BURBANK SANITARY DISTRICT BOARD OF DIRECTORS

MINUTES OF REGULAR MEETING November 21, 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, Mark Negrete, Kristina Seldal

Directors Absent: None

Staff: Benjamin Porter (District Manager), Vani Kathula (Senior Sanitary Engineer)

Counsel: None Advisor: None Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Colson Second: Negrete

Board vote: Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None Absent: None

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – Director Colson expressed his appreciation to Counsel Armento for the information that she provided which related to the Annexation.

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. CONSENT CALENDAR

6.A. Approval of Minutes from the Regular Meeting of October 17, 2023

Motion: To approve Meeting Minutes from the Regular Meeting of October 17, 2023

Move: Seldal Second: Negrete

Board vote: Ayes: Prupes, Colson Negrete, Seldal

Noes: None Absent: None Abstain: Sclafani

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7. WARRANTS

7.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. California Association of Sanitation Agencies (CASA Membership Renewal 2024)

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

Move: Sclafani Second: Colson

Board vote: Aves: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None Absent: None

8. NEW BUSINESS

8.A. 150 & 152 Cleveland Avenue, APN 274-18-053 – Refund of Sewer Service Charges.

The Board reviewed and approved the refund of the sewer service charges for 150 & 152 Cleveland Avenue due to changing of classification from three multi-family residence to one single-family residence and one ADU. Staff to verify if the property tax bill has been paid before processing the refund.

8.B California Association of Sanitation Agencies (CASA) 2024 Winter Conference, January 24-26, 2024 in Palm Springs, CA.

One Board member will attend the CASA Winter Conference. Staff to make reservations for the conference registration and hotel.

8.C. City of San Jose – 1) Revised FY2022-23 Operating & Maintenance Cost Sharing, 2) Timetable for Completion of FY2024-25 Revenue Program.

The Board reviewed and noted the Revised FY2022-23 O&M Cost Sharing and Timetable for Revenue Program.

8.D. GreenWaste Recovery, Inc. – 1) Annual Service Notice, 2) Quarterly Report, July – September 2023, 3) Annual Clean Up Day Planning.

The Board reviewed and noted the Annual Service Notice and Quarterly Report. Director Colson proposed to add language regarding scrap metal recycling. Need to include details like allowable size and weight for the scrap metal that can be recycled. Annual Clean Up Day Planning will be added to the future meeting agenda as a standing agenda for Board's discussion.

9. UNFINISHED BUSINESS

9.A. Board Orientation – CSRMA Conference.

Manager Porter briefed the program of CSRMA conference to the Board.

The Board would like to keep the Board Orientation item on the agenda with open topics.

9.B. District Website Update.

Engineer Kathula will discuss with Director Sclafani the tasks that need to be completed for the website.

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9.C. Long Range Financial Planning.

LRFP will be discussed at the next meeting on December 5, 2023.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

No update.

11.B. Agenda Items for Upcoming Meetings.

• Long Rang Financial Planning for the meeting of 12/5/23

• Consider cancel meeting for 1/2/24

12. ADJOURNMENT - NEXT REGULAR MEETING - Tuesday, December 5, 2023

Motion: To adjourn meeting at 8:25 pm. **Move:** Sclafani **Second:** Seldal

Board vote: Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None **Absent:** None

Approved: December 5, 2023 Respectfully Submitted,

Mark Thomas & Company, Inc.

_____ District Manager

Rene Prupes, President Benjamin T. Porter, PE