
**BURBANK SANITARY DISTRICT
SPECIAL MEETING AGENDA FOR
July 15, 2024 at 6:30 PM**

The meeting will be held at 6:30 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. CONSENT CALENDAR

6.A. Approval of Minutes. Board action required: Approve Meeting Minutes from 6/18/24.

7. WARRANTS

7.A. Approval of Warrants. Board action required: Approve seven (7) 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. City of San Jose (TP O&M & Capital Billing 1Q FY2024-25)

5. State Water Resources Control Board (CWSRF Loan Repayment)

6. Local Agency Formation Commission (FY2024-25 LAFCO Share of Costs)

7. California Association of Sanitation Agencies (CASA Conference – Rene Prupes & Mark Negrete)

8. NEW BUSINESS

8.A. FY2023-24 Year End Financial Review. Board action required: None.

8.B. CASA Conference, July 31, 2024 – August 2, 2024. Board action required: None

9. UNFINISHED BUSINESS

9.A. District Insurance – Cyber Liability & Network Security Insurance Proposal. Board action required: Review and approve if Cyber Liability is required for the District.

9.B. Long Range Financial Planning. Board action required: Discuss LRFPP.

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

9.D. District Website Update. Board action Required: None.

9.E. Board Orientation. - Board action required: None.

10. HOUSEKEEPING ITEMS

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

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

11. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, August 6, 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

6. CONSENT CALENDAR

6.A. APPROVAL OF MINUTES

Approve Minutes from Regular Meeting of
June 18, 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 (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

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

BURBANK SANITARY DISTRICT

7. WARRANTS

7.A. APPROVAL OF WARRANTS

1. Mark Thomas & Company, Inc.
2. First Tech Federal Credit Union
3. Armento and Hynes, LLP
4. City of San Jose
5. State Water Resources Control Board
6. Local Agency Formation Commission
7. California Association of Sanitation Agencies

Warrant List for 07-15-24

| # | Payee | Invoice Date | Invoice No. | Invoice Amount | Description | Warrant No. |
|---|--|--------------|---------------------|----------------------|--|-------------|
| 1 | Mark Thomas & Company, Inc. | 7/12/2024 | 51917 | \$ 16,313.59 | District Management Services (23-00161) | |
| | | 7/12/2024 | 51917-R | \$ 495.87 | Reimbursables - San Jose Mercury News - Taxroll Collection FY24-25 | |
| | | | | \$ 16,809.46 | | 4154 |
| 2 | Burbank Sanitary District / First Tech Fed Credit Union | | n/a | | Board Payroll, Processing Fees/Taxes (Amount Deposited) | |
| | Rene Prupes | | | \$ 480.00 | 6/18/2024, 7/11/24 | |
| | Procopio Sclafani | | | \$ 480.00 | 7/11/2024, 6/20/24 (FPPC Workshop Form 700) | |
| | Ken Colson | | | \$ 720.00 | 6/18/2024, 7/11/24, 6/20/24 (FPPC Workshop Form 700) | |
| | Mark Negrete | | | \$ 480.00 | 6/18/2024, 7/11/24 | |
| | Kristina Seldal | | | \$ 720.00 | 6/18/2024, 7/11/24, 6/20/24 (FPPC Workshop Form 700) | |
| | Total payment to Directors | | | \$ 2,880.00 | | |
| | Estimated processing fees/taxes | | | \$ 420.00 | | |
| | Payroll Deposit to First Tech Subtotal | | | \$ 3,300.00 | | 4155 |
| 3 | Armento and Hynes, LLP | 6/30/2024 | 2024-6 | \$ 320.00 | District Legal Services | 4156 |
| 4 | City of San Jose | 7/1/2024 | 1251583 | \$ 42,633.00 | Capital Billing 1Q FY2024-25 | |
| | | | 1251582 | \$ 91,155.00 | Operations & Maintenance 1Q FY2024-25 | |
| | | | City of SJ Subtotal | \$ 133,788.00 | | 4157 |
| 5 | State Water Resources Control Board | 6/20/2024 | N/A | \$70,970.20 | CWSRF Loan Repayment | 4158 |
| 6 | Local Agency Formation Commission (LAFCO) | 6/21/2024 | N/A | \$560.11 | FY2024-25 LAFCO Share of Costs | 4159 |
| 7 | California Association of Sanitation Agencies | 6/28/2024 | 8353 | \$695.00 | CASA Conference - Rene Prupes | |
| | | 7/12/2024 | 8408 | \$695.00 | CASA Conference - Mark Negrete | |
| | | | CASA Subtotal | \$ 1,390.00 | | 4160 |
| | TOTAL WARRANT AMOUNT | | | \$ 227,137.77 | | |
| | TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2023-24 | | | \$ 871,634.33 | | |
| | TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2024-25 | | | \$ 206,708.31 | | |

BURBANK SANITARY DISTRICT

8. NEW BUSINESS

- 8.A. FY2023-24 Year End Financial Review
- 8.B. CASA Conference

BURBANK SANITARY DISTRICT
4th Quarter Financial (April 1, 2024 through June 30, 2024)
FISCAL YEAR: July 1, 2023 to June 30, 2024
BUDGET REPORT - EXPENSES

| Account Name | Amount budgeted | Prior Expenses | Amount Payable | Total Expenses To Date | Unencumbered Balance | % Expended To Date | Comments |
|---|-----------------------|---------------------|--------------------|------------------------|----------------------|--------------------|---|
| JUNE | | | | | | | |
| Debt Related Expenses | | | | | | | |
| State Revolving Fund | \$71,200.00 | \$70,970.20 | \$0.00 | \$70,970.20 | \$229.80 | 99.68% | Paid in full this fiscal year |
| Special District Fixed Asset Acquisition | | | | | | | |
| Treatment Plant Capital Improvement Fund | \$181,950.00 | \$184,686.00 | \$0.00 | \$184,686.00 | (\$2,736.00) | 101.50% | Paid in full for FY23-24 |
| Sewer System CIP Projects | \$100,000.00 | \$0.00 | \$0.00 | \$0.00 | \$100,000.00 | 0.00% | None to date |
| Service and Supplies | | | | | | | |
| Wastewater Treatment Plant O&M | \$318,400.00 | \$318,400.00 | \$0.00 | \$318,400.00 | \$0.00 | 100.00% | Paid in full for FY23-24 |
| Wastewater Treatment Plant Equipment | \$1,000.00 | \$0.00 | \$0.00 | \$0.00 | \$1,000.00 | 0.00% | None to date |
| San Jose Joint Use O&M | \$10,000.00 | \$0.00 | \$0.00 | \$0.00 | \$10,000.00 | 0.00% | None to date |
| San Jose Joint Use CIP | \$10,000.00 | \$0.00 | \$0.00 | \$0.00 | \$10,000.00 | 0.00% | None to date |
| Annual Neighborhood Clean Up Day | \$2,000.00 | \$1,736.93 | \$0.00 | \$1,736.93 | \$263.07 | 86.85% | None this month |
| Preventive Maintenance & Video Inspection | \$40,000.00 | \$25,387.20 | \$0.00 | \$25,387.20 | \$14,612.80 | 63.47% | None this month |
| Emergency Repairs and Stoppages | \$15,000.00 | \$0.00 | \$0.00 | \$0.00 | \$15,000.00 | 0.00% | None to date |
| Repairs and Replacement (mains/laterals) | \$30,000.00 | \$0.00 | \$0.00 | \$0.00 | \$30,000.00 | 0.00% | None to date |
| Permits (encroachment) | \$15,000.00 | \$0.00 | \$0.00 | \$0.00 | \$15,000.00 | 0.00% | None to date |
| Office Expenses/Publications | \$2,500.00 | \$555.91 | \$495.87 | \$1,051.78 | \$1,448.22 | 42.07% | Printing & Publication - Tax Roll for FY24-25 |
| Engineering/Maintenance Management | \$261,990.00 | \$185,378.62 | \$16,313.59 | \$201,692.21 | \$60,297.79 | 76.98% | On Target |
| Legal - District Counsel | \$35,000.00 | \$4,640.00 | \$320.00 | \$4,960.00 | \$30,040.00 | 14.17% | District Counsel - Legal Services for the month of June |
| Legal - Outside Services | \$25,000.00 | \$11,228.74 | \$0.00 | \$11,228.74 | \$13,771.26 | 44.91% | Common Interest Group Cost Sharing - April 2024 |
| Legal - District Advisor | \$6,000.00 | \$0.00 | \$0.00 | \$0.00 | \$6,000.00 | 0.00% | None to date |
| Audit and Accounting Services | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% | No audit this year |
| Taxroll Preparation/Refund | \$1,500.00 | \$690.48 | \$0.00 | \$690.48 | \$809.52 | 46.03% | None this month |
| Annual Memberships (CASA, SWRCB, Website) | \$6,000.00 | \$6,070.25 | \$0.00 | \$6,070.25 | (\$70.25) | 101.17% | Paid in full for FY2023-2024 |
| Insurance Renewal | \$12,000.00 | \$12,726.23 | \$0.00 | \$12,726.23 | (\$726.23) | 106.05% | Insurance paid in full for FY2023-2024 |
| Conference Registration -Travel | \$4,000.00 | \$1,878.56 | \$0.00 | \$1,878.56 | \$2,121.44 | 46.96% | None this month |
| Website Expenses | \$5,000.00 | \$1,355.75 | \$0.00 | \$1,355.75 | \$3,644.25 | 27.12% | None this month |
| Board Election Expenses | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% | No election this year |
| | \$1,153,540.00 | \$825,704.87 | \$17,129.46 | \$842,834.33 | \$310,705.67 | 73.07% | |
| Salary and Benefit Special Districts | | | | | | | |
| Per Diem - Five Board Members x 24 meetings | \$36,000.00 | \$25,500.00 | \$3,300.00 | \$28,800.00 | \$7,200.00 | 80.00% | 5/21/24 Meeting (Five Directors in attendance) |
| Per Diem - District Clerk x 24 meetings | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% | None this year |
| | \$36,000.00 | \$25,500.00 | \$3,300.00 | \$28,800.00 | \$7,200.00 | 80.00% | |
| TOTAL EXPENSES | \$1,189,540.00 | \$851,204.87 | \$20,429.46 | \$871,634.33 | \$317,905.67 | 73.27% | |

BURBANK SANITARY DISTRICT
4th Quarter Financial (April 1, 2024 through June 30, 2024)
 FISCAL YEAR: July 1, 2023 to June 30, 2024
BUDGET REPORT - REVENUE

| Account Name | Account Number | Amount budgeted | Prior Months' Receipts | Current Month Receipts | Total Receipts To Date | Balance of Budget | % Earned To Date | Comments |
|--------------------------------|----------------|-----------------------|------------------------|------------------------|------------------------|----------------------|------------------|---|
| JUNE | | | | | | | | |
| OPERATING | | | | | | | | |
| Interest Allocation | 4301100 | \$15,000.00 | \$90,300.91 | \$17,886.26 | \$108,187.17 | (\$93,187.17) | 721.25% | Interest Allocation FY23-24 3rd Quarter Final |
| Permits and Connections | 4980010 | \$12,000.00 | \$6,220.00 | \$0.00 | \$6,220.00 | \$5,780.00 | 51.83% | None this month |
| Direct Assessments | 4980350 | \$1,338,500.00 | \$770,578.29 | \$559,775.00 | \$1,330,353.29 | \$8,146.71 | 99.39% | 2nd Installment for FY23-24 |
| SRF Loan | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% | None to date |
| Credit for Treatment Plant CIP | | \$75,000.00 | \$61,627.00 | \$0.00 | \$61,627.00 | \$13,373.00 | 82.17% | None this month |
| TOTAL OPERATING REVENUE | | \$1,440,500.00 | \$928,726.20 | \$577,661.26 | \$1,506,387.46 | (\$65,887.46) | 104.57% | |
| TOTAL REVENUE | | \$1,440,500.00 | \$928,726.20 | \$577,661.26 | \$1,506,387.46 | (\$65,887.46) | 104.57% | |

CASH ACCOUNT SUMMARY

| Date | Description | Balance |
|--------------------|----------------|----------------|
| June 30, 2023 | Ending balance | \$2,718,289.65 |
| July 31, 2023 | Ending balance | \$2,537,334.75 |
| August 31, 2023 | Ending balance | \$2,470,764.79 |
| September 30, 2023 | Ending balance | \$2,454,367.98 |
| October 31, 2023 | Ending balance | \$2,293,958.92 |
| November 30, 2023 | Ending balance | \$2,292,034.59 |
| December 31, 2023 | Ending balance | \$2,282,698.47 |
| January 31, 2024 | Ending balance | \$3,000,353.82 |
| February 29, 2024 | Ending balance | \$2,998,141.06 |
| March 31, 2024 | Ending balance | \$2,948,758.41 |
| April 30, 2024 | Ending balance | \$2,770,532.07 |
| May 31, 2024 | Ending balance | \$2,763,731.98 |
| June 30, 2024 | Ending balance | \$3,327,156.56 |

Empowering Through Collaboration

2024 Annual Conference

July 31- August 2 | Monterey Marriott | Monterey, CA

CASAweb.org |  @CASACleanWater |  @CASA_CleanWater



Preliminary Program

(Subject to Change)

Tuesday, July 30

4:00 p.m. – 6:00 p.m. CSRMA Executive Board Meeting
Location: Los Angeles Room

Wednesday, July 31

7:30 a.m. – 12:00 p.m. CSRMA Training Seminar
Location: San Carlos I/II

9:00 a.m. – 12:00 p.m. Monterey One Water Tour (Space limited)
Location: Meet in Lobby

The one water approach views all waters—drinking water, wastewater, storm water, greywater, and more—as resources that must be sustainably managed. See how northern Monterey County is using regional collaboration and the one water approach to meet urban stormwater regulations, improve groundwater quality, and diversify a local drinking water supply. The tour will take place at the Monterey One Water Regional Treatment Plant where guests will tour the Agency’s two water recycling facilities. *Participants should wear sturdy, closed-toe shoes.*

9:00 a.m. – 5:00 p.m. Registration
Location: San Carlos Foyer

11:00 a.m. – 12:00 p.m. Women’s Networking Meeting
Location: Los Angeles

12:00 p.m. – 1:15 p.m. Associates Committee Meeting
Location: San Carlos IV
Guest Speaker: Andrew Jared, Colantuono, Highsmith & Whatley, PC
“Deciphering the 1090 Conundrum in the Wake of California’s AB334 Legislation”

