

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 Sclafani 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: Valerie Armento, Armento-Hynes, LLP
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager)
District Advisor: Richard Tanaka
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Colson

Second: Kaelker-Boor

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 reported that cleaning of the sewers for the annual maintenance program were complete. The closed-circuit television inspection (CCTV) of the 13,000 of pipe that is needed for the CIP program will be completed in two weeks.

4.C. Board Commentary - None.

5. CLOSED SESSION

5.A. 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 7:45 pm. Manager Porter and Deputy Manager Woodhouse 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 Meetings of January 5, 2021.

Motion: To approve Meeting Minutes from the Regular Meetings of January 5, 2021.

Move: Yoder

Second: Kaelker-Boor

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

7. WARRANTS

7.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. Atkinson Farasyn LLP (District Legal Services)
4. Armento and Hynes, LLP (District Legal Services)
5. Richard Tanaka (District Advisor Services)
6. City of San Jose (TP O&M and Capital Billing Q3 FY2020-21)
7. Registrar of Voters (Costs for 2020 Election)

Motion: To approve seven (7) warrants as listed.

Move: Yoder **Second:** Prupes

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

8. NEW BUSINESS

8.A. FY2020-21 Second Quarter Financial Review.

Manager Porter reported on the second quarter financials for the District.

8.B. GreenWaste Recovery, Inc. - 1) Annual Spring Clean Up Day Planning. 2) Jan 2021 Delinquent Accounts

Board directed staff to schedule Annual Clean-Up Day for May 22, 2021.

8.C. 1975 Scott Street – Mainline Extension Project.

Motion: Approve Installer's Agreement for 1975 Scott Street.

Move: Colson **Second:** Yoder

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

9. OLD BUSINESS

9.A. Status of SRF Loan and Design Update

Manager Porter reported that all required information has been provided to the State. The loan package has completed reviews with legal, finance and engineering. The package has now been sent to upper management. We expect to receive the funding in one to two months.

9.B. Long Range Financial Planning.

Board requested Manager Porter to call Susan Ellenberg's chief of staff and inquire about her response to letter sent by the District regarding their concerns on annexation of BSD service area customers. Manager Porter to report to the Board at next meeting.

President Sclafani reported on his participation in the January 11, 2021 LAFCO meeting where Noriko Kishimoto was elected permanent representative for Special Districts to the LAFCO Board. Helen Chapman was elected to be the alternate representative for Special Districts to the LAFCO Board.

9.C. District Website Update.

Manager Porter advised the Board that the RFP for web development services will be published in the next few days.

9.D. COVID-19 Update.

No Update.

10. HOUSEKEEPING ITEMS

10.A. Updates on Housekeeping Items.

No housekeeping items to update.

10.B. Agenda Items for Next Upcoming Meeting.

- Report on San Jose response to annexation letter.
- Discuss February LAFCO Board Meeting Attendee – Agenda item to discuss annexation.

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, February 2, 2021

Motion: To adjourn meeting at 8:55 pm.

Move: Prupes **Second:** Yoder

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

Approved: February 2, 2021

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE