

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: Katelyn Lewis, Kevin Martinez, and Tracy Adams (all from GreenWaste)

3. APPROVAL OF AGENDA

Manager Porter announced that the agenda needed to be amended to add an item pursuant to Government Code Section 54954.2(b)(2) for immediate action, since the issue arose after the agenda was posted, and action is needed before July 12. The amended Resolution 278 adopted at the June 16 meeting needs further correction as requested by the Registrar of Voters. Director Kaelker-Boor moved that the agenda be modified to add amending Resolution 278 under 5.D., under Old Business. Director Prupes seconded.

Motion: To add the discussion of the amendment under Old Business, 5.D.

Move: Kaelker-Boor

Second: Prupes

Board vote:

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

Noes: None

Absent: None

Motion: To approve the agenda as amended.

Move: Yoder

Second: Prupes

Board vote:

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

Noes: None

Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – Visitors from GreenWaste introduced themselves, and mentioned they are there for item 5.A.

4.B. Agency Representatives – No comments.

4.C. Board Commentary – No comments.

5. OLD BUSINESS

5.A. Clean Up Day Update. No Board Action Needed.

Katelyn Lewis indicated that GreenWaste has delayed all Clean Up days in their jurisdictions since March, however, they will be having their first Clean Up Day in Woodside, CA this Saturday, July 18. They will be trying out social distancing protocols that they have prepared, such as staff maintaining 6-foot separation, staff wearing masks and having hand sanitizer on site. Participants will stay in their cars and GreenWaste employees will take the items from the cars. Participants will be advised to wipe down any parts of the car that GreenWaste employees touched. She mentioned that they have various strategies to reach residents such as posting on Nextdoor, etc. Director Sclafani asked Ms. Lewis to share their publicity plans with the Board. President Colson pointed out that there should be direction on how items are packaged and asked if they would still be providing the bags of compost. Ms. Lewis stated that as far as she knows they plan on continuing that, and that their staff would need to cover that part of the event. Advisor Tanaka asked if the September 12 and 19 dates are still open, and Kevin Martinez confirmed that they are. Director Kaelker-Boor asked for an update on how the Woodside event goes, and Katelyn Lewis will provide that information to Manager Porter.

5.B. COVID-19 Update. No Board Action Required.

Manager Porter gave a brief report on the COVID-19 situation. Mark Thomas offices are planned to be open starting July 6 on a voluntary basis. The Cupertino office had a deep cleaning last week. If they were open to the public every day, each employee would need to wear a mask all day, according to the most recent directive in California. Currently, they are not open to the public, except by appointment. They have been successful at processing permits and performing other functions without being open to the public. Mark Thomas also provided guidelines for those going to the offices, such as maintaining six feet between employees, wearing masks, having hand sanitizer and soap and water available.

5.C. District Website Update.

Director Sclafani stated that there were no substantial updates, and that they are on version two of the site. He continues to work with Mark Thomas employees on the site and will have more details at the next meeting.

5.D. Second Amendment to Resolution 278.

Manager Porter indicated that BSD received an email from the Registrar of Voters regarding amended Resolution 278, advising that, due to her appointment the length of Director Yoder's term was two years and expiring. Thus, the Burbank Sanitary District has two full term Director positions and one short term position (Yoder's) for the general election on November 3, 2020. The second amendment to the amended Resolution 278, the request and consent to consolidate elections, includes this new correction, and must be submitted to the Registrar of Voters by Sunday, July 12.

Motion: To approve the second amendment to Resolution 278, correcting the length of the terms, including one short term.

Move: Kaelker-Boor

Second: Yoder

Board vote:

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

Noes: None

Absent: None

6. 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 7:53 p.m. and ended at 8:08 p.m. Manager Porter and Advisor Tanaka were excused. No reportable action was taken at the closed session. Staff rejoined the regular session.

7. CONSENT CALENDAR

6.A. Approval of Minutes from the Regular Meeting of June 16, 2020.

Motion: To approve Meeting Minutes from the Regular Meeting of June 16, 2020.

Move: Sclafani

Second: Yoder

Board vote:

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

Noes: None

Absent: None

8. NEW BUSINESS

8.A. Federal Infrastructure Proposal. Board Action Required: None

The Board and staff discussed the Federal Infrastructure Proposal Director Kaelker-Boor pointed to specific areas in the document referring to revolving funds, and asked if this could have an impact on the State Revolving Fund and our loan application with them. Advisor Tanaka explained that this is essentially a blueprint on how 1.5 trillion Federal dollars for infrastructure could be spent, and that most of the funds are allocated to transportation infrastructure projects, but there is about \$7 billion intended for allocation to clean water projects. It has already passed the House of Representatives and will be debated in the Senate. Advisor Tanaka also stated that the only impact to the SRF would be the potential infusion of funds to the state for the SRF funding,

8.B. HR 7073 for Essential Services Act.

Manager Porter briefly summarized the reasons for their intent to support the HR 7073, the Special Districts Provide Essential Services Act, through a letter to be sent on behalf of the Burbank Sanitary District. In addition to being able to access the Coronavirus Relief Fund, Burbank Sanitary District could be an "eligible issuer" of the Federal Reserve Board's Municipal Liquidity Facility (MLF).

Motion: To direct staff to send the edited version of the letter regarding HR 7073, Essential Services Act.

Move: Sclafani **Second:** Kaelker-Boor

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

9. HOUSEKEEPING ITEMS

9. A. Update on Housekeeping Items.

Manager Porter stated Form 470s are missing need to be sent to the BSD office.

10. B. Agenda Items for next Upcoming Meetings.

- AB 1672, The Wipes Clog Pipes Initiative
- Report on GreenWaste Spring Clean Up Day taking place in Woodside, CA.
- Clean Up Day for Burbank Sanitary District plans.

11. ADJOURNMENT - NEXT REGULAR MEETING - Tuesday, July 21, 2020

Motion: To adjourn meeting at 8:33 pm.

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

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

Approved: July 21, 2020

Respectfully Submitted,

Mark Thomas & Company, Inc.

Ken Colson, President

District Manager
Benjamin T. Porter, PE