

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

**BOARD OF DIRECTORS MEETING
August 9, 2017**

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 – Manny Cappello, Rowena Turner, Ken Yeager, and Paul Resnikoff, Chairperson; Steven Leonardis, arrived at 6:01 p.m. after roll call.

Staff: Jon Newby, District Manager and Engineer; Edward H. Oyama, Director of Engineering and Operations; Laura McKinney, District Counsel; David Mehretu, Of 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 June 14, 2017.

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

Oral Communications

3. None.

Written Communications

4. None.

Reports (Items to be taken in one motion)

5. San Jose/Santa Clara Regional Wastewater Facility: Minutes of the May 18, 2017 regular meeting of the Treatment Plant Advisory Committee.
6. Investment of District Funds: Reports on Commingled Funds Invested by the County of Santa Clara for West Valley Sanitation District, as of May 31, 2017 and June 30, 2017.
7. Consolidated Income and Expense Statements of West Valley Sanitation District for the period ended May 31, 2017 and June 30, 2017.

Motion by/Second by: Cappello/Yeager to accept the Reports, items 5 – 7. Motion passed unanimously.

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Unfinished Business

8. None

Public Hearings

9. None

Consent Calendar (Items to be taken in one motion)

10. Approval of payment of invoices, June 15, 2017 – August 9, 2017.

11. Annexation 2017-02 (Twelve Oaks Road), APN 532-24-003. Adopt Resolution No. 17.08.18, RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, SUPPORTING THE ANNEXATION DESIGNATED “WEST VALLEY SANITATION DISTRICT ANNEXATION 2017-02 (TWELVE OAKS ROAD), APN 532-24-003, LANDS OF GILBERT.”

Motion by/Second by: Yeager/Cappello to approve Consent Calendar, items 10-11. Motion passed unanimously.

New Business

12. None

Closed Session

13. The Board adjourned at 6:02 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: Manny Cappello, Steven Leonardis, Paul Resnikoff, Rowena Turner, and Ken Yeager.

Reconvene in Open Session

14. The Board reconvened at 6:38 p.m. in open session and reported the Board voted unanimously directing staff to initiate litigation against the cities of San Jose and Santa Clara, owners of the San Jose/Santa Clara Wastewater Pollution Control Plant.

Directors' Items

15. Director's reports, announcements and questions.

16. District Manager's report.

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The District Manager and Engineer introduced Ms. Laura McKinney as the District Counsel beginning in July. Ms. McKinney has started working with staff on several projects.

The Manager reported on Board's request on use of District email address and electronic device. The District is able to provide Board Members with a distinct District email address and an iPad for Director's to access the Board Agenda, emails, and other documents related to District business. The cost of the iPad is about \$700. It will take approximately two weeks to purchase and set-up. The Secretary will work with each Board Member who needs the email address and iPad.

The District Counsel briefed the Board on a recent case regarding request for records on private servers of government officials and employees. The District will be reviewing its policies on public record request, record retention, and use of electronic device. The policies requiring updates will be presented to the Board for consideration.

Adjournment

17. There being no further items of business, the meeting was adjourned at 6:47 p.m. The next Board Meeting is scheduled for September 13, 2017 at 6:00 p.m.

Signature on File

PAUL RESNIKOFF, CHAIRPERSON

Attest:

Signature on File

Secretary