

**1. CALL TO ORDER**

Call to Order

Director Carpenter called the meeting to order at 7:30pm.

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

Roll Call and  
Approval of  
Agenda

Directors Present: Directors Joe Carpenter, Lisa Post, John Marke, Michael Yoder, and Soren Spies (arrived at 7:38pm)

Directors Absent: None

Counsel Present: None

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

**Motion:** To approve the agenda.

**Move:** Post      **Second:** Yoder

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

**3. PUBLIC COMMENTARY**

Public  
Commentary

A. Visitor Commentary – None.

B. Agency Representatives – None.

C. Board Commentary – Director Yoder reported on the tour that he had taken of the Santa Clara/San Jose Water Pollution Control Plant during their Open House Day. Director Post stated that she and Director Marke had completed the required AB 1234 Ethics training course at a presentation given by District Counsel, Bryan Otake, in Fremont. Director Spies reported that he had contacted Neelima from LAFCO and was in the process of setting up a meeting to discuss annexation matters.

**4. CONSENT CALENDAR**

Consent  
Calendar

A. Approval of Minutes. Approve Minutes from Regular Meeting of 10/05/06.

**Motion:** To approve minutes from Regular Meeting of 10/05/06.

**Move:** Post      **Second:** Marke

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

**5. WARRANTS**

Warrants

A. Approval of Four (4) Warrants:

1. Enviro-Commercial Sweeping, Inc. Street Sweeping services.

2. City of San Jose. First Quarter FY 2006-07 Bond Payments and Treatment Plant O&M.

3. Santa Clara County Integrated Waste Management Program. Quarterly FY 2006-07 payment.

4. Meyers Nave. Legal Services.

**Motion:** To approve four (4) warrants.

**Move:** Post      **Second:** Yoder

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

**6. REPORTS**

Reports

- A. Anti-Scavenging Provision. Staff reported that Counsel had provided the Board with the section of the District Ordinance Code that stipulates the anti-scavenging policies within the District. Director Post requested staff to notify the County Sheriff's Department of the Ordinance and forward a copy to their office.

**7. OLD BUSINESS**

Old Business

- A. Green Valley Disposal Company/Waste Management (WM). Staff reported that counsel had contacted WM to propose that they pay for the preparation of the RFP for a new collection provider for the District. WM management had to discuss the matter with regional supervisors and get back to counsel with details. Staff reported that both the City of San Jose and the County of Santa Clara Integrated Waste Management Program could not take over the District's collection services due to jurisdictional restrictions. Director Carpenter instructed staff to prepare a calendar of potential deadlines regarding the garbage collection contract.
- B. Santa Clara County Integrated Waste Management Program (IWM). Staff reported that three signed copies of the amendment requesting an extension of the MOU had been submitted by IWM. Staff reported that counsel had already reviewed the amendment and recommended the Board approve it.

**Motion:** To approve the Amendment for the Memorandum of Understanding with the Santa Clara Integrated Waste Management Program, extending the term through December 31, 2011.

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

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

**8. ADJOURNMENT:**      Next Regular Meeting: *Thursday, November 2, 2006*

Adjournment

**Motion:** To adjourn meeting.

**Move:** Yoder      **Second:** Post

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

Approved: November 2, 2006

Respectfully Submitted,

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

\_\_\_\_\_  
Joe Carpenter, President

Donald Toy  
Administrator