

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

**BOARD OF DIRECTORS MEETING
NOVEMBER 7, 2007**

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, with the following members present: Donald R. Burr, Diane McNutt, Chuck Page, Ken Yeager, and David Baxter, Chairperson. Staff present are Robert R. Reid, District Manager and Engineer; Charles T. Kilian, District Counsel; and Joanna Fuller, Secretary.

The minutes of the previous meeting are approved as presented.

Oral communications: This portion of the meeting is set aside for persons wishing to address the board on any matter not on the agenda. There is no public comment.

Written communications: Staff reports that a letter has been received from the Santa Clara County Civil Grand Jury, requesting financial data from special districts.

Under reports, the minutes of the October 11, 2007, meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee are submitted, and are ordered noted and filed.

Under unfinished business, staff reports on the results of bids received for the Los Gatos/Winchester Basin No 7, Area 4 Sewer Rehabilitation Project. Staff reports that the scheduled bid opening was delayed because of a protest, and that after legal counsel's determination that the protest was not valid, the bids were opened on Monday, November 5. The low bidder was D'Arcy and Harty with a bid of \$1,331,584.00. Staff reviewed the bid and determined that it meets the district's requirements. Funding for the project has been set aside in the FY 2007-08 budget. Staff recommends awarding the contract to D'Arcy and Harty at their stated bid price, and requests additional funding in the amount of \$200,000.00 for contingencies. Staff recommendation is approved.

Consent Calendar: The following items are presented for action in one motion:

Approval of payment of bills and ratification of payroll summaries of October 7 and October 21, 2007.

Authorization for chairperson to execute RELEASE OF COVENANTS RUNNING WITH THE LAND with property owner in district's Septic System Abandonment Program:

APN
279-27-052

Property Owner
Weissbart

Location
82 Rosemary Lane, Campbell

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NOVEMBER 7, 2007 (Continued)**

Fiscal Year 2006-07 Building Sewer Repair Project: Approval of Progress Payment No. 3 to Fermin Sierra Construction, Inc., in the amount of \$37,225.00.

Authorization for District Manager to execute "MAINTENANCE AND REPLACEMENT AGREEMENT, PRIVATE SEWER, FOSTER ROAD SEWER EXTENSION." Agreement is between the District and Robert P. Davies and Alan M. Young, owners of property on Highland Avenue in Los Gatos.

The consent calendar is approved unanimously.

Under new business, the manager submits the ANNUAL REPORT OF WEST VALLEY SANITATION DISTRICT FOR FISCAL YEAR 2006-2007. The report includes the district's audited financial statements and the report of the independent auditor. The auditor, Vikki Rodriguez, from the firm of Maze and Associates, is present to address the board and to answer the board's questions. Ms. Rodriguez reports that the district received an unqualified opinion and that no reportable findings or material weaknesses were found. The annual report is accepted.

The board adjourns to closed session pursuant to Government Code Section 54957 for discussion of the performance and compensation of the District Manager.

The board reconvenes in open session and takes the following action: The board sets the District Manager's base salary at \$174,132 annually, effective immediately.

There being no further items of business, the meeting is adjourned at 6:37 p.m.

DAVID BAXTER, CHAIRPERSON

Attest:

Secretary