

1. CALL TO ORDER

The Board of the Burbank Sanitary District convened this date at 12:00 p.m. via teleconferencing in accordance with AB361. Acting President Prupes called the meeting to order at 12:05 p.m.

2. ROLL CALL

Directors Present: Procopio Sclafani, Rene Prupes, Michelle Kaelker-Boor, Rebecca Yoder
Directors Absent: Ken Colson (Excused Absence)
Counsel Present: Valerie Armento
Staff: Benjamin Porter (District Manager), Shirley Ho
Advisor: Richard Tanaka
Visitors: None.

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Kaelker-Boor

Second: Yoder

Board vote:

Ayes: Sclafani, Prupes, Kaelker-Boor, Yoder

Noes: None

Absent: Colson

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – None.

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: Yoder

Second: Sclafani

Board vote:

Ayes: Sclafani, Prupes, Kaelker-Boor, Yoder

Noes: None

Absent: Colson

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 12:08 pm and ended at 12:42 pm. Manager Porter and Staff Shirley Ho were excused. No reportable action was taken at the closed session.

7. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, January 3, 2023

The meeting was adjourned by consensus at 12:49 pm

Approved: January 17, 2023

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE