



*1902 - Serving Our Community for over 110 Years - 2018*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, JANUARY 10, 2018 AT 7:00 P.M.**

**1. Call to Order**

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

**2. Roll Call**

BOARD MEMBERS PRESENT: Moritz, Walker, Dehn, Otte

BOARD MEMBERS ABSENT: Thiele-Sardiña

STAFF MEMBERS PRESENT: Scott, Condotti

Others Present: Tom Carey

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

**5. Consent Calendar**

- A. Approval of Minutes for Regular meeting December 13, 2017
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for January 10, 2018
- C. WBSD Operations and Maintenance Report – December 2017
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – December 2017
- E. Consideration of Authorizing the District Manager to Issue Class 3 Sewer Permit No. 1075 for the Construction of Gravity Sewer Main Line Extension for 109 Santa Maria, Portola Valley, California

Motion by: Dehn 2<sup>nd</sup> by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

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

Comments: None

#### 4. District Manager's Report

##### Comments:

##### 1) CIP Project:

a) Belle Haven II is approximately 99% complete.

##### 2) Affiliate Agency/Association News:

a) **County:** District is working on a proposal to develop an RFP for an analysis of impacts and challenges to transferring the Solid Waste Franchise to the County.

b) **City of Menlo Park:** Board President and RMC presented an update on the Recycled Water project to CMPK Council on December 5.

c) **Town of Atherton:** District Counsel is working on a draft agreement with Town of Atherton to accelerate the District's CIP project to replace the sewer main running through the Town Center. The District will pay for construction costs and the Town will pay for soft costs – engineering and public utility easement acquisition. The main will be relocated toward the south side of the Town campus and will be further away from PD, Town Chambers and the Library.

##### 3) Upcoming Events:

a) Board meetings: Jan 24, February 14 and 28

b) SVCW Bond Public Hearing January 24. Preparation is consuming huge amounts of staff time.

c) Sewer Service Charges workshop on Jan. 24.

##### 4) Misc./Action Items from Previous Meeting:

a) **SSOs:** 5 SSO's in 2017.

b) **Recruitment:** Mr. Heath Cortez, has been promoted from Field Supervisor to newly created position of Operations Supervisor. Interviews for Projects & Engineering Technician, and Source Control Inspector are being scheduled over the next two weeks. Applications received are in the single digits reflecting tight labor market in the Bay Area.

c) **Finance Committee:** The Finance Committee is expected to convene in February to discuss banking and investment options and a debt management policy. Results will be reported back to the Board.

d) **Form 700s:** Email with instructions will be sent out for online NetFiler.

e) **LAIF:** Per direction provided at last Board meeting, \$12M moved to LAIF.

f) **FERRF:** Salt Ponds Restoration Project would like to use facility for project.

##### 5) Resource Sharing:

a) **Town of Los Altos Hills:** 1 SSO in 2016. 3 SSO in 2017. 1 caused by Contractor.

b) **Town of Woodside:** 0 SSO's in 2016. 1 pump station SSO in 2017 (Pump station maintenance performed by others). The District has commenced to provide pump station maintenance by recent amendment to the Collection System Maintenance agreement.

**6. Consider Approval of Public Records Request Policy**

Motion by: Moritz 2<sup>nd</sup> by: Dehn Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: Motion to approve item subject to verification that the provision concerning identification of persons seeking copies of Form 700 is required by the Political Reform Act (later District Counsel confirmed this provision is required).

**7. Consider to Establish Date for Public Hearing for Silicon Valley Clean Water CIP Bond Issuance of \$35,000,000 Allocable to West Bay Sanitary District**

Motion by: Walker 2<sup>nd</sup> by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: DM Scott outlined the requirements for public notice for the public hearing regarding the costs of the bonds. Date set for January 24.

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

Comments: DM Scott reported that Sharon Heights Golf & Country Club will vote on January 11 to approve funds for the project. He expects that the bid will be awarded on January 24 and a notice to proceed will be sent out to the design/build contractor by February 9. DM deposited \$2.6M in maturities from investment portfolio to LAIF as part of recycled water cash flow strategy approved by the Board on December 13, 2017.

**9. Report & Discussion on South Bayside Waste Management Authority (SBWMA) and Negotiations for Restated Franchise Agreement**

Comments: DM Scott to speak to San Mateo County regarding the RFP for the analysis before the next SBWMA Board meeting.

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

Comments: DM Scott reported the SVCW Commission will vote on bonds on January 18 and the District on January 24. He stated that bonds will be issued around February 1 with the District's allocable share of \$35M. Debt service on \$35M will be approximately \$1.8 per year. The 2<sup>nd</sup> quarter of 2019 another \$13M will be issued and 6 months later another issuance will occur with the District's responsibility of \$50M. In addition, in 2020 another \$35M will be issued as part of the District's responsibility.

**11. Closed Session**

A. CONFERENCE WITH LABOR NEGOTIATORS  
(Pursuant to Cal. Govt. Code §54957.6)

Agency designated representatives: District Manager, Legal Counsel  
Employee Organization: Teamsters Local 350

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR  
NEGOTIATORS

Agency designated representatives: Board President/Legal Counsel  
Unrepresented employee: District Manager

- C. **LIABILITY CLAIMS**  
(Cal. Govt. Code §54956.9(d)(2))  
Claim of Chan, McKee, O'Den, Vestrys, Moreno, Pebbles (743 Marsh Road, Menlo Park)
- D. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Cal. Govt. Code §54956.9(d)(2)  
Number of potential cases: One

Entered closed session at 7:50 p.m. Left closed session at 8:31p.m.

Reportable action: DC Condotti reported that the Board voted to direct DM to send notice of rejection for the claim for 743 Marsh Road, Menlo Park and there will be follow up discussion during item 12 on closed session item B.

Motion by: Moritz 2<sup>nd</sup> by: Dehn Vote: AYE: 4 NAY: 0 Abstain: 0

**12. Consider to Approve End-of-Year Goals and Objectives Performance Compensation for the District Manager**

Motion to approve End-of-Year Goals by: Walker 2<sup>nd</sup> by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Motion to approve compensation resolution by : Walker 2<sup>nd</sup> by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: President Moritz reported the Board approved resolution for 16% of DM annual salary for performance compensation.

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

Comments: President Moritz will not be at February 14 meeting and asked if Secretary Dehn if she can serve as President pro-tem. She confirmed.

**14. Adjournment Time:** The meeting was adjourned at 8:40 PM

/s/ Fran Dehn  
Secretary