

**BURBANK SANITARY DISTRICT
BOARD OF TRUSTEES**

**MINUTES OF SPECIAL MEETING
January 8, 2008**

1. CALL TO ORDER

President Post called the meeting to order at 7:40pm.

Call to Order

2. ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Lisa Post, Michael Yoder, Soren Spies
Directors Absent: None
Counsel Present: None
Staff: Donald Toy, Steve Machida, Richard Tanaka
(Mark Thomas & Company, Inc.)

Roll Call and
Approval of
Agenda

Motion: To approve the agenda with revised order of items as shown in these minutes.

Move: Yoder **Second:** Spies
Board vote: **Ayes,** Post, Yoder, Spies **Noes,** None
 Absent, None

3. NEW BUSINESS

New Business

A. District Manager. Staff announced that David Ross, current District Manager and Engineer, was going to retire at the end of January. Staff introduced Steve Machida and Richard Tanaka from Mark Thomas & Company. Mr. Tanaka reported to the Board the Mr. Machida would become the new division manager for the Cupertino office and take on the role of District Manager and Engineer for the District beginning February 1, 2008. The Board welcomed Mr. Machida.

B. Board Vacancy. Staff reported that one resident had emailed inquiring about the director position. Staff responded to the email and called, leaving a voicemail, but the resident never called back. The Board reviewed John Marke’s resume and letter and decided to appoint him to fill one of the director positions.

Motion: To appoint John Marke to be on the Burbank Sanitary District Board of Directors for one term.

Move: Spies **Second:** Yoder
Board vote: **Ayes,** Post, Yoder, Spies **Noes,** None
 Absent, None

C. Election of Officers. The Board decided to postpone the officer election until the all of the directors are present at the next meeting.

Motion: To postpone the officer election until the next Board Meeting.

Move: Spies **Second:** Yoder
Board vote: **Ayes,** Post, Yoder, Spies **Noes,** None
 Absent, None

4. PUBLIC COMMENTARY

- A. Visitor Commentary – None.
- B. Agency Representatives – None.
- C. Board Commentary – President Post requested that a revised list of contacts be distributed to staff and directors.

Public
Commentary

5. CONSENT CALENDAR

Approval of Minutes. Approve Minutes from the Regular Meetings of 11/15/07 and 12/06/07.

President Post deferred approval of minutes from the Regular Meetings of 11/15/07 and 12/06/07 to the next meeting.

Consent
Calendar

6. OLD BUSINESS

- A. R3 Consulting Group. The Board reviewed the issue of the R3 invoice for extra work done on the solid waste franchise agreement. Richard Tagore-Erwin was called and joined the meeting via conference call. He gave an explanation of the timeline of the contract negotiations and an accounting of why the initial estimated level of work was exceeded. R3 encountered a greater work load during the proposal review stage and the negotiation stage of their work. R3 and staff acknowledged that a request for approval of extra budget had been made verbally, but nothing had been sent via email or mail. In the course of the final negotiations with GreenWaste Recovery, the request was never submitted to the subcommittee. The Board discussed the quality of R3's work and the product that was received. The Board reiterated to staff that future additional budget requests should go through the proper procedures prior to any written or verbal approvals. Director Spies stated that legal counsel had spent time preparing a memorandum to the Board regarding this issue. The Board decided to approve the final invoice from R3.

Old Business

6. WARRANTS

- A. Approval of six (6) warrants:
 - 1. R3 Consulting Group, Inc. Solid Waste Franchise Agreement Consulting Services.
 - 2. Mark Thomas and Company, Inc.. District Management Services.
 - 3. Meyers Nave. District Legal Services.
 - 4. Enviro-Commercial Sweeping Services, Inc. District Street Sweeping Services.
 - 5. Santa Clara County Registrar of Voters. Election publication costs.
 - 6. USE Credit Union. Board Payroll.

Warrants

Motion: To approve six (6) warrants.

Move: Yoder **Second:** Spies

Board vote: **Ayes,** Post, Yoder, Spies **Noes,** None
 Absent, None

8. SUBCOMMITTEE REPORTS – None.

Subcommittee
Reports

9. ADJOURNMENT: Next Regular Meeting: *Thursday, January 17, 2007*

Adjournment

Motion: To adjourn meeting.

Move: Yoder **Second:** Spies

Board vote: **Ayes,** Post, Yoder, Spies **Noes,** None
 Absent, None

Approved: January 17, 2008

Respectfully Submitted,
Mark Thomas & Company, Inc.

District Manager – Engineer
Donald Toy
Administrator

Lisa Post, President