

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CASTRO VALLEY SANITARY DISTRICT**

HELD ON MAY 4, 2004

[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 Johnson at 6:30 p.m., Tuesday, May 4, 2004 at the District office. The Pledge of Allegiance was lead by President Johnson.

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
Susan Ermitano, Recording Secretary

Others in attendance are listed on the attached attendance sheet.

[2. President's Comments.]

President Johnson congratulated the Board and staff on an excellent Earth Day event held on May 1, 2004 at the District, stating he received positive feedback from individuals who attended the event.

President Johnson congratulated the District on receiving a safety award from the State Compensation Insurance Fund for Three Years Worked without A Lost-Time Accident from 7/01/00 to 7/01/03.

President Johnson congratulated Assistant Collection System Maintenance Supervisor, Sergio Ramirez for receiving the CWEA Golden Ambassador Manhole lapel pin and Office Assistant, Susan Ermitano for receiving the CWEA Golden Pick label pin for their participation in CWEA.

President Johnson stated Assistant Collection System Maintenance Supervisors, Sergio Ramirez presented a check for \$1,000 to CWEA's scholarship fund from the APWA Streets and Sewers program.

[5. *Items from the public.*]

Mr. Ron Thompson, a resident of Castro Valley for 34 years, stated he is in the process of developing a property to construct six townhouses located on Forest Avenue. There was much discussion on this item and Member Akagi stated he would like to hear staffs concerns and have this item placed on the next agenda. President Johnson advised Mr. Thompson this item would appear on the next agenda to formally be discussed at the regular Board meeting on June 1, 2004.

[3. *Consent Calendar.*]

The Consent Calendar contained: A. Minutes of Regular Meeting on April 8, 2004; B. Minutes of Special Meeting on April 23, 2004; C. Accounts Payable List for the Regular Meeting of May 4, 2004; D. Monthly Statements of Operations for February 2004; E. Monthly Reports on District Investments and Deposits for February 2004; F. Monthly Reports on Residential Solid Waste and Recycling Programs for March 2004; G. Collection System/Field Maintenance Reports for March 2004; H. Report of OLSD Construction Committee Meeting on April 14, 2004; I. Report of EBDA Commission Meeting on April 21, 2004; J. Report of Solid Waste Committee Meeting on April 22, 2004; K. Report of Budget & Long Range Planning Committee Meeting on April 26, 2004; L. Report of Alameda County Waste Management Authority Meeting on April 28, 2004.

Member Francis pulled Item C. Accounts Payable List for the Regular Meeting of May 4, 2004, questioning Manager Williams about several items on the Accounts Payable List. Manager Williams answered Member Francis on each item to his satisfaction.

Manager Williams pulled Item I. Report of EBDA Commission Meeting on April 21, 2004. Manager Williams distributed the report and asked the Board to read the report and stated if there were any comments or questions please ask.

Member Waespi pulled Item L. Report of Alameda County Waste Management Authority Meeting on April 26, 2004, reporting \$65K was given to Peralta Community College District for Vista College to construct a LEED Certified building. Member Waespi also stated the ACWMA gave awards to Project Re-create for the recycled art contest. A motion was made to accept the Consent Calendar by Member Akagi, seconded by Member Francis and passed 5 - 0.

[4. *Board Expenditures and Event Attendance Approval.*]

President Johnson asked Member Elkaim to give a verbal report from CASA regarding SB 1272-ORTIZ - SPECIAL DISTRICT GOVERNANCE. Member Elkaim reported a letter from CASA was received by all Special Districts stating CASA is opposed to Bill SB 1272-ORTIZ. The Board directed Manager Williams to issue a letter stating the District's opposition to SB1272-ORTIZ, a hearing is set for May 10, 2004. A motion was made to approve Board Expenditures and Event Attendance by Member Elkaim, seconded by Member Akagi and passed 5 - 0.

[6. Presentations of Petitions.]

There were no petitions.

[7. Regular Calendar.]

A. [Collection System Projects Report.]

Manager Williams reported on the following items:

The District received a letter from Alameda County stating work is scheduled for this year and the County is requesting payment before work is performed. Manager Williams stated he would be issuing Alameda County a letter questioning the issue of payment prior to work being inspected and completed.

LAVWMA began replacing the sewer line at Castro Valley Blvd. and Norbridge Avenue; staff performed a requested site inspection. It appears the submitted approved design is now incorrect regarding existing invert levels on the sanitary sewer line; a new design is to be proposed.

Updates to parcel, sewer and manhole assets are being performed in Hansen; Base Map and GIS and are almost complete.

Manager Williams stated a CVSD Construction Committee meeting date needs to be set to discuss manhole surveys. Staff has contacted two other surveying firms to obtain pricing information for performing a manhole survey.

Staff is looking into obtaining information regarding alternative ways in which to retrieve flow data which would reduce staffing costs and flag any logged data which is not acceptable. Member Francis asked Manager Williams how often staff checks the flow meters and Manager Williams replied once a week.

