

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Directors Present: Rebecca Yoder, Ken Colson, Michelle Kaelker-Boor, Rene Prupes, Procopio Sclafani  
Directors Absent: None  
Counsel Present: Steven Baird, Atkinson Farasyn LLP (by phone conference)  
District Clerk: Jimmy Lew  
Staff: Benjamin Porter (District Manager), Richard Tanaka  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the Agenda.

**Move:** Prupes                      **Second:** Kaelker-Boor

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

**4. PUBLIC COMMENTARY**

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None.
- 4.C. Board Commentary – None.

**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 7:02 pm and ended at 7:11 pm. No reportable action taken at the closed session.

**6. CONSENT CALENDAR**

- 6.A. Approval of Minutes from the Regular Meeting of May 07, 2019.

**Motion:** To approve Meeting Minutes from the Regular Meeting of May 7, 2019.

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

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

**Absent,** None  
**Abstain,** Prupes

**7. WARRANTS**

7.A. Approval of Warrants

1. Mark Thomas & Company, Inc. (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 Agreement Cost Sharing)
5. DB Incorporated (Print and Mail Rate Increase Notices for Garbage and Sewer)
6. Jimmy Lew (District Clerk Services)

**Motion:** To approve six (6) warrants as listed.

**Move:** Sclafani

**Second:** Kaelker-Boor

**Board vote:**

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

**8. NEW BUSINESS**

8.A. District Insurance. Review of District Insurance Renewal Proposal.

Board reviewed the Commercial Package Insurance Proposal. Secretary Colson discussed the absence of earthquake insurance.

**Motion:** To approve District Insurance Renewal Proposal.

**Move:** Kaelker-Boor

**Second:** Sclafani

**Board vote:**

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

**9. OLD BUSINESS**

9.A. Operations Code.

The draft Operations Code has been reviewed by District Counsel and submitted to the Board for review and consideration.

Secretary Colson discussed "wastewater discharge" and the constraints on "trucked or hauled waste," and whether or not this is enforceable.

Director Kaelker-Boor noted that the following corrections should be made to the draft Operations Code: -

- TOC, misspelling, Chapter II, 2001 - "Biohazardous"
- TOC, indentation

- Numbering consistency - Articles

There was discussion surrounding whether or not there is ample time for the Board to review, submit, and accept comments before the Operations Code is presented and adopted at a public hearing, while taking into consideration the Brown Act. The following timeline was discussed: -

- May 28, 2019 - Cutoff date for individual review, each Board Member to submit comments with tracked changes to Manager Porter.
- June 4, 2019 - Board meeting to review finalized Operations Code and set public hearing for July 2, 2019
- July 2, 2019 - Conduct public hearing to adopt Operations Code together with the other public hearings for CPI rate increases for solid waste; sewer service rate increases; and Taxroll Collection.

9.B. Report of Annual Spring Clean Up Day.

Annual Spring Clean Up Day on May 18 was successful. Things to consider for the future: -

- Loop in organizations such as Good Karma Bikes, to process bikes or bike parts that were disposed of; and contact a local master gardener program, to receive gardening items that can be reused.
- Assign someone to manage disposal sites, to oversee disposal or serve as point of contact with the community.

9.C. GreenWaste Recovery, Inc. - Quarterly Report (Jan-Mar 2019)

Report was reviewed by the Board.

**10. HOUSEKEEPING ITEMS**

10.A. Update on Housekeeping Items.

- Director Kaelker-Boor will be absent on June 18, 2019.
- President Yoder will most likely be absent on July 2, 2019, pending remote access availability.

10.B. Agenda Items for next Upcoming Meetings.

- Operations Code

**11. ADJOURNMENT**

**Motion:** To adjourn meeting at 8:07 pm.

**Move:** Prupes

**Second:** Sclafani

**Board vote:**

**Ayes,** Yoder, Colson, Kaelker-Boor, Prupes, Sclafani

**Noes,** None

**Absent,** None

**Abstain,** None

Approved: June 4, 2019

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Michelle Kaelker-Boor, Acting President

District Manager  
Benjamin T. Porter, PE