



1902 - Serving Our Community for over 115 Years - 2021

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, SEPTEMBER 22, 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, Secretary Walker, Treasurer Thiele-Sardiña, Director Moritz, Director Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Ramirez, Hulsmann, Fisher. Condotti by Zoom

Others Present: Jed Riddle – Menlo Country Club, Dave Richardson – Woodard & Curran. Resident EJ Shalaby by Zoom

2. Communications from the Public: None.

3. Public Hearing - Annexing Certain Territory within the West Bay Sanitary District's On-Site Wastewater Disposal Zone – Lands of Oak Hills Ranch LLC (193 Meadow Drive, Portola Valley)

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

Discussion/Comments: None.

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

4. Consideration of Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Oak Hills Ranch LLC (193 Meadowood Drive, Portola Valley)

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

Discussion/Comments: None.

5. **Consent Calendar**

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Regular meeting September 8, 2021
- B. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 193 Meadowood Drive, Portola Valley
- C. Consider Authorizing the District Manager to Consent to the Abandonment of Public Utility Easement at 248 Oakhurst Place, Menlo Park

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

6. **Consider Approving an Agreement with Menlo Country Club and a Resolution Allowing the District Manager to Authorize an Application for a Grant from the State Water Resources Control Board for a Water Recycling Planning Study in Collaboration with Menlo Country Club**

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

Discussion/Comments: District Manager Ramirez reported that on July 28, 2021, the Board approved applying for a planning grant for the proposed Woodside Recycled Water Facility Project in collaboration with Menlo Country Club (MCC) with the understanding that West Bay Sanitary District (WBSD) would not be obligated to construct the recycled water facility. District Manager Ramirez requested two actions:

- 1) Approve the Agreement between WBSD and MCC that arranges for WBSD to participate as a public partner in the planning study.
- 2) Approve a resolution allowing the District Manager to authorize an application for a fifty/fifty grant from the State Water Resources Control Board. The total cost of the work outlined would be \$300,000.

Secretary Walker stated he would like staff to track the deposit and provide a monthly update in the District Manager's Report.

7. **Consider Authorizing District Manager to Submit a Clean Water State Revolving Fund Application for the "Bayfront Recycled Water Facility Project" and Adopt the Reimbursement and Authorizing Resolutions**

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

Discussion/Comments: District Manager Ramirez reported that a Board resolution is required to apply for the \$66.6M SRF loan. He also reported that users of the recycled water facility project would reimburse the District for the SRF loan payments.

8. District Manager's Report

Discussion/Comments: District Manager Ramirez reported that the LAFCo's Municipal Services Review (MSR) is currently underway. He also reported the Capital Improvement Project (CIP) is continuing in easement areas. He continued to report the auditors performing the annual audit would be conducting interviews with selected staff. He also reported that the Finance Advisory Committee would be meeting again in November or December. The complete District Manager's written report is in the September 22, 2021 agenda packet.

9. Discussion and Direction on Solid Waste Rates 2022 Proposition 218 Notice Mailer

Discussion/Comments: District Manager Ramirez presented the 2022 rate chart to the Board for inclusion into the proposition 218 notice. He reported that part of the chart was missing previously. He also reported that commercial customer 2022 rates would not be increasing.

10. Consider to Approve the Financial Statements FY 2020-21, Fourth Quarter Ending 6/30/2021

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

Discussion/Comments: Finance Manager Fisher reported on the Financial Statements Ending June 30, 2021.

11. Report by the Finance Advisory Committee

Discussion/Comments: Director Moritz reported that the Finance Advisory Committee recently met with Bank of the West to receive an update on the District's investments. He also reported that the Committee and staff reviewed the Investment Policy and Resolution, Debt Management Policy, and the new Capitalization Policy.

12. Consider Approving Investment Policy and Resolution

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

Discussion/Comments: None.

13. Consider Approving Debt Management Policy

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

Discussion/Comments: None.

14. Consider Approving Capitalization Policy

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

Discussion/Comments: None.

15. Consider Approving Performance Merit Pay Program for FY2021-2022

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

Discussion/Comments: Operations Superintendent, Bob Hulsmann, reported that new goals were been added to the Performance Merit Pay Program. The first goal is a scanning goal and the other is a Fats, Oils, and Grease Inspection goal. In addition to these new goals, the Sanitary Sewer Overflows (SSOs) goals, for Category 1, 2, and 3, are combined into one goal. The revised goal is to have less than four SSOs in one year, far less than the statewide average of three per 100 miles of pipe. The Board asked to include Recycled Water goals in next year's program.

16. September 22th Update Report on District Response to Corona Virus

Discussion/Comments: District Manager Ramirez reported the District is working on updating the COVID-19 Response Plan. He also reported he is working with legal counsel and the Teamsters union on mandatory COVID-19 vaccinations.

17. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: District Manager Ramirez reported that staff is continuing to work on the design for the proposed Avy Altschul Pump Station. Staff is working with the School District and the City to identify a location for the proposed pump station. He also reported, Sharon Heights Golf & Country Club (SHGCC) would like to formally request the District support an SRF application for the proposed pump station. The Board asked if SHGCC understood that by asking for SRF funding, it would delay the project. District Manager Ramirez stated SHGCC understood there would be delays.

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

Discussion/Comments: District Manager Ramirez reported that the full SRF application is due by September 30, 2021. He also reported HF&H is working on the financial plan and will have the report to the Board in October. He continued to report that District Council Condotti is concluding the Principles of an Agreement for the developers and early contributors to the project. District Manager Ramirez continued to report the Board should consider a bridging contract to bring on a Project Manager for the Bayfront project. The bridging contract would allow the District not to front too much capital early on. He also explained, as soon as the District has a developer agreement, the developers would provide a deposit to pay for a portion of the Project Management Contract. Director Otte suggested this was a good approach in order to continue with the project.

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

Discussion/Comments: President Dehn reported that the J.P.A. board reviewed the compensation study. She also reported that Recology requested reimbursement for COVID-19 related expenses. The item will return for consideration at a future meeting.

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

Discussion/Comments: None.

21. Closed Session

Entered closed session at 9:21 p.m. Left closed session at 9:39 p.m.

- A. CONF. WITH LABOR NEGOTIATORS (Cal. Govt. Code § 54957.6)
Agency designated representatives: District Manager/Legal Counsel
Represented, Unrepresented & Exempt employees

- 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

Reportable action: None.

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

Discussion/Comments: None.

23. Adjournment Time: The meeting adjourned at 9:40 PM

/s/ David A. Walker
Secretary