

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

**BOARD OF DIRECTORS MEETING
June 10, 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. Due to COVID-19 and in accordance with the Governor's Executive Orders which suspend portions of the Brown Act, this meeting was conducted via tele/video conference only. Members of the public may not attend this meeting in person. Members of the public may participate in this meeting, after Closed Session, by calling in at 1-408-418-9388 followed by 295522922. This meeting agenda is available online at <http://www.westvalleysan.org/>

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; J. Tom Boer, Litigation Counsel; 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. Evaluation of Public Employment pursuant to Government Code §54957(b).
Agency designated representatives: Ad Hoc Subcommittee – Director Paul Resnikoff and Director Mike Wasserman. Employee: District Manager and Engineer.

Convene in Open Session

4. The Board convenes in open session at 6:03 p.m. Nothing to report out.

Oral Communications

5. None.

Written Communications

6. None.

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

**BOARD OF DIRECTORS MEETING
June 10, 2020**

Public Hearings

7. None.

Unfinished Business

8. Ordinance No. 153 - Revisions to Chapter 7 of the District Ordinance Code. Second reading and adoption of ORDINANCE NO. 153, AN ORDINANCE OF THE WEST VALLEY SANITATION DISTRICT BOARD OF DIRECTORS, AMENDING CHAPTER 7 OF THE DISTRICT'S ORDINANCE CODE RELATING TO THE FATS, OILS, AND GREASE PROGRAM.

Motion by/Second by: Wasserman/Spector to adopt Ordinance No. 153, amending Chapter 7 of the District's Ordinance Code relating to the Fats, Oils, and Grease Program. Motion passed by the following vote:

AYES: Cappello, Resnikoff, Spector, Turner, and Wasserman

NOES: None

ABSENT: None

Consent Calendar (Items to be taken in one motion)

9. Previous meeting minutes. Approve the minutes for the Regular Board of Directors Meeting on May 13, 2020.

10. Treatment Plant Advisory Committee meeting minutes. Accept the minutes for the Special Meeting of the Treatment Plant Advisory Committee of the San Jose/Santa Clara Regional Wastewater Facility on February 13, 2020.

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, 2020; and report from County Controller as of March 31, 2020.

12. Consolidated Income and Expense Statement. Approve the Consolidated Income and Expense Statement for the period ended April 30, 2020.

13. Payment of invoices. Approve the payment of invoices for May 14, 2020 to June 10, 2020.

14. Status report on District goals and manager's objectives. Accept the report.

15. Reauthorization of the retiree medical benefits for Fiscal Year 2020-2021. Approve the renewal of the Post-Retirement Health Insurance Benefits Policy for Fiscal Year 2020-2021, setting the maximum monthly benefit at \$758.34, the lowest-cost plan available to the District for each eligible retiree.

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

**BOARD OF DIRECTORS MEETING
June 10, 2020**

16. GASB 75-Retiree Health Care Obligation: Actuarial Valuation. A. Accept the June 30, 2019 GASB 75 OPEB (Other Posted-Employee Benefits) Actuarial Valuation prepared by Precision Actuarial, Inc., dated June 1, 2020. B. Approve funding retiree healthcare benefit through annual budget allocation for Fiscal Years 2020-2021 to 2021-2022.
17. July – December 2020 Board Meeting schedule. Adopt the proposed Board Meeting schedule for July - December 2020, including the cancellation of the July meeting and changes of September and November meeting dates.
18. Fiscal Year 2020-2021 blanket purchase orders. Approve the issuance of Fiscal Year 2020-2021 Blanket Purchase Orders of \$35,000 and above to the following vendors for the recommended amounts shown.
 - City of Campbell – \$50,000
 - DKF Solutions Group, LLC - \$55,000
 - Owen Equipment Sales - \$45,000
 - Town of Los Gatos - \$85,000
 - WECO Industries, LLC - \$75,000
19. Purchase of Vactor 2100i Combination Sewer Cleaner. A. Authorize the advance purchase of a 2021 Vactor 2100i Combination Sewer Cleaner from Owen Equipment Sales for \$545,768.79 and provide authorization of \$20,000.00 in contingency for possible adjustments in DMV fees, taxes, necessary modifications, and or the addition of optional equipment and features. B. Authorize the trade-in of the surplus 2009 Vactor as an option to surplus sale options allowed per District Ordinance Chapter 4. The trade-in, if elected, would provide credit against the cost of the new Vactor 2100i purchase.
20. Award of construction contract – Multi-Year Open Sanitary Sewer Replacement Contract. Award the construction contract for the Multi-Year Open Sanitary Sewer Replacement Contract to Able Construction Group, Inc. for the amount of \$1,300,000 per fiscal year for an initial two-fiscal year period ending June 30, 2022. Authorize the District Manager and Engineer to extend the contract for up to three additional one-fiscal year periods for \$1,300,000 per fiscal year (for a maximum contract period of five fiscal years ending June 30, 2025).
21. Cost-Sharing Agreement Between City of San Jose and West Valley Sanitation District of Santa Clara County for Construction, Operation and Maintenance of Joint Use Sanitary Sewers – First Amendment. Approve the First Amendment to the Cost-Sharing Agreement between City of San Jose and West Valley Sanitation District of Santa Clara County for Construction, Operation and Maintenance of Joint Use Sanitary Sewers, extending the term of the agreement by two years to June 30, 2022.

