

**1. CALL TO ORDER**

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

**2. ROLL CALL**

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

**2. APPROVAL OF AGENDA**

**Motion:** To approve the Agenda.

**Move:** Sclafani                      **Second:** Prupes

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

**4. PUBLIC COMMENTARY**

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None.
- 4.C. Board Commentary – President Yoder made the Board and staff know about a personal data breach with the same bank account that the District uses for Board payroll. Manager Porter informed the Board that this account was not the main account, but an account where funds are transferred just for payroll. Director Prupes suggested that this account be closed and a new account be opened, and Manager Porter agreed and will have it changed.

**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 7:10 pm. Manager Porter and Mark Thomas employees were excused. Closed session ended at 7:22 pm. 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 November 5, 2019.

**Motion:** To approve Meeting Minutes from the Regular Meeting of November 5, 2019.

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

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

**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. California Association of Sanitation Agencies (Membership Renewal 2020)
5. State Water (District Website Hosting Fee)

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

**Move:** Prupes                      **Second:** Sclafani

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

**8. NEW BUSINESS**

8.A. Permit Process Workflow. Board action required: None.

In response to a constituent who approached Director Prupes regarding the permit process workflow, Manager Porter reported that he has reviewed internal processes by the District and found that there was a discrepancy on the permit form and the District has been updated the permit form. The Board also reviewed what is communicated on the website. Improvements in the process, and website communications will be reviewed at a future meeting.

8.B. Annual Mainline and Lateral Maintenance.

Board directed staff to get bids for the annual cleaning of main lines and laterals.

8. C. GreenWaste Recovery, Inc. – October 2019 Delinquent Accounts.

Board reviewed the information on delinquent accounts.

8.D. CASA Conference, January 21-23, 2020.

Board scheduled meetings for January 7 and 28 to accommodate Mark Thomas staff to be able to attend the CASA conference.

**9. OLD BUSINESS**

9.A. Website Content Evaluation. Board action required: none.

Director Sclafani will work on the website over the Thanksgiving break. Will bring an update for the next meeting or first January meeting.

9.B. Status of SRF Loan and Design: Board action required: none.

BSD is still on the list for the State Regional Water Quality Control funding, but there is a backup in funding last year's commitments, probably delaying receiving these funds for several months. Director Prupes requested that staff check to see if our application could be revised to add additional budget to our request without changing our place in line for funding. Staff will inquire.

**10. HOUSEKEEPING ITEMS**

10. A. Update on Housekeeping Items.

Directors turned in their timesheets.

10. B. Agenda Items for next Upcoming Meetings.

No new agenda items.

**11. ADJOURNMENT**

**Motion:** To adjourn meeting at 8:21 pm.

**Move:** Colson

**Second:** Sclafani

**Board vote:**

**Ayes,** Yoder, Colson, Prupes, Sclafani

**Noes,** None

**Absent,** Kaelker-Boor

**Abstain,** None

Approved: December 10, 2019

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Rebecca Yoder, President

District Manager  
Benjamin T. Porter, PE