

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, OCTOBER 19, 2022**

**AGENDA**

**The meeting will be held at 7:00 p.m. via teleconference [call 1 (866) 899 - 4679 Conference Access Code: 251566821] and anyone interested may also call in. The District Office at 20863 Stevens Creek Blvd, Suite 100, Cupertino is closed.**

**1. ROLL CALL**

**2. AB 361**

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the California Department of Public Health and the County Health Officer continue to encourage social distancing and strongly recommend that all people wear masks in all indoor public spaces, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

**3. PUBLIC COMMENTS**

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. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – 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.

**5. MINUTES & BILLS**

- A. APPROVAL OF THE REGULAR MEETING MINUTES OF OCTOBER 5, 2022
- B. APPROVED MINUTES OF SEPTEMBER 21, 2022
- C. PAYMENT OF BILLS AND APPROVAL OF FINANCIAL STATEMENTS
- D. DIRECTOR'S MONTHLY TIMESHEETS

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, OCTOBER 19, 2022**

**6. CORRESPONDENCE**

- A. EMAIL FROM LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY (LAFCO) - LAFCO CERTIFICATE OF COMPLETION - CAMBRIAN NO. 37

**7. MEETINGS**

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) HELD ON MONDAY, NOVEMBER 7, 2022
- B. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) HELD ON THURSDAY, NOVEMBER 10, 2022
- C. CASA COLLECTION SYSTEMS WORKGROUP TO BE HELD NOVEMBER 16, 2022

**8. REPORTS**

- A. CALIFORNIA ALLIANCE FOR SEWER SYSTEM EXCELLENCE (CASSE) IN-PERSON GENERAL MEETING HOSTED BY SACRAMENTO AREA SEWER DISTRICT HELD OCTOBER 6, 2022 IN SACRAMENTO, CA

**9. UNFINISHED BUSINESS**

- A. COVID-19 UPDATES

**10. NEW BUSINESS**

- A. SPECIAL DISTRICT LEADERSHIP FOUNDATIONS TRANSPARENCY CERTIFICATE OF EXCELLENCE
- B. DRAFT ANNUAL REPORT

**11. STAFF REPORT**

- A. FUTURE DEVELOPMENT PROJECTS
- B. MAINTENANCE SUMMARY

**12. CALENDAR ITEMS**

- A. THE REGULAR DISTRICT BOARD MEETING OF NOVEMBER 2, 2022 IS CANCELED
- B. NEXT REGULAR DISTRICT BOARD MEETING IS TO BE HELD ON WEDNESDAY, NOVEMBER 16, 2022

**13. ADJOURNMENT**

## CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, OCTOBER 5, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted via teleconferencing in accordance with AB 361. The District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino was closed.

### 1. ROLL CALL:

President Bosworth 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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, David A. Doyle, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: None

### 2. AB 361:

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

On a motion by President Bosworth, seconded by Director Kwok, by a vote of 5-0-0, the Board approved.

### 3. PUBLIC COMMENTS:

There were none.

### 4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:02 p.m. Manager Porter, and Deputy Manager Woodhouse were excused from the closed session.

- A. Conference with legal counsel – 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.

Board action: There was no reportable action.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 5, 2022

President Bosworth adjourned the closed session at 7:13 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES:

- A. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the minutes of the regular meeting held Wednesday, September 21, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, August 17, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

7. MEETINGS:

- A. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) scheduled to be held on Monday, October 10, 2022 is canceled.
- B. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held on Thursday, October 13, 2022 is canceled.
- C. Deputy Manager Woodhouse plans to attend the California Alliance for Sewer System Excellence (CASSE) in-person general meeting hosted by Sacramento Area Sewer District to be held October 6, 2022 in Sacramento, CA.

8. REPORTS:

There were none.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Vallco Installer's Agreement. Vallco has initiated contact and would like to restart discussions on the Installer's Agreement. Staff will meet with appropriate staff for the developers.
- B. Water Loss Calculation Discussion. Manager Porter and the Board discussed water loss calculations for District customers.
- C. District Manager Porter reported on the Covid-19 updates.

10. NEW BUSINESS:

- A. The Board discussed Significant Defect Repair Project – Authorization to Bid. On a motion by Director Saadati, seconded by President Bosworth, by a vote of 5-0-0, the approved authorization to bid.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 5, 2022

11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the Fall Fun Festival held in Cupertino on September 24, 2022.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, October 19, 2022.
  - a) The regular Board meeting of November 2, 2022 is canceled.

13. ADJOURNMENT:

On a motion properly made and seconded, at 7: 50 p.m. the meeting was adjourned.

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Secretary of the Sanitary Board

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President of the Sanitary Board

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, SEPTEMBER 21, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted via teleconferencing in accordance with AB 361. The District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino was closed.

1. ROLL CALL:

President Bosworth 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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, David A. Doyle, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Sr. Sanitary Engineer Vani Kathula, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: None

2. AB 361:

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

On a motion by President Bosworth, seconded by Director Kwok, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:01 p.m. Manager Porter, and Sr. Engineer Kathula were excused from the closed session.

A. Conference with legal counsel – 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.

Board action: There was no reportable action.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, SEPTEMBER 21, 2022

President Bosworth adjourned the closed session at 7:19 p.m. and the regular meeting was called to order. District Manager Porter, and Sr. Engineer Kathula rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the minutes of the regular meeting held Wednesday, August 17, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, August 3, 2022, are to be Noted & Filed.
- C. The Board reviewed August payable warrants and financial statements. Staff provided detailed clarification to the Board regarding the District's share of cost towards the operation and maintenance of Santa Clara Outfall. On a motion by Director Chen, seconded by President Bosworth, by a vote of 5-0-0, the financial statements and payment of bills for August were approved as written.
- D. Board members submitted their September timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed an email from California Special Districts Association - Initiative #21-0042A1 (CBRT Initiative). Board reviewed the email, the initiative, and Resolution 1340 to oppose the initiative. On a motion by President Bosworth, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution 1340 to oppose the CBRT initiative #21-0042A1.
- B. The Board reviewed an email from California Association Of Sanitation Agencies (CASA) – AB 2247 (Bloom) - Letters of Support Needed. On a motion by President Bosworth, seconded by Director Kwok, by a vote of 5-0-0, the Board approved motion to submit a letter of support.
- C. The Board reviewed a letter from a senior resident requesting senior exemption of sewer service charges. On motion by Director Kwok, second by Director Chen, by a vote of 5-0-0, the request of the resident to exempt the sewer service charges was denied.
- D. The Board reviewed an email from Local Agency Formation Commission of Santa Clara County (LAFCO) Sphere of Influence – Lawrence-Mitty USA/SOI. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, October 10, 2022.
- B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, October 13, 2022.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, SEPTEMBER 21, 2022

8. REPORTS:

- A. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, September 5, 2022.
- B. Director Kwok reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, September 8, 2022.
- C. President Bosworth reported on the teleconference meeting of The Santa Clara County Special Districts Association held on Monday, September 12, 2022.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.
- B. District Manager Porter and Staff will attend the District public outreach booth at the Cupertino Fall Festival, to be held on Saturday, September 24, 2022.

10. NEW BUSINESS:

- A. The Board reviewed the Board Memo requesting Purchase of CUES Inc. lateral camera and GraniteNet software. On motion by Director Kwok, seconded by Director Chen, by a vote of 5-0-0, the Board approved the purchase of the lateral camera and software in the amount of \$21,490.06.

11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on Ethics Training Certificate update.
- C. Manager Porter reported on the Monthly Maintenance Summary and District repairs. District maintenance is ahead of schedule for mainline cleaning and on schedule for FOG inspections and other maintenance activities.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, October 5, 2022.
  - a) President Bosworth and Director Kwok are excused from the regular Board meeting of October 19, 2022.
  - b) The regular Board meeting of November 2, 2022 is cancelled due to three Board members scheduled to be away.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:35 p.m. the meeting was adjourned.

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Secretary of the Sanitary Board

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President of the Sanitary Board



**CUPERTINO SANITARY DISTRICT**  
**MONTHLY FINANCIAL REPORT THROUGH SEPTEMBER 2022**  
**(3rd Month of Operations - 25% into FY Operations)**  
**FISCAL YEAR: July 1, 2022 to June 30, 2023**

**EXPENSE SUMMARY REPORT**

Account Name	Account Number	BUDGET	Prior Expenses	Amount Payable	Total To Date Expenses	Remaining Balance	% Expended To Date	Comments
<b>SEPT SERVICES</b>								
<b>OPERATING EXPENSES</b>								
Loan Payments	41000	\$1,200,063	\$0.00	\$0.00	\$0.00	\$1,200,063.00	0.0%	None to date
Directors Fees	41030	\$38,000	\$7,306.67	\$1,634.40	\$8,941.07	\$29,058.93	23.5%	On Target
Gasoline, Oil & Fuel	41060	\$4,000	\$0.00	\$0.00	\$0.00	\$4,000.00	0.0%	None to date
Insurance	41060	\$170,000	\$10,329.39	\$1,181.91	\$11,511.30	\$158,488.70	6.8%	Dooley Insurance (Group Life and Dental - November Coverage)
Memberships	41080	\$57,000	\$19,003.23	\$95.00	\$19,098.23	\$37,901.77	33.5%	CWEA - Membership Renewal for Field Inspector (S. Quach)
Office Rent	41090	\$4,800	\$800.00	\$400.00	\$1,200.00	\$3,600.00	25.0%	On Target
Operating Expenses - General	41100	\$3,000	\$1,605.39	\$58.22	\$1,663.61	\$1,336.39	55.5%	Annual Fall Festival (Meals for staff working the booth all day)
Operating Expenses - Credit Card Transaction Fees	41100-1	\$6,000	\$854.46	\$398.09	\$1,252.55	\$4,747.45	20.9%	Credit Card Processing Fees - September
<b>Contractual Services:</b>								
Outfall Maintenance	41113	\$71,000	\$176,187.69	\$0.00	\$176,187.69	-\$105,187.69	248.2%	None this month
T.P. Operations & Maintenance	41114	\$6,902,554	\$1,725,639.00	\$1,725,639.00	\$3,451,278.00	\$3,451,276.00	50.0%	FY2022-2023 through Second Quarter (Q2)
<b>Professional Services:</b>								
Management Services	41121	\$575,000	\$72,974.03	\$37,442.67	\$110,416.70	\$464,583.30	19.2%	On Target
SSMP Certification and Implementation	41121	\$100,000	\$0.00	\$0.00	\$0.00	\$100,000.00	0.0%	None to date
Engineering Services	41122	\$1,365,000	\$210,836.82	\$132,909.07	\$343,745.89	\$1,021,254.11	25.2%	On Target
Inflow/Infiltration Reduction	41122	\$500,000	\$14,082.24	\$0.00	\$14,082.24	\$485,917.76	2.8%	None this month
Plan Checking & Inspection	41123	\$300,000	\$45,427.90	\$19,610.94	\$65,038.84	\$234,961.16	21.7%	On Target
Legal - Consultant Services	41124	\$36,000	\$4,500.00	\$1,800.00	\$6,300.00	\$29,700.00	17.5%	Richard Tanaka - Consulting Services for September 2022
Legal - District Counsel	41124	\$60,000	\$3,771.00	\$1,590.00	\$5,361.00	\$54,639.00	8.9%	District Counsel - Legal Services for September 2022
Legal - Common Interest Group (CuSD Advance Pay)	41124	\$1,404,000	\$296,071.45	\$256,359.21	\$552,430.66	\$851,569.34	39.3%	Hunton Andrews Kurth (Legal Services for August)
Legal - Common Interest Group (CuSD Share)	41124	\$396,000	\$83,507.33	\$72,306.44	\$155,813.77	\$240,186.23	39.3%	Hunton Andrews Kurth (Legal Services for August)
Audit	41125	\$12,600	\$0.00	\$0.00	\$0.00	\$12,600.00	0.0%	None to date
Printing & Publications	41130	\$28,000	\$3,376.40	\$0.00	\$3,376.40	\$24,623.60	12.1%	None this month
<b>Repairs and Maintenance</b>								
Repairs	41150	\$300,000	\$11,493.25	\$10,674.69	\$22,167.94	\$277,832.06	7.4%	On Target
Maintenance	41151	\$3,725,000	\$661,885.15	\$368,841.45	\$1,030,726.60	\$2,694,273.40	27.7%	On Target
Travel & Meetings Staff	41170	\$15,000	\$0.00	\$143.75	\$143.75	\$14,856.25	1.0%	Marc Hynes - Mileage Reimbursement for CASA Conference (August 10-12, 2022)
Travel & Meetings BOD	41170	\$18,000	\$2,955.50	\$0.00	\$2,955.50	\$15,044.50	16.4%	None
Utilities	41190	\$70,000	\$11,641.56	\$4,204.17	\$15,845.73	\$54,154.27	22.6%	On target
<b>Refunds &amp; Reimbursements:</b>								
Miscellaneous	41201	\$50,000	\$0.00	\$0.00	\$0.00	\$50,000.00	0.0%	None to date
Connection Fees	41202	\$2,000	\$0.00	\$0.00	\$0.00	\$2,000.00	0.0%	None to date
Checking & Inspection	41203	\$3,000	\$0.00	\$0.00	\$0.00	\$3,000.00	0.0%	None to date
Emergency Funds	48000	\$250,000	\$16,039.09	\$15,263.43	\$31,302.52	\$218,697.48	12.5%	AB/JDD (1); Able (1); RotoRooter (1); Mark Thomas - Stoppage Response
Consolidated Election	48001	\$150,000	\$0.00	\$0.00	\$0.00	\$150,000.00	0.0%	None this Fiscal Year
<b>TOTAL OPERATING EXPENSES</b>		<b>\$17,816,017</b>	<b>\$3,380,287.55</b>	<b>\$2,650,552.44</b>	<b>\$6,030,839.99</b>	<b>\$11,785,177.01</b>	<b>33.9%</b>	
<b>CAPITAL EXPENSES</b>								
District Sewer Capital & Support	46041	\$2,500,000	\$113,856.84	\$50,530.74	\$164,387.58	2,335,612.42	6.6%	Mark Thomas (Wolfe Road); Bennett Trenchless-VTA
Treatment Plant Capital	46042	\$3,789,547	\$628,474.00	\$182,331.00	\$810,805.00	2,978,742.00	21.4%	FY2022-2023 Q2
Outfall Capital	46042	\$95,000	\$280,533.83	\$0.00	\$280,533.83	(185,533.83)	295.3%	None this month
District Equipment	46043	\$150,000	\$3,966.20	\$2,359.29	\$6,325.49	143,674.51	4.2%	New Locator (vLoc3_Cam Receiver)
Replacement Fund	46044	\$300,000	\$0.00	\$0.00	\$0.00	300,000.00	0.0%	
<b>TOTAL CAPITAL EXPENSES</b>		<b>\$6,834,547</b>	<b>\$1,026,830.87</b>	<b>\$235,221.03</b>	<b>\$1,262,051.90</b>	<b>\$5,572,495.10</b>	<b>18.5%</b>	
<b>TOTAL EXPENSES</b>		<b>\$24,650,564</b>	<b>\$4,407,118.42</b>	<b>\$2,885,773.47</b>	<b>\$7,292,891.89</b>	<b>\$17,357,672.11</b>	<b>29.6%</b>	

**CUPERTINO SANITARY DISTRICT**  
**MONTHLY FINANCIAL REPORT THROUGH SEPTEMBER 2022**  
**(3rd Month of Operations - 25% into FY Operations)**

FISCAL YEAR: July 1, 2022 to June 30, 2023

**REVENUE SUMMARY REPORT**

Account Name	Account Number	BUDGET	Prior Receipts	Current Month Receipts Sept Receipts	Total Amount Received	Remaining Balance to Collect	% Earned To Date	Comments
<b>OPERATING REVENUES</b>								
Service Charges								
Handbilling	31010	\$618,711.00	\$0.00	\$0.00	\$0.00	\$618,711.00	0.0%	None to date
Tax Roll	31010	\$20,395,721.00	\$0.00	\$0.00	\$0.00	\$20,395,721.00	0.0%	None to date
Permit Fees	31020	\$75,000.00	\$15,059.25	\$6,750.00	\$21,809.25	\$53,190.75	29.1%	Twenty payments received this month; Sixty payments received to date
Connection Fees	31031	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00	0.0%	None to date
Capacity Fees	31032	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00	0.0%	None to date
Pump Zone Fees	31033	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00	0.0%	None to date
Checking & Inspection Fees	31040	\$300,000.00	\$18,400.00	\$10,100.00	\$28,500.00	\$271,500.00	9.5%	Twenty-six payments received this month; Seventy-four 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	\$100,000.00	\$33,811.63	\$0.00	\$33,811.63	\$66,188.37	33.8%	None this month
City of San Jose Credit(s)	32091	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00	0.0%	None to date
Legal - Common Interest Group (Tributaries)	32092.1	\$1,404,000.00	\$548,072.55	\$154,648.04	\$702,720.59	\$701,279.41	50.1%	Payments from City of Milpitas, WVSD, CSD2-3, and BSD (for July 2022 billing)
Legal - Common Interest Group (2% Admin Fees)	32902.2	\$36,000.00	\$11,144.56	\$3,092.95	\$14,237.51	\$21,762.49	39.5%	Payments from City of Milpitas, WVSD, CSD2-3, and BSD (for July 2022 billing)
Refunds/Reimbursements - Misc.	32091	\$10,000.00	\$2,877.18	\$0.00	\$2,877.18	\$7,122.82	28.8%	None this month
Lateral Construction	32093	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00	0.0%	None to date
<b>TOTAL OPERATING REVENUE</b>		<b>\$24,526,932.00</b>	<b>\$629,365.17</b>	<b>\$174,590.99</b>	<b>\$803,956.16</b>	<b>\$23,722,975.84</b>	<b>3.28%</b>	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	Reserve Account
<b>TOTAL OPERATING REVENUE</b>		<b>\$24,526,932.00</b>	<b>\$629,365.17</b>	<b>\$174,590.99</b>	<b>\$803,956.16</b>	<b>\$23,722,975.84</b>	<b>3.28%</b>	

**CASH ACCOUNT SUMMARY**

Date	Operating Fund	Replacement Fund	Comingled Fund	Cal Bank Trust Acct	Loan Balance with interest *	Net Cash
June 30, 2022	\$18,765,721.45	\$3,000,000.00	\$15,765,721.45	\$762,082.82	\$1,058,859.55	\$20,586,663.82
July 31, 2022	\$18,057,733.71	\$3,000,000.00	\$15,057,733.71	\$770,283.34	\$1,058,923.08	\$19,886,940.13
August 31, 2022	\$15,040,721.91	\$3,000,000.00	\$12,040,721.91	\$787,005.74	\$1,059,066.69	\$16,886,794.34
September 30, 2022	\$13,928,089.09	\$3,000,000.00	\$10,928,089.09	\$801,832.83	\$1,059,197.27	\$15,789,119.19

FOR CAL BANK SUMMARY, SEE ATTACHED DETAIL.

**CALIFORNIA BANK AND TRUST ACCOUNT SUMMARY AS OF 9/30/2022**

Cal Bank Activities				Total Interest Earned or Refund Received from CSJ	Interest or Refund Prorated to Loan Balance	Loan Balance w/Interest	Interest or Refund Prorated to \$600K District Savings	District Portion of Savings Balance	Total Savings balance	Checking Acct Balance (Credit Card Payments Received)	TOTAL AT CAL BANK
No.	Payee	Date	Check Amount			\$10,000,000.00			\$10,000,000.00		\$10,000,000.00
1001	San Jose	10/16/19	\$2,180,309.00			\$7,819,691.00			\$7,819,691.00		\$7,819,691.00
1002	San Jose	10/16/19	\$29,515.44			\$7,790,175.56			\$7,790,175.56		\$7,790,175.56
1003	Tesco	11/20/19	\$17,707.00			\$7,772,468.56			\$7,772,468.56		\$7,772,468.56
1004	Shape	11/20/19	\$108,814.78			\$7,663,653.78			\$7,663,653.78		\$7,663,653.78
1005	Tesco	12/18/19	\$169,018.00			\$7,494,635.78			\$7,494,635.78		\$7,494,635.78
1006	Con Quest	12/18/19	\$385,242.58	\$30,683.35	\$30,683.35	\$7,140,076.55			\$7,140,076.55		\$7,140,076.55
1007	San Jose	01/15/20	\$6,966,355.00			\$173,721.55			\$173,721.55		\$173,721.55
Interest through 3/31/20				\$6,823.36	\$6,823.36	\$180,544.91			\$180,544.91		\$180,544.91
Deposit						\$180,544.91		\$600,000.00	\$780,544.91	\$2,996.28	\$783,541.19
Balance as of 5/30/2020				\$179.37	\$41.50	\$180,586.41	\$137.87	\$600,137.87	\$780,724.28	\$5,744.81	\$786,469.09
Balance as of 6/30/2020				\$197.98	\$45.80	\$180,632.21	\$152.18	\$600,290.05	\$780,922.26	\$31,953.57	\$812,875.83
Balance as of 7/31/2020				\$191.84	\$44.37	\$180,676.58	\$147.47	\$600,437.52	\$781,114.10	\$37,732.75	\$818,846.85
Balance as of 8/31/2020				\$154.53	\$35.74	\$180,712.33	\$118.79	\$600,556.30	\$781,268.63	\$48,220.05	\$829,488.68
Balance as of 9/30/2020				\$25.62	\$5.93	\$180,718.25	\$19.69	\$600,576.00	\$781,294.25	\$56,059.22	\$837,353.47
Balance as of 10/31/2020				\$25.62	\$5.93	\$180,724.18	\$19.69	\$600,595.69	\$781,319.87	\$67,713.45	\$849,033.32
Balance as of 11/30/2020				\$26.47	\$6.12	\$180,730.30	\$20.35	\$600,616.04	\$781,346.34	\$80,097.89	\$861,444.23
Balance as of 12/31/2020				\$26.47	\$6.12	\$180,736.42	\$20.35	\$600,636.39	\$781,372.81	\$89,436.48	\$870,809.29
Balance as of 1/31/2021				\$24.83	\$5.74	\$180,742.17	\$19.09	\$600,655.47	\$781,397.64	\$99,672.14	\$881,069.78
Balance as of 2/28/2021				\$23.98	\$5.55	\$180,747.71	\$18.43	\$600,673.91	\$781,421.62	\$108,211.86	\$889,633.48
Balance as of 3/31/2021				\$28.26	\$6.54	\$180,754.25	\$21.72	\$600,695.63	\$781,449.88	\$121,953.35	\$903,403.23
Balance as of 4/30/2021				\$22.27	\$5.15	\$180,759.40	\$17.12	\$600,712.75	\$781,472.15	\$135,672.77	\$917,144.92
Balance as of 5/31/2021				\$11.99	\$2.77	\$180,762.18	\$9.22	\$600,721.96	\$781,484.14	\$153,926.10	\$935,410.24
Deposit - CSJ Refund				\$1,415,647.00	\$926,889.61	\$1,107,651.79	\$488,757.39	\$1,089,479.35	\$2,197,131.14		
Balance as of 6/30/2021				\$20.34	\$10.25	\$1,107,662.04	\$10.09	\$1,089,489.44	\$2,197,151.48	\$168,561.21	\$2,365,712.69
1008 Voided - CSJ											
Balance as of 7/31/2021				\$36.12	\$18.21	\$1,107,680.25	\$17.91	\$1,089,507.35	\$2,197,187.60	\$190,143.43	\$2,387,331.03
Balance as of 8/31/2021				\$38.53	\$19.42	\$1,107,699.67	\$19.11	\$1,089,526.46	\$2,197,226.13	\$200,919.93	\$2,398,146.06
Balance as of 9/30/2021				\$36.12	\$18.21	\$1,107,717.88	\$17.91	\$1,089,544.37	\$2,197,262.25	\$215,257.91	\$2,412,520.16
1009	Co-Mingled Fund	10/20/21	\$690,453.00				(\$480,000.00)	(\$480,000.00)		(\$210,453.00)	
1010	C2R Engineering	10/20/21	\$49,030.00			(\$49,030.00)					
Balance as of 10/20/2021						\$1,058,687.88		\$609,544.37	\$1,668,232.25	\$4,804.91	\$1,673,037.16
Balance as of 10/31/2021				\$31.44	\$19.95	\$1,058,707.83	\$11.49	\$609,555.86	\$1,668,263.69	\$25,242.07	\$1,693,505.76
Balance as of 11/30/2021				\$29.25	\$18.56	\$1,058,726.40	\$10.69	\$609,566.54	\$1,668,292.94	\$38,319.76	\$1,706,612.70
Balance as of 12/31/2021				\$28.34	\$17.99	\$1,058,744.38	\$10.35	\$609,576.90	\$1,668,321.28	\$55,958.38	\$1,724,279.66
Balance as of 1/31/2022				\$28.34	\$17.99	\$1,058,762.37	\$10.35	\$609,587.25	\$1,668,349.62	\$65,691.28	\$1,734,040.90
Balance as of 2/28/2022				\$25.60	\$16.25	\$1,058,778.61	\$9.35	\$609,596.61	\$1,668,375.22	\$85,965.01	\$1,754,340.23
Balance as of 3/31/2022				\$28.34	\$17.99	\$1,058,796.60	\$10.35	\$609,606.96	\$1,668,403.56	\$106,346.21	\$1,774,749.77
Balance as of 4/30/2022				\$26.51	\$16.82	\$1,058,813.42	\$9.69	\$609,616.65	\$1,668,430.07	\$119,004.80	\$1,787,434.87
Balance as of 5/31/2022				\$29.25	\$18.56	\$1,058,831.98	\$10.69	\$609,627.34	\$1,668,459.32	\$132,240.88	\$1,800,700.20
Balance as of 6/30/2022				\$43.43	\$27.56	\$1,058,859.55	\$15.87	\$609,643.20	\$1,668,502.75	\$152,439.62	\$1,820,942.37
Balance as of 7/31/2022				\$100.11	\$63.53	\$1,058,923.08	\$36.58	\$609,679.78	\$1,668,602.86	\$160,603.56	\$1,829,206.42
Balance as of 8/31/2022				\$226.30	\$143.61	\$1,059,066.69	\$82.69	\$609,762.47	\$1,668,829.16	\$177,243.27	\$1,846,072.43
Balance as of 9/30/2022				\$205.76	\$130.58	\$1,059,197.27	\$75.18	\$609,837.65	\$1,669,034.92	\$191,995.18	\$1,861,030.10
<b>TOTAL OR BALANCE AMOUNT</b>			<b>\$10,596,444.80</b>	<b>\$1,455,026.72</b>	<b>\$965,189.07</b>	<b>\$1,059,197.27</b>	<b>\$9,837.65</b>	<b>\$609,837.65</b>	<b>\$1,669,034.92</b>	<b>\$191,995.18</b>	<b>\$1,861,030.10</b>

**CUPERTINO SANITARY DISTRICT  
WARRANTS PAYABLE - October 19, 2022**

<u>WARRANT NUMBER</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	
N/A	M&O	\$ 1,634.40	ADP	Directors' Salary	
19530	M&O	\$ 1,181.91	Dooley Insurance Services	Insurance - Group Life & Dental	
19531	M&O	\$ 95.00	CWEA	Memberships	
N/A	M&O	\$ 398.09	CalBank Credit Card Processing Fees	Operating Exp. - Credit Card Processing Fees	
19532	M&O	\$ 1,907,970.00	City of San Jose	Treatment Plant O&M	1,725,639.00
				Treatment Plant Capital	182,331.00
19533	M&O	\$ 485,869.80	Mark Thomas	Office Rent	400.00
				Operating Expenses - General	58.22
				Management Services	37,442.67
				Engineering Services	132,909.07
				Plan Checking & Inspection	19,610.94
				Repairs	10,674.69
				Maintenance	234,599.10
				Utilities	1,052.70
				Emergency Funds	9,196.67
				District Sewer Capital & Support	39,925.74
19534	M&O	\$ 1,800.00	Richard K. Tanaka	Legal - Consultant Services	
19535	M&O	\$ 1,733.75	Armento & Hynes LLP	Legal - District Counsel	1,590.00
				Travel & Meetings Staff	143.75
19536	M&O	\$ 328,665.65	Hunton Andrews Kurth	Legal - Common Interest Group (Advance Pay)	256,359.21
				Legal - Common Interest Group (CuSD Share)	72,306.44
19537	M&O	\$ 240.00	County of SC Health Dept	Maintenance	
19538	M&O	\$ 306.07	Home Depot	Maintenance	
19539	M&O	\$ 22,162.14	RotoRooter	Maintenance	20,772.18
				Emergency	1,389.96
19540	M&O	\$ 64,427.50	AB/JDD Plumbing Heating & AC	Maintenance	64,077.50
				Emergency	350.00
19541	M&O	\$ 53,173.40	Able Underground Construction	Maintenance	48,846.60
				Emergency	4,326.80
19542	M&O	\$ 65.98	City of Santa Clara Utilities	Utilities	
19543	M&O	\$ 3,085.49	PG&E	Utilities	
19544	M&O	\$ 10,605.00	Bennett Trenchless	District Sewer Capital & Support	
19545	M&O	\$ 2,359.29	Instrument Technology Corporation	District Equipment	
<b>TOTAL WARRANTS</b>		<b>\$ 2,885,773.47</b>			

