

1. CALL TO ORDER

Acting President Kaelker-Boor called the meeting to order at 7:02 pm.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

Motion: To approve the Agenda.

Move: Sclafani **Second:** Prupes

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

4. PUBLIC COMMENTARY

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – Manager Porter reported that CASA conference will be held on January 23 – January 25 in Indian Wells.
- 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 7:05 pm and ended at 7:28 pm. No reportable action taken at the closed session.

6. CONSENT CALENDAR

- 6.A. Approval of Minutes from the Regular Meeting of December 18, 2018 and Special Meeting of December 26, 2018.

Motion: To Approve Meeting Minutes from the Regular Meeting of December 18, 2018 and Special Meeting of December 26, 2018

Move: Prupes **Second:** Sclafani

Board vote: **Ayes,** Kaelker-Boor, Prupes, Sclafani
Noes, None
Absent, Yoder, Colson
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. City of San Jose (Treatment Plant FY2018-19 Q3 O&M)
5. City of San Jose (Treatment Plant FY2018-19 Q3 Capital Billing)

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

Move: Sclafani **Second:** Prupes

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

8. NEW BUSINESS

8.A. FY2018-19 Second Quarter Financial Review.

Board reviewed and noted the FY2018-19 Second Quarter Financial Review.

8.B. City of San Jose – FY2017-18 Third Quarter Adjustment O&M and CIP Billings.

Board reviewed and noted the City of San Jose FY2018-18 Third Quarter Adjustment for O&M and CIP Billings. Staff also advised that the cash option was selected for the credit payment. The credit is approximately \$80k.

8.C. Clean Water State Revolving Fund Loan Application Update.

The State Water Resources Control Board (SWRCB) has processed the updated District loan application which includes completed SRF loan application, the Climate Change Policy and Design Plans and Specifications. The SWRCB will publish a funding list.

8.D. CIP Plans and Specs Completion.

Board and staff discussed development of the 100% CIP plans and specs. Staff indicated a Budget of \$150,000 is appropriate. Staff and the Board discussed that the design package will be utilized as one project if funding is provided, or it will be broken into smaller construction projects if the CIP goes forward one step at a time.

Motion: To Approve budget not to exceed \$150,000 to develop the 100% CIP Plans and Specs and authorized District Manager/Engineer to proceed.

Move: Prupes

Second: Scalafani

Board vote:

Ayes, Kaelker-Boor, Prupes, Scalfani

Noes, None

Absent, Yoder, Colson

Abstain, None

9. OLD BUSINESS

9.A. Master Plan Update.

The next chapter of the Operations Code will be presented at next the Board meeting.

10. SUBCOMMITTEE REPORT

10.A. Recruitment Subcommittee Update

District Clerk vacancy will remain open through January 30.

11. HOUSEKEEPING ITEMS

11.A. Update on Housekeeping Items.

- Outreach Meeting – Trash/Recycling. Kevin from GreenWaste was not available for this meeting and staff will invite him to attend a meeting in February.
- Board proposed May 18 as Spring Cleanup Day

11.B. Agenda Items for upcoming meetings

- Cash Flow (April Meeting)
- SRFL (April Meeting)
- CIP (April Meeting)
- Lawsuit (April Meeting)
- City of San Jose Bills (April Meeting)

12. ADJOURNMENT

Motion: To adjourn meeting at 8:48 pm.

Move: Prupes

Second: Sclafani

Board vote:

Ayes, Kaelker-Boor, Prupes, Sclafani

Noes, None

Absent, Yoder, Colson

Abstain, None

Approved: February 19, 2019

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rebecca Yoder, President

District Manager
Benjamin T. Porter, PE