

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

**BOARD OF DIRECTORS MEETING
MAY 13, 2009**

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 Sunnyside Avenue, Campbell, California, with the following members present: Dan Furtado, Diane McNutt, Curtis Wright, Ken Yeager, and Chuck Page, Chairperson. Staff present are Robert R. Reid, District Manager and Engineer; Charles T. Kilian, District Counsel; Edward H. Oyama, Director of Engineering and Operations; and Joanna Fuller, Secretary.

The minutes of the previous meeting are approved as presented, Director Wright abstaining.

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

Written Communications: No written communications have been received.

Reports: The following items are presented for action in one motion:

San Jose/Santa Clara Water Pollution Control Plant: Minutes of the April 9, 2009, meeting of the Treatment Plant Advisory Committee.

Investment of District Funds: Report on commingled funds invested by the County of Santa Clara for West Valley Sanitation District, as of March 31, 2009.

Consolidated Income and Expense Statement of West Valley Sanitation District for the period ended March 31, 2009.

Report on the California Association of Sanitation Agencies spring conference, held in Napa, April 29 – May 2, 2009.

The reports are accepted.

Under unfinished business, staff submits for second reading and adoption an ordinance amending certain sections in Chapter 9 of the District Ordinance Code to clarify the requirements for sewer permits. The title of the ordinance is read, further reading is waived, and **ORDINANCE NO. 136, AN ORDINANCE OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT AMENDING SECTION 9.010 AND ADDING SECTION 9.015 TO THE DISTRICT'S ORDINANCE CODE CLARIFYING THE REQUIREMENTS FOR SEWER PERMITS**, is adopted.

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

**BOARD OF DIRECTORS MEETING
MAY 13, 2009 (Continued)**

PUBLIC HEARINGS

HILLSIDE ZONE FEE: The first public hearing scheduled for this evening is to consider the continuation of the hillside zone fee for fiscal year 2009-2010. Notice of the hearing has been published and posted. No comments have been received, and no one from the public is present to address the board. The hillside zone fee was established in 1990 to fund sewer repairs in the hillside areas of the District, where the sewers are subject to damage from land movement. The surcharge is an annual fee of \$50.00 for each connected parcel in the hillside zone, as defined by a map on file at the District office. The fees are collected on the tax roll, along with the sewer service charges, and are set aside in a reserve account, to be used only for sewer repairs in the defined hillside zone area. The fee is subject to annual review by the board, to determine if the fee is adequate and if it is still needed. In 2009-10 the District will collect approximately \$73,400 from 1,468 hillside parcels. The fund balance currently stands at \$659,800. Staff is working on two repair projects in the hillside zone, one on Peach Hill Road, and one in the Congress Springs Road area. Estimated expenditures in the current year are \$85,000; additional engineering and construction costs are anticipated in 2009-10. The manager notes that hillside repairs are an ongoing concern and the fee is necessary to ensure adequate funding for pipe repairs and replacement in landslide-prone areas. The chair opens the hearing and notes that there is no public comment. Following discussion about various hillside issues affecting the District, the hearing is closed, and the board adopts RESOLUTION No. 09.05.10, A RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SANITATION DISTRICT OF SANTA CLARA COUNTY, CALIFORNIA, APPROVING CONTINUATION OF THE HILLSIDE ZONE RESERVE ACCOUNT FEE FOR FISCAL YEAR 2009-2010.

PROPOSED BUDGET: The next public hearing scheduled for this evening is to consider the PROPOSED BUDGET AND SEWER SERVICE REVENUE PROGRAM OF WEST VALLEY SANITATION DISTRICT FOR FISCAL YEAR 2009-2010. Notice of the hearing has been published and posted. Copies of the budget have been distributed with the agenda packet, posted on the District's website, and are available at the District office for review. No comments have been received. The manager's discussion and analysis is included in the introductory section of the budget, and additional discussion takes place at the board meeting. The manager summarizes the expenditures for salaries and benefits, maintenance and operations, and capital projects. The manager reports that the treatment plant is proposing significant capital improvements over the next ten years, which will impact the District's budget. District revenues are expected to decrease by approximately \$400,000 this year because of a number of island annexations to the City of San Jose. District expenditures are adequately funded with current revenues, and the District

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

**BOARD OF DIRECTORS MEETING
MAY 13, 2009 (Continued)**

maintains adequate reserves to meet the reserve guidelines established by the board. The manager reports that sewer service charges will not be increased in 2009-2010, but based on the recent financial analysis and projections the rates will need to be increased beginning in 2010-2011. Following the manager's presentation and further discussion, the chair opens the public hearing and notes that there is no public comment. The item is continued to the meeting of May 27 for the second hearing and adoption.

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

Approval of payment of bills and ratification of payroll summaries of April 5 and April 19, 2009.

Authorization for chairperson to execute RELEASE OF COVENANTS RUNNING WITH THE LAND with property owners in the District's Septic System Abandonment Program: Release of 10-year agreements from fiscal year 1999-2000.

Authorization to sell surplus vehicle (1993 Ford F-Super Duty Dump Truck – MV 56) to the highest bidder at or over the minimum bid of \$3,500.00.

Authorization to purchase equipment through the California Multiple Award Schedules (CMAS) procurement process: Godwin emergency bypass pump and accessories for \$53,789.20, and Godwin diesel emergency generator for \$28,490.32, for a total cost of \$82,279.52 (before taxes).

Quito Basin No. 8 Sewer Rehabilitation Project: Approval of Progress Payment No. 2, in the amount of \$207,625.50, to contractor K. J. Woods Construction Company, Inc.

The consent calendar is approved unanimously.

The following item has been removed from the consent calendar for separate discussion: Authorization to issue a task order to Cotton, Shires & Associates, Inc., for geotechnical services for the Congress Springs Road sewer replacement project, at a not-to-exceed cost of \$57,900.00. In response to questions from the board, staff explains that the sewer in Congress Springs Road is in an active landslide area and recent inspection has revealed structural defects that now require replacement of the line. The geotechnical study will provide an assessment of the landslide area, including installation of monitoring monuments, and development of recommendations for mitigation measures. The project will be funded through the hillside zone reserve account. After further discussion, staff recommendation is approved.

There is no new business.

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

**BOARD OF DIRECTORS MEETING
MAY 13, 2009 (Continued)**

Under Directors' Items, the boardmembers discuss the treatment plant master planning process and suggest more outreach to the local communities. The boardmembers also discuss the recent California Association of Sanitation Agencies conference. Director Furtado notes that the CASA meeting was adjourned in honor of Stephen H. Goodman, the District's first Manager/Engineer and a former president of CASA. Mr. Goodman retired from the District in 1985 after serving for over 30 years as the District Manager/Engineer. Mr. Goodman passed away on April 15, 2009.

Director Furtado and manager Bob Reid share some memories of Mr. Goodman and note his many contributions to the community.

There being no further items of business, the meeting is adjourned at 6:30 p.m., in memory of Stephen H. Goodman.

CHUCK PAGE, CHAIRPERSON

Attest:

Secretary