

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

**BOARD OF DIRECTORS MEETING
June 9, 2021**

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. Pursuant to the provisions of California Governor's Executive Orders No. N-25-20 and N-29-20, which suspend portions of the Brown Act, this meeting will be conducted by teleconference only. No physical location will be available for this meeting. Members of the public may participate in this meeting on Zoom at <https://zoom.us/j/97539642687> or by calling in at 1-669-900-6833 and entering Meeting ID 97539642687# when prompted. This meeting agenda is available online at <http://www.westvalleysan.org/>

Roll Call

1. Present: Directors – Paul Resnikoff, Maria Ristow, Mike Wasserman, Yan Zhao, and Rowena Turner, Chairperson.

Staff: Jon Newby, District Manager and Engineer; Edward H. Oyama, Director of Engineering and Operations; Laura McKinney, District Counsel; Tom Boer and Ann Marie Mortimer, Litigation Counsels, and Lesha Luu, Secretary.

Closed Session

2. 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, Santa Clara Superior Court Case No. 18CV325480.
3. Conference with Legal Counsel – regarding consideration of initiation of Litigation. (Pursuant to Government Code § 54956.9(d)(4) (one potential case).
4. Public Employee Performance Evaluation. (Pursuant to Government Code § 54957(b)). Employee: District Manager and Engineer.

Convene in Open Session

5. The Board convenes in open session at 5:29 p.m. Nothing to report out.

Oral Communications

6. None.

Written Communications

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7. None.

Public Hearings

8. None.

Unfinished Business

9. None.

Consent Calendar (Items to be taken in one motion)

10. Previous meeting minutes. Approve the minutes for the Regular Board of Directors Meeting on May 12, 2021.
11. Investment Report. Approve the report on commingled funds invested by the County of Santa Clara for West Valley Sanitation District, as of April 30, 2021.
12. Consolidated Income and Expense Statement. Approve the Consolidated Income and Expense Statement for the period ended April 30, 2021.
13. Payment of invoices. Approve the payment of invoices for May 13, 2021 to June 9, 2021.
14. Status report on District goals and manager's objectives. Accept the report and approve the proposed modification to the District's overall achievement on the adopted annual goals and objectives for Fiscal Year 2020-2021.
15. Reauthorization of the retiree medical benefits for Fiscal Year 2021-2022. Approve the renewal of the Post-Retirement Health Insurance Benefits Policy for Fiscal Year 2021-2022, setting the maximum monthly benefit at \$785.73, the lowest-cost plan available to the District for each eligible retiree.
16. July 2021 Board Meeting. Approve the cancellation of July's Board of Directors meeting.
17. Fiscal Year 2021-2022 blanket purchase orders. Approve the issuance of Fiscal Year 2021-2022 Blanket Purchase Orders of \$35,000 and above to the following vendors for the recommended amounts shown.

City of Campbell - \$59,000
DKF Solutions Group, LLC - \$45,000
Owen Equipment Sales - \$50,000
Town of Los Gatos - \$46,000
WECO Industries, LLC - \$75,000

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18. Award of Landscape Maintenance Services Contract. Award the Landscape Maintenance Services Contract to Ted Cooper Industries (Campbell, CA) for an initial three-fiscal year term (FY 2021-2022 to FY 2023-2024) in the amount of \$32,599.68. Authorize the District Manager and Engineer to extend this contract for up to two (2) additional three-fiscal year terms (for a maximum contract period of nine fiscal years through FY 2029-2030) at a not-to-exceed amount of \$35,000.00 per term.

Motion by/Second by: Wasserman/Resnikoff to approve the Consent Calendar Items 10 to 18.
Motion passed by the following vote:

AYES: Resnikoff, Ristow, Turner, Wasserman, Zhao

NOES: None

ABSENT: None

NEW BUSINESS

19. Amendment to District Manager and Engineer's Employment Agreement. Adopt Resolution No. 21.06.10, 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, RELATED TO SALARY, EFFECTIVE JULY 1, 2021.

Motion by/Second by: Turner/Wasserman to adopt Resolution No. 21.06.10, amending District Manager and Engineer's employment agreement and adjusting the compensation for the District Manager and Engineer by 3.00%. Motion passed by the following vote:

AYES: Resnikoff, Ristow, Turner, Wasserman, Zhao

NOES: None

ABSENT: None

20. Amendment to compensation plan for unrepresented employees. Adopt Resolution No. 21.06.11, 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, 2021. Adjusting the compensation for the Director of Administration and Information Services and the Director of Engineering and Operations commensurate with the District Manager and Engineer's adjustment for Fiscal Year 2021-2022.

Motion by/Second by: Turner/Wasserman to adopt Resolution No. 21.06.11, amending a compensation plan for unrepresented employees commensurate with the District Manager and Engineer's adjustment for Fiscal Year 2021-2022. Motion passed by the following vote:

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AYES: Resnikoff, Ristow, Turner, Wasserman, Zhao
NOES: None
ABSENT: None

21. Strategic plan and objectives for Fiscal Year 2021-2022. Adopt the Annual Objectives and Action Items for Fiscal Year 2021-2022. The District Manager reported that an annual review is performed to formulate Strategic Plan Action Items for the coming fiscal year. The review provides the foundation for preparing the District proposed annual objectives and action items for Fiscal Year 2021-2022. The objectives and action items set are to continue to improve business practices, financial management, and improve the sewer system resilience while striving for excellent customer experience and improved communication. Two Strategic Plan action items will be carried over from last fiscal year. The District is continuing to provide a safe work environment and direct resources to best deliver essential services to its constituents.

Motion by/Second by: Resnikoff/Wasserman to adopt the Annual Objectives and Action Items for Fiscal Year 2021-2022. Motion passed by the following vote:

AYES: Resnikoff, Ristow, Turner, Wasserman, Zhao
NOES: None
ABSENT: None

22. Amendment No. 5 to Cost Sharing Agreement. Adopt Resolution No. 21.06.12, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, APPROVING AMENDMENT NO. 5 TO THE COST SHARING AGREEMENT AND AUTHORIZING THE DISTRICT MANAGER AND ENGINEER TO NEGOTIATE AND EXECUTE A FINAL AMENDMENT NO. 5.

Motion by/Second by: Wasserman/Ristow to adopt Resolution 21.06.12, Approving Amendment No. 5 to the Cost Sharing Agreement and authorizing the District Manager and Engineer to negotiate and execute a Final Amendment No. 5. Motion passed by the following vote:

AYES: Resnikoff, Ristow, Turner, Wasserman, Zhao
NOES: None
ABSENT: None

Directors' Items

23. There were no Director's reports, announcements, and questions.
24. There were no District Manager's reports.

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Adjournment

25. There being no further items of business, the meeting was adjourned at 5:36 p.m. The next Board Meeting is scheduled for August 11, 2021, at 5:00 p.m.

Signature on File

ROWENA TURNER, CHAIRPERSON

Attest:

Signature on File

Secretary