
BURBANK SANITARY DISTRICT
REGULAR MEETING AGENDA FOR
March 21, 2023 at 7:00 PM

The meeting will be held at 7:00 p.m. in person at District Office, 20863 Stevens Creek Boulevard, Suite 100, Cupertino, CA 95014 and via teleconferencing and anyone interested may also call in. [call (866) 899-4679 Conference ID: 785-518-013]

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. PUBLIC COMMENTARY – This area is reserved for items **not** listed on the agenda. The Brown Act does not allow discussion of or action on items not on the agenda. The Board may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda. There is a three (3) minute limit for individual speakers.

4.A. Visitor Commentary

4.B. Agency Representatives

4.C. Board Commentary

5. 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.

6. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

6.A. Long Range Financial Planning. Board action required: Discuss Item 6.A

6.B. Board Member Recruitment. Board action required: None.

7. CONSENT CALENDAR

7.A. Approval of Minutes. Board action required: Approve Meeting Minutes from 3/7/2023.

8. WARRANTS

8.A. Approval of Warrants. Board action required: Approve five (5) 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. Cupertino Sanitary District (Common Interest Agreement Cost Sharing February 2023)

9. NEW BUSINESS

9.A. Board Orientation – Annexation History. Board action required: None.

10. UNFINISHED BUSINESS

10.A. Form 700 Update. Board action required: Board members to file Form 700 by 4/3/2023

10.B. District Website Update. Board action required: None.

10.C. GreenWaste Recovery, Inc.- Historical Data Bar Chart. Board action required: None.

11. HOUSEKEEPING ITEMS

- 11.A. Updates on Housekeeping Items. Board action required: None.
- 11.B. Agenda Items for Next Upcoming Meeting. Board action required: None.

12. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, April 4, 2023

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a District meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the District Administrator's office at (408) 255-2137. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection at the District Office. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda.

* Pursuant to Government Code 54954 subsection b, subsection 4, this facility constitutes the closest meeting facility for the Burbank Sanitary District, since the District has no other meeting facility within the boundaries of the territory, over which the Burbank Sanitary District exercises jurisdiction.

BURBANK SANITARY DISTRICT

7. CONSENT CALENDAR

7.A. APPROVAL OF MINUTES

Approve Minutes from Regular Meeting of
March 7, 2023

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING
March 7, 2023**

1. CALL TO ORDER

The Board of the Burbank Sanitary District convened this date at 7:00 p.m. in person at the District Office at 20863 Stevens Creek Boulevard, Suite 100, Cupertino, CA 95014 and via teleconferencing. President Prupes called the meeting to order at 7:01 p.m.

2. ROLL CALL

Directors Present: Rene Prupes, Procopio Sclafani, Ken Colson
Directors Absent: None
Counsel Present: Valerie Armento (Present for the open session through Item 7)
Staff: Benjamin Porter (District Manager), Vani Kathula (Senior Sanitary Engineer)
Adviser: Richard Tanaka (Present for the open session through Item 7)
Visitors: Mark Negrete, Kristina Seldal (Sworn in as new Board Members - Item 5)

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Sclafani

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson

Noes: None

Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – None.

5. OATH OF OFFICE

5.A. Director Kristina Seldal and Director Mark Negrete to take Oath of Office

President Prupes administered the Oath of Office to Director Seldal and Director Negrete.

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 7:06 pm and ended at 7:40 pm. Manager Porter and Engineer Kathula were excused. No reportable action was taken at the closed session. Staff rejoined the regular session at 7:41 pm.

7 UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

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

Manager Porter presented various topics related to Long Range Financial Planning (LRFP) to the new Board Members. He explained the LRFP questionnaire and asked the new Board Members to provide comments. Board and staff discussed the annexation process with the City of San Jose.

8. CONSENT CALENDAR

8.A. Approval of Minutes from the Regular Meeting of February 21, 2023

Motion: To approve Meeting Minutes from the Regular Meeting of February 21, 2023

Move: Sclafani

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson

Noes: None

Absent: None

Abstain: Seldal, Negrete

9. NEW BUSINESS

9.A. Form 470 Filing. Board action required: Complete individual filing by 7/31/23.

Board members to file Form 470 by July 31, 2023.

10. OLD BUSINESS

10.A. GreenWaste Recovery, Inc.- 1) Compost Options for Clean Up Day, 2) Comparison Summary Report Board action required: Select compost option for Clean Up Day.

Board selected bagged compost for the Annual Clean Up Day. Board reviewed and noted the Comparison Summary Report. Staff to prepare graphical chart for the historical data of various waste streams.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

- Director Negrete will contact Manager Porter to catch up on the annexation and other District's business.
- Director Colson complimented ABLE Septic Tank Service for their good work on the District annual mainline and lateral maintenance.

11.B. Agenda Items for Next Upcoming Meeting.

- Website Update
- Recruitment of New Board Member
- Form 700 Update
- Board Orientation
- History of Annexation

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, March 21, 2023

Motion: To adjourn meeting at 8:53 pm.

Move: Negrete

Second: Seldal

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Absent: None

Approved: March 21, 2023

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE

BURBANK SANITARY DISTRICT

8. WARRANTS

8.A. APPROVAL OF WARRANTS

1. Mark Thomas & Company, Inc.
2. First Tech Federal Credit Union
3. Armento and Hynes, LLP
4. Richard Tanaka
5. Cupertino Sanitary District

Warrant List for 03-21-2023

#	Payee	Invoice Date	Invoice No.	Invoice Amount	Description	Warrant No.
1	Mark Thomas & Company, Inc.	3/15/2023	46537	\$ 20,867.70	District Management Services	
		3/15/2023	46537-R	\$ 448.42	Reimbursables - 1099 E-filing, Website Hosting Fee & Development consultants	
			MTCO Subtotal	\$ 21,316.12		4069
2	Burbank Sanitary District for Deposits / First Tech Fed		N/A			
	Rene Prupes			\$ 480.00	2/21/23, 3/7/23	
	Procopio Sclafani			\$ 480.00	2/21/23, 3/7/23	
	Ken Colson			\$ 480.00	2/21/23, 3/7/23	
	Mark Negrete			\$ 240.00	3/7/2023	
	Kristina Selda			\$ 240.00	3/7/2023	
	Total payment to Directors			\$ 1,920.00		
	Estimated processing fees/taxes			\$ 380.00		
			Subtotal actual amt	\$ 2,300.00	Board Payroll, Processing Fees/Taxes (Amount Deposited)	4070
3	Armento and Hynes, LLP	2/28/2023	2023-2	\$ 800.00	District Legal Services	4071
4	Richard Tanaka	3/4/2023	2023-2	\$ 900.00	District Advisor Services	4072
5	Cupertino Sanitary District	3/5/2023	N/A	\$4,883.41	Common Interest Agmt - February 2023	4073
	TOTAL WARRANT AMOUNT			\$ 30,199.53		
	TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2022-23			\$ 497,843.13		

