

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CASTRO VALLEY SANITARY DISTRICT
HELD ON DECEMBER 4, 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 6:32 p.m., Tuesday, December 4, 2007, at the District Office. The Pledge of Allegiance was led by resident Jim Bissell.

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
Anthony Varni, District Counsel
Barbara Nagy, Recording Secretary

Others in attendance are listed on the attached attendance sheet.

[2. President's Comments.]

President Waespi welcomed all to the meeting. He thanked staff for all their hard work in arranging the annual Volunteer Recognition Dinner held the previous evening adding it was a great meal and program.

[3. Consent Calendar.]

The Consent Calendar contained: A. Minutes of Regular Meeting on November 6, 2007; B. Accounts Payable List for the Regular Meeting of December 4, 2007; C. Monthly Statement of Operations for September 2007; D. Monthly Report on District Investments and Deposits for September 2007; E. Collection System/Field Maintenance Report for October 2007; F. Engineering Projects Report for October 2007; G. Solid Waste Projects Report for November 2007; H. Report of ACSDA Meeting on November 7, 2007; I. Report of OLSA Construction

Committee Meeting on November 14, 2007; J. Report of Personnel Committee Meeting on November 14, 2007; K. Report of Public Relations Committee Meeting on November 26, 2007; L. Report of ACWMA Meeting on November 28, 2007; M. Report of EBDA Commission Meeting on November 15, 2007; N. Donation Request Report for the month of November 2007.

President Waespi asked if there were any items to be discussed. There were none.

There being no 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.

Manager Williams stated that two Board Members would be attending the Chamber of Commerce Business Person of the Year Award Luncheon tomorrow. President Waespi noted that this is a non-compensated event. Manager Williams also reminded the Board that the Waste Management driver appreciation lunch and Board Workshop are on the same day, so only one event would be compensated.

A. CASA Mid-Year Conference in Indian Wells, CA, January 9-12, 2008.

Manager Williams stated that the CSRMA seminar looks good and recommends attendance.

There being no further discussion, a motion was made by Member Akagi to approve Board Expenditures and authorize attendance at the CASA Mid-Year Conference in Indian Wells, January 9-12, 2008. The motion was seconded by Member Johnson and passed on a 5 - 0 vote.

[5. Items from the Public.]

Mr. Lou Filipovich commented on his attendance at the monthly ACWMA meeting.

Hera Alikian conveyed her disappointment with the presentation at the CAC meeting by the District's consultant against the use of a flow-based SSC method. She felt that his study was not complete and did not address all the questions posed. Member Johnson concurred that he felt the consultant missed a step which led to the conclusion that the current system is workable and flow-based is not. More information from his study and the intern's work is needed regarding the amount of revenue to be generated from a flow-based method.

[6. Presentation of Petitions.]

There were none.

[7. Regular Calendar.]

A. PROJECT 2007-03 CVSD DISTRICT OFFICE KITCHEN REMODEL – BID AWARD.

Manager Williams stated Board Members have the staff report in their packet from Engineering Consultant, Dr. Jeff Lewandowski. Four bids were received on November 16, 2007. The District used an informal process of running an ad and placing the packet in the bidders' room. With this informal process the District does not have to accept the lowest bid. The budget for the job is \$75,000; the top two bidders were \$5 apart. Staff recommends awarding the bid and authorizing the General Manager to execute a contract with Legion Construction, Inc., of San Ramon in the amount of \$66,994.94. Manager Williams added Legion can actually start next Monday. He went on to explain the new layout adding this project has been on the shelf for a year and a half. The computer server room has been relocated.

Member Francis inquired about local contractors. Manager Williams replied there were some that expressed interest but supplied no bid. Member Johnson asked about the pending shop remodel. Manager Williams replied the space is needed and this should be addressed next month.

Member Johnson remarked about District expansion and the Caltrans yard at Castro Valley Boulevard and Center Street being moved. Manager Williams stated it looks like that site will be used by the CHP or a new Post Office, adding he is checking with Rite Aid to see if they would be willing to sell or lease part of their parking lot at the back of the store. This can be further discussed at the Workshop.

There being no further discussion, a motion was made by Member McGowan to authorize the General Manager to execute a contract with Legion Construction, Inc., in the amount of \$66,994.94. The motion was seconded by Member Francis and passed on a 5 – 0 vote.

B. Aerial and Fault Crossing Pipeline Seismic Assessment – Study Results.

Manager Williams stated the Aerial and Fault Crossing Pipeline Seismic Assessment was completed the first part of November by Goettel & Associates, Inc. and G&E Engineering Systems, Inc. In late summer all aerial crossings were reviewed. Manager Williams showed a map and stated a copy of the full study is available. The focus tonight is on the Hayward fault/interceptor line as the highest priority. There are no known requirements for this but we feel this should have been looked at a decade ago.

Manager Williams stated Item #2 on the summary should be done—have consultant perform a limited benefit-cost analysis for determining whether projects could be suitable for FEMA disaster funding assistance for a portion of the project costs. Also, Item #3 should be part of a 5-year strategic plan to determine potential methods for seismic hazard mitigation funding of highest priority improvements to be implemented at a cost for improvements estimated from \$200K to \$600K depending on mitigation project approach chosen. Manager Williams added the District should contact Oro Loma and City of Hayward to compare analyses and possibly combine projects.

