



1902 - Serving Our Community for over 110 Years - 2020

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, JUNE 24, 2020 AT 7:00 P.M.**

1. Call to Order

President Dehn called the meeting to order at 7:02 PM

Roll Call

BOARD MEMBERS PRESENT: President Dehn, Secretary Walker, Treasurer Thiele-Sardiña, Director Moritz, Director Otte

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Scott, Ramirez, Condotti by Zoom, Reese, Beyer

Others Present: Rich Laureta

2. Communications from the Public: None.

3. Consider Resolution to Call for Elections – County of San Mateo and Authorize District Manager to Execute Service Agreement for Provision of Election Services with San Mateo County Chief Elections Officer

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

Comments: Office Manager Todd Reese presented information to the Board on the upcoming election on November 3.

4. Consideration To Approve A Letter Of Intent To Be Sent To The Applicable Commercial Facilities For The HACH Maintenance/Service Contract

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

Comments: Water Quality Manager Jed Beyer reported on the need to enter into a service contract with HACH for the maintenance and service of commercial customer's flow meters. President Dehn asked if staff has spoken to the commercial customers affected by this new agreement. Mr. Beyer said he has spoken to one customer and they were receptive to the idea of switching to a service based maintenance agreement. Secretary Walker stated he would like District staff to contact commercial customers with construction currently in progress to let them know about the proposed contract. Item was approved with the motion to only allow developers and contractors to choose between being part of the maintenance contract or seek services on their own. The Board directed Staff not include an option to have District staff maintain commercial customer's flow meters.

5. **Consider Authorizing District Manager to enter into Consultant Agreement for the “Flow Equalization And Resource Recovery Facility Levee Improvements Construction Documents Preparation West Bay Sanitary District” with Freyer & Laureta, Inc**

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

Comments: District Manager Phil Scott reported on the status of the engineering design and CEQA environmental impact report for the project. Secretary Walker inquired as to what would be the outcome if the District did not move forward with this project. Director Otte stated environmental review and improving the habitat is needed if the District expects to move forward with a recycled water treatment plant at this location in the future. Incoming District Manager Sergio Ramirez stated the project would look more favorable when applying for grants if it included the horizontal levee improvements.

6. **District Manager’s Report**

1) Comments: **CIP Project:**

- a. **Cleaning/TVing Large Diameter lines:** Crews are working on cleaning and televising the large diameter sewer lines; 36” From Alpine Road to El Camino Real have been completed. Next segments will be from El Camino Real and Middle Ave to the VA hospital on Willow Road.
- b. **NOP for Levee Improvement Project:** We are in the comment period of the public Notice of Preparation meeting held by Zoom on June 3, 2020; as required for the drafting of the Environmental Impact Report.

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

- a. **CMPK:** Building permit application has been submitted for Metal Building at FERRF and is being reviewed by CMPK. DPW has put in a good word to the Building Department however many of their staff are still working from home. We will continue to work with Menlo Park to issue the District’s building permit.

3) **Operations Superintendent Recruitment:**

- a. **Interviews:** First Round interviews June 25th, Second Round interviews July 1st.

4) **Upcoming Events:**

- a. **Board meetings:** Consider having one Board meeting next month on July the 8th. Goals luncheon on July 29th.

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

- a. **SSOs:** Zero SSO for May. 2020 Total = 0. 12 months in a row w/o SSO.
- b. **LAH:** Zero SSO for May. 1 SSO in 2020.
- c. **Board Inquiry Regarding Revenue:** Staff was asked to look into the apparent revenue projection shortfall through the third quarter ending March 31st. As of June 16th the District received an additional \$10,250,066.69 and is expected to receive approximately \$1,193,000.00 by June 30th from San Mateo County for a total projected revenue of

\$29,987,701.17. This total projected revenue matches the expected Tax roll revenue submitted to the County last July. Director Moritz offered thanks for this information and stated no further report would be necessary in August.

- d. **1540 El Camino Real Project:** Connection fees total \$272,214.50 including a \$25,000 credit to the developer to work on the District's mainline sewer on San Antonio Street.
- e. **Purchase Order Module:** The District will be implementing a purchase order module with existing software to help streamline the approval process and reduce paper.

7. **Consent Calendar**

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: President Dehn offered a clarification on item 14 of the minutes stating that the SBWMA Board agreed to make certain they were insured but opted for a higher deductible in order to reduce insurance costs. At their next meeting the SBWMA Board will consider additional insurance options and may move towards self-insured.

- A. Approval of Minutes for Regular meeting June 10, 2020
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for June 24, 2020
- C. Bank of the West Monthly Investment Portfolio Statements

8. **Consider Adoption Of Resolution Approving Amendment No.7 To The Maintenance Services Agreement Between West Bay Sanitary District And The Town Of Woodside For Sanitary Sewer Maintenance Services for The Town of Woodside And Authorize The District Manager To Execute the Amended Agreement On Behalf Of The District**

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

Comments: None.

9. **Consider Adoption Resolution to Approve Amendment No. 7 to the Agreement for Root Foaming Services with Duke's Root Control Inc., and Authorize the District Manager to Execute Said Amendment**

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

Comments: Incoming District Manager Sergio Ramirez reported that this fiscal year the District does not anticipate using all of the budgeted amount for root foaming because the list included many areas that have been recently rehabilitated and will not need foaming.

10. June 24th Update on District's Corona Virus

Comments: Incoming District Manager Sergio Ramirez reported that in addition to the front office being open to the public Monday – Thursday that we are now open by appointment on Fridays. President Dehn commended the District for being so customer friendly.

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

Comments: District Manager Scott reported that approval is pending from the state on the Sharon Heights project for the operating permit. Staff is working on a solution to an odor issue in the area. The Bayfront SRF application is in progress.

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

Comments: None.

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

Comments: None.

14. Closed Session

Entered closed session at 8:29 p.m. Left closed session at 9:03 p.m.

Reportable action: No reportable action.

- A. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: Board President/Legal Counsel
Unrepresented Employee: District Manager
- B. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: Board President/Legal Counsel
Unrepresented Employee: Finance Manager
- C. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)
Chan, Moreno, Vestnys, Pebbles v. WBSD – San Mateo County Court Case No. 19CIV07567
- D. 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
- E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Cal. Govt. Code § 54956.9(c))
Initiation of Litigation: 1 potential case

15. Consider Adoption of Resolution Establishing Rates of Pay and Related Compensation Provisions and Correct Previous Pay Schedule

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

Comments: None.

16. Consider to Approve Resolution to Hire Retiring District Manager as Transition Coach

Motion to Approve by: Thiele-Sardiña 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: None.

18. Adjournment Time: The meeting was adjourned at 9:07 PM

President Dehn asked the Board to reconvene at 9:09 PM to clarify item 16.

16. Consider to Approve Resolution to Hire Retiring District Manager as Transition Coach

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

Comments: District Manager Scott wished to make it clear to the Board that the wording of the resolution for item 16 includes "RESOLUTION FOR 180-DAY WAIT PERIOD EXCEPTION PURSUANT TO GOVT. CODE §§ 7522.56 & 21224" per CalPERS requirements and the pay rate is \$1111.35/hourly. This information was considered by the Board and passed by all.

18. Adjournment Time: The meeting was adjourned at 9:12 PM

/s/ David Walker
Secretary