

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: None (Position Vacant)
Staff: Benjamin Porter (District Manager), Richard Tanaka (District Advisor)
Visitors: Valerie Armento, Roger Masuda and David Hobbs for Item 5.A of the closed session

3. APPROVAL OF AGENDA

Motion: To approve the agenda as written.

Move: Kaelker-Boor

Second: Sclafani

Board vote:

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

Noes: None

Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – Manager Porter advised that the Closed Session for tonight will be conducted by Microsoft Teams Video Conferencing.

4.C. Board Commentary – None.

5. CLOSED SESSION

5. A. DISTRICT COUNSEL

In accordance with government code section 54957, "Public Employment Performance Review." District Counsel review.

5.B. 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 7:05 pm and ended at 8:47 pm. Those present for Item 5.A included Board Members, Manager Porter, Advisor Tanaka, Valerie Armento, Roger Masuda and David Hobbs. For Item 5.B, those in attendance included Board Members and Steven Baird. No reportable action was taken at the closed session. Manager Porter and Advisor Tanaka rejoined the regular session.

6. CONSENT CALENDAR

6.A. Approval of Minutes from the Regular Meeting of September 22, 2020.

Motion: To approve Meeting Minutes from the Regular Meeting of September 22, 2020.

Move: Yoder

Second: Sclafani

Board vote:

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

Noes: None

Absent: None

7. NEW BUSINESS

7.A. 2020 Annual Report.

The Board reviewed and provided comments for the 2020 Annual Report. Staff is to update the second page of the report and provide a final version to the Board Members prior to mailing it out.

7.B. District Advisor Role.

Board and staff discussed the role for District Advisor. Advisor Tanaka to provide a contract to Board for review at the next meeting.

7.C. Next Door Update.

Manager Porter advised that he is continuing to have difficulty accessing Next Door account for the District. It was suggested that he contact Next Door's legal department.

8. OLD BUSINESS

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

Advisor Tanaka advised that the SRF loan is in the final review stage by the Financial Department.

8.B. GreenWaste Recovery, Inc. – 1) 2020 Winter Newsletter, 2) Waste 360 Article

Board reviewed and noted the 2020 Winter Newsletter and Waste 360 Article, Board also suggested that staff check with GreenWaste if it is possible to mail out the District Annual Report together with their Winter Newsletter.

8.C. Election Information Update.

Advisor Tanaka reported that he had a discussion with the Registrar of Voters that the non-contested candidates who will be appointed by Board of Supervisors will be considered elected officials not appointed.

8.D. District Website Update.

Director Sclafani advised that he has been in coordination with District staff.

8.E. COVID-19 Update.

Staff to check in with County on the policy and guidelines for re-opening businesses particularly as it relates to public meetings.

9. HOUSEKEEPING ITEMS

9.A. Updates on Housekeeping Items.

- Director Kaelker-Boor has completed the Ethics Training.

9.B. Agenda Items for Next Upcoming Meeting.

- Agreement for District Advisor
- District Counsel

10. ADJOURNMENT - NEXT REGULAR MEETING - Tuesday, October 20, 2020

Motion: To adjourn meeting at 9:42 pm.

Move: Prupes **Second:** Yoder

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

Approved: October 20, 2020

Respectfully Submitted,

Mark Thomas & Company, Inc.

Ken Colson, President

District Manager
Benjamin T. Porter, PE