

**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: Valerie Armento (present for the open session through item 8.A)  
Staff: Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager),  
Vani Kathula (Attended only for item 12.B.)  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda.

**Move:** Yoder

**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 Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, 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:** Yoder

**Second:** Prupes

**Board vote:**

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

**Noes:** None

**Absent:** None

**6. PUBLIC HEARING**

6.A. Public Hearing on Taxroll Collection for FY2022-23

1. Staff Presentation
2. Open Public Hearing and Receive Testimony
3. Close Public Hearing
4. Board Discussion
5. Board Action – Adopt Resolution No. 288

Manager Porter presented the Taxroll Report for FY2022-23. President Sclafani opened the Public Hearing at 7:08 p.m and closed at 7:09 p.m. No members of the public attended the Public Hearing.

**Motion:** To adopt Resolution No. 288 – Approving Sewer Service Charges Report and Collection on the Taxroll for FY2022-23.

**Move:** Yoder

**Second:** Colson

**Board vote:**

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

**Noes:** None

**Absent:** None

**7. 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.

**8. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA**

8.A. Long Range Financial Planning. Board action required: Discuss Item 8.A.

Counsel Armento provided the Board with responses to their questions from the last Board meeting.

Board requested staff to research the following: -

- Meaning of “Layered Annexation”.
- The feasibility of joining with another adjacent sewer district.
- To provide long range financial plan materials for Board to review prior to next Board meeting.

**9. CONSENT CALENDAR**

9.A. Approval of Minutes from the Regular Meetings of May 17, 2022

**Motion:** To approve Meeting Minutes from the Regular Meetings of May 17, 2022.

**Move:** Kaelker-Boor

**Second:** Prupes

**Board vote:**

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

**Noes:** None

**Absent:** None

**10. WARRANTS**

10.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. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)
6. GreenWaste Recovery, Inc. (Annual Clean Up Day)
7. County of Santa Clara Roads & Airports (Encroachment Permit for CIP Project)

**Motion:** To approve seven (7) warrants as listed.

**Move:** Kaelker-Boor                      **Second:** Yoder

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

**11. NEW BUSINESS**

11.A. District Insurance Renewal.

Manager Porter presented the District Insurance Renewal. Board inquired whether there are any other insurance carriers available. Staff to investigate.

11. B. District Budget FY2022-2023.

Manager Porter presented the proposed District Budget FY2022-2023. Board reviewed and approved the District Budget for FY2022-2023.

**Motion:** To approve District Budget for FY2022-2023.

**Move:** Yoder                                      **Second:** Prupes

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

**12. OLD BUSINESS**

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

Deputy Manager Woodhouse provided a status report on the SRF Loan disbursement invoice that was sent to the State last week. Board asked staff to determine if there is a penalty for early re-payment of the loan.

12.B. District Website Update.

Senior Sanitary Engineer Kathula facilitated a discussion on the website updates.

12.C. GreenWaste Recovery, Inc. – Annual Clean Up Day Report.

Manager Porter presented the GreenWaste Annual Clean Up Day Report.

12.D. Upcoming November 8, 2022 General Election Update, 1) Proposed Updated Fees Schedule, 2) School and Special District Candidates June 21, 2022 Zoom Meeting, 3) Nomination Period Opens July 18, 2022 to August 12, 2022. Board action required: Board Members due election to file nomination form by August 12, 2022.

Board noted the Proposed Updated Fees, Special District Candidate Zoom Meeting and the Candidate Nomination Open Period.

12.E. Form 470 Filing Update. Board action required: Complete individual filling by 7/31/22.

Director Yoder noted that she will still need to file Form 470 even if she is not running for another term.

12.F. COVID-19 Update.

No update.

**11. HOUSEKEEPING ITEMS**

11.A. Updates on Housekeeping Items.

No update.

11.B. Agenda Items for Next Upcoming Meeting.

- Report back on previous cleanup day statistics
- Determine whether other insurance carriers are available
- Materials for Long Range Financial Planning
- Recruitment of New Board Members

**12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, July 5, 2022**

**Motion:** To adjourn meeting at 9:17 pm.

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

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

Approved: July 19, 2022

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

\_\_\_\_\_  
Procopio Sclafani, President

District Manager  
Benjamin T. Porter, PE