



1902 - Serving Our Community for over 120 Years - 2026

WEST BAY SANITARY DISTRICT

AGENDA OF BUSINESS

REGULAR MEETING OF THE DISTRICT BOARD

WEDNESDAY, JULY 8, 2026 AT 7:00 P.M.

**RONALD W. SHEPHERD ADMINISTRATION BUILDING,
500 LAUREL STREET, MENLO PARK, CALIFORNIA 94025**

Board Members

Fran Dehn, President
David Walker, Secretary
Roy Thiele-Sardiña, Treasurer
Edward P. Moritz, Member
George Otte, Member

General Manager

Sergio Ramirez

District General Counsel

Anthony Condotti, Esq.

AGENDA OF BUSINESS

To participate by telephone or Zoom meeting, public comments can be made by joining Zoom meeting at:

<https://us06web.zoom.us/j/87312181441?pwd=6h81Ss0YkTFO5zzuHqObGFknTbEhqB.1>

Meeting ID: 873 1218 1441 Passcode: 559090

1. Call to Order and Roll Call
2. Communications from the Public
3. Consent Calendar

Matters listed under this item are considered routine and will be enacted by one motion. The motion, seconds, and vote are applicable to any included resolutions and recorded accordingly. There will be no separate discussion of these items unless specifically requested by a member of the Board.

A.. Approval of Minutes for Regular meeting June 24, 2026 Pg. 3A-1
4. Update, Discussion and Direction on Collection of Unpaid Fees Associated with Accessory Dwelling Units Pg. 4-1
5. Public Hearing: Consider Approving Resolution Confirming Tax Roll Report on Sewer Service Charges for the Fiscal Year 2026/2027 Pg. 5-1
6. Consider Approving Resolution Confirming Tax Roll Report on Sewer Service Charges for Fiscal Year 2026/2027 Pg. 6-1
7. General Manager's Report Pg. 7-1

8. Consider Adoption of a General Regulation Amending the Code of General Regulations Table of Contents, Article I, Section 103, Subdivision (2) "The Capital Assets Fund," Article I, Section 105 "Definitions," Article VIII, Section 701 "Pre-existing Discharges," Article VIII, Section 710 "Payment of Permit Fees," Article IX Section 900, Subdivision (3) "Residential Customers Sewer Service Charge, and Article IX, Section 901, Subdivision (3) "Charges by Type of Connection." Pg. 8-1
9. Consideration of Resolution Authorizing President and Secretary of the District Board to Enter into Reimbursement Agreement for \$83,892.50 Between the Amar Goel and Komal Goel, Trustees of The Birchwood Trust and the West Bay Sanitary District Pg. 9-1
10. Consider Resolution Accepting Deed of Easement Pursuant to for the Construction of Sewer Main for 175 Britton Avenue, Town of Atherton, California Pg. 10-1
11. Establish July 22, 2026, as the Date of a Public Hearing to Consider Amending the Code of General Regulations for Board Member Compensation Pg. 11-1
12. Consider Adopting Resolution Honoring the Service of Jed Beyer to the District Pg. 12-1
13. Discussion and Direction on Sharon Heights Recycled Water Facility Pg. 13-1
14. Discussion and Direction on Bayfront Recycled Water Project and Status Update Pg. 14-1
15. Report, Discussion, and Direction on RethinkWaste (SBWMA) Pg. 15-1
16. Report and Discussion on Silicon Valley Clean Water (SVCW) Plant Pg. 16-1
17. Closed Session
 - A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to Cal. Gov't. Code §54956.9(d)(2):
(1 potential case)
 - B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Govt. Code § 54956.9(d)(4)
(1 potential case)
 - C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Unrepresented employee: General Manager
18. Comments or Reports from Members of the District Board and Consider Items to be Placed on Future Agenda
19. Adjournment

The West Bay Sanitary District does not discriminate against persons with disabilities. Upon request, the agenda and agenda packet can be provided in a format to accommodate special needs. If you require a copy of the agenda or related materials in an alternative format to accommodate a disability, or if you wish to attend this public meeting and will require special assistance or other special equipment, please call the District at (650) 321-0384 at least five days in advance and we will make every reasonable attempt to provide such an accommodation.



1902 - Serving Our Community for over 120 Years - 2026

**WEST BAY SANITARY DISTRICT
MINUTES OF THE REGULAR MEETING OF THE DISTRICT BOARD
WEDNESDAY, JUNE 24, 2026 AT 7:00 P.M.**

1. Call to Order

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

Roll Call

BOARD MEMBERS PRESENT: President Dehn, Secretary Walker, and Director Moritz
BOARD MEMBERS ABSENT: Treasurer Thiele-Sardiña and Director Otte
STAFF MEMBERS PRESENT: Heydari, Ramirez, Condotti, Chu, and Reese by Zoom
Others Present: Also, via Zoom; Laurie Wingate, Michael Miller, and Arden Marquis

2. Communications from the Public: None

3. Discussion and Direction on Collection of Unpaid Fees Associated with Accessory Dwelling Units

Comments: General Manager Ramirez reported that the ADU Sewer Service Charge Rate Study is underway, with results from HF&H expected in September. The study will consider water usage and loadings and will include agencies that charge different rates as well as those that charge the same rate as Single Family Dwelling.

Laurie Wingate expressed appreciation that the rate study is underway and that the collection of ADU sewer service charges has been placed on hold. She stated that she and her husband, Mark Chanler, feel their comments and concerns were heard regarding ADUs and proportionality, presented to the Board on May 27, 2026.

4. Consent Calendar

Matters listed under this item are considered routine and will be enacted by one motion. The motion, seconds, and vote are applicable to any included resolutions and recorded accordingly. There will be no separate discussion of these items unless specifically requested by a member of the Board.

- A. Approval of Minutes for Regular meeting June 10, 2026
- B. Approval of the Financial Activity Report Authorizing Payment of Certain Bills and Salaries and Consideration of Other Financial Matters thru May 31, 2026
- C. Approve Amendment No.12 to the Maintenance Services Agreement Between West Bay Sanitary District and the Town of Woodside for Sanitary Sewer Maintenance Services
- D. Consider Resolution Accepting Deed of Easement Pursuant to Class 5 Sewer Permit No. 18368 for the Construction of Wastewater Facilities for 350 Grove Drive, Portola Valley, California
- E. Consider Accepting Wastewater Facilities Constructed Pursuant to Class 3 Sewer Permit No. 18369 and Class 5 Permit No. 18368 for the Construction of Wastewater Facilities for 350 Grove Drive, Portola Valley, California

Motion to Approve by: Walker 2nd by: Moritz Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: None.

5. General Manager's Report

Comments: General Manager Ramirez reported on the City of Menlo Park permit issues, Santa Clara LAFCO conducting a Municipal Services Review, the ongoing Multi-family flow and loading study, and on a presentation scheduled for July 22 regarding Operations and Maintenance.

The next Board meetings are scheduled for July 8 and July 22, and the District will schedule a meeting regarding Bayfront.

6. Consideration Authorizing the General Manager to Issue the Call for Bids for the District's Capital Improvement Project- Gabarda Easement Sewer Replacement Project No. 1775.0

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: None.

7. Consider Approving Resolution Adopting FY 2026-27 Budget

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: Finance Manager, Vivian Chu, presented Budget highlights which included:

Revenue

- Revised Sewer Service Charges revenue increased by \$3.7 million (10%).

Personnel Costs

- The salary adjustment was revised to 3.8% to align with the Consumer Price Index as of April 2026. As a result, salaries and benefits expenses increased by \$31K compared to the budget workshop version.

Operating Expenses

Adjustments made to several expenditure categories. Compared to the budget workshop budget:

- Contract Services decreased by \$224K (17%).
- Professional Services decreased by \$458K (28%).
- Rent and Leases decreased by \$152K (17%).
- Other Operating Expenses decreased by \$29K (4%).

Total Operating Expenses decreased by \$833K (2%).

Investment Income

- Investment income was revised to \$1.0 million to reflect a more conservative estimate based on declining interest rates.

As a result of the above changes:

- Change in Net Position increased by \$4.5 million (33%) compared to the budget workshop budget.

Mid-Year Budget Adjustment

During the last Finance Committee meeting, the Committee recommended that the District conduct a mid-year budget adjustment to review and update the budget based on actual expenditures during the first half of the fiscal year. This review is anticipated to occur at the end of January 2027 or in

early February 2027.

8. Consider Adopting Resolution Establishing Rates of Pay and Related Compensation Provisions

Motion to Approve by: Walker 2nd by: Moritz Vote: AYE: 3 NAY: 0 Abstain: 0

Comments: General Manager Ramirez reported per CPI and MOU contract, salaries will increase 3.8% on July 1. He also reported that temporary Engineering Interns have been added to the salary schedule.

9. Consider Approving an Amendment to the Agreement with the Atchison, Barisone, and Condotti Law Firm

Motion to Approve by: Moritz 2nd by: Walker Vote: AYE: 3 NAY: 0 Abstain: 0

Discussion/Comments: General Manager Ramirez reported this is the first increase since 2016, besides CPI increases. The new rate will be \$375 per hour compared to SVCW's new attorney's rate of \$500 per hour.

10. Discussion and Direction on Sharon Heights Recycled Water Facility

Discussion/Comments: General Manager Ramirez reported the solar project is moving forward.

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

Discussion/Comments: General Manager Ramirez reported HF&H is revising the recycled water rate study and will present it to the Finance Committee in July. On July 22 the full Board will review the study and set the public hearing for September.

12. Report, Discussion, and Direction on RethinkWaste (SBWMA)

Discussion/Comments: President Dehn reported on an emergency meeting which was held to approve the insurance policy.

13. Report and Discussion on Silicon Valley Clean Water (SVCW) Plant

Discussion/Comments: General Manager Ramirez reported there will be a Technical Committee meeting in Belmont on June 25th.

14. Closed Session

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to Cal. Gov't. Code §54956.9(d)(2):
(1 potential case)

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Govt. Code § 54956.9(d)(4)
(1 potential case)

Entered closed session at 8:11 PM Left closed session at 8:58 PM

Reportable action: None.

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

Discussion/Comments: None.

16. Adjournment Time: The meeting was adjourned at 8:59 PM

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WEST BAY SANITARY DISTRICT AGENDA ITEM 4

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Update, Discussion and Direction on Collection of
Unpaid Fees Associated with Accessory Dwelling Units*

Staff will present an update on the collection of unpaid Sewer Service Charges and Connection Fees associated with ADUs.

Report to the District Board for the Regular Meeting of July 8, 2026

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WEST BAY SANITARY DISTRICT AGENDA ITEM 5

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Public Hearing: Consider Approving Resolution Confirming Tax Roll Report on Sewer Service Charges for Fiscal Year 2026/2027*

Background

Pursuant to Article IX; Section 900 (10) of the General Code of Regulations, the District collects annual sewer service charges (SSCs) on the tax roll of the County of San Mateo at the same time as property taxes, assessments and other charges collected thereon by the County.

The General Manager shall prepare and file with the District Secretary on or before the 15th day of July a written report containing a description and the SSC amount for each parcel receiving sewer service. Then the District shall cause notice of a time and place of hearing to consider any objections or protest to the sewer service charges.

On September 10, 2025 the District Board held a public hearing to establish SSCs for fiscal year 2026/2027 in accordance with Proposition 218. The established SSC for fiscal year 2026/2027 is \$1,512 for a single-family residence (SFR) and \$2,577 for SFRs within the On-site Wastewater Disposal Zone (OWDZ). Non-residential users are calculated based on water consumption and type of use so charges will vary, but no non-residential user shall be charged less than the established SFR.

On May 27, 2026, the District Board established July 8, 2026 at 7:00 pm as the date and time of the Public Hearing to consider any objections or protest to the sewer service charges to be collected on the tax roll for Fiscal Year 2026/2027.

Analysis

After closing the Public Hearing, the Board is asked to adopt the "Resolution Confirming Report on Sewer Service Charges for FY 2026/2027", which states that objections and protests against the report were not made by the owners of a majority of the properties against which charges were fixed at the Public Hearing held July 8, 2026. The Resolution further states that the charges will be collected on the FY 2026/2027 tax roll.

Fiscal Impact

The estimated budget annual SSC revenues for Fiscal Year 2026-2027 are \$40,300,000.00; based on SSC and Commercial accounts' water usage data for calendar year 2025. The final report anticipates revenues to be \$39,903,987.02 this total includes \$207,360 flow meter pass-through charges for specific commercial customers and excludes certain ADU fees from original tax roll estimates.

Recommendation

Following the closure of the Public Hearing, the General Manager recommends, the District Board adopt the Resolution Confirming Report on Sewer Service Charges for Fiscal Year 2026-2027.



WEST BAY SANITARY DISTRICT AGENDA ITEM 6

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Consider Approving Resolution Confirming Tax Roll Report on
Sewer Service Charges for Fiscal Year 2026/2027*

Following the Public Hearing, the Board is asked to approve the attached Resolution confirming the report on Sewer Service Charges for Fiscal Year 2026-2027.

Attachment: Resolution____ (2026)
San Mateo County Controller Letter

RESOLUTION NO. 2490 (2026)

***A RESOLUTION CONFIRMING REPORT ON SEWER SERVICE CHARGES
FOR WEST BAY SANITARY DISTRICT FOR FISCAL YEAR 2026/2027
FOR THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA***

WHEREAS, this Board did, on April 17, 1974 adopt General Regulation No. 55, whereby this Board elected to collect sewer service charges on the tax roll and provided for annual preparation and filing of a written report containing description of each parcel of real property receiving services and facilities from the District and the amount of the service charge for each parcel for each fiscal year; and

WHEREAS, these provisions have been amended from time to time and are presently contained in the District's "Code of General Regulations" adopted by General Regulation No. 58 on November 22, 1982; and

WHEREAS, said written report for fiscal year 2026/2027, July 1, 2026-June 30, 2027 was prepared and filed with the Secretary on May 27, 2026 and

WHEREAS, in accordance with General Regulation No. 58, as amended, and all other applicable provisions of law, this Board appointed the time and place of hearing protests to said report and directed notice; and

WHEREAS, notice was given of the time therein stated in the manner provided by law as appears by the affidavits of publication on file at the District's office; and

WHEREAS, said matter came regularly for hearing at the place and time fixed; and

WHEREAS, the highest charge amount is \$1,261.434.70 and lowest charge amount is \$1,512.00 and

WHEREAS, all written protests and other written communications were publicly read at said hearing and all persons desiring to be heard were fully heard; and

WHEREAS, the Board finds that these fees have been reviewed and found to be in compliance with Proposition 218;

NOW, THEREFORE, IT IS ORDERED as follows:

1. That objections to and protest against said report were not made by the owners of a majority of the separate parcels of property described in the report against which charges for the services and facilities provided by the District were fixed.