12:00 p.m. – 1:30 p.m. Lunch on Your Own

1:30 p.m. – 4:00 p.m. **Concurrent Sessions (Three Tracks)**

| Financing and Project Delivery Location: San Carlos I | Policy Track: Communicating Complex Topics Location: San Carlos II | Technical Track: Regulatory Deep Dives Location: San Carlos III |
|--|---|--|
| Track 1A: Funding Sources for Wastewater Infrastructure and Facilities Moderator: Sarah Sapirstein Rick Brandis, Oppenheimer Dmitry Semenov, Ridgeline Sandeep Karkal, Novato Sanitary District | Track 2A: Biosolids 101 Updates Moderator: Sarah Deslauriers Greg Kester, Biosolids 101 Carolyn Chiu or Rosanna Tse, SF Public Utility Commission – | Track 3A: Regulatory Deep Dives: Nutrients Moderator: Jared Voskuhl Mike Falk, HDR Lorien Fono, BACWA Martha Sutula, SCCWRP |
| Track 1B: Progressive Design-Build: New Legislation and Case Studies Moderator: Nicole Witt Andrew Clough, West County Wastewater David Gehrig, Hanson Bridgett Mark Minkowski, Kennedy Jenks Nicole Witt, Hanson Bridgett | Track 2B: Communications The Value and Complexities of Communications Moderator: Neal Bloom Anna Vacchi-Hill, City of San Diego Laura Romano, Goleta Sanitary District Maurice Chaney, City of Roseville | Track 3B: Regulatory Deep Dives: PFAS Moderator: Jared Voskuhl Rob Thompson, OCSD Samir Mathur, CDM Smith Emily Barnett, CentralSan |

1:30 p.m. – 2:30 p.m. Track 1A, 2A, 3A

2:30 p.m. – 3:00 p.m. **Break**
Location: San Carlos Foyer

3:00 p.m. – 4:00 p.m. Track 1B, 2B, 3B

4:00 p.m. – 5:15 p.m. CSRMA Board of Directors Meeting
Location: Steinbeck 3, Conference Center

4:15 p.m. – 5:15 p.m. Federal Legislative Committee Meeting
Location: San Carlos IV

4:15 p.m. – 5:15 p.m. LEAD Mentor/Mentee Meetup
Location: Santa Barbara

5:30 p.m. – 6:30 p.m. Welcome Reception
Location: Ferrantes Bayview

Thursday, August 1

- 7:30 a.m. – 9:00 a.m. Breakfast
Location: San Carlos Foyer
- 7:30 a.m. – 4:30 p.m. Registration
Location: San Carlos Foyer
- 8:00 a.m. – 9:00 a.m. CASA Education Foundation Board Meeting
Location: Los Angeles
- 8:00 a.m. – 9:00 a.m. Statewide Biosolids Meeting
Location: San Carlos I/II
Special Focus/Presentation: Regional Biosolids Initiatives
- 9:15 a.m. – 11:30 a.m. **Morning Sessions & Business Meeting**
Location: San Carlos III/IV
Vice President Craig Murray, Presiding
- 9:15 – 11:15 a.m. **Keynote: Mabel Miguel, UNC Kenan-Flagler School**
- Join us for an extended session with Mabel Miguel, Professor of Organizational Behavior at the esteemed UNC Kenan-Flagler Business School. Through her keynote talk and interactive discussions, she will share her global expertise and experiences through lessons on leadership and managing change at your agency, including a look at what factors are influencing decision making. Dr. Miguel has developed and taught leadership skill courses for such organizations as the U.S. Air Force, U.S. Navy, ExxonMobil, Sony Ericsson, Caterpillar, CEMEX, Eastman Chemical and the U.S. Environmental Protection Agency. She has also taught extensively at universities and organizations around the world.
- 11:15 – 11:30 a.m. **Annual Business Meeting**
Roland Williams, CASA President
- 11:30 a.m. – 12:00 p.m. Networking Break
- 12:00 p.m. – 1:30 p.m. **Luncheon**
Location: Steinbeck I/II, Monterey Conference Center
- Michael F. Dillon Award Presentation
CASA Awards of Excellence Winners
CASA Education Foundation Presentation
Remembering Wyatt Troxel
- 1:30 p.m. – 2:00 p.m. Networking Break
- 2:00 p.m. – 4:00 p.m. **Afternoon Sessions**
Location: San Carlos III/IV
- 2:00 p.m. – 3:00 p.m. **Resilience in Action: Carbon & Energy Management**
- More and more agencies are engaged with initiatives designed to address climate resiliency, and many are finding new ways to make these projects as efficient and cost effective as possible. In this panel, Ali Chehrebsaz will talk

about advancing agency climate action and energy cost savings goals at your agency by taking advantage of innovative technology, infrastructure opportunities, as well as private and public incentives and funding. Bernadette Carter with Climatec will focus on reducing construction costs and timelines for energy modernizations by utilizing certain delivery methods are proving to reduce construction costs, timelines and the strain on staff resources.

Moderator: James Ferro

- Bernadette Carter, Climatec
- Ali Chehrebsaz, TerraVerde Energy

3:00 p.m. – 4:00 p.m.

The Future of the Water Sector: A National Perspective

Looking at trends outside of California and to the rest of the country is essential to seeing where the water sector is headed as a whole. Renee Willette, Chief Strategy Officer for the US Water Alliance, will talk about emerging trends and opportunities facing the water sector as well as how various national groups are working towards a longer-term vision for sustainable water management. Attendees will also hear from Austin Alexander, Vice President of Sustainability and Social Impact at Xylem, who will talk about the “race to zero” in the water sector how utilities can reduce emissions from operations and engage their supply chain as part of the demand for clean, affordable, and resilient water services.

Moderator: Greg Kester

- Renee Willette, US Water Alliance
- Austin Alexander, Xylem

4:15 p.m. – 5:15 p.m.

Communications Committee Meeting
Location: Los Angeles

4:15 p.m. – 5:15 p.m.

Engineering & Research Group Meeting
Location: San Carlos I/II

5:30 p.m. – 6:30 p.m.

Associates Reception
Location: Ferrantes Bayview

Friday, August 2

8:00 a.m. – 9:30 a.m.

Breakfast
Location: San Carlos Foyer

8:00 a.m. – 11:15 a.m.

Registration
Location: San Carlos Foyer

8:00 a.m. – 9:00 a.m.

State Legislative Committee Meeting
Location: San Carlos I/II

9:15 a.m. – 11:00 a.m.

Closing Session
Location: San Carlos III/IV
President Roland Williams, Presiding

9:15 a.m. – 9:45 a.m.

Federal and State Legislative Updates

- Jessica Gauger
- Eric Sapirstein

9:45 a.m. – 10:30 a.m.

Closing Keynote Speaker

Representative Jimmy Panetta (Invited)
John Ashford, Hawthorne Group

John Ashford is a staple at CASA's Conferences and Washington D.C. Policy Forum and is always ranked as one of our most popular speakers. John has decades of experience advising entities on political campaigns, interpreting polls, and generally reading the proverbial tea leaves in Washington D.C. and across the country. In a contentious election year like 2024, his insight is invaluable to understanding where we might be headed and the factors that could impact the upcoming election. His election analysis and predictions are based on the most up to date polling, and he is able to provide political insight that you will not find anywhere else!

10:30 a.m. – 11:00 a.m.

Closing Business Session

- 2024-2025 Board of Director Elections Results
- Passing of the Gavel
- President's Closing Remarks

11:00 a.m. – 1:00 p.m.

General Managers Meeting Roundtable and Lunch
Location: Los Angeles

11:00 a.m. – 3:00 p.m.

Attorneys Committee Meeting and Lunch
Location: San Carlos I/II

BURBANK SANITARY DISTRICT

9. UNFINISHED BUSINESS

- 9.A. District Insurance
- 9.B. Long Range Financial Planning
- 9.C. GreenWaste Recovery, Inc.
- 9.D. District Website Update
- 9.E. Board Orientation



Burbank Sanitary District

2024 – 2025

Cyber Liability & Network Security Insurance Proposal

Presented on June 18, 2024 by:

Seth Cole
Senior Vice President

Alliant Insurance Services, Inc.
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Company Profile

With a history dating back to 1925, Alliant Insurance Services is one of the nation's leading distributors of diversified insurance products and services. Operating through a national network of offices, Alliant offers a comprehensive portfolio of services to clients, including:

- Risk Solutions
- Employee Benefits
 - Strategy
 - Employee Engagement
 - Procurement
 - Analytics
 - Wellness
 - Compliance
 - Benefits Administration
 - Global Workforce
- Industry Solutions
 - Construction
 - Energy and Marine
 - Healthcare
 - Law Firms
 - Public Entity
 - Real Estate
 - Tribal Nations
 - And many other industries
- Co-Brokered Solutions
 - Automotive Specialty
 - Energy Alliance Program
 - Hospital All Risk Property Program
 - Law Firms
 - Parking/Valet
 - Public Entity Property Insurance Program
 - Restaurants/Lodging
 - Tribal Nations
 - Waste Haulers/Recycling
- Business Services
 - Risk Control Consulting
 - Human Resources Consulting
 - Property Valuation

The knowledge that Alliant has gained in its more than eight decades of working with many of the top insurance companies in the world allows us to provide our clients with the guidance and high-quality performance they deserve. Our solution-focused commitment to meeting the unique needs of our clients assures the delivery of the most innovative insurance products, services, and thinking in the industry.

Alliant ranks among the 15 largest insurance brokerage firms in the United States.

