

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CASTRO VALLEY SANITARY DISTRICT
HELD ON OCTOBER 2, 2007**

[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 Waespi at 6:30 p.m., Tuesday, October 2, 2007, at the District Office. The Pledge of Allegiance was led by President Waespi.

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
District Counsel, Anthony Varni
Barbara Nagy, Recording Secretary

[2. *President's Comments.*]

President Waespi:

- welcomed all and thanked everyone for coming.
- was happy to announce that the District has reached a settlement with Waste Management of Alameda County. Manager Williams filled in the details stating in consideration for disruption of service during the month of July, all single-family residential customers will receive a credit for the month of July. The District will receive full franchise fees as well as administrative costs incurred by CVSD during the lockout. A charitable contribution of \$150,000 will be made to the new Castro Valley Public Library project. President Waespi added that Manager Williams and District Counsel Varni worked hard to reach this positive settlement for the community.

[3. *Consent Calendar.*]

The Consent Calendar contained: A. Minutes of Regular Meeting on September 4, 2007; B. Minutes of Board Workshop on September 18, 2007; C. Accounts Payable List for the Regular Meeting of October 2, 2007; D. Monthly Statements of Operations for July 2007; E. Monthly Reports on District Investments and Deposits for July 2007; F. Collection System/Field Maintenance Reports for August 2007; G. Solid Waste Projects Report for September 2007; H. Report of ACSDA Meeting on September 12, 2007; I. Report of OLSD Construction Committee Meeting on September 12, 2007; J. Report of Solid Waste Committee Meeting on September 13, 2007; K. Report of EBDA Commission Meeting on September 20, 2007; L. Report of Public Relations Committee Meeting on September 25, 2007; M. Report of ACWMA Meeting on September 26, 2007.

President Waespi asked if there were any items to be discussed. Manager Williams noted that a replacement sheet for Item D. Monthly Statements of Operations for July 2007 was at Board Members' places showing a correction regarding connection fees received. They were not split between treatment plant and collection system expenses, now they are.

Manager Williams also noted that CVSD will host the January 16, 2007 ACSDA meeting.

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

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

President Waespi asked if there were any questions regarding Board Expenditures. There were none. He then asked if there were any upcoming meetings to consider. Manager Williams stated there will be a Budget & Long Range Planning Committee meeting on October 25th and a Solid Waste Committee meeting on October 23rd.

Manager Williams wanted to clarify Board compensation for the BLT facility tour in Fremont on September 21, 2007, as the September Minutes reflected that Board Members would not be compensated; however, one Board Member asked to be compensated for attending. Manager Williams added that Board Members were not compensated for the tour at the Davis Street facility. Member Francis stated he thought it was only recommended Board Members not receive compensation. Manager Williams reminded all of District Policy stating that events not listed in the Policy must be approved by motion and vote for Board compensation.

There being no further discussion, a motion was made by Member Francis to approve Board Expenditures and compensate Board Members who attended the BLT facility tour in Fremont on September 21, 2007. The motion was seconded by Member McGowan and passed on a 5 - 0 vote.

[5. *Items from the Public.*]

A resident in the audience stated the settlement with Waste Management is fantastic.

[6. *Presentation of Petitions.*]

Manager Williams stated he received a letter after the agenda was posted, which could possibly come before the Board at the November meeting.

[7. *Regular Calendar.*]

A. RESOLUTION NO. 3151 – *RECOGNIZING MUSIC FOR MINORS II FOR ITS PUBLIC SERVICE TO THE CASTRO VALLEY SANITARY DISTRICT.*

President Waespi read the resolution in its entirety.

Music for Minors II Executive Director, Carol Zilli, thanked CVSD for its generous grant that enabled training and support to adult music docents. It was their first year to offer training locally, and the funds also helped to establish their first music resource center at Proctor School with musical instruments and materials for hands-on classroom use by the children. Music for Minors II has also provided performance opportunities for the schools they serve at the new Center for the Arts.

13 children entertained the Board with two songs and a chant.

There being no further discussion, Member McGowan made a motion to adopt the Resolution. The motion was seconded by Member Francis and passed on a roll call vote 5 - 0.

ROLL CALL

AYES: DIRECTORS Akagi, Francis, Johnson, McGowan and Waespi
NOES: None
ABSENT: None

MOTION CARRIED

B. *Policies & Procedures No. 3095, District Donations.*

Manager Williams stated this is a follow-up from the Board Workshop regarding two changes to sections 3095.5 and 3095.7 of District Policy 3095, District Donations. President Waespi asked if the District has signage available that identifies carts or containers as noted in the Donation Request Evaluation Criteria. Manager Williams replied yes.

There being no further discussion, a motion was made by Member McGowan to accept District Policy 3095. The motion was seconded by Member Johnson and passed on a 5 – 0 vote.

C. Donation Request Report for the month of September.

President Waespi noted the two items in the report.

D. Report of Community Advisory Committee Meeting on September 12, 2007.

Manager Williams stated he has nothing to add to the written report, but noted there are still three seats to fill. Letters will be sent to four people who have expressed interest. Candidates will be presented to the Board for acceptance at the next Board meeting.

E. Vacant LAFCo alternate at-large seat.

President Waespi stated several candidates have solicited endorsements from the Board. Manager Williams concurred adding that at the last Board meeting, a CVSD Board Member was nominated; however, he has since withdrawn. No action is required. President Waespi stated he favors endorsing Ayn Wieskamp, and asked for direction from the rest of the Board. Member Francis stated he favors Lou Andrade from HARD as he is a Castro Valley resident. Member Johnson stated that most decisions for LAFCo in the near future will be in East County and, Ayn Wieskamp would be the best fit for her politics and knowledge of that area.

There being no further discussion, a motion was made by Member Johnson directing President Weaspi to vote for Ayn Wieskamp on behalf of CVSD. The motion was seconded by Member Akagi and passed on a 3-1-1 vote with Member Francis voting no and Member McGowan abstaining stating he did not know enough about any of the candidates.

[8. Communications.]

A. Site Visit Activity Report regarding safety walkthrough of District offices, shop and Hazmat building.

Manager Williams stated the report noted CVSD is maintaining excellent compliance and safety program with periodic updates. President Waespi commended the District on an excellent job. Manager Williams stated that staff planned and cleaned up prior to the inspection as the District wants to do the best we can. He added that it has been over one year with no lost time due to work related injuries.

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

Manager Williams stated he will be attending the WEF Conference October 13-17, 2007 in San Diego.

[10. Adjournment to Closed Session (one item) in accordance with Government Code Section 54957.6 for the purpose of reviewing its position and instructing designated representatives with regard to upcoming MOU negotiations.

A motion was made by Member Johnson to adjourn to Closed Session at 7:10 p.m. The motion was seconded by Member Francis and passed on a 5 – 0 vote.

A. Reconvene to Open Meeting and report on any action taken in Closed Session.

A motion was made by Member McGowan to reconvene to open session at 8:25 p.m. The motion was seconded by Member Johnson and passed on a 5 – 0 vote.

President Waespi reported no action was taken in Closed Session.

[10. Adjournment of Meeting.]

There being no further business to come before the Board, Member Johnson made a motion, seconded by Member Francis and passed on a 5 - 0 vote, to adjourn the meeting at 8:30 p.m. by President Waespi.

Respectfully submitted,

Timothy McGowan,
Secretary of the Sanitary Board