

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CASTRO VALLEY SANITARY DISTRICT
HELD ON FEBRUARY 4, 2003**

[1. Call to order, Pledge of Allegiance and Roll Call.]

The regular meeting of the Board of Directors of the Castro Valley Sanitary District was called to order by President Waespi at 6:30 p.m., Tuesday, February 4, 2003, at the District Office. The Pledge of Allegiance was lead by Member Akagi.

ROLL CALL:

PRESENT: DIRECTORS Daniel Akagi, Meyer Elkaim, Harry Francis, Ralph Johnson, and Dennis Waespi

ABSENT: None

LATE: None

Staff in attendance:

Roland Williams, General Manager
Anthony Varni, Attorney
Barbara Nagy, Recording Secretary
Noelle Hartshorn, Recycling Coordinator

Others in attendance are listed on the attached attendance sheet.

[2. Open Public Hearing for Comments, Protests, or Objections to Ordinance No. 132, Amending Chapters 1 Through 6 of Article V, Regulation of Solid Waste Disposal, Refuse and Recycling, of the Castro Valley Sanitary District.]

President Waespi welcomed members of the public in attendance, opened the hearing and asked the public in attendance for comments.

Manager Williams stated this ordinance aligns the CVSD Code with the Franchise Agreement with

Waste Management, Inc.. He noted no written comments or protests to the ordinance have been received.

Resident Tim McGowan commented that he was surprised to learn about the low income rates available and suggested using a bill insert to further educate the public regarding these lower rates. He also stated he hopes to see lower rates in the future for low income families. President Waespi thanked Mr. McGowan for his comments.

[3. *Close Public Hearing.*]

There being no further comments, a motion to close the public hearing was made by Member Francis, seconded by Member Elkaim and passed 5-0.

[4. GENERAL ORDER - FINDING AND DETERMINING THAT PUBLICATION AND POSTING OF NOTICE OF PUBLIC HEARING (for District Ordinance No. 132) HAS BEEN PROPERLY MADE.]

A motion to adopt the General Order was made by Member Elkaim, seconded by Member Francis and passed on a roll call vote 5-0.

ROLL CALL:

AYES: DIRECTORS Akagi, Elkaim, Francis, Johnson and Waespi

NOES: None

ABSENT: None

MOTION CARRIED

[5. ORDINANCE NO. 132 - AMENDING CHAPTERS 1 THROUGH 6 OF ARTICLE V, REGULATION OF SOLID WASTE DISPOSAL, REFUSE AND RECYCLING, OF THE CASTRO VALLEY SANITARY DISTRICT CODE.]

A motion to adopt Ordinance No. 132 was made by Member Elkaim, seconded by Member Johnson and passed on a roll call vote 5-0.

ROLL CALL:

AYES: DIRECTORS Akagi, Elkaim, Francis, Johnson and Waespi

NOES: None

ABSENT: None

MOTION CARRIED

[6. Consent Calendar.]

The Consent Calendar contained: A. Minutes of Regular Meeting on January 7, 2003; B. Accounts Payable for February 2003; C. Monthly Statements of Operations for November 2002; D. Monthly Reports on District Investments and Deposits for November 2002; E. Monthly Reports on Residential Solid Waste and Recycling Programs for December 2002; F. Collection System/Field Maintenance Reports for December 2002; G. Report of ACSDA Meeting on January 8, 2003; H. Report of OLSD/CVSD Construction Committee Meeting on January 14, 2003; I. Report of EBDA Commission Meeting on January 23, 2003; J. Report of ACWMA Meeting on January 29, 2003; K. Report of Personnel Committee Meeting on January 29, 2003; L. GENERAL ORDER FINDING AND DETERMINING THAT POSTING OF DISTRICT ORDINANCE NO. 133, AMENDING SECTIONS 4003, 4004, 408, 4012, 4013, 4014, 4015, 4018, 4021, 4030, 4031, 4038, 4040, 4052, 4058, 4059, 4091, 4094 & 4095, REPEALING SECTION 4049, AND ADDING SECTION 4055 OF THE CASTRO VALLEY SANITARY DISTRICT CODE HAS BEEN PROPERLY MADE.

President Waespi opened the floor for discussion of the Consent Calendar.

Member Elkaim commented on Item G. ACSDA Meeting, reminding everyone of the annual dinner on March 27th in Pleasanton; all are welcome.

Manager Williams discussed Item K. Personnel Committee Meeting. First, the Procedures Manual will be discussed in detail at the Board workshop scheduled for February 18th, with the sections directly pertaining to the Board of Directors to be included in that agenda packet. President Waespi asked if the entire Procedures Manual could be available. Manager Williams replied yes. Second, the addition of a new employee was discussed and will be discussed in detail at the workshop. Manager Williams stated the intern is doing a very good job and the District has additional work on a consistent basis.

