

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

**BOARD OF DIRECTORS MEETING  
November 9, 2016**

The Board of Directors of West Valley Sanitation District of Santa Clara County, California, convenes this day in regular session at 6:01 p.m. at the district office, 100 East Sunnyoaks Avenue, Campbell, California.

**Roll Call**

1. Present: Directors - Marshall Anstandig, Steven Leonardis, Ken Yeager, Manny Cappello, Chairperson and Mike Kotowski (arrived at 6:08 p.m. during closed session).

Absent: None

Staff: Jon Newby, District Manager and Engineer; Edward H. Oyama, Director of Engineering and Operations; Sarah Quiter, Deputy 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 October 12, 2016.

Motion by/Second by: Yeager/Leonardis 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 September 8, 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 September 30, 2016.
7. Consolidated Income and Expense Statement of West Valley Sanitation District for the period ended September 30, 2016.

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

**Unfinished Business**

8. None.

**Public Hearings**

9. None.

**Consent Calendar (Item to be taken in one motion)**

10. Approval of payment of invoices, October 13, 2016 – November 9, 2016.

11. Leigh Basin Pipeline Condition Assessment Pilot Project. Authorize the District Manager to issue Task Order 16-01 to Brown and Caldwell for a not-to-exceed amount of \$182,000 for the Leigh Basin Pipeline Condition Assessment Pilot Project.

12. Santa Rosa Drive Area Sewer Realignment Feasibility Study. Authorize the District Manager to issue Task Order 16-02 to Brown and Caldwell for a not-to-exceed amount of \$53,184 for the Santa Rosa Drive Area Sewer Realignment Feasibility Study.

13. Accepting sewerage systems situated within West Valley Sanitation District of Santa Clara County. Adopt Resolution No. 16.11.20, RESOLUTION ACCEPTING SEWERAGE SYSTEM INSTALLED BY LG BUSINESS PARK, LLC. AND SITUATED WITHIN THE WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, STATE OF CALIFORNIA, described as:

Sewer Extension: Albright Office Park (Netflix property), Los Gatos  
Location: 100 Albright Way in Los Gatos  
Constructed by: LG Business Park, LLC.

Motion by/Second by: Leonardis/Anstandig to approve Consent Calendar, items 10-13. Motion passed unanimously.

**New Business**

14. None.

**Closed Session**

15. The Board adjourns at 6:04 p.m. to closed session - Conference with Legal Counsel anticipated litigation. Initiation of litigation pursuant to Government Code § 54956.9(c) (two

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potential cases). The following directors were present: Marshall Anstandig, Manny Cappello, Steven Leonardis and Ken Yeager. Mike Kotowski enters after roll call.

**Reconvene in Open Session**

16. The Board reconvenes at 6:58 p.m. in open session. Nothing to report out.

**Directors' Items**

17. Director Cappello presented Director Kotowski with a plaque and reported Mr. Kotowski served the District Board of Directors for 5 years since 1986, then in 1991, 2012, 2015, 2016, and is now retiring from his civil services. During his term in office as a councilmember, serving the City of Campbell, Mr. Kotowski has contributed immeasurably to the success of the District. He has been instrumental in adopting policies and procedures for collecting delinquent fees on the tax roll, hiring of the current district manager, and collecting back fees due from the Pruneyard Shopping Center valued at nearly a quarter million dollars. Mr. Kotowski's leadership in negotiating a new three-year labor agreement contract in 2016, with significant updates to the District's merit system rules, was instrumental in a successful relations with the Labor Union and assured uninterrupted District services. Mr. Kotowski provided leadership and support for the District's efforts to improve the management of the San Jose/Santa Clara Regional Wastewater Facility by seeking increased accountability of the City of San Jose and providing the public transparency in the operations of the facility. The Board and staff expressed its sincere appreciation to Mr. Kotowski's many years of dedicated public service contributing to the growth, improvement, and overall success of the community. Mr. Kotowski will be greatly missed.

15. There were no District Manager's reports.

**Adjournment**

16. There being no further items of business, the meeting was adjourned at 7:03 p.m. The next Board Meeting is scheduled for December 14, 2016 at 6:00 p.m.

Signature on File

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E. MANNY CAPPELLO, CHAIRPERSON

Attest:

Signature on File

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Secretary