agency/Association News:

- a) **SLAC:** District Staff and Consultant have arranged a phone call on December 14, and a tentative meeting on January 24 to discuss implementation plan for meeting the BMP of the Mandatory Wastewater Discharge Permit Amended November 15, 2018.
- b) **CASA:** Collection System Working Group continuing to meet with the State Water Resources Control Board to incorporate CASA comments into the General Wastewater Discharge Permit that all wastewater agencies operate under for controlling and reporting SSO’s. The District will continue to be involved and provide an update at the Board meeting once a draft WDR is ready.

3. Upcoming Events:

- a) **Board meetings:** January 9, 2019.

4) Misc./Action Items from Previous Meeting:

- a) **SSOs:** Zero SSO for November. Total 4 = 2018
- b) **SLAC:** Meetings to discuss BMPs of discharge permit.

8. Consent Calendar

- A. Approval of Minutes for Regular meeting November 14, 2018
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for December 12, 2018
- C. WBSD Operations and Maintenance Report – November 2018
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – November 2018
- E. Consider to Ratify and Approve Report on District’s Investment Portfolio Including the Transactions of Assets Described Therein as of 11/30/18

Motion by: Dehn 2nd by: Otte Vote: AYE: 5 NAY: 0 Abstain: 0

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: None.

9. Consideration of Adopting the District’s Audited Financial Statements for the Year Ended June 30, 2018

Motion by: Dehn 2nd by: Walker Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: President Moritz reported he and Treasurer Sardina met with auditor to review the Audited Financial Statements. The result of the audit, as stated in the report, indicated there were no deficiencies identified in internal control over financial reporting that were considered to be material weaknesses.

10. Consideration to Approve the Post Audit FY2017-18 Internal Financial Statements & Analysis of Financial Position for the Fiscal Year ending June 30, 2018

Motion by: Dehn 2nd by: Otte Vote: AYE: 5 NAY: 0 Abstain: 0

Comments: None

11. Report and Discussion: Finance Advisory Group

Comments: DM Scott reported that maturities from the Recycled Water Cash Flow account will be moved to LAIF. In addition, monies from the other reserves will be moved in lieu of depleting the Rate Stabilization Fund to avoid incurring penalties and pay \$6.5M for upcoming SVCW bonds payment due Spring 2019. The other reserves will be repaid from the Rate Stabilization Fund as it matures.

13. Discussion and Direction on Recycled Water Projects - Sharon Heights & Bayfront, Including Project Status

Comments: DM Scott reported that the SFPUC permit is in process, construction has begun on influent pump station and the Bayfront Facilities plan draft has been approved by the State of California. Upcoming meetings include: meeting with City of Menlo Park regarding the Bayfront Facilities Plan and a meeting with Sharon Heights Golf Course regarding markup invoice and PG&E easement.

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

Comments: Secretary Dehn reported that the RFQ for Municipal Finance Advisor received a response from 9 firms, 2017 Annual Report complete and now on website. She reported on the Christmas and New Year's Day schedule: Monday pick-ups stay the same, Tuesdays pickups on Wednesday, Wednesday will pick-up on Thursday. Board members from East Palo Alto, San Carlos and Foster City are either stepping down because either they weren't re-elected or completed their terms.

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

Comments: Director Otte reported on the approval of \$95M has been given for the Front of Plant Project and the tunneling machine will be 650 feet along. 3 of the CIP projects include eminent domain.

12. Consider Resolution to Elect to the District Board, President, and Secretary, and Appoint a Treasurer and Consider Appointment of Committee Appointees and Alternates

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

Comments: Officers and appointments effective January 1, 2019: Fran Dehn, President; George Otte, Secretary; Roy Thiele-Sardiña, Treasurer. George Otte, SVCW Commissioner; Ned Moritz, SVCW Alternate; Fran Dehn, SBWMA Board of Directors, David Walker, Alternate SBWMA Board; Ned Moritz and Roy Thiele-Sardiña, Finance Advisory Group; Fran Dehn and Roy Thiele-Sardiña, Recycled Water Advisory Group.

16. Closed Session

- A. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: District Manager & Legal Counsel
Unrepresented Employees: Accountant, Regulatory Compliance Coordinator

- 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.* – SM CSC
Case No. 18CIV02183

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

Entered closed session at 8:41 p.m. Left closed session at 9:59 p.m.

Reportable action: No Reportable action. The Board provided direction to place on next meeting Board agenda both closed and open session DM end-of-year goals and objectives performance compensation.

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

Comments: None

18. Adjournment Time: The meeting was adjourned at 9:59 PM

/s/ George Otte
Secretary