

**BURBANK SANITARY DISTRICT**

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**REGULAR MEETING AGENDA FOR**  
**August 18, 2020 at 7:00 PM**

**In accordance with Executive Order N-33-20, meeting to be held at 7:00 p.m. via teleconferencing [call (866) 899-4679 Conference ID: 785-518-013] and anyone interested may also call in. The District Office at 20863 Stevens Creek Boulevard, Suite 100, Cupertino, California is closed.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA**

**4. PUBLIC COMMENTARY** – This area is reserved for items **not** listed on the agenda. The Brown Act does not allow discussion of or action on items not on the agenda. The Board may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda. There is a three (3) minute limit for individual speakers.

- 4.A. Visitor Commentary
- 4.B. Agency Representatives
- 4.C. Board Commentary

**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.

**5.B. DISTRICT COUNSEL**

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

**6. CONSENT CALENDAR**

- 6.A. Approval of Minutes. Board action required: Approve Meeting Minutes from 8/4/2020.

**7. WARRANTS**

- 7.A. Approval of Warrants. Board action required: Approve five (5) 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. Kathleen Smoot (District Clerk Services)
- 5. Luther Burbank School (Parking Lot Fee for Clean Up Day)

**8. NEW BUSINESS**

- 8.A. District Clerk Vacancy. Board action required: Initiate filling the position.

## 9. OLD BUSINESS

- 9.A. Annual Clean Up Day Update. Board action required: None.
- 9.B. Status of SRF Loan and Design Update. Board action required: None.
  - 1.0. Cultural Resources – Indian Consultation
  - 1.1. SRF Loan – Draft Funding Agreement
  - 1.2. Plans and Specifications Update
  - 1.3. Steps in SRF Loan Closing
    - 1.3.1. Legal Opine – Draft Funding Agreement
    - 1.3.2. Legal Bond Counsel Opine
    - 1.3.3. Adopt Resolution for Closing Document
    - 1.3.4. If approved and funded, start construction within 6 months
- 9.C. District Website Update. Board action required: None.
- 9.D. COVID-19 Update. Board action required: None.

## 10. HOUSEKEEPING ITEMS

- 10.A. Updates on Housekeeping Items. Board action required: None.
- 10.B. Agenda Items for Next Upcoming Meeting. Board action required: None.

## 11. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, September 1, 2020

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a District meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the District Administrator's office at (408) 255-2137. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection at the District Office. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda.

\* Pursuant to Government Code 54954 subsection b, subsection 4, this facility constitutes the closest meeting facility for the Burbank Sanitary District, since the District has no other meeting facility within the boundaries of the territory, over which the **Burbank Sanitary District exercises jurisdiction.**