

1. CALL TO ORDER

President Spies called the meeting to order at 7:02 pm.

Call to Order

ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Soren Spies, Keri Russo, Bruce Smith
Directors Absent: Michael Yoder, Michelle Kaelker-Boor
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,** Spies, Russo, Smith
Noes, None
Absent, Yoder, Kaelker-Boor

Manager Machida requested of the Board to add an urgency item to the agenda. This item came to the attention of Staff after the agenda was posted and a Board action is needed by July 1, 2013.

Motion: To add an Urgency Item on the Agenda
Move: Russo **Second:** Smith
Board vote: **Ayes,** Spies, Russo, Smith
Noes, None
Absent, Yoder, Kaelker-Boor

An Item 7C will be added to the agenda.

3. PUBLIC COMMENTARY

Public
Commentary

- A. Visitor Commentary – None
- B. Agency Representatives – Manager Machida reported that he received a call from the Registrar of Voters (ROV) on Wednesday, June 18, 2013. The ROV requested language revision in Resolution No. 239. The language change is related to the Consolidation of Elections and will be discussed in Item 7C.
- C. Board Commentary – President Spies commented that he received a welcome letter from the California Association of Sanitation Agencies (CASA).

4. CONSENT CALENDAR

Consent
Calendar

4. A.1 Amend and Re-Approval of Minutes from the Regular Meeting of April 16, 2013.

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

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

4. A.2 Approve Meeting Minutes from May 21, 2013. The Board did not wish to approve the meeting minutes from May 21, 2013 since at least three “aye” votes would not be cast. Directors Russo and Smith were present at the May 21, 2013 meeting. President Spies was unable to attend the meeting so he would cast an abstention vote. The Board directed Staff to bring the approval of the meeting minutes from May 21, 2013 to the next meeting for action.

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. First Tech Federal Credit Union, Board of Directors Payroll.
4. Meyer Nave, District Legal Services.
5. S&M Engineering, Lateral Repair – 124 Brooklyn Ave.
6. Presidio System, Inc., District CCTV.
7. Alliant Insurance Services, Inc., District Insurance.

Director Smith stated that the Mark Thomas invoice seems high. Manager Machida reported that this invoice is for a five week period, so the invoice will be higher than normal.

Motion: To approve seven (7) warrants as listed.
Move: Smith **Second:** Russo
Board vote: **Ayes,** Spies, Russo, Smith
 Noes, None
 Absent, Yoder, Kaelker-Boor

6. NEW BUSINESS

New Business

A. FY 2013-14 Operating Budget.

Manager Machida reported on the Operating Budget for Fiscal Year 2013-14. The budget numbers remained the same as what was presented to the Board at the May 21, 2013 meeting except for two line items. Staff included a budget placeholder number of \$1,000 in the Wastewater Treatment Plant Equipment Replacement and included \$500 for Taxroll Preparation. For both line items, these budgets may not be spent since the City of San Jose has not provided their budget for Wastewater Treatment Plant Equipment Replacement and Staff may be able to accomplish the Taxroll Preparation in our normal course of work.

Motion: To adopt FY 2013-2014 Budget.
Move: Russo **Second:** Smith
Board vote: **Ayes,** Spies, Russo, Smith
 Noes, None

Absent, Yoder, Kaelker-Boor

B. FY 2013-2014 Tax Roll.

The Directors discussed the Sewer Service Charges on the Taxroll for Fiscal Year 2013-2014 and agreed to accept the 2013-14 Sewer Service Charges. President Spies also suggested that Staff conduct an audit of single family versus multi- family accounts. Knowing that there are non-conforming units in the District, President Spies wanted to know if the appropriate charges are being billed. The Board concurred with President Spies.

Motion: To accept FY 2013-2014 Sewer Service Charges.

Move: Russo

Second: Smith

Board vote:

Ayes, Spies, Russo, Smith

Noes, None

Absent, Yoder, Kaelker-Boor

C. Meyers Nave – Proposed District Legal Service Rates.

Meyers Nave submitted an agreement to President Spies to change their charge rates to provide legal services to the District. This topic was discussed at the March 19, 2013 meeting and by consensus, the Board agreed to the rate change.

Motion: To approve proposed District Legal Service Raters Service Charges.

Move:

Second:

Board vote:

Ayes, Spies, Russo, Smith

Noes, None

Absent, Yoder, Kaelker-Boor

7. OLD BUSINESS

Old Business

A. Olive Avenue Sewer Project –

Motion: To approve the agreement for PUC and authorize the District Manager And Legal Counsel to finalize the detail in the agreement between the District and the Contractor as needed.

Move: Russo

Second: Smith

Board vote:

Ayes, Spies, Russo, Smith

Noes, None

Absent, Yoder, Kaelker-Boor

B. Annual Spring Clean- Up.

Manager Machida reported on the follow-up items to the Spring Clean Up Day. He contacted Green Waste and although they admitted that the notices informing the resident went out very late, Green Waste could not hold another Clean Up Day however, Green Waste is willing to

provide another “bulky item pickup” to the residents. Patty Medina drafted a notice that she wanted the Board to review and provide comments. She would like these notices to be distributed in the beginning of July 2013. The residents would have up until the end of the year to schedule and use this pickup. The Board reviewed the notice and provided input and comments to the notice language.

C. Special Meeting – Consolidation of Election Meeting Resolution No. 239.

Manager Machida reported that he received a call from the Registrar of Voters (ROV) asking to change the language in the District’s Resolution No. 239. The resolution should have included an elected seat for a two year term. This position is currently held by Director Kaelker-Boor. Since the ROV needed a new resolution by July 1, 2013, it would have been too late to schedule on the next regular Board meeting. In discussion with Counsel Faught, she suggested to have the Board consider adding an urgency item to the agenda to take action on a new resolution.

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

8. SUBCOMMITTEE REPORTS – None

9. ADJOURNMENT:

Motion: To adjourn meeting at 8:01 pm.
Move: Russo **Second:** Smith
Board vote: **Ayes,** Spies, Russo, Smith
 Noes, None
 Absent, Yoder, Kaelker-Boor

Approved: July 16, 2013

Respectfully Submitted,
Mark Thomas & Company, Inc.

Soren Spies, President

District Manager – Engineer
Steven Machida