



1902 - Serving Our Community for over 115 Years - 2023

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, DECEMBER 13, 2023 AT 7:00 P.M.**

1. Call to Order

President Dehn called the meeting to order at 7:01 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, Fisher, Beyer, Hulsman AND Condotti by Zoom
Others Present: Dave Hilton – HF&H, Kelsey Bradley, Mia Rossi and Chuck Collin – Recology, Paul Pham – Chavan and Assoc.

2. Communications from the Public: None.

3. Public Hearing: Consideration of Proposed Solid Waste/Recycling Collection Rates for the Years 2024 and 2025

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

Discussion/Comments: General Manager Ramirez presented the proposed 2024 and 2025 solid waste rates.

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

4. Consider Resolution to Approve Solid Waste/Recycling Collection Rates and “Rates for Other Services” Effective January 1, 2024 and Effective January 1, 2025

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

Discussion/Comments: The Board approved the two-year rate increase.

5. Public Hearing - Annexing Certain Territory Within the West Bay Sanitary District’s On-Site Wastewater Disposal Zone – Lands of Poute (315 Grove Drive, Portola Valley)

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

Discussion/Comments: None.

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

6. Consider Adopting Resolution Ordering Annexation of Certain Parcels in the Territory of West Bay Sanitary District to the West Bay Sanitary District's On-Site Wastewater Disposal Zone Including Certain Determinations, Findings and Declarations of the District Board – Lands of Poutre (315 Grove Drive Portola Valley)

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

Discussion/Comments: None.

7. Consent Calendar

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Discussion/Comments: None.

- A. Approval of Minutes for Regular meeting November 8, 2023
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru November 30, 2023
- C. WBSD Operations and Maintenance Report – November 2023
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD – November 2023
- E. Town of Woodside Operations and Maintenance Report for Work Performed by WBSD – November 2023 Pg. 7E-1
- F. Consider Authorizing the General Manager to Issue Class 3 Sewer Permit No. 18156 for the Construction of Force Main Extension, and Class 5 Sewer Permit No. 18157 for the Construction of Wastewater Facilities for 115 Sausal Drive, Portola Valley, California
- G. Monthly Investment Portfolio Statements – October 2023
- H. Monthly Investment Portfolio Statements - November 2023
- I. Consideration of Resolution Consenting to Annexation of Territory to the West Bay Sanitary District by the San Mateo County Local Agency Formation Commission- 315 Grove Drive, Portola Valley (079-020-030), Land of Michael William Poutre and Janeen Michelle Poutre
- J. Consider Approving Closing of Tidmarsh Reimbursement Agreement
- K. Consider Resolution Accepting Deed of Easement Pursuant to Class 3 Sewer Permit No. 1624 for the Sewer Realignment required for 358 Walsh Road, Town of Atherton, California
- L. Consider Authorizing the General Manager to Issue Class 3 Sewer Permit No. 18156 for the Construction of Force Main Extension, and Class 5 Sewer Permit No. 18157 for the Construction of Wastewater Facilities for 115 Sausal Drive, Portola Valley, California

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

8. General Manager's Report

Discussion/Comments: General Manager Ramirez reported the Central Square permit system is under implementation. He also reported the Bayfront Improvement Project tree removal was conducted and the pipeline improvements will begin in March of 2024. He continued to report \$54K was received from Public Surplus Auction for the sale of the 2012 Combo Hydro Jetter. He reported District crews replaced 32 feet of sewer main near Chester Ave. and Laurel Ave. He continued to report the District has submitted a Water

Reclamation grant application for \$10M to the United States Bureau of Reclamation. The next regular meetings were scheduled for December 27th and January 10th. The Board's consensus was to cancel the December 27th Board meeting. General Manager Ramirez presented an IT status and plan, update on software as a service (SaaS), and other platforms which will be moving to the cloud. The complete General Manager's written report is in the November 13th, 2023 agenda packet.

9. Discussion and Direction by the Finance Advisory Committee

Discussion/Comments: General Manager Ramirez reported the Finance Advisory Committee met on December 6th to review the annual audit and purchasing policy.

10. Consider Adopting the District's Audited Financial Statements for the Year Ended June 30, 2023

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

Discussion/Comments: Paul Pham, CPA of Chavan and Associates presented highlights of the annual audit.

11. Consider Approving the Financial Statements FY 2022-23, Year Ending 6/30/2023

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

Discussion/Comments: Finance Manager Fisher reported on the FY 2022-23, year ending 6/30/23 financial statements that included cash and investments increasing \$9.6M, assets increasing \$8.2M, liabilities increasing \$2.35M and a change in net position of \$11M.

12. Consider Approving the Financial Statements FY 2023-24, 1st Quarter Ending 9/30/2023

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

Discussion/Comments: Finance Manager Fisher reported on the FY 2023-24, 1st quarter ending 9/30/23 financial statements that included cash and investments decreasing \$8.6M, assets increasing \$184K, liabilities increasing \$188K and a change in net position of - \$19.5K.

