



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

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, MARCH 24, 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 (by Zoom), Treasurer Thiele-Sardiña, Director Moritz, Director Otte

BOARD MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: District Manager Ramirez, District Counsel, Tory Thompson, with ABC Law by Zoom.

Others Present:

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

**3. Consent Calendar**

Motion to Approve by: Otte 2<sup>nd</sup> by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

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

Comments: District Manager Ramirez explained that the March 10, 2021 Board Meeting minutes in the agenda packet appeared to be in draft form. He continued to explain, the minutes had been corrected and emailed prior to the Board Meeting for the Board's review. The correct minutes were made available during the Board Meeting for approval and signature by the Board Secretary.

- A. Approval of (corrected) Minutes for Regular meeting March 10, 2021
- B. Bank of the West Monthly Investment Portfolio Statements
- C. Consideration to Approve 76 Old Spanish Trail PUE Abandonment

#### **4. District Manager's Report**

Comments: District Manager Ramirez explained that the Finance Manager is working on correcting the quarterly payroll withholdings for the first quarter. Prime Pay, the District's payroll vendor, mistakenly withdrew State Disability Insurance which will be corrected as soon as possible. District Manager Ramirez reported on the draft State Water Board's Waste Discharge Requirement update. He explained, the primary issue in the draft update is an Exfiltration matter where Non-Governmental Organizations are lobbying to add Exfiltration language in the update. West Bay is working with the California Association of Sanitation Agencies to prove exfiltration is a non-issue. District Manager Ramirez reported that he and the General Manager of East Palo Alto Sanitary District (EPASD) had a productive phone conversation regarding serving East Palo Alto developments. District Manager Ramirez explained West Bay is open to discussing a sanitary district boundary adjustment to incorporate a small area of EPASD, if it will help EPASD with capacity related issues. District Manager Ramirez stated the FY20/21 Capital Improvement Project began this week. He shared, photos from the first job site at the intersection of Willow Road and Gilbert Ave in Menlo Park. The contractor will be replacing approximately 2 miles of pipeline this year. The Board expressed concern as to the data, or possible presentations, which are included in the agenda packets. The Board would like to discuss the matter at a later meeting, so that the agenda packets include pertinent information.

#### **5. March 24<sup>th</sup> Update Report on District Response to Corona Virus**

Comments: District Manager Ramirez reported approximately 1/3 of staff is now vaccinated.

#### **6. Report and Discussion on Sharon Heights Recycled Water Plant**

Comments: Staff would like to enter into an agreement for professional services with West Yost to assist with the first Annual Recycled Water Report to the State Water Board. Director Otte suggested that staff reach out to SVCW to see if they would share their annual report template. The Board suggested staff look into solar electricity for the recycled water plant, as well as battery storage.

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

Comments: District Manager Ramirez reported Greystar is interested in joining the project with their Menlo Portal development, as well as the Signature Development Group with the Willow Village project. This effort would supply recycled water to their development projects to assist with sustainability. District Manager Ramirez indicated the need to schedule a Recycled Water Committee workshop to discuss developer agreements, future recycled water code, recycled water purveyor-ship in Menlo Park and other topics related to the Bayfront project. Staff would like input and direction as we continue with the project.

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

Comments: Nothing to report, however, President Dehn mentioned the meeting will be held on March 25, 2021.

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

Comments: Director Otte reported the tunnel boring machine (TBM) has completed approximately 72% of the drilling and should arrive at the plant in late May. Treasurer Thiele-Sardiña asked if SVCW staff has looked into a market for the used TBM once the project is completed.

**10. Closed Session**

Entered closed session at 8:32 p.m. Left closed session at 8:40 p.m.

Reportable action: None.

A. 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.* – SMCSC

Case No. 18CIV02183

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

Comments: The Board would like to include an item to discuss future agenda packets and what should be included.

**12. Adjournment Time:** The meeting was adjourned at 8:42 PM

/s/ David A. Walker

**Secretary**