

**BURBANK SANITARY DISTRICT  
BOARD OF TRUSTEES**

**MINUTES OF REGULAR MEETING  
January 19, 2006**

**1. CALL TO ORDER:**

President Carpenter called the meeting to order at 7:45 p.m.

Call to Order

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

Directors Present: Directors Joe Carpenter, Lisa M. Post, Soren Spies and Michael Yoder

Directors Absent: John Marke

Counsel Present: Bryan Otake

Staff: Donald Toy (Mark Thomas & Company, Inc.)

Roll Call  
Approval of  
Agenda

**Motion:** To approve the agenda.

**Move:** Post           **Second:** Yoder

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

**3. PUBLIC COMMENTARY:**

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

Public  
Commentary

**4. CONSENT CALENDAR:**

A. Approval of Warrants – Six warrants. Director Spies suggested going over each of the items on the Consent Calendar. Mr. Otake advises any items that need to be discussed should be pulled from the Consent Calendar and re-listed in the agenda as new agenda items. Director Carpenter suggests striking Agenda Items 4A and 4B from the Consent Calendar and re-naming them as Items 4C and 4D.

B. Approval of Minutes. Approve Minutes from Regular Meeting of 12/01/05.

C. Approval of Warrants – Six warrants.

- 1. Enviro-Commercial Sweeping, Inc.
- 2. Meyers Nave
- 3. City of San Jose
- 4. Nevil Storage Co.- Director Carpenter states that Mark Thomas & Company, Inc., had agreed to pay for the moving services for the District's surplus office equipment and supplies to the auctioneer.
- 5. County of Santa Clara
- 6. Mark Thomas & Company, Inc. – Director Post requested that a more detailed reporting of the hours worked by Mark Thomas staff be included with each monthly billing.

Consent  
Calendar

**Motion:** To approve Consent Calendar Item 4.C. 1, 2, 3, 5, and 6. Remove Item 4.C.4

**Move:** Post           **Second:** Yoder

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

D. Approval of Minutes from Regular Meeting of 1/05/06. Staff reports these minutes are not completed, but will be ready by the next board meeting.

**5. CORRESPONDENCE**

Correspondence

- A. State Water Resources Control Board. Notice of Public Hearing, February 8, 2006. Staff reported that this notice of Public Hearing was to inform agencies and the public of an upcoming forum to discuss changes in the SWRCB's sanitary sewer overflow reporting procedures.
- B. City of San Jose Environmental Service Department. Timetable for Completion of 2006-2007 Revenue Program. Staff reported that this letter outlines the timeline for the City and each agency's preparation of the Revenue Program for the 2006-07 fiscal year.
- C. Santa Clara County. General Ledger Account Analysis Report Period 06 FY 2006.

**6. REPORTS**

Reports

- A. Recyclable Waste Quotas. Staff reported that a call had been placed to Green Valley Disposal regarding the District's recycling quotas and were awaiting a return call.

**7. UNFINISHED BUSINESS:**

Unfinished  
Business

- A. Raymond Avenue- Insituform Pipe Liner Repair. Staff reported that a message was left with the sales representative from Insituform and staff was waiting for a return call to discuss Insituform's warranty policy in reference to the project.
- B. Connection Permits- 1916 Elliott Street and 337 Irving Avenue. Staff reported that a second notice had been sent to the two property owners. Staff reported that there had been no response to the first notice from either property owner. Staff requested direction from Counsel and the Board as to whether a final notice should be sent via registered mail or return receipt to confirm delivery. Counsel advises that the second notice should be resent with additional wording referencing possible penalties for non-payment of the sewer connection fees. Staff will work with Counsel to prepare the notice letter
- C. Director Marke's Absence. Discussion of Director Marke's absence from January 2006 through May 2006. Counsel discussed the options that were available to Director Marke during his absence from the board meetings. Mr. Otake stated that any of the directors could appear telephonically at the meetings, as long as there is a quorum, or three out of the five board members, in attendance.

**8. NEW BUSINESS**

New Business

- A. Board Election. Board members needed to elect a Board Secretary for this current term. Director Carpenter explained to the new board members the duties of the Board Secretary. Director Carpenter nominated Director Post for the position of Board Secretary.

**Motion:** To elect Director Post as Board Secretary for one term.

**Move:** Carpenter                      **Second:** Yoder

**Board vote:** **Ayes,** Carpenter, Spies and Yoder **Abstain,** Post **Noes,** None  
**Absent,** Marke

**8. NEW BUSINESS (continued)**

New Business

- B. USE Credit Union. The Board decided to allow all board members to be listed on the signatory card for the USE Credit Union. This allows other board members to sign checks or warrants in the absence of the board president or secretary. Staff will prepare a request letter, as required by the USE Credit Union, to add additional names on the signatory card. The board members that will be included on the signatory card are:

Board President: Arleigh (Joe) Carpenter  
Board Secretary: Lisa M. Post  
Director: Soren Spies  
Director: Michael Yoder  
Director: John Marke

**Motion:** To add all board members to the USE Credit Union signatory card.

**Move:** Spies                      **Second:** Yoder

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

**Motion:** To remove ex-Directors Chavez and Amaya from the USE Credit Union signatory card.

**Move:** Post                      **Second:** Yoder

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

- C. District Publications Subscriptions. Director Carpenter directed staff to cancel the publication update subscription provided by Thomson West Publishers.

- D. District Telephone Number. Staff was directed to contact SBC to find out how long a forwarding message would be active if the District decided to terminate the old phone number. Staff was directed to contact County Communications with all of the current emergency contact phone numbers and the new district office number.

**9. ADJOURNMENT:** Next Regular Meeting: *Thursday, February 2, 2006*

Adjournment

**Motion:** To Adjourn meeting

**Move:** Spies                      **Second:** Yoder

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

Respectfully Submitted,

**Mark Thomas & Company, Inc.**  
District Manager – Engineer

Donald Toy  
Administrator

Approved: February 2, 2006

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Joe Carpenter, President