

1. CALL TO ORDER

President Yoder called the meeting to order at 7:07 pm.

2. ROLL CALL

Directors Present: Rebecca Yoder, Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor
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

3. APPROVAL OF AGENDA

Motion: To approve the agenda for December 10, 2019.

Move: Kaelker-Boor

Second: Sclafani

Board vote:

Ayes, Yoder, Colson, Prupes, Sclafani, Kaelker-Boor
Noes, None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – Director Kaelker-Boor raised the question regarding street sweeping. Manager Porter advised that that County Roads and Airports had one broken down truck at that time he contacted them. County Roads and Airports does street sweeping on an as needed basis. They inspect streets, and if deemed needed, they send the truck to that location for sweeping. Director Kaelker-Boor also brought up the issue of cleaning recyclables, and the appearance that the recyclables are going in the same truck as the garbage. President Yoder advised that there may be separate compartments in the truck. The Board discussed contacting Zoraya for an update on GreenWaste’s initiatives.

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 7:20 pm. Manager Porter and Advisor Tanaka were excused. Closed session ended at 7:48 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 19, 2019.

Motion: To approve Meeting Minutes from the Regular Meeting of November 19, 2019.

Move: Colson **Second:** Sclafani

Board vote: **Ayes,** Colson, Sclafani, Prupes, Yoder
Noes, None
Abstain: 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. Kathleen Smoot (District Clerk Services)

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

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

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

8. NEW BUSINESS

8.A. City of San Jose -Revised FY2018-19 Operating & Maintenance Cost Sharing. Board action required: None.

Board reviewed and noted the revised FY2018-19 Operation & Maintenance Cost Sharing.

8.B. CalRecycle - 1) Curbside Supplemental Payment 2018, 2) Processing Payment Emergency Regulations. Board Action Required: None.

Board reviewed the Curbside Supplemental payment 2018 and noted Greenwaste received from CalRecycle must be used for the collection of recyclables. The amount that Greenwaste received was \$6,167.16.

The second item also relates to Greenwaste. It regulates the financial return of recycling centers to 10 percent of the statewide average allowable costs.

8.C. County of Santa Clara Recycling and Hazardous Waste Hotline -- District's Garbage and Recycling Services Fact Sheet Update. Board Action Required: None.

Board reviewed and noted the District's Fact Sheet Update. Board also raised the question whether GreenWaste is recycling household batteries for multi-family residences.

8.D. First Tech Federal Credit Union. Board Action Required: Complete paperwork and re-open new payroll bank account.

Manager Porter set up a new account for Burbank Sanitary District. Board members signed the account application and will return to the Credit Union to finish opening the account.

9. OLD BUSINESS

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

Director Sclafani has completed the audit and inventory of the current website. The new design will be a complete overhaul and will include accessibility features on all pages from the beginning. Director Sclafani will work on this reorganization and present the proposed new site at the next board meeting.

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

Advisor Tanaka reported that some progress made toward receiving the loan, the environmental review process is under way.

9.C. Annual Mainline and Lateral Maintenance.

Board reviewed three bids and approved awarding the contract to Able Septic Tank Service.

Motion: Approve awarding the contract to Able Septic Tank Service

Move: Sclafani

Second: Colson

Board vote:

Ayes, Yoder, Colson, Kaelker-Boor, Sclafani, Prupes
Noes, None

10. HOUSEKEEPING ITEMS

10. A. Update on Housekeeping Items. Board action required: None.

Board discussed meeting protocols around board commentary, agency representative commentary, and visitor commentary.

10. B. Agenda Items for Upcoming Meetings.

1. Accessory Dwelling Units and Alternate Rate Structures.
2. Website Discussion – Review of proposed new site features.
3. Election of officers.

11. ADJOURNMENT

Motion: To adjourn meeting at 8:45 pm.

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

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

Approved: January 7, 2020

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rebecca Yoder, President

District Manager
Benjamin T. Porter, PE