

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, JULY 18, 2018**

**A\_G\_E\_N\_D\_A**

Meeting to be held at **7:00 p.m.** in the **Stevens Creek Office Center,**  
**20863 Stevens Creek Boulevard, Suite 100,** Cupertino, California.

**1. ROLL CALL:**

**2. MINUTES & BILLS:**

- A. APPROVAL OF THE MINUTES OF JUNE 20, 2018
- B. APPROVED MINUTES OF JUNE 6, 2018
- C. PAYMENT OF BILLS AND APPROVAL OF FINANCIAL STATEMENT
- D. DIRECTORS' MONTHLY TIMESHEETS

**3. PERSONAL PRESENTATIONS:**

THIS PORTION OF THE MEETING IS RESERVED FOR PERSONS DESIRING TO ADDRESS THE BOARD ON ANY MATTER NOT ON THE AGENDA. SPEAKERS ARE LIMITED TO THREE (3) MINUTES.

ALL STATEMENTS REQUIRING A RESPONSE WILL BE REFERRED TO STAFF FOR FURTHER ACTION. IN MOST CASES, STATE LAW WILL PROHIBIT THE BOARD FROM MAKING ANY DECISIONS WITH RESPECT TO A MATTER NOT LISTED ON THE AGENDA.

**4. CORRESPONDENCE:**

- A. CITY OF SANTA CLARA RESPONSES TO CUPERTINO VALLCO DEVELOPMENT

**5. MEETINGS:**

- A. CALIFORNIA SANITATION RISK MANAGEMENT (CSRMA) OFFICERS' COMMITTEE MEETING TO BE HELD JULY 17, 2018

**6. REPORTS:**

NONE

**7. UNFINISHED BUSINESS:**

- A. RESOLUTION NO. 1308, CONSOLIDATION OF ELECTION REVISED

**8. NEW BUSINESS:**

- A. GARROD FARMS INSTALLER'S AGREEMENT
- B. FORUM INSTALLER'S AGREEMENT
- C. PURCHASE OF VOLUTE FOR PROSPECT AND HOMESTEAD PUMP STATIONS
- D. SURPLUS EQUIPMENT TO DISPOSE
- E. LUCITY WESTERN CONFERENCE
- F. 2017-18 FISCAL YEAR-END FINANCIAL REPORT

**9. STAFF REPORT:**

- A. MONTHLY MAINTENANCE REPORT

**10. CLOSED SESSION:**

- A. CONFERENCE WITH LEGAL CONSEL – EXISTING LITIGATION

in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. 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.

**11. ADJOURNMENT:**

**CUPERTINO SANITARY DISTRICT  
MEETING/EVENT SCHEDULE**

**JULY 2018**

07/04: 1<sup>st</sup> Regular Meeting Canceled  
(Conflict w/ Holiday)

07/17: CSRMA: Officers' Committee Meeting

07/18: 2<sup>nd</sup> Regular Meeting

*There are no TAC/TPAC meetings scheduled*

JULY 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 1 <sup>st</sup> Regular Meeting	5	6	7
8	9	10	11	12	13	14
15	16	17 CSRMA	18 2 <sup>nd</sup> Regular Meeting	19	20	21
22	23	24	25	26	27	28
29	30	31				

**AUGUST 2018**

08/01: 1<sup>st</sup> Regular Meeting

08/07: TAC Meeting

08/08-10: CASA Conference

08/09: TPAC Meeting (Calendar Conflict)

08/15: 2<sup>nd</sup> Regular Meeting

AUGUST 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 1 <sup>st</sup> Regular Meeting	2	3	4
5	6	7 TAC	8	9 TPAC	10	11
12	13	14	15 2 <sup>nd</sup> Regular Meeting	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**SEPTEMBER 2018**

09/03: SCCSDA Meeting (Holiday)

09/05: 1<sup>st</sup> Regular Meeting

09/19: 2<sup>nd</sup> Regular Meeting

09/21: CSRMA: Officers' Committee Meeting

SEPTEMBER 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 SCCSDA	4	5 1 <sup>st</sup> Regular Meeting	6	7	8
9	10	11	12	13	14	15
16	17	18	19 2 <sup>nd</sup> Regular Meeting	20	21 CSRMA	22
23	24	25	26	27	28	29
30						

SANITARY BOARD MEETING  
WEDNESDAY, JUNE 20, 2018

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. in the Stevens Creek Office Center, 20863 Stevens Creek Boulevard, Suite 100, Cupertino, California.

ROLL CALL:

Acting President Kwok called the meeting to order and the following proceedings were had to wit: Roll call was taken, with the following members in attendance:

Directors present: Patrick S. Kwok, Angela S. Chen, Taghi S. Saadati and John M. Gatto. President William A. Bosworth was on excused absence.

Staff present: District Manager Richard K. Tanaka, Deputy District Manager Benjamin Porter, and Counsel Marc Hynes.

MINUTES & BILLS:

- A. The Board reviewed the Minutes of June 6, 2018. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the Minutes of Wednesday, June 6, 2018 were approved.
- B. By consensus, the Approved Minutes of May 09, 2018 were Noted & to be Filed.
- C. The Board reviewed the financials. Director Chen commented on emergencies. Director Saadati commented on BWS Supply invoices. The Directors would like the Hunton and Williams invoices to be broken down by obligation for each tributary agency. Staff responded to questions and will provide additional detail for Hunton and Williams invoices. On a motion by Director Saadati, seconded by Director Chen, by a vote of 4-0-0 the payment of Bills for the month of May were approved as written.
- D. The Directors submitted their June 2018 timesheets to Staff.

PERSONAL PRESENTATIONS:

There were none.

PUBLIC HEARING:

- A. The Board conducted a Public Hearing on Reports on Rates and Charges for Fiscal Year 2018-2019. District Manager Tanaka presented on the updated summary sheet. Acting President Kwok opened the Public Hearing at 7:13 p.m. There were no guests present and no oppositions on file. Acting President Kwok closed the Public Hearing at 7:14 p.m.

On a motion by Director Gatto, seconded by Director Chen, by a vote of 4-0-0, Resolution No. 1305, Confirming Report on Rates and Charges for FY 2018-2019 was approved.

On a motion by Director Gatto, seconded by Director Chen, by a vote of 4-0-0, Resolution No. 1306, Collection of Rates and Charges for FY 2018-2019 was approved.

## CORRESPONDENCE:

- A. The Board received a letter from Santa Clara County District Attorney office. Counsel Hynes provided protocol for discussion. Director Chen read a prepared statement for the record. The Board acknowledged a receipt of Director Chen's written statement. The letter, along with Director Chen's written statement is to be attached to the minutes, noted and to be filed.

## MEETINGS:

There are none.

## REPORTS:

- A. Manager Tanaka reported on the Regular Meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held June 11, 2018. Discussion included city's method for calculating overhead and compliance with OMB requirements. City did not provide the detail.
- B. Director Gatto reported on the Regular Meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held June 14, 2018. There is still no independent qualitative audit. Other topics included: a new Assistant Director of ESD, the digester project, seismic upgrade, and biosolids disposal alternatives.

## UNFINISHED BUSINESS:

- A. The Board discussed attendance for CASA 63<sup>rd</sup> Annual Conference to be held August 8-10, 2018 in Monterey, CA.

## NEW BUSINESS:

- A. The Board reviewed the budget for FY 2018-19. On a motion by Director Gatto, seconded by Director Chen, by a vote of 4-0-0, the budget for FY 2018-19 was approved.
- B. The Board discussed the Consolidation of Election 2018. On a motion by Director Gatto, seconded by Director Chen, by a vote of 4-0-0, the Board approved Resolution No. 1307, a Resolution Requesting and Consenting Consolidation of Election.

## STAFF REPORTS:

- A. District Manager Tanaka reported on the monthly maintenance report.

## CLOSED SESSION:

Acting President Kwok adjourned the regular meeting session and opened the closed session at 7:58 p.m. in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. 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.

Acting President Kwok adjourned the closed session and the regular meeting was called to order at 8:04 p.m.

No reportable action taken at the closed session.

ADJOURNMENT:

On a motion properly made and seconded, at 8:05 p.m. the meeting was adjourned.

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Secretary Pro-Tem of the Sanitary Board

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Acting President of the Sanitary Board

## SANITARY BOARD MEETING WEDNESDAY, JUNE 06, 2018

The Sanitary Board of the Cupertino Sanitary District convened this date at 6:59 p.m. in the Stevens Creek Office Center, 20863 Stevens Creek Boulevard, Suite 100, Cupertino, California.

### ROLL CALL:

Acting President Kwok called the meeting to order and the following proceedings were had to wit: Roll call was taken, with the following members in attendance:

Directors present: Patrick S. Kwok, Angela S. Chen, Taghi S. Saadati, and John M. Gatto. President William A. Bosworth was on excused absence.

Staff present: District Manager Richard K. Tanaka, Deputy District Manager Benjamin Porter, and Counsel Marc Hynes.

### MINUTES & BILLS:

On a motion by Director Saadati, seconded by Director Chen, by a vote of 3-0-0, the Minutes of Wednesday, May 09, 2018 were approved. Director Gatto abstained.

By consensus, the Approved Minutes of April 18, 2018 were Noted & to be Filed.

### PERSONAL PRESENTATIONS:

There were none.

### CORRESPONDENCE:

There was none.

### MEETINGS:

- A. Manager Tanaka and Deputy Manager Porter both plan to attend the Regular Meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held June 11, 2018.
- B. Director Gatto plans to attend the Regular Meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held June 14, 2018.

### REPORTS:

- A. Acting President Kwok reported on the 2018 CWEA Annual Conference held April 17-20, 2018 in Sacramento, CA. Most of his time was spent on collection system discussion sessions. Topics included smart water meters, trenchless technology, scanning technology to locate leaks, and FELL system that has been used in the Bay Area.
- B. Manager Tanaka reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held May 15, 2018. Tanaka presented details of the meeting regarding Capital O&M budget, and discussed overhead increase.

- C. Acting President Kwok reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held May 17, 2018. Overhead increase was discussed. The budget for O&M was not voted on and deferred to a special TPAC meeting date tentatively set for June 4, 2018.
- D. Director Gatto and Manager Tanaka reported on the Special TAC/TPAC meeting held June 4, 2018 regarding 2018-2019 Proposed Operating Budget. Items of discussion at the meetings included:
- San Jose reported error in tracking legal cost recovery and misallocation of recycled water capital costs at the TAC meeting. At TPAC, San Jose reported budget will be not changed, but Tributary Agencies will not be charged for these expenses.
  - \$1.5 million discrepancies have small impact on large overhead increases still with no explanation provided by City of San Jose.
  - Manager for biosolids management
  - New accounting for SBWA
- E. Director Kwok reported on the Santa Clara County Special Districts Association meeting held June 4, 2018.

#### UNFINISHED BUSINESS:

- A. The Board discussed calendar conflict of regular meeting to be held on July 4, 2018. This date conflicts with the Independence Day holiday. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the Board agreed to cancel the meeting of July 4, 2018.

#### NEW BUSINESS:

- A. The Board discussed the Forum Draft Installer's Agreement and provided comments. Staff was directed to round the connection fees to the nearest dollar. Board would like to have a better understanding of what the potential costs for the onsite Forum rehabilitation will be.
- B. The Board discussed upcoming CASA Conference to be held August 8-10, 2018 in Monterey, CA. Board members, Staff, and Counsel plan to attend. Director Bosworth was not present to confirm his attendance. Director Kwok plans to attend the CSRMA Risk Management Seminar to be held on August 8, 2018. Director Chen reported she will confirm her attendance later.

#### STAFF REPORTS:

- A. Deputy Manager Porter provided an update on the status of CASA award application submittal.
- B. Manager Tanaka provided an update on the status of FY 2018-19 budget.

#### CLOSED SESSION:

Acting President Kwok adjourned the regular meeting session and opened the closed session at 8:00 p.m. in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. 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.



Acting President Kwok adjourned the closed session and the regular meeting was called to order at 8:12 p.m.

There was no reportable action.

ADJOURNMENT:

On a motion properly made and seconded, at 8:14 p.m. the meeting was adjourned.

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Secretary Pro-Tem of the Sanitary Board

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Acting President of the Sanitary Board

# Item 2 C

## CUPERTINO SANITARY DISTRICT

<u>WARRANT</u>						
<u>NUMBER</u>	<u>FUND</u>	<u>\$</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	
N/A	M&O	\$	2,626.52	ADP	Directors' Salary	
18414	M&O	\$	284,500.23	Mark Thomas & Company, Inc.	Capital Outlay-Sewer Const.	360.00
					Plan Checking & Insp.	9,312.76
					Management Svcs	31,954.70
					Engineering Svcs	82,192.45
					Emergency	3,755.28
					Repairs & Maintenance	155,748.69
					Utilities	776.35
					Office Expense	400.00
18415	M&O	\$	1,077.74	Dooley Insurance Services	Insurance - Group Life & Dental	
18416	M&O	\$	1,502.00	Alliant Insurance Services	Insurance - Vehicle	
18417	M&O	\$	2,311.00	CSRMA	Insurance - Property	
18418	M&O	\$	540.00	CWEA	Memberships	
18419	M&O	\$	7,340.73	LAFCO	Memberships	
18420	M&O	\$	52,160.28	Hunton Andrews Kurth, LLP	Legal-Common Interest Group	
18421	M&O	\$	2,375.00	County Sanitation District 2-3	Legal-Common Interest Group	
18422	M&O	\$	151.80	Bay Area News Group	Printing & Publication	
18423	M&O	\$	71.06	San Jose Water Company	Utilities	
18424	M&O	\$	100.86	City of Santa Clara	Utilities	
18425	M&O	\$	4,292.17	PG&E	Utilities	
18426	M&O	\$	135.00	Jose Silva Gardening Service	Repairs & Maintenance	
18427	M&O	\$	522.50	Home Depot Credit Services	Repairs & Maintenance	
18428	M&O	\$	5,595.21	Duke's Root Control, Inc.	Repairs & Maintenance	
18429	M&O	\$	2,608.44	Pfeiffer Electric Co., Inc.	Repairs & Maintenance	
18430	M&O	\$	575.00	Telstar Instruments	Repairs & Maintenance	
18431	M&O	\$	97,099.91	Able Underground Construction	Repairs & Maintenance	80,024.18
	M&O				Emergency	17,075.74
18432	M&O	\$	35,798.90	Roto-Rooter	Repairs & Maintenance	35,100.45
					Emergency	698.45
18433	M&O	\$	2,019,483.00	City of San Jose	T.P. Operations & Maintenance	1,403,609.00
					T.P. Capital Billing	615,874.00
<b>TOTAL</b>			<b><u>\$ 2,520,867.35</u></b>			

**EMERGENCY DETAILS:**

**Able** - three emergencies for the month of June  
**Roto-Rooter** - four emergencies for the month of June

June Final Expenses	\$ 489,152.88
July Expenses	\$ 2,031,714.47
	<b>\$ 2,520,867.35</b>

\*Note: Expenses are \$300K greater than warrants due to recording of Replacement Fund

**CUPERTINO SANITARY DISTRICT**  
**MONTHLY FINANCIAL REPORT THROUGH JUNE 2018**  
**(12th Month of Operations - 100% into FY Operations)**  
**FISCAL YEAR: July 1, 2017 to June 30, 2018**

**EXPENSE SUMMARY REPORT**

Account Name	Account Number	BUDGET	Prior Expenses	Amount Payable	Total To Date Expenses	Remaining Balance	% Expended To Date	Comments
JUNE FINAL								
<b>OPERATING EXPENSES</b>								
Directors Fees	41030	\$40,000	\$26,955.61	\$2,626.52	\$29,582.13	\$10,417.87	74.0%	Under budget
Gasoline, Oil & Fuel	41060	\$3,000	\$1,387.09	\$0.00	\$1,387.09	\$1,612.91	46.2%	None this month; Prior expenses were fuel at flow monitoring station
Insurance	41070	\$125,000	\$125,013.65	\$0.00	\$125,013.65	(\$13.65)	100.0%	None this month
Memberships	41080	\$28,000	\$21,283.11	\$540.00	\$21,823.11	\$6,176.89	77.9%	CWEA for Inspectors
Office Expense	41090	\$6,000	\$6,209.19	\$400.00	\$6,609.19	(\$609.19)	110.2%	Board Room Rent this month. Slightly over budget.
Operating Supplies	41100	\$3,000	\$312.42	\$0.00	\$312.42	\$2,687.58	10.4%	Business cards and badges for new inspectors
<b>Contractual Services:</b>								
Outfall Maintenance	41113	\$190,000	\$301,019.89	\$0.00	\$301,019.89	(\$111,019.89)	158.4%	None this month; Paid \$254,484 to Santa Clara (last 5 FY) and \$46,536 to SJ
Treatment Plant O&M	41114	\$5,571,000	\$5,571,112.00	\$0.00	\$5,571,112.00	(\$112.00)	100.0%	FY17-18 Paid in full
<b>Professional Services:</b>								
Management Services	41121	\$500,000	\$395,320.22	\$31,954.70	\$427,274.92	\$72,725.08	85.5%	On Target (under budget) Budget has been exceeded due to increased effort on Lucity, ArcGIS, Master Plan
Engineering Services	41122	\$600,000	\$982,592.56	\$82,192.45	\$1,064,785.01	(\$464,785.01)	177.5%	Under Budget
Plan Ckg. & Insp.	41123	\$140,000	\$83,174.94	\$9,312.76	\$92,487.70	\$47,512.30	66.1%	None this month
Legal District Counsel	41124	\$60,000	\$24,670.24	\$0.00	\$24,670.24	\$35,329.76	41.1%	Hunton Andrews Kurth and CSD 2-3 - FY2018 Q4
Legal (Common Interest-Tributaries)	41124	\$200,000	\$70,413.25	\$4,535.28	\$124,948.53	\$75,051.47	62.5%	None this month
Audit	41125	\$11,000	\$10,775.00	\$0.00	\$10,775.00	\$225.00	98.0%	None this month
Printing & Publications	41130	\$30,000	\$9,832.66	\$151.80	\$9,984.46	\$20,015.54	33.3%	Bay Area News Group - Public Hearing for Tax Roll FY18-19
Repairs & Maintenance	41150	\$3,200,000	\$2,624,211.66	\$280,309.47	\$2,904,521.13	\$295,478.87	90.8%	On Target (under budget)
Travel & Meetings	41170	\$25,000	\$23,655.14	\$0.00	\$23,655.14	\$1,344.86	94.6%	None this month
Utilities	41190	\$60,000	\$52,009.31	\$5,240.44	\$57,249.75	\$2,750.25	95.4%	On Target (under budget)
<b>Refunds &amp; Reimbursements:</b>								
Miscellaneous	41201	\$10,000	\$8,876.00	\$0.00	\$8,876.00	\$1,124.00	88.8%	None this month
Connection Fees	41202	\$7,000	\$250.00	\$0.00	\$250.00	\$6,750.00	3.6%	None this month Reimbursement for tax bill paid by Chris Tsang for 21820 Oakview Lane, for FY17-18
Checking & Inspection	41203	\$5,000	\$1,673.89	\$0.00	\$1,673.89	\$3,326.11	33.5%	Seven emergencies this month
Emergency Funds	48000	\$250,000	\$111,368.00	\$21,529.46	\$132,897.46	\$117,102.54	53.2%	None to Date
Consolidated Election	48001	\$5,000	0.00	\$0.00	\$0.00	\$5,000.00	0.0%	None to Date
<b>TOTAL OPERATING EXPENSES</b>		<b>\$11,069,000</b>	<b>\$10,452,115.83</b>	<b>\$488,792.88</b>	<b>\$10,940,908.71</b>	<b>\$128,091.29</b>	<b>98.8%</b>	
<b>CAPITAL EXPENSES</b>								
Sewer Construction	46041	\$1,600,000	\$1,763,309.13	\$360.00	\$1,763,669.13	(\$163,669.13)	110.2%	Calabazas Construction CIP Project FY17-18 Paid in full (also paid \$511,343 to Santa Clara for last 5 FY for Outfall Capital)
T.P. & Outfall Capital Improvements	46042	\$7,220,000	\$8,010,199.82	\$0.00	\$8,010,199.82	(\$790,199.82)	110.9%	None this month
Equipment	46043	\$150,000	\$74,554.67	\$0.00	\$74,554.67	\$75,445.33	49.7%	Replacement Fund recorded in June 2018-Current Balance \$2,700,000
Replacement Fund	46044	\$300,000	\$0.00	\$300,000.00	\$300,000.00	\$0.00	0.0%	
<b>TOTAL CAPITAL EXPENSES</b>		<b>\$9,270,000</b>	<b>\$9,848,063.62</b>	<b>\$300,360.00</b>	<b>\$10,148,423.62</b>	<b>(\$878,423.62)</b>	<b>109.5%</b>	
<b>TOTAL EXPENSES</b>		<b>\$20,339,000</b>	<b>\$20,300,179.45</b>	<b>\$789,152.88</b>	<b>\$21,089,332.33</b>	<b>(\$750,332.33)</b>	<b>103.7%</b>	Over budget due to payment to Santa Clara and increased engineering as noted.

**CUPERTINO SANITARY DISTRICT**  
**MONTHLY FINANCIAL REPORT THROUGH JUNE 2018**  
**(12th Month of Operations - 100% into FY Operations)**

FISCAL YEAR: July 1, 2017 to June 30, 2018

**REVENUE SUMMARY REPORT**

Account Name	Account Number	BUDGET	Prior Receipts	Current Month Receipts	Total Amount Received	Remaining Balance to Collect	% Earned To Date	Comments
JUNE								
<b>OPERATING</b>								
Service Charges	31010							
Handbilling		\$391,562.00	\$382,825.49	\$0.00	\$382,825.49	\$8,736.51	97.8%	None this month
Tax Roll		\$13,831,326.00	\$8,058,573.44	\$5,775,290.81	\$13,833,864.25	(\$2,538.25)	100.0%	Final payment received for FY17-18
Permit Fees	31020	\$30,000.00	\$35,894.59	\$7,178.79	\$43,073.38	(\$13,073.38)	143.6%	Twenty payments received this month; 116 payments received to date
Acreage	31031	\$15,000.00	\$3,286.00	\$0.00	\$3,286.00	\$11,714.00	21.9%	One payment received this month
Front Footage	31032	\$20,000.00	\$13,282.40	\$0.00	\$13,282.40	\$6,717.60	66.4%	One payment received this month
Additional Dwelling	31033	\$80,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00	0.0%	None to Date
Additional Density	31034	\$200,000.00	\$858.24	\$0.00	\$858.24	\$199,141.76	0.4%	None this month
Checking & Inspection Fees	31040	\$160,000.00	\$71,871.11	\$2,950.00	\$74,821.11	\$85,178.89	46.8%	Twelve payments received this month; 181 payments received to date
Annexation	32010	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	0.0%	None to Date
Interest	32050	\$160,000.00	\$150,346.59	\$45,272.33	\$195,618.92	(\$35,618.92)	122.3%	Interest Allocation FY2018 Q3 Final
City of San Jose Credit(s)	32091	\$990,000.00	\$2,088,766.00	\$0.00	\$2,088,766.00	(\$1,098,766.00)	211.0%	None this month
Refunds/Reimbursements - Misc.	32091	\$10,000.00	\$29,513.50	\$0.00	\$29,513.50	(\$19,513.50)	295.1%	None this month
Lateral Construction	32093	\$15,000.00	\$9,200.00	\$0.00	\$9,200.00	\$5,800.00	61.3%	Two payments received this month
Mann Drive	32094	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0%	Completed; Close out next fiscal year
<b>TOTAL OPERATING REVENUE</b>		<b>\$15,905,388.00</b>	<b>\$10,844,417.36</b>	<b>\$5,830,691.93</b>	<b>\$16,675,109.29</b>	<b>(\$769,721.29)</b>	<b>104.84%</b>	
Revenue Transfer		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	Reserve Account
<b>TOTAL REVENUE</b>		<b>\$15,905,388.00</b>	<b>\$10,844,417.36</b>	<b>\$5,830,691.93</b>	<b>\$16,675,109.29</b>	<b>(\$769,721.29)</b>	<b>104.84%</b>	

