

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

HELD ON DECEMBER 7, 2004

[1. *Call to Order.*]

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, December 7, 2004, at the District Office.

[2. *Canvass of Elections.*]

General Manager Williams read the official vote tabulation of the election held on Tuesday, November 2, 2004 for three Board seats, stating that Danny Akagi and Dennis Waespi have been re-elected and Timothy McGowan has been elected as members of the Board of Directors.

[3. *Seating of Elected Members and Administration of Oaths of Office.*]

Attorney Varni administered the Oath of Office to the elected members.

[4. *Roll Call and Pledge of Allegiance.*]

Following the seating of Board Members, ROLL CALL resulted as follows, and the Pledge of Allegiance was led by President Johnson:

PRESENT: DIRECTORS Daniel Akagi, Harry Francis, Ralph Johnson, Timothy McGowan
and Dennis Waespi

ABSENT: None

LATE: None

Staff in attendance:

Roland Williams, General Manager

Noelle Hartshorn, Solid Waste Program Supervisor

Anthony Varni, District Counsel

Elizabeth Gill, Recording Secretary

Others in attendance are listed on the attached attendance sheet.

[5. *President's Comments.*]

President Johnson shared students' letters from Palomares Elementary School written to Waste Management for their assistance in collection of their school's food scraps.

President Johnson read a letter from APWA thanking Manager Williams and Collection System Maintenance Supervisor Sergio Ramirez for their "above the call of duty" assistance at the recent Streets and Sewers Conference. President Johnson presented a check in the amount of \$1,000 to Manager Williams for the California Water Environment Association (CWEA) Scholarship Fund.

President Johnson updated the Board on the proposed new Castro Valley Library and distributed brochures requesting much needed funding for furniture, books, etc.

[6. Consent Calendar.]

The Consent Calendar contained: A. Minutes of Regular Meeting on November 9, 2004; B. Accounts Payable List for the Regular Meeting of December 7, 2004; C. Monthly Statements of Operations for September 2004; D. Monthly Reports on District Investments and Deposits for September 2004; E. Monthly Reports on Residential Solid Waste and Recycling Programs for October 2004; F. Collection System/Field Maintenance Reports for October 2004; G. Report of OLSD Construction Committee Meeting on November 10, 2004; H. Report of Public Relations Committee Meeting on November 15, 2004; I. Report of ACWMA Meeting on November 17, 2004; J. Report of Personnel Committee Meeting on November 18, 2004; K. Report of EBDA Commission Meeting on November 18, 2004 and L. Report of Earth Day Ad Hoc Committee Meeting on November 26, 2004.

Member Francis requested to pull Item B. Accounts Payable List to inquire about the following line items: Glattfelter Claims Management - damage claim on Seven Hills Road; P. Noelle Hartshorn - Solid Waste expense reimbursement; P. Noelle Hartshorn - 2004 visual aids reimbursement; Alameda County Household Hazardous - used oil disposal fees; Timothy McGowan - balance of postage deposit re: agenda mailings and U.S. Bank - WEF, ISP, S/W and office and travel expenses. Manager Williams answered all Member Francis' concerns satisfactorily.

Member Waespi inquired as to WM's monthly program report and asked for explanation of WM's calculation of numbers and totals. He suggested this be a topic for the Board Workshop. Solid Waste Program Supervisor Noelle Hartshorn reported she would ask Roseanne Pontes, WM Contract Compliance Manager, for explanation of the monthly calculations. Manager Williams reported that Item E. Monthly Reports on Residential Solid Waste and Recycling Programs was for the month of October, not November, as stated in the agenda. Manager Williams stated Item F. Collection System/Field Maintenance Report for October was incomplete and would be reported at the January Board meeting.

There being no further discussion Member Waespi made a motion to accept the Consent Calendar. Member Akagi seconded, and the motion passed on a vote of 5 - 0.

[7. Board Expenditures and Event Attendance Approval.]

A. CASA Mid-Year Conference in Palm Springs, January 19-22, 2005.

President Johnson presented the Board Expenditures List for approval as well as attendance at the

CASA Mid-Year Conference in Palm Springs. Board Members Akagi, Francis, Johnson and Waespi reported they will be in attendance. Member Akagi made a motion to approve Board Expenditures and attendance at the CASA Mid-Year Conference to be held January 19-22, 2005. The motion was seconded by Member Francis and passed on a vote of 5 - 0.

