

**BURBANK SANITARY DISTRICT
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING
September 16, 2025**

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 7:00 p.m.

2. ROLL CALL

Directors Present: Rene Prupes, Procopio Sclafani, Mark Negrete, Kristina Seldal
Directors Absent: Ken Colson (Excused Absence)
Staff: Benjamin Porter (District Manager), Sarah Chou (Associate Sanitary Engineer)
Counsel: None
Visitors: None

3. APPROVAL OF AGENDA

Motion: To approve the agenda.

Move: Seldal **Second:** Negrete

Board vote: **Ayes:** Prupes, Sclafani, Negrete, Seldal
 Noes: None
 Abstain: None
 Absent: Colson

4. PUBLIC COMMENTARY

4.A. Visitor Commentary – None.

4.B. Agency Representatives – None.

4.C. Board Commentary – The Board expressed get well wishes to Director Colson.

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.

There was no closed session.

6. CONSENT CALENDAR

6A. Approval of Minutes from the Regular Meeting of August 19, 2025

Motion: To approve Meeting Minutes from the Regular Meeting of August 19, 2025

Move: Seldal **Second:** Sclafani

Board vote: **Ayes:** Prupes, Sclafani, Negrete, Seldal
 Noes: None
 Abstain: None
 Absent: Colson

7. WARRANTS

7.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 May – June 2025)
4. Hunton Andrews Kurth LLP (District Court Appeal May – June 2025)

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

Move: Negrete

Second: Seldal

Board vote:

Ayes: Prupes, Sclafani, Negrete, Seldal

Noes: None

Abstain: None

Absent: Colson

8. NEW BUSINESS

8.A. Sewer System Management Plan Audit. Board action required: Review and approve SSMP Audit

Manager Porter presented the SSMP Audit which must be submitted to the State Water Resources Control Board. He also advised that staff have started to work on updating the new SSMP with new compliance requirements which must be certified by May 2026. The Board recommended creating a project to track time for this job and adding a web page outlining the new regulations and the proposed steps on how the District plans to meet those requirements.

8.B. Public Records Request – Purchasing Records. Board action required: None.

Manager Porter addressed a public records request for purchasing records to which the District must respond. President Prupes commented that the District may consider requesting full cost recovery of staff labor from the requestor.

8.C. Sanitary Sewer Assessment Prior to Annexation Certification – Cleveland Ave. Board action required: None.

Manager Porter addressed a request for Cleveland Avenue Sewer Assessment which will be annexed to City of San Jose. He advised that he may work with City of San Jose for a new Joint Use Agreement. Staff will make sure to bill the City for the time spent on this inspection.

9. UNFINISHED BUSINESS

9.A. BSD Lower Lateral CIP Project Update. Board action required: None.

The engineering cost estimate for Lateral CIP Project has been provided to the Board separately from the Board packet. Staff plan to present the project to the Board for approval at the second October meeting.

9.B. GreenWaste Recovery, Inc.

- 1) 2026 Clean Up Date 5/16/2026 – Board action required: Consider selecting May 16, 2026, as next Annual Spring Clean Up Day.

The Board unanimously agreed to select May 16, 2026, as the next Annual Spring Clean Up day.

- 2) Annual Spring Clean Up Planning. Board action required: None.

Director Prupes will contact Repair Café to ensure that the new Spring Clean Up date is added to their calendar.

9.C. Cyber Security Update. Board action required: Review and approve Cyber Liability Proposal.

The Board reviewed the proposal and selected the most cost-effective option for binding the Cyber Liability coverage.

10. HOUSEKEEPING ITEMS

10.A. Updates on Housekeeping Items.

No update.

10.B. Agenda Items for Upcoming Meetings.

The Board cancelled the Board Meeting of October 7, 2025.

11. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, October 21, 2025.

Motion: To adjourn meeting at 7:50 pm.

Move: Seldal

Second: Sclafani

Board vote:

Ayes: Prupes, Sclafani, Negrete, Seldal

Noes: None

Abstain: None

Absent: Colson

Approved: October 21, 2025

Respectfully Submitted,

Mark Thomas & Company, Inc.

Rene Prupes, President

District Manager
Benjamin T. Porter, PE