

1. CALL TO ORDER

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

Call to Order

2. ROLL CALL AND APPROVAL OF AGENDA

Directors Present: Michael Yoder, John Marke, Bruce Smith, Soren Spies
Directors Absent: None
Counsel Present: None
Staff: Donald Toy, Mark Thomas & Company, Inc.

Roll Call and
Approval of
Agenda

Motion: To approve the agenda.

Move: Spies **Second:** Marke

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

3. PUBLIC COMMENTARY

- A. Visitor Commentary – None.
- B. Agency Representatives – Staff reported that District inspectors will remove the installed flow meters from the four locations this Friday. Staff will work with an IT consultant to attempt extracting the flow data from the recorders. This work is being done because the flow monitoring company is bankrupt and this will be the last attempt to download the data from the meters.
- C. Board Commentary – Director Spies stated that he may attend an AB1234 Ethics Training seminar in Sacramento later this week. Director Smith stated that he will not be able to attend the March 17, 2009, board meeting.

Public
Commentary

4. CONSENT CALENDAR

- A. Approval of Minutes. Board action required: Approve Minutes from the Meeting of 01/20/09.

Consent
Calendar

Motion: To approve the minutes from the meeting of 01/20/09.

Move: Spies **Second:** Smith

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

5. WARRANTS

- A. Approval of Warrants.
 - 1. Enviro-Commercial Sweeping, Inc. District Street Sweeping Services.
 - 2. Mark Thomas & Company, Inc. District Management Services.
 - 3. USE Credit Union. Board of Directors Payroll.
 - 4. Meyers Nave. District Legal Services.
 - 5. Win Win IT Solutions. FY 2007-08 Audit Preparation.
 - 6. Santa Clara County. Encroachment Permits FY 2007-08 and FY 2008-09.
 - 7. Somot Properties. Sewer Extension Deposit Refund - 2376 Olive Ave.

Warrants

5. WARRANTS (continued)

Warrants
(continued)

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

Move: Smith **Second:** Marke

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

6. NEW BUSINESS

New Business

A. 2009 Spring Clean Up Day. Staff reported on the status of the 2009 Spring Clean Up Day and suggested Saturday, May 9, 2009, as the date for this year's event. Director Smith commented that we had some leftover dumpster credits from last year's event. Staff will contact GreenWaste Recovery to coordinate the event. Director Spies noted that the back page of the notice stated twice monthly board meetings and that it should be revised to reflect the current once a month meeting schedule.

B. Laswell-Arleta Rehab Project. Staff presented three options for repair and rehabilitation of the main sewer line in the easement between Laswell and Arleta Ave. Option 1 involves a replacement method called pipebursting. The advantage is that this 'trenchless' method would result in the least amount of disruption to the existing landscaping along the pipe alignment. The downside is that sewer service would be would not be available for the residents along this line for three to seven days. Option 2 is the traditional 'open cut' method of pipe replacement. The advantage is that the entire pipe would be replaced with new pipe. The downside is that sewer service would be temporarily stopped during pipe construction and an open trench would be dug for the entire length of the sewer line, causing some disruption to the residents. Option 3 is to spot repair each of the deficient areas along the sewer line. The advantage is that this option presents the least amount of service disruption to the residents and the construction impact is the least of the three options. The downside is that only the damaged portions are repaired and the remainder of the existing sixty year-old sewer is left in place. After much discussion, the Board agreed that Option 3 (Spot Repairs) would be the best method and least disruptive to the residents. Staff suggested that the plans and specifications be prepared and posted for public bid as soon as possible. Staff estimated that the preparation of the bid package would cost approximately \$7,500.

Motion: To Approve Option 3 (Spot Repairs) as the Method to Use for the Repair of the Laswell/Arleta Sewer Main Line.

Move: Spies **Second:** Marke

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

Motion: To Approve a Not To Exceed Cost of \$7,500 for Engineering Design for the Laswell/Arleta Sewer Project

Move: Spies **Second:** Smith

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

6. NEW BUSINESS (continued)

New Business
(continued)

- C. Capital Cost Billing. Staff reported that they were waiting for a call back from the finance department at the City of San Jose regarding payment of the balance for the capital billing from Treatment Plant. Staff will contact the Board's Finance Subcommittee with details as they become available.

- D. Mark Thomas & Company, Inc. (MTCO) Contract Renewal. Staff presented a report regarding the draft proposal for the new contract for District Management Services from MTCO. Staff stated that the proposed rate structure and revised task list reflected the anticipated work load required to manage the District each year for the next four years. The proposal included an annual fee escalation of four percent. Director Spies asked if there were any other methods of determining an escalation factor. Staff stated that some agencies utilize the ENR CCI index to determine rates, increases, and spending. Staff will look into the CCI history and present it to the Board for comparison. A draft copy of the proposal will be sent to the Finance Subcommittee as soon as possible.

7. OLD BUSINESS

Old Business

- A. Board Vacancy. Staff reported that there were no applicants so far for the vacant position. Director Spies stated that it would be a good time for the board members to inquire with their neighbors and acquaintances to possibly recruit candidates. March 21, 2009, is the deadline to appoint a new director to fill the vacancy.

8. SUBCOMMITTEE REPORTS- A Recruiting Subcommittee was formed, consisting of Directors Spies and Smith. The Finance Subcommittee includes Directors Spies and Marke.

9. ADJOURNMENT: Next Regular Meeting: *Tuesday, March 17, 2009*

Motion: To adjourn meeting.

Move: Smith **Second:** Spies

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

Approved: March 17, 2009

Respectfully Submitted,
Mark Thomas & Company, Inc.

District Manager – Engineer
Donald Toy
Administrator

Michael E. Yoder, President