

1. CALL TO ORDER

Meeting Called to Order at 7:10 pm.

2. ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Michelle Kaelker-Boor, Keri Russo, Rebecca Yoder, Ken Colson (Sworn in on Item 7D)

Directors Absent: None

Counsel Present: Jennifer Faught by Teleconference, Rick Phillips

Staff: Richard Tanaka, Julie Chiu, Mark Thomas & Company, Inc.

Motion: To Approve the Agenda

Move: Russo **Second:** Yoder

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

Noes, None

Absent, None

3. PUBLIC COMMENTARY

A. Visitor Commentary – None

B. Agency Representatives – None

C. Board Commentary – Director Kaelker-Boor requested new business cards and to place 6/9/14 City of San Jose response at 190 Boston Avenue to next meeting's agenda.

Motion: To Move Agenda Item 7.D. to Next Order of Business

Move: Yoder **Second:** Russo

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

Noes, None

Absent, None

7.D. Board Vacancy: Update on Status and Consideration of Appointment. Board action required: Approve Appointment

Ken Colson, residing within the Burbank Sanitary District, has applied to fill board vacancy. Board reviewed application and the applicant presented a brief bio. After a discussion, Board made the motion.

Motion: To Approve Appointment of Ken Colson to fill in vacancy created by Director Smith, which term will expire December 2015.

Move: Yoder **Second:** Russo

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

Noes, None

Absent, None

Ken Colson accepted the position and took the Oath of Office.

4. NEW BUSINESS

A. Public Hearing to Consider Collecting Sewer Service Charges on FY2014 -15 Tax Roll

1. Staff Report-

District Manager Tanaka presented the options for collecting sewer service charges for FY 2014-2015. District Manager recommended Board approve resolution to collect sewer service charges with the property tax roll.

2. Open Public Hearing-

President Kaelker-Boor opened the Public Hearing

Resident Sahpazis expressed his support for the District Collection of Fees

3. Close Public Hearing-

President Kaelker-Boor closed the Public Hearing at 7:50pm.

4. Board Action

Adopt Resolution No. 248, Approve sewer service charges report for Fiscal Year 2014-2015 and to collect on property tax rolls of Santa Clara County.

Motion: To Approve Resolution No. 248

Move: Russo **Second:** Yoder

Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor, Colson

Noes, None

Absent, None

B. Mark Thomas & Company (MTCO) Agreement. Annual review of the MTCO Agreement and CPI increase for FY 2014-2015. Board action required: None

District Manager reported that CPI increase is 2.0%.

Motion: To Move Agenda Item 4.E. to Next Order of Business

Move: Russo **Second:** Yoder

Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor, Colson

Noes, None

Absent, None

E. Garbage Collection Status and Discussion. Board action required: None

Resident Sahpazis expressed his desire to secure his own trash collection company. President Kaelker-Boor and Rick Phillips acknowledged his concern and issues relative to solid waste garbage collection. To accommodate legal counsels, Board made a motion to move 9A, Closed Session.

Motion: To Move Agenda Item 9.A. to Next Order of Business
Move: Yoder **Second:** Russo
Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor, Colson
Noes, None
Absent, None

9. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Sahpazis v. Burbank Sanitary District

Closed Session Called to Order at 8:40 pm.

Closed Session Adjourned at 8:55 pm.

The Board took no reportable actions in closed session.

4. NEW BUSINESS

C. FY2014-2015 Operating Budget. Review and discuss the proposed Operation Budget for FY 2014-2015. Board action required: Adopt FY 2014-2015 Budget

Motion: To Approve FY 2014-2015 Budget

Move: Yoder **Second:** Russo
Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor, Colson
Noes, None
Absent, None

D. Memorandum of Understanding (MOU) – MOU between County of Santa Clara and Burbank Sanitary District for meeting the requirements of the California Integrated Waste Management Act of 1989. Board action require: Review and approve the MOU

Manager Tanaka reported that this MOU requires collecting a \$0.45 surcharge per household. Green Waste will collect this surcharge fee and pay directly to the County per Section 5 of the MOU. Other terms are same as the 2000 MOU.

Motion: To Approve MOU and Authorize President to sign the document

Move: Colson **Second:** Russo
Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor, Colson
Noes, None
Absent, None

F. Annual Collection Service Notice. Board action required: None

District Manger Tanaka will relay the Board recommended revisions to Green Waste

5. CONSENT CALENDAR

A. Approval of Minutes. Board action required: Approve Meeting Minutes from

5/20/2014

Motion: To Approve Meeting Minutes from 5/20/2014

Move: Russo **Second:** Yoder

Board vote: **Ayes,** Yoder, Russo, Kaelker-Boor
Noes, None
Abstain, Colson

6. WARRANTS

A. Approval of Warrants. Board action required: Approve six (6) warrants.

1. Enviro-Commercial Sweeping (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)
5. SCC Roads & Airports. (Encroachment Permit)
6. Able Septic Tank Service (Lateral Stoppage – 190 Boston Ave)

Motion: To Approve warrants.

Move: Yoder **Second:** Colson

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

7. OLD BUSINESS

A. Condition Assessment Report. Review of Condition Assessment Report. Board action required: None

Staff is continuing to finalize Condition Assessment Report and will present draft at the next Board Meeting

B. District Insurance Renewal Proposal. Board action required: Review and approve the proposal.

Motion: To Approve insurance proposal from Alteras Insurance Company in the amount of \$8,704.10 and authorize District Manager Tanaka to sign the proposal.

Move: Yoder **Second:** Russo

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

C. Annual Spring Clean Up Day. Update on the Annual Spring Clean Up Day. Board action required: None

Patty Medina from Green Waste provided a summary of the District annual clean-up day with three areas for discussion (1) Clean Up Notices (2) Location of Bins and (3) Signage. Board agreed that we can improve our process next year.

- E. Report on LAFCO meeting with San Jose, held June 11, 2014. Board action required: None

District Manger Tanaka reported a meeting with San Jose Planning, Public Works, Department of Transportation, LAFCO and BSD representatives was held on June 11, 2014. The focus of the meeting was annexation. Action Item from the meeting are (1) the City of San Jose would need to assess their resources before they can consider possibility of annexing BSD (2) LAFCO recommended an alternative instead of annexing the entire BSD, the island north of San Carlos be annexed due to the fact it is a pocket under 100 acres.

District Manager Tanaka to draft a letter to LAFCO for Board's review.

8. OTHER ITEMS

- A. Subcommittee Reports. Updates on Board Subcommittee items. Board action required: None.

Director Yoder reported status and updating the District website.

9. ADJOURNMENT

Motion: To adjourn meeting at 10:00 pm.

Move: Yoder **Second:** Russo

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

Approved: July 15, 2014

Michelle Kaelker-Boor, President

Respectfully Submitted,
Mark Thomas & Company, Inc.

District Administrator
Julie Chiu