

**1. CALL TO ORDER**

President Spies called the meeting to order at 7:00 pm.

Call to Order

**2. ROLL CALL AND APPROVAL OF AGENDA**

Directors Present: Soren Spies, Keri Russo, Michael Yoder, Michelle Kaelker-Boor  
Directors Absent: Bruce Smith  
Counsel Present:  
Staff: Steven Machida, Mark Thomas & Company, Inc.

Roll Call and  
Approval of  
Agenda

Manager Machida requested of the Board to add an urgency item to the agenda. The LAFCO annual invoice was received by Staff after the agenda was posted and distributed. LAFCO is requesting payment of the invoice by August 1, 2013. The Board will not meet until August 20, 2013 which is after LAFCO's requested payment date.

**Motion:** To add an Urgency Item on the Agenda under Item 5 WARRANTS

**Move:** Yoder **Second:** Russo

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

An Item 5A. 7 LAFCO Invoice will be added to the agenda.

**Motion:** To Approve the Agenda

**Move:** Russo **Second:** Kaelker-Boor

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

**3. PUBLIC COMMENTARY**

- A. Visitor Commentary – None
- B. Agency Representatives – None
- C. Board Commentary – None

Public  
Commentary

**4. CONSENT CALENDAR**

4. A. Approval of Minutes from the Regular Meeting of May 21, 2013.

**Motion:** To Approve Minutes from the Regular Meeting of May 21, 2013.

**Move:** Russo **Second:** Kaelker-Boor

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

Consent  
Calendar

Approval of Minutes from the Regular Meeting of June 18, 2013.

**Motion:** To Approve Minutes from the Regular Meeting of June 18, 2013.

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

**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. Santa Clara County Integrated Waste Management
5. City of San Jose
6. Santa Clara County Roads & Airports
7. Local Agency Formation Commission

**Motion:** To approve seven (7) warrants as listed.

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

**6. NEW BUSINESS**

A. Quarterly Expenditure Review

The Board reviewed the expenses of the District for the period ending on June 30, 2013. It was noted that the Integrated Waste Management of Santa Clara County expense was higher than previous years. Engineering/Management Services was also about \$17,500 higher than the budget but the extra expense did not account for the separate Board approval for the extra work on Olive Avenue and the Bypass Projects. The CSDA membership expense was higher but midway through the year the Board approved joining CASA and their membership dues are approximately \$900 greater than CSDA. President Spies directed Staff to amend the CSDA Membership/Website line item to CASA Membership/Website. The SDRMA (Ins. Renewal) expense was higher and the additional expense is for the initial insurance policy by CASA/CSRMA.

B. Board Election

Manager Machida reported that four seats on the Board are up for re-election. The seats held by Directors Russo, Yoder and Spies are beginning new four-year terms. Director Kaelker-Boor will run for a two year term. According to the Registrar of Voters (ROV), Director Kaelker-Boor will need to run for a two year term since she was appointed to the Board in 2011. Appointees are only allowed to finish a term if

Warrants

New Business

the balance of the term is less than 2 years, otherwise the Appointee must run for election at the next scheduled election of the Board. The ROV also indicated Director Kaelker-Boor may run for a four year instead of the two year term however, she cannot file papers for both four and two year terms. The Board also discussed if the District or candidate should pay the charges for the publishing of the candidate's statement in the Candidates Guide. There was no consensus and the Board did not take action.

C. Directors' Term Limit

The District Master Agenda listed this item to be discussed during the of July 2013 meeting. Manager Machida reported that he recalls having a discussion with Administrator Toy last year and it was concluded to add "Director's Term Limit" for the Board to discuss. The Board acknowledged that finding candidates to fill empty seats has been challenging so it may make it more difficult to fill seats on the Board if term limits are established. The Board did not take action.

**7. OLD BUSINESS**

A. Olive Avenue Sewer Project

Manager Machida reported that the standard language in the agreement had been reviewed and approved by Counsel Faught. Revisions in the agreement were required to better protect the District. On Friday, July 12, 2013, a copy of the agreement was sent to the President for his review and comment. The agreement will be sent to the Contractor for signature during the week of July 22, 2013.

**8. SUBCOMMITTEE REPORTS** – President Spies reported that before he leaves office, he will convert the District web site to make if prettier and easier for Staff to update and download the District documents. After the conversion, Staff will be responsible to maintain the District web site.

**9. ADJOURNMENT:**

**Motion:** To adjourn meeting at 8:02 pm.

**Move:** Yoder **Second:** Russo

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

**Noes,** None

**Absent,** Smith

Approved: August 20, 2013

Respectfully Submitted,  
**Mark Thomas & Company, Inc.**

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Soren Spies, President

District Manager – Engineer  
Steven Machida

Old Business

Subcommittee  
Reports

Adjournment