

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

**BOARD OF DIRECTORS MEETING  
November 12, 2014**

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: Walter Huff, alternate for Marshall Anstandig, Steven Leonardis, Chuck Page, and Ken Yeager. The meeting is chaired by Mike Kotowski, alternate for Even Low.

Absent: None.

Staff: Jon Newby, District Manager and Engineer; Edward H. Oyama, Director of Engineering and Operations; David Alvey, Maze and Associates; Manny Capello, Council Member - City of Saratoga; 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 8, 2014.

Mover/Seconder: Leonardis/Page to approve the minutes of the previous meeting. Motion passed unanimously.

Abstain: Kotowski.

Recuse: Huff.

**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 11, 2014 regular meeting of the Treatment Plant Advisory Committee.

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6. City of San Jose report of Sanitary Sewer Flow Study Update. Manager reported TPAC will consider the City's flow study at their November 13<sup>th</sup> meeting. The District has been successful in having a guiding principal of service area specifics for determining the flow factors for residential. In the last portion of the analysis, the City introduced the use of a uniform per dwelling flow cap for normalizing data. This normalizing of the data removes outsiders from the distribution and allows for a closer estimation of flows. This method of a uniform cap creates inequities due to the varying household densities. The Technical Advisory Committee (TAC) met on November 10<sup>th</sup> and discussed the District's concerns of inequity. A study performed by RMC Water and Environment (RMC) for the District provided more detailed and thorough analysis of the District's service area in developing the flow factors. Both District staff and RMC conclude that RMC's flow factors are more accurate in stating the flow from the overall WVSD service area. Staff recommends making a motion at the next TPAC meeting for the District to use the RMC 2014 Flow Study as the basis for estimating flows for allocating wastewater treatment costs. All Board's questions and concerns were answered by staff.
7. Investment of District Funds: Report on Commingled Funds Invested by the County of Santa Clara for West Valley Sanitation District, as of September 30, 2014.
8. Consolidated Income and Expense Statement of West Valley Sanitation District for the period ended September 30, 2014.

Mover/Second: Page/Leonardis to approve the Reports, items 5-8. Motion passed unanimously.

**Unfinished Business**

9. Revisions to District Ordinance Code. Second reading and adoption of Ordinance No. 145, AN ORDINANCE OF THE WEST VALLEY SANITATION DISTRICT BOARD OF DIRECTORS AMENDING CHAPTERS 1, 6, AND 7 OF THE DISTRICT'S ORDINANCE CODE into compliance with the requirements of the San Jose/Santa Clara Water Pollution Control Plant and to clarify and update design, construction, and maintenance requirements for sewer systems within the District.

Mover/Second: Yeager/Page to approve second reading and adoption of Ordinance No. 145, AN ORDINANCE OF THE WEST VALLEY SANITATION DISTRICT BOARD OF DIRECTORS AMENDING CHAPTERS 1, 6, AND 7 OF THE DISTRICT'S ORDINANCE CODE.

**Public Hearings**

10. None

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

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11. Approval of payment of invoices, October 9, 2014 – November 12, 2014.
12. Accepting sewerage system situated within West Valley Sanitation District of Santa Clara County. Adopt Resolution No. 14.11.22, RESOLUTION ACCEPTING SEWERAGE SYSTEM INSTALLED BY D. R. HORTON BAY, INC., AND SITUATED WITHIN THE WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, STATE OF CALIFORNIA, described as: Tract 10129, 16005 Los Gatos Blvd., Los Gatos, APN's 529-65-026, 529-65-027 (formerly 529-16-053) and along Placer Oaks Road within the public right-of-way west of Los Gatos Blvd., Los Gatos, constructed by D. R. Horton Bay, Inc.
13. Accepting sewerage system situated within West Valley Sanitation District of Santa Clara County. Adopt Resolution No. 14.11.23, RESOLUTION ACCEPTING SEWERAGE SYSTEM INSTALLED BY D. R. HORTON BAY, INC., A DELAWARE COMPANY, AND SITUATED WITHIN THE WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, STATE OF CALIFORNIA, described as Tract 10205, 1181 Abbott Ave., Campbell, along Laurance Hill Court within the public right-of-way in Campbell (formerly APN 403-15-041), constructed by D. R. Horton Bay, Inc., a Delaware Company.

Mover/Second: Yeager/Page to approve Consent Calendar, items 11-13. Motion passed unanimously.

**New Business**

14. Board policies for the Transparency Certificate of Excellence Program. Adopt the following West Valley Sanitation District Board of Director policies. (A) Code of Ethics Policy, (B) Public Records Request Policy, and (C) Reserve Fund Policy. Manager reported that last year the Board directed staff to revise their annual work plan to include obtaining the California Special District Leadership Foundation Transparency Certificate of Excellence. Staff has been working on the elements necessary to meet the requirements of the certificate. For the Board's consideration is the adoption of three policies including Code of Ethics Policy, Public Record's Request Policy, and Reserve of Fund Policy. Upon adoption of these policies, the remaining element is the publishing of the District Board members appointments by their respective jurisdictions. All Board's questions and concerns were answered by staff.

Mover/Second: Yeager/Page to accept Board policies for the Transparency Certificate of Excellence Program. Motion passed unanimously.

15. Annual Report/Audit: Annual Report and Memorandum on Internal Control of West Valley Sanitation District for Fiscal Year 2013-2014. Accept the Annual Report and the Memorandum on Internal Control and Required Communications of West Valley Sanitation District for Fiscal Year 2013-2014. Mr. David Alvey, auditor for Maze and Associates, was in attendance to give a report of the Memorandum on Internal Control and answer any

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questions of the Board. All Board's questions and concerns were answered by staff and Mr. Alvey.

Mover/Seconder: Page/Yeager to accept the Audit and Annual Report and Memorandum of Internal Control of West Valley Sanitation District for Fiscal Year 2013-2014.

**Closed Session**

16. None

**Director's Items**

17. There were no Directors' reports, announcements, or questions.

18. There is no District Manager's report.

**Adjournment**

19. There being no further items of business, the meeting was adjourned at 6:22 p.m. The next board meeting is scheduled for December 10, 2014.

Signature on File

\_\_\_\_\_  
STEVEN LEONARDIS, VICE-CHAIRPERSON

Attest:

Signature on File

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Secretary