

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, Valerie Armento (Attended Closed Session)
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager)
Visitors: Richard Tanaka

3. APPROVAL OF AGENDA

Motion: To approve the agenda as written.

Move: Kaelker-Boor

Second: Sclafani

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 - The Board discussed whether Richard Tanaka can speak at the meeting if asked questions by the Board as he does not have signed agreement to serve as the Board's Advisor and is attending the meeting as a visitor.

The Board decided that Richard Tanaka could listen to the proceedings and comment when asked for his input.

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 7:12 pm and ended at 8:55 pm. Manager Porter, 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 Meeting of October 20, 2020 and Special Meeting Minutes October 26, 2020.

Motion: To approve Meeting Minutes from the Regular Meeting of October 20, 2020.

Move: Yoder

Second: Sclafani

Board vote:

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

Noes: None

Absent: None

Motion: To approve Meeting Minutes from the Special Meeting of October 26, 2020.

Move: Kaelker-Boor

Second: Prupes

Board vote:

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

Noes: None

Absent: None

Abstain: Yoder

7. OLD BUSINESS

- 7.A. Status of SRF Loan and Design Update.

Manager Porter provided an update to the progress of the SRF Loan. The Loan process is moving forward in our communications with the Water Board. Manager Porter will follow-up on the remaining action items this week.

Deputy Manager Woodhouse provided the Board with an update on the status of the design documents for the project. The basis of design has been updated to incorporate the recent CCTV inspection data. The plans have been revised to incorporate the spot repairs and segment lining using cured in place pipe that will rehabilitate the worst pipe defects in the system.

- 7.B. Update for Proposed City Conducted Annexation – Burbank 44.

Manager Porter summarized the letter that was sent to the City of San Jose which incorporated comments received from the Board at the last Special Board meeting on October 26, 2020. The letter was sent prior to the October 29 deadline.

Manager Porter then described a draft letter addressed to Susan Ellenberg that he prepared for the Board's review and comment. The letter asked for Susan Ellenberg's support on the City of San Jose Annexation action as she represents the Burbank area residents on the Santa Clara County LAFCO commission and the Santa Clara County Board of Supervisors. He will circulate the draft letter to the Board members and ask for their comments prior to the next scheduled Board meeting on November 18, 2020.

7.C. District Website Update.

Director Sclafani provided Manager Porter with a web migration plan. Manager Porter will take the migration plan and develop an RFP to select a consultant who can provide the web development services for the website update.

7.D. COVID-19 Update

Manager Porter indicated that there is no news to report on impacts of Covid-19 to the District staff or the District operations.

8. HOUSEKEEPING ITEMS

8.A. Updates on Housekeeping Items.

No update.

8.B. Agenda Items for Next Upcoming Meeting.

No Update.

9. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, November 17, 2020

Motion: To adjourn meeting at 9:53 pm.

Move: Sclafani **Second:** Prupes

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

Approved: December 15, 2020



Ken Colson, President

Respectfully Submitted,

Mark Thomas & Company, Inc.

District Manager
Benjamin T. Porter, PE