**Maintenance Total:** \$ 368,841.45 Mark Thomas, Home Depot, County Health Dept, Roto Rooter, ABLE, AB/JDD  
**Utilities Total:** \$ 4,204.17 Mark Thomas, Santa Clara Utilities, PG&E  
**Emergency Total:** \$ 15,263.43 Mark Thomas, AB/JDD, Able, RotoRooter

**EMERGENCY DETAILS:**

**Roto-Rooter** - One emergency this month  
**Able** - One emergency this month  
**AB/JDD Plumbing** - One emergency this month

Lawrence E. Stone, Assessor

**REPORT OF THE COUNTY ASSESSOR**

Date Report           **February 19,2021**  
 Prepared:

Title of Proposal:   **Cambrian No 37**

Type of Application:       **Click Here**

Conducting Authority:       **City of San Jose**

**1. Review of Proposal**

- a. Location: 14200 Union Avenue & 14420 Union Ave (19.92 AC)
- b. Assessor's Parcel Numbers: 419-08-012 & 419-08-013
- c. Respective Net value of assessed parcels as of July 1, 2020: \$1,131,906 & \$52,716,112

**2. Conformity to Lines of Assessment or Ownership**

- Boundaries of proposal conform.
- Boundaries of proposal fail to conform to lines of assessment per attached map.
- Upon annexation, lines of assessment will no longer be split by TRA lines within this proposal.

**3. Special Districts**

Special districts within the proposed area include:

TRA 61-003 061-003 0061 CAMBRIAN ELEM. SCHOOL 061-003 0133 CAMPBELL UNION HIGH SCHOOL 061-003 0203 WEST VALLEY JT(43,44) COMM. COLLEGE 061-003 0215 BAY AREA JT(1,7,21,28,38,41,43,48,49) AIR QUALITY MGMT. 061-003 0219 CENTRAL-ZONE NO. 01 FIRE PROTECTION 061-003 0306 WEST VALLEY SANITATION 061-003 0322 SANTA CLARA VALLEY COUNTY WATER 061-003 0326 SANTA CLARA VALLEY-ZONE C-1 COUNTY WATER 061-003 0335 SANTA CLARA COUNTY IMPORTATION WATER-MISC. 061-003 0371 CENTRAL FIRE PROTECTION 061-003 0376 SANTA CLARA VALLEY-ZONE W-4 COUNTY WATER 061-003 0377 AREA NO. 01 (LIBRARY SERVICES), BENEFIT ASSESSMENT COUNTY SERVICE 061-003 0378 AREA NO. 01 (LIBRARY SERVICES) COUNTY SERVICE	
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Prepared By:

**Anita Badger, Property & Title Identification Technician**

**(408) 299-5506**  
 anita.badger@asr.sccgov.org

**COPY**

WHEN RECORDED, PLEASE MAIL  
THIS TO:

**LAFCO**  
**777 N. First St., Suite 410**  
**San Jose, CA 95112**

Place Clerk Recorder sticker below this line

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**25383680**

**Regina Alcomendras**  
Santa Clara County - Clerk-Recorder  
10/07/2022 11:56 AM

**CONFORMED COPY**

Copy of document recorded.  
Has not been compared with original.

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**CERTIFICATE OF COMPLETION:**

**CAMBRIAN NO. 37**

DOCUMENT TITLE



**Local Agency  
Formation Commission  
of Santa Clara County**

777 North First Street  
Suite 410  
San Jose, CA 95112

**SantaClaraLAFCO.org**

**Commissioners**

Rich Constantine  
Susan Ellenberg  
Sergio Jimenez  
Yoriko Kishimoto  
Linda J. LeZotte  
Mike Wasserman  
Susan Vicklund Wilson

**Alternate Commissioners**

Helen Chapman  
Cindy Chavez  
Matt Mahan  
Russ Melton  
Terry Trumbull

**Executive Officer**  
Neelima Palacherla

**CERTIFICATE OF COMPLETION**

I, Neelima Palacherla, Executive Officer of the Santa Clara County Local Agency Formation Commission, issue this Certificate of Completion pursuant to Government Code Sections 57200 and 57201.

I hereby certify that I have examined **Resolution No. 80678** for a change of organization attached hereto and have found this document to be in compliance with Government Code Section 56757 authorizing cities within Santa Clara County to assume authority over certain changes in government organization.

The name of the City is: **San Jose**.

The entire City is located in Santa Clara County.

The change of organization completed is a **REORGANIZATION** which includes annexation to the **City of San Jose** and detachment from the following:

- West Valley Sanitation District**
- Santa Clara County Central Fire Protection District**
- Santa Clara County Lighting Service Area**
- County Library Service Area**

A map and description of the boundaries of the change of organization are appended hereto.

The title of this proceeding is: **Cambrian No. 37**

The City has complied with all conditions imposed by the Commission for inclusion of the territory in the City's Urban Service Area.

The change of organization was ordered subject to the following terms and conditions: **NONE**.

The date of adoption of the City Resolution ordering the reorganization is **9/13/2022**.

I declare under the penalty of perjury in the State of California that the foregoing is true and correct.

Dated: 10/7/22

Neelima Palacherla  
Neelima Palacherla, Executive Officer  
LAFCO of Santa Clara County

*Attachments: City Resolution, Legal Description (Exhibit A) and Map (Exhibit B)*

**RESOLUTION NO. 80678**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ORDERING THE ANNEXATION OF CERTAIN UNINCORPORATED TERRITORY DESIGNATED AS CAMBRIAN NO. 37, SUBJECT TO LIABILITY FOR GENERAL INDEBTEDNESS OF THE CITY**

**WHEREAS**, the City of San José desires to order proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, as the same may be amended from time to time, of the annexation of territory designated as Cambrian No. 37 to the City of San José, and the detachment of certain territory from County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District; and

**WHEREAS**, this proposal includes an annexation to the City of San José of certain unincorporated territory located within the County of Santa Clara and within the Urban Service Area of said City which is not subject to review by the Local Agency Formation Commission as provided under Section 56757 of the California Government Code; and

**WHEREAS**, such territory is known by the short form designation of "**Cambrian No. 37**," and a description of the boundaries of this territory is set forth in Exhibit "A" attached hereto and incorporated herein by this reference, which description is subject to correction or revision as required; and

**WHEREAS**, a map showing the location of such territory is attached hereto as Exhibit "B" and incorporated herein by this reference; and

**WHEREAS**, the subject real property, comprising of approximately 19.92-gross acres located on the southeast corner of Union Avenue and Camden Avenue (APNs 419-08-



012 and 419-08-013) and includes the adjacent streets including 735.44 feet of Union Avenue and 948.32 feet of Camden Avenue along the project frontage, and is contiguous to the City of San José and is within the City's Urban Service Area; and

**WHEREAS**, the subject property currently is receiving or will receive the following benefits from the City, to wit: all municipal services, including but not limited to street maintenance, streetlights, law enforcement, sanitary sewer, code enforcement, street sweeping, garbage collection, and fire protection; and

