

1. CALL TO ORDER

President Yoder called the meeting to order at 7:30 pm.

Call to Order

2. ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Michael Yoder, Soren Spies, Keri Russo, Bruce Smith
Directors Absent: John Marke (no notification)
Counsel Present: None
Staff: Donald Toy, Mark Thomas & Company, Inc.

Roll Call and
Approval of
Agenda

Motion: To approve the agenda.

Move: Smith **Second:** Spies

Board vote: **Ayes,** Yoder, Spies, Smith, Russo **Noes,** None
 Absent, Marke

3. PUBLIC COMMENTARY

- A. Visitor Commentary – None.
- B. Agency Representatives – Staff reported that a resolution adopting a revised Conflict of Interest Code would be on the next agenda.
- C. Board Commentary – None.

Public
Commentary

4. CONSENT CALENDAR

Motion: To Approve Minutes from the Regular Meeting of 08/19/10.

Move: Smith **Second:** Russo

Board vote: **Ayes,** Yoder, Smith, Russo **Noes,** None
 Absent, Marke
 Abstain, Spies

Consent
Calendar

5. WARRANTS

- A. Approval of Warrants.
 - 1. Enviro-Commercial Sweeping, Inc. District Street Sweeping Services.
 - 2. Mark Thomas & Company, Inc. District Management Services.
 - 3. Addison Avenue Credit Union. Board of Directors Payroll.
 - 4. Hunt Consulting. FY2010-11 Tax Roll Preparation.
 - 5. Michael Yoder. Annual BSD Website Hosting Fee.
 - 6. Meyers Nave. District Legal Services.

Warrants

Motion: To approve six (6) warrants as listed.

Move: Spies **Second:** Smith

Board vote: **Ayes,** Yoder, Spies, Smith, Russo **Noes,** None
 Absent, Marke

6. NEW BUSINESS

New Business

- A. Garbage Violations. Staff reported that there was a continuing issue with overflowing garbage at a bin located at a property on Laswell Ave. The rear units are possibly illegally renovated multi-family dwellings and house potentially a dozen occupants, according to neighbors. Staff has worked with GreenWaste Recovery (GWR) to increase the bin size and contact the property owner. Additionally, GWR reported that a property adjacent to Calderon Tires did not have an active garbage account. Staff reviewed the District's Ordinance Code regarding garbage and determined that all occupied residences are required to have an active garbage account with the District's provider. GWR will contact the owner to establish service. Staff suggested that the ordinance be revised to include language that would require all properties to have active garbage accounts at all times with no lapse in service periods. Staff was directed by the board to confer with District Counsel to determine if this clause could be added to our existing ordinance.

- B. Ethics Training. Director Spies and Russo reported that they had attended the AB1234 Ethics training session at the Santa Clara County building on September 29, 2010. Staff reported that Directors Yoder, Marke and Smith were also due to take the training and should complete the online training session prior to the end of November.

7. OLD BUSINESS

Old Business

- A. FY 2010-11 Preventative Maintenance. Staff reported that they had contacted the City of San Jose regarding the cleaning of the sewer main on West San Carlos Avenue. City staff stated that they could add the line to their maintenance schedule and that it would go onto a five year cleaning rotation. The District has been cleaning this main trunk line annually for the past five years since it is the main artery conveying all of the wastewater from the portion of the District south of San Carlos and into the discharge point in the City of San Jose. Staff inquired if the City would allow the District to perform the annual cleaning tasks on that portion of main line. The City requested that the District draft an agreement proposing the terms of the maintenance operations. Staff was directed to work with District Counsel to draft a preliminary agreement to present to the City.

- B. GreenWaste MRF Tour. Staff and Directors discussed potential dates available to tour the GWR Materials Recovery Facility. October 18, 2010 at 9:00am was the best available date. Staff will make the arrangements and confirm with the Board. The Board also asked if spouses and children are allowed on the tour.

8. SUBCOMMITTEE REPORTS

Subcommittee Reports

- A. Director Spies reported that the District website is up to date.

9. ADJOURNMENT:

The next BSD Board meeting will be held on Tuesday, October 19, 2010 at 7:00pm.

Motion: To adjourn meeting.

Move: Smith **Second:** Russo

Board vote: **Ayes,** Yoder, Spies, Smith, Russo **Noes,** None

Absent, Marke

Adjournment

Approved: October 19, 2010

Respectfully Submitted,
Mark Thomas & Company, Inc.

Michael E. Yoder, President

District Manager – Engineer
Donald Toy, Administrator