2. That said report be, and it is hereby, adopted and that said charges shall be collected on the tax roll of the County of San Mateo in the manner provided by law.

3. That the Secretary of this District is hereby directed to file with the County Controller of San Mateo County on or before the 1st day of August 2026 a copy of said report, upon which shall be endorsed, over their signature, a statement that the report has been finally adopted by the District Board of the West Bay Sanitary District.

4. The County Controller of San Mateo County shall, upon receipt of said report, enter the amounts of the charges against the respective lots or parcels as they appear on the assessment roll for fiscal year 2026-2027.

Passed and adopted by the District Board of West Bay Sanitary District at a regular meeting thereof held on the 8th day of July, 2026 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the
West Bay Sanitary District, County of San
Mateo, State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District, County
of San Mateo, State of California



Serving Our Community Since 1902

500 Laurel Street, Menlo Park, California 94025-3486 (650) 321-0384 (650)321-4265 FAX

SERGIO RAMIREZ
General Manager

In reply, please refer to our
File No.

1250.3

July 8, 2026

Mr. Juan Raigoza
County Controller
County of San Mateo
555 County Center, 4th Floor
Redwood City, CA 94063

Dear Mr. Raigoza:

This is to state that at the July 8, 2026 Regular Meeting of the West Bay Sanitary District Board, the Board did adopt the written report referred to in Section 5473 of the Health and Safety Code of the State of California. This adoption was made pursuant to the provisions of Section 5473.4 of the Health and Safety Code of the State of California. A copy of the written report is herewith.

I am the Secretary of the District Board of the West Bay Sanitary District. I certify under penalty of perjury the above is true and correct.

Very truly yours,

WEST BAY SANITARY DISTRICT

David A. Walker
Secretary of the District Board

cc: Assistant Controller & Property Tax Manager, Real Property Section, County Controller's office, 555 County Center,
4th Floor



WEST BAY SANITARY DISTRICT AGENDA ITEM 7

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *General Manager's Report*

1) Administrative:

- a. The Code of Ethics policy is due for review.
- b. The bi-annual Board Ethics training is due by the end of the year.
- c. The Recycled Water Rates study is being revised by HF&H and should come to the Board by the July 22 Board Meeting.

2) Finance:

- a. The Finance Manager is preparing reports and documents for the annual audit.

3) Capital Improvement Program (CIP):

a. Levee Improvement Project:

- i. The City of Menlo Park will bring an easement to their Council to underground the powerlines on Marsh Road for the Bayfront Recycled Water Facility.

b. Repair Projects:

- i. Casey Construction began the Point Repair Phase 3B and the Grade 4 & 5 projects.

c. Construction in Progress:

- i. Stowe Lane Pump Station is under construction and should be completed by July.

4) Information Technology (IT):

- a. IT conducted server and systems maintenance this week.

5) Operations and Maintenance:

a. Collection System:

- i. Newer maintenance workers will attend an operation fundamentals CWEA seminar at East Bay Municipal Utility District in July.

b. Pump Facilities:

- i. In-house Pump Station bypass training will occur this summer.

6) Water Quality:

a. Sharon Heights Golf and Country Club (SHGCC):

- i. SHGCC is pursuing the Solar project for the West Bay / Sharon Heights facility.

b. Bayfront Recycled Water Facility (BRWF):

- i. Anderson Pacific has provided the District with a revised construction schedule. It should be noted that Anderson is facing delays with Menlo Park permits.
- ii. Staff held an on-site field meeting to identify potential reclaimed water users in the Bayfront area. Approximately twenty to thirty connections have been identified to receive reclaimed water for irrigation; as well as sever existing dual plumbed buildings.

c. **Flow Study:**

- i. The flow and loadings study for Multi-family Complexes and Single-Family Residences is underway. The Water Quality department is obtaining water data per the Board's request.

7) **Fleet and Facilities:**

a. **Vehicle Maintenance:**

- i. The ¾ inch Vactor should be ordered in FY26/27 following a Staff Report to the Board.

8) **Personnel:**

- a. The new Engineering Interns are scheduled to be interviewed July 13.

9) **Upcoming Events:**

a. **Next Board Meetings:**

- i. Board Meetings Schedule: Wednesdays, July 8 and 22.
- ii. Annual Goals Lunch is tentatively scheduled for August 11.

10) **Misc. Items:**

- a. **West Bay:** The General Manager will update the Board on miscellaneous items.



WEST BAY SANITARY DISTRICT AGENDA ITEM 8

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Consider Adoption of a General Regulation Amending the Code of General Regulations Table of Contents, Article I, Section 103, Subdivision (2) "The Capital Assets Fund," Article I, Section 105 "Definitions," Article VIII, Section 701 "Pre-existing Discharges," Article VIII, Section 710 "Payment of Permit Fees," Article IX Section 900, Subdivision (3) "Residential Customers Sewer Service Charge, and Article IX, Section 901, Subdivision (3) "Charges by Type of Connection."*

Recommendation

Adopt General Regulation No. 2026-002 Amending Table of Contents, Article I, Section 103, Subdivision (2) "The Capital Assets Fund," Article I, Section 105 "Definitions," Article VIII, Section 701 "Pre-existing Discharges," Article VIII, Section 710 "Payment of Permit Fees," Article IX Section 900, Subdivision (3) "Residential Customers Sewer Service Charge, and Article IX, Section 901, Subdivision (3) "Charges by Type of Connection."

Background

In March 2024, the California Legislature enacted Senate Bill (S.B.) 477, which made non substantive changes to and reorganized various provisions of the California Government Code relating to the creation and regulation of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). Relevant here, S.B. 477 repealed Government Code sections 65852.2 and 65852.22. The District's Code of General Regulations cites to these outdated Government Code sections.

The proposed regulation amends the District's Code of General Regulations to ensure consistency with current California Government Code provisions related to ADUs and JADUs.

The proposed regulation also renames the term "connection fee" and/or "connection charge" to "infrastructure capacity fee" throughout the District's Code of General Regulations to clarify that an actual physical connection is not required to trigger the fee. The term "infrastructure capacity fee" is consistent with current District practices

and broadly encompasses charges related to a physical connection as well as the benefit provided by the District's sewer system capacity. **Discussion**

The proposed regulation amends Article I, Section 105, Article IX Section 900, subd. (3), and Article IX, Section 901, subd. (3) to reflect the recodification of certain provisions of the California Government Code related to ADUs and JADUs. Key components include:

1. Definitions

- Adds clear definitions of accessory structure, accessory dwelling unit, and junior accessory dwelling unit, consistent with Government Code section 66313.
- Clarifies the definition of single-family dwelling, consistent with California Department of Housing and Community Development guidance related to ADUs.

2. Government Code Recodification Relevant to Article IX, Section 900, Subd. (3)

- Clarifies flat rate sewer service charges for residential customers are applicable to ADUs (consistent with the District's established practice).
- Clarifies flat rate sewer service charges for residential customers are not applicable to JADUs, pursuant to Government Code section 66338.

3. Government Code Recodification Relevant to Article IX, Section 901, Subd. (3)

- Updates outdated citations to repealed Government Code sections 65852.2 and 65852.22 to reflect current applicable Government Code sections 66311.5, 66323, 66333.

The proposed regulation also amends the Table of Contents, Section 103, Subdivision (2) "The Capital Assets Fund," Article VIII, Section 701 "Pre-existing Discharges," Article VIII, Section 710 "Payment of Permit Fees," and Article IX, Section 901, Subdivision (3) "Charges by Type of Connection" to rename the term "connection fee" and/or "connection charge" used therein to "infrastructure capacity fee."

Fiscal Impact

Adoption of the proposed regulation does not impose any new or increase any existing fees or generate immediate revenue.

Environmental Review

The proposed regulation is not a “project” under CEQA because it will not cause physical change in the environment directly or indirectly. (Pub. Resources Code, § 21065.)

Public Notice

In accordance with applicable law and the Code of General Regulations, the proposed regulation will be published once in a newspaper of general circulation within the District and posted in three public places within the District for a period of one week. The ordinance will take effect one week after publication.

Conclusion

Adoption of General Regulation No. ____ will amend the Code of General Regulations to reflect recodifications of California Government Code related to ADUs and JADUs. The proposed regulation does not impose new rates, increase existing rates, or otherwise alter existing District practices.

Attachment

- General Regulation No. 2026-002
-

WEST BAY SANITARY DISTRICT

REGULATION NO. 2026-002

A REGULATION AMENDING GENERAL REGULATION NO. 58
“A GENERAL REGULATION ADOPTING CODE OF GENERAL REGULATIONS”

WHEREAS, the proposed regulation amending West Bay Sanitary District’s (the “District”) Code of General Regulations is intended to clarify existing District regulations and practices; and

WHEREAS, the proposed regulation reflects the recodification of provisions of the California Government Code concerning accessory dwelling units and junior accessory dwelling units, and does not impose new rates, increase existing rates, or otherwise alter existing District practices; and

WHEREAS, the proposed regulation does not establish, increase, or extend sewer service charges described in Article IX, Section 900 of the District’s Code of General Regulations, and is therefore not subject to Proposition 218 requirements; and

WHEREAS, a infrastructure capacity fee described in Article IX, Section 901 of the District’s Code of General Regulations is not a “fee or charge” within the meaning of Article XIII D, section 2, subdivision (e) of the California Constitution, because it is triggered by a voluntary act of a property owner in applying for a service connection, and is therefore not subject to Proposition 218 requirements; and

WHEREAS, the Board of Directors hereby finds, determines and declares that the amendments enacted hereby clarify and are declarative of existing District Regulations.

BE IT ORDAINED AND ENACTED BY THE District Board of West Bay Sanitary District that General Regulation No. 58, “A General Regulation Adopting Code of General regulations,” passed and approved on November 22, 1982, as heretofore amended, is hereby further amended as follows:

Section 1. The Table of Contents is hereby amended in its entirety to read as follows:

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Section 2. Article I, Section 103, subdivision (2) is hereby amended in its entirety to read as follows:

(02) The Capital Assets Fund

The Capital Assets Fund shall be credited with sewer user charge revenues designated for replacement of District facilities and all revenue derived from ~~infrastructure capacity connection~~ fees and annexation fees assessed new applicants for wastewater service. A separate account shall be maintained within the Capital Assets Fund for that portion of ~~connection~~ infrastructure capacity fee revenue assessed for future Authority expansion costs and expansion costs paid to the Authority.

Section 3. Article I, Section 105 is hereby amended in its entirety to read as follows:

Section 105. Definitions.

Words, phrases, or terms not specifically defined herein, and having a technical or specialized meaning shall be defined as set forth in the latest addition of “Standard Methods for the Examination of Water and Wastewater”, published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Reference to waste constituents and characteristics shall have a meaning ascribed thereto in the aforesaid “Standard Methods for the Examination of Water and Wastewater”, and measurements thereof shall be set forth in said publication, or established by Federal or State regulatory agencies.

Unless the context, specifically indicates otherwise, the meanings of terms used in this Code are applicable for this Code only and do not necessarily correspond to definitions that may be used by City or County zoning, planning or assessment designation.

Unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as follows:

(01) Accessory Structure.

A structure that is accessory and incidental to a dwelling located on the same lot.

(02) ADU (Accessory Dwelling Unit).

An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(1) An efficiency unit.

(2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(01)(03) Authority.

Silicon Valley Clean Water. The joint powers authority in which the District is a constituent member along with the Cities of Belmont, San Carlos and Redwood City, pursuant to a joint powers agreement signed in November, 1975.

(02)(04) Beneficial Uses.

Uses of the waters of the District or State which may, or do require protection against quality degradation thereof, including, but not necessarily limited to, waters used for domestic, municipal, agricultural, industrial, power generation, recreation, aesthetic enjoyment, or navigation purposes, or for the preservation and enhancement of fish, wildlife or other aquatic resources or reserves, and such other uses, both tangible or intangible, as are or may be specified by federal or state law as beneficial uses. [Added by General Regulation No. 59.]

(03)(05) BOD (Biochemical Oxygen Demand).

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade expressed in parts per million by weight.

(04)(06) Building Sewer.

That portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line cleanout. If no conforming property line cleanout is installed, the building sewer designation applies to the entire sewer from the foundation to the main sewer connection.

(05)(07) Charge.

A rental or any other assessment established pursuant to this Code for services and facilities furnished by the District to any premises in connection with the operation of the wastewater facilities.

~~(06)~~(08) Code.

The Code of General Regulations of the District, with such amendments as may be adopted from time to time.

~~(07)~~(09) COD (Chemical Oxygen Demand).

The measure of chemically decomposable material in domestic or industrial wastewater as represented by the oxygen utilized as determined by the appropriate procedure described in "Standard Methods".

~~(08)~~(10) Compatible Pollutant.

Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, additional pollutants identified in the District's National Pollutant Discharge Elimination System (NPDES) permit, and such other pollutants as may be designated by the General Manager upon a finding by him that such pollutants are substantially treated and removed by the wastewater facilities.

~~(09)~~(11) Commercial.

Any premises used for commercial or business purposes and discharging a quality and/or quantity of wastewater essentially similar to that of a residential customer.

~~(10)~~(12) Contamination.

An impairment of the quality of the waters of the District or State by waste to a degree which creates a hazard to the public health. Contamination shall include any equivalent effect resulting from the disposal of wastewater whether or not waters of the District or State are affected thereby.

