



1902 - Serving Our Community for over 110 Years - 2020

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, JANUARY 8, 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: Dehn, Otte, Walker, Moritz

BOARD MEMBERS ABSENT: Thiele-Sardina

STAFF MEMBERS PRESENT: Scott, Ms. Hall

Others Present: None

2. Communications from the Public: None

3. District Board of Directors: Swearing in of Board Members and Officers

Comments: DC Hall presented the Oath of Office to the Board Members in attendance.

4. Public Hearing: Consider a General Regulation Amending the Code of General Regulations for Board Member Compensation

Motion to Open by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: None.

Motion to Close by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

5. Consider a General Regulation Amending the Code of General Regulations for Board Member Compensation

Motion to Approve by: Walker 2nd by: Moritz Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: DM Scott reported the last Board increase was in April 2018. The Board is eligible for a 5% increase. Board consensus was to increase compensation slightly under the 5% to \$230.00 per meeting.

6. District Manager's Report

1) CIP Project:

- a. **Belle Haven III:** CIP construction began July 23. 98% complete.
- b. **Cleaning/TVing Large Diameter lines:** Staff has ordered new heavy duty cleaning nozzle and large tractor for camera for televising large lines. Crews have begun cleaning and tving some of the smaller of the large diameter lines but will be limited until the new equipment arrives.

2) Affiliate Agency/Association News:

- a. **CWEA P3S Conference:** DM and W&C will present on time delay discharge at P3S conference January 28, 2020 in Long Beach.
- b. **WaterReuse– San Francisco Conference:** DM was asked to join West Yost Associates to present a paper on the Onsite Reuse Treatment Plant discharge permit process on March 6, 2020.
- c. **City of Menlo Park:** Met with the City regarding Bayfront Recycled Water project and they also discussed the Onetta Harris Community will be remodeled and an easement will need to be vacated for the project.

3) Upcoming Events:

- a. **Board meetings:** Next meeting January 22, 2020.
- b. **Sewer Service Charges Rate Study:** Rate study Board workshop scheduled for January 22, 2020.

4) Misc./Action Items from Previous Meeting:

- a. **SSOs:** Zero SSO for December. 2019 Total = 4. 7 months in a row w/o SSO.
- b. **O&M's Annual:** DM Scott presented the O&M for 2019 for the District and work in Town of Los Altos Hills.

7. Consent Calendar

Motion to Approve by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: None.

- A. Approval of Minutes for Regular meeting December 11, 2019 Pg. 7A-1
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for January 8, 2020 Pg. 7B-1

8. Consideration of Authorizing District Manager to Enter into an Agreement for Flow Monitoring Services by V&A Consulting Engineers, Inc

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: DM Scott reported that this agreement will aid the hydraulic model program data.

9. Consideration of Establishing February 12, 2020 as the Date of Public Hearing to Consider a General Regulation Amending the Code of General Regulations for Section 406. Backflow Prevention Devices and Section 901. Sewer Connection Charges (03) Charges by Type of Connection – Accessory Dwelling Unit

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: DM Scott discussed the need for a District Code update due to recent California legislation on ADU connection fees and recent litigation regarding the requirements of Backflow Prevention Devices.

10. Report by the Finance Advisory Group

Comments: Director Moritz reported on the recent meeting with Bank of the West. He reported that currently LAIF has a higher interest rate and more liquidity. A cash flow spreadsheet forecast to 2024 has been developed by DM Scott and FM Sturman that includes all major expenditures. He stated the spreadsheet will be a great tool going forward.

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

Comments: DM Scott reported on the Sharon Heights and Bayfront Recycled Water Projects. A purveyor map for the Bayfront Project is being developed with the City of Menlo Park. They also discussed long-lasting options for the easements and land for the Bayfront FERRF levee improvement and Bayfront Recycled Water Project. DM Scott expects to be complete with the Sharon Heights Recycled Water Project by the end of March.

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: Director Otte reported the CIPs are moving forward on schedule. Four leaks that were found under the treatment plant have been repaired and some of the pipes were up to 40 years old.

14. Closed Session

- A. 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/CONF. WITH LABOR NEGOTIATORS
Agency designated representatives: Board President/Legal Counsel
Unrepresented employee: District Manager

- C. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: District Manager & Legal Counsel
Unrepresented & Exempt Employees

- D. 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

Entered closed session at 8:04 p.m. Left closed session at 8:40 p.m.

Reportable action: None.

15. Consider to Approve End-of-Year Goals and Objectives Performance Compensation for the District Manager

Motion to Approve by: Moritz 2nd by: Otte Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: President Dehn reported Board consensus is to approve a resolution for 20% of DM annual salary for 2019 performance compensation.

16. Consider to Authorize the District Manager to Negotiate and Execute a Professional Services Agreement for Recruitment of the District Manager Position, Approved as to form by District Legal Counsel

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 4 NAY: 0 Abstain: 0

Comments: DM Scott reported that four proposals have been received from Avery & Assoc., CPS HR Consulting, Alliance Resource Consulting and Koff & Assoc. DM Scott reported on the highlights of each proposal and the Board discussed the pros and cons of each. Board consensus was to move forward with Avery & Assoc. for the upcoming District Manager recruitment.

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

Comments: Director Moritz requested closed session items on DM housing for the next DM as well as DM retired annuitant for future Board meeting.

18. Adjournment Time: The meeting was adjourned at 9:06 PM

/s/ George Otte
Secretary (pro tem)