



*1902 - Serving Our Community for over 115 Years - 2021*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE SPECIAL MEETING OF THE DISTRICT BOARD  
WEDNESDAY, AUGUST 18, 2021 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, Treasurer Thiele-Sardiña, Director Moritz (Secretary Pro Tem), Director Otte

BOARD MEMBERS ABSENT: Secretary Walker

STAFF MEMBERS PRESENT: Ramirez, Condotti by Zoom

Others Present: Teresa Herrera & Matt Anderson – Silicon Valley Clean Water (SVCW), Lawrence Chan – Stradling Law, Robert Porr & Lora Carpenter – Fieldman Rolapp.

**2. Communications from the Public: None.**

**3. Consent Calendar**

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

Action:: Amended motion to approve the minutes of July 28, 2021 as corrected.

- A. Approval of Minutes for Regular meeting July 28, 2021 amended
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru July 31, 2021
- C. WBSD Operations and Maintenance Report – July 2021
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – July 2021
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – July 2021
- F. Bank of the West Monthly Investment Portfolio Statements
- G. Consider Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission – 130 Shawnee Pass, Portola Valley (077-033-030), Lands of Mckelvy
- H. Consideration of a Resolution of Intention to Annex Certain Territory (130 Shawnee Pass) to the West Bay Sanitary District On-Site Wastewater Disposal Zone and to Establish the Date and Time of Public Hearing

Motion to Approve by: Moritz 2<sup>nd</sup> by: Thiele-Sardiña Vote: AYE: 4 NAY: 0 Abstain: 0

**4. Consider Approving and Authorizing 2021A and 2021B Wastewater Revenue Notes and two Water Infrastructure Finance and Innovation Act Loans by Approving and Authoring Appendix C in Connection with Issuance and Sale of SVCW 2021 Wastewater Revenue Notes, Approving an Amendment to the Financial Agreement, and Approving the Continuing Disclosure Certificate in Connection with the 2021 Notes**

Motion to Approve by: Otte 2<sup>nd</sup> by: Thiele-Sardiña Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: Teresa Herrera with SVCW presented a summary on the SVCW funding. Matt Anderson with SVCW presented a detailed summary on SVCW debt. The Board approved as stated on agenda item 4.

**5. Discussion and Direction on the 2022 Solid Waste Rate Study Analysis**

Discussion and Direction: District Manager Ramirez gave a presentation on solid waste rates. The Board's consensus was not to perform a new rate study for 2022 and instead use existing data from the 2020 rate study to set new rates. The Board decided to move forward and set a public hearing for solid waste rates for the 2022 calendar year at the next Board meeting.

**6. District Manager's Report**

Discussion: District Manager Ramirez reported that the District did not experience an SSO in July. He also reported that LAFCo has begun the Municipal Services Review process with the City of East Palo Alto, West Bay Sanitary District, and the East Palo Alto Sanitary District. He stated that the Capital Improvement Project on Ringwood Road is close to completion. He updated the Board that San Mateo County informed the District they do not have time to work on the Solid Waste Franchise divestiture due to their level of work involved with Senate Bill 1383. The complete District Manager's written report is in the August 18, 2021 agenda packet

**7. Consider Adoption of Resolution Approving the Audited (Internally) & Updated Sewer System Management Plan (SSMP) and Authorizing Re-Certification of the 2021 S.S.M.P.**

Motion to Approve by: Moritz 2<sup>nd</sup> by: Thiele-Sardiña Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: District Manager Ramirez presented the audited and updated Sewer System Management Plan to the Board for consideration. The Board approved and authorized the SSMP's re-certification.

**8. August 18<sup>th</sup> Update Report on District Response to Corona Virus**

Discussion: District Manager Ramirez reported that an update on the COVID Response Plan is nearly complete and he is contemplating making COVID-19 vaccines mandatory for employees. Board direction was to meet and confer with the union regarding making COVID-19 vaccines mandatory. President Dehn asked District Counsel Condotti to determine the legal options regarding making vaccine booster shots mandatory.

**9. Report and Discussion on Sharon Heights Recycled Water Plant**

Discussion: District Manager Ramirez reported that in July the plant produced and delivered 9 million gallons of recycled water. He also reported that design for the Avy/Altschul Pump Station is moving forward and he would like Board direction on if this should be a District project or Sharon Heights Golf & Country Club project. The Board provided direction to move forward with this project as a District Project in our existing infrastructure.

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

Discussion: District Manager Ramirez reported that the SRF application has been submitted. He also reported that a virtual tour for the National Fish & Wildlife Foundation grant was recently conducted. He also reported that developer meetings are on-going and Signature Group (developer of Willow Village) has asked the District to prepare an equitable memorandum of understanding (MOU) for recycled water. District Manager Ramirez continued to report that after the Willow Village project MOU is signed, he would require a deposit in the amount \$200,000 to \$300,000 in order to move forward with hiring a consultant Project Manager. He also reported HF&H will be submitting an estimate for the Bayfront Recycled Water Financial Plan as requested by the Board.

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

Discussion: Nothing to report.

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

Discussion: Director Otte reported that the Commission recently approved the WIFIA loans and notes.

**13. Closed Session**

Entered closed session at 8:31 p.m. Left closed session at 9:19 p.m.

Reportable action: None.

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR NEGOTIATORS**

Agency designated representatives: District Manager/Legal Counsel

Unrepresented & Exempt employees: Unrepresented Staff

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.* – SMSCS  
Case No. 18CIV02183

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

Comments: None.

**15. Adjournment Time:** The meeting was adjourned at 9:20 PM

/s/ David A. Walker  
Secretary