

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 7:02 p.m.

2. ROLL CALL

Directors Present: Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor, Rebecca Yoder
Directors Absent: None
Counsel Present: None
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager)
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Prupes

Second: Kaelker-Boor

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 – Manager Porter notified the Board of the unfortunate passing of Cupertino Sanitary District Director John M. Gatto.

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 make findings (1), (2), and (3) in accordance with AB 361.

Move: Colson

Second: Yoder

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.

There was no closed session.

7. CONSENT CALENDAR

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

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

Move: Yoder

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. City of San Jose (TP O&M & Capital Billing Q3 2021-2022)
6. Cupertino Sanitary District (Common Interest Agreement Cost Sharing)
7. ABJDD Plumbing (Lateral Stoppage – 169 Boston Ave)
8. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)
9. DB Incorporated (Printing and Mailing of 2021 Annual Report)
10. Liana Ilkova (Sewer Service Charges Refund – 443 Laswell Ave)
11. Southwest Pipeline & Trenchless Corp (District-Wide CIP Project)

Motion: To approve Eleven (11) warrants as listed.

Move: Yoder

Second: Prupes

Board vote:

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

Noes: None

Absent: None

Director Kaelker-Boor approved warrants #1-6 and #8-11. Director Kaelker-Boor abstained from warrant #7 as her property was involved with this work.

9. NEW BUSINESS

9.A. FY2021-22 Second Quarter Financial Review.

Motion: Revise CIP revenue and expense project budget from \$5,064,000.00 to \$1,862,109.00

Move: Yoder

Second: Colson

Board vote:

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

Noes: None

Absent: None

9.B. City of San Jose – Third Quarter Adjustments for FY2020-21 O&M and CIP Billings.

Board reviewed and noted the Third Quarter Adjustments for FY2020-21 O&M and CIP Billings.

9.C. Bank of America – Signature Card Update. Board action required: Sign signature card.

Manager Porter discussed the Bank of America signature card update. Board members will arrange to sign the new signature card.

9.D. Annual Mainline and Lateral Maintenance. Board action required: Review and award bid for annual mainline and lateral Maintenance

Motion: Award Annual Mainline and Lateral Maintenance project to ABLE Septic Tank Service

Move: Prupes

Second: Kaelker-Boor

Board vote:

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

Noes: None

Absent: None

10. OLD BUSINESS

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

Deputy Manager Woodhouse provided a summary of the project status and the approval process for the Final Approval Budget package.

10.B. Long Range Financial Planning.

No update.

10.C. District Website Update.

Manager Porter provided a summary of the progress on the updates to the website. Staff to re-send the link for feedback, input and comments to the website to all Directors.

10.D. GreenWaste Recovery, Inc.- 1) Annual Spring Clean Up Day Planning. 2) Residential Annual Collection Service Notice Update. 3) January 2022 Delinquent Accounts. Board action required: Consider May 7, 2022 or May 14, 2022 as the Annual Clean Up the Annual Clean Up Day

Board directed staff to schedule the Annual Clean Up Day for Saturday, May 14, 2022. Board also would like to discuss the following options for recycling communication at the next meeting.

- GreenWaste to provide an updated list of the top five products that can be recycled
- What are the top 3-5 areas of focus on clean recyclables and the new law for composting
- What are the top five things that we can communicate to the residents that will improve the quality of the load
- What things need to change in terms of recycling
- Invite GreenWaste to attend the Board Meeting and provide data on the status of the recycling

Board reviewed and noted the Residential Annual Collection Service Notice update and January 2022 Delinquent Accounts.

10.E. COVID-19 Update.

No Update.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

Manager Porter talked about the upcoming training opportunity for completing Form 700 on February 3, 2022.

11.B. Agenda Items for Next Upcoming Meeting.

- GreenWaste recycling communication options

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, February 1, 2022

Motion: To adjourn meeting at 8:24 pm.

Move: Prupes **Second:** Yoder

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

Approved: February 1, 2022

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE