
**BURBANK SANITARY DISTRICT
REGULAR MEETING AGENDA FOR
July 15, 2025, 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 (916) 245-2884 Conference ID: 464 778 644#]

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 6/17/2025.

7. WARRANTS

- 7.A. Approval of Warrants. Board action required: Approve nine (9) 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 FY2025-26)
5. State Water Resources Control Board (CWSRF Loan Repayment)
6. Local Agency Formation Commission (FY2025-26 LAFCO Share of Costs)
7. California Association of Sanitation Agencies (CASA Conference – Rene Prupes)
8. Hogan Lovells US LLP (District Court Appeal January – April 2025)
9. Hunton Andrews Kurth LLP (District Court Appeal January – April 2025)

8. NEW BUSINESS

- 8.A. FY2024-2025 Year End Financial Review. Board action required: None.

9. UNFINISHED BUSINESS

- 9.A. BSD Lower Lateral CIP Project Update. Board action required: None.
- 9.B. GreenWaste Recovery, Inc. – Annual Spring Clean Up Planning – Board action required: None.
- 9.C. CASA Conference Update. Board action required: None.
- 9.D. FPPC Form 470 – Annual Financial Disclosure Statements Update. Board action required: Board members to file Form 470 by July 31, 2025.
- 9.E. Memorandum of Understanding (MOU) – California Integrated Waste Management Act of 1989 Update. 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 5, 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 Special Meeting of
June 17, 2025

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF SPECIAL MEETING
June 17, 2025**

1. CALL TO ORDER

The Board of the Burbank Sanitary District convened this date at 1:00 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 1:02 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), Sarah Chou (Associate 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
 Abstain: None
 Absent: None

4. PUBLIC COMMENTARY

- 4.A. Visitor Commentary – None.
- 4.B. Agency Representatives – None.
- 4.C. Board Commentary – None.

5. PUBLIC HEARING

- 5.A. Public Hearing on Taxroll Collection for FY2025-2026.
 - 1. Staff Presentation
 - 2. Open Public Hearing and Receive Testimony
 - 3. Close Public Hearing
 - 4. Board Discussion
 - 5. Board Action – Adopt Resolution No. 298

Manager Porter presented the Taxroll Report for FY2025-26. President Prupes opened the Public Hearing at 1:04 p.m. and closed the Public Hearing at 1:06 p.m. No members of the public attended the Public Hearing.

Motion: To adopt Resolution No. 298 – Approving Sewer Service Charges Report and Collection on the Taxroll for FY2025-26.

Move: Seldal **Second:** Sclafani

MINUTES OF SPECIAL MEETING
June 17, 2025

6. CLOSED SESSION

There was no closed session.

8. WARRANTS

9. NEW BUSINESS

Director Colson attended the meeting; the purpose of the meeting was to select a Regular Member and an Alternate Member for a new 4-year term from June 2025 to May 2029. Yoriko Kishimoto was appointed as Regular Member and Helen Chapman was appointed as Alternate Member.

President Prupes shared the questions that she had on the MOU with the other Directors and has agreed to sign the MOU. Staff to request that County Integrated Waste Management re-send the MOU to her for signature. Director Sclafani would like to discuss with GreenWaste how they comply with the requirements after the MOU is executed.

10.B. BSD Lower Lateral CIP Project Update. Board action required: None.

Engineer Kathula provided an update for the Lower Lateral CIP Project. Plans for community outreach and bid documents, including the project cost estimate, will be presented to the Board at a future meeting.

10.C. District Proposed Budget FY2025-26. Board action required: Review and adopt District Budget FY2025-26.

Manager Porter presented the Proposed Budget for FY2025-26. President Prupes noted that the District's good financial position will support the upcoming CIP project.

Motion: To adopt the District Budget for FY2025-26

Move: Seldal

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Abstain: None

Absent: None

10.D. GreenWaste Recovery, Inc. – Annual Spring Clean Up Day Report. Board action required: None.

The Board discussed the key highlights of Annual Spring Clean Up Day. Board members also provided suggestions to improve next year's Clean Up Day. Engineer Chou has finalized with GreenWaste a list of materials that are not allowed/accepted in the collection carts or dumpsters. The information will be posted on the website for general education.

10.E. Report on CASA Conference 2025. Board action required: None.

This item was discussed under Housekeeping.

10.F. District Website Update. Board action required: None.

Annual Clean Up Day Debrief has been posted on the District's website.

10.G. Cyber Security Update. Board action required: None.

Engineer Kathula advised that she has created BSD mailboxes for all Directors. Emails will no longer be automatically forwarded to the Directors. District staff will manage Directors' emails before emails are forwarded to Directors.

Manager Porter provided an update for the cyber security insurance.

11. HOUSEKEEPING ITEMS

11.A. Updates on Housekeeping Items.

- Director Sclafani was able to log in and file his Form 470. He will host a session after the next meeting if anyone is still having issues. Form 470 is required to be completed by July 31, 2025.
- President Prupes confirmed she will attend the CASA Conference, July 30 – August 1, 2025. Director Sclafani and Negrete will check their calendars to see if they can attend.

11.B. Agenda Items for Upcoming Meetings.

- Keep MOU on the agenda until all questions have been answered.

12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, July 1, 2025.

Motion: To adjourn meeting at 2:34 pm.

Move: Negrete

Second: Colson

Board vote:

Ayes: Prupes, Sclafani, Colson, Negrete, Seldal

Noes: None

Abstain: None

Absent: None

Approved: July 15, 2025

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
4. City of San Jose
5. State Water Resources Control Board
6. Local Agency Formation Commission
7. California Association of Sanitation Agencies
8. Hogan Lovells US LLP
9. Hunton Andrews Kurth LLP

Warrant List for 07-15-25

#	Payee	Invoice Date	Invoice No.	Invoice Amount	Description	Warrant No.
1	Mark Thomas & Company, Inc.	7/9/2025	56097	\$ 22,867.48	District Management Services (24-00162)	4220
2	Burbank Sanitary District / First Tech Fed Credit Union		n/a		Board Payroll, Processing Fees/Taxes (Amount Deposited)	
	Rene Prupes			\$ 240.00	6/17/2025	
	Procopio Sclafani			\$ 240.00	6/17/2025	
	Ken Colson			\$ 240.00	6/17/2025	
	Mark Negrete			\$ 240.00	6/17/2025	
	Kristina Seldal			\$ 240.00	6/17/2025	
	Total payment to Directors			\$ 1,200.00		
	Estimated processing fees/taxes			\$ 300.00		
	Payroll Deposit to First Tech Subtotal			\$ 1,500.00		4221
3	Armento and Hynes, LLP	6/30/2025	2025-2	\$ 500.00	District Legal Services	4222
4	City of San Jose	7/1/2025	1277003	\$ 27,787.00	Capital Billing 1Q FY2025-26	
			1251582	\$ 100,596.00	Operations & Maintenance 1Q FY2025-26	
			City of SJ Subtotal	\$ 128,383.00		4223
5	State Water Resources Control Board	6/11/2025	N/A	\$70,970.20	CWSRF Loan Repayment	4224
6	Local Agency Formation Commission (LAFCO)	6/25/2025	N/A	\$709.83	FY2025-26 LAFCO Share of Costs	4225
7	California Association of Sanitation Agencies	6/18/2025	9485	\$750.00	CASA Conference July 30- Aug 1, 2025 - Rene Prupes	4226
8	Hogan Lovells US LLP	6/16/2025	N/A	\$6,828.33	District Court Appeal January - April 2025	4227
9	Hunton Andrews Kurth LLP	6/16/2025	N/A	\$9,553.41	District Court Appeal January - April 2025	4228
	TOTAL WARRANT AMOUNT			\$ 242,062.25		
	TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2024-25			\$ 1,006,890.26		
	TOTAL YEAR-TO-DATE WARRANT AMOUNT FY 2025-26			\$ 200,813.03		

BURBANK SANITARY DISTRICT

8. NEW BUSINESS

8A. FY2024-25 Year End Financial Review

BURBANK SANITARY DISTRICT
4th Quarter Financial (April 1, 2025 through June 30, 2025)
FISCAL YEAR: July 1, 2024 to June 30, 2025
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	\$71,000.00	\$70,970.20	\$0.00	\$70,970.20	\$29.80	99.96%	Paid in full this fiscal year
Special District Fixed Asset Acquisition							
Treatment Plant Capital Improvement Fund	\$138,700.00	\$138,667.00	\$0.00	\$138,667.00	\$33.00	99.98%	Paid in full this fiscal year
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	\$370,100.00	\$364,620.00	\$0.00	\$364,620.00	\$5,480.00	98.52%	Paid in full this fiscal year
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	\$4,000.00	\$3,376.53	\$0.00	\$3,376.53	\$623.47	84.41%	None this month
Preventive Maintenance & Video Inspection	\$40,000.00	\$22,971.20	\$0.00	\$22,971.20	\$17,028.80	57.43%	None this month
Emergency Repairs and Stoppages	\$15,000.00	\$30,718.38	\$0.00	\$30,718.38	(\$15,718.38)	204.79%	None this month
Repairs and Replacement (mains/laterals)	\$30,000.00	\$195.00	\$0.00	\$195.00	\$29,805.00	0.65%	None this month
Permits (encroachment)	\$15,000.00	\$1,199.73	\$0.00	\$1,199.73	\$13,800.27	8.00%	None this month
Office Expenses/Publications	\$2,500.00	\$559.66	\$0.00	\$559.66	\$1,940.34	22.39%	None this month
Engineering/Maintenance Management	\$275,090.00	\$248,708.41	\$22,867.48	\$271,575.89	\$3,514.11	98.72%	On Target
Legal - District Counsel	\$35,000.00	\$1,620.00	\$500.00	\$2,120.00	\$32,880.00	6.06%	Armento & Hynes (Services for 5/2/25 to 6/17/25)
Legal - Outside Services	\$100,000.00	\$16,820.38	\$16,381.74	\$33,202.12	\$66,797.88	33.20%	District Court Appeals (Legal Fees for January to April 2025)
Legal - District Advisor	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00	0.00%	None to date
Strategic Plan Development	\$10,000.00	\$13,537.44	\$0.00	\$13,537.44	(\$3,537.44)	135.37%	Mark Thomas Staff - None this month
Audit and Accounting Services	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00	0.00%	None to date
Taxroll Preparation/Refund	\$1,800.00	\$0.00	\$0.00	\$0.00	\$1,800.00	0.00%	None to date
Annual Memberships (CASA, SWRCB, Website)	\$6,000.00	\$6,420.11	\$0.00	\$6,420.11	(\$420.11)	107.00%	None this month
Insurance Renewal (CASA)	\$17,000.00	\$14,649.25	\$0.00	\$14,649.25	\$2,350.75	86.17%	None this month
Conference Registration -Travel	\$9,000.00	\$4,956.82	\$0.00	\$4,956.82	\$4,043.18	55.08%	None this month
Website Expenses	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	0.00%	None to date
Website Hosting Fee	\$1,000.00	\$267.93	\$0.00	\$267.93	\$732.07	26.79%	None this month
Board Election Expenses	\$10,000.00	\$2,683.00	\$0.00	\$2,683.00	\$7,317.00	26.83%	None this month
	\$1,298,190.00	\$942,941.04	\$39,749.22	\$982,690.26	\$315,499.74	75.70%	
Salary and Benefit Special Districts							
Per Diem - Five Board Members x 24 meetings	\$36,000.00	\$22,700.00	\$1,500.00	\$24,200.00	\$11,800.00	67.22%	Meeting Date: 06/17/25 (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	\$22,700.00	\$1,500.00	\$24,200.00	\$11,800.00	67.22%	
TOTAL EXPENSES	\$1,334,190.00	\$965,641.04	\$41,249.22	\$1,006,890.26	\$327,299.74	75.47%	

BURBANK SANITARY DISTRICT
4th Quarter Financial (April 1, 2025 through June 30, 2025)
 FISCAL YEAR: July 1, 2024 to June 30, 2025
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	\$50,000.00	\$139,959.54	\$0.00	\$139,959.54	(\$89,959.54)	279.92%	None this month
Permits and Connections	4980010	\$4,000.00	\$19,900.00	\$6,160.00	\$26,060.00	(\$22,060.00)	651.50%	Four payments received this month; Fifteen payments received to date
Direct Assessments	4980350	\$1,340,800.00	\$778,236.10	\$578,191.33	\$1,356,427.43	(\$15,627.43)	101.17%	Tax Roll Final Disbursement for FY24-25
SRF Loan		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	None for FY24-25
Credit for Treatment Plant CIP		\$60,000.00	\$123,363.00	\$0.00	\$123,363.00	(\$63,363.00)	205.61%	None this month
TOTAL OPERATING REVENUE		\$1,454,800.00	\$1,061,458.64	\$584,351.33	\$1,645,809.97	(\$191,009.97)	113.13%	
TOTAL REVENUE		\$1,454,800.00	\$1,061,458.64	\$584,351.33	\$1,645,809.97	(\$191,009.97)	113.13%	

