

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

**BOARD OF DIRECTORS MEETING
June 8, 2016**

The Board of Directors of West Valley Sanitation District of Santa Clara County, California, convenes this day in regular session at 6:00 p.m. at the district office, 100 East Sunnyoaks Avenue, Campbell, California.

Roll Call

1. Present: Directors - Marshall Anstandig, Mike Kotowski, Steven Leonardis, Ken Yeager, and Manny Cappello, Chairperson.

Absent: None

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

Approval of Minutes of Previous Meeting

2. Approve the minutes of the regular meeting of the Board of Directors of May 11, 2016.

Motion by/Second by: Yeager/Kotowski to approve the minutes of the previous meeting.
Motion passed unanimously.

Oral Communications

3. None.

Written Communications

4. Letter to Mayor Sam Liccardo, City of San Jose, dated May 5, 2016, regarding Cost and Award of Digester and Thickener Facilities Upgrade Project and Effect on Fourth Quarter Fiscal Year 2015-2016 bills.

Reports (Items to be taken in one motion)

5. San Jose/Santa Clara Regional Wastewater Facility: Minutes of the April 14, 2016 regular meeting of the Treatment Plant Advisory Committee.
6. Investment of District Funds: Report on Commingled Funds Invested by the County of Santa Clara for West Valley Sanitation District, as of April 30, 2016.
7. Consolidated Income and Expense Statement of West Valley Sanitation District for the period ended April 30, 2016.
8. Status report on District goals and manager's objectives.

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

**BOARD OF DIRECTORS MEETING
June 8, 2016**

Motion by/Second by: Anstandig/Leonardis to approve Reports, items 5-8. Motion passed unanimously.

Unfinished Business

9. None.

Public Hearings

10. Public Hearing to consider the collection of delinquent fees on the tax roll. A. Open the hearing and receive comments on the collection of certain delinquent fees and charges for Fiscal Year 2015-2016. B. Adopt Resolution No. 16.06.11, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, PROVIDING FOR THE COLLECTION OF CERTAIN DELINQUENT FEES AND CHARGES ON THE 2016-2017 FISCAL YEAR TAX ROLL. Public hearing opened with Mr. I-Po Chang, resident of Saratoga Avenue, Saratoga, with a delinquency fee of \$11,644.05, and Mr. James Moore of Apple Blossom Lane, Los Gatos, with a delinquency fee of \$10,549.60, are in attendance with questions and comments on their delinquent fees. Both residents dispute the connection and capacity fees as the sewer services existed when the properties were purchased. Fees were responsible by the previous property owners. Public hearing closed. Staff reported District policy is to recover the connection and capacity fees with the current property owner when District discovered discrepancies of sewer connection without permit. The District is not responsible for the terms disclosed at the time the property is transferred. Board proposed a motion directing staff to reduce the threshold for the Past Due Fee Repayment Program for residential property to provide Mr. Chang and Mr. Moore the option to use the program with 5-year and no interest payment plan for the fees owed.

Motion by/Second by: Anstandig/Yeager to approve collection of delinquent fees and charges for Fiscal Year 2015-2016, adopt Resolution No. 16.06.11, and provide the Past Due Fee Repayment Program to Mr. Chang and Mr. Moore. Ayes by: Anstandig, Cappello, Leonardis, Yeager. Nays by: Kotowski. Motion passes by a vote of 4-1.

Consent Calendar (Items to be taken in one motion)

11. Approval of payment of invoices, May 12, 2016 – June 8, 2016.

12. Reauthorization of the retiree medical benefits for Fiscal Year 2016-2017. Approve the renewal of the Post-Retirement Health Insurance Benefits Policy for Fiscal Year 2016-2017, setting the maximum monthly benefit at \$705.86, the lowest-cost plan available to the District, for each eligible retiree.

13. July – December 2016 Board Meeting schedule. Adopt the proposed Board Meeting schedule for July - December 2016, including the cancellation of the July meetings.

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

**BOARD OF DIRECTORS MEETING
June 8, 2016**

14. California Association of Sanitation Agencies Conference. Authorize directors and executive staff to attend the California Association of Sanitation Agencies Conference, August 10-12, 2016, in Monterey, California.
15. Fiscal Year 2016-2017 blanket purchase orders. Approve the issuance of Fiscal Year 2016-2017 Blanket Purchase Orders \$30,000 and above to the following vendors for the amounts shown.

County of Santa Clara Communications - \$45,000
DKF Solutions Group, LLC - \$45,000
Stepford Inc. - \$109,164
Valley Oil Company - \$70,000
WECO Industries, LLC - \$50,000
Owen Equipment Sales - \$45,000

Motion by/Second by: Yeager/Leonardis to approve Consent Calendar, items 11-15. Motion passed unanimously.

Closed Session

16. The Board adjourns at 6:46 p.m. to closed session - Conference with Legal Counsel – anticipated litigation. Initiation of litigation pursuant to Government Code § 54956.9(c) (one potential case). The following directors were present: Marshall Anstandig, Manny Cappello, Mike Kotowski, Steven Leonardis, and Ken Yeager.
17. Conference with Labor Negotiators. Agency designated representatives: Ad Hoc Subcommittee – Director Manny Cappello and Director Michael Kotowski. Employee: District Manager and Engineer.

Reconvene in Open Session

18. The Board reconvenes at 7:07 in open session. Nothing to report out.

New Business

Item 22 was moved before item 19.

22. Report of Ad Hoc Subcommittee on District Manager’s performance and consideration of compensation adjustment. Adopt Resolution No. 16.06.16, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, AMENDING THE DISTRICT MANAGER AND ENGINEER’S EMPLOYMENT AGREEMENT TO REVISE SECTION 5.1 AND 5.3 RELATED TO SALARY AND VACATION, EFFECTIVE JULY 1, 2016. Adjusting the compensation for the District Manager and Engineer by 7% increase to the

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

**BOARD OF DIRECTORS MEETING
June 8, 2016**

salary beginning with the first pay period in fiscal year 2016-2017, and adjusting the vacation accrue rate to 176 hours per year. The annual salary will be \$240,047.80.

Motion by/Second by: Leonardis/Yeager to approve Resolution No. 16.06.16, amending the District Manager and Engineer's employment agreement. Motion passed unanimously.

The Board moved to approve items 19, 20, and 21 in one motion.

19. Amendments to District's Merit System Rules and Personnel Practices. Adopt Resolution No. 16.06.12, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, AMENDING THE MERIT SYSTEM RULES AND PERSONNEL PRACTICES.
20. Approval of memorandums of understanding for the District's two represented employee bargaining units, effective July 1, 2016 through June 30, 2019. A. Adoption of Resolution No. 16.06.13, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, AND THE NORTHERN CALIFORNIA REGIONAL COUNCIL OF CARPENTERS, THE CARPENTERS 46 NORTHERN CALIFORNIA COUNTIES CONFERENCE BOARD AND THEIR AFFILIATED LOCAL UNIONS, EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2019: OPERATIONS/MAINTENANCE UNIT AND CLERICAL/TECHNICAL SUB-GROUP. B. Adoption of Resolution No. 16.06.14, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, AND THE NORTHERN CALIFORNIA REGIONAL COUNCIL OF CARPENTERS, THE CARPENTERS 46 NORTHERN CALIFORNIA COUNTIES CONFERENCE BOARD AND THEIR AFFILIATED LOCAL UNIONS, EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2019: PROFESSIONAL AND SUPERVISORY UNIT.
21. Report and recommendation of compensation for management employees. Adopt Resolution No. 16.06.15, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, AMENDING A COMPENSATION PLAN FOR WEST VALLEY SANITATION DISTRICT MANAGEMENT (UNREPRESENTED) EMPLOYEES, EFFECTIVE JULY 1, 2016. Adjusting the compensation for the Director of Administration and Information Services and the Director of Engineering and Operation by 7% increase to salary beginning with the first pay period in fiscal year 2016-2017.

Motion by/Second by: Yeager/Leonardis to approve New Business, items 19, 20, and 21. Motion passed unanimously.

Directors' Items

23. There are no Director's reports, announcements, or questions.

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

**BOARD OF DIRECTORS MEETING
June 8, 2016**

24. District Manager reported an illegal spill of approximately 4600 gallons of sewage occurred in Los Gatos on Long Meadow Drive. The incident occurred on June 4th, but the District was not notified until June 5th at 11 a.m. Since being notified, the District has been on site 24/7 pumping wastewater from the spill. Investigation revealed pool plaster was poured into the sewage system via a resident's lateral by a pool contractor working on a pool located on Blueberry Drive. The plaster hardened downstream and approximately 320 feet of sewer pipe needs to be replaced. The District has approximately one third of the correction completed and anticipates to have the correction completed by the weekend of June 12th. After a complete investigation, the District will be seeking payment exceeding \$120,000 from the responsible contractor's insurance company.

Adjournment

25. There being no further items of business, the meeting was adjourned at 7:16 p.m. The next Board Meeting is scheduled for August 10, 2016 at 6:00 p.m.

Signature on File

E. MANNY CAPPELLO, CHAIRPERSON

Attest:

Signature on File

Secretary