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

BOARD OF DIRECTORS MEETING

June 10, 2020

Motion by/Second by: Wasserman/Turner to add Item # 24 to Consent Calendar and approve the Consent Calendar Items 9 to 21 and 24. Motion passed by the following vote:

AYES: Cappello, Resnikoff, Spector, Turner, and Wasserman

NOES: None

ABSENT: None

New Business

22. Report of Ad Hoc Subcommittee on District Manager's performance and consideration of compensation adjustments. Adopt Resolution No. 20.06.05, 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, 2020. The amended agreement adjusts the compensation for the District Manager and Engineer by 3.25% increase to the salary beginning with the first pay period in Fiscal Year 2020-2021. The annual salary will be \$288,203.79. The Board appreciates the District Manager's accomplishment this past year, especially during the time of the pandemic.

Motion by/Second by: Wasserman/Cappello to adopt Resolution 20.06.05 amending District Manager and Engineer's employment agreement and adjusting the compensation. Motion passed by the following vote:

AYES: Cappello, Resnikoff, Spector, Turner, and Wasserman

NOES: None

ABSENT: None

23. Cost of living adjustment for unrepresented employees. Adopt Resolution No. 20.06.06, 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, 2020. Adjusting the compensation for the Director of Administration and Information Services and the Director of Engineering and Operation by 3.25% increase to salary beginning with the first pay period in Fiscal Year 2020-2021.

Motion by/Second by: Cappello/Wasserman to adopt Resolution 20.06.06 amending a compensation plan for unrepresented employees. Motion passed by the following vote:

AYES: Cappello, Resnikoff, Spector, Turner, and Wasserman

NOES: None

ABSENT: None

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

**BOARD OF DIRECTORS MEETING
June 10, 2020**

24. Employee pay schedule. Adopt Resolution No. 20.06.07, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, ADOPTING THE PAY SCHEDULES FOR THE OPERATIONS/MAINTENANCE UNIT AND CLERICAL/TECHNICAL SUB-GROUP AND THE PROFESSIONAL AND SUPERVISORY UNIT, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2023, AND FOR DEPARTMENT MANAGERS EFFECTIVE JULY 1, 2020.

Motion by/Second by: Refer to motion made under Consent Calendar section.

25. Strategic plan and objectives for Fiscal Year 2020-2021. Adopt the Annual Objectives and Action Items for Fiscal Year 2020-2021.

Motion by/Second by: Cappello/Turner to adopt the Annual Objectives and Action Items for Fiscal Year 2020-2021. Motion passed by the following vote:

AYES: Cappello, Resnikoff, Spector, Turner, and Wasserman
NOES: None
ABSENT: None

Directors' Items

26. Chair Resnikoff reported that he attended the TPAC virtual meeting on May 28th, TPAC members had to vote on several items at the meeting. The District along with the City of Milpitas and Cupertino Sanitary District voted noes on the budget and CIP, however, the items passed by majority vote.

27. There was no District Manager's report.

Adjournment

28. There being no further items of business, the meeting was adjourned at 6:11 p.m. The next Board Meeting is scheduled for August 12, 2020, at 5:00 p.m.

Signature on File

PAUL RESNIKOFF, CHAIRPERSON

Attest:

Signature on File

Secretary