



1902 - Serving Our Community for over 110 Years - 2020

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, MAY 13, 2020 AT 7:00 P.M.**

1. Call to Order

President Dehn called the meeting to order at 7:37PM

Roll Call

BOARD MEMBERS PRESENT: Dehn, Walker, Thiele-Sardiña, Otte, Moritz

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Scott, Ramirez, Kitajima. Condotti by Zoom

Others Present:

2. Communications from the Public: None.

6. Consider Resolution to Approve Amendment to Agreement for Engineering Design Services from Freyer & Laureta, Inc. for the North Bay Road and North Palo Alto Project Areas (2019 – 2020) for Additional Services and Amend the Ten Percent Contingency Allocated for Additional Work on an As-Needed Basis

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

Comments: None.

7. Consideration of Resolution Accepting Deed of Easements Subject to Legal Counsel Review and Quit Claim of Unused Easements for the Recycled Water Treatment Facility at Sharon Heights Golf & Country Club

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

Comments: None

3. District Manager's Report

1) Comments: CIP Project:

a. **Design work continuing on FERRF Levee Improvement and 2020 CIP**

b. **Cleaning/TVing Large Diameter lines:** Crews are working on cleaning and televising the large diameter sewer lines; finding substantial amounts of grit. 36" on Sand Hill Road completed.

2) Affiliate Agency/Association News:

a. **CMPK:** Building permit application has been submitted for Metal Building at FERRF and is being reviewed now by CMPK.

b. **County:** The County confirmed that Tax Roll payments to the District will remain on time in spite of the relaxing of tax payment deadline. April payment has been received.

3) **Upcoming Events:**

- a. **Board meetings:** Regular Board meeting May 27
- b. **Water Quality Supervisor:** Scheduled to start on May 18.

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

- a. **SSOs:** Zero SSO for April. 2020 Total = 0. 11 months in a row w/o SSO.
- b. **LAH:** Zero SSO for April. 1 SSO in 2020.
- c. **SSC Rate Study:** was revised to incorporate Boards suggestion to explain why capital projects related to District buildings and vehicles were reduced in FY 20-21 Budget cycle.

4. **Consent Calendar**

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

CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR

Comments: None.

- A. Approval of Minutes for Regular meeting April 22, 2020 Pg. 4A-1
- B. Approval of the Withdrawal Order Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters for May 13, 2020 Pg. 4B-1
- C. WBSD Operations and Maintenance Report – April 2020 Pg. 4C-1
- D. Town of Los Altos Hills Operations and Maintenance Report for Work Performed by WBSD April 2020 Pg. 4D-1

5. **Consideration of Accepting Work by Ranger Pipelines for the Alpine Road Sanitary Sewer Replacement Project and Authorizing the District Manager to File the Notice of Completion**

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

Comments: None.

8. **Consideration to Accept the District's 2019 Performance Measurement Report**

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

Comments: DM Scott outlined the highlights of the report which included a vast majority of measures rated "Satisfactory" or above. There were zero District category 1 SSOs in 2019, newspaper articles increased to 7 in 2019 and 0% of measures rated "Unsatisfactory."

9. Consider Resolution to Call for Elections – County of Santa Clara

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

Comments: DM Scott outlined the need for this item due to the requirement of the County of Santa Clara for the Board to call for elections on November 3 for the three Board member positions whose terms expire in 2020.

10. Consideration of Adopting Resolution Honoring the Service of Phil Scott to the District

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

Comments: This item was approved with the condition that additional language will be added into the resolution and sent to DC Condotti for review and distribution to Board Members for approval.

11. Consider Resolution to Approve Amendment 2 to the Consultant Agreement for Recycled Water Project Management Phase B Dated March 14, 2017

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

Comments: DM Scott reported that Amendment 2 to the consultant agreement would be in the amount of \$65,842 and would be included in the SRF loan amount.

12. Consideration of Revising Electronic Board Packet Guidelines

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

Comments: DM Scott presented a plan for revised guidelines that included tablets amortized over 24 months, \$25 minimum purchase value and pricing of \$700 to \$1100 with 3% inflator.

13. May 13th Update on District's Corona Virus

Comments: DM Scott reported that office hours and work from home schedules will be transitioning back to normal. The District administrative office will re-open on a limited schedule on Tuesdays and Thursdays.

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

Comments: DM Scott reported that the ribbon cutting is postponed due to the COVID 19 shelter in place and no new date has been selected. Operations permits for bioassay is in process. The on-boarding of the new Chief Plant Operator will start on May 18. For Bayfront Recycled Water Project DM Scott is continuing discussions with City of Menlo Park and Signature Development. Board directed DM Scott to move ahead with obtaining a proposal to submit an SRF application for the Bayfront Recycled Water Project.

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

Comments: President Dehn reported that SBWMA will be moving the budget from a fiscal year to a calendar year. This year they will approve a 6 month budget July – December and a January – December budget thereafter and work in tandem with the creation of both the budgets this year.

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

Comments: Director Otte reported the next meeting is on Monday, May 18.

17. Closed Session

- A. CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Cal. Govt. Code §54957.6) Agency designated representatives: Board President/Legal Counsel
Unrepresented Employee: District Manager
- B. PUBLIC EMPLOYMENT
(Pursuant to Cal. Govt. Code §54957)
Title: District Manager Recruitment & Employment Agreement
- 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

Entered closed session at 9:02p.m. Left closed session at 9:46p.m.

Reportable action: None.

18. Consideration of Resolution Authorizing the President and Secretary of the District Board to Enter into Employment Agreement Between the West Bay Sanitary District And New District Manager

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

Comments: DC Condotti reported that the Board has engaged in an extensive statewide recruitment process for replacement of retiring District Manager, Phil Scott. After an extensive process the Board has made the selection of Sergio Ramirez as new District Manager as of July 1, 2020. The Board is prepared to consider Sergio Ramirez's employment agreement the terms of which are set forth in a document that is available upon request under the California Public Records Act to members of the public. DC Condotti recommends that the Board take action on the resolution.

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

Comments: None.

20. Adjournment Time: The meeting was adjourned at 9:50 PM

/s/ David Walker

Secretary