BURBANK SANITARY DISTRICT **MINUTES OF REGULAR MEETING**
BOARD OF DIRECTORS **April 19, 2011**

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1. CALL TO ORDER

Call to Order

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

2. ROLL CALL AND APPROVAL OF AGENDA

Roll Call and Approval of Agenda

Directors Present: Michael Yoder , Soren Spies, John Marke
Directors Absent: Bruce Smith, Keri Russo (notified via email)
Counsel Present: None
Staff: Donald Toy, Mark Thomas & Company, Inc.

Motion: To approve the agenda.
Move: Marke **Second:** Spies
Board vote: **Ayes,** Yoder, Spies, Marke **Noes,** None
Absent, Smith, Russo

3. PUBLIC COMMENTARY

Public Commentary

A. Visitor Commentary – None.
B. Agency Representatives – None.
C. Board Commentary – Director Marke stated that GreenWaste Recovery had swapped his garbage cart to the size he originally ordered.

4. CONSENT CALENDAR

Consent Calendar

Staff noted that there was a clarification from the minutes of the March 15, 2011, meeting regarding Item 7.A. The minutes show that the motion begins "To Approve the Sewer Service…" The motion should be changed to begin "To Approve the Direction to Staff to Begin the Administrative Process for the Sewer Service…".

Motion: To Approve Minutes from the Regular Meeting of 03/15/11.
Move: Spies **Second:** Yoder
Board vote: **Ayes,** Yoder, Spies **Noes,** None
Absent, Smith, Russo **Abstain,** Marke

5. WARRANTS

Warrants

A. Approval of Warrants.

1. Enviro-Commercial Sweeping, Inc. District Street Sweeping Services.
2. Mark Thomas & Company, Inc. District Management Services.
3. Addison Avenue Credit Union. Board of Directors Payroll.
4. Santa Clara County Integrated Waste Mgmt. 2011 Q1 Payment.
5. City of San Jose. FY2010-11 Q4 O&M and Capital Billing.
6. ABLE Underground Construction. Annual Preventative Maintenance Sewer Cleaning.
7. ABLE Underground Construction. Lateral stoppage- 180 Boston Ave.
8. Vincent Grimaldi. Sewer Charge Refund FY07-08, FY80-09, APN 277-05-008

5. WARRANTS (continued)

Warrants (continued)

Motion: To approve eight (8) warrants as listed.
Move: Marke **Second:** Spies
Board vote: **Ayes,** Yoder, Spies, Marke **Noes,** None
Absent, Smith, Russo

6. NEW BUSINESS

New Business

A. SSMP Resolution No. 234. Staff reviewed Resolution No. 234 to Certify the District's Sewer System Management Plan (SSMP). Staff reported that the State Water Resources Control Board (SWRCB) requires that all the elements of the SSMP should be complete. The only item that has not been completed by BSD is the certification of the SSMP by the Board. Upon adoption of the resolution, the District Manager will certify the SSMP electronically in the SWRCB's reporting system. Agencies participating in the SSMP program are required to complete annual self-reported audits and could also be subject to complete audits performed by the SWRCB.

B. FY11-12 Audit Report. Staff reported that the County Controller's office had sent a notice regarding the audit schedule for the District. A clause in the State law allows for special districts with an annual operating budget of less than $1M to perform financial audits on a biennial or quinquennial basis. Currently, the District performs a financial audit and produces a report each fiscal year. Staff noted that the current fee proposal from Patel & Associates included prices for upcoming audits in the next two years. Staff noted that there could be a potential cost savings by switching to a biennial schedule, but recommended against the quinquennial schedule. Directors Spies and Marke noted that they like to have the annual audit report so that an accurate picture of the District's finances can be tracked. Director Yoder stated that he'd be receptive to a biennial report if there were comprehensive financial updates prepared by staff on a quarterly basis and presented to the Board for review. The Board decided to continue this item to the next meeting so that the full board could discuss the matter.

7. OLD BUSINESS

Old Business

A. FY 2011-12 Sewer Service Charge Rate Increase. Staff presented the draft Notice of Public Hearing for Board review. The schedule of events leading up to the Public Hearing was reviewed. Staff noted that arrangements had been made with the Luther Burbank School District and that the library at LBSD had been reserved for the June 21 meeting/hearing. Staff was directed to forward all documents to Director Spies for proofreading and approval prior to publication.

B. FY 2010-11 Preventative Maintenance. Staff reported that the City of San Jose had videotaped the sewer main on West San Carlos to assess the condition and determined that it would be added to their annual cleaning list. City staff stated (via email) that the District would not be allowed to perform maintenance on the lines and that the draft agreement would not be accepted.

7. OLD BUSINESS (continued)

Old Business (continued)

C. FY 2010-11 CIP/Repairs. Staff reported the repair of a broken outside drop sewer line on Scott St. was to be completed by Able Underground Construction within the next two weeks. The broken line was discovered during annual routine maintenance of the main line sewer system.

D. Spring Clean Up Day 2011. Staff reported that all arrangements had been made with GreenWaste Recovery for the annual clean up day. Director Spies stated that he would be available to oversee operations on the event day. Director Yoder also stated that he would be present and available. Per the District's request, GWR revised the compost giveaway to allow for two bags per person, instead of one.

E. FY 2011-12 Draft Budget. The Board discussed several of the budget items, including attending conferences and training (for both staff and Board). Because the full board was not present, this item will be discussed further at the next meeting.

8. SUBCOMMITTEE REPORTS

Subcommittee Reports

A. Director Spies noted that the website has been updated.

9. ADJOURNMENT:

Adjournment

The next Regular Board meeting will be held on Tuesday, May 17, 2011 at 7:00pm.

Motion: To adjourn meeting.
Move: Marke **Second:** Spies
Board vote: **Ayes,** Yoder, Spies, Marke **Noes,** None
Absent, Smith, Russo

Approved: May 17, 2011

Respectfully Submitted,
Mark Thomas & Company, Inc.

District Manager – Engineer
Donald Toy, Administrator

Michael E. Yoder, President