

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 7:01 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: Kaelker-Boor

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

Move: Prupes

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.

There was no closed session.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meetings of February 1, 2022

Manager Porter presented the revised minutes per Director Prupes’s comments.

Motion: To approve Meeting Minutes from the Regular Meetings of February 1, 2022 with revision.

Move: Yoder

Second: Colson

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. Richard Tanaka (District Advisor Services)
4. ABJDD Plumbing (Lateral Stoppage – 70 Topeka Ave)
5. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)
6. Southwest Pipeline & Trenchless Corp (District-Wide CIP Project)

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

Move: Yoder

Second: Colson

Board vote:

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

Noes: None

Absent: None

9. NEW BUSINESS

9.A. November 8, 2022 General Election – Abbreviated Calendar.

Three Board members will be up for election at the end of this year on November 8, 2022.

10. OLD BUSINESS

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

Deputy Manager Woodhouse provided an update on the status of the CIP construction project and the SRF Loan package approval process by the State.

10.B. Long Range Financial Planning.

Manager Porter notified the Board that responses to the questionnaire were received from all Board members.

10.C. District Website Update.

Board requested that the website enhancement cost be broken down by task so they can evaluate each one separately.

10.D. GreenWaste Recovery, Inc. Board action required: Re-select Annual Clean Up Day date and review Annual Clean Up Day flyer.

The Board directed staff to re-schedule the Annual Clean Up Day to Saturday, May 21, 2022.

Board also requested staff to have graphic designer improve the visual appeal of the flyer. GreenWaste to provide links to websites with information related to the presentation they made at the last Board meeting.

10.E. Form 700 Filing Update.

Board requested District Counsel to review the District Conflict of Interest code and discuss with the Board at a future meeting. Determine if the code can provide clarification and guidance for Board members to complete Form 700.

10.F. COVID-19 Update.

Santa Clara County will not be lifting the mask mandate at this time. Wearing masks is not linked to vaccination status.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

- GreenWaste's links related to information to the presentation
- Ethics Training Update

Board noted the updated status of the Ethics Training.

11.B. Agenda Items for Next Upcoming Meeting.

- Consider cancelling the next Board meeting of March 1, 2022

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

Motion: To adjourn meeting at 8:08 pm.

Move: Yoder **Second:** Prupes

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

Approved: March 15, 2022

Respectfully Submitted,

Mark Thomas & Company, Inc.

Procopio Sclafani, President

District Manager
Benjamin T. Porter, PE