

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 7:06 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 (Joined meeting for Items 9.C. and 9.D.)
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Kaelker-Boor **Second:** Prupes

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: Yoder **Second:** Kaelker-Boor

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 7:09 pm and ended at 7:35 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 16, 2021

Motion: To approve Meeting Minutes from the Regular Meetings of November 16, 2021.

Move: Yoder

Second: Kaelker-Boor

Board vote:

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

Noes: None

Absent: None

8. NEW BUSINESS

8.A. Revised FY202 -21 Operations and Maintenance Cost Sharing for Regional Wastewater Facility.

Manager Porter presented a letter from the San Jose-Santa Clara wastewater facility that outlined the portion of the O&M costs of the treatment plant that will be paid for by Burbank Sanitary District.

9. OLD BUSINESS

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

Deputy Manager Woodhouse provided an update on the status of Budget Approval Package which should be completed the first week of January 2022. He talked about invoicing we have received to date from the contractor and subconsultants who are assisting with the project. These invoices will be used to request payment from the State once we receive approval of our budget.

9.B. Long Range Financial Planning.

Manager Porter presented questions to the Board that will be used to determine the content and direction of the long range financial plan. Board requested staff to re-send the links to strategic plans from other similar agencies and to add an introductory paragraph that summarizes topics we have discussed in the past.

9.C. District Website Update.

Senior Engineer Kathula presented a few slides that summarized the status of the website update. Board requested staff to provide the Board the list of possible website enhancements that were developed prior to publishing the current website.

9.D. Annual Report

Senior Engineer Kathula presented the most recent version of the Annual Report.

9.E. GreenWaste Recovery, Inc.

No update.

9.F. COVID-19 Update.

Manager Porter asked the Board to begin thinking about their concerns for returning to live Board meetings sometime in 2022.

10. HOUSEKEEPING ITEMS

10.A. Updates on Housekeeping Items.

- Next Board meeting will have the elections of Board Officers

10.B. Agenda Items for Next Upcoming Meeting.

- Election of Board Officers.

11. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, December 21, 2021

Motion: To adjourn meeting at 9:04 pm.

Move: Prupes **Second:** Yoder

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

Approved: December 21, 2021

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE