

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)
Staff: Richard Tanaka (District Manager), Benjamin Porter, Mark Thomas
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the Agenda.

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

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

4. PUBLIC COMMENTARY

- 3.A. Visitor Commentary – None.
- 3.B. Agency Representatives – None.
- 3.C. Board Commentary – Board informed that former Director sends her regards.

5. PUBLIC HEARING

5.A. Public Hearing on Taxroll Collection for FY2018-19

- Deputy District Manager Porter presented the Taxroll report for Fiscal Year 2018-19.
- President Yoder called and closed the Public Hearing.
- Board discussed and adopted the Resolution No. 269 to approve Sewer Service Charges Report for Fiscal Year 2018-19

Motion: To adopt Resolution No.269

Move: Prupes **Second:** Sclafani

Board vote: **Ayes,** Yoder, Colson, Kaelker-Boor, Prupes, Sclafani
Noes, None
Absent, None
Abstain, 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 7:07 pm and ended at 7:15 pm. No reportable action taken at the closed session.

TO MOVE ITEM 9.C. TO AFTER CLOSED SESSION

Motion: To move Item 9.C. to after Closed Session

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

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

9. NEW BUSINESS

9.C. San Jose Joint Use Agreement Issue. (Moved Item)

The Board discussed the San Jose Joint Use Agreement issue. The Board determined that it is in the best interest of District to confirm and document the history of the Agreement and how it has been impacted by annexation. Staff will report back on progress of reviewing the history at the next Board Meeting.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meeting of June 5, 2018

Motion: To Approve Meeting Minutes from the Regular Meeting of June 5, 2018.

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

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

8. WARRANTS

8.A. Approval of Warrants

1. Mark Thomas (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors Payroll)
3. Meyer Nave (District Legal Services)
4. GreenWaste Recovery, Inc. (No Parking Signs for Clean Up Day)

Motion: To Approve four (4) warrants as listed.

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

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

9. NEW BUSINESS

9.A. 2349 Olive Ave – Background Information on Sewer Connection Issue.

Board discussed the connection issue of 2349 Olive Ave. Board and Staff discussed potential solutions. Staff will reach out to the owner of the adjacent property and invite both owners to attend the next meeting for further discussion.

9.B. Year 2 CIP.

The Board reviewed and discussed the Year 2 CIP. The Board concluded, based on staff recommendation, that as a result of financial uncertainty surrounding potentially enormous costs for its share of treatment plant expansion and the timeline of State Revolving Fund loan determination, it is in the best interest of the District to defer decision on implementing the planned Year 2 CIP until at least March 2019 when the State Revolving Fund loan status is known.

9.D. Minutes of TAC/TPAC on Overhead and SBWR.

There are no TAC minutes, just responses to clarifications to questions. TPAC minutes acknowledged adjustment to overhead cost and will be adjusted to correct amount during first quarter of next fiscal year.

9.E. GreenWaste Recovery, Inc.

1.) Education Outreach Follow Up

Board would like to know more on single stream recycling and what the District is paying for. Staff to clarify with GreenWaste.

2.) Santa Clara County Recycling and Reduction. (SSCRR)

Director Colson to contact SSCRR to look into the potential for a partnership.

10. OLD BUSINESS

10.A. District Budget

Board reviewed and approved the District Budget for FY2018-19.

Motion: To Approve District Budget for FY2018-19.

Move: Colson **Second:** Sclafani

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

11. SUBCOMMITTEE REPORT

11.A. Recruitment Subcommittee Update

Director Sclafani has sent the recruitment flyer to an interested resident.

12. HOUSEKEEPING ITEMS

10.A. Update on Housekeeping Items.

No update.

10.B. Agenda Item for next upcoming meeting

- San Jose Joint Use Update
- GreenWaste Update
- 2349 Olive Ave

12. ADJOURNMENT

Motion: To adjourn meeting at 8.52 pm.

Move: Prupes

Second: Sclafani

Board vote:

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

Noes, None

Absent, None

Abstain, None

Approved: July 17, 2018

Respectfully Submitted,

Mark Thomas & Company, Inc.

Michelle Kaelker-Boor, Acting President

District Manager
Richard Tanaka