~~(11)~~(13) Customer.

Owner or owners of any real property for which the District is providing sewer service. Any person who discharges, causes or permits the discharge of wastewater into the wastewater facilities.

~~(12)~~(14) Customer Classification.

A classification of customers based upon Classifications set forth in the Standard Industrial Classification (SIC) Manual, 1972 edition, prepared and published by the Executive Office of Management and Budget of the United States.

~~(13)~~(15) District.

The West Bay Sanitary District, located in the County of San Mateo, State of California.

~~(14)~~(16) General Manager.

The General Manager of the West Bay Sanitary District or authorized deputy, agent or representative.

~~(15)~~(17)Emergency.

A condition which creates imminent danger to the public health, safety or welfare.

~~(16)~~(18)Governmental or Public Premises.

Any premises owned, controlled or used by: (1) the United States Government or any department or agency thereof, (2) the State of California or any department or agency thereof, (3) any city, county, town, city and county, or any of their departments or agencies, (4) any school district and (5) any other governmental or public entity.

~~(17)~~(19)Holding Tank Waste.

Any waste from wastewater or waste disposal holding tanks such as are associated with vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.

~~(18)~~(20)Incompatible Pollutant.

Any pollutant which is not a compatible pollutant.

~~(19)~~(21)Industrial.

Any premises used for manufacturing, processing or other industrial purpose which discharges waste, sanitary waste and wastewater by reason of the manufacturing, processing or other industrial purpose involved, or discharges chemicals or putrescent materials.

~~(20)~~(22)Industrial Wastes.

The liquid wastes from industrial processes and distinct from sanitary or domestic wastewater.

~~(21)~~(23)Institutional

Any premises used for schools, churches, hospitals, convalescent homes, or other types of premises used to provide health, welfare, educational and similar services.

~~(22)~~(24)Interference.

An inhibition or disruption of the wastewater facilities, their treatment processes or operations, or their sludge processes, use or disposal which causes or significantly contributes to either a violation of the Authority's NPDES permit or to the prevention of sewage sludge use or disposal by the Authority in accordance with applicable state and federal statutory provisions and regulations or permits issued thereunder. [Added by General Regulation No. 59]

~~(25)~~ JADU (Junior Accessory Dwelling Unit).

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

~~(23)~~(26) Lateral Sewer.

Shall mean the portion of sewer lying within a public street, public utilities easement or District easement connecting a conforming property line cleanout to a main sewer.

~~(24)~~(27) Main Sewer.

Shall mean a public sewer, maintained by a public agency and designed to accommodate more than one lateral or side sewer.

~~(25)~~(28) Major Contributing Industry.

Any wastewater contributor identified in the Standard Industrial Classification (SIC) Manual, prepared and published by the Executive Office of Management and Budget of the United States, classified within divisions A, B, C, D, E, and I therein, the wastewater of which has any one or more of the following characteristics: (1) a discharge flow of 50,000 gallons or more per average work day (if seasonal, the average shall be based upon the seasonal discharge) ; (2) a flow or pollutant loading greater than five percent of the design capacity of the wastewater facilities; (3) toxic pollutants in amounts defined in standards issued pursuant to Section 307 (a) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law g2-500; 33 U.S.C., Section 1151, et seq.); or (4) a significant impact (determined by the Manager), either individually or in combination with other contributing industries, upon the wastewater facilities, or upon the quality of effluent from the wastewater facilities.

~~(26)~~(29) Mass Emission Rate.

The weight of material discharged to the wastewater facilities during a specified time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular waste constituent or combination of constituents.

~~(27)~~(30) Multiple-Family Dwelling.

Any premises designed, improved or used as a residence for two or more families living independently of each other in two or more structurally joined dwelling units with separate entrances; this term shall include condominiums, apartment houses, triplexes, quadraplexes, and duplexes, but it shall not include hotels, motels, rooming houses, or boarding houses, dormitories, or similar structures.

~~(28)~~(31) Natural Outlet.

Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

~~(29)~~(32) Non-Residential Customer.

Any commercial, industrial, institutional, governmental, or miscellaneous customer not classified as a residential customer.

~~(30)~~(33) Parcel.

A parcel of real property as described in the records of the San Mateo County Assessor by an assessor's parcel number. It includes both improved and unimproved real property.

~~(31)~~(34) Pass Through.

The discharge of pollutants through the wastewater facilities into navigable waters in quantities or concentrations which cause or significantly contribute to violation of the Authority's NPDES permit. [Added by General Regulation No. 59.]

~~(32)~~(35) Person.

Any individual, property owner, firm, company, partnership, association, private corporation, public corporation, or governmental entity, authority, or agency, and the officers, agents or employees of such organizations.

~~(33)~~(36) pH.

A measure of acidity or alkalinity.

~~(34)~~(37) Pollution.

An alteration of the quality of the waters of the District or State by waste to a degree which unreasonably affects such waters for any beneficial use or affects facilities serving such beneficial use. The term pollution may also include contamination.

~~(35)~~(38) Premises.

A parcel of land, or portion thereof, including any improvements thereon, which is directly or indirectly connected to the wastewater facilities for purposes of receiving, using, and paying or service, or other purposes relating to the wastewater facilities, by an individual customer. Each dwelling unit of a duplex, apartment, or any other multi-family residence shall be deemed a separate premise. Subject to the provisions of this subsection, the Manager shall determine what constitutes a premise.

~~(36)~~(39) Properly Shredded Garbage.

The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.

~~(37)~~(40) Public Sewer.

B sewer for the benefit of customers within the District which is controlled by the District.

~~(38)~~(41) Reclaimed Water.

Water which, as a result of treatment of waste, is suitable for direct beneficial use, or a restricted beneficial use, which would not otherwise occur but for such treatment.

~~(39)~~(42) Requirement of Law or Other Requirements of Law.

C pertinent provision of the Federal Water Pollution Control Act as amended by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500, 33 U.S.C., Section 1151 et seq.), or of any statute, ordinance, code, rule, regulation, order, directive, or of the District's or Authority's National Pollutant Discharge Elimination System (NPDES) permit, or of any amendments thereto, or other Federal, State, Regional or Local law.

(40)(43) Residential Customer.

Any single or multiple family dwelling customer, including premises defined as condominiums, apartment houses, duplexes, motels, rooming houses, or boarding houses, dormitories, or similar structures.

(41)(44) Sanitary Sewer.

A pipe or conduit which carries wastewater and to which storm, surface, and ground waters are not intentionally admitted.

(42)(45) Shall.

The word "shall" is mandatory; "may" is permissive.

(43)(46) Side Sewer.

Shall mean the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.

(44)(47) Single-Family Dwelling or "Residential Unit".

A single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation, such as a detached single-family dwelling or townhouse. The terms 'Single-Family Dwelling' and 'Residential Unit' include accessory dwelling units and junior accessory dwelling units, except as otherwise provided by state law or by this Code, including without limitation the **infrastructure capacity fee** provisions of Section 901 and the sewer service charge provisions of Section 900.

Premises designed, improved or used as a residence for one family only and for no other purpose.

Notwithstanding the foregoing, the following kinds of residential dwelling units shall be deemed to be a part of, and not in addition to, a single-family dwelling for all purposes of this Code, including provisions having to do with the calculation and payment of connection fees and sewer service charges:

~~Any structure located within the City of Menlo Park, which meets the requirements set forth in Ordinance No. 688 of the City of Menlo Park adopted on May 10, 1983 by the Menlo Park City Council.~~

~~Any structure located within the Town of Woodside which meets the requirements set forth in Ordinance No. 1984-321 of the Town of Woodside adopted on December 12, 1984 by the Woodside Town Council.~~

~~Any structure in the District located within the unincorporated areas of San Mateo County which meets the requirements set forth in Ordinance No. 2876 of the County of San Mateo, which Ordinance was adopted by the San Mateo County Board of Supervisors and became effective February 23, 1984.~~

~~Any structure located within the Town of Atherton which meets the requirements set forth in Ordinance No. 402 of the Town of Atherton adopted on March 21, 1984 by the Atherton Town Council.~~

~~Any structure located within the Town of Portola Valley which meets the requirements set forth in Ordinance No. 1991—263 of the Town of Portola Valley adopted on July 10, 1991 by the Portola Valley Town Council.~~

~~Any structure located within the City of Redwood City which meets the requirements set forth in Ordinance No. 1130.226 of the City of Redwood City adopted on July 27, 1983 by the Redwood City Council.~~

~~Any structure located in the District, but not within a Town or City referred to above, which meets the following requirements:~~

~~The Town or City has not adopted an “ordinance governing second units” as such ordinances are referred to in California Government Code section 65852.2(b) and~~

~~The structure meets all the requirements of Government Code section~~

(48) ~~65852.2(b). [Added by General Regulation No. 69.]~~ Silicon Valley Clean Water (SVCW)).
See “Authority”.

(49) Storm Sewer or Storm Drain.

A sewer which carries storm and surface waters and drainage, but excludes wastewater and polluted industrial wastes.

(50) Suspended Solids (SS).

The total non-filterable residue as defined in “Standard Methods for Chemical Analysis of Water and Wastewater.”

(51) Type of Use.

The purpose of the premises, such as, commercial, industrial, institutional, single-family dwelling, multiple-family dwelling, and miscellaneous use.

(52) Unpolluted Water.

Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the District or Authority for disposal to storm or natural drainages, or directly to surface waters.

(53) Waste.

Wastewater and any and all waste substances, whether liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

(54) Wastewater. Waste and water.

Whether treated or untreated, discharged into, or permitted to enter into the wastewater facilities. Wastewater shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(55) Wastewater Constituents and Characteristics.

The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity, or strength of wastewater.

(56) Wastewater Facilities.

All facilities for collecting, pumping, treating, and disposing of wastewater.

(57) Water Pollution Control Plant.

Any arrangement of devices and structures used for treating wastewater; a wastewater treatment plant.

(58) Waters of the District or State.

Any water, whether surface, underground, and whether saline or non-saline, within the boundaries of the District, or within the boundaries of the District and flowing into, touching, or otherwise combined with later outside the limits of the District but within the boundaries of the State. [Added by General Regulation No. 59.]

Section 4. Article VII, section 701, is hereby amended in its entirety to read as follows:

Section 701. Pre-existing Discharges.

For the purposes of Sections 700 (05) and 700 (06) above, premises which have been legally connected to the public sewers prior to July 1, 1974 shall be deemed to have been authorized the volume and nature or discharge which existed for the calendar year 1974 or the quantity and quality of discharge for which a ~~connection~~ infrastructure capacity fee has been paid, whichever is greater.

Section 5. Article VII, section 710, is hereby amended in its entirety to read as follows:

Section 710. Payment of Permit Fees.

Permits authorized pursuant to the provisions of this Article shall be subject to reasonable terms and conditions determined necessary or appropriate by the General Manager in order to carry out the provisions of, and insure compliance with, this Code, or other requirements of law. No permit shall be issued until all applicable fees and charges, including inspection fees, and, if applicable, ~~infrastructure capacity fees~~~~connection charges~~, established pursuant to this Code have first been paid (See Master Fee Schedule).

Section 6. Article IX, Section 900, subdivision (3) is hereby amended in its entirety to read as follows:

(03) Residential Customers Sewer Service Charge.

(A) Residential Customers Rate.

Rate Schedule.

The flat rate sewer service charge for fiscal year July 1, 2025 through June 30, 2026 for residential customers shall be One Thousand Four Hundred Forty dollars and no cents (\$1,440.00) per Single-Family

DwellingResidence.

The flat rate sewer service charge for fiscal year July 1, 2026 through June 30, 2027 for residential customers shall be One Thousand Five Hundred Twelve dollars and no cents (\$1,512.00) per Single-Family

DwellingResidence.

The flat rate sewer service charge for fiscal year July 1, 2027 through June 30, 2028 for residential customers shall be One Thousand Five Hundred Eighty-Eight dollars and no cents (\$1,588.00) per Single-Family

DwellingResidence.

The flat rate sewer service charge for fiscal year July 1, 2028 through June 30, 2029 for residential customers shall be One Thousand Six Hundred Sixty-Seven dollars and no cents (\$1,667.00) per Single-Family

DwellingResidence.

The flat rate sewer service charge for fiscal year July 1, 2029 through June 30, 2030 for residential customers shall be One Thousand Seven Hundred Fifty dollars and no cents (\$1,750.00) per Single-Family

DwellingResidence.

Accessory Dwelling Units.

An accessory dwelling unit is an individual residential dwelling unit for the purpose of flat rate sewer service charges and shall be subject to the above sewer service rate schedule. Consistent with Government Code section 66338, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit for purposes of sewer service charges, and shall not be subject to a separate flat rate sewer service charge.

~~(B)~~ Septic Tank Effluent Pumping System and Grinder Pump System (STEP/Grinder System) Residential Customers Rate included in the On-Site Wastewater Disposal Zone (OWDZ).

(C)
(B)

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2025 through June 30, 2026 shall be Two Thousand Four Hundred Fifty-Four Dollars and no cents (\$2,454.00) per Single-Family DwellingResidence.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2026 through June 30, 2027 shall be Two Thousand Five Hundred Seventy-Seven Dollars and no cents (\$2,577.00) per Single-Family DwellingResidence.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2027 through June 30, 2028 shall be Two Thousand Seven Hundred Six Dollars and no cents (\$2,706.00) per Single-Family DwellingResidence.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2028 through June 30, 2029 shall be Two Thousand Eight Hundred Forty-One Dollars and no cents (\$2,841.00) per Single-Family DwellingResidence.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2029 through June 30, 2030 shall be Two Thousand Nine Hundred Eighty-Three Dollars and no cents (\$2,983.00) per Single-Family DwellingResidence.

An accessory dwelling unit is an individual residential dwelling unit for the purpose of sewer service charges for residential customers served by a STEP/Grinder System and shall be subject to the above sewer service rate schedule. Consistent with Government Code section 66338, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit for purposes of sewer service charges, and shall not be subject to a separate sewer service charge.