**CASH ACCOUNT SUMMARY**

Date	Description	Balance	Replacement Fund	Net Cash
June 30, 2017	Ending Balance	\$ 22,464,574.90	\$ 2,100,000.00	\$ 20,364,574.90
July 31, 2017	Ending Balance	\$ 19,612,816.78	\$ 2,400,000.00	\$ 17,212,816.78
August 31, 2017	Ending Balance	\$ 18,915,222.26	\$ 2,400,000.00	\$ 16,515,222.26
September 30, 2017	Ending Balance	\$ 17,659,566.60	\$ 2,400,000.00	\$ 15,259,566.60
October 31, 2017	Ending Balance	\$ 11,730,749.16	\$ 2,400,000.00	\$ 9,330,749.16
November 30, 2017	Ending Balance	\$ 11,376,774.29	\$ 2,400,000.00	\$ 8,976,774.29
December 31, 2017	Ending Balance	\$ 10,931,524.80	\$ 2,400,000.00	\$ 8,531,524.80
January 31, 2018	Ending Balance	\$ 16,733,499.04	\$ 2,400,000.00	\$ 14,333,499.04
February 28, 2018	Ending Balance	\$ 18,466,964.45	\$ 2,400,000.00	\$ 16,066,964.45



**City of  
Santa Clara**  
The Center of What's Possible

Planning Division

City of Cupertino, Community Development  
Department  
Attn: Piu Ghosh, Principal Planner  
10300 Torre Avenue  
Cupertino, CA 95014

July 9, 2018

Re: Draft the Environmental Impact Report (EIR) for the Vallco Special Area Specific Plan Project (File Number EA-2017-05)

Dear M. Ghosh:

Thank you for including the City of Santa Clara in the environmental review process for the Vallco Special Area Specific Plan Project ("Project"). City staff has reviewed the Environmental Impact Report (EIR) prepared for the development of a Specific Plan for the Vallco Special Area that would facilitate development of a minimum of 600,000 square feet of commercial uses, up to 2.0 million square feet of office uses, up to 339 hotel rooms, and up to 800 residential dwelling units within the Plan area. The following comments are provided following our review of the EIR.

### **Background Information**

In section 2.3 Background Information, page 10, it states that the Sand Hill Property Company filed an application pursuant to SB 35 (Government Code section 65913.4) at the Project's subject location. Please clarify whether or not the Sand Hill Property Company application will be covered under the Vallco Special Area Specific Plan Project EIR, or if there will be separate environmental clearance (CEQA).

### **Sewer Wastewater Treatment/Sanitary Sewer System**

The City of Cupertino's waste water service provider, Cupertino Sanitary District (CuSD) provides services to the City of Cupertino, portions of City of Saratoga, Sunnyvale, Los Altos, and surrounding unincorporated areas. Most of the Cupertino Sanitary District's waste water flows through the City of Santa Clara's sanitary sewer system. The EIR recognizes that the City of Santa Clara has an agreement with the CuSD, and per said agreement, the peak flow from CuSD is capped at 13.8 MGD, and the projected flow with the proposed Vallco Special Area Specific Plan (Project) would exceed the peak flow of 13.8 MGD. However; the EIR does not evaluate the sanitary sewer conveyance capacity impacts of the buildout of the Project to the City of Santa Clara's sanitary sewer system.

The EIR provides three mitigation measures (page 390, MM UTIL-2.1, MM UTIL-2.2, and MM UTIL-2.3), however; the impacts and mitigation measures are only for the CuSD's infrastructure. The evaluation needs to continue through the City of Santa Clara sanitary sewer system which takes the flow all the way to the treatment plant. Mitigation measure MM UTIL-2.3 does not address the impacts to the City of Santa Clara sanitary sewer system. The attached exhibit entitled, "Cupertino Sanitary District

Piu Ghosh, Principal Planner  
July 9, 2018  
Page 2

Interceptor Sewer Exhibit”, shows the City of Santa Clara’s major trunks that carry CuSD waste water.

An evaluation of the sanitary sewer conveyance capacity impacts of this Project to the City of Santa Clara’s sanitary sewer system is required and the results of the evaluation along with the mitigation measures need to be included in the EIR. To evaluate impacts, a Sanitary Sewer Hydraulic Model run analyzing the impacts of the buildout of the Project is needed. The modeling and analysis must be done by the City of Santa Clara. The CuSD staff must schedule a meeting with the City of Santa Clara Water and Sewer Utilities and Public Works staff to discuss the Project details, including the proposed flow data and diurnal curve from the CuSD and current sewage discharge capacity agreement between the City of Santa Clara and Cupertino Sanitation District. The sewer model run review process may take up to 4-6 weeks to complete the model run, evaluate impacts, and prepare an evaluation report after the \$8,844 fee is paid and the City of Santa Clara has been provided with all the required information (see the attached exhibit entitled, “Sewer Model Run Request Form”) to perform the sanitary sewer model run.

### **Transportation/Traffic**

Please see the attachment entitled, “Transportation/Traffic Comments” for comments on section 3.17 Transportation/Traffic pages 273, 288, 289, 311, 326, and 330. In addition, please verify if the latest CMP counts were used for the CMP intersections per the date of the NOP.

### **Conclusion**

Please revise the EIR and technical reports per the comments above. Should you have any questions regarding this letter, please contact Reena Brilliot, Planning Manager, via email at [rbrilliot@SantaClaraCA.gov](mailto:rbrilliot@SantaClaraCA.gov) or phone at 408-615-2452.

Best regards,



Andrew Crabtree  
Director of Community Development

**RESOLUTION NO. 1308****A RESOLUTION REQUESTING AND CONSENTING TO  
CONSOLIDATION OF ELECTION.**

**WHEREAS**, the Board approved Resolution No. 1307, Consolidation of Election, at the regular meeting held June 20, 2018 and submitted the resolution to the County Registrar of Voters. The County Registrar of Voters requested inclusion of additional information. This Resolution No. 1308 supersedes Resolution No. 1307,

**WHEREAS**, a Biennial District General Election has been ordered to be held on Tuesday, November 6, 2018, in the Cupertino Sanitary District of Santa Clara County for the purpose of electing two (2) members of the Sanitary Board of the District, both for a term of 4 years; and

**WHEREAS**, pursuant to Part 3 (commencing with Section 10400) of the Elections Code, such election may be either completely or partially consolidated;

**NOW, THEREFORE, BE IT RESOLVED:**

**Section 1.** That the Board of Directors of the Cupertino Sanitary District calls for an election to be held on November 6, 2018, and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election.

**Section 2.** That the Board of Directors of the Cupertino Sanitary District requests the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Elections Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election.

**Section 3.** That pursuant to Section 10508 of the Elections Code of the State of California, said officers are to be elected at large.

**Section 4.** That pursuant to Section 10514 of the Elections Code of the State of California, the qualifications for election to said offices, as prescribed by the principal act, are:

Candidates must be at least 18 years of age, a citizen of the state, a registered voter, a resident of the district, and not otherwise disqualified from holding a civil office by the Constitution or laws of the State.

**Section 5.** That pursuant to Sections 10002 and 10520 of the Elections Code of the State of California, each district involved in a district general election in an affected county shall reimburse the county for the actual costs incurred by the county elections official in conducting the district general election for that district.

**Section 6.** That the candidates' statements of qualifications shall be limited to 400 words; that the cost of printing, translating and distributing said statements shall be borne by the candidates who file such statements, and that each candidate who files such a statement shall be required to pay in advance his or her pro rata share of the estimated costs of printing, handling, and mailing said candidate statement, such estimated costs to be determined by the Registrar of Voters.

**Section 7.** That pursuant to Section 10522 of the Elections Code of the State of California, a current map showing the boundaries of the district and the boundaries of the divisions of the district is herewith submitted.

**Section 8.** That pursuant to Sections 10551 and 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by lot.

**Section 9.** That the names of all current Board Members & date each term ends are:

Member Name	Term End	Date Appt. to Vacancy	Replaced
Patrick S. Kwok	12/31/2018	01/01/2015	Wendell H. Kerr, Jr.
Taghi S. Saadati	12/31/2018	09/07/2016	Steve C. Andrews
Angela S. Chen	12/31/2020	10/03/2012	Christopher C. Lee
John M. Gatto	12/31/2020	03/01/2000	Patrick S. Kwok
William A. Bosworth	12/31/2020	05/04/2001	Robert W. Quinlan

**PASSED AND ADOPTED** this 18<sup>th</sup> day of July 2018, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: \_\_\_\_\_

Secretary of the Board of Directors of the  
Cupertino Sanitary District





# Memo

## Item 8 A

**To: Board of Directors**  
**From: Richard Tanaka, District Manager-Engineer**  
**Date: July 18, 2018**  
**Re: The Garrod Trust Installer's Agreement**

***Summary:***

The Garrod Trust is the applicant/owner of the property known as Garrod Farms, a certain real property located in the City of Sartoga, California (APN 503-11-006, 503-11-008, 503-11-009, 503-12-001, 503-74-003, and 503-74-004). This property was annexed to Cupertino Sanitary District on February 3, 2016 with the intent to be served by Cupertino Sanitary District. The installer will be installing approximately 790 LF of 6" sewer main, 4 laterals, and 5 manholes within the private road adjacent to the property and the Installer's property. The resulting sewer main and manholes will be owned and maintained by the District.

District staff has met with the developer to review the proposed plans and to express the District's concerns/issues that need to be incorporated as part of the development requirements. An Installer's Agreement has been prepared that addresses our concerns/issues.

The applicant has agreed to:

- Pay all fees as required by the District
- Enter into an Installer's Agreement with Reimbursement, with terms of reimbursement determined by District
- Pay for the cost of the new sewer construction and transfer ownership to District upon acceptance

Attached with this memo are:

- Installer's Agreement signed by Owner with Bond and Check

***Recommendation:***

Approve and execute the Installer's Agreement with The Garrod Trust

INSTALLER'S  
A\_G\_R\_E\_E\_M\_E\_N\_T  
WITH REIMBURSEMENT

THIS AGREEMENT, made this 28<sup>th</sup> day of June, 2018, between the CUPERTINO SANITARY DISTRICT of Santa Clara County, California, a public corporation duly organized and existing under Part I Division 6 of the Health and Safety Code of the State of California, hereinafter called "District," and Garrod Trust, owner, hereinafter called "Installer";

W\_I\_T\_N\_E\_S\_S\_E\_T\_H

WHEREAS, Installer is the owner of that certain real property located in the City of Saratoga, more specifically consisting of APN 503-11-006, 503-11-008, 503-11-009, 503-12-001, 503-74-003, and 503-74-004, also known as the Garrod Farms;

WHEREAS, LAFCO of Santa Clara County, adopted Resolution No. 2016-01 on February 3, 2016 allowing these parcels to be within the jurisdiction of Cupertino Sanitary District;

WHEREAS, District is the owner and operator of a six-inch sanitary sewer main which exists in the vicinity of Garrod Farms;

WHEREAS, Installer desires to extend existing six-inch sanitary sewer main to serve Garrod Farms and has presented to the Sanitary Board of the District, plans, profiles, and specifications therefore, which said plans, profiles, and specifications have been approved by the District Engineer as shown in Exhibit B;

WHEREAS, said sanitary sewer facilities to be constructed by Installer, as herein provided, are subject to probable future use by three connectors other than Installer; and

WHEREAS, the construction of said sanitary sewer facilities will result in excess costs to Installer entitling a reimbursement of a portion of the cost of said facilities in accordance with the provisions of the Cupertino Sanitary District Operations Code Chapter V, Article 4: Reimbursement of Excess Costs, dated March 2, 2016;

NOW, THEREFORE, IT IS AGREED, as follows:

1. SEWER LINE CONSTRUCTION: Installer shall install, or cause to be installed, approximately 790 linear feet of sanitary sewer facilities necessary to serve Garrod Farms in strict accordance with the plans, profiles, and specifications approved by the District delineated on said Exhibit "B".

To be eligible for reimbursement of fees paid by the Installer per Section 6, "Connection Fee" and Section 7, "Deposit for administration, plan check and inspection fees", the Installer must commence construction activities within one year (365 days) of execution of this agreement and must complete construction within two years (730 days) of agreement execution.

2. INSPECTION: Installer hereby agrees to provide and assure said District and its employees and any person or persons designated by it the right to inspect said sanitary sewer facilities and the plans, materials and work thereof at any reasonable time or times before, during or after such are installed.
3. LANDS, EASEMENTS, OR RIGHTS OF WAY: In the event that any lands or easements are required for the extension of the public sewer, the construction of any improvements, or the making of connections, installer shall, at its sole cost and expense and at no cost or expense to District, procure, or cause to be procured, and have accepted by District a proper deed, easement or grant of land or right of way sufficient in law to allow the construction and maintenance of such improvements, extension or connection.

Installer further warrants that previous to the time of the execution of such conveyance to District, whether by deed, easement or grant of land or right of way, the Grantor has not conveyed the same estate or interest, or any right, title or interest therein, to any person other than District; and that such estate or interest is, at the time of the execution of such conveyance, free from encumbrances done, made or suffered by the Grantor or any person claiming under Grantor or Installer.

4. PAYMENT BY INSTALLER: Installer further hereby agrees to pay any and all costs in connection with the construction of said sanitary sewer facilities, including, but not limited to, materials, work, inspection, supervision, legal, engineering, recording and all incidental expenses therefore, and all other rates and charges established by District before acceptance thereof by District. Installer further agrees that District may, without further recourse to Installer, pay any of the above-listed expenses, or make payments applying on said expenses from the deposit made pursuant to Section 7 hereof.
5. SECURITY FOR PERFORMANCE OF WORK:
  - a. Performance and Payment Bonds. As security for performance of all work necessary for construction of the Sanitary Sewer Facilities and for payment of all labor and material costs pertaining thereto, Installer or its contractor shall furnish to District performance and payment bonds in the amount of \$315,000 per attached Exhibit A, on forms provided by District and each in an amount equal to the estimated cost to construct all improvements contemplated by this Agreement, as determined by the District Manager. The performance and payment bonds shall be issued by a surety company admitted to transact business in the State of California, as approved by the District Manager, and shall remain in full force and effect at all times during the performance of the work.
  - b. Certificate of Deposit As Security. As an alternative to the delivery of performance and payment bonds pursuant to Paragraph (a) above, Installer may elect to deliver to District a Certificate of Deposit payable to District and

issued by a bank acceptable to District, in an amount equal to the estimated cost to construct all improvements contemplated by this Agreement, as determined by the District Engineer. In the event of any default hereunder, District shall be entitled to withdraw any portion or all of the amount deposited irrespective of any interest or penalty that may be charged by the bank for early withdrawal, and District may utilize the funds to complete any unfinished work, or to correct any defective work, or to compensate District for any damage suffered or costs incurred as a result of Installer's default.

6. CONNECTION FEES: Installer shall pay to District, prior to execution of this agreement by District, the Sewer Connections Fees in the amount of \$44,564.70, which includes lateral connections, usage, frontage and area fees as shown in Exhibit A.
7. DEPOSIT: Installer hereby agrees to deposit, in cash, with District, prior to execution of this agreement by District, a sum of \$30,000.00 as shown in Exhibit A as the District Administration, Plan Checking and Inspection Fee. Said deposit is to be used by District to pay for District's costs for examination of plans, checking of specifications, inspection and other similar engineering charges, together with all costs of administration, supervision, legal, recording and other incidental expenses in connection therewith. Any balance of said sum remaining on deposit after payment of all such charges and costs shall be refunded to Installer. No interest shall be paid by District on the money so refunded. If such deposit is insufficient to pay all such charges and costs, Installer hereby agrees to pay all such charges and costs in excess of the sum so deposited prior to the acceptance of said sanitary sewer improvements by District.
8. COMPLIANCE WITH ORDINANCES, RULES, AND REGULATIONS: Installer shall comply with all District ordinances, rules, and regulations, as now or hereafter amended. Installer must also comply with all State, County, City, and other agency regulations, rules and ordinances affecting, in any manner, the construction of sanitary sewer facilities, and shall obtain any and all necessary permits and shall pay all fees and charges relating thereto or required therefore.
9. TRANSFER OF TITLE: Upon completion of the construction of said sanitary sewer facilities by Installer and final approval thereof by District, title to said sanitary sewer facilities shall be transferred and conveyed to District. Installer waives any and all rights or claim he may have to or for any other consideration from District for said transfer of title, except as is otherwise provided by this agreement.
10. INDEMNIFICATION: Installer shall defend, indemnify and hold District, the District Engineer, Mark Thomas, the County of Santa Clara and the City in which the referred to real property is situated, their officers, agents and employees, free and harmless from any liability or claim of liability for costs and expenses incurred, directly, or indirectly, by Installer in the construction of the sanitary sewer facilities which are the subject of this agreement. Installer further agrees to require his contractor to maintain full insurance coverage of not less than standard limits, and to defend, indemnify and hold District, the District Manager, Mark Thomas, the County of Santa Clara and the

City in which the referred to real property is situated, their officers, agents and employees, free and harmless from any damage or claim of damage for injury to person or property arising from the activities of Installer and his contractor in the performance of this agreement.

11. REIMBURSEMENT OF EXCESS COSTS: Upon completion of the construction of the sanitary sewer facilities as herein provided, Installer shall submit to District a certified, itemized statement of his costs as such excess costs are defined in the Cupertino Sanitary District Operations Code, together with a unit cost breakdown thereof. Said excess costs so submitted shall be audited by District which shall approve for reimbursement.

a. Portion of available reimbursement fees is calculated based on Possible Usable Acreage of Installer's property which is 19.05 acres as compared to the total potential future connections of the following parcels:

- i. 503-12-028 – 1.89 Acres – 1.00 Usable Acre
- ii. 503-12-029 – 1.00 Acres – 1.00 Usable Acre
- iii. 503-12-030 – 1.00 Acres - 1.00 Usable Acre
- iv. 503-12-032 – 2.10 Acres - 1.00 Usable Acre
- v. 503-12-033 – 2.00 Acres - 1.00 Usable Acre

b. Based on engineering estimate of \$315,000 for construction cost, eligible reimbursement to the Installers will be  $[5/(19.05+5.00)] \times \$315,000 = \$65,488$ . This amount of \$65,488 will be paid by 5 parcels listed above at the time of their connection. This amount of \$65,488 will be adjusted to actual cost as submitted by the Installer and verified by the District.

c. In the future, as each listed parcel connects to the sewer main, these parcels will be required to pay District \$13,097 for the reimbursement fee in addition to the connection fees per District Operation Code.

d. When District collects these fees, Installer will be reimbursed said amount within 60 days. This reimbursement policy shall be effective for a period of ten (10) years from acceptance of the improvements per District Operation Code.

12. COSTS NOT INCLUDED IN THIS AGREEMENT: The future cost for the annual Capital & Operational Cost Recovery Charges (O.C. 7303-A) is to be determined as follows:

- 1) A chemical analysis of the waste discharged from the Wine and Stables operations must be completed by the Installer and submitted to District on a yearly basis for the first five (5) years. Parameters analyzed must include Chemical Oxygen Demand (COD), Suspended Solids (SS), and Ammonia (NH<sub>3</sub>) levels within the sewer discharge and flow volume.
- 2) Based on the data provided, District will calculate annual service charges per Operations Code. First year and potentially second year calculations will be performed by District Engineer based on engineering estimates of these four

parameters with no adjustments as these 4 parameters are developed over the five year period.

3) Annual service charges will be placed on the primary APN.

13. COSTS OF SUIT. In the event legal action is necessary to enforce or interpret this Agreement, the prevailing party shall be entitled to recover all costs and expenses that may be incurred in connection therewith, including reasonable attorney fees.

14. SCOPE OF AGREEMENT: This writing constitutes the entire agreement between the parties, and no modification or waiver of all or any part thereof shall be valid unless in writing and signed by both parties hereto. Waiver by either party of any breach of this agreement shall not be deemed waiver of any subsequent breach of the same or of any other provision of this agreement. If any part of this agreement is held to be indefinite or uncertain or unenforceable, such determination shall not invalidate any other part of this agreement. This agreement shall bind and inure to the benefit of the heirs, administrators, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have executed this agreement the day and year first above written.

“DISTRICT”  
CUPERTINO SANITARY DISTRICT  
Santa Clara County, California

By: \_\_\_\_\_  
President of the Sanitary Board of said District

(SEAL)

ATTEST:

\_\_\_\_\_  
Secretary of said District

“INSTALLER”  
Garrod Trust

By:  \_\_\_\_\_  
Jan Garrod, Trustee

**EXHIBIT A - FEES**

**Section 7 - Connection Fees**

	Description	Quantity	Unit	Unit Price	Amount
1	Connection Fee - Housing (3 Beneficiary Homes, 4 Agricultural workers homes) (O.C. 7101)	7	EA	\$350.00	\$2,450.00
2	Winery (50,000 gallon per year) (O.C. 7203)	137	GPD	\$2.94	\$402.78
3	Frontage Fee (O.C. 7200)	790	LF	\$31.10	\$24,569.00
4	Acreage Fee (O.C. 7200)	10.45	AC	\$1,640.00	\$17,142.92
<b>Total</b>					<b>\$44,564.70</b>

Because of unique nature and parcel sizes of the Garrod Farms, District Manager-Engineer will calculate these fees in accordance with District Operations Code, Chapter VII, "Permits, fees and service charges". The Basis/Criteria used are as follows:

- Item 2: For winery, fee is determined per Installer's provided information of estimated discharge of 50,000 gallon per year.
- Item 3: Parcel is very unique. Frontage length equal to the linear feet of sewer main installed is used as the frontage length.
- Item 3: Area for acreage fee is calculated based on useable areas per Installer's Site Plan provided to District as follows:

Usable Acreage			
APN	Total acres	% Utilized	Utilized Acres
503 11 008	3.93	0.14	0.5502
503 11 009	25.53	0.17	4.3401
503 74 004	14.70	0	0
503 12 001	50.57	0.11	5.5627
503 74 002	0.35	0	0
503 74 001	0.49	0	0
503 11 002	1.50	0	0
<b>Total</b>	<b>97.07</b>		<b>10.453</b>

For the reimbursement calculation, Possible Usable Acreage was used to calculate the available reimbursement fees.

<b>Possible Usable Acreage</b>			
APN	Total acres	% Utilized	Utilized Acres
503 11 008	3.93	0.14	0.5502
503 11 009	25.53	0.17	4.3401
503 74 004	14.70	0	0
503 12 001	50.57	0.28	14.1596
503 74 002	0.35	0	0
503 74 001	0.49	0	0
503 11 002	1.50	0	0
<b>Total</b>	<b>97.07</b>		<b>19.0499</b>

### Section 8 - Deposit Fees

	Description	Quantity	Unit	Unit Price	Amount
1	District Administration/Plan Check Inspection Fee	1	LS	\$30,000	\$30,000
<b>Total</b>					<b>\$30,000</b>

The above District Administration Fee is an estimated deposit fee. In the event additional funds are required, Installer shall deposit required amount within 10 working days from the notice that additional fees are required to complete the project. Any unused fee will be refunded at the completion of the project.