Your Service Team

Seth Cole

Senior Vice President

scole@alliant.com

Phone: 415.403.1419

Cell: 925.628.6216

Steve Davidson

Account Representative

steve.davidson@alliant.com

Phone: 415.855.8563

Named Insured / Additional Named Insureds

Named Insured(s)

Byron Sanitary District

Additional Named Insured(s)

N/A

NAMED INSURED DISCLOSURE

- The first named insured is granted certain rights and responsibilities that do not apply to other policy named insureds and is designated to act on behalf of all insureds for making policy changes, receiving correspondence, distributing claim proceeds, and making premium payments.
- **Are ALL entities listed as named insureds?** Coverage is **not** automatically afforded to all entities unless specifically named. Confirm with your producer and service team that all entities to be protected are on the correct policy. Not all entities may be listed on all policies based on coverage line.
- Additional named insured is (1) A person or organization, other than the first named insured, identified as an insured in the policy declarations or an addendum to the policy declarations. (2) A person or organization added to a policy after the policy is written with the status of named insured. This entity would have the same rights and responsibilities as an entity named as an insured in the policy declarations (other than those rights and responsibilities reserved to the first named insured).
- Applies to Professional Liability, Pollution Liability, Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability policies (this list not all inclusive). Check your Policy language for applicability. These policies provide protection to the Named Insured for claims made against it alleging a covered wrongful act. Coverage is not afforded to any other entities (unless specifically added by endorsement or if qualified as a "Subsidiary" pursuant to the policy wording) affiliated by common individual insured ownership or to which indemnification is otherwise contractually owed. If coverage is desired for affiliated entities or for contractual indemnities owed, please contact your Alliant Service Team with a full list of entities for which coverage is requested. With each request, include complete financials and ownership information for submission to the carrier. It should be noted, that the underwriter's acceptance of any proposed amendments to the policy, including expansion of the scope of "Insureds" under the policy could result in a potential diminution of the applicable limits of liability and/or an additional premium charge.

Cyber Liability & Network Security

INSURANCE COMPANY:

A.M. BEST RATING:

Associated Industries Insurance Company, Inc.
A- (Excellent), Financial Size Category: XV
(\$2 Billion or greater) as of August 23, 2023

CALIFORNIA STATUS:

PROPOSED POLICY/COVERAGE TERM:

Non-Admitted

July 1, 2024 – April 1, 2025

Coverage Form:

Claims Made & Reported
Defense Costs Inside the Limit
Duty to Defend

Annual Revenue:

\$ 1,440,500

Limits:

\$ 1,000,000 per cyber event

- 180 Days Business Interruption Period of Restoration (subject to 24 hours waiting period)
- 180 Days Business Interruption from Suppliers Period of Restoration (Subject to 24 hours waiting period)

Program Aggregate Limit of Liability

Eligible for reinstatement if exhausted for an additional premium

\$ **10,000,000**

Cyber Liability & Network Security

Direct Loss to Insured

| | | |
|--|----|-----------|
| • Ransom Payment | \$ | 1,000,000 |
| • Data and System Recover | \$ | 1,000,000 |
| • Business Interruption | \$ | 1,000,000 |
| • Reputation Harm | \$ | 1,000,000 |
| • Cyber Event | \$ | 1,000,000 |
| • Business Interruption from Suppliers | \$ | 500,000 |
| • Bricking Costs | \$ | 50,000 |
| • Proof of Loss | \$ | 50,000 |
| • Crypto Jacking | \$ | 50,000 |

Loss Brought Against Insured

| | | |
|----------------------------------|----|-----------|
| • Privacy and Network Security | \$ | 1,000,000 |
| • Regulatory Fines and Penalties | \$ | 1,000,000 |
| • Payment Card | \$ | 1,000,000 |
| • Media | \$ | 1,000,000 |

Retention: \$ 5,000 per incident

Enhancements:

Moonlighting Activities of State-Based Actors coverage prevents the War exclusion from triggering if a State employee is allowed to use State equipment for economic pursuits such as ransomware, a significant exposure of ransomware claims against public water systems.

Binding Requirements

- Completed and Signed Application
- Completed SL-2 and D-1 Forms
- Heightened Patching (carrier recommends Alvaka Networks, <https://www.alvaka.net/patchworx/>)

Cyber Liability & Network Security (continued)

Key Endorsements and Exclusions
(including but not limited to)

- Cap on Losses from Certified Acts of Terrorism and Disclosure Pursuant to Terrorism Risk Insurance Act
- US Treasury Department's Office of Foreign Assets Control (OFAC) Advisory Notice to Policyholders
- CA Surplus Lines Endorsement
- Nuclear Energy Liability Exclusion (Broad Form)

Premium:

| | |
|-----------|--|
| \$ | 2,500.00 Annual Premium |
| \$ | 1,878.00 Pro-Rated Annual Premium |
| \$ | 65.89 Surplus Lines Taxes & Stamping Fee |
| \$ | 100.00 Fully Earned Surplus Lines Filing Fee |
| \$ | 94.00 JPRIMA Administrative Fee |
| \$ | 2,137.89 Total Cost Due |

Minimum Earned Premium:

100% Minimum Earned

Quote Valid Until:

July 1, 2024

See Disclaimer Page for Important Notices and Acknowledgement

Disclosures

This proposal of insurance is provided as a matter of convenience and information only. All information included in this proposal, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Alliant Insurance Services, Inc. by you. This proposal does not reflect any independent study or investigation by Alliant Insurance Services, Inc. or its agents and employees.

