

**WEST VALLEY SANITATION DISTRICT
OF SANTA CLARA COUNTY, CALIFORNIA**

**BOARD OF DIRECTORS MEETING
February 12, 2020**

The Board of Directors of West Valley Sanitation District of Santa Clara County, California, convenes this day in regular session at 5:00 p.m. at the district office, 100 East Sunnyoaks Avenue, Campbell, California.

Roll Call

1. Present: Directors– Manny Cappello, Barbara Spector, Rowena Turner, Mike Wasserman and Paul Resnikoff, Chairperson.

Absent: Director – None.

Staff: Jon Newby, District Manager and Engineer; Edward H. Oyama, Director of Engineering and Operations; Laura McKinney, District Counsel; and Lesha Luu, Secretary.

Oral Communications

2. None

Written Communications

3. None.

Public Hearings

4. None.

Unfinished Business

5. Election of representative for advisory committee. Appoint a Treatment Plant Advisory Committee (TPAC) member to represent the District.

Motion by/Second by: Spector/Wasserman to defer the election of representative for TPAC member to the March Board Meeting. District’s counsel was directed to report back upon review of the Master Agreement to determine whether the representative for TPAC member must be from the governing body and multiple alternate members may be appointed. Motion passed unanimously.

6. Ordinance No. 152 – Amendments to Code Chapters 1, 4 and 10 and repealing of Chapter 8 of the Ordinance Code. Second reading and adoption of ORDINANCE NO. 152, AN ORDINANCE OF THE WEST VALLEY SANITATION DISTRICT BOARD OF DIRECTORS, AMENDING CHAPTERS 1,

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4, AND 10 AND REPEALING CHAPTER 8 OF THE DISTRICT'S ORDINANCE CODE RELATING TO THE STORM DRAIN MANAGEMENT PROGRAM.

Motion by/Second by: Wasserman/Cappello to approve the second reading and adoption of Ordinance 152. Motion passed unanimously.

Consent Calendar (Items to be taken in one motion)

7. Previous meeting minutes. Approve the minutes for the Regular Board of Directors Meeting on January 8, 2020.
8. Treatment Plan Advisory Committee meeting minutes. Accept the minutes for the Regular Meeting of the Treatment Plant Advisory Committee of the San Jose/Santa Clara Regional Wastewater Facility on November 14, 2019.
9. Investment Report. Approve the report on commingled funds invested by the County of Santa Clara for West Valley Sanitation District, as of December 31, 2019.
10. Consolidated Income and Expense Statement. Approve the Consolidated Income and Expense Statement for the period ended December 31, 2019.
11. Payment of invoices. Approve the payment of invoices for January 9, 2020 to February 12, 2020.
12. Multi-Year Open Sewer Repair Contract – Change Order No. 2. Authorize the District Manager and Engineer to execute Change Order No. 2 to the Multi-Year Open Sewer Repair Contract in the amount of \$500,000, increasing the Fiscal Year 2019-2020 contract amount from \$1,300,000 to \$1,800,000.

Motion by/Second by: Turner/Wasserman to approve the Consent Calendar Items 7 to 12. Motion passed unanimously. Spector to abstain on Item 8. Miss Spector extended her appreciation to the staff on behalf of Town of Los Gatos on Item 12.

New Business

13. None.

Closed Session

14. The Board adjourns at 5:10 p.m. to closed session – Conference with Legal Counsel – regarding existing litigation. (Pursuant to Government Code § 54956.9) Name of Case: *County Sanitation District, West Valley Sanitation District, Cupertino Sanitary District, and The City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 Through 50, Inclusive,*

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Santa Clara Superior Court Case No. 18CV325480. The following directors were present: Manny Cappello, Paul Resnikoff, Barbara Spector, Rowena Turner and Mike Wasserman.

Reconvene in open Session

15. The Board reconvenes in open session at 6:02 p.m. Nothing to report out.

Directors' Items

16. There were no Director's reports, announcements, and questions.

17. There were no District Manager's reports.

Adjournment

18. There being no further items of business, the meeting was adjourned at 6:04 p.m. The next Board Meeting is scheduled for March 11, 2020, at 5:00 p.m.

Signature on File

PAUL RESNIKOFF, CHAIRPERSON

Attest:

Signature on File

Secretary