



*1902 - Serving Our Community for over 110 Years - 2016*

**WEST BAY SANITARY DISTRICT  
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD  
WEDNESDAY, MARCH 23, 2016 AT 7:00 P.M.**

**1. Call to Order**

President Moritz called the meeting to order at 7:01 PM

**2. Roll Call**

BOARD MEMBERS PRESENT: Moritz, Dehn, Walker

BOARD MEMBERS ABSENT: Thiele-Sardiña

STAFF MEMBERS PRESENT: Scott, Condotti

Others Present:

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

**4. District Manager's Report**

**1) CIP Project:**

a) Belle Haven I (Eastside Triangle) is approximately 90% complete.

b) Sausal Vista pump station pipeline, phase I PG&E conduit is installed and contractor working on punch list items. McGuire and Hester to begin Phase II. Break ground anticipated to be May 2016.

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

a) **CWEA:** Annual Conference April 24-29, at Santa Clara Convention Center.

b) **SVCW:** DM and staff working with District Counsel for revisions to JPA.

**3) Upcoming Events:**

**Board meetings:** April 13 and April 27.

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

a) **SSOs:** 1 SSO to date.

b) **SHGCC:** Contract work proceeding. Critical items of an agreement are being ironed out, i.e. cost sharing, O&M costs, guarantee of service etc., more meetings scheduled throughout March and April

c) **CMPK:** Met to continue MOU discussions

d) **OPEB:** Actuarial study due this spring. DM considering establishing a reserve to fund liability <\$100k.

e) **Menlo Gateway Proj:** DM received a request to split the developer's agreement for Menlo Gateway project into three separate agreements.

**5) Resource Sharing:**

a) **Town of Los Altos Hills:** Performed 1<sup>st</sup> round of 12 High Frequency cleaning approximately 20,000 lf.

b) **Town of Woodside:** District assisting with Pump station rehabilitation planning.

c) **Sewer Authority Mid-Coast Side:** Submitted draft FOG program assessment. Submitted a quote for quarterly inspections at their request.

**6) Board Review of DM Report:** DM will facilitate a check items for relevancy within the DM report.

**5. Consent Calendar**

- A. Approval of Minutes for Regular meeting March 9, 2016
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for March 23, 2016
- C. WBSD Operations and Maintenance Report – February 2016
- D. Town of Los Altos Hills Operations and Maintenance Report for Worked Performed by WBSD – February 2016

Motion by: Dehn 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

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

Comments: Item 5A minutes approved as corrected.

**6. Consider General Handling of Board Vacancy and Resignation of Richard Kinder**

Motion by: Dehn 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: Board consensus was to post notice of vacancy and consider new members at the April 27 meeting.

**7. Consideration of Agency Sponsorship for Emerging Water Leaders at California Water Environment Association Annual Conference**

~~Motion by: \_\_\_\_\_ 2<sup>nd</sup> by: \_\_\_\_\_ Vote: AYE: \_\_\_\_\_ NAY: \_\_\_\_\_ Abstain: \_\_\_\_\_~~

Comments: No Vote taken. This item is under the District Manager’s spending authority. Board consensus was to support this sponsorship.

**8. Consideration to Adopt Resolution Pledging Net Revenues of the District Fund to Payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding Program Financing for the West Bay Sanitary District Recycled Water Project – Sharon Heights (the “Project”)**

Motion by: Walker 2<sup>nd</sup> by: Dehn Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: DM Scott explained that this item is re-worded from previous approval and it is now stating “Net Revenues.” DC Condotti confirmed his review of this item and is ok with the new wording.

**9. Consideration to Accept the District's 2015 Performance Measurement Report**

Motion by: Dehn 2<sup>nd</sup> by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: DM Scott presented the highlights of the report which included the reduction of sanitary sewer overflows from 55 in 2008 to 5 in 2015. DM Scott corrected some points on Pages 15, 56 and 60. For next year, Secretary Dehn requested that the number of news articles be broken down between paid and unpaid news publications.

**10. Report: Update & Discussion on Recycled Water Project**

Comments: DM Scott reported on the negotiations with the City of Menlo Park for an MOU; 40 attendees at pre-SOQ meeting; DM Scott met with City of Palo Alto regarding recycled water. DM Scott also informed the Board of the need to increase the current task order agreement with RMC to cover ongoing efforts to develop MOUs with SHGCC, City of Menlo Park and SLAC.

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

Comments: Secretary Dehn reported that Thursday's meeting has been cancelled and the Cities of Belmont and San Mateo have withdrawn from bi-weekly pilot trash collection program.

**12. Report & Discussion on Silicon Valley Clean Water (SVCW)**

Comments: President Moritz presented the District's response letter to SVCW CIP construction schedule for the conveyance system. The Board consensus was to put the letter on the Board agenda for consideration at the next meeting.

**13. Closed Session – WBSD**

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

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

B. **Subsequent Need Item:**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (1 case)  
Significant exposure to litigation pursuant to Cal. Govt. Code §54956.9(b)  
580 Middlefield Road, Menlo Park

Entered closed session at 8:54 p.m. Left closed session at 9:21 p.m.

Reportable action: None

Motion by: Walker 2<sup>nd</sup> by: Dehn Vote: AYE: 3 NAY: 0 Abstain: 0  
Motion to add item 13B as a subsequent need item. DC Condotti explained how this item qualifies as a subsequent need item for closed session discussion since it came to the

Board's attention after the agenda was posted and threatens legal action against the District if a response is not received before the end of March, which is before the next regularly scheduled Board meeting.

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

Comments: Board consensus was to add items on the District's response letter to SVCW CIP construction schedule for the conveyance system

**15. Adjournment Time:** The meeting was adjourned at 9:24 p.m.

/s/ Fran Dehn  
Secretary