### Estimated Costs of Improvements

Description	Quantity	Unit	Unit Price	Amount
6" PVC Pipe	790	LF	\$300.00	\$237,000.00
Connect/Modify Manhole	1	EA	\$4,000	\$4,000
Construct New Manhole	5	EA	\$10,000	\$50,000
New lateral connection	4	EA	\$6,000	\$24,000
<b>Total</b>				<b>\$315,000</b>

Based on the above District engineering estimated costs of improvements, a performance bond in the amount of \$315,000 will be required. This amount will be reduced to 10% (\$31,500) for the warranty bond.





---

**GENERAL ENGINEERING CONTRACTORS**  
P.O. Box 729 Los Gatos, CA 95030 CAL ST LIC # A724617  
(408) 395-6846 fax (408) 354-5151 EMAIL [maxconstr@aol.com](mailto:maxconstr@aol.com)

**Proposal for:**

**JAN GARROD  
GARROD FARMS  
22600 MT. EDEN ROAD  
SARATOGA, CA 95070**

June 9, 2018  
Job # 200118

Project Address: 22600 Mt Eden Road,  
Saratoga, CA

**STANDARD PROPOSAL AND AGREEMENT**

**We, MaxiCon, herein after referred to as the CONTRACTOR, and GARROD FARMS, herein after referred to as the OWNER, due hereby agree to enter into a contract. Whereas the OWNER desires the CONTRACTOR to perform the following:**

**SCOPE OF WORK:**

Extend the sanitary sewer line along Garrod Road per plans drawn by Westfall Engineers consisting of 4 sheets dated June 2017 with no revisions.

All excess soil generated from this project shall be placed on Garrod property.

**PRICE:**

TWO HUNDRED FORTY FOUR THOUSAND THREE HUNDRED FIFTY DOLLARS (\$244,350.00)

**PAYMENT:** Billings shall be submitted on or about the 25<sup>th</sup> of each month. Payment shall be made no later than the 10<sup>th</sup> of the following month. No retention shall be withheld.

**EXCLUSIONS**

Unless specifically included in the above scope of work the following items are not a part of this contract:

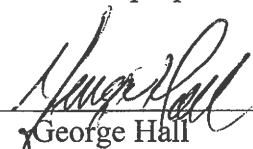
1. Obtaining or cost of permits.
2. Inspection fees.
3. Dewatering and/or shoring of any excavations
4. Erosion control.
5. Engineering or staking.
6. Off haul or import of soils or other generated material.
7. Delays beyond the CONTRACTOR'S control.
8. In this agreement, no other work shall be implied or construed other than is stipulated on the plans and this contract.
9. Removal of any hazardous material,
10. Not responsible for unmarked underground obstacles.
11. Replacement of landscaping or other hardscape items affected by our operations

**CHANGE ORDERS:**

Changes in contract must be done in writing.

Validity of this contract: This proposal is valid only through June 30, 2018

SUBMITTED BY: \_\_\_\_\_

  
George Hall  
CS No. 724617 A

Signed: \_\_\_\_\_

  
JAN GARROD

Date: \_\_\_\_\_

31281



**GARROD FARMS**

22647 GARROD ROAD (408) 867-9527  
SARATOGA, CA 95070-9781



ESShield® Check Fraud  
Protection for Business

11-35/1210

*6/28/10*

PAY TO THE  
ORDER OF

*Capitalia Sanitary District*

*\$ 30,000*

*Thirty Thousand Dollars*

DOLLARS

MEMO

*Deposit*



*[Signature]*  
AUTHORIZED SIGNATURE

⑈031281⑈ ⑆121000358⑆ 000474301252⑈

Security features. Details on back.

GARROD FARMS

31281

31282

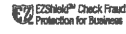


**GARROD FARMS**

22647 GARROD ROAD (408) 867-9527  
SARATOGA, CA 95070-9781



11-35/1210



6/28/18

PAY TO THE ORDER OF

Cupertino Sanitary District

\$44,564.00

Forty-Four Thousand Five Hundred Sixty Four <sup>00</sup>/<sub>100</sub>

DOLLARS

MEMO

Connector fees



*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑈031282⑈ ⑆121000358⑆ 000474301252⑈

GARROD FARMS

31282

FD Security features. Details on back.



# Memo

## Item 8 B

**To: Board of Directors**

**From: Richard Tanaka, District Manager-Engineer**

**Date: July 18, 2018**

**Re: The Forum at Rancho San Antonio Installer's Agreement**

***Summary:***

The Forum at Rancho San Antonio is the applicant/owner of The Forum at Rancho San Antonio, a retirement community located on 23500 Cristo Rey Drive, Cupertino, CA (APN 342-54-999). The developer will be installing 1,365 LF of sewer mains, 28 laterals, and 14 manholes within The Forum area, which will be privately owned and maintained.

District staff has met with the developer to review the proposed plans and to express the District's concerns/issues that need to be incorporated as part of the development requirements. An Installer's Agreement has been prepared that addresses our concerns/issues.

The applicant has agreed to:

- Perform cleaning, CCTV, and smoke testing
- Pay all fees as required by the District
- Enter into an Installer's Agreement
- Pay for off-site mitigation fee of \$250,000. This fee will be utilized to reduce overall District Inflow and Infiltration up to \$250,000 rehabilitation cost within The Forum, with the potential for cost-sharing in excess of \$250,000 by the District.

Attached with this memo are:

- Installer's Agreement signed by Owner with Bond and Check

***Recommendation:***

Approve and execute the Installer's Agreement with The Forum at Rancho San Antonio.

**I N S T A L L E R ' S**  
**A G R E E M E N T**

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2018, between the CUPERTINO SANITARY DISTRICT of Santa Clara County, California, a public corporation duly organized and existing under Part I Division 6 of the Health and Safety Code of the State of California, hereinafter called "District," and The Forum at Rancho San Antonio, owner, hereinafter called "Installer";

**W I T N E S S E T H,**

WHEREAS, Installer is the owner of that certain real property located at 23500 Cristo Rey Drive, Cupertino CA 95014 more specifically known as The Forum at Rancho San Antonio, consisting of total site area of 51.5 acres;

WHEREAS, District is the owner and operator of a sanitary sewer system within The Forum as follows:

- 112 LF 8" PVC Gravity Main from T-677 to T-676
- 124 LF 8" PVC Gravity Main from T-676 to T-675
- 145 LF 8" PVC Gravity Main from T-675 to T-674
- 110 LF 8" PVC Gravity Main from T-674 to T-673
- 105 LF 8" PVC Gravity Main from 9054-101 to 9054-101-A
- 1,971 LF 6" PVC Force Main from Forum 1 Pump Station
- 2,137 LF 6" PVC Force Main from Forum 2 Pump Station
- Forum 1 Pump Station
- Forum 2 Pump Station

WHEREAS, all other sanitary sewer system facilities within the Forum are privately owned and maintained.

WHEREAS, Installer desires to modify, expand and improve The Forum Community and the City of Cupertino has approved the project on April 17, 2018 which consists of:

The Forum at Rancho San Antonio is a continuing care retirement community that currently exists on a 51.5-acre site at 23500 Cristo Rey Drive. The proposed project includes renovations and additions to the existing facilities as well as new buildings resulting in 23 new independent living villas, 10 new beds and 46,026 square feet of renovations and additions to the skilled nursing facility, 10,500 square feet of renovations to the assisted living facility, 26 new beds in a 39,000-square-foot new memory care building, and 27,000 square feet of renovations and additions to the commons facilities (dining, fitness and multipurpose room) with associated site and landscaping improvements.

WHEREAS, the proposed improvements will generate additional sanitary sewer flow as follows:

<b>Improvements</b>	<b>Additional Flow (GPD)</b>
Skilled Nursing Facility (20,100 SF)	10,251
Assisted Living – Theater (2,100 SF)	1,071
Memory Care Building (36,500 SF)	18,615
Multipurpose Room (116,850 SF)	18,351
Additional Dwelling Units (23)	4,462
<b>TOTAL</b>	<b>52,750</b>

WHEREAS, Installer also plans to install 1,365 LF of sewer mains, 28 laterals and 14 manholes within The Forum area, which will be owned and maintained privately.

WHEREAS, this project is anticipated to be completed in two phases; the first phase being site preparation and grading and the latter being installation of on-site sanitary sewer system;

NOW, THEREFORE, IT IS AGREED, as follows:

1. CCTV AND SMOKE TESTING:

- i. Installer shall hydro-flush and clean the sewer mains and laterals in the presence of a District Inspector.
- ii. Installer shall perform closed circuit televised video (CCTV) inspection of all mains in accordance with NASSCO PACP standards. Installer shall initially perform CCTV inspection of 20% of the sewer laterals. District will review CCTV inspection results of the 20% of the sewer laterals, and will provide concurrence or request balance of the laterals to be CCTV.
- iii. Installer shall provide the CCTV report for District’s review.
- iv. Installer shall perform smoke testing of all sewer mains and laterals and provide report for District’s review.
- v. District will determine rehabilitation requirements to bring existing sewer mains and laterals to acceptable condition to reduce inflow/infiltration.
- vi. Once the cost is known for rehabilitation, this Installer’ agreement will be amended.

2. FINAL DESIGN PHASE: Installer shall submit final plans at the 65% and at the 100% design phases to allow the District to review, provide comments and approve onsite sewer improvements. The design shall conform to the District's standards. Installer shall install, or cause to be installed, the said sanitary improvements in strict accordance with the plans, profiles and specifications approved by the District. Installer's engineer shall submit final plans for District review and approval. Construction may not proceed until the District has approved said sewer improvement plans and other conditions of this Agreement are met.
3. INSPECTION: Installer hereby agrees to provide and assure said District and its employees and any person or persons designated by it the right to inspect said sanitary sewer facilities and the plans, materials and work thereof at any reasonable time or times before, during or after such are installed. The District shall provide reasonable notice prior to conducting any inspection. The District shall conduct the final inspection within 30 days of receiving a written notice of completion by Installer. Upon completing the final inspection, the District shall have no further right to inspect.
4. CONNECTION FEES: Installer shall pay to District, prior to District approving the onsite sanitary sewer system, the Sewer Connections Fees in the amount of \$155,766.72, which includes change in use, lateral connections, frontage and area fees as shown in Exhibit A.
5. DEPOSIT: Installer hereby agrees to deposit, in cash, with District, concurrent with execution of this agreement by District, a sum of \$15,000.00 to cover the District Administration, Plan Checking, and Inspection Fees. Said deposit is to be used by the District to pay for the District's costs for examination of plans, checking of specifications, inspection and other similar engineering charges, together with all costs of administration, supervision, legal, recording and other incidental expenses in connection therewith.
6. FEE CREDIT; COST SHARING; AMENDMENT: The cost to rehabilitate up to \$250,000 will be credited to reduce Installer's in-lieu offsite mitigation fee of \$250,000 required by Mitigation Measure UTIL-3. If the cost to rehabilitate exceeds \$250,000, District shall consider providing cost sharing of 50% of the rehabilitation cost in excess of \$250,000. If the District determines to share the rehabilitation cost in excess of \$250,000, this will require an amendment to this Installer's Agreement and the approval by the Cupertino Sanitary District Board of Directors.
7. COMPLIANCE WITH ORDINANCES, RULES, AND REGULATIONS: Installer shall comply with all District ordinances, rules, and regulations, as now or hereafter amended. Installer must also comply with all State, County, City, and other agency regulations, rules and ordinances affecting, in any manner, the construction of sanitary sewer facilities, and shall obtain any and all necessary permits and shall pay all fees and charges relating thereto or required therefore.
8. INDEMNIFICATION: Installer shall defend, indemnify and hold the District, the District Engineer, Mark Thomas, the County of Santa Clara and the City in which the



referred to real property is situated, their officers, agents and employees, free and harmless from any liability or claim of liability for costs and expenses incurred, directly, or indirectly, by Installer and its contractor in the construction of the sanitary sewer facilities which are the subject of this agreement. Installer further agrees to require its contractor to maintain full insurance coverage of not less than standard limits.

