
**BURBANK SANITARY DISTRICT
REGULAR MEETING AGENDA FOR
March 19, 2024 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 3/5/24.

8. WARRANTS

8.A. Approval of Warrants. Board action required: Approve five (5) 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 Jul – Sep 2023)

5. ABLE Septic Tank Service (Annual Mainline & Lateral Maintenance)

9. NEW BUSINESS

9.A. Preliminary District Budget FY2024-25. Board action required: Discuss Preliminary Budget.

9.B. Consideration of Rate Increase. Board action required: Discuss and consider rate increase.

10. UNFINISHED BUSINESS

10.A. GreenWaste Recovery, Inc. – 1) Annual Spring Clean Up Planning. Board action required: Review and finalize Clean Up Flyer.

10.B. Annual Mainline and Lateral Maintenance Update. Board action required: None.

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

10.D. Board Orientation – CASA Awards Program. Board action required: None.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items. Board action required: None.

11.B. Agenda Items for Next Meeting. Board action required: None.

12. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, April 2, 2024

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 5, 2024

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: Valerie Armento (Present for the open session through Item 5)
Advisor: None
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Negrete

Second: Seldal

Board vote (roll call):

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 – 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 7:18 pm. Manager Porter and Engineer Kathula were excused. No reportable action was taken at the closed session. Staff rejoined the regular session.

6. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

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

Board discussed the Long-Range Financial Planning.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meeting of February 20, 2024

Motion: To approve Meeting Minutes from the Regular Meeting of February 20, 2024

Move: Negrete

Second: Colson

Board vote (roll call):

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Absent: None

Abstain: None

8. NEW BUSINESS

8.A. FY2024-25 Revenue Program – Preliminary Operating and Maintenance Cost Distribution.
Board action required: None.

The Board reviewed and noted the FY2024-25 Revenue Program Preliminary Operating and Maintenance cost distribution.

9. UNFINISHED BUSINESS

9.A. GreenWaste Recovery, Inc. – 1) Annual Spring Clean Up Planning. Board action required:
None.

Staff to estimate District’s expenses for the Clean Up Day. The Board directed staff to have Mark Thomas’s graphic designer finalize the Clean Up Day flyer. Director Colson will post the information for Clean Up Day on Next Door.

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

Engineer Kathula provided an update on the website and explained the need to hire a consultant to make changes in the configuration of the website.

10. HOUSEKEEPING ITEMS

10.A. Updates on Housekeeping Items.
No update.

10.B. Agenda Items for Upcoming Meetings.
No update.

11. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, March 19, 2024

Motion: To adjourn meeting at 9.12 pm.

Move: Negrete

Second: Sclafani

Board vote (roll call):

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Absent: None.

Approved: March 19, 2024

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE