

**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, Mark Negrete, Kristina Seldal  
Directors Absent: Ken Colson (Excused Absence)  
Counsel Present: Valerie Armento (Present for the open session through Item 6)  
Staff: Benjamin Porter (District Manager), Vani Kathula (Senior Sanitary Engineer)  
Adviser: None  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda.

**Move:** Negrete                      **Second:** Prupes

**Board vote:**                              **Ayes:** Prupes, Sclafani, Negrete, Seldal  
**Noes:** None  
**Absent:** Colson

**4. PUBLIC COMMENTARY**

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None.
- 4.C. Board Commentary – None.

**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.

Closed session discussion commenced at 7:03 pm and ended at 7:29 pm. Manager Porter and Engineer Kathula were excused. No reportable action was taken at the closed session. Staff rejoined the regular session at 7:30 pm.

**6 UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA**

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

Director Seldal asked questions regarding the LRFP Documents, Director Negrete will need more time to review the documents. Manager Porter will send sample strategic plans to the new Board Members.

6.B. GreenWaste Recovery, Inc. – 1) Annual Rate Increase, 2) FY2023-24 Outreach Plan, 3) Spring/Summer 2023 Newsletter, 4) Update on GreenWaste Garbage Truck on Fire. Board action required: Accept Annual Rate Increase and set Public Hearing on June 20, 2023.

Counsel Armento advised regarding the requirements and options for setting up the Public Hearing for the GreenWaste garbage fee rate increase. Board directed staff to set up a Public Hearing on June 20, 2023 as a hybrid meeting both at District office and remote. Staff to advertise public hearing notice in the newspaper and website.

Board reviewed and noted the FY2023-24 Outreach Plan, Spring/Summer 2023 Newsletter and the update on GreenWaste garbage truck fire.

Director Negrete and Director Seldal are interested in visiting the GreenWaste Facility. Staff to arrange for a GreenWaste Facility Tour.

**7. CONSENT CALENDAR**

7.A. Approval of Minutes from the Regular Meeting of March 21, 2023

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

**Move:** Sclafani

**Second:** Negrete

**Board vote:**

**Ayes:** Prupes, Sclafani, Negrete, Seldal

**Noes:** None

**Absent:** Colson

**Abstain:** 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. Armento and Hynes, LLP (District Legal Services)
4. Richard Tanaka (District Advisor Services)
5. Cupertino Sanitary District (Common Interest Group Cost Sharing January 2023)
6. City of San Jose (TP O&M & Capital Billing Q4 FY2022-23)
7. Luther Burbank School District (Parking lot fee for Annual Clean Up Day)

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

**Move:** Seldal

**Second:** Negrete

**Board vote:**

**Ayes:** Prupes, Sclafani, Negrete, Seldal

**Noes:** None

**Absent:** Colson

**9. NEW BUSINESS**

9.A. FY2022-23 Third Quarter Financial Review. Board action required: None.

Manager Porter presented the third quarter Financial Report.

- 9.B. CSDA – Call to Action for AB557 – Remote Meeting. Board action required: Consider sending a letter of support.

Manager Porter presented the letter of support for AB557 to the Board. President Prupes signed the letter.

- 9.C. LAFCO Proposed Budget FY2023-24.

Board reviewed and noted the LAFCO Proposed Budget FY2023-24.

- 9.D. District New Logo.

Director Negrete presented the new designs of the District’s logo and he will send them out to Board for their comments.

- 9.E. Set Public Hearing for FY2023-2024 Taxroll Collection on June 20, 2023. Board action required: Set June 20, 2023, for Public Hearing on Taxroll Collection for FY2023-2024.

**Motion:** To set Public Hearing for FY2023-24 Taxroll Collection on June 20, 2023.

**Move:** Sclafani

**Second:** Seldal

**Board vote:**

**Ayes:** Prupes, Sclafani, Negrete, Seldal

**Noes:** None

**Absent:** Colson

## **10. UNFINISHED BUSINESS**

- 10.A. Board Orientation – Cured In Place Pipe (CIPP) Safety Concerns.

Manager Porter provided the information on the research of the process and safety for CIPP. District will notify homeowners and residents if there is a CIPP project in future. Director Sclafani suggested posting the information on the website.

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

Engineer Kathula will provide GreenWaste’s data for Board to review before she posts it on the website.

## **11. HOUSEKEEPING ITEMS**

- 11.A. Updates on Housekeeping Items.

No update.

- 11.B. Agenda Items for Next Upcoming Meeting.

Next Board Orientation Topic –TPAC, LAFCO, CIP Project.

**12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, May 2, 2023**

**Motion:** To adjourn meeting at 9:38 pm.

**Move:** Seldal

**Second:** Negrete

**Board vote:**

**Ayes:** Prupes, Sclafani, Negrete, Seldal

**Noes:** None

**Absent:** Colson

Approved: May 16, 2023

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Rene Prupes, President

District Manager  
Benjamin T. Porter, PE