[8. *Items from the Public.*]

There were no items from the public.

[9. *Presentations of Petitions.*]

There were no petitions to be presented.

[10. *Regular Calendar.*]

A. *Committee Assignments.*

President Johnson opened discussion for Committee Assignments for 2005. Member Akagi reported that he would like Member Waespi to attend the Oro Loma Sanitary District's Construction Committee Meeting in December. After discussion, Member Akagi made a motion to appoint Member Waespi to the OLSD Construction Committee. The motion was seconded by Member McGowan and passed on a vote of 5 - 0. Other 2005 Committee assignments will be discussed at the December 14th Board workshop.

B. *Report of Personnel Committee Meeting of December 2, 2004.*

Manager Williams reviewed the minutes of the Personnel Committee meeting noting that a meeting had been held between the District and the total compensation study consultant, Gail Koff & Associates. Ms. Koff stated at the meeting that the total compensation data was preliminary and a complete study with recommendations will be provided no later than December 13th. It was reported that this information would be made available to the Personnel Committee, MOU Representative and District staff. Manager reported that a Personnel Committee meeting is scheduled for December 15th to discuss the total compensation data. Manager reviewed the recommendation that minimums and maximums be set for the COLA adjustments. Manager stated that Ms. Koff will be at the January Board meeting when these items are discussed with the full Board. Manager Williams reviewed Item #4 regarding MOU changes for the Board.

Manager Williams updated the status of the Associate Engineer position. The advertising phase has been completed and will be handled by an attorney in San Francisco to proceed with the United States Immigration and Naturalization Service process.

Member McGowan asked if discussing personnel issues regarding the salary survey and benefit

package could be in closed session. It was explained that the Personnel Committee meets with the MOU Representatives, which represent staff and the Personnel Committee makes recommendations to the full Board. Manager stated that meetings are held in open session which shows good faith to all. President Johnson stated that the Personnel Committee works within budgetary controls when considering salary increases, etc. Member Waespi agreed to continue to discuss personnel issues, including discrepancies in salary, Ad Valorem monies, treatment plant monies, etc. Member Francis suggested discussing these items at the upcoming Board workshop.

There being no further discussion a motion was made by Member Akagi to accept the meeting minutes. The motion was seconded by Member Francis and carried on a vote of 5 - 0.

C. Collection System Projects Report.

Manager Williams reviewed the Collection System Projects report including small projects, LRGP update and Alameda County projects. LAVWMA sanitary sewer improvements were discussed and Engineering Technician Elliott Johnson answered questions from the Board. Manager Williams reported the District may be moving away from using Hansen software and staff has been contacting software vendors for demonstrations on various new asset management software programs. He also reported that staff continues to meet with Brown and Caldwell regarding the Master Plan. Manager reported on the recent sewer odor problem at Arcadian Drive and possible solutions to this issue. He also reported that Mr. Ron Thompson continues to be displeased with the District's policy regarding connection fees regarding Tract 7475, Forest Avenue. It was suggested that perhaps the District's policy regarding this be discussed at a Board workshop.

D. Solid Waste Projects Report.

Solid Waste Program Supervisor Hartshorn reported on the following:

Administrative Technician Naomi Yee is meeting with Palomares Elementary School and setting up committees for Earth Day 2005. Palomares School will be starting on sponsor and booth requests this week. Staff is waiting to hear back from the Castro Valley Cross-Country Runners if they have an interest in handling the race and are to submit a proposal. Manager Williams and Attorney Varni discussed the best way to proceed with insurance coverage for this event.

It was reported that the combined 2005 Recycled Art Contest Calendar/Annual Report is at the printers and proofs are due back to CVSD this week. It is anticipated to have the calendars in the mail to the residents by December 15th.

Ms. Hartshorn thanked the Board once again for their participation at the November 17th Waste Management Driver Appreciation Luncheon. She reported that the next luncheon is scheduled for March 16, 2005.

It was reported that the Solid Waste Program Intern Michelle Jeffery is handling the school educational programs. President Johnson reported how important and educational these programs are as the students bring home information learned and make certain that their family members are performing the 4R's correctly.