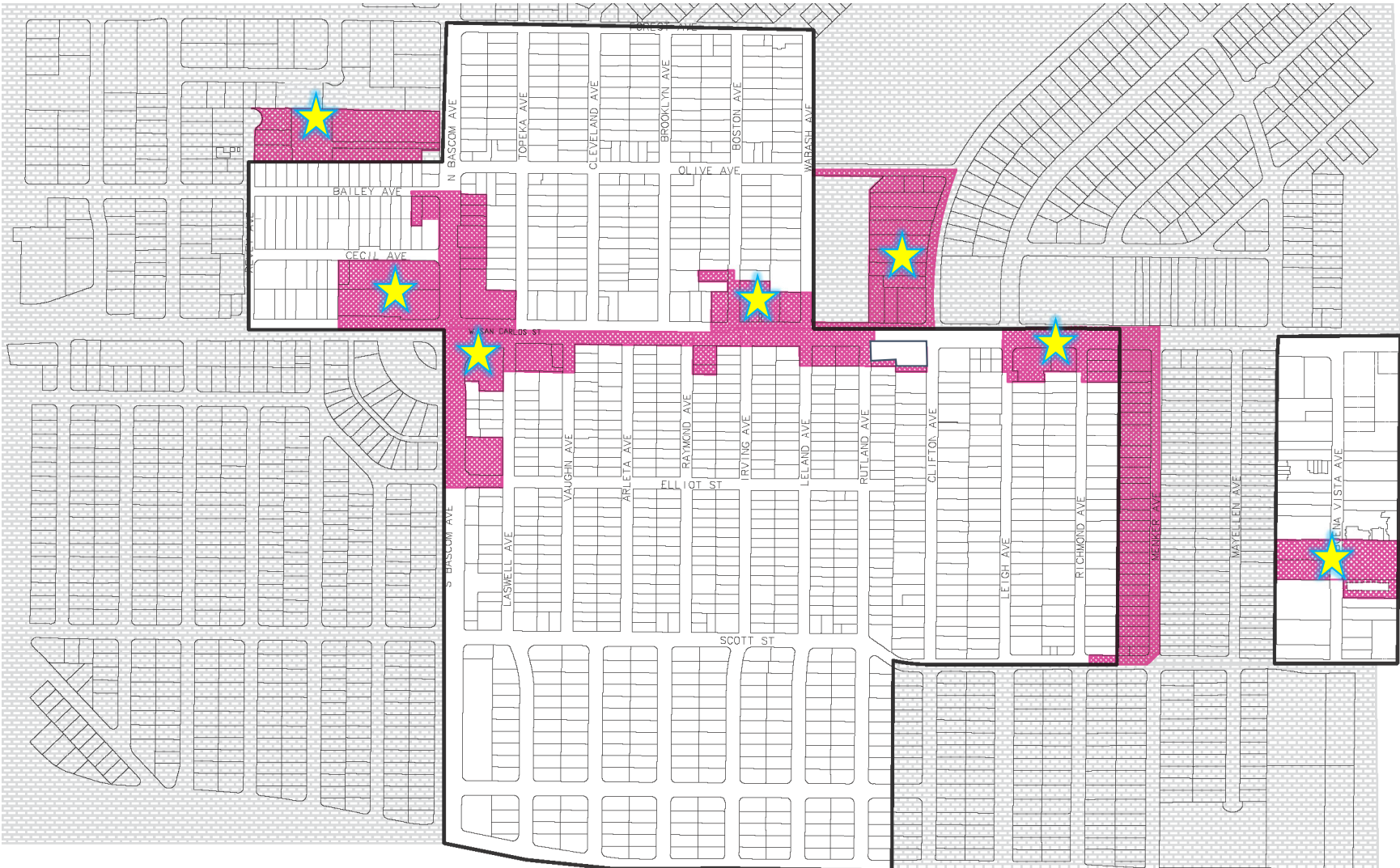
BURBANK SANITARY DISTRICT

9. NEW BUSINESS

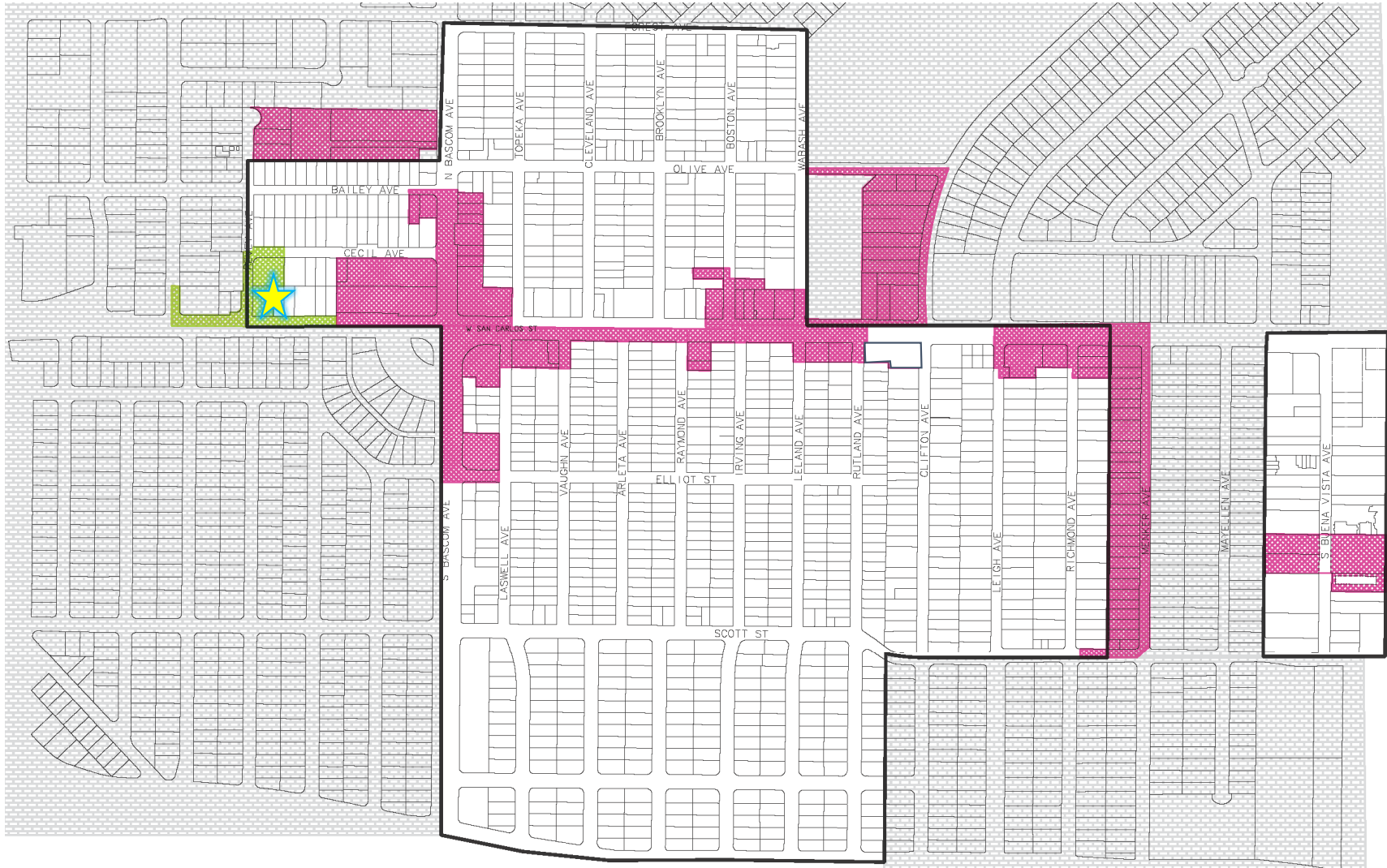
9.A. Board Orientation – Annexation History

Burbank Sanitary District - Annexation History

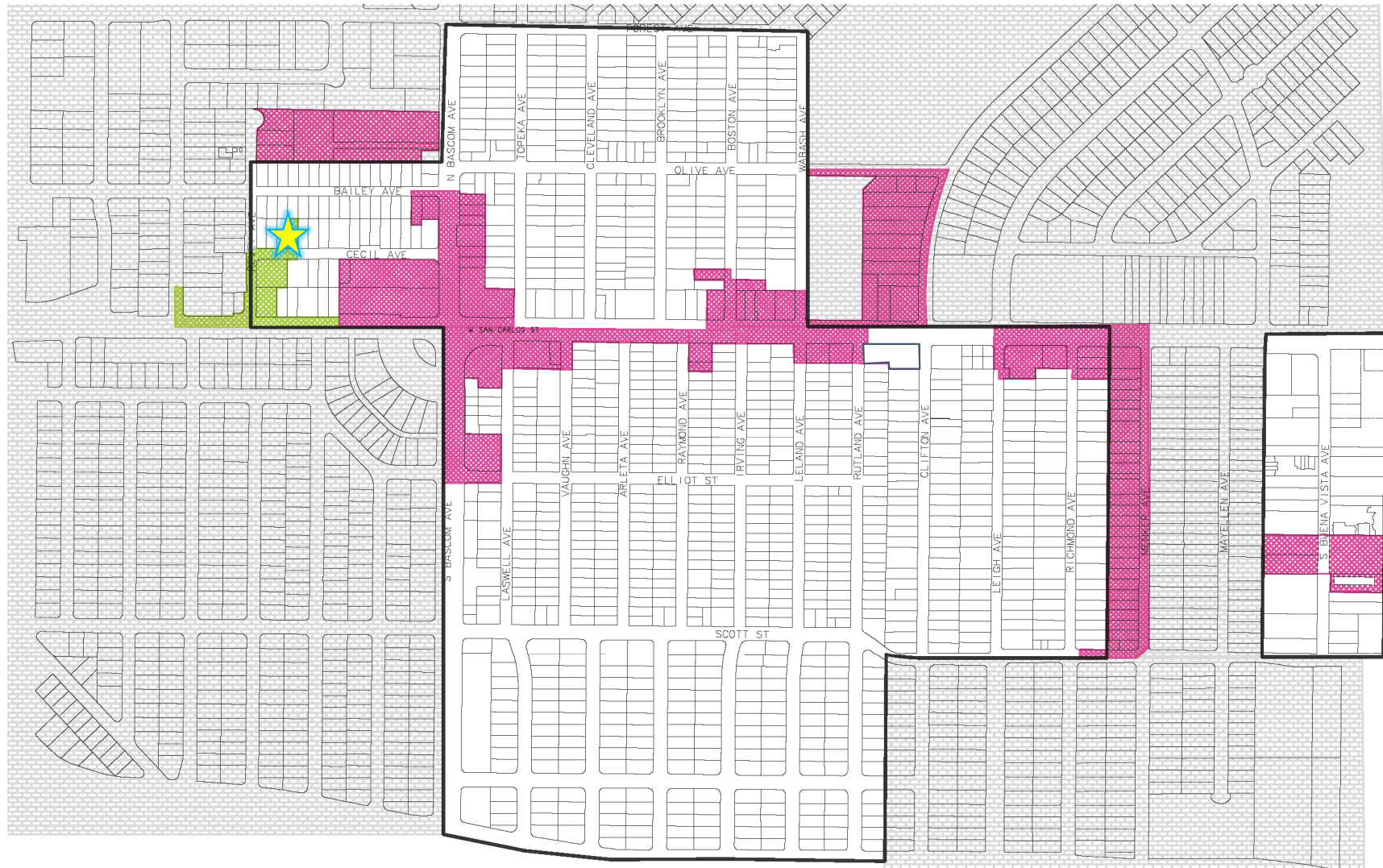
BURBANK SANITARY DISTRICT 1981



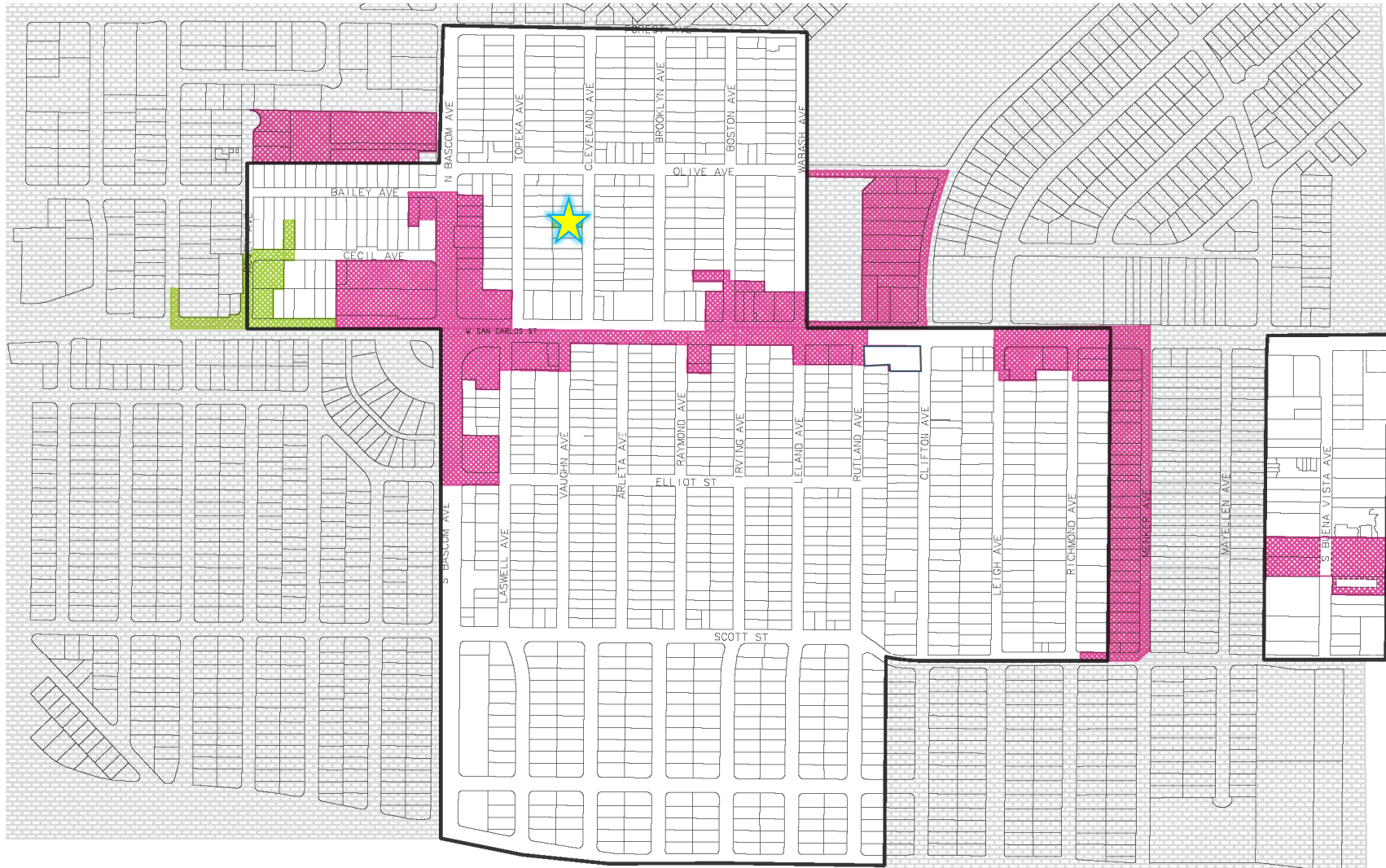
BURBANK SANITARY DISTRICT 1982



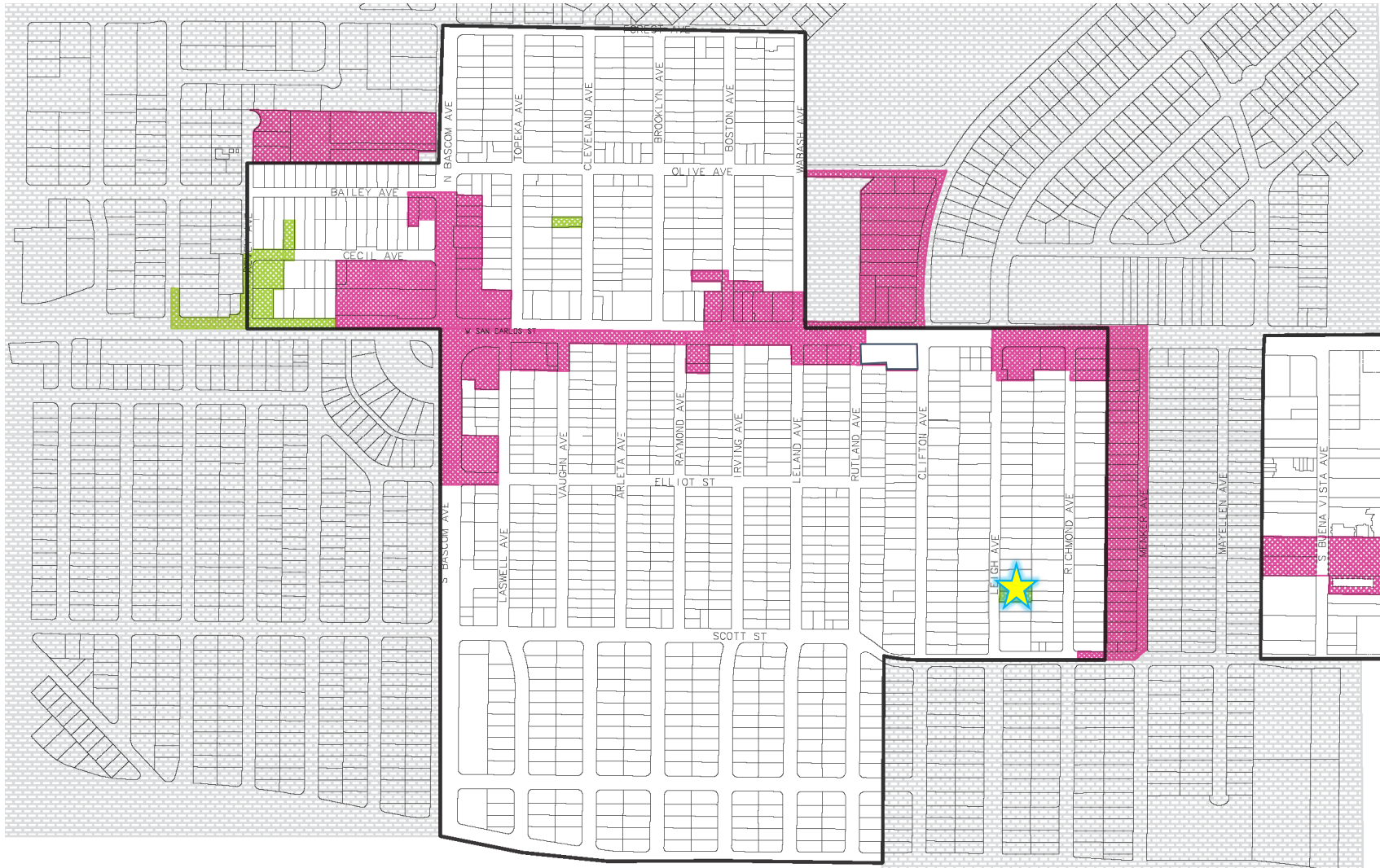
