

1. CALL TO ORDER

President Yoder called the meeting to order at 7:00 pm.

2. ROLL CALL

Directors Present: Rebecca Yoder, Ken Colson, Rene Prupes, Procopio Sclafani
Directors Absent: Michelle Kaelker-Boor (Excused Absence)
Counsel Present: Steven Baird, Atkinson Farasyn LLP (by phone conference)
Staff: Benjamin Porter (District Manager), Richard Tanaka, Mark Thomas
Visitors: Zoraya Atayde (GreenWaste Recovery, Inc.)

3. APPROVAL OF AGENDA

Motion: To approve the Agenda by moving Item 9A to before Item 5 Closed Session.

Move: Prupes **Second:** Colson

Board vote: **Ayes,** Yoder, Colson, Prupes, Sclafani
 Noes, None
 Absent, Kaelker-Boor

4. PUBLIC COMMENTARY

- 3.A. Visitor Commentary – None.
- 3.B. Agency Representatives – Manager Porter gave an update on the CASA conference that he and Tanaka attended; he also advised that he had voted on the New CASA Board of Directors at the direction of the Board.
- 3.C. Board Commentary – None.

9. OLD BUSINESS (Moved Item)

- 9.A. GreenWaste Recovery, Inc. – 1) Education Outreach Follow Up. 2) Cost to BSD for GreenWaste Service to Residents.

9.A.1. Education Outreach Follow Up

Zoraya from GreenWaste advised that they have developed updated educational videos and they will be posted on the website. One video illustrates cleaning recyclables prior to disposal and it will be up in September. Staff will link the video to the website of BSD and Nextdoor. An updated Postcard and newsletter will also be sent to the residents. BSD Board and staff discussed a facility tour on 9/11 at 10:00am.

9.A.2. Cost to BSD for GreenWaste Service to Residents.

Board discussed costs related to garbage collection, particularly with the lawsuit back in 2012.

5. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Paragraph (1) of Subdivision (d) of Section 54956.9 Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive

Closed session discussion commenced at 7:30 pm and ended at 7:43 pm. No reportable action taken at the closed session.

6. CONSENT CALENDAR

6.A. Approval of Minutes from the Regular Meeting of July 17, 2018

Motion: To Approve Meeting Minutes from the Regular Meeting of July 17, 2018.

Move: Sclafani **Second:** Prupes

Board vote: **Ayes,** Colson, Prupes, Sclafani
Noes, None
Absent, Kaelker-Boor
Abstain, Yoder

7. WARRANTS

7.A. Approval of Warrants

1. Mark Thomas (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors Payroll)
3. Atkinson Farasyn LLP (District Legal Services)
4. Cupertino Sanitary District (Common Interest Group Cost Sharing Q4 FY2017-18)
5. Santa Clara County Roads & Airports (Encroachment Permit – Annual Spring Clean Out Day)

Motion: To Approve five (5) warrants as listed.

Move: Prupes **Second:** Sclafani

Board vote: **Ayes,** Yoder, Colson, Prupes, Sclafani
Noes, None
Absent, Kaelker-Boor
Abstain, None

8. NEW BUSINESS

8.A. New Board Member Application Update.

Manager Porter reported that Kathleen Smoot had submitted her application to the County Board of Supervisors. Process to appoint Kathleen Smoot was presented, with tentative date in first meeting in November.

9. OLD BUSINESS

9.B. San Jose Joint Use Agreement Follow Up

Manager Porter presented estimated cost for reviewing and preparing backup data report related to the Joint Use Agreement (\$2,400) and escalation to present day costs (\$1,600) for a total cost of \$4,000.

Motion: To Approve the estimated cost of \$2,400 for data collection (annexations since 1983) and verifying flows from City of San Jose to BSD and preparation of documentation report for \$2,400.

Move: Colson

Second: Sclafani

Board vote:

Ayes, Yoder, Colson, Prupes, Sclafani

Noes, None

Absent, Kaelker-Boor

Abstain, None

10. SUBCOMMITTEE REPORT

11.A. Recruitment Subcommittee Update

No Update

11. HOUSEKEEPING ITEMS

11.A. Update on Housekeeping Items.

- Link GreenWaste website and videos to BSD website
- In addition to links, add brief descriptions of content in English and Spanish
- Add more Spanish on website
- Link CASA information to BSD website
- Cancel Board Meeting of September 4

11.B. Agenda Item for next upcoming meeting

- Garbage Collection
- Ordinance and New Operations Code
- Master Plan Update
- County Zoning – how to define additional dwelling unit (agendize for meeting of 10/16)
- Ordinance for multiple dwelling units (agendize for meeting of 10/16)

12. ADJOURNMENT

Motion: To adjourn meeting at 8:41 pm.

Move: Prupes

Second: Sclafani

Board vote:

Ayes, Yoder, Colson, Prupes, Sclafani

Noes, None

Absent, Kaelker-Boor

Abstain, None

Approved: September 18, 2018

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rebecca Yoder, President

District Manager
Benjamin T. Porter, PE