

1. CALL TO ORDER

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

2. ROLL CALL

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

3. APPROVAL OF AGENDA

Motion: To approve the agenda with moving Item 8A before Item 5, Closed Session.

Move: Kaelker-Boor **Second:** Yoder

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

4. PUBLIC COMMENTARY

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – Manager Porter advised that Robert Woodhouse has joined the team as the new Deputy District Manager. He has extensive experience in sewer system management.
- 4.C. Board Commentary – None.

8. NEW BUSINESS

8.A. Rate Study and Rate Increase Memo

Manager Porter presented the rate study considering the possibility of creating greater parity and fairness between single family and multi-family dwelling rates, an addition of a new category for accessory dwelling units (ADUs), and the recommended rate increases. The Board reviewed and approved the Resolution No. 276 to set a Public Hearing Meeting on May 19, 2020 at the Rose Garden Library to consider changes to rate structures and rate increases.

Motion: To approve Resolution No. 276

Move: Prupes **Second:** Yoder

Board vote: **Ayes:** Colson, Yoder, Kaelker-Boor, Sclafani, Prupes
Noes: None
Absent: 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 7:14 pm and ended at 7:38 pm. Manager Porter and Advisor Tanaka were excused. No reportable action was taken at the closed session. Staff rejoined the regular session.

6. CONSENT CALENDAR

6.A. Approval of Minutes from the Regular Meeting of January 28, 2020.

Motion: To approve Meeting Minutes from the Regular Meeting of January 28, 2020.

Move: Sclafani **Second:** Yoder

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

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. Kathleen Smoot (District Clerk Services)
5. Able Septic Tank Service (Annual Mainline & Lateral Maintenance)

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

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

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

8. NEW BUSINESS

8.B. Update on Annual Mainline and Lateral Maintenance.

Manager Porter reported that annual mainline and lateral maintenance have been completed. There are some repairs that may be required to be done expeditiously. Any repair which is more than \$25,000 will need to be approved from the Board. A CCTV work plan will be agendized for next meeting for discussion.

8.C. GreenWaste Recovery, Inc. – October – December 2019 Quarterly Report and 2019 Annual Report.

Board reviewed GreenWaste’s Quarterly and Annual Reports. Board also noted there were a lot of service calls and questioned about missed pickups and battery pickup issue.

8.D. Annual Spring Clean Up Day. – Select a day for Spring Clean Up Day.

Motion: Select May 2, 2020 as the Annual Spring Clean Up Day

Move: Sclafani

Second: Yoder

Board vote:

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

Noes: None

Absent: None

9. OLD BUSINESS

9.A. Status of SRF Loan and Design Update.

Advisor Tanaka reported that the State Regional Board has commenced final review and verification of the SRF Loan Application. Staff is currently updating the Project Report which includes changing the repair strategies, the Cultural Resources Report, the Biology Report, and the Air Quality Report. The current construction estimate is \$4.6M.

9.B. District Website Update.

No Update.

9.C. Update to Third Quarter Adjustment for FY2018-19 O&M and CIP Billings.

Manager Porter advised that the reimbursement checks both for O&M and CIP have been received. Reimbursement for CIP was adjusted from earlier estimate of \$88,937.00 to \$79,730.00 due to an error in SCVWD’s share of reserve being refunded to Tributary Agencies.

10. HOUSEKEEPING ITEMS

10. A. Update on Housekeeping Items.

No Update

10. B. Agenda Items for next Upcoming Meetings.

- Funding for Litigation
- CCTV Plan
- Update on Public Hearing Meeting
- GreenWaste – Batteries from Multi-Family, mixing of recyclables with regular trash

11. ADJOURNMENT

Motion: To adjourn meeting at 8:57 pm.

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

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

Approved: March 3, 2020

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rebecca Yoder, Acting President

District Manager
Benjamin T. Porter, PE