

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

**BOARD OF DIRECTORS MEETING
February 8, 2023**

The Board of Directors of West Valley Sanitation District of Santa Clara County, California, convenes this day in regular session at 5:02 p.m. Pursuant to the provisions of California Governor's Executive Orders No. N-25-20 and N-29-20, which suspend portions of the Brown Act, this meeting will be conducted by teleconference only. No physical location will be available for this meeting. Members of the public may participate in this meeting on Zoom at <https://zoom.us/j/97539642687> or by calling in at 1-669-900-6833 and entering Meeting ID 97539642687# when prompted. This meeting agenda is available online at <http://www.westvalleysan.org/>

Roll Call

1. Present: Directors – Dan Furtado, Rob Moore, Chuck Page, Joe Simitian, and Rowena Turner, Chairperson.

Absent: None.

Staff: Jon Newby, District Manager; Edward H. Oyama, Director of Engineering and Operations; Laura McKinney, District Counsel; 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. Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6). Agency designated representatives: Jesse Lad, Meyers Nave; Employee organizations: Northern California Regional Council of Carpenters, The Carpenters 46 Northern California Counties Conference Board and Their Affiliated Local Unions.

Reconvene in Open Session

4. The Board reconvenes in open session at 6:01 p.m. Nothing to report out.

Oral Communications

5. None.

Written Communications

6. None.

Public Hearings

7. None.

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Unfinished Business

8. None.

Consent Calendar (Items to be taken in one motion)

Items # 11 and 14 were removed from Consent Calendar for a separate vote.

9. Previous meeting minutes. Approve the minutes for the Regular Board of Directors Meeting January 11, 2023.

10. Treatment Plant Advisory Committee meeting minutes. Accept the minutes for the Regular Meeting of the Treatment Plant Advisory Committee of the San Jose/Santa Clara Regional Wastewater Facility on December 8, 2022.

11. Investment Report. Approve the report on commingled funds invested by the County of Santa Clara for West Valley Sanitation District, as of December 31, 2022.

12. Consolidated Income and Expense Statement. Approve the Consolidated Income and Expense Statement for the period ended December 31, 2022.

13. Payment of Invoices. Approve the payment of invoices for January 12, 2023 to February 8, 2023.

14. Transfer of unclaimed funds to the Operating Fund. Adopt Resolution No. 23.02.02, A RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, TRANSFERRING \$2,100.98 IN UNCLAIMED FUNDS TO THE DISTRICT'S OPERATING FUND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50053. All questions and concerns of the Board were satisfied by staff.

Motion by/Second by: Page/Furtado to approve items 11 and 14. Motion passed by the following vote:

AYES: Furtado, Moore, Page, Simitian, Turner

NOES: None

ABSTAIN: None

15. Labor contract negotiation. Designate Mr. Jesse Lad, Sr. Of Counsel from Meyers Nave, as the District's labor negotiator with the Northern California Regional Council of Carpenters, The Carpenters 46 Northern California Counties Conference Board and Their Affiliated Local Unions.

Motion by/Second by: Turner/Page to approve items 9, 10, 12, 13, and 15. Motion passed by the following vote:

AYES: Furtado, Moore, Page, Simitian, Turner

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NOES: None
ABSTAIN: None

New Business

16. None.

Directors' Items

17. There were no Directors' reports, announcement and questions.

18. There were no District Manager's reports.

Adjournment

19. There being no further items of business, the meeting was adjourned at 6:06 p.m. The next Board Meeting is scheduled for March 8, 2023, at 5:00 p.m. at District Office.

Signature on File

ROWENA TURNER, CHAIRPERSON

Attest:

Signature on File

Secretary