13. Consider Approval of the Revised Purchasing Policy and Resolution

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

Discussion/Comments: General Manager Ramirez reported revisions to the policy included updates of staff titles and adding fraud control procedures.

14. Consider Accepting the 2023 Wastewater Collection System Master Plan by V. W. Housen & Associates

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

Discussion/Comments: Vivian Housen of V.W. & Associates presented the draft of the 10-year Master Plan which included a Master Plan summary featuring capacity, the Linear Asset Management Program, a Recycled Water plan, and a Capital Improvement Program. She reported the project purpose was to combine the District's three interdependent

planning studies into a single plan.

15. Consider Authorizing the General Manager to Issue the Call for Bids for the Willow Road Pump Station Project No. 1765.0

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

Discussion/Comments: General Manager Ramirez reported the Willow Pump Station was built in 1981 and the cost to rehabilitate the station is anticipated to be \$860,000.

16. Consider Authorizing the General Manager to Issue the Call for Bids for the Stowe Lane Pump Station Project No. 1764.0

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

Discussion/Comments: General Manager Ramirez reported the pump station was built in the 1950's and rehabilitated in the 1990's. This project requires a complete rebuild with an anticipated construction cost of \$1.6M.

17. Consider Authorizing the General Manager to Enter Into an Agreement for On-Call Geotechnical Observation and Testing Services and Special Inspections with BAGG Engineers for the Flow Equalization and Resource Recovery Facility (FERRF) Levee Improvement Project

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

Discussion/Comments: General Manager Ramirez reported the Levee Project requires third party geotechnical observation, testing and special inspections which cost \$83,066. He also noted that the cost qualifies for the National Fish & Wildlife Foundation grant reimbursement.

18. Consider Accepting Reclaimed Water Facilities Constructed Pursuant to Class 3 Permit No. 1611 at 100 Terminal Ave., Menlo Park (Menlo Park Community Campus), and Accept the Public Utility Easement and Approve the Reimbursement for such Facilities

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

Discussion/Comments: None.

19. Consider Approving an Amendment to Agreement with Woodard & Curran to Prepare a Recycled Water Feasibility Study and Facilities Plan for the Woodside Recycled Water Facility, in collaboration with Menlo Country Club

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

Discussion/Comments: General Manager Ramirez reported the original agreement is for \$300,000 which will be funded by Menlo Country Club and State Water Board. The amendment is for an additional \$12,460 of consultant services that Menlo Country Club has agreed to pay.

20. Consider Resolution to Elect President, and Secretary to the District Board, Appoint a Treasurer and Consider Appointment of Committee Appointees and Alternates

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

Discussion/Comments: The Board re-elected: Fran Dehn, President; David Walker Secretary; Roy Thiele-Sardiña, Treasurer; George Otte, SVCW Commissioner; Ned Moritz, SVCW Alternate; Fran Dehn, SBWMA Board of Directors, George Otte, Alternate SBWMA Board; Ned Moritz and Roy Thiele-Sardiña, Finance Advisory Committee; Fran Dehn and Roy Thiele-Sardiña, Recycled Water Advisory Committee. Appointees for the Strategic Goals Committee will be selected at a later meeting.

21. Report and Discussion on Sharon Heights Recycled Water Plant

Discussion/Comments: General Manager Ramirez reported November production was 7.7MG and 3.7MG were delivered. He also reported the Avy Altschul Pump Station TESCO panel has been installed and PG&E will connect power in January.

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

Discussion/Comments: General Manager Ramirez provided an update on the Levee Improvement Project.

23. Report, Discussion and Direction on South Bayside Waste Management Authority (SBWMA) including Solid Waste Franchise Re-Assignment

Discussion/Comments: General Manager Ramirez reported he met with San Mateo County Sustainability Director Carolyn Bloede regarding the solid waste franchise re-assignment. He informed her of the Board's intention for re-assigning the franchise. General Manager Ramirez will provide her with the District's rate study and financials.

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

Discussion/Comments: Director Otte reported on new limits when using design/build contracts. He also reported on the potable reuse study and on the food to energy program.

25. Consider Authorizing the General Manager to Enter Into an Agreement for Construction Support Services for the Bayfront Park Sanitary Sewer Project in Menlo Park, San Mateo County

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

Discussion/Comments: None.

26. Closed Session

Entered closed session at 11:20 p.m. Left closed session at 11:56 p.m.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of Case: Tony Chan, et al. vs. West Bay Sanitary District – SMCC No. 19 CIV 07567

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

Agency designated representatives: Board President/Legal Counsel

Unrepresented employee: General Manager

Reportable action: None.

27. Consider Approving End-of-Year Goals and Objectives Performance Compensation for the General Manager

~~Motion to Approve by: _____ 2nd by: _____ Vote: AYE: NAY: Abstain:~~

Discussion/Comments: This item was tabled until the regular meeting of January 10, 2024 following a special meeting to be held on January 3, 2024 to discuss the General Manager performance evaluation.

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

Discussion/Comments: None.

29. Adjournment Time: The meeting was adjourned at 12:03 AM

/s/ David A. Walker
Secretary