9. COSTS OF SUIT. In the event legal action is necessary to enforce or interpret this Agreement, the prevailing party shall be entitled to recover all costs and expenses that may be incurred in connection therewith, including reasonable attorney fees.
10. SCOPE OF AGREEMENT: This writing constitutes the entire agreement between the parties, and no modification or waiver of all or any part thereof shall be valid unless in writing and signed by both parties hereto. Waiver by either party of any breach of this agreement shall not be deemed waiver of any subsequent breach of the same or of any other provision of this agreement. If any part of this agreement is held to be indefinite or uncertain or unenforceable, such determination shall not invalidate any other part of this agreement. This agreement shall bind and inure to the benefit of the heirs, administrators, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have executed this agreement the day and year first above written.

“DISTRICT”  
CUPERTINO SANITARY DISTRICT  
Santa Clara County, California

By: \_\_\_\_\_  
President of the Sanitary Board of said District

(SEAL)

ATTEST:

\_\_\_\_\_  
Secretary of said District

“INSTALLER”  
The Forum at Rancho San Antonio

By: Mary Elizabeth O'Connor  
\_\_\_\_\_  
[ ] , Trustee  
Mary Elizabeth O'Connor

**EXHIBIT A – FEES**

Connection Permit Fee:

Description	Quantity	Unit	Unit Price	Amount
Connection Fee	0	EA	\$65.00	\$0.00
Frontage Fee	0	LF	\$36.80	\$0.00
Acreage Fee	0	AC	\$2,040.00	\$0.00
Disconnection Permit	0	EA	\$200.00	\$0.00
<b>Commercial/Industrial (Change of Use-Area of Work)</b>				
<b>Skilled Nursing Facility (SNF)</b>				
Existing - No demolition of existing	0	GPD		
Proposed Retail (20,100 SF)	10,251	GPD		
<b>Change of Use</b>	10,251	GPD	\$2.94	\$30,137.94
<b>Assisted Living</b>				
Existing - No demolition of existing	0	GPD		
Proposed Theater (2,100 SF)	1,071	GPD		
<b>Change of Use</b>	1,071	GPD	\$2.94	\$3,148.74
<b>Memory Care Building</b>				
Existing - No demolition of existing	0	GPD		
Proposed Office (36,500 SF)	18,615	GPD		
<b>Change of Use</b>	18,615	GPD	\$2.94	\$54,728.10
<b>Commons Building, Multi-purpose Room</b>				
Existing - None		GPD		
Proposed Area (116,850 SF)	18,351	GPD		
<b>Change of Use</b>	18,351	GPD	\$2.94	\$53,951.94
<b>Residential Unit or Dwelling Unit Fees</b>				
<b>Additional Dwelling Unit Fee</b>				
Existing Residential Unit	0	EA		
Proposed Additional Unit	23	EA		
<b>Change of Use</b>	23	EA	\$600.00	\$13,800.00
<b>TOTAL FEE</b>				<b>\$155,766.72</b>



# Memo

## Item 8C

**To: Board of Directors**

**From: Richard Tanaka, District Manager-Engineer**

**Date: July 9, 2018**

**Re: Homestead and Prospect Pump Station Volute Replacement and Pump**

***Summary:***

There are 17 pump stations throughout the Cupertino Sanitary District that are observed and inspected on a weekly basis. Once a year, SHAPE Inc. performs a thorough inspection of several pump stations and all their respective appurtenances.

Upon inspection the pumps at Homestead 1 and Prospect pump stations were found to have defects with the 5 pump volutes that required attention and 1 entire pump at Prospect Pump Station. A spare pump that was purchased for Prospect Pump Station was taken out of inventory and installed. The cost for 5 new volutes is \$15,778.98, including sales tax. In addition, the cost for a new spare pump (includes new volute) at Prospect pump station is \$27,353.55 including sales tax.

***Recommendation:***

Staff recommends purchasing 5 new volutes for 2 pumps at Prospect pump station and 3 pumps at Homestead 1 pump station. In addition, another spare pump at Prospect pump station (30 HP) is recommended to be purchased to replace the one that was put into service. The total price is \$43,132.53.

***Attachments:***

- 1) Quotation for 5 volutes for Homestead 1 and Prospect Pump Stations
- 2) Quotation for new pump at Prospect Pump Station

# PROFORMA INVOICE

## Bruce Barton Pump Service, Inc.

940 S. First Street  
 San Jose, CA 95110-3193  
 Phone : (408) 292-1182  
 Fax : (408) 292-6426

Established 1920  
 Contractors Lic. # 202749

Order Number: 0088560  
 Order Date: 4/12/2018

Salesperson: AAA  
 Sales Tax Code: CA SCL

Customer Number: CUPE200

**SOLD TO:**

CUPERTINO SANITARY DISTRICT  
 20833 STEVENS CREEK BLVD  
 STE 104  
 CUPERTINO, CA 95014

**SHIP TO:**

CUPERTINO SANITARY DISTRICT  
 DALE: 408-253-7071  
 DBENNETT@MARKTHOMAS.COM

Customer P.O.		Ship Date	Ship Via	FOB	Terms
18-001150		10/26/2018	W/C	SJ-CB	Net 30
Quantity			Item No. / Description	Unit Price	Net Price
Ordered	Shipped	B/O			
1	0	0	REPAIR TAG 24780 FAIRBANKS MORSE MODEL B5433K-36 W/ MARATHON 30HP 1760RPM 286TCVZ FRAME MOTOR  REPLACEMENT FAIRBANKS MORSE MODEL B5433K-36 W/ MARATHON 30HP MOTOR LESS VOLUTE AND STAND DUPLICATE TO K3H1-013248 FOR DROP-IN REPLACEMENT UTILIZING EXISTING STAND AND VOLUTE  B5433K 5" FAIRBANKS MORSE 5" FIG B5433K VERTICAL PUMP W/ VOLUTE, HANDHOLE, HANDHOLE GASKET AND VOLUTE GASKET (LESS STAND) WITH A "K" BALANCED IMPELLER MOUNTED TO A 30HP 3PH 1800RPM ODP MOTOR SN: NOTE: CUSTOMER TO CHECK ROTATION & PROVIDE PROPER 3 LEG MAGNETIC STARTER PROTECTION!  VOLUTE W/ HAND HOLE AND GASKETS FITTED TO THE ABOVE UNIT COMPLETE	22,283.00	22,283.00
1	0	0	/MISC VOLUTE -- 5" P/N T5C30AK	2,501.00	2,501.00
1	0	0	/MISC VOLUTE HAND HOLE COVER TSC202A	194.00	194.00
1	0	0	/MISC VOLUTE HAND HOLE COVER GASKET P/N TB1A467A	86.00	86.00
1	0	0	CP2930 FAIRBANKS MORSE GASKET, B5433K	31.00	31.00

Received By : \_\_\_\_\_  
 Print Name : \_\_\_\_\_

Taxable Amount:	25,095.00
Sales Tax:	2,258.55
Non-Taxable Amount:	0.00
Freight:	0.00

<b>TOTAL</b>	27,353.55
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# PROFORMA INVOICE

## Bruce Barton Pump Service, Inc.

940 S. First Street  
 San Jose, CA 95110-3193  
 Phone : (408) 292-1182  
 Fax : (408) 292-6426

Established 1920  
 Contractors Lic. # 202749

Order Number: 0088996  
 Order Date: 5/15/2018

Salesperson: AAA  
 Sales Tax Code: CA SANJ

Customer Number: CUPE200

**SOLD TO:**

CUPERTINO SANITARY DISTRICT  
 20863 STEVENS CREEK BLVD  
 STE 100  
 CUPERTINO, CA 95014

**SHIP TO:**

CUPERTINO SANITARY DISTRICT  
 DALE BENNETT VIA EMAIL  
 DALE: 408-253-7071  
 TONY: 408-761-5875

Customer P.O.	Ship Date	Ship Via	FOB	Terms
VB / DALE	8/17/2018	W/C	SJ-CB	Net 30

Quantity			Item No. / Description	Unit Price	Net Price
Ordered	Shipped	B/O			
			PER REQUEST FOR "REPLACEMENT VOLUTES" FOR FAIRBANKS MORSE 5" FIGURE 5433K -- 6 EA AND 1 EA OF A FAIRBANKS MORSE 6" FIGURE 5433K  FOR AVAILABLE S/N BY STATION: HOMESTEAD STATION: 1) S/N: K3M1-015464-1 -- 5" 2) S/N: K3M1-015464 -- 5" PROSPECT STATION: 1) S/N: K2R1061213-1-- 5" 2) S/N: NOT SPECIFIED--ADDED 7/13/18		
4	0	0	/MISC FAIRBANKS MORSE VOLUTE T5C30AK VOLUTE ONLY --	2,501.00	10,004.00
4	0	0	/MISC FAIRBANKS MORSE VOLUTE HAND HOLE COVER TSC202A	194.00	776.00
4	0	0	/MISC FAIRBANKS MORSE VOLUTE HAND HOLE COVER GASKET TB1A467A	86.00	344.00
4	0	0	CP2930 FAIRBANKS MORSE GASKET, B5433K  PLEASE NOTE: NO SUCTION ELBOW OR PUMP STAND INCLUDED WITH THE ABOVE PARTS  VOLUTE W/ HAND HOLE AND GASKET	31.00	124.00
					Continued

Received By : \_\_\_\_\_  
 Print Name : \_\_\_\_\_

Taxable Amount:	14,443.00
Sales Tax:	1,335.98
Non-Taxable Amount:	0.00
Freight:	0.00
<b>TOTAL</b>	<b>15,779.00</b>

# PROFORMA INVOICE

## Bruce Barton Pump Service, Inc.

940 S. First Street      Established 1920  
 San Jose, CA 95110-3193      Contractors Lic. # 202749  
 Phone : (408) 292-1182  
 Fax : (408) 292-6426

Order Number: 0088996  
 Order Date: 5/15/2018

Salesperson: AAA  
 Sales Tax Code: CA SANJ  
 Customer Number: CUPE200

**SOLD TO:**

CUPERTINO SANITARY DISTRICT  
 20863 STEVENS CREEK BLVD  
 STE 100  
 CUPERTINO, CA 95014

**SHIP TO:**

CUPERTINO SANITARY DISTRICT  
 DALE BENNETT VIA EMAIL  
 DALE: 408-253-7071  
 TONY: 408-761-5875

Customer P.O.			Ship Date	Ship Via	FOB	Terms	
VB / DALE			8/17/2018	W/C	SJ-CB	Net 30	
Quantity			Item No. / Description			Unit Price	Net Price
Ordered	Shipped	B/O					
1	0	0	FOR THE REPLACEMENT VOLUTE FOR THE FAIRBANKS MORSE 6" FIGURE 5433K FOR S/N K3M1-015465 FOR THE HOMESTEAD STATION:  /MISC FAIRBANKS MORSE VOLUTE T6C30L VOLUTE ONLY			2,837.00	2,837.00
1	0	0	/MISC FAIRBANKS MORSE VOLUTE HAND HOLE T5C202A			194.00	194.00
1	0	0	/MISC MISCELLANEOUS, TAXABLE HAND HOLE GASKET T4C15A			133.00	133.00
1	0	0	CP2930 FAIRBANKS MORSE GASKET, B5433K  VOLUTE, HAND HOLE AND GASKETS ONLY OFFERED -- NO STAND OR ELBOW			31.00	31.00

Received By : \_\_\_\_\_  
 Print Name : \_\_\_\_\_

Taxable Amount:	14,443.00
Sales Tax:	1,335.98
Non-Taxable Amount:	0.00
Freight:	0.00
<b>TOTAL</b>	<b>15,778.98</b>



# Memo

## Item 8D

**To:** Board of Directors  
**From:** Richard Tanaka, District Manager-Engineer  
**Date:** July 13, 2018  
**Re:** SURPLUS EQUIPMENT

**Background:**

District staff conducted an inventory of District-owned equipment and have determined the following equipment to be surplus.