President Waespi stated the District has spent \$12,000 to conduct the study and wants to spend another \$30,000, and none of these are mandatory. Manager Williams replied that earthquakes are not the same as storm events, having long dormant periods. He concurred that the District does not have to do anything but feels it would be remiss not to. The District should put in a minimum \$100,000 per year per project over six years for the biggest issues.

Member Francis suggested this be discussed further at the next Board Workshop. Manager Williams stated the Budget and Long Range Planning Committee will see this item during discussions for the upcoming three-year budget.

President Waespi and Member Johnson concurred that working with other agencies is the way to go to save money. Member McGowan stated local agencies would not be the best to partner with regarding emergency equipment as each of those agencies would need the same equipment at the same time. He recommends partnering with DSRSD, Livermore and Pleasanton regarding equipment sharing during a disaster. Manager Williams stated the District uses Ruxton for big equipment.

C. Report of Solid Waste Services Ad Hoc Committee Meeting on November 27, 2007.

Manager Williams stated the District received bids from two waste haulers, Waste Management of Alameda County and ACI. Staff had an opportunity to review these before Thanksgiving and the Ad Hoc Committee met on November 27th with the District's consultant, R3, to evaluate the bid packets. ACI is primarily collection and WMAC is collection and disposal. Both bids contain a litany of exceptions that will be addressed during interviews on December 13th. Questions have been sent to the two potential vendors. Results will be presented to the Board on January 8, 2008. Manager Williams added that the Brown Act does not allow this to be discussed in Closed Session. The Ad Hoc Committee can evaluate and the public will see results after the process is completed. Manager Williams stated rates are higher as anticipated.

D. CAC Nomination.

President Waespi stated the CAC has been in existence for three years now as a valuable asset giving great feedback to the District. There is one vacancy and one letter of application from Hera Alikian to be considered. Member Akagi has the open seat at this time. Ms. Alikian stated she appreciates the consideration and will serve the community well.

Manager Williams stated that some CAC terms expire in January 2008. Re-nominations and/or new recommendations may be made at that time.

There being no further discussion, a motion was made by Member Akagi to nominate Hera Alikian as a CAC Member. The motion was seconded by Member Johnson and passed on a 5 – 0 vote. All congratulated Ms. Alikian and welcomed her as a member of the CAC.

E. Date Change for January 2008 Regular Board Meeting.

President Waespi stated the day for the regular January Board meeting falls on New Year's Day. The recommendation is to move the regular January Board meeting to January 8, 2008.

There being no further discussion, a motion was made by Member Akagi to change the January Board Meeting date from January 1 to January 8, 2008. The motion was seconded by Member Johnson and passed on a 5 – 0 vote.

[8. Communications.]

A. Letter from California Waste Solutions declining the opportunity to submit a proposal to the Request for Proposal for solid waste collection and disposal business.

B. Memo from Chuck Weir of EBDA referencing a Daily Review article entitled "District beats state mercury limits".

President Waespi stated it is too bad that California Waste Solutions decided not to bid.

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

Manager Williams presented a proposed agenda for the December 11th Board Workshop and asked the Board if there were any other items to be added. President Waespi asked about a mid-year budget review. Manager Williams replied this was done during the audit and is only brought to the Board if changes are proposed. There are currently no changes. The three-year budget process will begin in early 2008. Manager Williams noted the item for discussion regarding Board/Manager relationship. Member McGowan wanted to make sure there would be a closed session for MOU discussion.

Manager Williams stated he talked with Carl Owens at the Volunteer Appreciation dinner regarding the new newspaper racks for Castro Valley. Mr. Owens informed him that the Redevelopment Agency is to buy the racks. CAC had previously approved a \$2,000 grant toward the purchase. The formal event will finally take place in January.

Member Johnson commented that the County Redevelopment project in Castro Valley has indicated there could be a need to relocate sewer lines as the beautification/landscaping would conflict with the current sewer line locations. There would need to be an environmental impact review. He added there is a difference between public impact and beautification. District Counsel Varni stated the sewer lines have a more important use than landscaping and it would work itself out during the process.

Member Francis stated the Volunteer Appreciation dinner last night went well and he was impressed. Member Francis went on to ask about underground construction at Redwood Road and Grove Way regarding the District's C&D Ordinance; is there follow-up? Manager Williams replied currently there are brochures available at the County. The District receives copies of permits and sends a letter with a copy to WMAC. It must be a WMAC box unless self-hauled by a fixed-body truck. Member Francis then stated the middle of his street (Dolores St.) is sinking and wonders if there could be a sewer leak.

President Waespi mentioned that he has spoken with a CAC member who would like to continue on the committee but has trouble hearing at the meetings. Manager Williams stated that several years ago the special sound wall was installed for that very reason, but he would look into other helpful possibilities. The District should make reasonable accommodations.

Note: A 10-minute break was taken at 7:40 p.m.

[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 MOU negotiations.]

A motion was made by Member Francis to adjourn to Closed Session at 7:50 p.m. The motion was seconded by Member Johnson 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 Francis to reconvene to open session at 9:45 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.

[11. 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 9:50 p.m. by President Waespi.

Respectfully submitted,

Timothy McGowan,
Secretary of the Sanitary Board