

1. CALL TO ORDER

The Board of the Burbank Sanitary District convened this date at 7:00 p.m. via teleconferencing in accordance with AB361. President Sclafani called the meeting to order at 7:03 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 (present for the beginning of the open session, and the entire closed session)
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager), Vani Kathula
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Prupes **Second:** Colson

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

4. PUBLIC COMMENTARY

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

5. AB 361

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor’s Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara has a Universal Indoor Face Covering Order in effect and continues to encourage social distancing, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

Motion: Move to report on AB 361 and its findings to the meeting being held as a virtual meeting.

Move: Prupes **Second:** Colson

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

Closed session discussion commenced at 7:07 pm and ended at 8:00 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

7.A. Approval of Minutes from the Regular Meetings of November 2, 2021

Motion: To approve Meeting Minutes from the Regular Meetings of November 2, 2021.

Move: Colson

Second: Prupes

Board vote:

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

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. Armento and Hynes, LLP (District Legal Services)
4. Richard Tanaka (District Advisor Services)
5. Cupertino Sanitary District (Common Interest Agreement Cost Sharing)
6. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)

Motion: To approve Six (6) warrants as listed.

Move: Kaelker-Boor

Second: Yoder

Board vote:

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

Noes: None

Absent: None

9. NEW BUSINESS

9.A. 443 Laswell Ave – Sewer Service Charges Refund.

The Board reviewed the sewer service charges refund for 443 Laswell Ave.

Motion: To approve sewer service charges refund for 443 Laswell Ave

Move: Yoder

Second: Kaelker-Boor

Board vote:

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

Noes: None

Absent: None

10. OLD BUSINESS

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

Deputy Manager Woodhouse discussed the status of the Final Budget approval package that is being reviewed by the State. Work on the CIP construction project is progressing in accordance with the contractor's schedule. Manager Porter presented an exhibit that shows the 3-week look ahead schedule that was posted on the NextDoor this week. The Board provided comments on the 3-week look ahead schedule. Board suggested that all the locations done plus future locations should be shown on the next look ahead map that will be posted on the NextDoor and District's website.

10.B. Long Range Financial Planning.

Manager Porter reported on a survey he is preparing for soliciting input from Board members for the long-range financial planning process.

10.C. District Website Update.

Staff Kathula presented some analytics from the new District website. The Board asked that if there any sources of references for visitors to finding the website and also a list of additional features and engaging content for the website to discuss at the next Board meeting.

10.D. GreenWaste Recovery, Inc. – Annual Collection Service Notices.

Manager Porter presented on the GreenWaste Recovery Annual Collection Service Notice. He also advised that GreenWaste Recovery is working on a new sustainability report and plan to publish it by the end of this year.

10.E. Annual Report.

Manager Porter presented the updated version of the Annual Report. The updated version will be sent to Board members for their review. The Board also would like to see if staff can edit out some of the text in the report so the overall font size of the text can be increased. Also consider adding a QR code for access to the website. Use acronyms such as BSD and CIP. Board suggested that we need to have two versions of the annual report: detailed version will be posted on the website and condensed version will be mailed to the residents.

10.F. COVID-19 Update.

No Update.

10. HOUSEKEEPING ITEMS

10.A. Updates on Housekeeping Items.

No Update.

10.B. Agenda Items for Next Upcoming Meeting.

No Update.

11. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, December 7, 2021

Motion: To adjourn meeting at 9:03 pm.

Move: Prupes **Second:** Yoder

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

Approved: December 7, 2021

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE