
**BURBANK SANITARY DISTRICT
REGULAR MEETING AGENDA FOR
September 19, 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 LRFP.
- 7. CONSENT CALENDAR**
 - 7.A. Approval of Minutes. Board action required: Approve Meeting Minutes from 8/15/23.
- 8. WARRANTS**
 - 8.A. Approval of Warrants. Board action required: Approve two (2) warrants.
 1. Mark Thomas & Company, Inc. (District Management Services)
 2. First Tech Federal Credit Union (Board of Directors' Payroll)
- 9. NEW BUSINESS**
 - 9.A. Conduct Board Election to Vote 2023 Board Secretary and Interim Secretary. Board action required: Elect 2023 Board Secretary and Interim Secretary.
 - 9.B. Report on CASA Conference August 9-11, 2023. Board action required: None.
- 10. UNFINISHED BUSINESS**
 - 10.A. Board Orientation – District Boundary Map. 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, October 3, 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

6. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

6.A. Long Range Financial Planning

Burbank Sanitary District Asset Inventory

Summary of Lower (Public) Laterals & Cleanouts

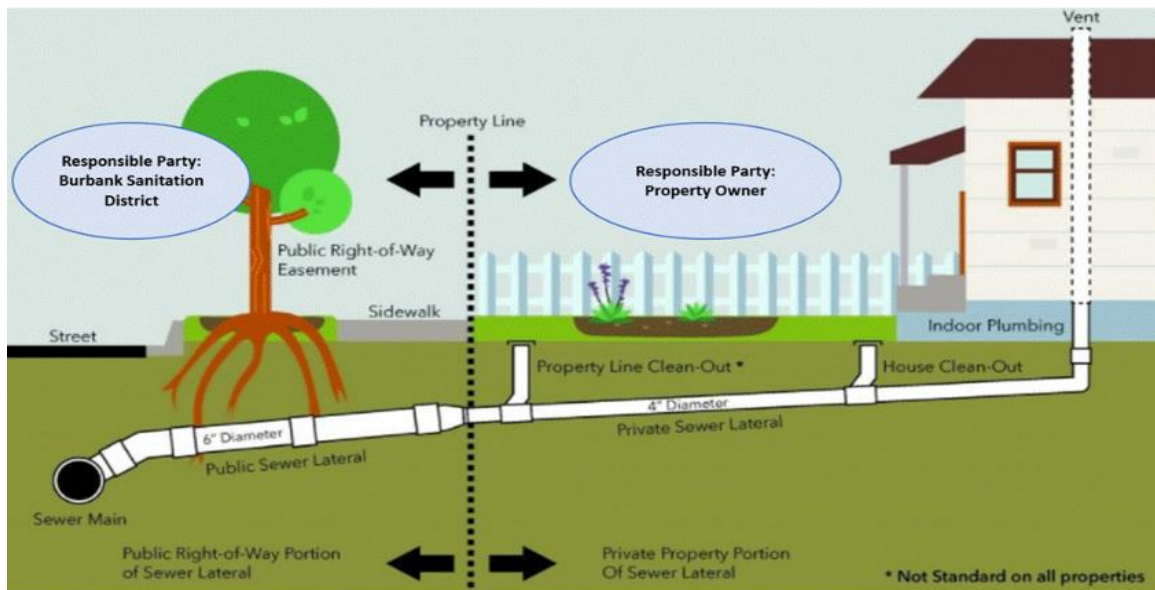
Updated: 09/15/2023

Number of Laterals	No of Homes with Verified Cleanouts	Percentage of Homes with CO	Maintenance (Cleaning of Lower Lateral - Public Sewer Lateral)
959	166	17%	17%

No of Homes that needs Property line Clean Out (PLCO) Installation:	793
Estimated Cost to install PLCO (\$6250/PLCO)	\$ 4,956,250

Engineering Estimate: Cost to install Property Line Cleanout for One Location

Driveway, Concrete Surface	\$ 7,000
Landscape	\$ 5,500
Average Cost	\$ 6,250



Original Image from <https://www.lhwater.org/customer-services/sewer/>

BURBANK SANITARY DISTRICT

7. CONSENT CALENDAR

7.A. APPROVAL OF MINUTES

Approve Minutes from Regular Meeting of
August 15, 2023

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING
August 15, 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 7:03 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.

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

Warrant List for 09-19-23

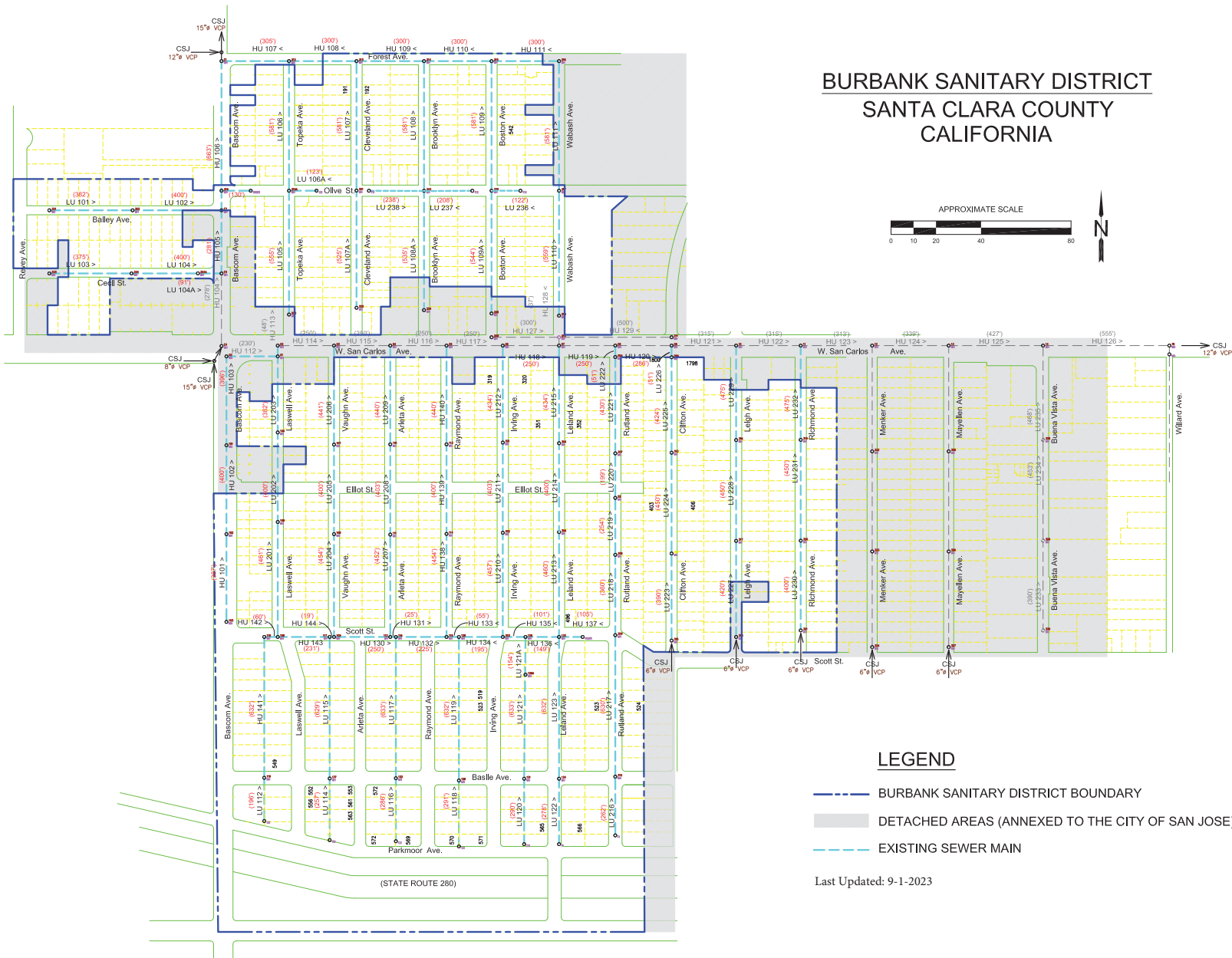
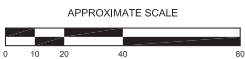
#	Payee	Invoice Date	Invoice No.	Invoice Amount	Description	Warrant No.
1	Mark Thomas & Company, Inc.	9/14/2023	48506	\$ 15,587.41	District Management Services (23-00161)	
		9/14/2023	48506-R	\$ 49.40	Reimbursables - Website Hosting & Consultants	
			MTCO Subtotal	\$ 15,636.81		4109
2	Burbank Sanitary District for Deposits / First Tech		n/a		Board Payroll, Processing Fees/Taxes (Amount Deposited)	
	Rene Prupes			\$ 240.00	8/15/2023	
	Procopio Sclafani			\$ 240.00	8/15/2023	
	Ken Colson			\$ 240.00	8/15/2023	
	Mark Negrete			\$ 240.00	8/15/2023	
	Kristina Seldal			\$ 240.00	8/15/2023	
	Total payment to Directors			\$ 1,200.00		
	Estimated processing fees/taxes			\$ 300.00		
	Payroll Deposit to First Tech Subtotal			\$ 1,500.00		4110
	TOTAL WARRANT AMOUNT			\$ 17,136.81		
	TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2023-24			\$ 243,083.74		

BURBANK SANITARY DISTRICT

10. UNFINISHED BUSINESS

10.A Board Orientation

BURBANK SANITARY DISTRICT SANTA CLARA COUNTY CALIFORNIA



LEGEND

- BURBANK SANITARY DISTRICT BOUNDARY
- DETACHED AREAS (ANNEXED TO THE CITY OF SAN JOSE)
- EXISTING SEWER MAIN

Last Updated: 9-1-2023