

1. CALL TO ORDER

Call to Order

President Kaelker-Boor called the meeting to order at 7:05 pm.

2. ROLL CALL AND APPROVAL OF AGENDA

Roll Call and
Approval of
Agenda

Directors Present: Michelle Kaelker-Boor, Keri Russo, Rebecca Yoder, Rene Prupes

Directors Absent: Ken Colson

Motion: To excuse Director Colson's Absent.

Move: Yoder **Second:** Prupes

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

Counsel Present: None

Staff: Richard Tanaka, Shirley Ho, Mark Thomas & Company, Inc.

Visitors: None

Motion: To approve the Agenda.

Move: Russo **Second:** Prupes

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

3. PUBLIC COMMENTARY

Public
Commentary

A. Visitor Commentary – None

B. Agency Representatives – None

C. Board Commentary – Director Russo inquired about the status of 161 Boston Ave.
Staff reported that all the trash has been removed and no garbage bins were left out
side at the public right of way.

4. CONSENT CALENDAR

Consent Calendar

A. Approval of Minutes from the Regular Meeting of August 25, 2015.

Motion: To Approve Meeting Minutes from the Regular Meeting of August 25, 2015.

Move: Yoder **Second:** Russo

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

5. WARRANTS

Warrant

A. Approval of Warrants

1. Enviro-Commercial Sweeping (District Street Sweeping Service)
2. Mark Thomas & Company, Inc. (District Management Services)
3. First Tech Federal Credit Union (Board of Directors Payroll)

Motion: To Approve three (3) warrants as listed

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

6. NEW BUSINESS

New Business

6.A. Discussion of garbage violation code enforcement.

Board discussed the garbage violation code enforcement. Staff proposed the following procedures for garbage violation. Staff to draft a garbage violation code enforcement ordinance at the next meeting for review and discussion.

- For first offense a friendly reminder will be sent
- For second offense a violation notice will be sent
- For third offense a violation notice with a penalty invoice will be sent

6.B. Status of the garbage violation for 47 Boston Ave.

Staff reported that all the trash in front of 47 Boston Ave had been removed.

6.C. Review Door Tag in Spanish.

Door tag is tentatively approved while President Kaelker-Boor reviews it.

Motion: To approve door tag.

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

7. OLD BUSINESS

Old Business

7.A. Common Interest Agreement.

Staff reported the status of the San Jose/Santa Clara Regional Wastewater Facility (RWF) Capital Improvement Program (CIP) and amendment to the Master Agreement. The highest priority for the amendment is the terms and conditions of financing. All of the Tributary Agencies indicated an interest in participating in the financing for RWF CIP. The goal is to have a draft Amendment Agreement by next Friday. A special Board meeting will be held if needed to review the agreement.

7.B. District Capital Improvement Program (CIP)

Staff reported that the District CIP for the first year spot repair project is still in the design phase. It is expected to begin construction in January 2016.

7.C. Street Sweeping.

Staff reported that based on the formation document of the District in May 1940, the District was originally tasked with establishing a sewage collection system and dealing with the conveyance and disposal of sewage. There is no provision of street sweeping in the formation document, and thus the District is not required to continue street sweeping. Board agreed to terminate the street sweeping contract. A 30-day notice is required for terminating the contract. Cancellation of the contract is expected effective in the end of October. Staff to work with the District Counsel for the legal notice and termination letter.

Motion: Approve terminating Street Sweeping Contract and authorize District Manager for the legal noticing and termination letter be send to the Enviro-Commercial Sweeping.

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

8. SUBCOMMITTEE REPORTS

Subcommittee
Report

8.A. Transparency

There are no updates for Transparency.

8.B. District Website

President Kaelker-Boor to post the street sweeping termination notice on the website.

9. HOUSEKEEPING ITEMS

Housekeeping
Items

9.A. Updates on Housekeeping items.

Director Prupes inquired about the procedure of notification of absence from meeting. Board agreed to set the procedure as follows:

- Notify District Manager and copy President
- If 2 notifications are received, District Manager will notify remaining Directors to make sure if there is a quorum for meeting.

Staff proposed to combine meeting of October 20 and November 3 to October 27.

Board agreed to reschedule the next three meetings to October 6, October 27 and November 17.

9.B. Agenda Items for next upcoming meeting.

- Common Interest Agreement
- Street Sweeping Update
- Re-allocation of Street Sweeping Budget
- District CIP

10. ADJOURNMENT

Adjournment

Motion: To adjourn meeting at 8:37 pm.

Move: Russo **Second:** Yoder

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

Noes, None

Absent, Colson

Abstain, None

Approved: October 6, 2015

Respectfully Submitted,
Mark Thomas & Company, Inc.

Michelle Kaelker-Boor, President

District Manager
Richard Tanaka