Section 7. Article IX, Section 901 is hereby amended in its entirety to read as follows:

Section 901. Sewer ~~Infrastructure Capacity Fees~~Connection-Charges.

(01) Purpose of Sewer ~~Infrastructure Capacity Fee.~~ Connection-Charge

The purpose of the sewer ~~infrastructure capacity fee~~connection-charge is to equalize the cost of acquisition, construction, and installation of the District's facilities by the District so that each resident or property owner pays his/her proportionate share of such costs.

(02) Basis of ~~Fee.~~ Charge

No connection shall be made to any public sewer, or to any sewer flowing into a public sewer within the District, ~~nor any use of sewer system capacity provided by District infrastructure,~~ until there shall be paid to the District a sewer ~~infrastructure capacity fee~~connection-charge, such ~~fee~~charge to be in addition to ~~fees~~charges for permits, inspections or the requirements of any other rule or regulation of the District. The ~~infrastructure capacity fee~~ connection-charge shall be paid at the time the application for a Class 1 or Class 2 sewer permit is filed.

The estimate of the average volume of wastewater discharge in gallons per day for any proposed use shall be made by the General Manager. Any applicant for connection dissatisfied with the average daily volume

estimated by the General Manager may appeal such determination to the District Board, who shall conduct a hearing thereon and establish a infrastructure capacity fee connection charge to be paid by the applicant.

(03) ~~Charges~~Fees by Type of Use~~Connection~~.

The ~~connection~~ infrastructure capacity fees shown below shall be assessed each new applicant for wastewater service. In the event that a parcel will have combined residential and non-residential uses, the residential infrastructure capacity connection fee shall be applied to each living unit and the non-residential infrastructure capacity connection fee shall be applied to the non-residential uses. In no event shall a infrastructure capacity connection fee be less than the residential infrastructure capacity connection fee. A separate meter serving the non-residential premises shall be required for annual user charge assessments

<u>Infrastructure Capacity</u> Connection Fee Dollars	<u>District</u>
Residential Unit (includes 30 gpd lateral I/I) Minimum per EDU 200 Gallons Per Day (GPD)	\$8,608.00
Supplemental <u>Infrastructure Capacity</u> Connection Fee (a)	\$1,291.20 (equivalent to 30 gpd lateral I/I)
Non-Residential Use (b) Equal or less than 300 mg/l Biological Oxygen Demand (BOD) or Suspended Solids (SS) *per supplementary connection (a)	\$43.04/gpd +\$1,291.20*
Greater than 300 mg/l BOD or SS *per supplementary connection (a)	\$36.28/gpd + \$6.76/gpd x strength ratio (c) + \$1,291.20*

(a) * The infrastructure capacity connection fee for a supplementary connection(s) to the same building shall be \$1,291.20 per connection. [Amended by General Regulation No. 2022-02]

(b) Non-Residential Use infrastructure capacity connection fees are calculated using average daily flow in gpd. Minimum Non-Residential Use is based on 300 gpd of average daily flow. In no event shall the Non-Residential Use infrastructure capacity connection fee be less than the Residential infrastructure capacity connection fee of \$8,608.00.

Example: A Non-Residential Use connection with 300 gpd of average daily flow and 300 mg/l of BOD or SS would pay the following: \$43.04/gpd x 300 gpd = \$12,912.00

(c) The strength ratio component for Non-Residential Use with BOD and/or SS concentrations greater than 300 mg/l, is calculated by the ratio of the highest of the BOD or SS concentrations to 300 mg/l.

Example: A Non-Residential Use connection with 300 gpd of average daily flow and 400 mg/l of BOD and 350 mg/l of SS would pay the following:

$$\$36.28/\text{gpd} \times 300 \text{ gpd} + (\$6.76/\text{gpd} \times 300 \text{ gpd} \times (400 \text{ mg/l} \div 300 \text{ mg/l})) = \$13,588.00$$

Infrastructure capacity Connection fees will be adjusted annually, July 1 of each year, by the Annual Percentage Change of the Engineering News Record Construction Cost Index for San Francisco. The Annual Percentage Change shall be calculated as: the December Value for the current fiscal year, minus the December Value for the prior fiscal year, and the result of which shall be divided by the December Value for the prior fiscal year.

Accessory Dwelling Unit

(a) Pursuant to Section ~~66311.5~~ ~~65852.2~~ of the California Government Code the District will charge an Accessory Dwelling Unit infrastructure capacity Connection Fee based on the number of plumbingdrainage fixture units (FU). The District establishes 20 FU's per EDU (equivalent dwelling unit) as the basis for charging accessory dwellings. The infrastructure capacity connection fee per ~~fixture unit~~ (FU) would be multiplied times the number of FU's ~~fixture units~~ in the accessory dwelling unit to charge a connection for the accessory dwelling unit.

(b) Exceptions. ~~Effective January 1, 2020, i~~n accordance with California Government Code Sections 66323, subsection (a)(1) and 66311.5, subsection (d) ~~65852.2, subsections (e)(1)(A) and (f)(4)~~ the District will not require installation of a separate utility connection or impose a related Connection infrastructure capacity ~~F~~ee for one accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling, other than an accessory dwelling unit that is within the proposed space of a new single-family home, if all of the following apply:

- (i) The accessory dwelling unit or junior accessory dwelling unit is within the existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
- (ii) The space has exterior access from the proposed or existing single-family dwelling.
- (iii) The side and rear setbacks are sufficient for fire and safety.
- (iv) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333) ~~Section 65852.22~~.

(c) For an accessory dwelling unit that is not described in subparagraph (b), a new or separate sewer connection may be applied, and the standard charge per fixture unit shall apply.

Formula Assumptions:

#1 - District Infrastructure Capacity Connection Fee charge per EDU = \$6,919, the charge per fixture unit would be \$345.95 per FU (\$6,919 divided by 20 FU).

#2 - Authority Infrastructure Capacity connection Fee charge per EDU = \$1,582, the charge per fixture unit would be \$79.10 per FU (\$1,582 divided by 20 FU).

#3 - \$345.95 per FU plus \$79.10 per FU equals \$425.05 per fixture unit cost.

Example: An accessory dwelling with 15 fixture units would be charged ~~and infrastructure capacity connection~~ fee of \$6,375.75 (15 x \$425.05). [Amended by General Regulation No.2017-01.]

(d) In accordance with California Government Code Section 66003, except for Accessory Dwelling Units described in subparagraph (b), above, supplemental infrastructure capacity connection fees imposed pursuant to a reimbursement agreement entered into between the District and a property owner or developer for that portion of the cost of a public facility paid by the property owner or developer which

exceeds the need for the public facility attributable to and reasonably related to the development shall apply on a per fixture unit basis in the same ratio as is set forth in subsection (c), above.

(04) Persons Responsible.

The owner of any premises is and shall be responsible for payment of all ~~infrastructure capacity fees~~~~connection charges~~ applicable to said premises. It shall be and is hereby made the duty of each property owner to ascertain from the General Manager the amount and due date of any ~~infrastructure capacity fee~~~~connection charge~~ applicable to said property and to pay said ~~fee~~~~charge~~ when due and payable. Each property owner shall be responsible to inform the General Manager, in a reasonable amount of time of any change or changes in any circumstances which will in any way affect applicability, or amount of any such ~~fee~~~~charge~~.

(05) Increased Use of Sewers.

- (A) In the event increased use is or will be made of the sewer, and the actual, calculated, or estimated volume of wastewater discharge exceeds or will exceed the volume of wastewater discharge the premises are entitled to discharge, an additional ~~infrastructure capacity fee~~~~sewer connection charge~~ shall be paid. The additional ~~infrastructure capacity fee~~~~sewer connection charge~~ shall be calculated by subtracting the wastewater discharge entitlement assigned to the parcel from the actual, calculated or estimated volume of wastewater discharge, measured in gallons per day, average daily flow and multiplying the remainder by the non-residential ~~infrastructure capacity fee~~~~connection charge~~ rate. The wastewater discharge entitlement is determined by the base year wastewater discharge, which is the average daily discharge from the property in 1974 OR the wastewater discharge for which a ~~infrastructure capacity fee~~ ~~connection charge~~ has been paid, whichever is higher. The maximum allowable volume of wastewater discharge shall be increased through payment of additional sewer ~~infrastructure capacity fee~~~~connection charges~~.
- (B) In those instances where an increased use has been made without written notice by the customer to the District, the additional ~~infrastructure capacity fee~~~~connection charge~~ shall be computed at the rate in effect under this Code on the date the additional ~~fee~~~~charge~~ is levied. The General Manager shall ascertain the amount of each additional ~~infrastructure capacity fee~~~~connection charge~~ applicable to each premise in the District and shall mail to the property owner of each applicable premise a statement for the additional ~~infrastructure capacity fee~~~~connection charge~~ which is due and payable. Such statement shall be mailed to the person or persons listed as the property owner on the last equalized assessment roll of the County of San Mateo at the address shown on such assessment roll, or to the successor in interest of such owner, if the name and address of such successor in interest is known to the General Manager. Each bill so mailed shall contain a statement that a delinquency in payment for Sixty (60) days shall constitute a lien against the lot or parcel against which the ~~fee~~~~charge~~ is imposed and that when recorded it shall have the force, effect and priority of a judgment lien for three (3) years unless sooner released or otherwise discharged. Failure of the General Manager to mail said statement, or failure of any property owner to receive said statement, shall not excuse the obligation of paying said additional ~~infrastructure capacity fee~~~~connection charge~~. [Amended by General Regulation No. 75.]
- (C) In the event a customer has previously notified the District in writing of an increased use, the additional ~~infrastructure capacity fee~~ ~~connection charge~~ shall be computed at the rate in effect on the date such written notice was received by the District. The General Manager shall ascertain the amount of the

additional ~~infrastructure capacity fee~~~~connection charge~~ applicable to the premises and shall mail to the property owner of the premises a statement for the additional ~~infrastructure capacity fee~~~~connection charge~~ which is due and payable. Such statement shall be mailed to the person or persons listed as the property owner on the last equalized assessment roll of the County of San Mateo at the address shown on such assessment roll, or to the successor in interest of such owner, if the name and address of such successor in interest is known to the General Manager. Failure of the General Manager to mail said statement, or failure of any property owner to receive said statement, shall not excuse the obligation of paying said additional ~~infrastructure capacity fee~~~~connection charge~~.

(D) Penalties for Non-Payment of Additional ~~Infrastructure Capacity Fees~~~~Connection Charges~~. Whenever a delinquency shall occur for non-payment of additional ~~infrastructure capacity fees~~~~connection charges~~, a penalty of ten (10) percent shall attach to such ~~fees~~~~charges~~, and for each month that such ~~fees~~~~charges~~ remain delinquent a further penalty of one and one-half percent (1-1/2 percent) of said basic ~~fee~~~~charge~~ shall be added. [Amended by General Regulation No. 75.]

(E) Where payable. Additional ~~infrastructure capacity fees~~ ~~connection charges~~ collected by direct billing shall be payable at the administrative offices of the District, or as noted on the billing. [Amended by General Regulation No. 75.]

(06) Repurchase of Capacity.

(A) In the event the property owner notifies the General Manager within 2 years of payment of a ~~infrastructure capacity fee~~ ~~sewer connection charge~~ for a use proposed to be made that it appears either that such use will not be made or will create less volume of wastewater discharge than anticipated, the General Manager may re-compute the sewer ~~infrastructure capacity fee~~ ~~connection charge~~ and refund to the payer ninety percent (90%) of the difference between the sewer ~~infrastructure capacity fee~~ ~~connection charge~~ paid and the recomputed charge. [Amended by General Regulation No. 66.]

(07) Administration of ~~Infrastructure Capacity Fees~~~~Connection Charges~~.

(A) The sewer ~~infrastructure capacity fee~~ ~~connection charge~~ rate may be revised only by an amendment to this Code approved by a two-thirds vote of the members of the District Board.

(B) The amount of ~~infrastructure capacity fees~~~~connection charges~~ for all classifications of ~~connection~~~~uses~~ shall be reviewed at least once each fiscal year. [Amended by General Regulation No. 66.]

Section 8. The District Board hereby finds that this Regulation is not a “project” under the California Environmental Quality Act because it will not cause physical change in the environment directly or indirectly. (Pub. Resources Code, § 21065.)

Section 9. This General Regulation shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Passed and adopted by the Board of the West Bay Sanitary District at a regular meeting thereof held on the 8th day of July, 2026, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the Board
West Bay Sanitary District

Attest:

Secretary of the Board
West Bay Sanitary District

WEST BAY SANITARY DISTRICT

REGULATION NO. 2026-002

A REGULATION AMENDING GENERAL REGULATION NO. 58
“A GENERAL REGULATION ADOPTING CODE OF GENERAL REGULATIONS”

WHEREAS, the proposed regulation amending West Bay Sanitary District’s (the “District”) Code of General Regulations is intended to clarify existing District regulations and practices; and

WHEREAS, the proposed regulation reflects the recodification of provisions of the California Government Code concerning accessory dwelling units and junior accessory dwelling units, and does not impose new rates, increase existing rates, or otherwise alter existing District practices; and

WHEREAS, the proposed regulation does not establish, increase, or extend sewer service charges described in Article IX, Section 900 of the District’s Code of General Regulations, and is therefore not subject to Proposition 218 requirements; and

WHEREAS, a infrastructure capacity fee described in Article IX, Section 901 of the District’s Code of General Regulations is not a “fee or charge” within the meaning of Article XIII D, section 2, subdivision (e) of the California Constitution, because it is triggered by a voluntary act of a property owner in applying for a service connection, and is therefore not subject to Proposition 218 requirements; and

WHEREAS, the Board of Directors hereby finds, determines and declares that the amendments enacted hereby clarify and are declarative of existing District Regulations.