BURBANK SANITARY DISTRICT 1983



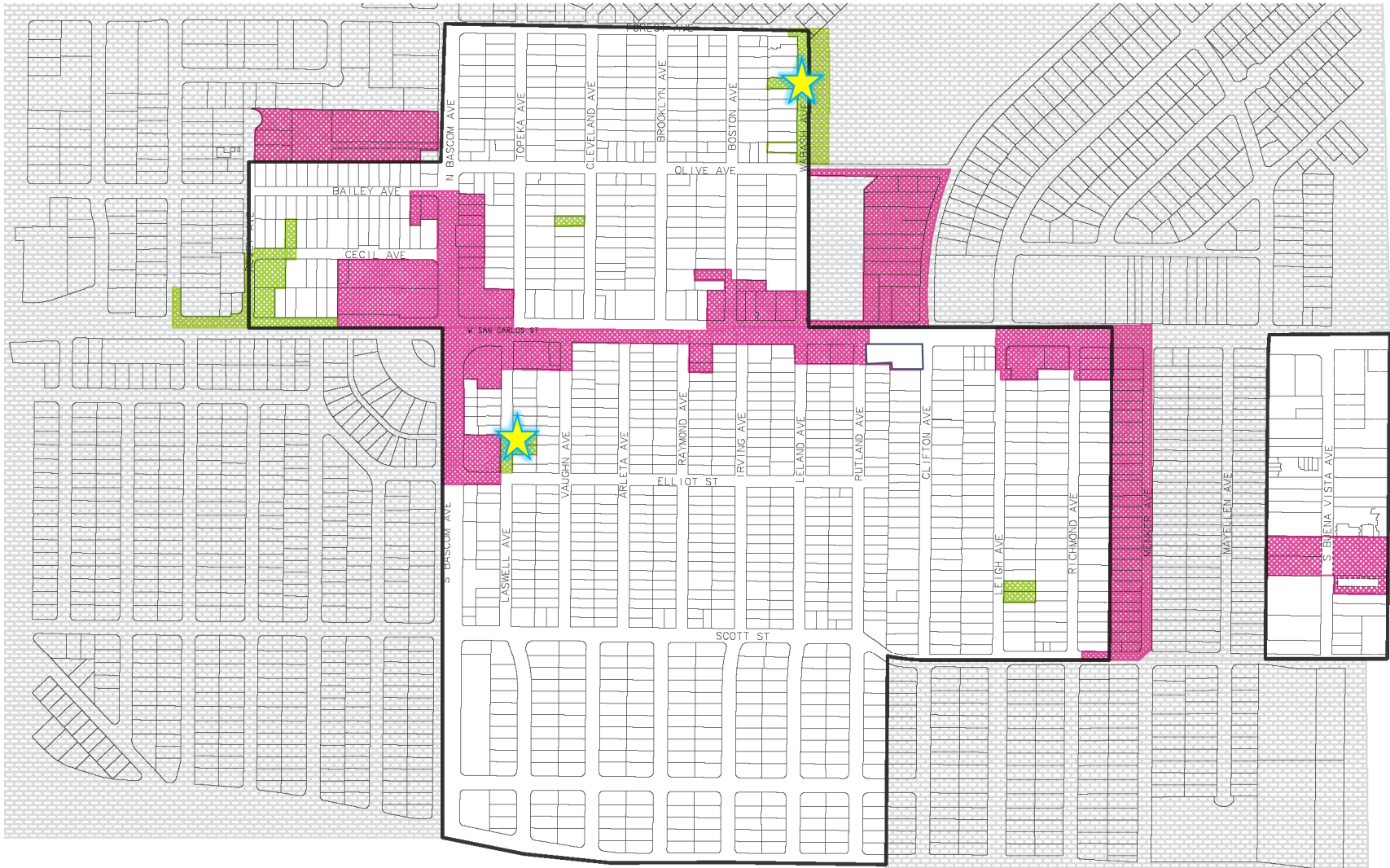
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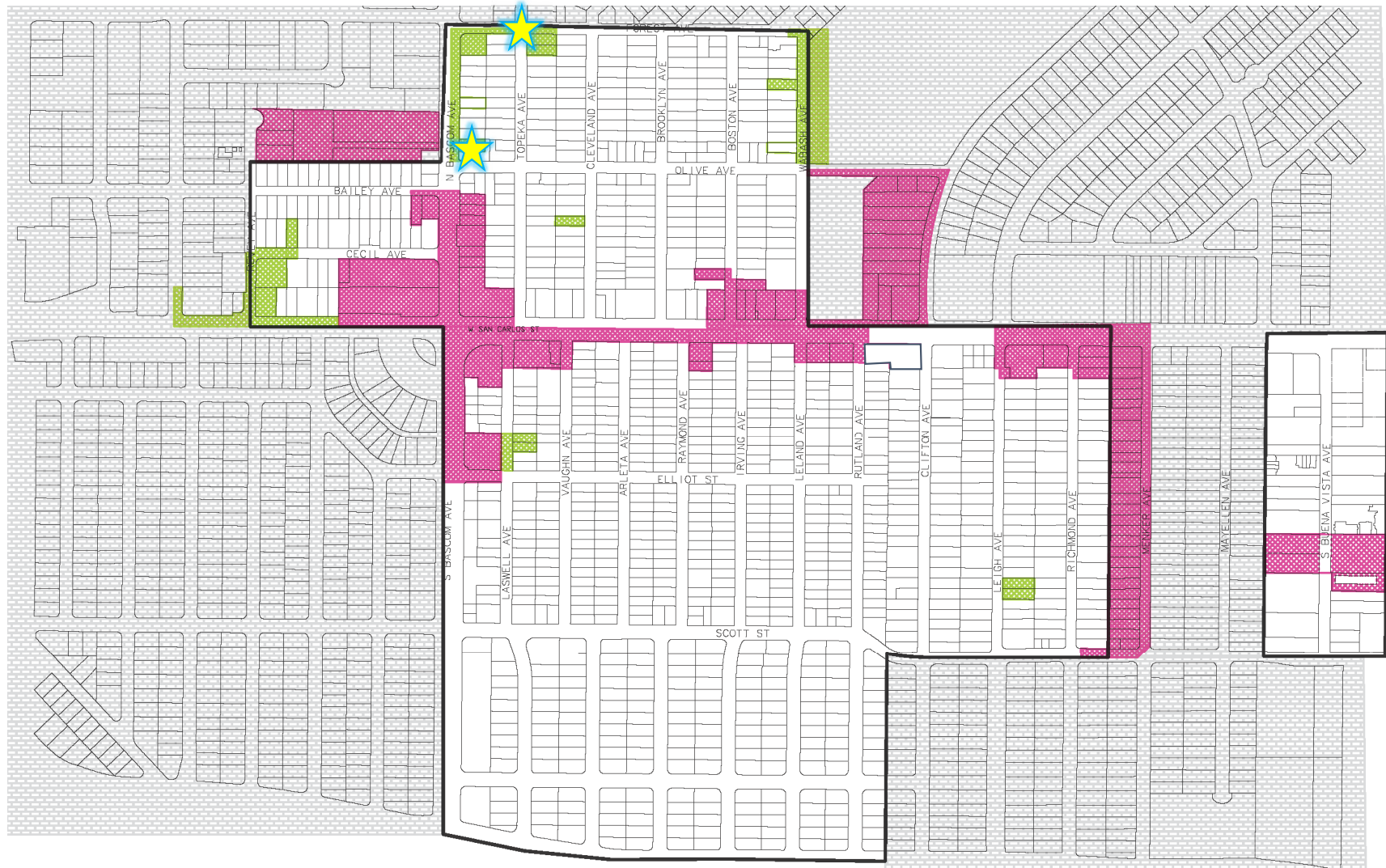
BURBANK SANITARY DISTRICT 1988



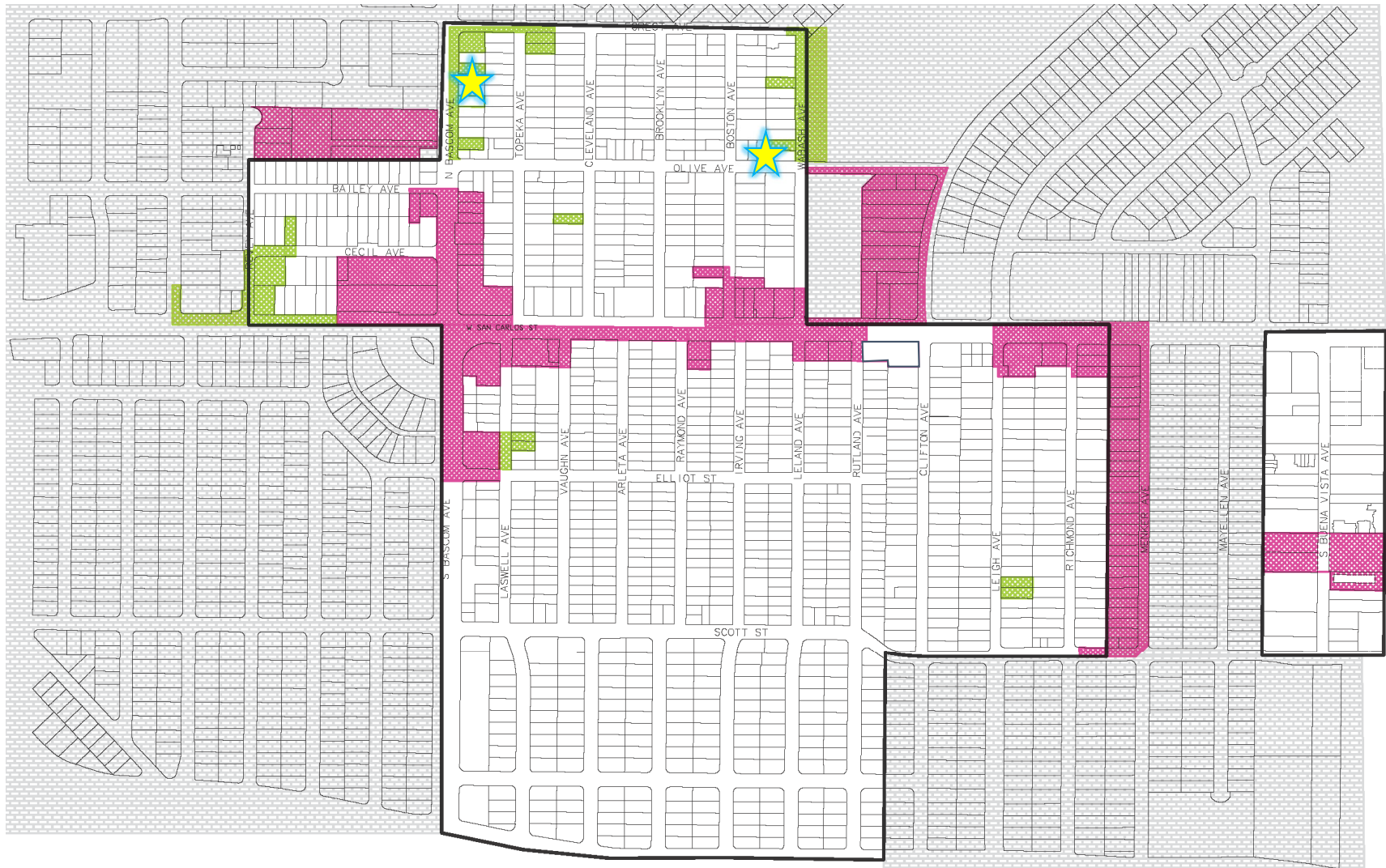
BURBANK SANITARY DISTRICT 1989



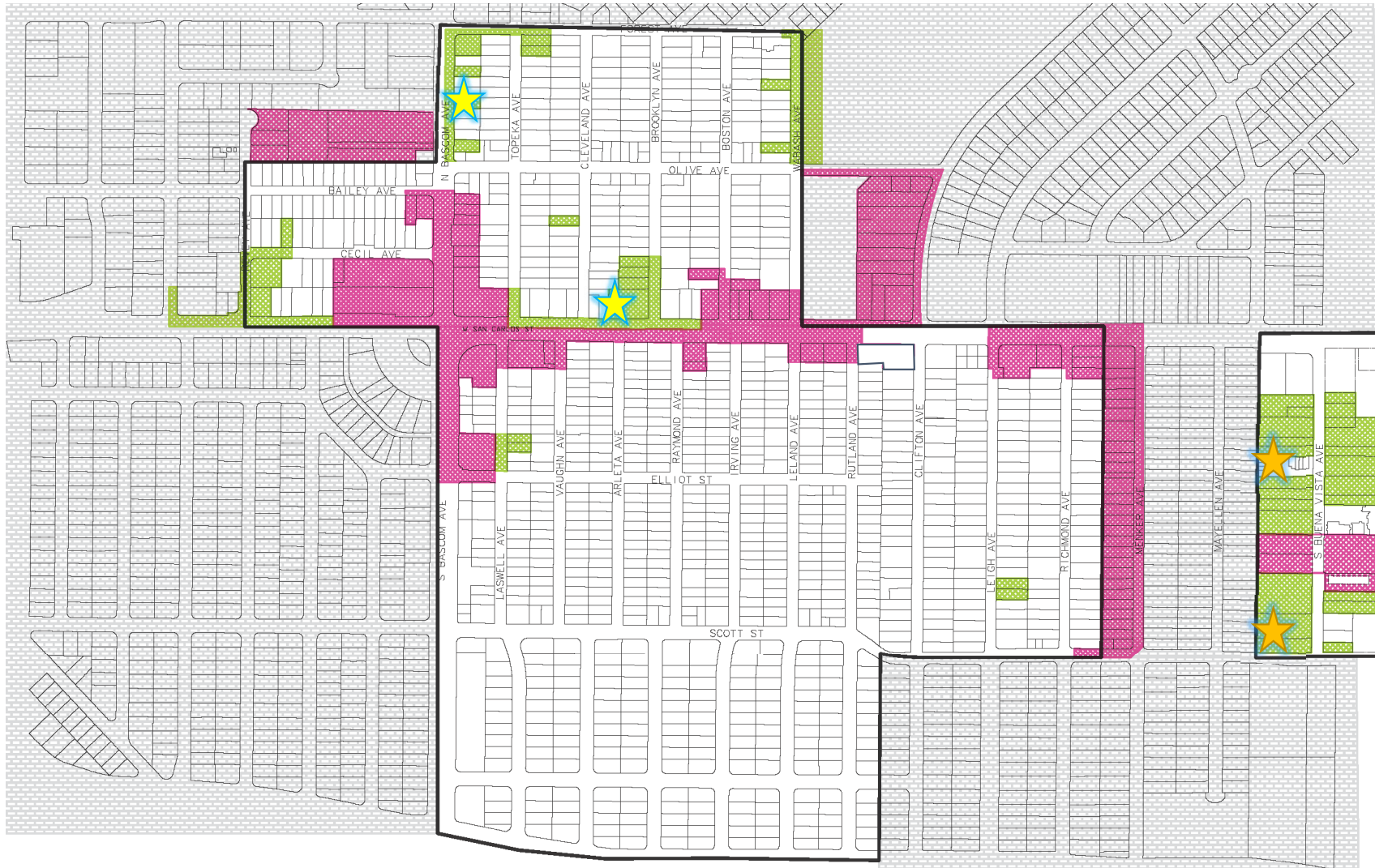
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