

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

HELD ON MAY 3, 2005

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

The regular meeting of the Board of Directors of the Castro Valley Sanitary District was called to order by President Akagi 6:35 p.m., Tuesday, May 3, 2005, at the District Office. The Pledge of Allegiance was led by President Akagi.

ROLL CALL:

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

ABSENT: None

LATE: None

Staff in attendance:

Roland Williams, Jr., General Manager

Sergio Ramirez, Collection System Maintenance Supervisor

Anthony Varni, District Counsel (arrived at 7:10 p.m.)

Elizabeth Gill, Recording Secretary

Others in attendance are listed on the attached attendance sheet.

[2. *President's Comments.*]

President Akagi had no comments.

[3. *Consent Calendar.*]

The Consent Calendar contained: A. Minutes of Regular Meeting on April 12, 2005; B. Minutes of Special Meeting on April 19, 2005; C. Accounts Payable List for the Regular Meeting of May 3, 2005; D. Monthly Statements of Operations for February 2005; E. Monthly Reports on District Investments and Deposits for February 2005; F. March 2005 Reports on Residential Solid Waste and Recycling Programs; G. Report of OLSD Construction Committee Meeting on April 13, 2005; H. Report of EBDA Commission Meeting on April 21, 2005; I. Report of ACWMA Meeting on April 27, 2005; and J. Report of CASA Conference April 27-29, 2005.

President Akagi asked if there was any discussion.

Member Johnson had questions regarding the purchase of Earth Day 2005 Litter Bags from Enviro-Tote, Inc. Manager Williams reported this expenditure was for the purchase of 2,000 bags made from recycled materials and paid from Measure D funds and a full report for Earth Day will be available at next month's Board meeting.

Manager Williams gave a verbal report on the CASA Conference he attended with Administrative Services Supervisor Janette Stuart April 27 - 29, 2005 in Napa. He reported new OSHA regulations were reviewed along with their responsibilities. He also reported employment law updates for public entities were discussed as well as increasing employment benefits including a 60% increase in health care over the past four years. Manager Williams added other topics at the conference included blending of wastewater, House Bill legislation regarding no importing of biosolids, sanitary sewer overflow program, asset management, automated assessment management and GIS.

There being no further discussion, a motion was made by Member Francis to accept the Consent Calendar. The motion was seconded by Member Johnson and passed on a 5 - 0 vote.

[4. Board Expenditures and Event Attendance Approval.]

President Akagi presented the Board Expenditures List for discussion.

Member McGowan reported his Board of Director's Meeting Attendance Sheet for May was set at each person's place. General Manager Williams stated Member Waespi attended five meetings and Member Francis attended three meetings for the month of April. The following meetings are to be considered for Board attendance for the month of May:

- May 14, 2005, attendance at the Rowell Ranch Rodeo Parade
- May 20, 2005, attendance at the Treatment Plant tour

There being no further discussion, Member McGowan made a motion to approve Board Expenditures and authorize event attendance. Member Johnson seconded the motion and passed on a 5 - 0 vote.

[5. Items from the Public.]

There were no items from the public.

[6. Presentations of Petitions.]

Manager Williams reported there were no petitions to be presented this evening, however, a petition was received late which will be presented at next month's Board meeting. He stated the petition

pertained to a variance request for a backflow preventor.

[7. Regular Calendar.]

A. Engineering Projects Report.

Manager Williams reported on the Engineering Projects Report. He updated the Board on Alameda County Paving Projects. He reported the District base maps have been updated including color to the sewers, manholes and abandoned assets. Flow meters have been removed from their sites for a temporary period of three months. He updated the Board on sampling at the flume, Master Plan and two of the tracts listed on the report will be discussed later in the evening. The District received an odor complaint at the Norbridge Avenue site from the Bay Area Water Quality Control Board. Member Johnson stated fines could be imposed if certain criteria can be confirmed. Manager Williams reported he has been in contact with CalTrans and Alameda County working on this issue. Member Francis inquired as to the Master Plan budgeting and General Manager Williams answered his concerns. Member Francis asked about the clearance regarding Tract 7434. Manager Williams reported the sanitary sewer and the storm drain pipes have been repositioned to give the minimum required clearance.