Manager Williams discussed the issue regarding commercial sewer rates. There was much discussion from the Board and a Special Workshop has been scheduled for May 18, 2004 at 6:30 p.m.

Brown and Caldwell has been invited to attend at the Board's request.

A break was taken from 8:20 p.m. to 8:25 p.m.

B. [Solid Waste Projects Report.]

Manager Williams reported on the following items in Solid Waste Program Supervisor Noelle Hartshorn's absence:

A total of 180 participants registered for our Earth Day 5K run/walk, and \$1,816 in revenue was collected on the day of the event. A full report will be given at the regular June Board meeting.

Solid Waste Program Supervisor is speaking about CVSD's food scrap recycling program at the Solid Waste Association of North America (SWANA) Conference in San Luis Obispo.

In February a resident severely damaged a street trash can when her jeep skidded into it during wet weather. The boulevard trash cans cost \$600.00 each, we are making arrangements with this person to either pay the cost of the can and/or work off the cost of the can by working for the District.

Manager Williams stated he received a memo from Solid Waste Program Supervisor, Noelle Hartshorn regarding Product Procurement Funds. The District received approximately \$13,000 total. Information was given to local PTA groups so they may be included on this round of product purchasing. A total of three schools have responded to this offer and a letter will be sent to the CVUSD Superintendent advising of this purchase and the program.

Manager Williams discussed Import Mitigation funds and stated a Planning Committee member on the ACWMA board has proposed a new formula for the distribution of the \$1 million in Import Mitigation funds, of which CVSD receives an average of \$32,000 annually. The Board directed Manager Williams to write a letter expressing concerns about the Planning Committee's recommendation.

C. [Oro Loma/Castro Valley Sanitary District Treatment Plant Capacity Restoration Project Agreement.]

Manager Williams stated he would be meeting with General Manager Mike Cameron of OLSD to review Draft #8. Both District Construction Committee members agreed that the Agreement must be signed by the legal counsels consenting to the form of the Agreement. The bid opening date of the TPCR has been postponed from April 13, 2004 to May 25, 2004.

D. [DRAFT TWO YEAR BUDGET FY'S 2004-5/2005-6.]

1. [Tentative Adoption of the Draft FY 2004-05/2005-06 Two Year Budget.]

A motion was made to adopt the Draft FY 2004-05/2005-06 Two Year Budget by Member Akagi, seconded by Member Elkaim and passed on a roll call vote 5 - 0.

ROLL CALL:

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

NOES: None

ABSENT: None

MOTION CARRIED

2. [Proposed increase of 3.5% in Sewer Service Fees.]

A motion was made to accept the proposed rate increase of 3.5% in Sewer Service Fees by Member Elkaim, seconded by Member Waespi and passed on a roll call vote 5 - 0.

ROLL CALL:

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

NOES: None

ABSENT: None

MOTION CARRIED

3. [Set Public Hearing for Comments, Protests, or Objections to proposed 2004-05/2005-06 Two Year Budget and proposed increase in Sewer Service Fees.]

A motion was made to Set Public Hearing for Comments, Protests, or Objections to proposed 2004-05/2005-06 Two Year Budget and proposed increase in Sewer Service Fees by Member Akagi, seconded by Member Waespi and passed on a roll call vote 5 - 0.

ROLL CALL:

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

NOES: None

ABSENT: None

MOTION CARRIED

E. [District Performance Indicators.]

After much discussion the Board gave direction to amend Manager Williams' contract to include his annual performance evaluation; the District Performance Indicators time line would be set by the Personnel Committee; the Board agreed by majority vote to pay for Manager Williams Castro Valley Rotary annual membership.

[8. Communications.]

Manager Williams stated a post card was received from Mr. Tom Edwards complimenting the District on the Annual Report.

Manager Williams stated he spoke to Mr. Dave Sadoff who inquired if anyone is running in November election and he also stated he is planning to run for office.

[9. Miscellaneous Items from Board Members and Staff.]

Member Waespi asked President Johnson if he'd heard from Andy Frank regarding a joint meeting with MAC and if a date had been set. President Johnson stated a date has not been set.

Member Waespi congratulated staff and the Board for a great job at Earth Day.

Member Elkaim asked Manager Williams why the District does not invite past Board members to the Winter Holiday Dinner. Manager Williams stated due to cost.

Member Akagi stated the base at the flag pole looks weathered, and would like the base replaced with brass or bronze material.

Member Francis stated he would like the plaques relocated from the hallway to somewhere in the lobby, stating the public does not see all the awards the District has received.

[10. Adjournment of Meeting.]

There being no further business to come before the Board, the meeting was adjourned by President Johnson at approximately 9:50 p.m.

Respectfully submitted,

Minutes of Regular Meeting of
May 4, 2004
Page 7

Meyer S. Elkaim,
Secretary of the Sanitary Board