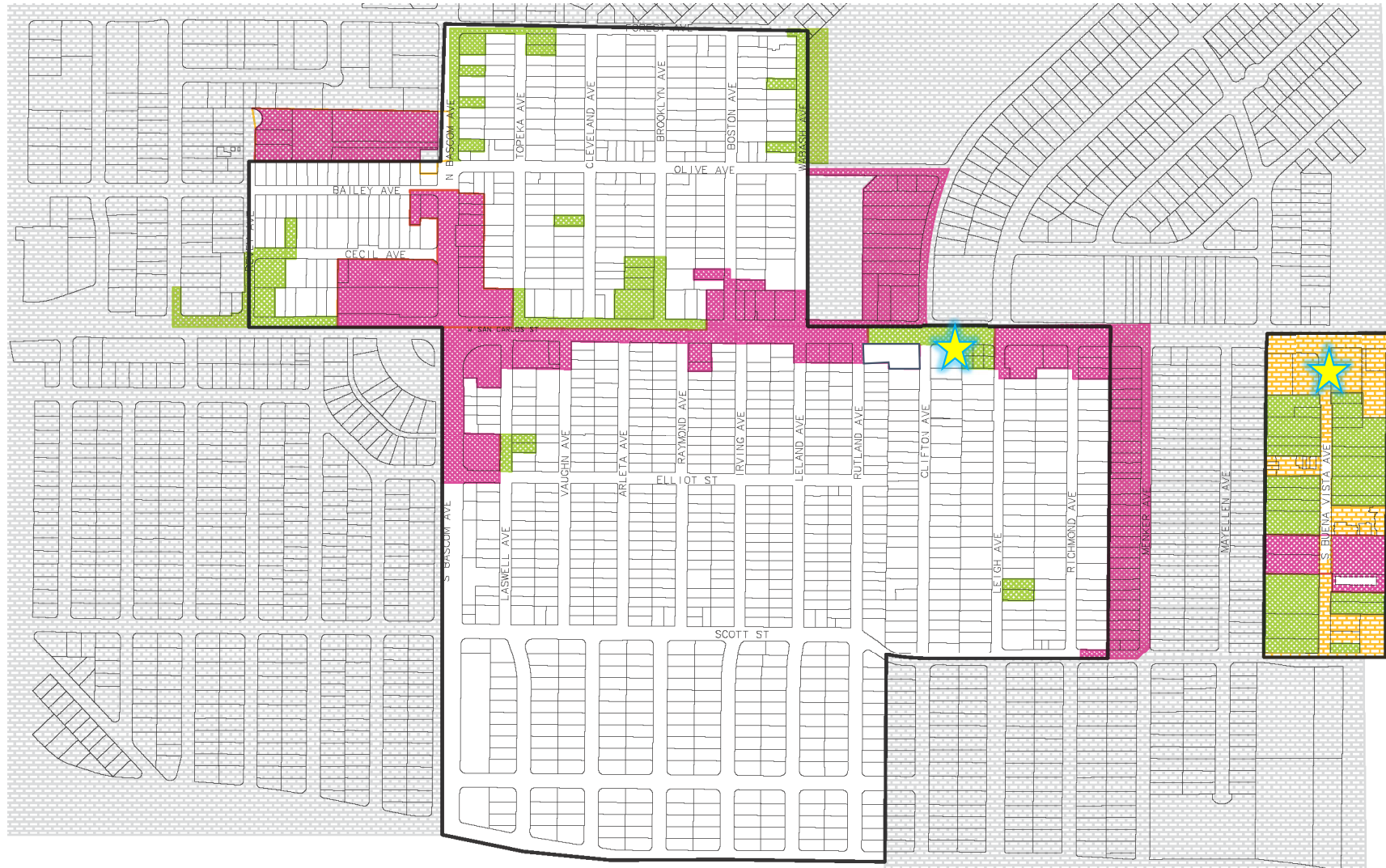
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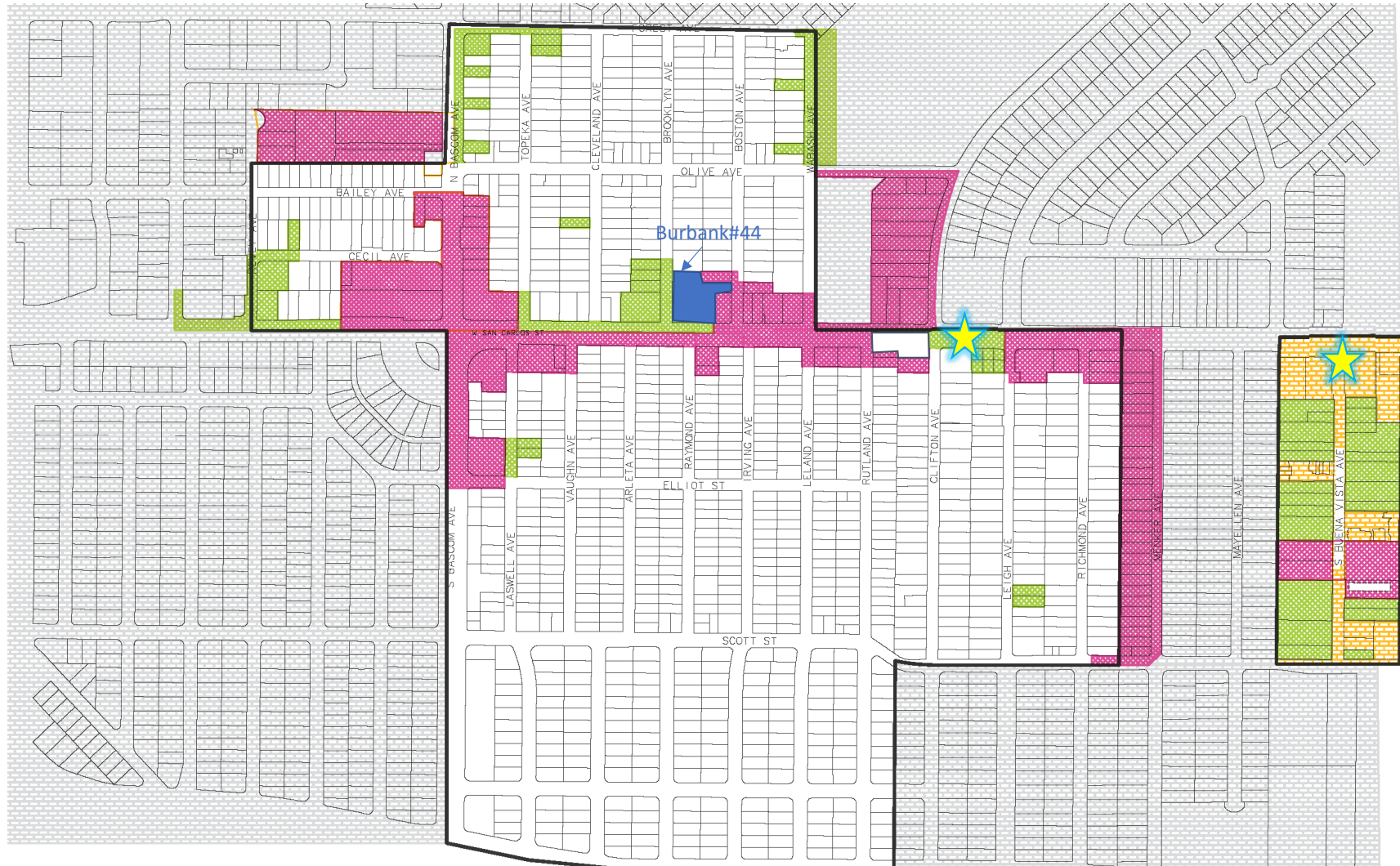
BURBANK SANITARY DISTRICT 2008



