

6. CLOSED SESSION

6.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Government Code Section 54956.9(d)(1) Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

There was no closed session.

7 UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

7.A. Board Vacancies and Appointments Update. Board action required: None.

Manager Porter reported that the two new Board Members will be appointed by Santa Clara Board of Supervisors and the appointments are on the agenda of Board of Supervisor meeting of February 28, 2023.

7.B. Guidelines for future Virtual Board Meetings. Board action required: Discuss Item 7.B.

Board discussed the options of the future virtual Board Meeting and decided to use option 3 on the Legal Counsel’s memo in the future starting in March 2023.

Motion: To adopt option 3 in Legal Counsel’s memo for holding meetings in the future starting in March 2023.

Move: Sclafani **Second:** Colson

Board vote: **Ayes:** Prupes, Sclafani, Colson
Noes: None
Absent: Kaelker-Boor
Abstain: None

7.C. Long Range Financial Planning. Board action required: Discuss Item 7.C

Manager Porter proposed to consider a joint use agreement with the City of San Jose for future annexation or planning for the future of the District. Board directed staff to complete a fee study for future development in the District.

8. CONSENT CALENDAR

8.A. Approval of Minutes from the Regular Meeting of January 17, 2023.

Motion: To approve Meeting Minutes from the Regular Meeting of January 17, 2023

Move: Sclafani **Second:** Colson

Board vote: **Ayes:** Prupes, Sclafani, Colson
Noes: None
Absent: Kaelker-Boor
Abstain: None

9. WARRANTS

9.A. Approval of Warrants.

1. Mark Thomas & Company, Inc. (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors' Payroll)
3. Armento and Hynes, LLP (District Legal Services)
4. Richard Tanaka (District Advisor Services)
5. Cupertino Sanitary District (Common Interest Group Cost Sharing November 2022)
6. SCC Registrar of Voters (Costs for November 8, 2022 General Election)

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

Move: Colson

Second: Sclafani

Board vote:

Ayes: Prupes, Sclafani, Colson,

Noes: None

Absent: Kaelker-Boor

10. NEW BUSINESS

10.A. Annual Mainline and Lateral Maintenance. Board action required: Review and award bid for annualmainline and lateral Maintenance.

Board reviewed the bids and provided a consensus approval of the award of the project to Able Septic Tank Service.

10.B. Annual Form 700 Filing. Board action required: Complete individual filing by April 3, 2023.

Director Sclafani advised that he had completed the filing, Director Colson will file it on February 22.

10.C. State Revolving Fund Finance Agreement Restricted Reserve Fund. Board action required: Establish Restricted Reserve Fund.

Motion: To establish Restricted Reserve Fund and move \$70,970.20 into that fund.

Move: Sclafani

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson,

Noes: None

Absent: Kaelker-Boor

11. OLD BUSINESS

11.A. District Website Update.

Engineer Kathula gave an update on the changes that have been implemented to the website.

11.B. GreenWaste Recovery, Inc.- 1) Annual Clean Up Day Flyer, 2) Quarterly Report Oct – Dec 2022, 3) Annual Report Jan – Dec2022. Board action required: Review Annual Clean Up Day Flyer

Board reviewed and gave comments on the Annual Clean Up Day Flyer. Staff to update the Annual Clean Up Flyer.

Board reviewed and noted the Quarterly and Annual Reports. Staff to provide Board a comparison of the quarterly report versus previous quarterly report.

11.C COVID-19 Update. Board action required: None
Staff to remove COVID-19 update from the agenda.

12. HOUSEKEEPING ITEMS

12.A. Updates on Housekeeping Items.
No update

12.B. Agenda Items for Next Upcoming Meeting.

- Fee Study for March 21 Meeting.
- Introduction to New Board Members

13. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, March 7, 2023

Motion: To adjourn meeting at 8:28 pm.

Move: Sclafani **Second:** Colson

Board vote: **Ayes:** Prupes, Sclafani, Colson,
Noes: None
Absent: Kaelker-Boor

Approved: March 7, 2023

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE