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 (Joined meeting during Item 5, AB361), Rebecca Yoder
Directors Absent:	None
Counsel Present:	Valerie Armento (Present for the open session through Item 7.B)
Staff:	Benjamin Porter (District Manager), Robert Woodhouse (Deputy District Manager)
Advisor:	Richard Tanaka (Present for open session through closed session)
Visitors:	Mark Negrete (Joined meeting at 7:45pm)

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Yoder **Second:** Colson

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

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – President Sclafani requested approval of his absence until the January 2023 Board Meeting. Director Prupes, Yoder and Colson agreed with President Sclafani's absences being excused and Director Prupes agreed to be the Acting President until President Sclafani returns.

5. AB 361

The Board makes the following findings required by AB 361 in order to hold this meeting by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the California Department of Public Health and the County Health Officer continue to encourage social distancing and strongly recommend that all people wear masks in all indoors public spaces, and (3) due to room capacity limitations, meeting in person could 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

6.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 7:12 pm and Manager Porter and Deputy Manager Woodhouse were excused. The closed session ended at 7:22 pm with no reportable action. Staff rejoined the regular session

7. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

7.A. Long Range Financial Planning. Board action required: Discuss Item 7.A.

Board suggested to add specific public outreach actions that Board members will discuss participating in during the year. Board also suggested that Board members discuss participating in meetings of other agencies.

7.B. Board Compensation Increase. Board action required: Review Ordinance No.67 and Resolution No. 291.

Board reviewed and discussed Ordinance No.67 and Resolution No. 291.

8. CONSENT CALENDAR

8.A. Approval of Minutes from the Regular Meetings of October 4, 2022

Motion: To approve Meeting Minutes from the Regular Meetings of October 4, 2022

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

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

9. WARRANTS

9.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 Q2 2022-23)
6. Cupertino Sanitary District (Common Interest Group Cost Sharing August 2022)

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

Move: Yoder **Second:** Prupes

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

10. NEW BUSINESS

10.A. FY2022-2023 First Quarter Financial Review. Board action required: None.

Manager Porter presented and the Board noted the FY2022-2023 First Quarter Financial Review.

11. OLD BUSINESS

11.A. Status of SRF Loan and CIP Update. Board action required: None.

Deputy Manager Woodhouse provided an update on the status of the Final Project Report and the Final Invoice.

11.B. GreenWaste Recovery, Inc. – Fall/Winter Newsletter. Board action required: None.

Board reviewed and noted the Fall/Winter Newsletter.

11.C. Recruitment of New Board Members. Board action required: Review revised flyer & door hanger.

Manager Porter reported that two applications for Board members have been received and third person requested a copy of the application package.

Board reviewed the revised recruitment flyer and door hanger.

11.D. COVID-19 Update.

No update.

12. HOUSEKEEPING ITEMS

12.A. Updates on Housekeeping Items.

- The Board decided to have Director Colson serves as Board Secretary during the absence of President Sclafani.
- Staff to remove Director Yoder from the on-line banking accounts for the District before the end of the year when her term expires.

12.B. Agenda Items for Next Upcoming Meeting.

Director Colson requested to include Board duties and responsibilities in the next Board Meeting and how that information can be presented on the website.

13. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, November 1, 2022

Motion: To adjourn meeting at 8:40 pm**.**

Move: Yoder **Second:** Prupes

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

Approved: November 1, 2022

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, Acting President

District Manager
Benjamin T. Porter, PE