President Waespi reported on Item J. ACWMA Meeting held on January 29th. The Long Range Recycling Plan was adopted, "75% and beyond", the diversion goal by 2010. \$11 million to be provided for two compost facilities in Alameda County, which will be great for Castro Valley, as our food scraps/greenwaste are now being sent to Modesto. A goal is to deliver the recycling message to all school in Alameda County. Member Johnson asked if there were plans to go beyond 75% diversion in the future; President Waespi responded yes.

A motion was made to approve the Consent Calendar by Member Elkaim, seconded by Member Francis, and passed 5-0.

[7. Items from the Public.]

Resident Tim McGowan commented he had gone to the District's website and was pleased to see

the current agenda and minutes available. He also commented that when the District is considering creating a new position, all elements should be explored. President Waespi thanked him for his comments.

[8. Presentation of Petitions.]

There were no Petitions.

[9. Regular Calendar.]

[A. RESOLUTION NO. 3039 - COMMENDING THE COLLECTION SYSTEM AND ENGINEERING DEPARTMENTS FOR THE CWEA SAN FRANCISCO BAY AREA COLLECTION SYSTEM OF THE YEAR 2002 AWARD.]

Collection System Lead, Sergio Ramirez, and Crew Member Greg Williams were in attendance to acknowledge this recognition. President Waespi read the resolution in its entirety. He thanked the Collection System and Engineering Departments for a great job and stated the Board is extremely proud of their accomplishments. Mr. Ramirez thanked the Board for this honor.

Manager Williams stated tomorrow morning representatives from CWEA will be at CVSD to interview the two departments and tour the facility in consideration of the State award. CVSD is one of two agencies in the running at the State level.

A motion to adopt Resolution No. 3039 was made by member Akagi, seconded by Member Francis and passed on a roll call vote 5-0.

ROLL CALL:

AYES: DIRECTORS Akagi, Elkaim, Francis, Johnson and Waespi

NOES: None

ABSENT: None

MOTION CARRIED

[B. Collection System Projects Report.]

Manager Williams reported on the following:

The District received an invoice from Alameda County for \$19,600 for work performed last year. It was previously \$46,000.

An agreement has been made with LAVWMA that they are to replace the section of pipe with

Ductile Iron where they cross under the sewer main.

LRGP applications are continuing to be received.

Sampling at the Flume and flow monitoring continue. We will be looking at the downstream of the Flume for accuracy, as there have been discrepancies; we will monitor for trending. The Flume is showing lower than the lower flow meter. Member Elkaim asked if these are our monitors and have they been calibrated. Manager Williams replied CVSD has received four new meters and they are calibrated.

Standard Drawings to Specs should be completed by next week and available for distribution to contractors.

Pump No. 7 design is well under way. Management and staff will meet with the Palomares Hills Homeowners Association to make sure they aware of the building we will be constructing. President Waespi asked if the building plans have to go before the MAC. Manager Williams replied no; most of the comments would come from the homeowners, and that is why staff is planning to meet with them. Even though the building will be approximately 1/4 mile from any homes, it is at the entry of Palomares Hills at Villareal Drive and will be noticed.

[C. Solid Waste Projects Report.]

Recycling Coordinator Noelle Hartshorn reported on the following:

She and Recycling Assistant Gill have scheduled recycled paper programs for Marshall and Our Lady of Grace Schools in February.

New brochures were received today for the C & D Ordinance. Anyone is welcome to hand them out.

Goodwill Industries truck was at the District this past Saturday and Sunday. Many expressed appreciation for the service, as it is so hard to locate regular drop-off sites.

A Worm Composting Workshop sponsored by ACWMA will be held in the District Boardroom this Saturday, February 8th. All are welcome.

Earth Day 2003 is moving along with 40 sponsors on board. Member Francis asked if this is more than last year. Yes, it is double the number of sponsors. Event brochures are going to production. Door prize deadline is March 28th. Manager Williams noted that The Covello Group will host a booth at Earth Day providing information on the LAVWMA project.

Ms. Hartshorn met with Applied Compost Consulting, Inc. and Robin from ACWMA to assist with breakfast and lunch food scrap sorting at Stanton Elementary School. The school custodian is very willing to participate in the program. Ms. Hartshorn has been visiting Stanton at breakfast and lunch times for the past week and today the kids got food sorting correct even without any signs, and caught one another when mistakes were made. President Waespi asked if other schools were working on food scrap sorting. Ms. Hartshorn replied other schools not showing as much interest. However, Susan Ketchi from ACWMA has taken over the incentives program and will work with any school showing interest.

Ms. Hartshorn reminded the Board of the upcoming Castro Valley Chamber of Commerce Mixer on February 20th to be held here in the Board room, co-hosted by CVSD and Waste Management, Inc.

Recycled Product Procurement/Mitigation funds of \$30,000 may be used for our upcoming Computer Roundup, as this is a new program, different from last year's e-waste day.

An article entitled "Castro Valley Food Residuals Recycling Program" has been published in the December issue of BioCycle Magazine.

[D. RESOLUTION NO. 3038 - AUTHORIZING INVESTMENT OF FUNDS IN THE LOCAL AGENCY INVESTMENT FUND.]

Manager Williams reported a very similar resolution was passed approximately ten years ago. This is to bring current officers authorized to make deposits and withdrawals from the account. This was also a request from LAIF.

A motion was made to adopt Resolution No. 3038 by Member Francis, seconded by Member Elkaim and passed on a roll call vote 5-0.

ROLL CALL:

AYES: DIRECTORS Akagi, Elkaim, Francis, Johnson & Waespi

NOES: None

ABSENT: None

MOTION CARRIED

[E. RESOLUTION NO. 3040 - ADOPTING POLICY FOR INVESTMENT OF DISTRICT FUNDS.]

Manager Williams reported this Policy is to be reviewed annually. The only modification is changing the wording "District" Manager to "General" Manager throughout the document. The main investment objectives are security and liquidity. No other changes are recommended. Member Elkaim noted that even

though the rate of return is low, public agencies are required by law to participate in this type of investment.

A motion was made to adopt Resolution No. 3040 by Member Elkaim, seconded by Member Francis and passed on a roll call vote 5-0.

ROLL CALL:

AYES: DIRECTORS Akagi, Elkaim, Francis, Johnson and Waespi

NOES: None

ABSENT: None

MOTION CARRIED

[10. *Communications.*]

There were no Communications.

[11. *Miscellaneous Items from the Public.*]

Resident Tim McGowan commented on Biosolids recycling, that at EBMUD they are making upgrades to their digesters and asked what is CVSD's action plan. Manager Williams stated an upgrade project is in place at Oro Loma Sanitary District. Biosolids recycling has been a source of discussion. Manager Williams deferred the question to audience member Jim Bissell, resident and former engineer at OLSD. Mr. Bissell stated there has always been an emphasis to generate as much gas with digesters as possible. It's a tough balance between cost of disposal vs. recycling. It is cheaper to dispose of, and it is always hauled south as cover for land fill reclamation at the end of Winton Avenue.

Resident Cheryl Dawson inquired how the green pail/food scrap program was progressing. She stated she does worm composting at home and is concerned that putting items such as meat and bones in the greenwaste cart really can't be made into compost. Ms. Hartshorn stated that people seem to either love it or don't care for it, and the program is designed for items that can't be used in home composting.

She also stated that the material is taken to a facility where it is ground up into effective compost for farming. Upon basic inspection, it has been found that there is about 25% participation. Ms. Dawson commented she is relieved to hear that it really does become effective compost and that she wishes more education could be available to residents. President Waespi stated that unfortunately there is no facility in Castro Valley to do the composting and hopes one day to be able to bring the finished product back into our community.

[12. *Miscellaneous Items from Board Members and Staff.*]

Collection System Lead Sergio Ramirez thanked the Board for the recognition honor. President

Waespi also congratulated staff for 30 consecutive months without time lost due to a work related accident.

Member Francis noted that EBMUD has been working at Baywood Court, leaving behind a mess, and they have been working for an extended period of time off Lake Chabot Rd. He asked resident Tim McGowan, an EBMUD employee, to comment. Mr. McGowan stated he would look into the Baywood Ct. incident and stated there is a new water line being installed in the Lake Chabot Rd. area.

Member Francis also stated observing equipment from Livermore working on Redwood Road. Manager Williams and C/S Lead Ramirez stated this is part of the LAVWMA project work.

Member Elkaim inquired about an Earth Day Ad Hoc Meeting. Manager Williams stated that decisions had been made regarding Earth Day, but an informational meeting could be held. Ad Hoc Committee members Elkaim and Waespi stated they would like to have a meeting.

Member Johnson commented how impressed he was with the CWEA award process of an on-site interview and rigorous inspection of the facilities.

Manager Williams stated the Board, and three staff members will take a tour of the Materials Recovery Facility (MRF) at the Davis Street Transfer Station, San Leandro, Friday at 9:00 a.m. Following the tour, the Board will provide lunch at the District for all staff in recognition of the CWEA award and 30 consecutive months with out loss time due to accident.

President Waespi commented he is excited about Earth Day and would like the Board to have a list of sponsors so they may be able to thank them as they see them.

9. [F. Adjournment to Closed Session to receive advice from legal counsel regarding litigation of CVSD vs. EBMUD and EBMUD's claim against CVSD.]

A motion to adjourn to closed session for legal advice from District Legal Counsel was made by Member Akagi, seconded by Francis and passed 5-0.

[1. A Motion was made by Member Akagi, seconded by Member Francis and passed 5-0 to reconvene to open meeting and report on any action taken in Closed Session.]

President Waespi reported on item discussed in closed session:

Board has directed staff to continue to seek resolution by attempting to meet with decision maker of EBMUD.

[13. Adjournment of Meeting.]

There being no further business to come before the Board, the meeting was adjourned by President Waespi at approximately 7:47 p.m. in memory of the crew of the Space Shuttle Columbia.

Respectfully submitted,

Daniel M. Akagi,
Secretary of the Sanitary Board