

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 Sclafani called the meeting to order at 7:02 p.m.

2. ROLL CALL

Directors Present: Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor, Rebecca Yoder
Directors Absent: None
Counsel Present: Valerie Armento, Armento-Hynes, LLP (Joined meeting after visitors from GreenWaste left for New Business Items)
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager)
Visitors: Emily Hansen, Tracy Adams (GreenWaste Recovery, Inc., joined meeting through item 5.A.)

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Kaelker-Boor

Second: Colson

Board vote:

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

Noes: None

Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary - None.

5. NEW BUSINESS

5.A. GreenWaste Recovery, Inc. 1) Change in Control, 2) Winter 2021 Newsletter.

1) Emily Hansen provided a description of the plan for GreenWaste Recovery to be acquired by MIRA Group/MIP V. Tracy Adams provided a description of the process that GreenWaste Recovery used to identify MIRA Group/MIP V as a suitable partner. The target close date is near the end of November 2021.

GreenWaste to revise the Consent and Amendment Agreement for the Board to review at the next Board Meeting.

2) Board reviewed and noted the GreenWaste’s Winter 2021 Newsletter.

5.B. AB 361 (Brown Act)

Based upon the existence of the conditions set forth in Government Code section 54953(e)(1)(A) that there is a proclaimed state of emergency, and state and local officials have recommended measures to promote social distancing, the Board concludes it is appropriate to conduct this meeting virtually.

Motion: To conduct this meeting virtually.

Move: Prupes

Second: Yoder

Board vote:

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

Noes: None

Absent: None

6. CLOSED SESSION

5.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION

Government Code Section 54956.9(d)(1) 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.

There was no closed session.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meetings of September 21, 2021.

Motion: To approve Meeting Minutes from the Regular Meetings of September 21, 2021.

Move: Prupes

Second: Yoder

Board vote:

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

Noes: None

Absent: None

8. OLD BUSINESS

8.A. Status of SRF Loan and CIP Update.

Deputy Manager Woodhouse provided a summary of the status of the CIP construction project and the SRF Loan Budget Approval Package.

8.B. Long Range Financial Planning.

Director Prupes provided a summary of the status of the draft Long Range Financial Plan elements and current outline.

8.C. COVID-19 Update.

No Update.

9. HOUSEKEEPING ITEMS

9.A. Updates on Housekeeping Items.

No Update.

9.B. Agenda Items for Next Upcoming Meeting.

- GreenWaste Recovery Acquisition by MIRA Group/MIP V
- Conclusions on Virtual Meetings (AB 361) under COVID 19 Update agenda item
- Website Update

10. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, October 19, 2021

Motion: To adjourn meeting at 8:55 pm.

Move: Prupes **Second:** Yoder

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

Approved: October 19, 2021

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE