

**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 7:03 p.m.

**2. ROLL CALL**

Directors Present: Rene Prupes, Procopio Sclafani, Ken Colson, Mark Negrete, Kristina Seldal  
Directors Absent: None  
Counsel Present: None  
Staff: Benjamin Porter (District Manager), Vani Kathula (Senior Sanitary Engineer)  
Advisor: None  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda.

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

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

**4. PUBLIC COMMENTARY**

4.A. Visitor Commentary – None.

4.B. Agency Representatives – Manager Porter advised that he attended the CASA conference last week. Board will consider sending a Board member to attend the winter CASA conference in January 2024. Manager Porter will send information to the Board.

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.

There was no Closed Session.

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

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

President Prupes advised the LRFP report is not ready but a preliminary draft will be discussed at the next Board meeting.

**7. CONSENT CALENDAR**

7.A. Approval of Minutes from the Regular Meeting of August 1, 2023

**Motion:** To approve Meeting Minutes from the Regular Meeting of August 1, 2023

**Move:** Sclafani

**Second:** Seldal

**Board vote:**

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

**Noes:** None

**Absent:** None

**Abstain:** None

**8. WARRANTS**

8.A. Approval of Warrants.

1. Mark Thomas & Company, Inc. District Management Services)
2. First Tech Federal Credit Union (Board of Directors' Payroll)
3. Armento and Hynes, LLP (District Legal Services)
4. Cupertino Sanitary District (Common Interest Agreement Cost Sharing June 2023)

**Motion:** To approve four (4) warrants as listed.

**Move:** Colson

**Second:** Seldal

**Board vote:**

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

**Noes:** None

**Absent:** None

**9. NEW BUSINESS**

9.A. Mark Thomas Billing Rates Increase. Board action required: Review MT Billing Rates.

Manager Porter presented Mark Thomas's new billing rates to the Board and advised that the percentage increase was based on the Bay Area Consumer Price Index (CPI). The board reviewed and noted the new billing rates.

9.B. Report on August 2, 2023 LAFCO Meeting. Board action required: None.

President Prupes reported that she attended the August 2, 2023 LAFCO Meeting and provided the update for the meeting. She also requested staff to inquire about the following information: -

- LAFCO meeting minutes to send to the Board.
- Executive Report on Meeting with County Planning Office Staff on Item 8.2 - Annexation of Unincorporated Island/Parcels.
- Information for Alternate Directors.

**10. UNFINISHED BUSINESS**

10.A. Board Orientation – Commingled Fund. Board action required: None.

Manager Porter provided the background of the Commingled Fund and presented some reports related to the Commingled Fund. Staff to send these reports to the Board.

10.B. GreenWaste Recovery, Inc. – Quarterly Report, April – June 2023. Board action required: None.

Board commented that some information on the report is not in the readable format. The cell is not wide enough to read the wrapped text. Staff will request that GreenWaste fix it or resend the report in Excel format.

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

The Board reviewed and noted the increase for the Website hosting plan.

## **11. HOUSEKEEPING ITEMS**

11.A. Updates on Housekeeping Items.

- Staff to send the following articles to the Board:-
  1. Why does San Jose have so many Urban Island which was posted on KQED’s website.
  2. Tributary Tribune Communication from City of San Jose
- Staff to reach out to LAFCO to check about their procedure on updating the BSD Boundary map on LAFCO website. BSD boundary map on LAFCO’s website was last updated in 2013.

11.B. Agenda Items for Next Upcoming Meeting.

- To conduct elections and update December meeting minutes
- Long Range Financial Planning
- Report on CASA Conference

## **12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, September 5, 2023**

**Motion:** To adjourn meeting at 9:26 pm.

**Move:** Seldal

**Second:** Negrete

**Board vote:**

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

**Noes:** None

**Absent:** None.

Approved: September 19, 2023

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Rene Prupes, President

District Manager  
Benjamin T. Porter, PE