

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

Motion: To approve Rene Prupes to join meeting remotely.

Move: Seldal **Second:** Colson

Board vote (roll call): **Ayes:** Colson, Negrete, Seldal
Noes: None
Absent: Sclafani
Abstain: Prupes

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Negrete **Second:** Seldal

Board vote (roll call): **Ayes:** Prupes, Colson, Negrete, Seldal
Noes: None
Absent: Sclafani

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – Counsel Armento advised that Board Members are required to file Form 470 and Form 700. Ethic Training is required online or in person every two years. Board Members will get compensated for the training. President Prupes and Director Colson will need to pick up the nomination document at the office of Registrar of Voters from July 15, 2024, to August 9, 2024.

5. PUBLIC HEARING

5.A. Public Hearing on Taxroll Collection for FY2024-2025.

1. Staff Presentation
2. Open Public Hearing and Receive Testimony
3. Close Public Hearing
4. Board Discussion
5. Board Action – Adopt Resolution No. 297

Manager Porter presented the Taxroll Report for FY2024-25. President Prupes opened and closed the Public Hearing. No members of the public attended the Public Hearing.

Motion: To adopt Resolution No. 297 – Approving Sewer Service Charges Report and Collection on the Taxroll for FY2024-25.

Move: Seldal

Second: Colson

Board vote:

Ayes: Prupes, Colson, Negrete, Seldal

Noes: None

Absent: Sclafani

6. 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 7:21 pm and ended at 7:37 pm. Manager Porter and Engineer Kathula were excused. No reportable action was taken at the closed session. Staff rejoined the regular session.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Regular Meeting of May 21, 2024.

Motion: To approve Meeting Minutes from the Regular Meeting of May 21, 2024

Move: Negrete

Second: Colson

Board vote (roll call):

Ayes: Prupes, Colson, Negrete, Seldal

Noes: None

Absent: Sclafani

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 – April 2024)

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

Move: Seldal

Second: Colson

Board vote (roll call):

Ayes: Prupes, Colson, Negrete, Seldal

Noes: None

Absent: Sclafani

9. NEW BUSINESS

- 9.A. District Insurance Renewal. Board action required: Review and approve District Insurance Renewal.

The Board reviewed and approved the commercial liability insurance. Staff to research more on the cyber security coverage and will discuss it again at the next meeting.

10. UNFINISHED BUSINESS

- 10.A. District Proposed Budget FY2024-25. Board action required: Review and approve District Budget FY2024-25.

Motion: To approve District Budget FY2024-25 with the modification to increase the expense budget for Insurance Premium to \$17,000.

Move: Negrete **Second:** Seldal

Board vote (roll call): **Ayes:** Prupes, Colson, Negrete, Seldal
Noes: None
Absent: Sclafani

- 10.B. Long Range Financial Planning. Board action required: Discuss LRFP.

The Board scheduled a special meeting on July 11, 2024, at 5:00 pm to discuss LRFP before they meet the internal consultant. Board members are requested to read and prepare all the materials related to LRFP before the meeting.

- 10.C. GreenWaste Recovery, Inc. – 1) Annual Spring Clean Up Update. Board action required: None.

The Board suggested to have magnets on the dumpsters. The Board also proposed that GreenWaste should have an alternative plan for barricading to avoid driveways or sidewalks getting blocked. Manager Porter discussed a rude customer to the Board that GreenWaste reported to the District.

- 10.D. Registrar of Voters – Estimated Fee. Board action required: None.

The Board reviewed and noted the estimated fee for the upcoming election.

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

There was no update.

- 10.F. Board Orientation. Board action required: None.

Manager Porter explained the process and the benefit of using County Assessor Office services to collect the sewer charges from the customers. There is a 1% service fee from the County Assessor office for processing the sewer service charges on County Taxroll. It is a significant cost savings to the District for sewer service charges to be collected with County Taxroll compared to the District separately invoicing the homeowners.

11. HOUSEKEEPING ITEMS

- 11.A. Updates on Housekeeping Items.

- Director Seldal inquired regarding the protocol of emailing to District Counsel. Board Members can directly contact District Counsel while copying President.
- President Prupes tentatively plans to attend 2024 CASA conference in Monterey from July 31 – August 1, 2024. Staff to make arrangements for the registration.

11.B. Agenda Items for Upcoming Meetings.

- Cyber Security Insurance.
- The Board cancelled the July 2 meeting.
- Special Meeting on Jul 11 for LRFP

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, June 16, 2024

Motion: To adjourn the meeting at 8:31 pm.

Move: Negrete

Second: Seldal

Board vote (roll call):

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Absent: Sclafani

Approved: July 15, 2024

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE