

1. CALL TO ORDER

The Board of the Burbank Sanitary District convened this date at 7:00 p.m. via teleconferencing in accordance with Executive Order N-33-20. President Colson called the meeting to order at 7:00 p.m.

2. ROLL CALL

Directors Present: Ken Colson, Rebecca Yoder, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor
Directors Absent: None
Counsel Present: Steven Baird, Atkinson Farasyn LLP
District Clerk: Kathleen Smoot
Staff: Benjamin Porter (District Manager), Richard Tanaka (District Advisor)
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda as written.

Move: Yoder

Second: Sclafani

Board vote:

Ayes: Colson, Yoder, Prupes, Sclafani, Kaelker-Boor

Noes: None

Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – Manager Porter mentioned an article in the New York Times regarding research that sought to measure pathogens present in sewage to determine prevalence in an area.

4.C. Board Commentary – President Colson posted the information on the Next Door and has received positive feedback. President Colson thanked the staff for the updated information regarding keeping wipes out of the sewer system.

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 7:10 pm and ended at 7:16 pm. Manager Porter and Advisor Tanaka were excused. 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 April 21, 2020.

Motion: To approve Meeting Minutes from the Regular Meeting of April 21, 2020.

Move: Yoder **Second:** Kaelker-Boor

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

7. NEW BUSINESS

7.A. Set Public Hearing for FY2020-2021 Tax Roll Collection on June 16, 2020.

President Colson asked if the meeting will be held via teleconferencing. Manager Porter stated that the District will be prepared for either having the meeting in the Board Room or via teleconferencing depending on the current orders from the State/County of Santa Clara Public Health Department.

Motion: To set the Public Hearing for FY 2020-2021 Tax Roll Collection on June 16, 2020.

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

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

8. OLD BUSINESS

8.A. COVID-19 Update --Protocol for returning to regular board meeting.

Manager Porter stated that the Rose Garden Branch Library will be closed. Current Health Department orders extend through the end of May. Depending on future orders, it may be possible to have June meetings in the Board Room at the office, with appropriate physical distancing measures and precautions such as wearing masks.

8.B. Green Waste Recovery, Inc. 1) Annual Spring Clean Up Day Update. 2) Quarterly Report January-March 2020.

After a discussion of the options, the Board decided to defer the decision on a date for the Annual Spring Clean Up to a later date. Directors instructed staff to: 1) Contact Green Waste to evaluate the options to have the clean-up in September 2) post on the District's website a) postponement of the Annual Spring Cleanout to a later date due to COVID19 b) options to donate to the Salvation Army that are accepting items and c) a reminder of the single large item pickup that can be scheduled with Green Waste and 3) to check on the pricing of a second large item pick up as an option for the Board to consider.

8.C. Status of SRF Loan and Design Update.

The updated Cultural Report which includes consultation with Native American Heritage Commission and six Native American Tribal Bands has been submitted to the State. The State has confirmed that this completes the materials needed for their review of the application.

8.D. District Website Update.

Direct Sclafani reported that he has been working on a curriculum for staff who will update the website and will arrange a time soon to implement. He also has a suggested wish list for the future of the site.

8.E. Public Hearing for Rate Adjustment, May 19, 2020

Manager Porter advised that due to the shelter in place order, the Public Hearing for Rate Adjustment will be conducted via teleconferencing. The PowerPoint Presentation has been posted on the District website. One protest letter was received and a letter, which included the PowerPoint Presentation, has been sent to the homeowner.

9. HOUSEKEEPING ITEMS

9.A. Update on Housekeeping Items.

- Timecards will be signed electronically as authorized in a previous meeting.
- Directors to send completed Form 470 to Manager Porter

9.B. Agenda Items for the Next Upcoming Meeting.

- Public Hearing
- Financial
- COVID-19 Discussion

10. ADJOURNMENT

Motion: To adjourn meeting at 8:02 pm.

Move: Yoder **Second:** Sclafani

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

Approved: May 19, 2020

Respectfully Submitted,
Mark Thomas & Company, Inc.

Ken Colson, President

District Manager
Benjamin T. Porter, PE