

1. CALL TO ORDER

Secretary Kaelker-Boor called the meeting to order at 7:12 pm

Call to Order

2. ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Michelle Kaelker-Boor, Keri Russo, Bruce Smith

Directors Absent: Soren Spies, Michael Yoder

Counsel Present:

Staff: Steven Machida, Mark Thomas & Company, Inc.

Roll Call and
Approval of
Agenda

Motion: To Approve the Agenda

Move: Russo **Second:** Smith

Board vote: **Ayes,** Kaelker-Boor, Russo, Smith

Noes, None

Absent, Spies, Yoder

3. PUBLIC COMMENTARY

- A. Visitor Commentary – Natalia Renta, Blair Green
- B. Agency Representatives – None
- C. Board Commentary – Director Russo reminded the Board that she would update them on the Spring Clean-up Day in Item 7B.

Public
Commentary

4. CONSENT CALENDAR

- A. Approval of Minutes from the Regular Meeting of April 16, 2013.

Motion: To Approve Minutes from the Regular Meeting of April 16, 2013.

Move: Smith **Second:** Russo

Board vote: **Ayes,** Russo, Smith, Kaelker-Boor

Noes, None

Absent: Spies, Yoder

Consent
Calendar

Staff Member Machida later noticed after the meeting concluded that the Minutes approved did not contain the complete revisions. The amended minutes will be brought back to the Board for re-approval at the next meeting.

5. WARRANTS

- A. Approval of Warrants
 - 1. Enviro-Commercial Sweeping, Inc., District Street Sweeping Services.
 - 2. Mark Thomas & Company, Inc., District Management Services.
 - 3. First Tech Federal Credit Union, Board of Directors Payroll.
 - 4. Meyer Nave, District Legal Services.

Warrants

5. Able Underground Construction, Mainline/Lateral Maintenance.

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

Move: Smith

Second: Russo

Board vote:

Ayes, Russo, Kaelker-Boor, Smith

Noes, None

Absent, Spies, Yoder

6. NEW BUSINESS

New Business

- A. FY 2013-14 Operating Budget - Staff Member Machida presented the draft budget for FY 2013-2014. It was expressed that the expenses will in general remain at the same level from the previous year other than three line items. The line items for Board Elections, Treatment Plant Capital Improvement Fund and Sewer System CIP Projects were increased based on projected budgets from Santa Clara County and the City of San Jose for the Board Elections and Treatment Plant Capital Improvement Fund, respectively. Staff increased the Sewer System CIP Projects based on the Board's desire to fund capital improvement projects in the District. This budgeted item is intended to be a place holder and will be used at the Board's discretion.
- B. Mark Thomas Contract – Staff Member Machida presented the previous Mark Thomas & Company, Inc. contract dated September 10, 2009. Staff intends to use this contract as a template to update the contract for the Board's consideration and approval for four years starting on September 10, 2013.
- C. California Sanitation Risk Management Authority (CSRMA) Proposal - Staff Member Machida reported that the Insurance Proposal from Alliant was the only quote received. The total premium is \$6,909 which is greater than what the District is paying under CSDA. Staff reported that we will continue to look into whether or not the premiums can be adjusted but it appears that this will be the final cost. It was also reported that the District cannot go back to CSDA because there will be a period of time where the District will not have insurance coverage.
- D. Garbage Violation - Staff member Machida updated the Board on the issue at 2267 Cecil Avenue. The owner is angry that he received a Notice of Violation for debris that was placed in the street, which he claims was not from his apartment complex, but from the duplex next door. The debris was picked up by Green Waste and the owner of the apartment complex was billed. The owner refuses to pay for the cost to pick up the debris. Green Waste typically contacts a collections agency for outstanding invoices. Director Smith suggested that Green Waste handle the billing and the District should not get involved in past due invoices.
- E. Santa Clara County Special District Association (SCCSDA) – Staff Member Machida reported that he spoke to Cathy Parmo regarding the request to sign the Certificate for Liability Coverage. In the discussion, Cathy also said that the District was past due in paying the 2013 annual membership. She sent the invoice to Staff. Director Russo directed Staff to pull the agreement and

determine if the District can opt out of this group and bring the information back to the Board for consideration.

Old Business

7. OLD BUSINESS

- A. Olive Avenue Sewer Project – Staff Member Machida reported on the bid results for the Olive Avenue Sewer Extension and Bypass Cross Connection Project. It was reported that only one bid was received and the bid was greater than the Engineer’s Estimate. Staff recommended that the bid be rejected. However, Staff also reported that the nine residents on Olive Avenue have contacted Staff and the residents are anxious to start the project. Staff evaluated the costs to only perform the Olive Avenue Extension. This cost was \$26K over the estimate, but Staff could negotiate with the contractor to reduce the cost for traffic control since the project would be smaller. If the project was re-bid, the contract could not be awarded until September 2013 and there is no guarantee that the costs would be lower than what was received. By consensus, the Board directed Staff to prepare a contract to award Pacific Underground Construction the Olive Avenue Extension project and defer the Bypass Cross Connection projects and bring the contract back to the Board at the next meeting.
- B. Annual Spring Clean- Up Day – Director Russo reported that the Spring Clean-Up day went well despite a few glitches. The major complaint was that most residents did not receive their flyers in time to prepare or assemble their items for the clean-up day. Many people received their flyers on Friday before the Saturday clean-up day. Another complaint was how the compost give away was handled. It appeared that all of the compost was given out early before everyone had an opportunity to obtain their two bags of compost. Another complaint was with the location of the e-waste bin. This bin was placed close to a business and the bin needed to be moved away during the event. Director Russo directed Staff to contact Green Waste to discuss these complaints and see if another clean-up day can be scheduled later in the year or if Green Waste can better advertise the bulky item pick-up program.
- C. Santa Clara Local Agency Formation Commission (LAFCO) – Staff Member Machida summarized the meeting he had with LAFCO Staff regarding their questionnaire. The results of the LAFCO questionnaire will be made available in mid-June.

8. SUBCOMMITTEE REPORTS – None

Subcommittee Reports

9. ADJOURNMENT:

Adjournment

Motion: To adjourn meeting at 8:24 pm
Move: Russo **Second:** Smith
Board vote: **Ayes,** Russo, Kaelker-Boor, Smith
 Noes, None
 Absent, Spies, Yoder

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING
May 21, 2013**

Approved: June 18, 2013

Respectfully Submitted,
Mark Thomas & Company, Inc.

Soren Spies, President

District Manager – Engineer
Steven Machida