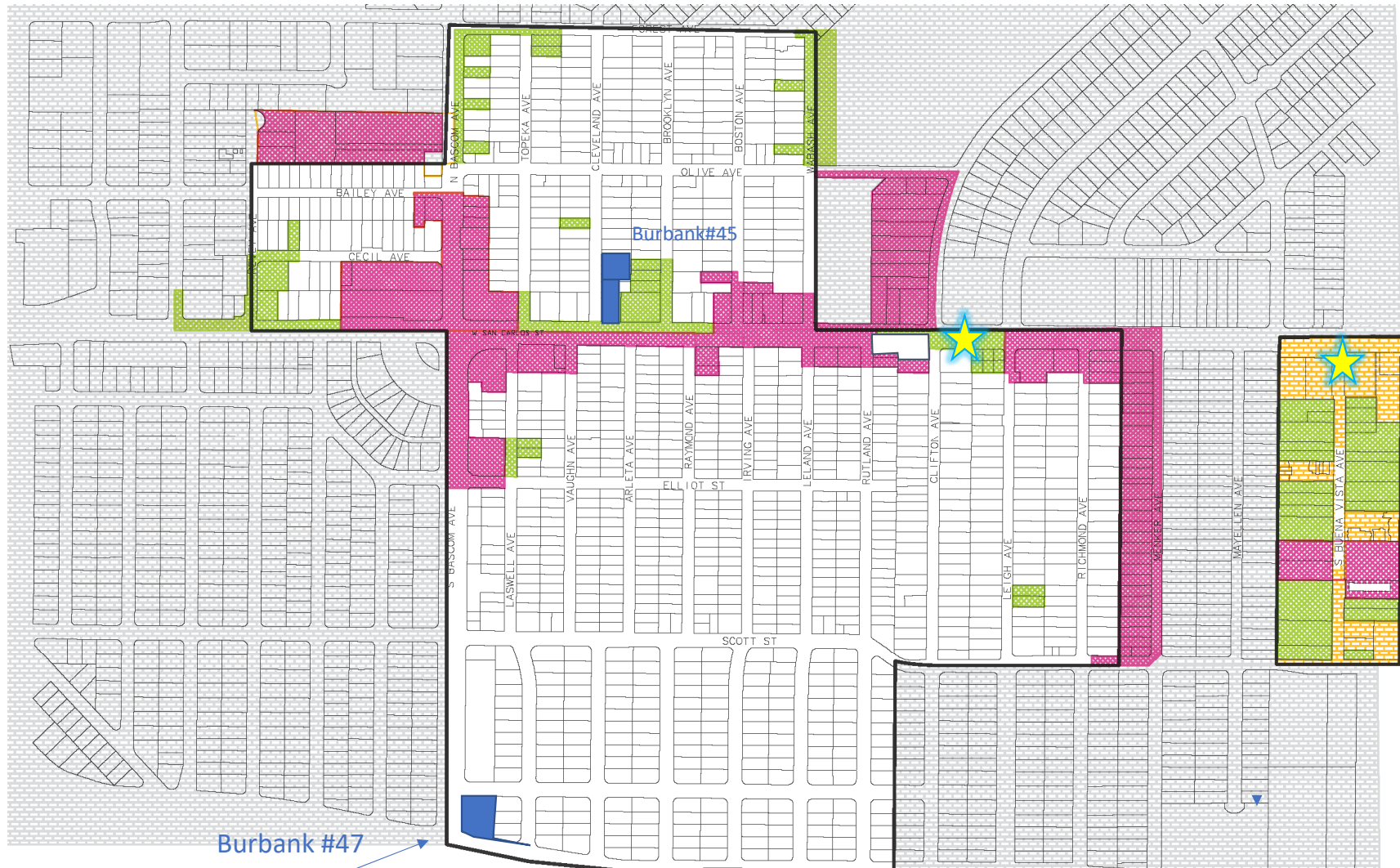
BURBANK SANITARY DISTRICT 2014



BURBANK SANITARY DISTRICT - Proposed Annexation 44 in Blue







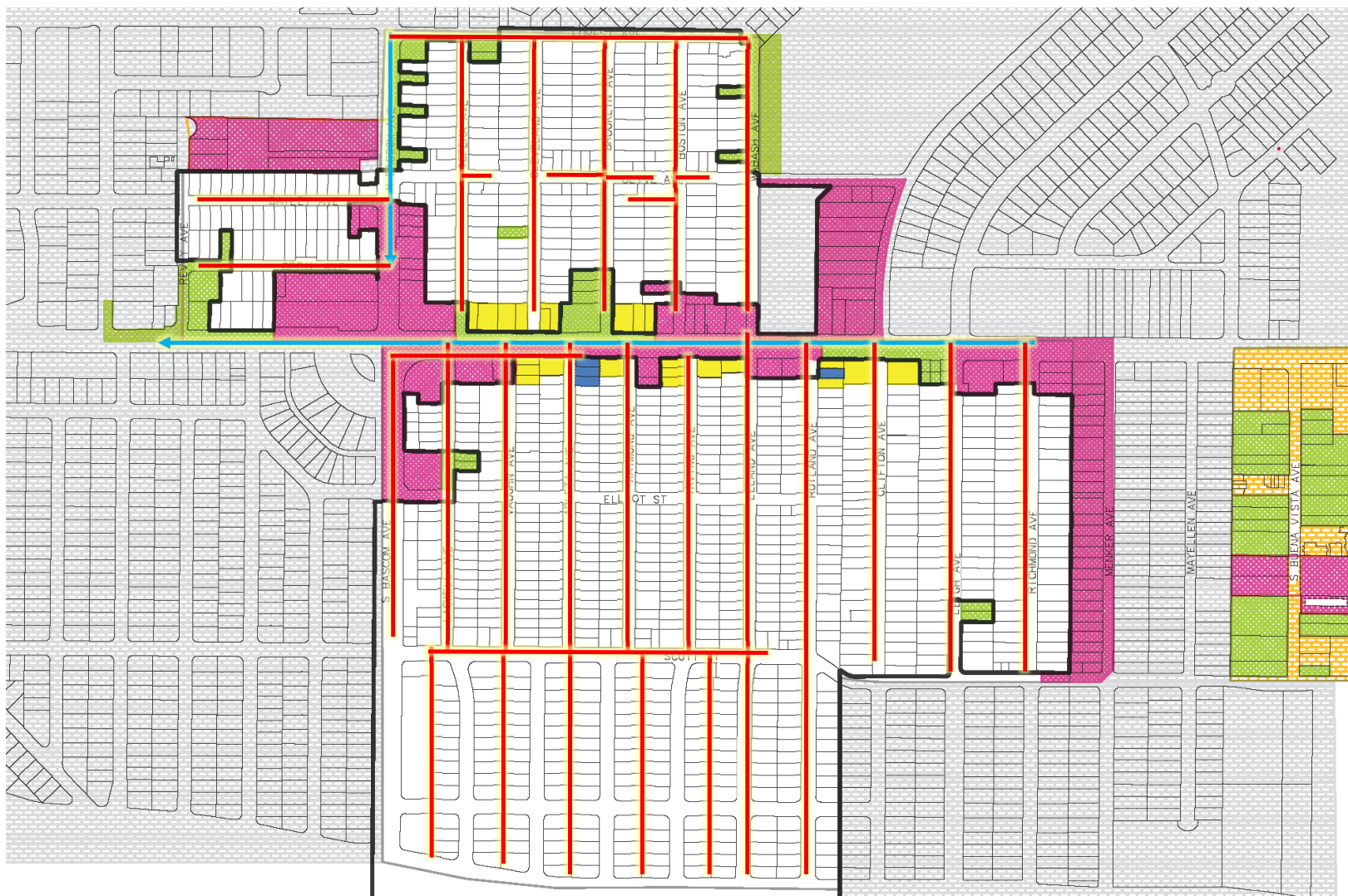
BURBANK SANITARY DISTRICT 2014 + Proposed Burbank 45 & 47 in Blue



BURBANK SANITARY DISTRICT CURRENT BOUNDARY AND SEWER SYSTEM

LEGEND

In District, paying sewer charges	
In District, empty/ parking lot	
District- owned sewer	
Sewer transferred to City of SJ	

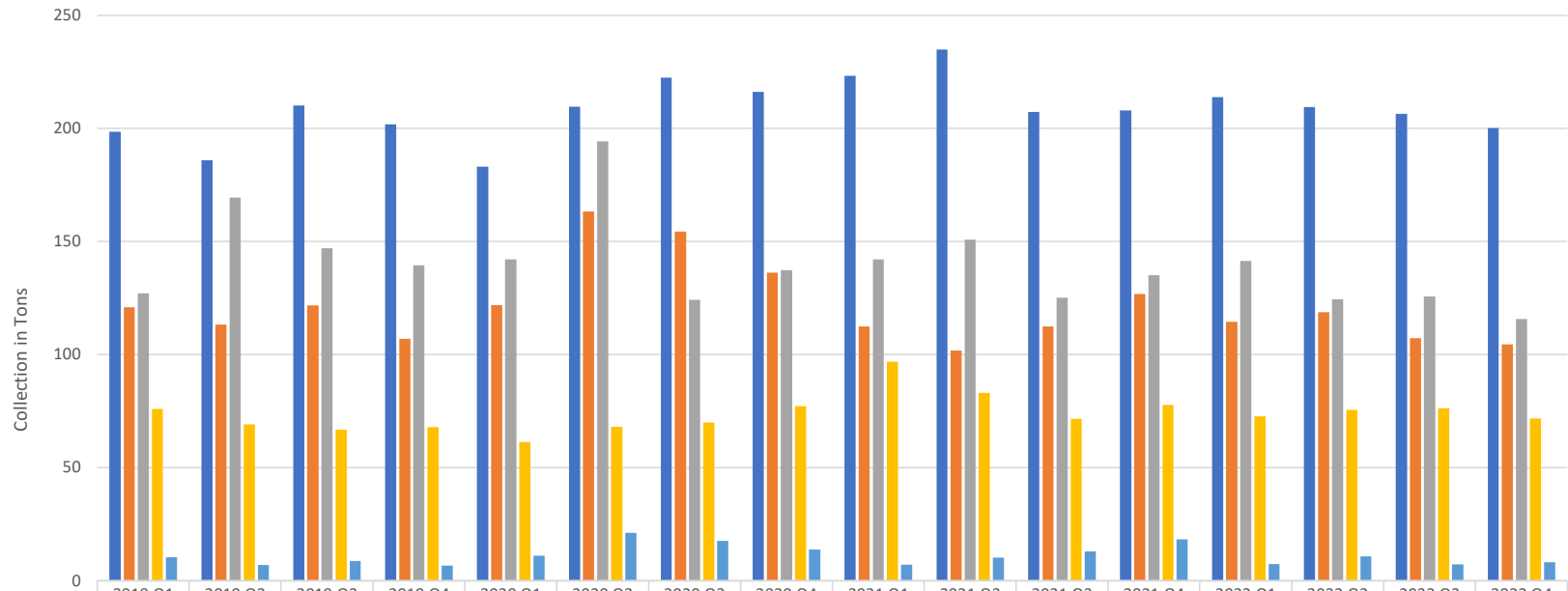


BURBANK SANITARY DISTRICT

10. UNFINISHED BUSINESS

- 10.A Form 700 Update
- 10.B District Website Update
- 10.C Green Waste Recovery, Inc

Burbank Sanitary District - GreenWaste Collection Summary 2019 - 2022



	2019 Q1	2019 Q2	2019 Q3	2019 Q4	2020 Q1	2020 Q2	2020 Q3	2020 Q4	2021 Q1	2021 Q2	2021 Q3	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4
Residential - Solid Waste	198.52	186.01	210.14	201.81	183.11	209.57	222.48	216.18	223.36	234.91	207.32	207.98	213.96	209.46	206.58	200.2
Residential - Recyclables	120.91	113.23	121.76	106.88	121.91	163.28	154.46	136.3	112.55	101.75	112.46	126.79	114.49	118.7	107.22	104.55
Residential - Yard Waste	127.05	169.35	147.04	139.57	142.18	194.29	124.28	137.28	142.1	150.84	125.21	135.24	141.48	124.51	125.67	115.84
Commercial - Solid Waste	75.94	69.17	66.81	67.88	61.32	68.06	70.01	77.21	96.93	83.11	71.55	77.83	72.72	75.6	76.23	71.73
Commercial - Recyclables	10.33	6.97	8.74	6.66	11.03	21.11	17.56	13.8	7.06	10.31	12.96	18.33	7.43	10.77	7.21	8.11