ITEM	EQUIPMENT	REASON FOR BEING SURPLUS	ORIGINAL COST
1	Trailer-Mounted Generator, TMG-5 Whisperwatt MQ-25, vin # 7101112 purchased in 2000	Not currently functional; replaced in 2013. Purchased 2 new trailer-mounted generators in 2015. Stored at Florence.	\$11,000.00
2	Trailer Mounted Generator, TMG-25 Magnum-25A, vin # 033054 purchased in 2000	Not currently functional; replaced in 2013. Stored at Florence.	\$ 8,900.00
3	Multi Quip Trash Pump, Model MQ600TD80-TRLB, vin # 290403 purchased in 2009.	This pump was purchased for emergency usage at a time when contractor reliability was unknown. Over the years the contractors have demonstrated reliability sufficient to make the pump unnecessary.	\$19,474.00

**Recommendation:**

That the Board declare these items as surplus and direct staff to dispose of them.

**Attachments:**

Equipment Pictures



Whisperwatt MQ-25 Trailer Mounted Generator



Magnum 25A Trailer Mounted Generator



MultiQuip Trash Pump



## Shirley Ho

---

**From:** Benjamin Porter  
**Sent:** Friday, July 13, 2018 8:23 AM  
**To:** Shirley Ho  
**Cc:** Richard Tanaka  
**Subject:** FW: Lucity ACT18 Invitation + Discount

Shirley:

Please agendize. Please also click on the link for the agenda and include that in the package.

Thank you,

**Benjamin T. Porter, P.E.**  
Deputy District Manager  
(408) 477-7318  
MARK THOMAS

---

**From:** Jennifer Cairns [mailto:jcairns@lucity.com]  
**Sent:** Tuesday, July 10, 2018 9:36 AM  
**To:** Benjamin Porter <bporter@markthomas.com>  
**Subject:** Lucity ACT18 Invitation + Discount

Once every four years, Lucity holds its Annual Conference and Training (ACT) in the western portion of the United States. This September 10-13<sup>th</sup>, we will be in Palm Springs, California. We'd love to extend a special invitation to you and your team to attend – and to help our West Region users out a bit we'll honor our early registration discount. If you enter the code SAVEME when you register you'll see a \$50 per person discount applied. Please note that your registration fees include a hot breakfast and lunch each day.

In all we are offering over 120 training sessions and 20 client success sessions from which to learn. We have found that users across the country learn as much from each other as they learn from Lucity staff. Your team will leave ACT with valuable knowledge about the LucityAM applications and how to best apply them in your organization. You can [take a look](#) at our most current agenda on the ACT website. In addition to the nine concurrent tracks that will be offered Tuesday, Wednesday, and Thursday, we are offering three pre-conference workshops on Monday. These workshops are offered at an additional cost of \$400 and includes your breakfast and lunch on Monday.

1. End-User Bootcamp – this is designed for new users to Lucity or users who want to get a better understanding of the Lucity basics prior to ACT.
2. Administrator Bootcamp – this workshop is designed for Administrators to dig deep into Lucity's administrative side.
3. Crystal Reports – this workshop is designed to help current Crystal Report writers learn how to work with the Lucity database tables and make changes to existing reports or create new reports.

If you're new to ACT – or new to Lucity! – and considering attending for the first time let us know if you have questions. There's so much to take in, and so many people to connect with – the week is always memorable! To find out more information about ACT18 or to register, visit [act.lucity.com](http://act.lucity.com). We hope to see you in Palm Springs!

Jennifer



Jennifer Cairns *Events & Outreach*

D 913.732.5802 F 913.341.3128

E [jcairns@lucity.com](mailto:jcairns@lucity.com) URL [www.lucity.com](http://www.lucity.com)

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Lucity Training
YOUser Training
Success Story
Partner Presentation
User Discussions

Tuesday, September 11th									
	Client Presentations Sierra	End Users Mojave Learning Center	GIS Santa Rosa	System Admin San Jacinto	Specialty Ventura	In-Depth Product I Andreas	In-Depth Product II Chino	In-Depth Product III Pueblo A	Partner Pueblo B
6:45-8:00	<i>Hot Breakfast Provided Catalina, Madera, Pasadena</i>								
8-8:50	<b>Opening Plenary Session</b>								
9-9:50									
10-10:50	Success Stories with Lucity Bob Hyman, North Charleston Sewer District	Basic Functionality - Lucity Web	GIS Session Preview (New Features) 2018/2018r2	Views and Forms Administration	General Enhancements in Version 2018, 2018R2	Transportation Overview	Water Overview	Creating a Custom Report from an Existing Report	Partner Presentation
11-11:50	A Winning Formula for Implementing Lucity Xiaoning Jiang, City of Kirkland, WA	Lucity Web Map Basic Training	ArcGIS Pro			Transportation - Accidents & Traffic Volume	Water - Flow Meter Training	Creating Reports from Scratch	Partner Presentation
12	<i>Hot Lunch Provided</i>								
1-1:50	Implementation of Maintenance Mgmt & Decision Support Systems Robb Dods, Region of Washington	Work Orders and Requests Training in the Web	Lucity Web Map Advanced	Import and Update Basic	Work Planning & Budgeting	Transportation - Signals and Street Lights	Leak Detection from Space.....Really? Deirdre Blackard, Rockdale Water Resources	Grouping and Subreports	Partner Presentation
2-2:50	Lucity Successes Rogelio Matta, City of Fontana		Lucity GIS Web Map Administration 2018r2	Import and Update Advanced	Using Lucity for CIP Tracking	Transportation - ROW modules	Water Main Flushing Program Kevin Wyckoff, Lakewood Water District	Adding Charts and Crosstabs	Partner Presentation
3-3:50	Work Requests Jerry Biedenbender, SD1	Basic Functionality - Lucity Mobile	GIS Analyst Tools Overview for ArcGIS Desktop	The Versatility of the Import/Update Program	Work Project Management	Transportation - Signs	The Value of a Water Valve Inspection Program and Valve QAQC Gina Horner, Gwinett County	Lucity and Crystal Reports Service Overview	Partner Presentation
4-4:50	Taking Advantage of Work Requests Thearin Wendel, IBTS	Diving into Filters and Documents	GIS Editing Tools for ArcGIS Desktop	Work Flow Setup in the Web	Contract Inspections	Transportation - Recent Enhancements and Dreaming	Water Recent Enhancements and Dreaming	Work Order Report Issues	Partner Presentation
5:00 - 6:00	<i>Reception</i>								

Lucity Training
YOUser Training
Success Story
Partner Presentation
User Discussions

Wednesday, September 12th									
	Client Presentations Pasadena	End Users Mojave Learning Center	GIS Santa Rosa	System Admin San Jacinto	Specialty Ventura	In-Depth Product I Andreas	In-Depth Product II Chino	In-Depth Product III Pueblo A	Partner Pueblo B
7-7:50	Hot Breakfast Provided								
8-8:50	Plenary Session - The Business of Lucity and its Partners								
9-9:50	Lucity and FEMA - Sonoma County Fire 2017 Monique Chapman	Basic Functionality - Lucity Web	Overview of Lucity Spatial	Lucity Systems for IT Admins 1. How to create a test environment 2. How to apply production data to the test environment 3. How to setup a second client on the test environment 4. How to apply service packs and upgrades 5. Discuss modernizing the Lucity system environment	Work Permits	Storm BMP Overview	Success in the Sewer or How the Flashes Flow. William Etcheverry, Grand Junction, CO	Formulas and Parameters	Partner Presentation
10-10:50	Using Lucity for Snow Removal Pat Keegan, Susan Wallace, Wharston, IL	Lucity Web Map Basic Training	Success Story		Warehouse Mobile Warehouse Material Requisition	Storm BMP Discussion	Modesto, CA Sewer Collection System Story Tim Koch, Robert Englett, Modesto, CA	Web Report Issues	Partner Presentation
11-11:50	Predictive Maintenance/Asset Condition Monitoring Robert Williams, Chandler, AZ	Basic Functionality - Lucity Mobile	Geodatabase Configuration Tool Overview		Storm Water Quality Overview	Sewer Discussion	Advanced Topics, Variables, Grouping and Hide Options	Partner Presentation	
12	Hot Lunch Provided								
1-1:50	Parts Warehousing Evan Steelman, SD1	Work Orders and Requests Training in the Web	Park Water Metering Rogelio Matta, City of Fontana	Request Feedback	Using Lucity for CIP Tracking	Storm Water Quality Discussion	FOG Experience Morgan Schmalz, Unified Government	Facilities Overview	Partner Presentation
2-2:50	Parts Warehousing, Equipment and Fleet Kyle Nordick, City of Wichita		ArcGIS Enterprise 10.5 Esri	Signature Collection on Mobile	Work Project Management	Storm - General Overview	FOG Discussion	Facilities Discussion	Partner Presentation
3-3:50	Success Story	Basic PM Setup	Advanced Lucity GIS Working with Feature Services	Atypical Services that Lucity can Provide	Work Scheduler / Timesheet	Storm - Illicit Discharge, Violators, Samplings	IPT Experience Morgan Schmalz, Unified Government	Condition Assessment of Equipment Data for Facilities Joan Arthur, City of Tulsa	Partner Presentation
4-4:50	Using Multiple Clients Kevin Coons, City of Wichita	PM Advanced	GIS Data Quality Tools	Forms/Views Dreaming Session	Work Certifications / Classes Co-Presentation Karen Melius / Morgan Schmalz	Storm Discussion	IPT Discussion	Equipment Discussion	Partner Presentation
7:00 - 10:00	Poolside Reception								

Lucity Training
YOUser Training
Success Story
Partner Presentation
User Discussions

Thursday, September 13th									
	Client Presentations Pasadena	End Users Mojave Learning Center	GIS Santa Rosa	System Admin San Jacinto	Specialty Ventura	In-Depth Product I Andreas	In-Depth Product II Chino	In-Depth Product III Pueblo A	Partner Pueblo B
7-7:50	<i>Hot Breakfast Provided</i>								
8-8:50	Supercharging asset management projects Jamie Bradshaw, Bothell, WA	Mobile Warehouse App	ArcGIS Utility Network Model Esri	Import and Update Basic	Contract Inspections	Pavement Management IMS & Lucity	Parks Overview	Plant Overview	Partner Presentation
9-9:50	Using Lucity to help communication between departments Chad Wiggins, Unified Government	Basic PM Setup	Hydrant Inspection, Valve Exercising and GIS Joseph Smith, Town of Gilbert, AZ	Import and Update Advanced	Work Permits		Parks Playground Inspections/New Docks	Plant Discussion	Partner Presentation
10-10:50	Lucity Web and Mobile for Planning and Completing Work Eric Nielsen, Curtis Little, South Placer MUD	PM Advanced	ArcGIS Enterprise Administration	Mobile Advanced Features	Daily Work Inspections		Tree Training	Equipment Overview	Partner Presentation
11-11:50	Placing and Tracking Orders for Uniforms with Lucity Matt Zukusky, Gwinnett County, GA	Work Scheduler / Timesheet	Lucity Web Map Advanced	Mobile Dreaming	Diving Into Filters and Documents		Tree Discussion	Equipment Discussion	Partner Presentation
12	<i>Hot Lunch Provided</i>								
1-1:50	<b>Plenary Session - Where is Lucity Headed?</b>								
2-2:50	The Versatility of the Import/Update Program	Getting the Most out of Lucity Support	Lucity GIS Web Map Administration 2018r2	Lucity Citizen Responsive Application Template	Utility Locates	Environmental Vector Management	IT Modules - Fiber Optic Modules	Fleet Overview	Partner Presentation
3-3:50	Using Bar Codes and other Input Methods with Lucity	Work Scheduler / Timesheet	Future of ArcGIS Pro	Lucity REST API Developer Intensive	General Enhancements In Version 2018, 2018R2	Solid Waste Training	IT Modules - Computer Hardware	Fleet Discussion	Partner Presentation
4-4:50	Adding Advantage of all your Data	Diving Into Filters and Documents	Future of Lucity Web Map			Solid Waste Discussion	Future IT Module - Computer Software	Airport Discussion	Partner Presentation
5-6	<i>Closing Reception Poolside</i>								

## CUPERTINO SANITARY DISTRICT FISCAL YEAR 2017-2018 END REPORT REVENUE SUMMARY REPORT

Account Name	Account Number	BUDGET	Total Amount Received	Difference Actual vs. Budget	% Actual vs. Budget	Comments
<b>OPERATING</b>						
<b>Service Charges</b>						
	<b>31010</b>					
Handbilling		\$391,562.00	\$382,825.49	(\$8,736.51)	97.8%	Collected 100% of handbilling. Budget slightly higher than actual invoices
Tax Roll		\$13,831,326.00	\$13,833,864.25	\$2,538.25	100.0%	Final payment received for FY17-18
Permit Fees	31020	\$30,000.00	\$43,073.38	\$13,073.38	143.6%	116 payments received to date
Acraage	31031	\$15,000.00	\$3,286.00	(\$11,714.00)	21.9%	One payment received. No large development
Front Footage	31032	\$20,000.00	\$13,282.40	(\$6,717.60)	66.4%	One payment. No large development
Additional Dwelling	31033	\$80,000.00	\$0.00	(\$80,000.00)	0.0%	None. No large development
Additional Density	31034	\$200,000.00	\$858.24	(\$199,141.76)	0.4%	One payment. No large development
Checking & Inspection Fees	31040	\$160,000.00	\$74,821.11	(\$85,178.89)	46.8%	181 payments received. Less than anticipated
Annexation	32010	\$2,500.00	\$0.00	(\$2,500.00)	0.0%	None
Interest	32050	\$160,000.00	\$195,618.92	\$35,618.92	122.3%	Interest Payment. Rates higher than estimated.
City of San Jose Credit(s)	32091	\$990,000.00	\$2,088,766.00	\$1,098,766.00	211.0%	\$1,098,760 one time payment from SJ (Reclaimed Water)
Refunds/Reimbursements - Misc.	32091	\$10,000.00	\$29,513.50	\$19,513.50	295.1%	Reimbursementsd from CableCom, Sheng, Behihana & Han
Lateral Construction	32093	\$15,000.00	\$9,200.00	(\$5,800.00)	61.3%	Slightly less than anticipated for new lateral construction
Mann Drive	32094	\$0.00	\$0.00	\$0.00	0.0%	Completed. Close out next fiscal year
<b>TOTAL OPERATING REVENUE</b>		<b>\$15,905,388.00</b>	<b>\$16,675,109.29</b>	<b>\$769,721.29</b>	<b>104.84%</b>	

### CASH ACCOUNT SUMMARY

Date	Description	Net Cash
June 30, 2017	Ending Balance	\$ 20,364,574.90
June 30, 2018	Ending Balance	\$ 16,006,345.03

CUSD cash has decreased by \$4,358,230 due to expenditures exceeding revenue. The largest costs incurred were cash payments to City of San Jose for the Treatment Plant Capital Costs (\$7,198,000), \$812,000 unexpected payments to SJ and SC for capital costs for outfall, and \$1,700,000 for District Calabazas CIP.

**CUPERTINO SANITARY DISTRICT  
FISCAL YEAR 2017-2018 END REPORT**

**EXPENSE SUMMARY REPORT**

Account Name	Account Number	BUDGET	Total FY Expenses	Difference between budget & actual	% Actual /Budget	Comments
<b>OPERATING EXPENSES</b>						
Directors Fees	41030	\$40,000	\$29,582.13	\$10,417.87	74.0%	Budget for FY 2018-19 reduced to \$35,000
Gasoline, Oil & Fuel	41060	\$3,000	\$1,387.09	\$1,612.91	46.2%	Under budget, keep next FY budget same
Insurance	41070	\$125,000	\$125,013.65	(\$13.65)	100.0%	On target
Memberships	41080	\$28,000	\$21,823.11	\$6,176.89	77.9%	Under budget, keep next FY budget same
Office Expense	41090	\$6,000	\$6,609.19	(\$609.19)	110.2%	In Sept 2017, incurred \$625.72 for Fall Festival
Operating Supplies	41100	\$3,000	\$312.42	\$2,687.58	10.4%	Under budget, keep next FY budget same
<b>Contractual Services:</b>						
Outfall Maintenance	41113	\$190,000	\$301,019.89	(\$111,019.89)	158.4%	Paid \$254,484 to Santa Clara (last 5 FY) and \$46,536 to SJ
Treatment Plant O&M	41114	\$5,571,000	\$5,571,112.00	(\$112.00)	100.0%	On target
<b>Professional Services:</b>						
Management Services	41121	\$500,000	\$427,274.92	\$72,725.08	85.5%	Overall (Management, Engineering & Maintenance) for MTCO, over budget by \$49,068 for FY. Budget has been exceeded due to increased effort on Lucity, ArcGIS, Master Plan
Engineering Services	41122	\$600,000	\$1,064,785.01	(\$464,785.01)	177.5%	Budget for these 3 tasks for next FY has been adjusted accordingly.
Plan Ckg. & Insp.	41123	\$140,000	\$92,487.70	\$47,512.30	66.1%	Disputes RE: treatment plant not resolved. Progress delayed
Legal District Counsel	41124	\$60,000	\$24,670.24	\$35,329.76	41.1%	Disputes RE: treatment plant not resolved. Progress delayed
Legal (Common Interest- Audit	41124 41125	\$200,000 \$11,000	\$124,948.53 \$10,775.00	\$75,051.47 \$225.00	62.5% 98.0%	Disputes RE: treatment plant not resolved. Progress delayed On target
Printing & Publications	41130	\$30,000	\$9,984.46	\$20,015.54	33.3%	Lower cost due to change in vendor services
Repairs & Maintenance	41150	\$3,200,000	\$2,904,521.13	\$295,478.87	90.8%	On target (under budget)
Travel & Meetings	41170	\$25,000	\$23,655.14	\$1,344.86	94.6%	On target
Utilities	41190	\$60,000	\$57,249.75	\$2,750.25	95.4%	On target (under budget)
<b>Refunds &amp; Reimbursements:</b>						
Miscellaneous	41201	\$10,000	\$8,876.00	\$1,124.00	88.8%	Reimbursement for tax bill paid by Chris Tsang for 21820 Oakview Lane, for FY17-18
Connection Fees	41202	\$7,000	\$250.00	\$6,750.00	3.6%	Reimbursed on property owner
Checking & Inspection	41203	\$5,000	\$1,673.89	\$3,326.11	33.5%	Reimbursed on property owner
Emergency Funds	48000	\$250,000	\$132,897.46	\$117,102.54	53.2%	79 emergencies; 15 SSO's
Consolidated Election	48001	\$5,000	\$0.00	\$5,000.00	0.0%	No expenses incurred
<b>TOTAL OPERATING EXPENSES</b>		<b>\$11,069,000</b>	<b>\$10,940,908.71</b>	<b>\$128,091.29</b>	<b>98.8%</b>	
<b>CAPITAL EXPENSES</b>						
Sewer Construction	46041	\$1,600,000	\$1,763,669.13	(\$163,669.13)	110.2%	Calabazas Construction CIP Project

## EXPENSE SUMMARY REPORT

Account Name	Account Number	BUDGET	Total FY Expenses	Difference between budget & actual	% Actual /Budget	Comments
Treatment Plant Capital	46042	\$7,220,000	\$7,198,131.06	\$21,868.94	99.7%	On target
Outfall Capital	46042	\$0	\$812,068.76	(\$812,068.76)		Paid \$511,343 to Santa Clara for last 5 FY for Outfall Capital and Paid \$300,725.76 to SJ for FY 2016,17 and 18 (Not in budget)
Equipment	46043	\$150,000	\$74,554.67	\$75,445.33	49.7%	On target
Replacement Fund	46044	\$300,000	\$300,000.00	\$0.00	100.0%	Replacement Fund recorded in June 2018-Current Balance \$2,700,000
<b>TOTAL CAPITAL EXPENSES</b>		<b>\$9,270,000</b>	<b>\$10,148,423.62</b>	<b>(\$878,423.62)</b>	109.5%	
<b>TOTAL EXPENSES</b>		<b>\$20,339,000</b>	<b>\$21,089,332.33</b>	<b>(\$750,332.33)</b>	103.7%	Overall over by \$750K, due to capital cost paid to SC and SJ (\$812k)



**Cupertino Sanitary District  
Monthly Maintenance Summary - June 2018**

**Item 9 A**

<u>SSOs</u>						
<u>Start Date</u>	<u>Location</u>	<u>Cause of SSO</u>	<u>Cat</u>	<u>Main/Lat</u>	<u>SSO Volume (Gal)</u>	<u>SSO Recovered (Gal)</u>
6/7/2018	Bollinger Rd #2562-1F - 2267-5	Root Intrusion	3	Sewer Main	32	0

<u>Emergency Calls- Causes</u>					
<u>Call Recd Business Hours</u>	<u># of Calls</u>	<u>Call Recd After Hours</u>	<u># of Calls</u>	<u>Call Recd Weekend</u>	<u># of Calls</u>
Grease	1	Root Intrusion	2	Root Intrusion	2
Root Intrusion	2	On-Site	2	<b>Total:</b>	2
On-Site	2	<b>Total:</b>	4		
Offset	1				
<b>Total:</b>	6				

<u>Repairs</u>		
<u>Address</u>	<u>Main/Lat</u>	<u>Description of Work</u>
Colby Ave, Cupertino	Sewer Main	Spot repair of 6' of 8" sewer main on Colby Ave 2086-27 - 2086-18 at 332' and 372' from MH2086-27 w/new pipe + break & tie into MH2086-18 w/watertight seal & concrete collar.
Steeplechase Ln, Cupertino	Sewer Main	Spot repair of 33' of 10" sewer main on Steeplechase Ln 2773-4 - 2770-3 at 154.4 away from MH2773-4 with new pipe + break and tie into MH2770-3 w/watertight and concrete collar.
Kirwin Ln, Cupertino	Sewer Main	Spot repair of 8' of 6" sewer main on Kirwin Ln 2335-6 - 2335-7 at 323.4 away from USMH2335-6 + watertight seal & concrete collar for MH2335-7.
Marilla Dr, Saratoga	Sewer Main	Emergency spot repair of 10' of 8" sewer main on Marilla Dr, Saratoga 4675-4 - 4675-5 at 79.5' from MH4675-4.

<u>Mainline Maintenance</u>											
<u>Size of Pipe</u>	<u>4"</u>	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>	<u>14"</u>	<u>15"</u>	<u>16"</u>	<u>18"</u>	<u>&gt;20"</u>	<u>Total</u>
Mainline Cleaning (ft)	0	34,496	74,137	4,500	2,153	0	4,767	496	0	0	120,549
Easement Cleaning (ft)	0	1,635	7,107	251	880	0	233	496	0	0	10,602
CCTV (ft)	0	576	14,768	0	0	0	0	0	0	0	15,344

<u>Lateral Maintenance</u>	
	<u># of Laterals</u>
Cleaning	223
CCTV	15
Inspection	16

**FOG Inspection**

Number Performed - 50  
Completed - 31  
Follow-up Needed - 12  
Out of Business - 7