Please be advised that this proposal is also expressly conditioned on there being no material change in the risk between the date of this proposal and the inception date of the proposed policy (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, the insurer may, at its sole discretion, modify, or withdraw this proposal, whether or not this offer has already been accepted.

This proposal is not confirmation of insurance and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your insurance coverage, please refer to the policy itself. Alliant Insurance Services, Inc. will not be liable for any claims arising from or related to information included in or omitted from this proposal of insurance.

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at www.alliant.com. For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Inc., Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations. Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at www.ambest.com. For additional information regarding insurer financial strength ratings visit Standard and Poor's website at www.standardandpoors.com.

Our goal is to procure insurance for you with underwriters possessing the financial strength to perform. Alliant does not, however, guarantee the solvency of any underwriters with which insurance or reinsurance is placed and maintains no responsibility for any loss or damage arising from the financial failure or insolvency of any insurer. We encourage you to review the publicly available information collected to enable you to make an informed decision to accept or reject a particular underwriter. To learn more about companies doing business in your state, visit the Department of Insurance website for that state.

NY Regulation 194

Alliant Insurance Services, Inc. is an insurance producer licensed by the State of New York. Insurance producers are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. The role of the producer in any particular transaction typically involves one or more of these activities.

Compensation will be paid to the producer, based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

Other Disclosures / Disclaimers

FATCA:

The Foreign Account Tax Compliance Act (FATCA) requires the notification of certain financial accounts to the United States Internal Revenue Service. Alliant does not provide tax advice so please contact your tax consultant for your obligation regarding FATCA.

Claims Reporting:

Your policy will come with specific claim reporting requirements. Please make sure you understand these obligations. Contact your Alliant Service Team with any questions.

Claims Made Policy:

(Applicable to any coverage that is identified as claims made)

This claims-made policy contains a requirement stating that this policy applies only to any claim first made against the Insured and reported to the insurer during the policy period or applicable extended reporting period. Claims must be submitted to the insurer during the policy period, or applicable extended reporting period, as required pursuant to the Claims/Loss Notification Clause within the policy in order for coverage to apply. Late reporting or failure to report pursuant to the policy's requirements could result in a disclaimer of coverage by the insurer.

Other Disclosures / Disclaimers = Continued

Claims Made Policy (D&O/EPL)

(Applicable to any coverage that is identified as claims made)

This claims-made policy contains a requirement stating that this policy applies only to any claim first made against the Insured and reported to the insurer during the policy period or applicable extended reporting period. Claims must be submitted to the insurer during the policy period, or applicable extended reporting period, as required pursuant to the Claims/Loss Notification Clause within the policy in order for coverage to apply. Late reporting or failure to report pursuant to the policy's requirements could result in a disclaimer of coverage by the insurer.

Any Employment Practices Liability (EPL) or Directors & Officers (D&O) with EPL coverage must give notice to the insurer of any charges / complaints brought by any state / federal agency (i.e. EEOC and similar proceedings) involving an employee. To preserve your rights under the policy, it is important that timely notice be given to the insurer, whether or not a right to sue letter has been issued.

NRRA:

(Applicable if the insurance company is non-admitted)

The Non-Admitted and Reinsurance Reform Act (NRRA) went into effect on July 21, 2011. Accordingly, surplus lines tax rates and regulations are subject to change which could result in an increase or decrease of the total surplus lines taxes and/or fees owed on this placement. If a change is required, we will promptly notify you. Any additional taxes and/or fees must be promptly remitted to Alliant Insurance Services, Inc.

Changes and Developments

It is important that we be advised of any changes in your operations, which may have a bearing on the validity and/or adequacy of your insurance. The types of changes that concern us include, but are not limited to, those listed below:

- Changes in any operations such as expansion to another states, new products, or new applications of existing products.
- Travel to any state not previously disclosed.
- Mergers and/or acquisition of new companies and any change in business ownership, including percentages.
- Any newly assumed contractual liability, granting of indemnities or hold harmless agreements.
- Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises either purchased, constructed or occupied
- Circumstances which may require an increased liability insurance limit.
- Any changes in fire or theft protection such as the installation of or disconnection of sprinkler systems, burglar alarms, etc. This includes any alterations to the system.
- Immediate notification of any changes to a scheduled of equipment, property, vehicles, electronic data processing, etc.
- Property of yours that is in transit, unless previously discussed and/or currently insured.

Other Disclosures / Disclaimers = Continued

Certificates / Evidence of Insurance

- A certificate is issued as a matter of information only and confers no rights upon the certificate holder. The certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by a policy. Nor does it constitute a contract between the issuing insurer(s), authorized representative, producer or certificate holder.
-
- You may have signed contracts, leases or other agreements requiring you to provide this evidence. In those agreements, you may assume obligations and/or liability for others (Indemnification, Hold Harmless) and some of the obligations that are not covered by insurance. We recommend that you and your legal counsel review these documents.

