



1902 - Serving Our Community for over 110 Years - 2019

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, NOVEMBER 13, 2019 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: Dehn, Otte, Thiele-Sardiña, Walker, Moritz (by phone)

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Scott, Condotti, Ramirez, Kitajima, Cortez, Sturman,

Others Present: Roanne Ross-West Yost Associates

Director Edward Moritz participated by phone from:

Cadillac Hotel & Beach Club, Autograph Collection

3925 Collins Avenue

Miami Beach, Florida 33140

2. Communications from the Public: None

3. Presentation on Onsite Reuse Treatment Plant Discharge Permit for Facebook

Comments: Roanne Ross of West Yost Assoc. presented an update on the project that included background, process overview, permit considerations, local limits, requirements for Facebook and the status of permitting.

4. Presentation on #10 Coyote Hill Erosion Project

Comments: Operations Supervisor Heath Cortez reported on the completed project which included drilling for 8-24" stich piers 15 feet deep, installing fabricated rebar cages, installation of 60 feet of 18" storm drain, digging to install 20 feet of 15" drain line and seed area using native grass seed all to stop the slope erosion near the District's sewer main.

5. Report on Commuter Benefits Program

Comments: DM Scott presented the program update to the Board which included total employees participating, number of District vehicles used, net vehicles removed from the road and costs that include FastTrack costs and cost reimbursed to employees year-to-date.

6. Consent Calendar

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: None.

- A. Approval of Minutes for Regular meeting October 9, 2019
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for November 13, 2019
- C. WBSD Operations and Maintenance Report – October 2019
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – October 2019
- E. Consider to Ratify and Approve Report on District’s Investment Portfolio Including the Transactions of Assets Described Therein as of 10/31/19
- F. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 506 Santa Cruz Avenue, Menlo Park
- G. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 949 El Camino Real, Menlo Park
- H. Consider Resolution Authorizing the President and Secretary to Enter into Agreement Creating Covenants Running With the Land for 1125 Merrill Street, Menlo Park
- I. Consideration of Resolution Accepting Deed of Easement for sewer facilities located at 500 El Camino Real, Menlo Park, CA
- J. Consideration of Approving Contract Change Order No. 1 to Ranger Pipelines, Inc. for the Alpine Road Sanitary Sewer Replacement Project in Portola Valley, CA
- K. Consideration of Authorizing District Manager to Enter into an Agreement for Adjustment of Sanitary Sewer Manholes with the City of Menlo Park for the Santa Cruz Avenue and Middle Avenue Street Rehabilitation Project

7. District Manager’s Report

1) Comments: **CIP Project:**

- a. **Belle Haven III:** CIP construction began July 23. 98% complete.
- b. **Bid for Cleaning/TVing Large Diameter lines:** Cleaning costs have skyrocketed and District Manager is working with a contractor to break project into phases and investigating in-house capabilities.
- c. **Coyote Hill Erosion Control Project:** District staff has completed the installation of stitch piers, extended the drainage line through the easement, installed drain inlets, and laid coconut mats for the winter to allow grass seed to take root.

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

- a. **WateReuse:** Waterworks Engineering, Woodard & Curran and District Manager have teamed up to present the Recycled Water Project in a session at the WateReuse Conference in March 2020.
- b. **P3S Conference:** DM and W&C will present on time delay discharge at P3S conference January 28, 2020 in Long Beach.
- c. **CWEA – Advanced Water Treatment Certification Committee:** DM was asked by CWEA to present Dec 9 on the Recycled Water Project – Sharon Heights at a lunch meeting of the AWT certification committee in Pacifica. DM helped organize this committee (Joint committee of CWEA and American Water Works Association (AWWA)) while President of CWEA. Committee has now developed certification requirements for operators running Advanced Water Treatment plants, typically Membrane Bio-Reactors such as the Sharon Heights facility.

3) **Upcoming Events:**

- a. **Board meetings:** Cancel November 27 meeting. Next meeting December 11, 2019.
- b. **Sewer Service Charges Rate Study:** Beginning work on rate study for Board workshop in January

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

- a. **SSOs:** Zero SSO for October. 2019 Total = 4.

8. **Consideration to Approve First Quarter Internal Financial Statements & Analysis of Financial Position as of Quarter End September 30, 2019**

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

Comments: DM Scott presented the report to the Board which included information on: PARS contribution for PERS UAL that was budgeted for \$1M, annual UAL payment that should have been budgeted within the Public Employment Retirement (lump sum) and the need to reduce PARS contribution by approximately \$335K to make annual UAL payment.

9. **Consider to Authorize the District Manager to Negotiate and Execute a Developer's Agreement for the Project at 1540 ECR, Subject to Legal Counsel's Review**

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

Comments: DM Scott discussed the project location and the need for a developer's agreement which will include in the design to have the developer construct an intertie between the northerly and southerly flowing sewer lines on San Antonio. The intertie is beneficial to the District in that it provides a measure of protection from overflow should either of the San Antonio mainlines experience a blockage in the future.

10. **Consideration of Resolution Approving the District's Revised Purchasing Policy and Authorizing the District Manager to Execute a Commercial Card Agreement with Bank of the West for Corporate Credit Cards**

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

Comments: DM Scott reported on the need for a revised purchasing policy and requested approval from the Board to execute a commercial card agreement with Bank of the West for corporate credit cards. The corporate credit cards would assist staff with making payments that were once made by check, saving staff man-hours and reduce the amount of checks to be written, tracked, and reconciled as well as reducing the amount of purchase orders to be written and tracked. Incidents of check fraud should also be reduced thereby saving expenses related to stopping and rewriting checks and coordinating with Bank staff etc.

11. Consideration of Establishing January 8, 2020 as the Date of Public Hearing to Consider a General Regulation Amending the Code of General Regulations for Board Member Compensation

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

Comments: None.

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

Comments: DM Scott gave an update on the Sharon Heights project and presented construction video and aerial drone footage.

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

Comments: President Dehn reported on the combined Board TAC meeting which discussed the long range plan. Operations Superintendent Sergio Ramirez reported on meeting with County of San Mateo and LAFCo in which the County expressed interest in moving forward with taking over the District's solid waste franchise and preparing an MOU. The County is requiring a joint audit of customers with County contractor. There will an upcoming meeting on December 12 to discuss divestiture timeline for assignment and process.

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

Comments: Secretary Otte reported that an emergency has been declared due to a leak in a 66 inch pipe at the treatment plant and will need repair. The Commission will consider the reserve account policy.

15. Closed Session

. 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

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code §54956.9(d)(1)).

Name of Case: *Daniel Child. v. Silicon Valley Clean Water*
(Santa Clara County Superior Court Case No. 19CV355718)

C. PUBLIC EMPLOYMENT
Title: District Manager

Entered closed session at 9:41 p.m. Left closed session at 10:02 p.m.

Reportable action: None

16. Consider to Approve and Authorize the District Manager to Issue a Request for Proposals for Professional Services for Recruitment of the District Manager Position

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

Comments: None.

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

Comments: Next meeting: SVCW presentation and update on Budget.

18. Adjournment Time: The meeting was adjourned at 10:04 PM

/s/ George Otte
Secretary