CASH ACCOUNT SUMMARY

Date	Description	Balance
June 30, 2024	Ending balance	\$3,327,156.56
July 31, 2024	Ending balance	\$3,100,758.79
August 31, 2024	Ending balance	\$3,084,395.24
September 30, 2024	Ending balance	\$3,086,518.60
October 31, 2024	Ending balance	\$2,960,974.91
November 30, 2024	Ending balance	\$2,948,803.74
December 31, 2024	Ending balance	\$2,917,163.94
January 31, 2025	Ending balance	\$3,676,451.31
February 28, 2025	Ending balance	\$3,672,877.73
March 31, 2025	Ending balance	\$3,627,554.11
April 30, 2025	Ending balance	\$3,416,150.67
May 31, 2025	Ending balance	\$3,431,147.17
June 30, 2025	Ending balance	\$3,986,896.03

BURBANK SANITARY DISTRICT

9. UNFINISHED BUSINESS

- 9.A. BSD Lower Lateral CIP Update
- 9.B. GreenWaste Recovery Inc.
- 9.C. CASA Conference Update
- 9.D. FPPC Form 470
- 9.E. MOU – California Integrated Waste Management



Burbank Sanitary District

20863 Stevens Creek Blvd., Suite 100

Cupertino, CA 95014

Phone (408) 255-2137 Fax (408) 253-5173

www.burbanksanitary.org

"Serving the Burbank Community since 1940"

MEMORANDUM

DATE: July 15, 2025

TO: Board of Directors, Burbank Sanitary District

FROM: Benjamin Porter, District Manager-Engineer

RE: BSD - Lower Lateral CIP Project Update

Project Background

This memo provides a progress update on the 2025 Lower Lateral CIP project.

Phase 1 of the Cleanout Installation Project focuses on addressing nine sewer laterals that were identified in 2022 as having no cleanouts and associated maintenance issues. Cleaning could not be performed on some laterals due to blockages, which were observed during mainline CCTV inspections. The effort has been broken into three sub-phases:

- **Phase 1A – Installation & Cleaning:**
The District has identified all the addresses where cleanouts need to be installed. This phase includes the installation of cleanouts and cleaning of the lower laterals. Supporting tasks such as site surveys, utility coordination, and preparation of bid documents are underway.
 - **Phase 1B – Inspection:**
The lower laterals will be inspected for any structural defects after the cleanout is installed, since it provides as access point. This work will be done by BSD.
 - **Phase 1C – Repairs:**
Any laterals found to have major structural issues during the inspection phase will be repaired as part of this sub-phase.
-

Project Update

In order to proceed with the installation of the cleanouts, outreach efforts, site documentation, engineering review, and site verifications are in progress. Site photos were taken at all relevant locations and uploaded for documentation and to support cost estimates.



Burbank Sanitary District

20863 Stevens Creek Blvd., Suite 100

Cupertino, CA 95014

Phone (408) 255-2137 Fax (408) 253-5173

www.burbanksanitary.org

"Serving the Burbank Community since 1940"

Field inspections have been completed for non-easement areas at the following locations:

- 183 Brooklyn Ave
- 358 Laswell Ave
- 2217 Bailey Ave
- 2289 Bailey Ave
- 506 S. Bascom Ave

Outreach is in progress for easement areas:

Staff reached out to property owners where easement access is required by sending letters, leaving door tags, and communicating directly with homeowners regarding the project.

- 501 Laswell Ave – A door tag was left on 7/2/25 advising the homeowner that access is needed to mark and locate the sewer lateral. Permission has since been granted.
- 1974 Vaughn Ave - Outreach in progress.

As-built verification & field inspection in progress:

- 2280 Bailey Ave
- 185 Brooklyn Ave

Preliminary Engineering Cost Estimate:

The preliminary engineering cost estimate based on the data collected to date is approximately \$80,000. The final estimate will be determined once outstanding field verifications and site photos are completed.

Once all the required data is collected, staff will proceed with utility coordination and begin preparing the bid documents for Board review and approval.