1902 - Serving Our Community for over 100 Years - 2012

WEST BAY SANITARY DISTRICT
MINUTES OF THE SPECIAL MEETING OF THE DISTRICT BOARD
WEDNESDAY, DECEMBER 5, 2012 AT 7:00 P.M.

1. **Call to Order**

President Shepherd called the meeting to order at 7:00 PM

2. Roll Call

BOARD MEMBERS PRESENT: Shepherd, Walker, Dehn, Moritz, Thiele-Sardiña
BOARD MEMBERS ABSENT: None
STAFF MEMBERS PRESENT: Scott, Condotti, Ramirez
Others Present:

3. Communications from the Public: None

4. District Manager's Report

Comments:

1) **CIP Project:** The CMP (Corrugated Metal Pipe) lining project has begun but progress is currently slowed while waiting for a SamTrans permit approval for the bypass piping across an unused section of railroad tracks.

2) **Vehicle Maintenance Agreement:** The City of Menlo Park approved the vehicle maintenance agreement. The District Board tabled the topic at the October 24 meeting until Staff had a chance to discuss with Menlo Park Planning Department Staff the issue of not receiving a permit for the air conditioner installation due to the City's position that the District has possibly violated the Use Permit with a gate in back of the Admin Bldg. Staff met with the City of Menlo Park planning department staff again on November 19 and is awaiting a response from the City on the acceptability of an alternate parking plan and fence.

3) **Affiliate Agency/Association News**:
   a) **SBWMA:** A new Vice Chair, has been selected, Jay Walters from San Carlos. Jay will replace Jesus Nava who recently accepted a position with Santa Clara Water District. Also, Redwood City will be asking each SBWMA member agency if a member of their elected body would like to serve on a task force of elected officials to look at the governance structure, identify options, and confirm the purpose and mission of SBWMA.
   b) **SBSA:** FEF negotiation update – DM and SBSA General Manager are developing list of topics to be included within an agreement and subsequently negotiated and agreed upon.
   c) **HomeServe USA:** A cover letter has been developed explaining the District's role in the insurance program and progress is being made on the marketing brochure. We are working on the Website link and providing the database for customer addresses.

4) **Upcoming Events**: CASA mid-year conference in January 16-18, 2013, Indian Wells. Washington DC conference February 25 – 27, 2013. Newport Beach, April 24-26, 2013.

5) **Misc/Action Items from Previous Meeting**:
   a) **SSOs:** 1 in Nov. 2012 = 10. We have had three Zero months this year. Cost of SSO response has dropped from $34,000/year in 2007 to only $6,400/year in 2012.

b) **Appointment of District Officers**: Since no election of the District Board occurred this year the DM has not scheduled an Election of Officers. The Board confirmed their preference to keep things status quo regarding the Officers now serving until next year.

6) **Rainfall**: The collection system held up quite well during the rainfall last week which totaled approximately 3.56 inches from November 27 through December 4. Smart Covers and flow meters detected areas of pipe surcharging but did not result in any overflows. Surcharging is believed to have been a result of manhole lids being opened to drain flooded streets. DM wrote an article for the website and contacted local Public Works Directors to ask for their support in passing the message to refrain from opening manholes to drain flooded streets.

7) **Future Agenda Items**:
   a) **Dec 19 –** Pub Hearing on Solid Waste Rates and possibly Vehicle Maintenance agreement.

5. Consent Calendar

A. Approval of Minutes for Regular Meeting of November 14, 2012

B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for December 5, 2012

C. Consideration of Authorizing the District Manager to Issue Class 3 Sewer Permit No. 1011 for the Construction of Wastewater Facilities for Facebook West Campus located at Hamilton Avenue and Willow Road, Menlo Park, California and Authorize the District Manager to Execute an Agreement with Giant Properties LLC to Replace Certain District Wastewater Facilities

Motion to approve 5A & 5B by: Dehn 2nd by: Moritz Vote: AYE: 5 NAY: 0 Abstain: 0

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: DM pulled 5C to explain the details of the revised agreement with Facebook Inc. The agreement was to allow Facebook to utilize the Flow Equalization Facility in case of high salinity levels during groundwater extraction. In exchange for using the FEF, Facebook would install an additional segment of pipeline on Hamilton. Moritz indicated he would support a motion to approve 5C provided the agreement would not be executed until the District Counsel approved as to form. DM gave the Board his assurance that this would be the case.

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

6. Consideration of Resolution to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the District Board West Bay Sanitary District

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

Comments: None

7. Consider Adoption of Resolution Establishing Rates of Pay and Related Compensation Provisions and Approve Reorganization of Staff Positions

Motion by: Sardina 2nd by: Shepherd Vote: AYE: 4 NAY: 1(Moritz) Abstain: 0

Comments: President Shepherd provided some background for the reorganization of having the Information Technology Analyst report to the Projects Manager since the Projects Manager has more technical experience in IT than the DM. As the reorganization of having IT report to the Projects Manager is a six month trial, the Board requests the DM bring this topic (reorg and salary increase) for review at the Board Budget Workshop next spring to decide whether to continue on a permanent basis. Treasurer Moritz was not convinced of the need to increase the salary for the Projects Manager taking on this duty. He understood the need for the reorganization but thought that any salary increase should only come after the manager demonstrated his capabilities with this assignment.

8. Report on Investment Portfolio

Comments: Treasurer Moritz explained the District is making 2.16% return on investments through the Bank of the West Investment Management which exceeds the return on LAIF of 0.38%. Shepherd commented that SBSA was also invited to attend the Investment Portfolio update meeting to learn how we manage investments with Bank of the West. Bank of the West also confirmed that the current financial atmosphere is conducive for issuing municipal bonds.

9. CLOSED SESSION – WBSD

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND SALARY NEGOTIATIONS (Government Code §54957)
Title: District Manager

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code §54956.8)
Property: 1700 Marsh Road, Menlo Park, CA
Negotiating Parties: West Bay Sanitary District
Under Negotiations: Price

Entered closed session at 8:00 p.m. Left closed session at 9:45 p.m.

Reportable action: No reportable action

10. Comments or Reports from Members of the District Board

Comments: Director Sardina requested that staff send Outlook meeting evites for the Board meetings so the 2nd and 4th Wednesday Board meetings could be automatically scheduled on Board member calendars.

11. Consider Items to be Placed on Future Agenda

1. Director Dehn requested that the DM bring a sample of a SMART goal to a future Board meeting.

12. Adjournment Time: The meeting was adjourned at 9:47 p.m.

/s/ Fran Dehn
Secretary of the District Board (Pro Tem)