



1902 - Serving Our Community for over 115 Years - 2021

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, SEPTEMBER 8, 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, Condotti by Zoom

Others Present: All by Zoom: TJ Carter, Joe La Marina and Julia Au – SBWMA, Dave Richardson and Tony Valdivia – Woodard & Curran, Tammy Del Bene – Recology

2. Communications from the Public: None.

3. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Special meeting August 18, 2021 Pg. 3A-1
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru August 31, 2021 Pg. 3B-1
- C. WBSD Operations and Maintenance Report – August 2021 Pg. 3C-1
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – August 2021 Pg. 3D-1
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – August 2021 Pg. 3E-1
- F. Bank of the West Monthly Investment Portfolio Statements Pg. 3F-1
- G. Consideration of Authorizing the District Manager to Consent to the Abandonment of Public Utility Easement at 1701 Bay Laurel Drive, Menlo Park Pg. 3G-1
- H. Consideration of Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1086 for the Construction of Wastewater Facilities for 155 Cherokee Way, Portola Valley, California Pg. 3H-1
- I. Consideration of Accepting Sewer Facilities Constructed Pursuant to Class 3 Sewer Permit No. 1134 for the Sewer Main Extension Required for the Connections of 1525 and 1535 Altschul Avenue, Menlo Park

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

4. Presentation by South Bayside Waste Management Authority (SBWMA) the Implementation of California Senate Bill (SB) 1383 Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions

Discussion/Comments: TJ Carter with SBWMA reported that in November 2020, CalRecycle received a Notice of Approval of Regulatory Action from the Office of Administrative Law (OAL), making SB 1383 Short-Lived Climate Pollutants regulations final and set to go into effect on January 1, 2022. On January 1, 2024, the regulations may require local jurisdictions to impose penalties for noncompliance on regulated entities subject to their authority. Director Moritz shared concerns that SB 1383 will cost the rate payers. He was also concerned about the need to enter into MOUs with the County of San Mateo and SBWMA. Joe La Mariana with SBWMA explained the MOUs will help offset the workload from the District. Mr. La Mariana stated the Board will need to adopt enforcement ordinances and enter into the MOUs to comply with SB 1383. Board consensus was to place the item on the October agenda with a model ordinance and MOUs for the Board's discussion.

5. Presentation by Engineering Consultant, Woodard & Curran on Technical Memorandums for the Bayfront Recycled Water Facility Capital and Operations & Maintenance Costs

Discussion/Comments: Dave Richardson with Woodard & Curran presented the Technical Memorandums to the Board. One identified the Capital cost of construction for the Bayfront Recycled Water Facility and its distribution system and the other identified the ongoing Operations & Maintenance (O&M) cost for the recycled water facility and its infrastructure. Director Walker asked if .6MGD to .8MGD would be large enough to serve the Bayfront Area. Director Otte requested that the team explore the use of solar power when building the facility. The Board's consensus was to explore solar power and proceed with plans to build the facility as long as developers are willing to contribute to the project.

6. District Manager's Report

Discussion/Comments: District Manager Ramirez reported that the LAFCo's Municipal Services Review (MSR) is current underway and the District is compiling the requested information to provide for the report. He stated the District's annual audit is underway. He updated the Board that the Ringwood Ave. CIP project was completed on September 3. He also reported that the Finance Advisory Committee is scheduled to meet on September 14. The complete District Manager's written report is in the September 8, 2021 agenda packet.

7. Consideration to Set a Public Hearing for December 8, 2021 to Review Proposed Solid Waste and Recycling Rates for the Year 2022 and Provide Staff Direction by Minute Order Regarding the Rate Adjustment for 2022 and Mailing of the Proposition 218 Notice for a Public Hearing

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

Discussion/Comments: District Manager Ramirez gave a presentation on the proposed 2022 rates, and reported that the proposed rate increase would generate an additional \$29,235 in revenue. He also reported the proposed rates would bring the cost of service closer to the actual cost for providing the service to the residential 20 and 32 gallons carts. The Board of Directors set the Public Hearing to consider the rate increase for December 8, 2021.

8. Discussion of Cost Sharing and Direction on the Recycled Water Main extension at 100 Terminal Avenue, Menlo Park, CA

Discussion/Comments: District Manager Ramirez discussed partnering with the City of Menlo Park on a recycled water main extension at the proposed Menlo Park Community Center at 100 Terminal Avenue, Menlo Park. Board consensus was to participate in cost sharing in the main installation. The Board would like to know the cost difference between the City installing a private three inch service line versus installing a main extension. The Board does not want to contribute to the full installation of a main extension.

9. September 8th Update Report on District Response to Corona Virus

Discussion/Comments: District Manager Ramirez reported that the District is considering mandatory COVID-19 vaccinations for staff.

10. Report and Discussion on Sharon Heights Recycled Water Facility (SHRWF)

Discussion/Comments: District Manager Ramirez gave an update on the facility and finance options for the proposed Avy Altschul Pump Station.

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

Discussion/Comments: District Counsel Condotti stated that he plans to have principles of an agreement in the form of an MOU with Facebook soon. Board consensus was to bring the MOU for review at a future Board meeting.

12. Consider Authorizing District Manager to Execute the Agreement with HF&H to Conduct a Recycled Water Financial Plan for the Bayfront Recycled Water Facility

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

Discussion/Comments: The Board of Directors authorized the financial plan agreement.

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

Discussion/Comments: None.

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

Discussion/Comments: Director Otte reported that the WIFIA loan is now complete.

15. Closed Session

Entered closed session at 10:03 p.m. Left closed session at 10:24 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.

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

Discussion/Comments: None.

17. Adjournment Time: The meeting was adjourned at 10:25 PM

David A. Walker
Secretary