B. Collection System/Field Maintenance Report for March 2005.

Collection System Maintenance Supervisor (CSMS) Sergio Ramirez reviewed his report regarding service calls/stoppages/overflows. He reported due to public outreach which includes educating the residents to call the District when they are experiencing a sewer problem, service calls have increased, however stoppages and overflows have decreased. CSMS Ramirez reported pump stations are on a three week maintenance schedule, the District is recovering excess manhole lids from LAVWMA, handling I & I and illegal connections. President Akagi asked the status of Loukos Place which used to overflow during wet weather. CSMS Ramirez reported all is good and check valves have been installed. Discussion took place as to the difference between a stoppage and backup and also improving the Collection System/Field Maintenance report to include photos, charts, graphs and trend data. CSMS Ramirez reported Station No. 4 is having problems with high water alarms and this pump station will be rehabilitated in-house commencing in July. Member Francis congratulated staff on it's 56th month with no loss due to injury. Member Waespi would like more of an explanation when reporting the numbers, such as why is a particular number higher or lower, etc. He also inquired if the pump stations have O&M manuals. CSMS Ramirez answered each pump station has a check-off list binder. Member Johnson would like to see, using the GIS, lines cleaned. Manager Williams reported a tour will be set up for the Board to see the crew in action soon.

Manager Williams asked the Board if items #F and #G could be heard at this time as Mr. Holland was in attendance.

F. RESOLUTION NO. 3091 - ACCEPTING THE GRANT OF EASEMENT FROM BENJAMIN F. HOLLAND AND SANDRA D. HOLLAND, HUSBAND AND

WIFE, AS JOINT TENANTS, AND AUTHORIZING THE DISTRICT SECRETARY TO ATTACH THERETO THE WRITTEN ACCEPTANCE OF THE DISTRICT (TRACT NO. 7266, HOLLAND PLACE).

Manager Williams reported Resolution No. 3091 pertained to accepting the grant of easement and Resolution No. 3092 pertained to accepting the improvement plans and specifications for Tract No. 7266. He reviewed Tract No. 7266 with the Board, explaining the sewer lines, storm drains and parking. Member Johnson inquired as to space for recycling, greenwaste and garbage carts. Manager Williams answered these concerns. Member McGowan had questions regarding who would be signing the final drawings and what is the process. Manager Williams answered his questions. Further discussion took place as to Waste Management trucks being able to collect the carts and turn around, parking and the sanitary sewer is on gravity flow. Mr. Holland explained the parking requirements for each dwelling and answered other miscellaneous questions from the Board. A motion was made to adopt Resolution No. 3091 by Member Waespi and seconded by Member Francis.

The motion was passed on a roll call vote 5 - 0.

ROLL CALL:

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

NOES: None

ABSENT: None

MOTION CARRIED

G. RESOLUTION NO. 3092 - APPROVING IMPROVEMENT PLANS FOR SANITARY SEWERAGE FACILITIES IN TRACT NO. 7266 (HOLLAND PLACE).

Manager Williams reported Resolution No. 3092 goes along with the previous resolution accepting the grant of easement in Tract No. 7266. He reported new manholes will be installed on Heyer Avenue for this tract. There being no further discussion a motion was made to adopt Resolution No. 3092 by Member Waespi and seconded by Member Francis.

The motion was passed on a roll call vote 5 - 0.

ROLL CALL:

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

NOES: None

ABSENT: None

MOTION CARRIED

C. Solid Waste Projects Report.

Manager Williams reported Waste Management new resident informational packets are being mailed out by the District. He reported out of 65 new residents last month, the District received one response back which enables the resident to receive a District key chain. President Akagi suggested enticing resident response by offering a drawing for free Waste Management services for a period of a time. Manager Williams reported Earth Day was a huge success and we had 235 runners for the 5k run/walk, which was the largest amount of participants ever. He reported the runners liked this year's course very much. Manager Williams reported Member Johnson and Administrative Technician Naomi Yee attended the CAPIO award dinner and congratulated staff on winning second place in the Special Publications category for the 2005 Recycled Art Contest Calendar and 03/04 Annual Report. Manager Williams reported the new recycled product chairs for the Board room had arrived to go along with the four recycled product tables. He reported a plaque will be made to identify these items are made out of recycled content. Manager Williams updated the Board on business recycling. Office Assistant Elizabeth Gill reported East Bay Municipal Utility District held their annual Earth Day on April 13th and the District had an information booth with District flyers including Earth Day information. She reported several recycled art pieces were on display and were featured in EBMUD's employee newsletter, the "Log". At this time copies of the newsletter were passed out. Manager Williams reported for the Rowell Ranch Rodeo parade the District will be featuring a WM split body truck. A sign-up sheet was passed around to Board members for parade participation. Manager Williams reported the District is eligible to receive grant funding from StopWaste.org for having a "bay-friendly garden" at its office. He updated the Board on the District's e-waste collection day set for July 16th. He reported the Castro Valley Sunrise Rotary will be sponsoring an e-waste collection at the Rite Aid parking lot on Saturday, May 7th. Manager Williams reported he and Solid Waste Program Coordinator Noelle Hartshorn attended the Used Oil Conference on April 12th in San Diego which pertained to grant funding. He reported our numbers for the collection of used oil filters are low compared to the amount of gallons of used oil collected. Member Francis remarked the Kreature Komfort collection was a good outreach for the District and sorry to see this program has been discontinued. Manager Williams reported Kreature Komforts was born from Second Chance Week 2001 and while an excellent program, was labor intensive for staff to maintain. The Board concurred that this was an excellent program. Manager Williams stated this program could be included in District goals. Discussion took place as to this year's Second Chance Week and Manager Williams reported we will be collecting used sporting equipment for the Special Olympics participants. Member Waespi would like either this year to include or next year to collect used soccer uniforms and equipment for another group which would donate them to a third world country. Member Francis remarked in regards to the Legislation Hot Topic - Californians Go After Cigarette Butt Litter, noting volunteers cleaning up the community for the District's Earth Day event picked up hundreds of cigarette butts.

D. Report of Community Advisory Committee (CAC) Meeting on April 13, 2005.

Manager Williams reported two of the Community Advisory Committee members were present at tonight's Board meeting; Mr. Anthony Graves and Mr. Bob Craig. He reviewed the minutes of the meeting including the Committee's guidelines, rosters, goals and reported at the next CAC meeting they plan to appoint a Committee Chairperson and Vice Chairperson. He stated the next CAC meeting will be held on May 11th. He noted there is a Castro Valley Redevelopment Strategic Plan Public Workshop the

same evening. Manager Williams reviewed item #7 in the minutes regarding the Community Grant monies will be part of an action plan, with the CAC deciding on ground rules for its distribution to the community. Board discussion took place as to the CAC's authority for such decisions and Manager Williams and CAC Member Bob Craig reassured the Board the CAC does not set policy, their purpose is to make recommendations to the Public Relations Committee which in turn makes recommendations to the full Board. Manager Williams praised the CAC for suggesting Community Grant monies be tied to the District's mission statement and their thought behind many issues they will be facing. He asked the Board for their recommendations and would bring them forth at the next CAC meeting. Mr. Bob Craig also asked the Board to put forth their recommendations. Member Francis reiterated the Board makes the final decision.

E. Report of Personnel Committee Meeting on April 20, 2005.

Manager Williams reviewed this report noting advertisement for the position of Associate Engineer has exceeded the six month period and has been advertised in the newspapers to comply with the PERM process. He reported he has spoken with three engineering firms to provide services to meet the District's Professional Engineer requirements. He has spoken with consultants from Harris Engineering, V & A and Mr. Rick Cole. Manager Williams will be working on their work scope, oversights, specific assignments as well as the District's Capital Improvement Plan (CIP). He updated the Board on Staffing & Succession Planning reporting the Engineering Technician has been transferred to the Collection Systems Department and he would be hiring an Engineering Technician. Member McGowan questioned increasing staff and budgeting costs for a new employee. Manager Williams reported this action can be maintained with the current budget. Member Francis reported with just increasing sewer rates, where is the money coming from to pay for a new employee? Manager Williams reported with the District's CIP a new position would be needed. After Board discussion and questions asked of General Manager Williams, Member Francis requested a Closed Session Board Meeting be called to discuss personnel issues. Manager Williams continued updating the Board on the Personnel Committee minutes stating an analysis of the District job descriptions will take place in the Fall to assure compliance with various Federal, State and Local regulations as well as performance indicators. He reported upcoming Board Harassment and Sexual Harassment Training options and supplemental insurance available funded by employee contributions. Board discussion took place as to hiring a new employee(s), the next meeting of the Personnel Committee on June 20th and the next Board meeting on June 7th. It was agreed by the Board to hold a Special Closed Session Board Meeting on Tuesday, May 10th at 6:00 p.m. General Manager Williams reported he would discuss further at the May 10th Board meeting the Associate Engineer position. A motion was made to accept the Personnel Committee Meeting Minutes of April 20, 2005 by Member Johnson. The motion was seconded by Member McGowan and passed on a 5-0 vote.

1. District/General Manager Goals.

Manager Williams asked to table District and General Manager goals as they were just presented this evening plus this item coincides with the previous topic.

H. RESOLUTION NO. 3093 - ACCEPTING MAINLINE SANITARY SEWER FACILITIES IN 22236 & 22238 N. SIXTH STREET.

General Manager Williams reported Resolution No. 3093 is for Board consideration to accept the mainline sanitary sewer facilities in 22236 and 22238 N. Sixth Street, located in the southern portion of Castro Valley, approximately 300 feet west of Redwood Road. He reported the work is complete and by use of a tract map explained the six units to the Board. Discussion took place as to the width of the driveway and WM's collection of services with dumpsters not carts. A motion was made to adopt Resolution No. 3093 by Member Francis, and seconded by Member Waespi.

The motion was passed on a roll call vote 5 - 0.

ROLL CALL

AYES: DIRECTORS Akagi, Francis, Johnson, Mc Gowan and Waespi

NOES: None

ABSENT: None

MOTION CARRIED

A 10 minute break was taken at 8:45 p.m.

I. DRAFT ORDINANCE NO. 138 - AMENDING SECTIONS 4004, 4011, 4012, 4013, 4014, 4018, 4021, 4029, 4030, 4031, 4032, 4034, 4038, 4040, 4043, 4058, 4059, 4065, 4066, 4067, 4068, 4069, 4072, 4074, 4076, AND 4094 OF ARTICLE III, GENERAL PROVISIONS AND SPECIFICATIONS FOR THE CONSTRUCTION OF SANITARY SEWERS; AND SECTIONS 4106, 4113, 4122, 4123, 4129, 4130, 4403, 4504 AND 4506 OF ARTICLE IV, REGULATION OF SEWER SERVICES OF THE CASTRO VALLEY SANITARY DISTRICT CODE.

Manager Williams presented draft Ordinance No. 138, stating it has been reviewed at previous Board meetings and is now presented to the Board for their review and consideration. He reported staff has expended a considerable amount of time and effort in revising and updating various sections of Article III, General Provisions and Specifications for the Construction of Sanitary Sewers and Article IV, Regulation of Sewer Services, of the CVSD Code, to comply with current regulations and also proposing to make the District Code clearer and more precise for public and staff's interpretation and use. General Manager Williams reported this ordinance includes an 8% increase to sanitary sewer service charges for Fiscal Year 2005-06 commencing July 1, 2005 and as discussed the increase will off-set a portion of the funds retained by the State of California. He reviewed briefly revisions including the Engineering Title; fees for easements; how connection fees are credited for abandoned structures except in the case of fire, flood, or earthquake and backwater prevention system. Member Waespi reported Section 4072 needs to be corrected to read (2), (3) and (4) instead of (b), (c) and (d). Discussion took place regarding Section