In addition to providing a certificate of insurance, you may be required to name your client or customer on your policy as an additional insured. This is only possible with permission of the insurance company, added by endorsement and, in some cases, an additional premium.

By naming the certificate holder as additional insured, there are consequences to your risks and insurance policy including:

- Your policy limits are now shared with other entities; their claims involvement may reduce or exhaust your aggregate limit.
 - Your policy may provide higher limits than required by contract; your full limits can be exposed to the additional insured.
 - There may be conflicts in defense when your insurer has to defend both you and the additional insured.
-

Optional Coverages

The following represents a list of insurance coverages that are not included in this proposal, but are optional and may be available with further underwriting information.

Note some of these coverages may be included with limitations or insured elsewhere. This is a partial listing as you may have additional risks not contemplated here or are unique to your organization.

- Crime / Fidelity Insurance
- Directors & Officers Liability
- Earthquake Insurance
- Employed Lawyers
- Employment Practices Liability
- Event Cancellation
- Fiduciary Liability
- Fireworks Liability
- Flood Insurance
- Foreign Insurance
- Garage Keepers Liability
- Kidnap & Ransom
- Law Enforcement Liability
- Media and Publishers Liability
- Medical Malpractice Liability
- Network Security / Privacy Liability and Internet Media Liability
- Pollution Liability
- Owned/Non-Owned Aircraft
- Owned Watercraft
- Special Events Liability
- Student Accident
- Volunteer Accidental Death & Dismemberment (AD&D)
- Workers' Compensation
- Workplace Violence

Glossary of Insurance Terms

Below are a couple of links to assist you in understanding the insurance terms you may find within your insurance coverages:

<http://insurancecommunityuniversity.com/UniversityResources/InsuranceGlossaryFREE.aspx>

<http://www.ambest.com/resource/glossary.html>

<http://www.irmi.com/online/insurance-glossary/default.aspx>

Request to Bind Coverage

Burbank Sanitary District

We have reviewed the proposal and agree to the terms and conditions of the coverages presented. We are requesting coverage to be bound as outlined by coverage line below:

| Coverage Option | Limit of Liability | Total Pro-Rated Premium | Bind Coverage for: |
|--|--------------------|-------------------------|--------------------------|
| Associated Industries Insurance Company, Inc | \$1,000,000 | \$2,137.89 | <input type="checkbox"/> |

We have reviewed the proposal and we elect to decline the terms and conditions of the coverages presented.

This Authorization to Bind Coverage also acknowledges receipt and review of all disclaimers and disclosures, including exposures used to develop insurance terms, contained within this proposal.

Signature of Authorized Insurance Representative

Date

Title

Printed / Typed Name

This proposal does not constitute a binder of insurance. Binding is subject to final carrier approval. *The actual terms and conditions of the policy will prevail.*

IMPORTANT NOTICE:

- 1. The insurance policy that you are applying to purchase is being issued by an insurer that is not licensed by the State of California. These companies are called “nonadmitted” or “surplus line” insurers.**
- 2. The insurer is not subject to the financial solvency regulation and enforcement that apply to California licensed insurers.**
- 3. The insurer does not participate in any of the insurance guarantee funds created by California law. Therefore, these funds will not pay your claims or protect your assets if the insurer becomes insolvent and is unable to make payments as promised.**
- 4. The insurer should be licensed either as a foreign insurer in another state in the United States or as a non-United States (alien) insurer. You should ask questions of your insurance agent, broker, or “surplus line” broker or contact the California Department of Insurance at the toll-free number 1-800-927-4357 or internet website www.insurance.ca.gov. Ask whether or not the insurer is licensed as a foreign or non-United States (alien) insurer and for additional information about the insurer. You may also visit the NAIC’s internet website at www.naic.org. The NAIC—the National Association of Insurance Commissioners—is the regulatory support organization created and governed by the chief insurance regulators in the United States.**
- 5. Foreign insurers should be licensed by a state in the United States and you may contact that state’s department of insurance to obtain more information about that insurer. You can find a link to each state from this NAIC internet website: https://naic.org/state_web_map.htm.**

6. For non-United States (alien) insurers, the insurer should be licensed by a country outside of the United States and should be on the NAIC’s International Insurers Department (IID) listing of approved nonadmitted non-United States insurers. Ask your agent, broker, or “surplus line” broker to obtain more information about that insurer.

7. California maintains a “List of Approved Surplus Line Insurers (LASLI).” Ask your agent or broker if the insurer is on that list, or view that list at the internet website of the California Department of Insurance: www.insurance.ca.gov/01-consumers/120-company/07-lasli/lasli.cfm.

8. If you, as the applicant, required that the insurance policy you have purchased be effective immediately, either because existing coverage was going to lapse within two business days or because you were required to have coverage within two business days, and you did not receive this disclosure form and a request for your signature until after coverage became effective, you have the right to cancel this policy within five days of receiving this disclosure. If you cancel coverage, the premium will be prorated and any broker’s fee charged for this insurance will be returned to you.

Date: _____

Insured: _____