CVSD received a letter from Waste Management with the information that it will be expanding its Materials Recovery Facility (MRF) since so many jurisdictions are changing over to single-stream type of recycling recovery. WM gave CVSD a list of alternative sites where recyclables will be taken while the expansion takes place, which will be approximately four months. Ms. Hartshorn reported that she has been in contact with Alameda County Waste Management Authority for their input on this change. She reported that Mr. Tom Padia, ACWMA, said the temporary change sites would be fine.

Recycled Product Procurement (RPP) funds were discussed, with Ms. Hartshorn stating that the ACWMA has recently taken a look at the expenditures made by its jurisdictions with this funding and several jurisdictions have accumulated several years worth of RPP funds. ACWMA has decided that member agencies who have accumulated more than two years of funding will not receive a third year's funding until their funds are spent, unless they have a specified project that they intend to use the funds for. The District currently has \$42,000 in RPP funds. Board members expressed their desire to spend these funds. Member McGowan suggested purchasing recyclable food scrap bags to be used in the pails for the residents.

Ms. Hartshorn reported that she and Intern Jeffery have recently met with Creekside Middle School regarding the District's school programs.

Member Waespi interjected his desires, and the District's desires, to have a smoothly run holiday tree collection performed by WM in January. Manager Williams reported bill inserts explaining this program as well as the District's food scrap program were mailed to WM customers. He reported that other notification includes press releases and flyers.

Ms. Hartshorn reported on a letter received from Recycle America requesting the District's approval that Waste Management/Davis Street and Recycle America merge. She reported she has discussed this proposal with ACWMA and they approved. Board discussion included that it would be imperative for the District's approval, plus others, in order for this merge to be approved. Attorney Varni requested the District receive the Agreement between these entities for review.

E. Oro Loma/Castro Valley Sanitary District Treatment Plant Capacity Restoration Project.

Manager Williams presented a power point presentation provided by Oro Loma Sanitary District showing progress made during the past months. He reported that many of the photos Board members had previously seen, but was showing them for new Member McGowan. Manager reported that 11% of the

work is complete, with 11% of the time elapsed. Paid to date is \$2.6 million with 200 submittals, 100 requests for information (RFI) and less than five change orders. Member Waespi inquired as to publicity on this project and Manager Williams reported that an update on the restoration project will be included in the next District Pipeline. He reported that usually there are no press releases while the project is underway. Manager reported that OLSD has requested there be no school, WasteWater Wise, tours while construction is taking place.

[11. *Communications.*]

Manager Williams reported there were no communications.

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

Member McGowan reported that he was happy to be a Board Member and he is looking forward to working together with the Board.

Member Waespi complimented staff regarding the recent odor problem on Arcadian Drive.

Member Francis welcomed Member McGowan to the Board. He asked Ms. Hartshorn for an update regarding WM carts on Heyer and Center Streets. Member Francis reported that EBDA will meet on December 16th at 12:45 p.m.

Manager Williams passed out draft agendas for the Board workshop to be held on December 14th. He requested that Solid Waste Monthly Report, Committee Assignments, Salary Survey, Community Advisory Committee be added to the agenda. President Johnson stated he also wanted to discuss the District strategic plan and General Manager's goals. Manager reported the Board would receive a final agenda on Thursday.

Manager Williams reported that the Board might like to have a Board of Director's Retreat and take advantage of training by Dr. Marilyn Manning. Manager stated this idea could be further discussed at next week's Board workshop. Board discussion took place including further discussion of the District's budget, Conflict of Interest Code could be placed on hold, Board tours and possible Board salary adjustment, which would be an item at the January Board meeting.

Manager Williams reported he will be out of the office December 20 - 23. He and his family will be going to Mexico and distributing gifts to children and all donations of gifts and money would be greatly appreciated.

Office Assistant Liz Gill reminded the Board of this Friday's holiday party at La Maison. Social hour at 6:30 p.m. with dinner at 7:30 p.m.

President Johnson reported that past Member Elkaim's sister passed away and he will be out of the county and not able to attend the Holiday event.

[13. Adjournment of Meeting.]

There being no further business to come before the Board, Member Francis made a motion, seconded by Member Akagi, to adjourn the meeting at 8:30 p.m. by President Johnson.

Respectfully submitted,

Harry Francis,
Secretary Pro Tem of the Sanitary Board