

**1. CALL TO ORDER**

President Yoder called the meeting to order at 7:03 pm.

**2. ROLL CALL**

Directors Present: Rebecca Yoder, Ken Colson, Michelle Kaelker-Boor, Procopio Sclafani  
Directors Absent: Rene Prupes (excused)  
Counsel Present: None.  
Staff: Benjamin Porter (District Manager), Richard Tanaka, Mark Thomas  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the Agenda.

**Move:** Sclafani                      **Second:** Colson

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

**4. PUBLIC COMMENTARY**

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – Manager Porter advised that Director Prupes wanted to attend the meeting via phone conference but the logistics were not able to be worked out.
- 4.C. Board Commentary – Director Kaelker-Boor reported that there were two emergency back-up calls on Boston Avenue. Inspector Dale Bennett investigated and found no problem on the sewer line.

**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

**Motion:** To cancel the Closed Session.

**Move:** Kaelker-Boor                      **Second:** Sclafani

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

**6. CONSENT CALENDAR**

- 6.A. Approval of Minutes from the Regular Meeting of October 16, 2018

**Motion:** To Approve Meeting Minutes from the Regular Meeting of October 16, 2018.

**Move:** Colson                      **Second:** Kaelker-Boor

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

## **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. Harshwal & Company LLP (District Audit Services)
5. Cupertino Sanitary District (Common Interest Group Cost Sharing)

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

**Move:** Kaelker-Boor                      **Second:** Sclafani

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

## **8. NEW BUSINESS**

### 8.A. Moving Board Member Election Date to November of Even-Numbered Years.

Board discussed and reviewed the Resolution No. 271.

**Motion:** To Approve Resolution No. 271

**Move:** Colson                      **Second:** Kaelker-Boor

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

### 8.B. District Audit.

Board reviewed and approved the District Audit.

**Motion:** To Approve District Audit FY2016-17 & FY2017-18

**Move:** Kaelker-Boor                      **Second:** Colson

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

8.C. Waste Stream Reduction.

Board and staff discussed the waste stream reduction. Director Colson informed that Santa Clara Waste Reduction Committee has not responded to him yet. The following items were discussed.

- Large Item Pick Up
- Clean Waste Recycle
- Education Support from GreenWaste

8.D. City of San Jose – Revised 2017-18 Operation & Maintenance Cost Sharing.

Board reviewed the Revised 2017-18 Operation & Maintenance Cost Sharing.

8.E. Department of Industrial Relations – Civil Wage Penalty Assessment.

Board noted the Civil Wage Penalty Assessment for Able Septic Tank Services.

## **9. OLD BUSINESS**

9.A. Operations Code.

Board and staff discussed and reviewed section 5 of the Operations Code.

9.B. Master Plan Update

Board and staff discussed the BSD Master Plan, which is to include the Annexation update and Operations Code.

9.C. Recruitment/Replacement of Board Members – Review and Approve Resolution No. 270.

Item was deferred to next meeting.

9.D. Annual Mainline/Lateral Maintenance Update.

Board reviewed three bids and approved awarding the contract to AB/JDD Plumbing.

**Motion:** To approve awarding contract to AB/JDD Plumbing and authorize District Manager to enter into agreement.

**Move:** Kaelker-Boor

**Second:** Colson

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

**10. SUBCOMMITTEE REPORT**

10.A. Recruitment Subcommittee Update

No update.

**11. HOUSEKEEPING ITEMS**

11.A. Update on Housekeeping Items.

No update.

11.B. Agenda Item for next upcoming meeting

- Resolution No.270

**12. ADJOURNMENT**

**Motion:** To adjourn meeting at 8:22 pm.

**Move:** Kaelker-Boor   **Second:** Colson

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

Approved: December 4, 2018

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Rebecca Yoder, President

District Manager  
Benjamin T. Porter, PE