

**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 7:03 p.m.

**2. ROLL CALL**

Directors Present: Ken Colson, Rebecca Yoder (called in at 7:23pm), Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor  
Directors Absent: None  
Counsel Present: None  
District Clerk: None (Position Vacant)  
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager), Richard Tanaka (District Advisor)  
Visitors: Valerie Armento, Armento-Hynes, LLP

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda as written.

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

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

**4. PUBLIC COMMENTARY**

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None.
- 4.C. Board Commentary – None.

**5. NEW BUSINESS**

- 5.A. District Counsel Agreement.

Board selected Valerie Armento as District Counsel and reviewed the Counsel Agreement.

**Motion:** To approve District Counsel Agreement.

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

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

Valerie Armento left after the vote.

5.B. Proposed City Conducted Annexation – Burbank 44.

Manager Porter presented the details of the Proposed City Conducted Annexation, Burbank 44 and the response letter to the City which is recommended to object to the Annexation. The response will need to be sent to the City by October 29. The Draft letter to the City was reviewed and approved with three recommended changes. The Board also discussed sending a letter to Susan Ellenberg, County Board of Supervisors with objections to annexation. The Board directed staff to prepare a draft letter to Susan Ellenberg.

**Motion:** Oppose the City Annexation of Burbank 44 and send response letter to City.

**Move:** Prupes                      **Second:** Sclafani

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

**Motion:** To send a separate letter to Susan Ellenberg, Santa Clara County Board of Supervisors.

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

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

5.C. Budget Re-Allocation.

**Motion:** To discuss agenda Item 6A before Item 5.C.

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

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

This agenda item is deferred to the next regular Board Meeting on November 3, 2020.

**6. OLD BUSINESS**

6.A. Consulting Agreement for District Advisor.

Board requested staff to get District Advisor's services agendized for Cupertino Sanitary District (CuSD) for the Board Meeting for discussion on November 4, 2020.

**7. ADJOURNMENT – NEXT REGULAR MEETING - Tuesday, November 3, 2020**

**Motion:** To adjourn meeting at 8:21 pm.

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

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

Approved: November 3, 2020

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Ken Colson, President

District Manager  
Benjamin T. Porter, PE