BE IT ORDAINED AND ENACTED BY THE District Board of West Bay Sanitary District that General Regulation No. 58, “A General Regulation Adopting Code of General regulations,” passed and approved on November 22, 1982, as heretofore amended, is hereby further amended as follows:

Section 1. The Table of Contents is hereby amended in its entirety to read as follows:

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Section 2. Article I, Section 103, subdivision (2) is hereby amended in its entirety to read as follows:

(02) The Capital Assets Fund

The Capital Assets Fund shall be credited with sewer user charge revenues designated for replacement of District facilities and all revenue derived from infrastructure capacity fees and annexation fees assessed new applicants for wastewater service. A separate account shall be maintained within the Capital Assets Fund for that portion of infrastructure capacity fee revenue assessed for future Authority expansion costs and expansion costs paid to the Authority.

Section 3. Article I, Section 105 is hereby amended in its entirety to read as follows:

Section 105. Definitions.

Words, phrases, or terms not specifically defined herein, and having a technical or specialized meaning shall be defined as set forth in the latest addition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Reference to waste constituents and characteristics shall have a meaning ascribed thereto in the aforesaid "Standard Methods for the Examination of Water and Wastewater", and measurements thereof shall be set forth in said publication, or established by Federal or State regulatory agencies.

Unless the context, specifically indicates otherwise, the meanings of terms used in this Code are applicable for this Code only and do not necessarily correspond to definitions that may be used by City or County zoning, planning or assessment designation.

Unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as follows:

(01) Accessory Structure.

A structure that is accessory and incidental to a dwelling located on the same lot.

(02) ADU (Accessory Dwelling Unit).

An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(1) An efficiency unit.

(2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(03) Authority.

Silicon Valley Clean Water. The joint powers authority in which the District is a constituent member along with the Cities of Belmont, San Carlos and Redwood City, pursuant to a joint powers agreement signed in November, 1975.

(04) Beneficial Uses.

Uses of the waters of the District or State which may, or do require protection against quality degradation thereof, including, but not necessarily limited to, waters used for domestic, municipal, agricultural, industrial, power generation, recreation, aesthetic enjoyment, or navigation purposes, or for the preservation and enhancement of fish, wildlife or other aquatic resources or reserves, and such other uses, both tangible or intangible, as are or may be specified by federal or state law as beneficial uses. [Added by General Regulation No. 59.]

(05) BOD (Biochemical Oxygen Demand).

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade expressed in parts per million by weight.

(06) Building Sewer.

That portion of any sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line cleanout. If no conforming property line cleanout is installed, the building sewer designation applies to the entire sewer from the foundation to the main sewer connection.

(07) Charge.

A rental or any other assessment established pursuant to this Code for services and facilities furnished by the District to any premises in connection with the operation of the wastewater facilities.

(08) Code.

The Code of General Regulations of the District, with such amendments as may be adopted from time to time.

(09) COD (Chemical Oxygen Demand).

The measure of chemically decomposable material in domestic or industrial wastewater as represented by the oxygen utilized as determined by the appropriate procedure described in "Standard Methods".

(10) Compatible Pollutant.

Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, additional pollutants identified in the District's National Pollutant Discharge Elimination System (NPDES) permit, and such other pollutants as may be designated by the General Manager upon a finding by him that such pollutants are substantially treated and removed by the wastewater facilities.

(11) Commercial.

Any premises used for commercial or business purposes and discharging a quality and/or quantity of wastewater essentially similar to that of a residential customer.

(12) Contamination.

An impairment of the quality of the waters of the District or State by waste to a degree which creates a hazard to the public health. Contamination shall include any equivalent effect resulting from the disposal of wastewater whether or not waters of the District or State are affected thereby.

(13) Customer.

Owner or owners of any real property for which the District is providing sewer service. Any person who discharges, causes or permits the discharge of wastewater into the wastewater facilities.

- (14) Customer Classification.
A classification of customers based upon Classifications set forth in the Standard Industrial Classification (SIC) Manual, 1972 edition, prepared and published by the Executive Office of Management and Budget of the United States.
- (15) District.
The West Bay Sanitary District, located in the County of San Mateo, State of California.
- (16) General Manager.
The General Manager of the West Bay Sanitary District or authorized deputy, agent or representative.
- (17) Emergency.
A condition which creates imminent danger to the public health, safety or welfare.
- (18) Governmental or Public Premises.
Any premises owned, controlled or used by: (1) the United States Government or any department or agency thereof, (2) the State of California or any department or agency thereof, (3) any city, county, town, city and county, or any of their departments or agencies, (4) any school district and (5) any other governmental or public entity.
- (19) Holding Tank Waste.
Any waste from wastewater or waste disposal holding tanks such as are associated with vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
- (20) Incompatible Pollutant.
Any pollutant which is not a compatible pollutant.
- (21) Industrial.
Any premises used for manufacturing, processing or other industrial purpose which discharges waste, sanitary waste and wastewater by reason of the manufacturing, processing or other industrial purpose involved, or discharges chemicals or putrescent materials.
- (22) Industrial Wastes.
The liquid wastes from industrial processes and distinct from sanitary or domestic wastewater.
- (23) Institutional
Any premises used for schools, churches, hospitals, convalescent homes, or other types of premises used to provide health, welfare, educational and similar services.
- (24) Interference.

An inhibition or disruption of the wastewater facilities, their treatment processes or operations, or their sludge processes, use or disposal which causes or significantly contributes to either a violation of the Authority's NPDES permit or to the prevention of sewage sludge use or disposal by the Authority in accordance with applicable state and federal statutory provisions and regulations or permits issued thereunder. [Added by General Regulation No. 59]

(25) JADU (Junior Accessory Dwelling Unit).

A unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(26) Lateral Sewer.

Shall mean the portion of sewer lying within a public street, public utilities easement or District easement connecting a conforming property line cleanout to a main sewer.

(27) Main Sewer.

Shall mean a public sewer, maintained by a public agency and designed to accommodate more than one lateral or side sewer.

(28) Major Contributing Industry.

Any wastewater contributor identified in the Standard Industrial Classification (SIC) Manual, prepared and published by the Executive Office of Management and Budget of the United States, classified within divisions A, B, C, D, E, and I therein, the wastewater of which has any one or more of the following characteristics: (1) a discharge flow of 50,000 gallons or more per average work day (if seasonal, the average shall be based upon the seasonal discharge) ; (2) a flow or pollutant loading greater than five percent of the design capacity of the wastewater facilities; (3) toxic pollutants in amounts defined in standards issued pursuant to Section 307 (a) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500; 33 U.S.C., Section 1151, et seq.); or (4) a significant impact (determined by the Manager), either individually or in combination with other contributing industries, upon the wastewater facilities, or upon the quality of effluent from the wastewater facilities.

(29) Mass Emission Rate.

The weight of material discharged to the wastewater facilities during a specified time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular waste constituent or combination of constituents.

(30) Multiple-Family Dwelling.

Any premises designed, improved or used as a residence for two or more families living independently of each other in two or more structurally joined dwelling units with separate entrances; this term shall include condominiums, apartment houses, triplexes,

quadraplexes, and duplexes, but it shall not include hotels, motels, rooming houses, or boarding houses, dormitories, or similar structures.

(31) Natural Outlet.

Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(32) Non-Residential Customer.

Any commercial, industrial, institutional, governmental, or miscellaneous customer not classified as a residential customer.

(33) Parcel.

A parcel of real property as described in the records of the San Mateo County Assessor by an assessor's parcel number. It includes both improved and unimproved real property.

(34) Pass Through.

The discharge of pollutants through the wastewater facilities into navigable waters in quantities or concentrations which cause or significantly contribute to violation of the Authority's NPDES permit. [Added by General Regulation No. 59.]

(35) Person.

Any individual, property owner, firm, company, partnership, association, private corporation, public corporation, or governmental entity, authority, or agency, and the officers, agents or employees of such organizations.

(36) pH.

A measure of acidity or alkalinity.

(37) Pollution.

An alteration of the quality of the waters of the District or State by waste to a degree which unreasonably affects such waters for any beneficial use or affects facilities serving such beneficial use. The term pollution may also include contamination.

(38) Premises.

A parcel of land, or portion thereof, including any improvements thereon, which is directly or indirectly connected to the wastewater facilities for purposes of receiving, using, and paying or service, or other purposes relating to the wastewater facilities, by an individual customer. Each dwelling unit of a duplex, apartment, or any other multi-family residence shall be deemed a separate premise. Subject to the provisions of this subsection, the Manager shall determine what constitutes a premise.

(39) Properly Shredded Garbage.

The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions

normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.

(40) Public Sewer.

B sewer for the benefit of customers within the District which is controlled by the District.

(41) Reclaimed Water.

Water which, as a result of treatment of waste, is suitable for direct beneficial use, or a restricted beneficial use, which would not otherwise occur but for such treatment.

(42) Requirement of Law or Other Requirements of Law.

C pertinent provision of the Federal Water Pollution Control Act as amended by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500, 33 U.S.C., Section 1151 et seq.), or of any statute, ordinance, code, rule, regulation, order, directive, or of the District's or Authority's National Pollutant Discharge Elimination System (NPDES) permit, or of any amendments thereto, or other Federal, State, Regional or Local law.

(43) Residential Customer.

Any single or multiple family dwelling customer, including premises defined as condominiums, apartment houses, duplexes, motels, rooming houses, or boarding houses, dormitories, or similar structures.

(44) Sanitary Sewer.

A pipe or conduit which carries wastewater and to which storm, surface, and ground waters are not intentionally admitted.

(45) Shall.

The word "shall" is mandatory; "may" is permissive.

(46) Side Sewer.

Shall mean the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building sewer and lateral sewer together.

(47) Single-Family Dwelling or "Residential Unit".

A single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation, such as a detached single-family dwelling or townhouse. The terms 'Single-Family Dwelling' and 'Residential Unit' include accessory dwelling units and junior accessory dwelling units, except as otherwise provided by state law or by this Code, including without limitation the infrastructure capacity fee provisions of Section 901 and the sewer service charge provisions of Section 900.

- (48) Silicon Valley Clean Water (SVCW)). See "Authority".
- (49) Storm Sewer or Storm Drain.
A sewer which carries storm and surface waters and drainage, but excludes wastewater and polluted industrial wastes.
- (50) Suspended Solids (SS).
The total non-filterable residue as defined in "Standard Methods for Chemical Analysis of Water and Wastewater."
- (51) Type of Use.
The purpose of the premises, such as, commercial, industrial, institutional, single-family dwelling, multiple-family dwelling, and miscellaneous use.
- (52) Unpolluted Water.
Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the District or Authority for disposal to storm or natural drainages, or directly to surface waters.
- (53) Waste.
Wastewater and any and all waste substances, whether liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.
- (54) Wastewater. Waste and water.
Whether treated or untreated, discharged into, or permitted to enter into the wastewater facilities. Wastewater shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- (55) Wastewater Constituents and Characteristics.
The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity, or strength of wastewater.
- (56) Wastewater Facilities.
All facilities for collecting, pumping, treating, and disposing of wastewater.
- (57) Water Pollution Control Plant.
Any arrangement of devices and structures used for treating wastewater; a wastewater treatment plant.

(58) Waters of the District or State.

Any water, whether surface, underground, and whether saline or non-saline, within the boundaries of the District, or within the boundaries of the District and flowing into, touching, or otherwise combined with later outside the limits of the District but within the boundaries of the State. [Added by General Regulation No. 59.]

Section 4. Article VII, section 701, is hereby amended in its entirety to read as follows:

Section 701. Pre-existing Discharges.

For the purposes of Sections 700 (05) and 700 (06) above, premises which have been legally connected to the public sewers prior to July 1, 1974 shall be deemed to have been authorized the volume and nature or discharge which existed for the calendar year 1974 or the quantity and quality of discharge for which a infrastructure capacity fee has been paid, whichever is greater.

Section 5. Article VII, section 710, is hereby amended in its entirety to read as follows:

Section 710. Payment of Permit Fees.

Permits authorized pursuant to the provisions of this Article shall be subject to reasonable terms and conditions determined necessary or appropriate by the General Manager in order to carry out the provisions of, and insure compliance with, this Code, or other requirements of law. No permit shall be issued until all applicable fees and charges, including inspection fees, and, if applicable, infrastructure capacity fees, established pursuant to this Code have first been paid (See Master Fee Schedule).

Section 6. Article IX, Section 900, subdivision (3) is hereby amended in its entirety to read as follows:

(03) Residential Customers Sewer Service Charge.

(A) Residential Customers Rate.

Rate Schedule.

The flat rate sewer service charge for fiscal year July 1, 2025 through June 30, 2026 for residential customers shall be One Thousand Four Hundred Forty dollars and no cents (\$1,440.00) per Single-Family Dwelling.

The flat rate sewer service charge for fiscal year July 1, 2026 through June 30, 2027 for residential customers shall be One Thousand Five Hundred Twelve dollars and no cents (\$1,512.00) per Single-Family Dwelling.

The flat rate sewer service charge for fiscal year July 1, 2027 through June 30, 2028 for residential customers shall be One Thousand Five Hundred Eighty-Eight dollars and no cents (\$1,588.00) per Single-Family Dwelling.

The flat rate sewer service charge for fiscal year July 1, 2028 through June 30, 2029 for residential customers shall be One Thousand Six Hundred Sixty-Seven dollars and no cents (\$1,667.00) per Single-Family Dwelling.

The flat rate sewer service charge for fiscal year July 1, 2029 through June 30, 2030 for residential customers shall be One Thousand Seven Hundred Fifty dollars and no cents (\$1,750.00) per Single-Family Dwelling.

Accessory Dwelling Units.

An accessory dwelling unit is an individual residential dwelling unit for the purpose of flat rate sewer service charges and shall be subject to the above sewer service rate schedule. Consistent with Government Code section 66338, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit for purposes of sewer service charges, and shall not be subject to a separate flat rate sewer service charge.

(B) Septic Tank Effluent Pumping System and Grinder Pump System (STEP/Grinder System) Residential Customers Rate included in the On-Site Wastewater Disposal Zone (OWDZ).

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2025 through June 30, 2026 shall be Two Thousand Four Hundred Fifty-Four Dollars and no cents (\$2,454.00) per Single-Family Dwelling.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2026 through June 30, 2027 shall be Two Thousand Five Hundred Seventy-Seven Dollars and no cents (\$2,577.00) per Single-Family Dwelling.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2027 through June 30, 2028 shall be Two Thousand Seven Hundred Six Dollars and no cents (\$2,706.00) per Single-Family Dwelling.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2028 through June 30, 2029 shall be Two Thousand Eight Hundred Forty-One Dollars and no cents (\$2,841.00) per Single-Family Dwelling.

The sewer service charge for residential customers served by a STEP/Grinder System for fiscal year July 1, 2029 through June 30, 2030 shall be Two Thousand Nine Hundred Eighty-Three Dollars and no cents (\$2,983.00) per Single-Family Dwelling.

An accessory dwelling unit is an individual residential dwelling unit for the purpose of sewer service charges for residential customers served by a STEP/Grinder System and shall be subject to the above sewer service rate schedule. Consistent with Government Code section 66338, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit for purposes of sewer service charges, and shall not be subject to a separate sewer service charge.

Section 7. Article IX, Section 901 is hereby amended in its entirety to read as follows:

Section 901. Sewer Infrastructure Capacity Fees.

(01) Purpose of Sewer Infrastructure Capacity Fee.

The purpose of the sewer infrastructure capacity fee is to equalize the cost of acquisition, construction, and installation of the District's facilities by the District so that each resident or property owner pays his/her proportionate share of such costs.

(02) Basis of Fee.

No connection shall be made to any public sewer, or to any sewer flowing into a public sewer within the District, nor any use of sewer system capacity provided by District infrastructure, until there shall be paid to the District a sewer infrastructure capacity fee, such fee to be in addition to fees for permits, inspections or the requirements of any other rule or regulation of the District. The infrastructure capacity fee shall be paid at the time the application for a Class 1 or Class 2 sewer permit is filed.

The estimate of the average volume of wastewater discharge in gallons per day for any proposed use shall be made by the General Manager. Any applicant for connection dissatisfied with the average daily volume estimated by the General Manager may appeal such determination to the District Board, who shall conduct a hearing thereon and establish a infrastructure capacity fee to be paid by the applicant.

(03) Fees by Type of Use.

The infrastructure capacity fees shown below shall be assessed each new applicant for wastewater service. In the event that a parcel will have combined residential and non-residential uses, the residential infrastructure capacity fee shall be applied to each living unit and the non-residential infrastructure capacity fee shall be applied to the non-residential uses. In no event shall a infrastructure capacity fee be less than the residential infrastructure capacity fee. A separate meter serving the non-residential premises shall be required for annual user charge assessments

Infrastructure Capacity Fee Dollars	District
Residential Unit (includes 30 gpd lateral I/I) Minimum per EDU 200 Gallons Per Day (GPD)	\$8,608.00
Supplemental Infrastructure Capacity Fee (a) (equivalent to 30 gpd lateral I/I)	\$1,291.20
Non-Residential Use (b) Equal or less than 300 mg/I Biological Oxygen Demand (BOD) or Suspended Solids (SS) *per supplementary connection (a)	\$43.04/gpd +\$1,291.20*
Greater than 300 mg/I BOD or SS *per supplementary connection (a)	\$36.28/gpd + \$6.76/gpd x strength ratio (c) + \$1,291.20*

(a) * The infrastructure capacity fee for a supplementary connection(s) to the same building shall be \$1,291.20 per connection. [Amended by General Regulation No. 2022-02]

(b) Non-Residential Use infrastructure capacity fees are calculated using average daily flow in gpd. Minimum

Non-Residential Use is based on 300 gpd of average daily flow. In no event shall the Non-Residential Use infrastructure capacity fee be less than the Residential infrastructure capacity fee of \$8,608.00.

Example: A Non-Residential Use connection with 300 gpd of average daily flow and 300 mg/l of BOD or SS would pay the following: $\$43.04/\text{gpd} \times 300 \text{ gpd} = \$12,912.00$

- (c) The strength ratio component for Non-Residential Use with BOD and/or SS concentrations greater than 300 mg/l, is calculated by the ratio of the highest of the BOD or SS concentrations to 300 mg/l.

Example: A Non-Residential Use connection with 300 gpd of average daily flow and 400 mg/l of BOD and 350 mg/l of SS would pay the following:

$$\$36.28/\text{gpd} \times 300 \text{ gpd} + (\$6.76/\text{gpd} \times 300 \text{ gpd} \times (400 \text{ mg/l} \div 300 \text{ mg/l})) = \$13,588.00$$

Infrastructure capacity fees will be adjusted annually, July 1 of each year, by the Annual Percentage Change of the Engineering News Record Construction Cost Index for San Francisco. The Annual Percentage Change shall be calculated as: the December Value for the current fiscal year, minus the December Value for the prior fiscal year, and the result of which shall be divided by the December Value for the prior fiscal year.

Accessory Dwelling Unit

(a) Pursuant to Section 66311.5 of the California Government Code the District will charge an Accessory Dwelling Unit infrastructure capacity fee based on the number of drainage fixture units (FU). The District establishes 20 FU's per EDU (equivalent dwelling unit) as the basis for charging accessory dwellings. The infrastructure capacity fee per FU would be multiplied times the number of FU's in the accessory dwelling unit to charge a connection for the accessory dwelling unit.

(b) Exceptions. In accordance with California Government Code Sections 66323, subsection (a)(1) and 66311.5, subsection (d) the District will not require installation of a separate utility connection or impose a related infrastructure capacity fee for one accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling, other than an accessory dwelling unit that is within the proposed space of a new single-family home, if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333).

(c) For an accessory dwelling unit that is not described in subparagraph (b), a new or separate sewer connection may be applied, and the standard charge per fixture unit shall apply.

Formula Assumptions:

#1 - District Infrastructure Capacity Fee charge per EDU = \$6,919, the charge per fixture unit would be \$345.95 per FU (\$6,919 divided by 20 FU).

#2 - Authority Infrastructure Capacity Fee charge per EDU = \$1,582, the charge per fixture unit would be \$79.10 per FU (\$1,582 divided by 20 FU).

#3 - \$345.95 per FU plus \$79.10 per FU equals \$425.05 per fixture unit cost.

Example: An accessory dwelling with 15 fixture units would be charged a infrastructure capacity fee of \$6,375.75 (15 x \$425.05). [Amended by General Regulation No.2017-01.]

- (d) In accordance with California Government Code Section 66003, except for Accessory Dwelling Units described in subparagraph (b), above, supplemental infrastructure capacity fees imposed pursuant to a reimbursement agreement entered into between the District and a property owner or developer for that portion of the cost of a public facility paid by the property owner or developer which exceeds the need for the public facility attributable to and reasonably related to the development shall apply on a per fixture unit basis in the same ratio as is set forth in subsection (c), above.

(04) Persons Responsible.

The owner of any premises is and shall be responsible for payment of all infrastructure capacity fees applicable to said premises. It shall be and is hereby made the duty of each property owner to ascertain from the General Manager the amount and due date of any infrastructure capacity fee applicable to said property and to pay said fee when due and payable. Each property owner shall be responsible to inform the General Manager, in a reasonable amount of time of any change or changes in any circumstances which will in any way affect applicability, or amount of any such fee.

(05) Increased Use of Sewers.

- (A) In the event increased use is or will be made of the sewer, and the actual, calculated, or estimated volume of wastewater discharge exceeds or will exceed the volume of wastewater discharge the premises are entitled to discharge, an additional infrastructure capacity fee shall be paid. The additional infrastructure capacity fee shall be calculated by subtracting the wastewater discharge entitlement assigned to the parcel from the actual, calculated or estimated volume of wastewater discharge, measured in gallons per day, average daily flow and multiplying the remainder by the non-residential infrastructure capacity fee rate. The wastewater discharge entitlement is determined by the base year wastewater discharge, which is the average daily discharge from the property in 1974 OR the wastewater discharge for which a infrastructure capacity fee has been paid, whichever is higher. The maximum allowable volume of wastewater discharge shall be increased through payment of additional sewer infrastructure capacity fees.
- (B) In those instances where an increased use has been made without written notice by the customer to the District, the additional infrastructure capacity fee shall be computed at the rate in effect under this Code on the date the additional fee is levied. The General Manager shall ascertain the amount of each additional infrastructure capacity fee applicable to each premise in the District and shall mail to the property owner of each applicable premise a statement for the additional infrastructure capacity fee which is due and payable. Such statement shall be mailed to the person or persons listed as the property owner on the last equalized assessment roll of the County of San Mateo at the address shown on such assessment roll, or to the successor in interest of such owner, if the name and address of such successor in interest is known to the General Manager. Each bill so mailed shall contain a statement that a delinquency in payment for Sixty (60) days shall constitute a lien against the lot or parcel against which the fee is imposed and that when recorded it shall have the force, effect and priority of a judgment lien for three (3) years unless sooner released or otherwise discharged. Failure of the General Manager to mail said statement, or failure of any property owner to receive said statement, shall not excuse the

obligation of paying said additional infrastructure capacity fee. [Amended by General Regulation No. 75.]

(C) In the event a customer has previously notified the District in writing of an increased use, the additional infrastructure capacity fee shall be computed at the rate in effect on the date such written notice was received by the District. The General Manager shall ascertain the amount of the additional infrastructure capacity fee applicable to the premises and shall mail to the property owner of the premises a statement for the additional infrastructure capacity fee which is due and payable. Such statement shall be mailed to the person or persons listed as the property owner on the last equalized assessment roll of the County of San Mateo at the address shown on such assessment roll, or to the successor in interest of such owner, if the name and address of such successor in interest is known to the General Manager. Failure of the General Manager to mail said statement, or failure of any property owner to receive said statement, shall not excuse the obligation of paying said additional infrastructure capacity fee.

(D) Penalties for Non-Payment of Additional Infrastructure Capacity Fees. Whenever a delinquency shall occur for non-payment of additional infrastructure capacity fees, a penalty of ten (10) percent shall attach to such fees, and for each month that such fees remain delinquent a further penalty of one and one-half percent (1-1/2 percent) of said basic fee shall be added. [Amended by General Regulation No. 75.]

(E) Where payable. Additional infrastructure capacity fees collected by direct billing shall be payable at the administrative offices of the District, or as noted on the billing. [Amended by General Regulation No. 75.]

(06) Repurchase of Capacity.

(A) In the event the property owner notifies the General Manager within 2 years of payment of a infrastructure capacity fee for a use proposed to be made that it appears either that such use will not be made or will create less volume of wastewater discharge than anticipated, the General Manager may re-compute the sewer infrastructure capacity fee and refund to the payer ninety percent (90%) of the difference between the sewer infrastructure capacity fee paid and the recomputed charge. [Amended by General Regulation No. 66.]

(07) Administration of Infrastructure Capacity Fees.

(A) The sewer infrastructure capacity fee rate may be revised only by an amendment to this Code approved by a two-thirds vote of the members of the District Board.

(B) The amount of infrastructure capacity fees for all classifications of uses shall be reviewed at least once each fiscal year. [Amended by General Regulation No. 66.]

Section 8. The District Board hereby finds that this Regulation is not a “project” under the California Environmental Quality Act because it will not cause physical change in the environment directly or indirectly. (Pub. Resources Code, § 21065.)

Section 9. This General Regulation shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Passed and adopted by the Board of the West Bay Sanitary District at a regular meeting thereof held on the 8th day of July, 2026, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the Board
West Bay Sanitary District

Attest:

Secretary of the Board
West Bay Sanitary District



WEST BAY SANITARY DISTRICT AGENDA ITEM 9

To: *Board of Directors*

From: *Fariborz Heydari, P.E. District Engineer*

Subject: *Consideration of Resolution Authorizing President and Secretary of the District Board to Enter into a Reimbursement Agreement for \$91,717.50 Between the Amar Goel and Komal Goel, Trustees of The Birchwood Trust (175 Britton Avenue, Atherton) and the West Bay Sanitary District*

Background

The reimbursement agreement provides for the reimbursement of costs related to the replacement of an existing six-inch terracotta pipe in need of repair with a new 8" HDPE via directional drilling from 175 Britton Avenue in Atherton. The work will be performed by Express Plumbing who completed the Middlefield Marsh Siphon Project earlier this year. Express Plumbing's quote is \$183,435.00. The Applicant will contract with Express Plumbing directly and enter into a 50/50 cost-sharing reimbursement agreement with the District. The District's share would be \$91,717.50.

As part of this project, a portion of the existing sewer easement, not in use, will be vacated to construct the development project, and a new easement will be dedicated to the District.

Analysis

On August 13, 2025, the Board of Directors authorized the General Manager to issue a Class 3 Sewer Permit No. 25-576.

The work will commence after the execution of the reimbursement agreement and the payment of \$91,717.50 will be made to the Applicant within 30 days after the District's acceptance of the new sewer main.

Fiscal Impact

On June 24, 2026, the Board of Directors approved the Fiscal Year 2026-27 Budget. Pipeline Replacement & Rehab Construction has an approved budget of \$500,000.00 for Unexpected Pipeline Repairs. The remaining balance after the cost sharing amount of \$91,717.50 will be \$408,282.50.

Recommendation

The District Engineer recommends that the Board authorize the President and Secretary to enter into the reimbursement agreement for \$91,717.50 between the Amar Goel and Komal Goel, Trustees of The Birchwood Trust (175 Britton Avenue, Atherton) and the West Bay Sanitary District.

Attachment: Reimbursement Agreement
Resolution

AGREEMENT

This Agreement is made and entered into by and between Amar Goel and Komal Goel, Trustees of The Birchwood Trust dated September 10, 2012 ("Property Owners") and West Bay Sanitary District ("District"), and shall be effective on the date by which it has been executed by all parties hereto (the "Effective Date").

