

1. CALL TO ORDER

President Yoder called the meeting to order at 7:02 pm.

2. ROLL CALL

Directors Present: Rebecca Yoder, Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor
Counsel Present: Steven Baird, Atkinson Farasyn LLP
District Clerk: Kathleen Smoot
Staff: Benjamin Porter (District Manager), Richard Tanaka (Mark Thomas), Esteban Delgadillo (Mark Thomas)
Visitors: Betty Lo

3. APPROVAL OF AGENDA

Motion: To approve the agenda as written.

Move: Prupes **Second:** Sclafani

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

4. PUBLIC COMMENTARY

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None
- 4.C. Board Commentary – Director Kaelker-Boor mentioned inaccuracies she found on the web site for the Directors’ terms that should be corrected. Manager Porter reported that these corrections have been updated on the website.

Director Colson informed the Board that he will be out of town until March 31, 2020.

5. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Paragraph (1) of Subdivision (d) of Section 54956.9 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.

Closed session discussion commenced at 7:06 pm. Manager Porter and Mark Thomas employees were excused. Closed session ended at 7:32 pm. No reportable action was taken at the closed session. Staff rejoined the regular session.

6. CONSENT CALENDAR

- 6.A. Approval of Minutes from the Regular Meeting of December 10, 2019.

Motion: To approve Meeting Minutes from the Regular Meeting of December 10, 2019.

Move: Sclafani **Second:** Colson

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

7. NEW BUSINESS

7.A. Board Elections. Elect a new President and Secretary for 2020.

The Board nominated Director Colson for Board President and Director Yoder for Board Secretary.

Motion: To elect Director Colson for Board President and Director Yoder for Secretary.

Move: Kaelker-Boor **Second:** Prupes

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

8. OLD BUSINESS

8.A. Discussion for Accessory Dwelling Unit and Alternate Rate Structures.

Manager Porter made a staff presentation using PowerPoint to synthesize and summarize data that staff has gathered for the rate structure models being used by various sanitation districts throughout California. The presentation focused on two topics regarding rates. The first discussion focused on the parity between the current single-family dwelling and multi-family dwelling rates. Staff presented current rates for single family dwellings and multi-family dwellings from the other tributary agencies and introduced a potential consideration for Burbank to change its rates based on the water usage study completed by the City of San Jose in 2015. The second discussion considered the impact of incorporating Accessory Dwelling Units (ADUs) in the District's rate structure. The presentation provided potential definitions of ADUs, explained various rate structures currently used by other sanitation districts throughout the state, and proposed reasonable rate structures for ADUs and discussed how incorporating them into the BSD structure would alter the rates for Single Family and Multi-Family Dwellings. The Board discussed parity and various options for ADU rates. The Board directed Mark Thomas staff to further analyze how incorporating ADUs may potentially alter the balance of rates. There will be further discussion at the next meeting. The PowerPoint presentation that was shown during the meeting will be posted on the District's website.

9. HOUSEKEEPING ITEMS

9. A. Update on Housekeeping Items.

Director Sclafani advised that a demo site is ready for the new BSD website.

Director Prupes proposed to add a topic for future agenda on Adaptive Leadership.

9. B. Agenda Items for next Upcoming Meetings.

1. Accessory Dwelling Units and Sewer Rates

2. Website Discussion – Director Sclafani will give an update on the progress of the demo site prepared based on discussions from previous meetings.

11. ADJOURNMENT

Motion: To adjourn meeting at 9:04 pm.

Move: Yoder **Second:** Prupes

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

Approved: January 28, 2020

Respectfully Submitted,

Mark Thomas & Company, Inc.

District Manager
Benjamin T. Porter, PE

Rebecca Yoder, Acting President