
**BURBANK SANITARY DISTRICT
SPECIAL MEETING AGENDA FOR
January 14, 2025 at 5:30 PM**

The meeting will be held at 5:30 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 12/17/2024.

7. UNFINISHED BUSINESS

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

8 HOUSEKEEPING ITEMS

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

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

9. ADJOURNMENT: NEXT REGULAR MEETING – Tuesday, January 21, 2025.

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
December 17, 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 7:03 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, joined remotely), Vincent Mammano (Strategy Consultant, joined remotely), Frankie Martinez (District Staff present through Item 9A)
Counsel: Valerie Armento (Present at the beginning through Item 2)
Advisor: None
Visitors: None

3. AMENDMENT AND APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Sclafani

Second: Negrete

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Abstain: None

Item 9A was moved up the agenda before Item 6 due to desire to have a Notary Public present.

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.

No Closed session.

6. UNFINISHED BUSINESS ITEM MOVED UP ON THE AGENDA

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

The Board discussed and provided comments on draft LRFP with Consultant Mammano.

7. CONSENT CALENDAR

7.A. Approval of Minutes from the Special Meeting of November 18, 2024

Motion: To approve Meeting Minutes from the Special Meeting of November 18, 2024

Move: Negrete

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete

Noes: None

Absent: None

Abstain: Seldal

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. Hogan Lovells US LLP (District Court Appeal August – September 2024)
4. Hunton Andrews Kurth LLP (District Court Appeal August – September 2024)
5. State Water Resources Control Board (Annual Permit Fee 7/1/24 – 6/30/25)
6. ABLE Septic Tank Service (Emergency Repair – 2330 Bailey Ave)
7. ABJDD Plumbing (Post Repair Cleaning – 2330 Bailey Ave)

Motion: To approve seven (7) warrants as listed.

Move: Colson

Second: Sclafani

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Abstain: None

9. NEW BUSINESS

9.A. Oath of Office – Director Prupes and Director Colson to take Oath of Office.

Director Sclafani administered the Oath of Office to Director Prupes and Director Colson. District staff Frankie Martinez present as Notary Public for the Oath of the Office.

9.B. Board Elections. Elect a President and Secretary for 2025. Board action required: Elect Board President and Secretary for 2025.

Motion: By consensus, the Board enthusiastically and unanimously agreed to elect Director Prupes as Board President and Director Sclafani as Board Secretary.

Move: Colson

Second: Negrete

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Absent: None

9.C. City of San Jose – Third Quarter Adjustment for O&M and CIP Billings. Board action required: Nove.

The Board reviewed and noted the third quarter Adjustment for O&M and CIP Billings.

10. UNFINISHED BUSINESS

- 10.A. GreenWaste Recovery, Inc. – 1) Annual Spring Clean Up Planning. 2) Annual Service Notice.
Board action required: None.

The Board discussed the need to develop strategies for communicating about the Annual Spring Cleanup. This discussion needs to be between the District, GreenWaste, and the Repair Café regarding how to advertise the event.

Director Negrete is going to look into marketing strategy on how we can figure out how to get the word out.

Manager Porter advised that there is a proposal to build a common living development on the space that was used by Repair Café last year. District staff will reach out to find out if the parking lot will be available for repair café to set up their station.

- 10.B. Cyber Liability & Network Security Insurance Update. Board action required: None.

Manager Porter advised that he plans to meet with the CFO of Mark Thomas and the insurance agent to discuss the Cyber Insurance.

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

Engineer Kathula provided an update on the District Website. District staff is going to share the proposed changes prior to the next Board meeting on January 21, 2025.

11. HOUSEKEEPING ITEMS

- 11.A. Updates on Housekeeping Items.

The Board talked about the upcoming CASA Conference. Director Sclafani is interested in attending the CASA Conference. Staff will arrange for the registration.

- 11.B. Agenda Items for Upcoming Meetings.

- The Board cancelled the regular meeting scheduled for January 7, 2025
- The Board scheduled a Special Meeting on January 14, 2025, at 5:30 PM to go over LRFPP
- Next Regular Meeting remained unchanged on January 21, 2025.

12. ADJOURNMENT – NEXT SPECIAL MEETING – Tuesday, January 14, 2025.

Motion: To adjourn meeting at 8:42 pm.

Move: Sclafani

Second: Negrete

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Abstain: None

Absent: None

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING
December 17, 2024**

Approved: January 14, 2025

Respectfully Submitted,

Mark Thomas & Company, Inc.

District Manager
Benjamin T. Porter, PE

Rene Prupes, President