# BURBANK SANITARY DISTRICT BOARD OF DIRECTORS

# MINUTES OF REGULAR MEETING May 7, 2019

#### 1. CALL TO ORDER

President Yoder called the meeting to order at 7:02 pm. Note that this meeting was conducted pursuant to California Government Code section 54953, Director Procopio Sclafani attended this meeting via teleconference from Hotel Dann Carlton, Avenida Republica de el Salvador, Irelanda N34-337, Quito 170135, Ecuador. As a requirement of teleconference board meeting, all votes were roll-called.

### 2. ROLL CALL

Directors Present: Rebecca Yoder, Ken Colson, Michelle Kaelker-Boor, Procopio Sclafani (by

Phone conference)

Directors Absent: Rene Prupes (Excused)

Counsel Present: Steven Baird, Atkinson Farasyn LLP (by phone conference)

District Clerk: Jimmy Lew

Staff: Benjamin Porter (District Manager), Richard Tanaka

Visitors: Kevin Martinez, Greenwaste Recovery

### 3. APPROVAL OF AGENDA

**Motion:** To approve the Agenda with the following changes: -

• 8.A. Set Public Hearing for FY 2019-20 Taxroll Collection on June 18, 2019. The date, "June 18, 2019," was changed to July 2, 2019.

• The order of agenda items 8.A. was reversed with agenda item 8.B., and combined; additional agenda item added for bilingual ballots

Move: Colson Second: Sclafani

Board vote: Ayes, Yoder, Colson, Kaelker-Boor, Sclafani

Noes, None Absent, Prupes

## 4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – None.

### 5. OATH OF OFFICE

President Yoder administered oath of Office for District Clerk, Jimmy Lew.

### 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 7:16 pm and ended at 7:37 pm. No reportable action taken at the closed session.

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## 7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meeting of April 16, 2019.

**Motion:** To Approve Meeting Minutes from the Regular Meeting of April 16, 2019.

Move: Kaelker-Boor Second: Colson

**Board vote:** Ayes, Yoder, Colson, Kaelker-Boor, Sclafani

Noes, None Absent, Prupes Abstain, None

#### 8. NEW BUSINESS

8.A. Set Public Hearing for FY 2019-20 Taxroll Collection on July 2, 2019

**Motion:** Set Public Hearing for FY2019-20 Taxroll Collection on July 2, 2019.

Move: Kaelker-Boor Second: Colson

**Board vote:** Ayes, Yoder, Colson, Kaelker-Boor, Sclafani

Noes, None Absent, Prupes Abstain, None

- 8.B. Rate Increases for Garbage and Sewer Service Charges.
  - Manager Porter presented the Rate Increase Studies (No CIP vs. CIP)
  - Board reviewed CPI increases for garbage rates for next fiscal year and setting maximum annual increase of 4% for the following four years.
  - Board reviewed sewer service rate increase for FY 2020-221 through FY 2023-24
  - The Board discussed and reviewed Resolution 273.

**Motion:** Approve Resolution #273

Move: Sclafani Second: Colson

**Board vote:** Ayes, Yoder, Colson, Kaelker-Boor, Sclafani

Noes, None Absent, Prupes Abstain, None

There were additional Board discussion surrounding whether or not the two notices (one notice each for the rate increase on garbage and sewer) and whether these notices should be printed in English and Spanish. Additional costs incurred are likely for duplex printing (appr. \$500-800) and translation (appr. \$500).

**Motion:** Translate and print notices for Annual CPI Increase for Garbage Rates and Sewer Service

Charges Rate Increase, in both English and Spanish.

Move: Colson Second: Sclafani

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**Board vote:** Ayes, Yoder, Colson, Kaelker-Boor, Sclafani

Noes, None Absent, Prupes Abstain, None

8.C. Resolution - Change of General Election Date.

The Board reviewed and noted the change of general election date.

## 9. OLD BUSINESS

9.A. Master Plan Update.

The District's Operations Code is still in review, a new section on enforcements will be added. Public hearing is tentatively scheduled for July 16, 2019 to approve Operations Code.

- 9.B. Status of Annual Spring Clean Up Day.
  - All applications and documentations related to Annual Spring Clean Up Day have been completed.
  - Kevin Martinez, Greenwaste Recovery, was present to discuss logistics for the day.

### 10. HOUSEKEEPING ITEMS

10.A. Update on Housekeeping Items.

President Yoder will be absent on July 2, 2019.

10.B. Agenda Items for upcoming meetings

Follow up discussion on the Annual Spring Clean Up Day

### 11. ADJOURNMENT

**Motion:** To adjourn meeting at 8:31 pm.

Move: Sclafani Second: Kaelker-Boor

**Board vote:** Ayes, Yoder, Colson, Kaelker-Boor, Prupes, Sclafani

Noes, None Absent, Prupes Abstain, None

Approved: May 21, 2019 Respectfully Submitted,

Mark Thomas & Company, Inc.

\_\_\_\_\_ District Manager
Rebecca Yoder, President Benjamin T. Porter, PE