

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: 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: Yoder

Second: Prupes

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 – None.
- 4.C. Board Commentary - None.

5. OATHS OF OFFICE

Director Colson took the Oath of Office, the Oath was administered by Director Yoder. Director Prupes took the oath of office, the Oath was administered by Director Colson. Director Yoder is not required to take the Oath of Office this time as she is at the mid-point of her 4-year term in office.

6. 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 7:12 pm and ended at 7:52 pm. Manager Porter and Deputy Manager Woodhouse 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 Meetings of November 3, 2020 and November 17, 2020.

Motion: To approve Meeting Minutes from the Regular Meetings of November 3, 2020 and November 17, 2020.

Move: Kaelker-Boor

Second: Sclafani

Board vote:

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

Noes: None

Absent: None

8. WARRANTS

8.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. Cupertino Sanitary District (Common Interest Agreement Cost Sharing Q1 FY2020-21)
4. State Water Resources Control Board (Annual Permit Fee 7/1/20 – 6/30/21)

Motion: To approve four (4) warrants as listed.

Move: Yoder

Second: Kaelker-Boor

Board vote:

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

Noes: None

Absent: None

9. NEW BUSINESS

9.A. Board Elections. Elect a new President and Secretary for 2021.

The Board nominated Director Sclafani for Board President and Director Prupes for Board Secretary.

Motion: To elect Director Sclafani for President and Director Prupes for Secretary.

Move: Yoder

Second: Kaelker-Boor

Board vote:

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

Noes: None

Absent: None

9.B. District Audit Report – July 1, 2008 through June 30, 2020.

Motion: To accept and file the final Audit Report.

Move: Sclafani

Second: Yoder

Board vote:

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

Noes: None

Absent: None

9.C. District Budget Re-allocation.

Motion: Approve District Budget Re-allocation to add an item for District Advisor.

Move: Kaelker-Boor

Second: Sclafani

Board vote:

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

Noes: None

Absent: None

9.D. City of San Jose – Agencies Operating and Maintenance Cost Allocation FY2019-20.

Manager Porter reported on the Cost Allocation for the District from the City of San Jose.

9.E. Santa Clara County LAFCO - Independent Special District Selection Committee Meeting.

Board requested District Manager Porter to attend the LAFCO meeting on Monday January 11, 2020 and represent the Board at the meeting.

9.F. GreenWaste Recovery, Inc. – Annual Collection Service Notice.

Manager Porter reported on the Annual Collection Service Notice by GreenWaste Recovery.

10. OLD BUSINESS

10.A. Annual District Maintenance.

Manager Porter reported on the recent bids received for the annual maintenance contract for cleaning the high priority sewers and laterals in the District.

Motion: Approve award of the Annual District Maintenance Contract to ABJDD Plumbing.

Move: Prupes

Second: Yoder

Board vote:

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

Noes: None

Absent: None

10.B. Status of SRF Loan and Design Update.

Manager Porter reported that the state has all the information they need to approve the loan package. The plans and specifications are currently being updated by District staff.

10.C. District Website Update.

Manager Porter presented an RFP that has been prepared by District staff. The RFP will be sent out to solicit proposals from website professionals.

10.D. COVID-19 Update.

Manager Porter had no changes to report. All staff continue to work safely.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

No housekeeping items to update.

11.B. Agenda Items for Next Upcoming Meeting.

- Add agenda item for next meeting regarding LAFCO nominations for Special District representative.

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, January 5, 2021

Motion: To adjourn meeting at 8:55 pm.

Move: Yoder **Second:** Kaelker-Boor

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

Approved: January 5, 2021

Respectfully Submitted,

Mark Thomas & Company, Inc.

Ken Colson, President

District Manager
Benjamin T. Porter, PE