Recitals

- A. Property Owners represent that they are the sole and exclusive owner of certain property located in District's territory commonly known as 175 Britton Avenue, Atherton, California, and designated in the records of the San Mateo County Assessor as APN 070-214-150 (the "Real Property").
- B. District owns and maintains an existing eight inch (8") sanitary sewer main line in an existing easement (acquired by implied dedication) (the "Existing Easement") within the boundaries of the Real Property, over a portion of which Property Owners are constructing a new single-family residence with an attached accessory dwelling unit (the "Development Project").
- C. In order to construct the Development Project, Property Owners have requested that the District abandon a portion of the Existing Easement and relocate the sewer main (the "Sewer Relocation") to a new easement (the "New Easement") located within the Real Property. District is willing to grant the request subject to Property Owners satisfying and complying at all times with all of the Terms and Conditions of this Agreement.
- D. Property Owners have engaged a contractor (EPS, Inc., dba, Express Plumbing) to construct the Sewer Relocation at a cost of \$183,435.00.
- E. The District and the Property Owners have reached an agreement in principle to undertake the Sewer Relocation so that the Development Project may proceed, and to share in the cost thereof in accordance with the terms and conditions herein set forth.

Terms and Conditions

In consideration of the foregoing Recitals and the following Terms and Conditions, it is mutually agreed as follows:

- 1. Property Owners have conducted a site survey to prepare an easement description for the New Easement in an alignment to be approved by District in its sole discretion. District will accept an easement of fifteen (15) feet in width so that a new public sewer main (the "New Sewer Main") may be constructed within the New Easement.

2. Upon District's receipt and approval of the easement description, Property Owners shall execute an easement deed, based on the District's standard easement deed template (Exhibit A, attached hereto), conveying the New Easement to District.
3. Upon recordation of the new easement deed, Property Owners shall apply for and obtain a Class 3 sewer permit to: (1) construct the New Sewer Main in the New Easement; and (2) disconnect the portion of the existing sewer main located within the Existing Easement. The standard Class 3 sewer permit fee shall be waived.
4. Upon issuance of the sewer permit, Property Owners shall commence and diligently undertake construction of the New Sewer Main. All construction performed pursuant to said permit shall be performed in accordance with the District's regulations, and shall be inspected by the District prior to acceptance. Upon acceptance of the construction, the New Sewer Main shall become the property of the District.
5. Within thirty (30) days of the District's acceptance of the New Sewer Main, it shall remit payment to Property Owners in the sum of \$91,717.50, representing fifty percent (50%) of the cost of the Sewer Relocation.
6. In the event District determines, in its sole discretion, that Property Owners have not diligently undertaken and performed the Sewer Relocation, or that Property Owners are unable to undertake the construction, then the District may elect to have the work completed by contracting for such work or using District forces, and shall recover the fifty percent (50%) of cost thereof from Property Owners. In the event that legal action is necessary to collect such costs, then the District shall also recover its attorneys' fees and costs incurred in such legal action. In that event, in addition to and not in lieu of all other remedies available under the terms of this Agreement or at law, the District may, at its option, proceed with enforcement of the lien created by this Agreement in accordance with the procedures for the enforcement of a tax lien as provided in Section 43003 of the California Government Code, as amended or replaced from time to time, or in any other manner authorized by law, including but not limited to judicial or non-judicial foreclosure.
7. This Agreement shall serve as Property Owners' grant to District of an easement for purposes of performing the work described in the preceding paragraph.
8. Upon completion of the construction described in Paragraph 5, above, and District's formal acceptance thereof, District shall formally abandon the Existing Easement, and quitclaim any interest in the Existing Easement to Property Owners (if deemed necessary by District in its sole discretion). Nothing contained herein shall be construed to affect the facilities or rights of any other public agency or entity, if any, that may have an interest in the Existing Easement. Property Owners shall be responsible for, and shall assume all risk associated with, any other agency or entity's claim of right to utilize the Existing Easement.
9. Property Owners shall defend, indemnify and hold District harmless for any and all claims, demands and causes of action of whatever nature, including but not limited

to any liability for any injuries or damages caused by or associated with the Encroachment, construction of the New Sewer Main, District's quitclaim of its interest in the Existing Easement, or which may otherwise arise out of or be in any way related to the provisions of this Agreement.

10. The District Manager, under Article VII, Section 707(08) is hereby authorized to inspect the premises of any customer at all reasonable times to ascertain whether the provisions of this agreement and the District's Code of General Regulations, or the provisions of any permit or variance issued by the District are being complied with.
11. If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief. The laws of the State of California, with jurisdiction in the San Mateo County Superior Court, shall govern all matters relating to the validity, interpretation, and effect of this Agreement and any authorized or alleged changes, the performance of any of its terms, as well as the rights and obligations of Property Owners and the District.
12. This Agreement, along with any attachments, is the full and complete integration of the parties' agreement with respect to the matters addressed herein, and that this Agreement supersedes any previous written or oral agreements between the parties with respect to the matters addressed herein.
13. This Agreement shall be binding upon and inure to the benefit of the parties, their respective officers, directors, employees, agents, assignees, transferees, personal representatives and successors in interest. The promises, covenants, obligations and duties of Property Owners under this Agreement are deemed covenants running with the Real Property and shall be binding upon all of the successors in interest to Property Owners with regard to the Real Property.
14. Each party acknowledges that it has reviewed this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
15. If either party shall desire or is required to give notice to the other such notice shall be given in writing, via email and concurrently delivered by overnight Federal Express [or priority U.S. Mail], addressed to recipient as follows:

To District:

West Bay Sanitary District
Attn: Sergio Ramirez
500 Laurel Street
Menlo Park, Ca 94025
Phone: (650) 321-0384
Email: sramirez@westbaysanitary.org

To Property Owners:

The Birchwood Trust
Amar Goel and Komal Goel, Trustees
175 Britton Avenue
Atherton, CA 94027
Phone: (201) 463-4294
Email: amar.goel@pubmatic.com

Changes to the above information shall be given to the other party in writing ten (10) business days before the change is effective.

16. This Agreement may be executed in counterparts, and when each party has signed and delivered at least one such counterpart, each one shall be deemed an original and, when taken together with other signed counterparts, shall constitute one Agreement, which shall be binding on and effective regarding all parties. A scanned, electronic, facsimile, or other copy of a party's signature shall have the same force and effect as an original signature.
17. By their signatures below, the Parties acknowledge that they have each read and understand the terms of this Agreement, and are authorized to execute this Agreement to legally obligate their respective representatives, agents, successors and assigns to comply with the provisions of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as set forth below:

District:

WEST BAY SANITARY DISTRICT

Dated: _____

By _____
Sergio Ramirez
District Manager

APPROVED AS TO FORM

General Counsel

Property Owners:

THE BIRCHWOOD TRUST
Dated September 12, 2012

Dated: _____

Amar Goel, Trustee

Dated: _____

Komal Goel, Trustee

EXHIBIT A

RECORDED AT THE REQUEST OF
And
WHEN RECORDED MAIL TO:

WEST BAY SANITARY DISTRICT
500 Laurel Street
Menlo Park, CA 94025

(Space above for Recorder=s use only)

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX IS \$0 CITY TAX IS

- ☐ computed on the full value of the property conveyed, or
- ☐ computed on the full value less value of liens or encumbrances remaining at the time of sale, or
- ☐ this is a conveyance of an easement and the consideration and value is less than \$100, R & T 11911.
- ☐ unincorporated area ☐ City of _____

EASEMENT DEED

Amar Goel and Komal Goel, Trustees of The Birchwood Trust, dated September 10, 2012 GRANTORS, do hereby grant to the WEST BAY SANITARY DISTRICT, a public agency organized and existing under the laws of the State of California, a perpetual easement for sanitary sewer purposes which shall include the constructing, maintaining, repairing, protecting and replacing the sewer main, together with appurtenances thereof, across, and in lands commonly known as 175 Britton Avenue, Atherton, CA 94027, designated in the records of the County Assessor as APN 070-214-150 and more particularly described in Exhibit A, attached hereto, and by this reference incorporated herein. The location and dimensions of said easement are set forth in Exhibit B, attached hereto and incorporated herein by reference.

The WEST BAY SANITARY DISTRICT, employees and agents shall have the right to enter upon the herein described real property at any and all times with such tools and equipment as may be necessary or convenient for the exercise of the rights herein granted to said WEST BAY SANITARY DISTRICT.

No building or structure of any kind shall be constructed upon the herein described real property, and should a building or structure be erected in violation of this provision, the WEST BAY SANITARY DISTRICT, its successors and assigns may still exercise all rights herein granted and shall have the right to remove, or cause grantor to remove, at grantor's expense, any building or structure that may be erected upon or over the said parcel of real property. The WEST BAY SANITARY DISTRICT shall not be held liable in any manner whatsoever for any damages thereby incurred, nor shall the WEST BAY SANITARY DISTRICT have any obligation to replace any structure that may be removed from said property.

This grant of easement shall be binding upon and shall inure to the benefit of the respective administrators, executors, personal representatives, successors and assigns of the parties hereto.

“Grantors”

THE BIRCHWOOD TRUST
Dated September 10, 2012

Date: _____

By: _____
Amar Goel, Trustee

Date: _____

By: _____
Komal Goel, Trustee

Acknowledgment

State of California)
) ss.
County of San Mateo)

On _____ before me, _____ personally appeared
_____ personally known to me (or proven to me on the basis of satisfactory evidence) to be the
person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her
authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Exhibit A
Legal Description

For APN/Parcel ID(s): 070-214-150

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ATHERTON, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

THAT CERTAIN TRACT OF LAND DESIGNATED AS PARCEL 3 ON THAT CERTAIN MAP, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY, LANDS OF MAYACAMAS CORP. OF PARCEL 3 AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 4 OF L, L, S. AT PAGE 161, BEING A PORTION OF LOT 4 "VALPAPAIISO PARK", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON SEPTEMBER 22ND, 1986 IN BOOK 10 OF RECORD OF SURVEY MAPS, AT PAGE 12.

PARCEL TWO:

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS UNDERGROUND UTILITY LINES, AS GRANTED BY PHELPS S. HUNTER ET UX TO ROBERT STANTON ET UX, BY AGREEMENT RECORDED NOVEMBER 6, 1945 IN BOOK 1222, PAGE 105 AS DOCUMENT NO. 71745-F OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE IRON PIPE MONUMENT IN THE SOUTHWESTERLY EXTENSION OF THE CENTER LINE OF BRITTON AVENUE, WHICH IRON PIPE IS THE POINT OF BEGINNING OF PARCEL 1 HEREIN; RUNNING THENCE SOUTH 65° 19' WEST 73 FEET; THENCE SOUTH 75° 13' WEST 50 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 15 FEET; THENCE IN A GENERAL EASTERLY AND NORTHEASTERLY DIRECTION, PARALLELING THE FIRST 2 COURSES ABOVE SET FORTH AND THE EASTERLY PROLONGATION OF SAID FIRST COURSE TO A POINT WHICH BEARS NORTH 38° 44' WEST FROM THE MOST WESTERLY END OF THE EASEMENT FOR PUBLIC ROAD PURPOSES CONVEYED TO THE TOWN OF ATHERTON BY DEED RECORDED JUNE 17, 1940 IN BOOK 902, PAGE 239 OF OFFICIAL RECORDS; THENCE SOUTH 38° 44' FEET EAST TO SAID MOST WESTERLY END OF THE SAID EASEMENT FOR PUBLIC ROAD PURPOSES; THENCE SOUTH 65° 15' WEST TO THE POINT OF BEGINNING.

Exhibit B
Description of Easement

[attach legal description or map showing location and dimensions of easement]

RESOLUTION NO. _____ (2026)

IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT

COUNTY OF SAN MATEO, STATE OF CALIFORNIA

BE IT RESOLVED: that the President and Secretary of the West Bay Sanitary District be and are hereby authorized to execute the attached Reimbursement Agreement by and between the West Bay Sanitary District, a public agency, and Amar Goel and Komal Goel, Trustees of The Birchwood Trust dated September 10, 2012.

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 8th day of July 2026, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the West Bay
Sanitary District of San Mateo County, State of
California

Attest:

Secretary of the District Board of the West Bay
Sanitary District of San Mateo County, State of
California



WEST BAY SANITARY DISTRICT AGENDA ITEM 10

To: *Board of Directors*

From: *Fariborz Heydari, P.E. District Engineer*

Subject: **Consider Resolution Accepting Deed of Easement Pursuant to
for the Construction of Sewer Main for 175 Britton Avenue,
Town of Atherton, California**

Background

The District has a six-inch sewer mainline within a sanitary sewer easement at 175 Britton Avenue in Atherton. A new sanitary sewer easement is being dedicated for a new eight-inch sewer mainline, a manhole, and sewer laterals serving 175 Britton Avenue and 175 Isabella Avenue.

Due to construction of a new home at this location, a portion of the existing easement not being used will be vacated.

Recommendation

The District Engineer recommends that the Board adopt the attached Resolution accepting the Deed of Easement.

Attachments: Resolution ____ 2026)
Grant Deed of Easement Documents

RESOLUTION NO. _____ (2026)

IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT

COUNTY OF SAN MATEO, STATE OF CALIFORNIA

BE IT RESOLVED that the President and Secretary of the West Bay Sanitary District be and are hereby authorized to accept the attached Grant Deed of Easement by and between the following parties:

Amar Goel and Komal Goel, Trustees of The Birchwood Trust dated September 10, 2012

BE IT FURTHER RESOLVED that the General Manager is hereby directed to place the same on record.