4072 using stronger language for notice of code violation to residents. Attorney Varni asked what does our CSRMA policy state? Further discussion and questions took place as to the District's risk, the District's responsibility and to check with our carrier for clarification. Manager Williams asked the Board for their comments on this issue by next Tuesday. Member Waespi clarified the commercial sanitary sewer users are included in the 8% increase. A motion was made to set a Public Hearing for the next meeting of the Board on June 7, 2005 by Member McGowan. The motion was seconded by Member Johnson and passed on a 5-0 vote.

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

Manager Williams updated the Board on the treatment plant capacity restoration project. He reported he visited the site today and showed a slide-show presentation to the Board. Photos and presentation included: new bar screen installed, housing to be built around the bar screen control panel, channel work, head works building, influent pumps, dry well, CEPT tanks, chlorine contact tank and blending, piping for the trenches, center walls for the clarifier, installation plan for the boiler, etc. General Manager Williams reported Monterey Mechanical continues to keep a clean site; there has been no lost time due to injuries on the site and mentioned a sink hole issue.

[8. Communications.]

Manager Williams reported there will be an EDAB membership meeting May 17, 2005. He reported Solid Waste Program Coordinator Hartshorn will participate in the Rowell Ranch Rodeo Chili Cook-off. He also reported July 1st there will be a decrease of 10.4% in the District's Worker's Compensation. Manager Williams reported a thank you letter was received from Sewer Authority Mid-Coastal regarding the recent sewer lateral workshop in which he made a presentation.

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

Member Waespi reported on the Build a Green Home tour held on May 1st which featured Mr. Gary Wolff, Castro Valley Sanitary District resident. He also mentioned Mr. Wolff is now on the Regional Water Quality Control Board. Member Waespi stated Earth Day was great and expressed compliments to staff. He reported Palomares Elementary School was a great site. He reported on May 15th Stopwaste will conduct a Bay Friendly Garden Tour showcasing natural gardening techniques.

Member Johnson reported on the Sewer Lateral Workshop held recently in Half Moon Bay in which Manager Williams made a presentation. He reported discussion included adopting state wide ordinance upon sale of home regarding inspection of sanitary sewer lateral and working with the title companies in this endeavor. He reported Manager Williams did a nice job on his presentation which included the District's Lateral Grant Replacement Program and I&I. Member Johnson reported other agencies have a huge staff turnover which makes implementing programs more difficult. Some cities do clean sewer laterals. He reported it was an excellent workshop. Member Johnson also stated Earth Day

was great and was pleased with the large festival attendance.

Member Francis reported staff did a great job for the District's Earth Day event. He reported at the recent Business Exchange Night he didn't feel the attendees were aware of the District's upcoming Earth Day events. He reported LAVWMA has settled with Mr. Larry Clark on Norbridge regarding the asphalt situation. He reported Mountain Cascade has not returned yet to clean the gutter.

President Akagi reported he was sorry to miss the District's Earth Day event but heard it was a great event.

Office Assistant Elizabeth Gill reported tomato and other seedlings were set at each place tonight from the District's Earth Day event. Also Board members were given Earth Day Board sponsorship t-shirts. Ms. Gill was pleased to announce Associate Engineer Bonnie Middleton gave birth to a son James, this morning and mother and baby were doing well.

General Manager Williams congratulated President Akagi on his tenth anniversary with the District.

[10. Adjournment of Meeting.]

There being no further business to come before the Board, Member Francis made a motion, seconded by Member Johnson, and passed on a 5 - 0 vote, to adjourn the meeting at 9:55 p.m. by President Akagi.

Respectfully submitted,

Dennis M. Waespi,
Secretary of the Sanitary Board