Passed and adopted by the District Board of the West Bay Sanitary District at a regular meeting thereof held on the 8th day of July, 2026, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the West
Bay Sanitary District of San Mateo County,
State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo
County, State of California

EXHIBIT A

RECORDED AT THE REQUEST OF
And
WHEN RECORDED MAIL TO:

WEST BAY SANITARY DISTRICT
500 Laurel Street
Menlo Park, CA 94025

(Space above for Recorder=s use only)

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX IS \$0 CITY TAX IS

- ☐ computed on the full value of the property conveyed, or
- ☐ computed on the full value less value of liens or encumbrances remaining at the time of sale, or
- ☐ this is a conveyance of an easement and the consideration and value is less than \$100, R & T 11911.
- ☐ unincorporated area ☐ City of _____

EASEMENT DEED

Amar Goel and Komal Goel, Trustees of The Birchwood Trust, dated September 10, 2012 GRANTORS, do hereby grant to the WEST BAY SANITARY DISTRICT, a public agency organized and existing under the laws of the State of California, a perpetual easement for sanitary sewer purposes which shall include the constructing, maintaining, repairing, protecting and replacing the sewer main, together with appurtenances thereof, across, and in lands commonly known as 175 Britton Avenue, Atherton, CA 94027, designated in the records of the County Assessor as APN 070-214-150 and more particularly described in Exhibit A, attached hereto, and by this reference incorporated herein. The location and dimensions of said easement are set forth in Exhibit B, attached hereto and incorporated herein by reference.

The WEST BAY SANITARY DISTRICT, employees and agents shall have the right to enter upon the herein described real property at any and all times with such tools and equipment as may be necessary or convenient for the exercise of the rights herein granted to said WEST BAY SANITARY DISTRICT.

No building or structure of any kind shall be constructed upon the herein described real property, and should a building or structure be erected in violation of this provision, the WEST BAY SANITARY DISTRICT, its successors and assigns may still exercise all rights herein granted and shall have the right to remove, or cause grantor to remove, at grantor's expense, any building or structure that may be erected upon or over the said parcel of real property. The WEST BAY SANITARY DISTRICT shall not be held liable in any manner whatsoever for any damages thereby incurred, nor shall the WEST BAY SANITARY DISTRICT have any obligation to replace any structure that may be removed from said property.

This grant of easement shall be binding upon and shall inure to the benefit of the respective administrators, executors, personal representatives, successors and assigns of the parties hereto.

“Grantors”

THE BIRCHWOOD TRUST
Dated September 10, 2012

Date: _____

By: _____
Amar Goel, Trustee

Date: _____

By: _____
Komal Goel, Trustee

Acknowledgment

State of California)
) ss.
County of San Mateo)

On _____ before me, _____ personally appeared
_____ personally known to me (or proven to me on the basis of satisfactory evidence) to be the
person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her
authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Exhibit A
Legal Description

For APN/Parcel ID(s): 070-214-150

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ATHERTON, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

THAT CERTAIN TRACT OF LAND DESIGNATED AS PARCEL 3 ON THAT CERTAIN MAP, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY, LANDS OF MAYACAMAS CORP. OF PARCEL 3 AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 4 OF L, L, S. AT PAGE 161, BEING A PORTION OF LOT 4 "VALPAPAISSO PARK", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON SEPTEMBER 22ND, 1986 IN BOOK 10 OF RECORD OF SURVEY MAPS, AT PAGE 12.

PARCEL TWO:

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS UNDERGROUND UTILITY LINES, AS GRANTED BY PHELPS S. HUNTER ET UX TO ROBERT STANTON ET UX, BY AGREEMENT RECORDED NOVEMBER 6, 1945 IN BOOK 1222, PAGE 105 AS DOCUMENT NO. 71745-F OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE IRON PIPE MONUMENT IN THE SOUTHWESTERLY EXTENSION OF THE CENTER LINE OF BRITTON AVENUE, WHICH IRON PIPE IS THE POINT OF BEGINNING OF PARCEL 1 HEREIN; RUNNING THENCE SOUTH 65° 19' WEST 73 FEET; THENCE SOUTH 75° 13' WEST 50 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 15 FEET; THENCE IN A GENERAL EASTERLY AND NORTHEASTERLY DIRECTION, PARALLELING THE FIRST 2 COURSES ABOVE SET FORTH AND THE EASTERLY PROLONGATION OF SAID FIRST COURSE TO A POINT WHICH BEARS NORTH 38° 44' WEST FROM THE MOST WESTERLY END OF THE EASEMENT FOR PUBLIC ROAD PURPOSES CONVEYED TO THE TOWN OF ATHERTON BY DEED RECORDED JUNE 17, 1940 IN BOOK 902, PAGE 239 OF OFFICIAL RECORDS; THENCE SOUTH 38° 44' FEET EAST TO SAID MOST WESTERLY END OF THE SAID EASEMENT FOR PUBLIC ROAD PURPOSES; THENCE SOUTH 65° 15' WEST TO THE POINT OF BEGINNING.

Exhibit B
Description of Easement

[attach legal description or map showing location and dimensions of easement]

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WEST BAY SANITARY DISTRICT AGENDA ITEM 11

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Establish July 22, 2026, as the Date of a Public Hearing to Consider Amending the Code of General Regulations for Board Member Compensation*

Background

Per Government Code the compensation that may be paid to a Board of Director for each day's attendance at meetings may be increased annually by five percent. Since the last increase was in July 2025, the Board of Directors could elect to increase its compensation by 5% in 2026. This means the Board of Directors may increase their compensation from \$282.00 per meeting to \$296.10 per meeting.

Analysis

An increase to the Board of Director fees would have de minimis impacts to the budget and could enhance the Board's efforts to find successor Board members.

Should the Board of Directors decide to approve the increase, a Public Hearing will be scheduled for July 22, 2026, at which time the Board may adopt the new rate.

Fiscal Impact

Generally, in 2025 the Board of Directors attended two meetings per month collecting approximately \$564.00 each per month in fees. The 5 % increase in 2026 would allow the Board of Directors to collect \$296.10 per meeting or \$592.20 per month on average.

Recommendation

The General Manager recommends the Board of Directors establish July 22, 2026, as the date of the public hearing to consider amending the Code of General Regulations for Board Member Compensation.

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WEST BAY SANITARY DISTRICT AGENDA ITEM 12

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Consider Adopting Resolution Honoring the Service of Jed Beyer to the District*

Background

Jed Beyer, Water Quality Manager, has been with the District for 26 years and has decided to join the ranks of the retired community.

Analysis

August 8, 2026 will be Mr. Beyer's last day at the District. Mr. Beyer has made many contributions to the District with his hard work, integrity, and outstanding knowledge of the job.

His invaluable contributions have helped West Bay Sanitary District continue to protect the sanitation, health and welfare of the general public.

Fiscal Impact

None

Recommendation

The General Manager and staff recommend that the Board adopt the attached Resolution honoring the service of Mr. Jed Beyer to the District.

Attachment: Resolution

RESOLUTION NO. _____ (2026)

RESOLUTION HONORING THE SERVICE OF JED BEYER TO THE DISTRICT

BE IT RESOLVED BY THE DISTRICT BOARD OF WEST BAY SANITARY DISTRICT, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, AS FOLLOWS:

WHEREAS:

Jed Beyer was employed by the West Bay Sanitary District on the First day of May, in the year Two Thousand as a Maintenance Worker; and was promoted to Field Supervisor the Eighteenth day of October, Two Thousand Five; and

WHEREAS:

Jed Beyer was again promoted to Source Control Inspector on the Ninth day of December Two Thousand Fifteen; and

WHEREAS:

Jed Beyer was promoted to Regulatory Compliance Coordinator the Twenty-Second day of July, Two Thousand Nineteen; and

WHEREAS:

Jed Beyer became the District's first Water Quality Manager on the First day of July, Two Thousand Twenty, where he managed the day-to-day operations and construction of the District's two recycled water treatment plants; and

WHEREAS:

Jed Beyer faithfully and with honor, integrity and great distinction served in his positions providing outstanding service for 26 years; and

WHEREAS:

Jed Beyer has provided excellent service to the District and made a number of significant contributions and achievements including obtaining California Water Environment Association (CWEA) Grade 4 Certification, 2011 Certified Safety Management Specialist (CSMS), Safety Center; was awarded in 2013 recipient of the CWEA PICK Award Recognizing volunteer efforts in service to the CWEA Collection Systems Committee with Professionalism, Ingenuity, Contribution and Knowledge; 2018 California Water Environment Association Environmental Compliance Inspector Grade I & Subject Matter Expert; 2018 California Water Environment Association Environmental Compliance Inspector Grade I & Subject Matter Expert; obtaining the 2019 CWEA Select Society of Sanitary Sludge Shovelers (5S) Award recognizing individuals active in protecting the water environment through participation in Local, State, and Federal sponsored activities; and 2021 Financial Management Certification, Cornell University; and

WHEREAS:

Jed Beyer has earned the admiration and respect of his colleagues at the District for his dedication, loyalty, dependability, professionalism, and hard work; and
Jed Beyer has made a lasting impact through his leadership, dedication, and commitment to protecting public health and the environment. His work has helped advance the District's recycled water and water quality programs, and his knowledge, guidance, and willingness to support others have left a positive mark on both the organization and the people he has worked alongside; and

WHEREAS:

The General Manager and Staff recommend this public recognition of Jed Beyer on the occasion of his retirement; and

WHEREAS:

It is in the public interest and proper public purpose to recognize Jed's contributions and achievements, in that by doing so, the District is promoting the high standards of integrity and dedication that have characterized Jed's service to the District.

NOW THEREFORE BE IT RESOLVED:

That the members of the Board of Directors of the West Bay Sanitary District, San Mateo County, California commends Jed Beyer for his accomplishments and 26 years of service to the District and expresses sincere gratitude for the invaluable contributions Jed Beyer has made to the West Bay Sanitary District and to the cause of protecting the sanitation, health and welfare of the general public, and conveys its best wishes for good health and happiness in his retirement effective August 8, 2026.

BE IT FURTHER RESOLVED:

That this resolution be spread upon the permanent minutes of the Board and that suitably inscribed copies be sent to Jed Beyer to share with his family; and to other appropriate officials of the West Bay Sanitary District.

Passed and adopted by the District Board of West Bay Sanitary District at a regular meeting thereof held on the 8th day of July, 2026 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

President of the District Board of the
West Bay Sanitary District of San Mateo County,
State of California

Attest:

Secretary of the District Board of the
West Bay Sanitary District of San Mateo County,
State of California

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WEST BAY SANITARY DISTRICT AGENDA ITEM 13

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Discussion and Direction on the West Bay and Sharon Heights Recycled Water Facility*

A discussion will be held on the Sharon Heights Recycled Water Facility and other events related to the recycled water plant. The Board will have the opportunity to provide direction to staff and legal counsel.

Recycled Water Facility Production Data:

2026	Processed	Delivered
January	5.2MG	143K
February	4.2MG	55.6K
March	5.9MG	3.9MG
April	7.5MG	2.8MG
May	10.2MG	7.5MG
June	10.6MG	8.9MG

2025	Processed	Delivered
January	5.3MG	663K gallons
February	5MG	532K
March	7.2MG	2.4MG
April	9.1MG	5.8MG
May	8.6MG	8.1MG
June	9.6MG	9MG
July	10.3MG	8.8MG
August	10MG	8.4MG
September	10.6MG	7.4MG
October	7.9MG	2.4MG
November	6.5MG	568K
December	5.7MG	58K

2024	Processed	Delivered
January	5.8MG	175K gallons
February	5.6MG	464K
March	6.5MG	1.5MG
April	8.1MG	4.4MG
May	10.6MG	9.3MG
June	10.7MG	9.9MG
July	11.3MG	9.9MG
August	10.7MG	9.3MG
September	7.8MG	7MG
October	8.8MG	5.4MG
November	4.6MG	530K
December	5.3MG	82K

2023	Processed	Delivered
January	5MG	0 gallons
February	3.3MG	0 gallons
March	3.5MG	0 gallons
April	4.9MG	32k gals. Dust Control
May	5.1MG	432k gals. Dust Control
June	4.8MG	456k gals. Dust Control
July	6.2MG	1.05MG Dust Control
August	8.1MG	2.7MG (+ 1.5 MG Dust Control)
September	8.4MG	4MG (+ 1.04 MG Dust Control)
October	9.6MG	7.4MG
November	7.7MG	3.7MG
December	7.4MG	970K

2022	Processed	Delivered
January	4.4MG	97,000 gallons
February	4.4MG	1.5MG
March	6.6MG	3.5MG
April	7.6MG	3.8MG
May	9.2MG	7.4MG
June	9.8MG	8.7MG
July	9.6MG	8.1MG
August	9.2MG	8.1MG
September	8.6MG	6.7MG
October	7.9MG	4.6MG

November	5.9MG	310,000 gallons
December	5.4MG	154,690 gallons

2021	Total Processed	Total Delivered
Yearly Total	88.2MG	56.26MG (*) (**)
2020	Total Processed	Total Delivered
August-Dec.	34.1MG	19.75MG

* Sharon Heights substantially tapered off their water usage for September which is the reason for the large discrepancy between treated and delivered.

** Treatment was reduced in the second half of the month. Rain in late October and an irrigation equipment malfunctions caused water delivery to decrease.

The following is a disclosure statement required for any document, written report or brochure prepared in whole or in part pursuant to the Finance Agreement with the State Water Resources Control Board for the West Bay Sanitary District Recycled Water Project - Sharon Heights: Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board. California's Clean Water State Revolving Fund is capitalized through a variety of funding sources, including grants from the United States Environmental Protection Agency and state bond proceeds. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

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WEST BAY SANITARY DISTRICT AGENDA ITEM 14

To: Board of Directors

From: Sergio Ramirez, General Manager

***Subject: Discussion and Direction on the Bayfront Recycled Water Project
and Status Update***

A discussion will be held on the District's Bayfront Recycled Water Projects and other events related to the recycled water project.

The Board will have the opportunity to provide direction to staff and general counsel.

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**WEST BAY SANITARY
DISTRICT AGENDA ITEM
15**

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

Subject: *Report and Discussion on RethinkWaste (SBWMA)*

The District's representative to RethinkWaste (SBWMA), President Fran Dehn, will report on any pertinent items regarding RethinkWaste (SBWMA) business.

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WEST BAY SANITARY DISTRICT AGENDA ITEM 16

To: *Board of Directors*

From: *Sergio Ramirez, General Manager*

**Subject: *Report and Discussion on Silicon Valley Clean Water (SVCW)
Plant***

The District's representative to Silicon Valley Clean Water (SVCW), Commissioner George Otte, will report on pertinent items regarding SVCW Operations, CIP and Finance.

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