**WHEREAS**, this territory was considered for pre-zoning to CP(PD) Planned Development Zoning District (under File No. PDC17-040) on August 9, 2022 (Ordinance No. 30808) and will be so zoned upon its annexation to the City of San José in accordance with Section 20.120.300 of the Zoning Ordinance (Title 20 of the San José Municipal Code); and

**WHEREAS**, the City of San José is the Lead Agency for environmental review for the reorganization known as "**Cambrian No. 37**" under the California Environmental Quality Act of 1970, as amended ("CEQA"); and

**WHEREAS**, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined that the annexation is consistent with the Cambrian Park Mixed-Use Village Project Environmental Impact Report (EIR) (Resolution No. 80647); and

**WHEREAS**, the County Surveyor of Santa Clara County has found the real property description of the subject property and the map of the subject property (Exhibits "A" and "B," respectively) to be in accordance with California Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with the County's Local Agency Formation Commission's annexation policies; and

**WHEREAS**, as provided in Government Code Section 56757, the City Council of the City of San José shall be the conducting authority for a reorganization to the City, and the City Council by this resolution is proposing the reorganization described in this Resolution; and

**WHEREAS**, all owners of land included in this proposal have consented to this annexation; and

**WHEREAS**, Government Code Section 56662 provides that if a proposal for an annexation is accompanied by proof that all owners of land within the affected territory have given their written consent the City Council may approve or disapprove the annexation without public hearing; and

**WHEREAS**, this proposal is consistent with the sphere of influence of the City of San José; and

**WHEREAS**, the reason for the proposed reorganization is as follows: to annex the subject territory and detach the same from special districts to eliminate a duplication of services; and

**WHEREAS**, evidence pertaining to the proposed reorganization was presented to the City Council at the City Council's public hearings on this matter; and

**WHEREAS**, the following facts pertain to the findings required by the Council in accordance with Government Code Section 56757:

1. The unincorporated territory proposed for reorganization is within the City's Urban Service Area, as adopted by the Santa Clara Local Agency Formation Commission.

2. The County Surveyor has determined the boundaries of the proposed reorganization to be definite and certain, and in compliance with the Santa Clara County Local Agency Formation Commission's road annexation policies.
3. The annexation does not split lines of assessment or ownership in that all affected parcels are being organized in their entirety.
4. The annexation does not create islands or areas in which it would be difficult to provide municipal services in that the completion of reorganization proceedings would result in the reduction in size of a county pocket of unincorporated territory.
5. The proposal is consistent with the City's adopted General Plan in that existing and future urban development should be located within cities.
6. The territory is contiguous to existing City limits.
7. The City has complied with all conditions imposed by the Local Agency Formation Commission for inclusion of the territory in the City's Urban Service Area as follows: On January 8, 2018, the City of San José informed LAFCO of its intent to annex the subject territory. During the review process, the annexation boundary was modified per LAFCO's request to include the adjacent streets to comply with LAFCO's Street Annexation Policy. Since then, the City has received no conditions of approval from LAFCO with respect to the subject annexation. Furthermore, on October 21, 2020, the City advised the following applicable special districts, from which the territory would be detached, of its intent to annex the subject property: County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District. To date, the City has received no objections from said districts to the proposed annexation.
8. The pre-zoning designation on the subject territory is CP(PD) Planned Development Zoning District (File No. PDC17-040) inasmuch as the City Council on August 9, 2022 approved an ordinance and adopted said ordinance on August 16, 2022 pre-zoning the subject territory (Ordinance No. 30808).

**NOW, THEREFORE,** BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

1. That it is the conducting authority pursuant to Section 56757 of the California Government Code for the annexation of property designated "**Cambrian No. 37,**" more particularly described in Exhibit "A" and more particularly shown upon that certain map attached hereto as Exhibit "B", both of which exhibits are incorporated herein by this reference;
2. That the following findings are made by the City Council for the City of San José:

- a. That said territory is occupied by an existing retail shopping center totaling 170,427 square feet and surface parking lots with a total of 764 existing parking spaces (per California Government Code Section 65046, territory within which fewer than 12 registered voters reside) and comprises approximately 19.92 gross acres.
- b. That the annexation is consistent with the orderly annexation of territory within the City's urban service area and is consistent with the City policy for annexation when providing City services.
- c. The City of San José has determined that the proposed annexation is consistent with the Cambrian Park Mixed-Use Village Project Environmental Impact Report (EIR) (Resolution No. 80647).
- d. That the subject territory will be zoned CP(PD) Planned Development Zoning District within the City of San José immediately upon annexation in accordance with Section 20.120.300 of Title 20 (Zoning Ordinance) of the San José Municipal Code.
- e. That the territory is within the City's urban service area as adopted by the Local Agency Formation Commission of Santa Clara County.
- f. That the County Surveyor has determined the boundaries of the proposed annexation to be definite and certain, and in compliance with the Local Agency Formation Commission's road annexation policies.
- g. That the proposed annexation does not split lines of assessment or ownership.
- h. That the proposed annexation is consistent with the City's General Plan.
- i. That the territory to be annexed is contiguous to existing City limits.
- j. That the City has complied with all conditions imposed by the Local Agency Formation Commission for inclusion of the territory in the City's urban service area. On January 8, 2018, the City of San José informed LAFCO of its intent to annex the subject territory. During the review process, the annexation boundary was modified per LAFCO's request to include the adjacent streets to comply with LAFCO's Street Annexation Policy. Since then, the City has received no conditions of approval from LAFCO with respect to the subject annexation. Furthermore, on October 21, 2020, the City advised the following applicable special districts, from which the territory would be detached, of its intent to annex the subject property: County Lighting District, Central Fire

Protection District, West Valley Sanitation District, and Santa Clara County Library District. To date, the City has received no objections from said districts to the proposed annexation.

3. That all affected local agencies that will gain or lose territory as a result of this reorganization have not submitted written opposition to the waiver of protest proceedings.
4. That all property owners have been provided written notice of this proceeding and no opposition has been received.
5. That said annexation is hereby ordered without any further protest of these reorganization proceedings pursuant to Section 56662(c) and (d) and is subject to the following additional terms and conditions: None.

**BE IT FURTHER RESOLVED** that upon completion of these reorganization proceedings, the territory reorganized will be taxed on the regular County assessment roll, including taxes for existing bonded indebtedness, and that the City Council hereby takes the additional following actions:

1. The City Council hereby orders the territory designated as **Cambrian No. 37** reorganized to include the following changes of organization: (a) the designated territory **Cambrian No. 37** is detached from County Lighting District, Central Fire Protection District, West Valley Sanitation District, and Santa Clara County Library District; and (b) the designated territory **Cambrian No. 37** is annexed into the City of San José. The City of San José, as conducting authority, reorganized such territory as indicated above, it being found and concurred in that the territory involved in the reorganization is uninhabited and all the owners of land within the territory have filed a written petition for the City Council to initiate said reorganization.
2. The City Council further hereby describes the exterior boundaries of the territory reorganized as all that real property in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B," attached hereto and incorporated herein by this reference.

ADOPTED this 13<sup>TH</sup> day of September, 2022 by the following vote:

AYES: ARENAS, CARRASCO, COHEN, DAVIS, ESPARZA,  
FOLEY, JONES, JIMENEZ, MAHAN, PERALEZ,

NOES: NONE.

ABSENT: LICCARDO.

DISQUALIFIED: NONE.



---

SAM LICCARDO  
Mayor

ATTEST:



---

TONI J. TABER, CMC  
City Clerk

The foregoing instrument is  
a correct copy of the original  
on file in this office.

Attest:

TONI J. TABER  
City Clerk

City Clerk of the City of San Jose  
County of Santa Clara, State of California

By Rachel Riza, Deputy

**EXHIBIT "A"**  
**CAMBRIAN NO. 37**  
**ANNEXATION TO THE CITY OF SAN JOSE**  
**GEOGRAPHIC DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA BEING A PORTION OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 1 WEST, MDB&M, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT PARCEL DESIGNATED AS "LANDS OF SHAEFFER LANDS, INC." ON THAT CERTAIN TRACT MAP ENTITLED "TRACT NO. 542 CAMBRIAN PARK UNIT NO. 1", FILED FOR RECORD DECEMBER 6, 1948 IN BOOK 20 OF MAPS AT PAGE 48, OFFICIAL RECORDS OF SAID SANTA CLARA COUNTY AND ALSO PORTIONS OF CAMDEN AVENUE, UNION AVENUE AND WYRICK AVENUE (ALL PUBLIC STREETS), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE INTERSECTION OF THE CENTERLINES OF SAID CAMDEN AVENUE AND UNION AVENUE ON THE EXISTING CITY LIMITS ESTABLISHED BY THE WILLOW GLEN NO. 10 ANNEXATION;

- 1.) THENCE EASTERLY ALONG SAID CENTERLINE OF CAMDEN AVENUE AND EXISTING CITY LIMITS SOUTH 89° 33' 00" EAST FOR A DISTANCE OF 948.32 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE CAMBRIAN NO. 8 ANNEXATION;
- 2.) THENCE SOUTHERLY ALONG SAID CITY LIMITS SOUTH 00° 26' 30" WEST FOR A DISTANCE OF 143.26 FEET;
- 3.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 04° 02' 10" WEST FOR A DISTANCE OF 88.40 FEET;
- 4.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 11° 13' 30" WEST FOR A DISTANCE OF 88.40 FEET;
- 5.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 18° 24' 50" WEST FOR A DISTANCE OF 88.40 FEET;
- 6.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 25° 36' 10" WEST FOR A DISTANCE OF 88.40 FEET;
- 7.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 32° 47' 30" WEST FOR A DISTANCE OF 88.40 FEET;
- 8.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 39° 58' 50" WEST FOR A DISTANCE OF 88.40 FEET;

- 9.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 130.00 FEET TO A POINT ON THE CENTERLINE OF SAID WYRICK AVENUE;
- 10.) THENCE SOUTHEASTERLY ALONG SAID CENTERLINE AND CITY LIMITS SOUTH 46° 25' 30" EAST FOR A DISTANCE OF 255.00 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE CAMBRIAN NO. 27 ANNEXATION;
- 11.) THENCE LEAVING SAID CITY LIMITS AND HEADING SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 30.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00;
- 12.) THENCE WESTERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS NORTH 43° 34' 30" EAST, THROUGH A CENTRAL ANGLE OF 90° 00' 00", AN ARC DISTANCE OF 31.42 FEET;
- 13.) THENCE NORTH 46° 25' 30" WEST FOR A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00;
- 14.) THENCE NORTHERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS SOUTH 46° 25' 30" EAST, THROUGH A CENTRAL ANGLE OF 90° 00' 00", AN ARC DISTANCE OF 31.42 FEET;
- 15.) THENCE NORTH 46° 25' 30" WEST FOR A DISTANCE OF 155.00 FEET;
- 16.) THENCE SOUTH 43° 34' 30" WEST FOR A DISTANCE OF 204.21 FEET;
- 17.) THENCE SOUTH 42° 00' 00" WEST FOR A DISTANCE OF 106.70 FEET;
- 18.) THENCE SOUTH 33° 14' 28" WEST FOR A DISTANCE OF 268.56 FEET;
- 19.) THENCE NORTH 89° 58' 30" WEST FOR A DISTANCE OF 313.82 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID UNION AVENUE;
- 20.) THENCE NORTHERLY ALONG SAID WESTERLY BOUNDARY NORTH 00° 01' 30" EAST FOR A DISTANCE OF 123.81 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;
- 21.) THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89° 54' 00", AN ARC DISTANCE OF 31.38 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF STRATFORD DRIVE (PUBLIC STREET);
- 22.) THENCE NORTH 00° 02' 30" WEST FOR A DISTANCE OF 60.00 FEET TO THE NORTHERLY BOUNDARY OF SAID STRATFORD DRIVE AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;
- 23.) THENCE NORTHEASTERLY ALONG SAID CURVE, FROM WHICH A RADIAL POINT BEARS SOUTH 00° 07' 30" WEST, THROUGH A CENTRAL ANGLE OF



90° 06' 00", AN ARC DISTANCE OF 31.45 FEET TO A POINT ON SAID WESTERLY BOUNDARY OF UNION AVENUE;

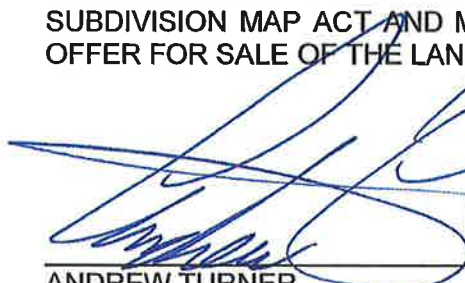
- 24.) THENCE CONTINUING NORTHERLY ALONG SAID WESTERLY BOUNDARY NORTH 00° 01' 30" EAST FOR A DISTANCE OF 104.12 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE PARKER NO. 12 ANNEXATION;
- 25.) THENCE CONTINUING ALONG SAID CITY LIMITS SOUTH 89° 52' 30" EAST FOR A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF SAID UNION AVENUE;
- 26.) THENCE CONTINUING NORTHERLY ALONG SAID CITY LIMITS AND CENTERLINE OF UNION AVENUE NORTH 00° 01' 30" EAST FOR A DISTANCE OF 183.45 FEET TO THE EDGE OF THE CITY LIMITS ESTABLISHED BY THE PARKER NO. 5 ANNEXATION;
- 27.) THENCE CONTINUING NORTHERLY ALONG SAID CITY LIMITS AND CENTERLINE OF UNION AVENUE NORTH 00° 01' 30" EAST FOR A DISTANCE OF 687.56 FEET TO **THE POINT OF BEGINNING.**

CONTAINING 19.92 ACRES OF LAND, MORE OR LESS

A PLAT ENTITLED "EXHIBIT B" IS ATTACHED HERETO AND MADE PART HEREOF.

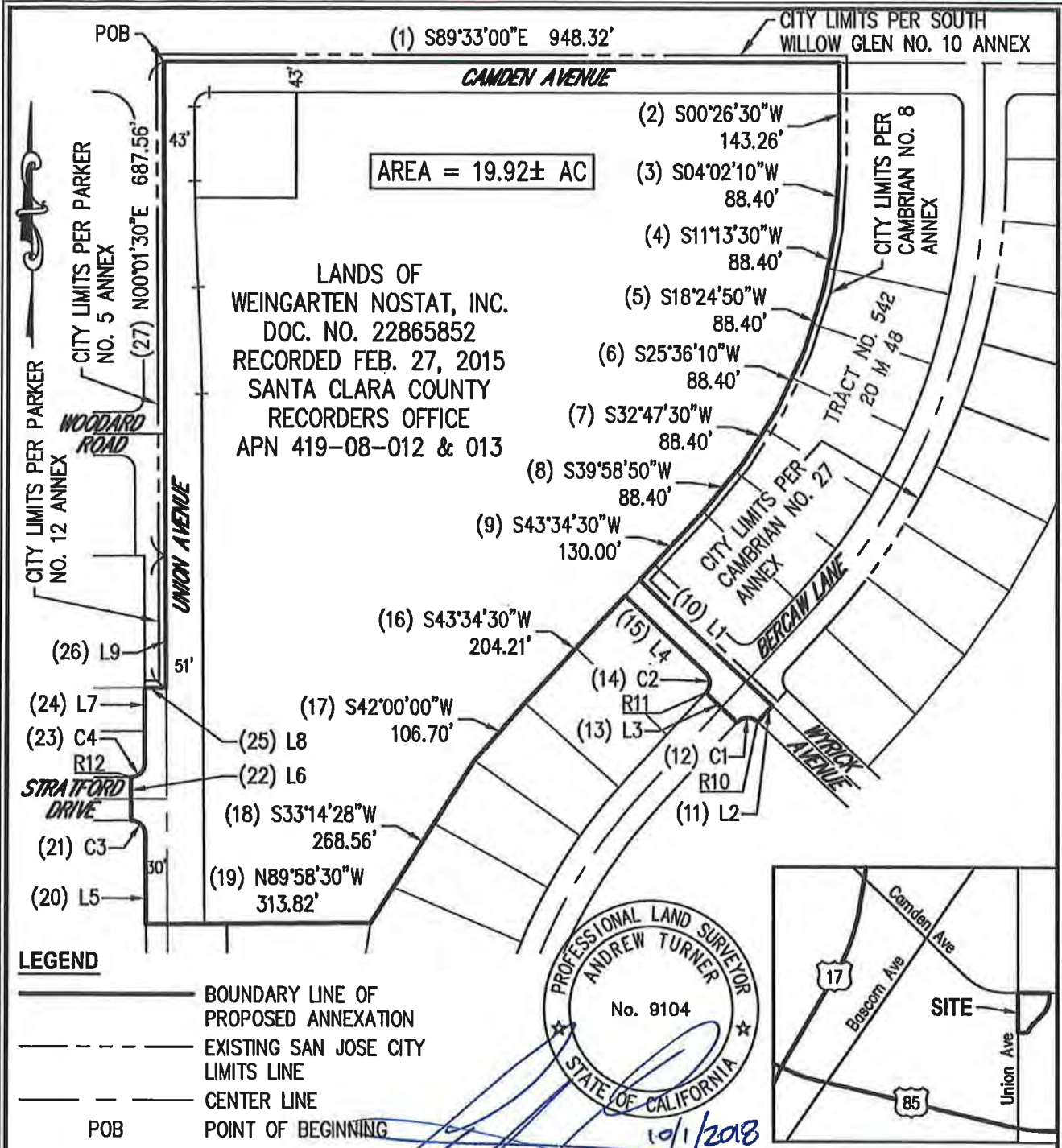
THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

  
ANDREW TURNER  
P.L.S. 9104  
CIVIL ENGINEERING ASSOCIATES, INC.



10/1/2018  
DATE



DISCLAIMER: "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED."

**EXHIBIT "B" - PROPOSED ANNEXATION - PLAT TO ACCOMPANY DESCRIPTION BEING A PORTION OF SECTION 1, T8S, R1W, MDB&M TO CITY OF SAN JOSE ENTITLED CAMBRIAN NO. 37**

17114 PLAT ANNEX.dwg Oct 01, 2018



Civil Engineers • Planners • Surveyors  
 2055 Gateway Place Suite 550  
 San Jose, CA 95110  
 T: (408) 453-1066

BY: CH  
 DATE: 9/28/2018  
 SCALE: 1"=200'  
 JOB NO. 17-114

1 OF 2  
 SHT.NO.

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S46°25'30"E	255.00'
L2	S43°34'30"W	30.00'
L3	N46°25'30"W	60.00'
L4	N46°25'30"W	155.00'
L5	N00°01'30"E	123.81'
L6	N00°02'30"W	60.00'
L7	N00°01'30"E	104.12'
L8	S89°52'30"E	30.00'
L9	N00°01'30"E	183.45'

RADIAL BEARING TABLE	
NO.	BEARING
R10	N43°34'30"E
R11	S46°25'30"E
R12	S00°07'30"W

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	20.00'	90°00'00"	31.42'
C2	20.00'	90°00'00"	31.42'
C3	20.00'	89°54'00"	31.38'
C4	20.00'	90°06'00"	31.45'

DISCLAIMER: "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED."

**EXHIBIT "B" - PROPOSED ANNEXATION - PLAT TO ACCOMPANY DESCRIPTION  
BEING A PORTION OF SECTION 1, T8S, R1W, MDB&M  
TO CITY OF SAN JOSE  
ENTITLED CAMBRIAN NO. 37**

17114\_PLAT ANNEX.dwg Oct 01, 2018



**Civil  
Engineering  
Associates**

Civil Engineers • Planners • Surveyors

2055 Gateway Place Suite 550  
San Jose, CA 95110  
T: (408) 453-1066

BY: CH

DATE: 9/28/2018

SCALE: 1"=200'

JOB NO. 17-114

2 OF 2  
SHT.NO.

**OUR MISSION**

- To protect the public health and environment.
- To provide for safe and cost-efficient collection of sewage waste.
- To provide for effective conveyance to the Treatment Plant.



20863 Stevens Creek Boulevard  
Suite 100  
Cupertino, CA 95014

**MAINTAINING A HEALTHY SEWER SYSTEM**

As the COVID-19 pandemic continues, an increase in the flushing of toilet paper, paper towels, rags, and disposable wipes has also continued. Toilet paper readily breaks down in the system and does not cause issues. However, other paper products do not break down as easily and can create blockage problems in your private lateral and the public sewer.

Help us keep our sewers healthy. Remember to never flush wipes, paper towels or tissues because they clog our pump stations and our pipes! The District has 17 pump stations and it has become a major maintenance issue, resulting in additional costs to maintain the sewer system.

For more information, go to [www.cupertinosanitarydistrict.org](http://www.cupertinosanitarydistrict.org) where you will find additional information and links to recent media coverage, or contact us at (408) 253-7071.



**KEEP YOUR SEWER PIPES FLOWING!**

**Do NOT flush...**

- “Flushable” Wipes
- Baby Wipes
- Facial Wipes
- House Cleaning Wipes
- Feminine Sanitary Wipes
- Dental Floss
- Dental Picks
- Cotton Balls
- Cotton Swabs
- Medications Vitamins
- Supplements



Cupertino residents – take your unwanted or expired medication to:  
[West Valley Patrol Station \(Sheriff's Office\)](#)  
1601 S. De Anza Blvd • Cupertino • 408.868.6600

**FOG... Fats, Oil, Grease**

**Stop the Clog! DON'T flush FOG down your toilet or sink...**

- Cooking Oil, Butter, Gravy
- Melted Meat Fat
- Salad Dressing
- Solid Foods

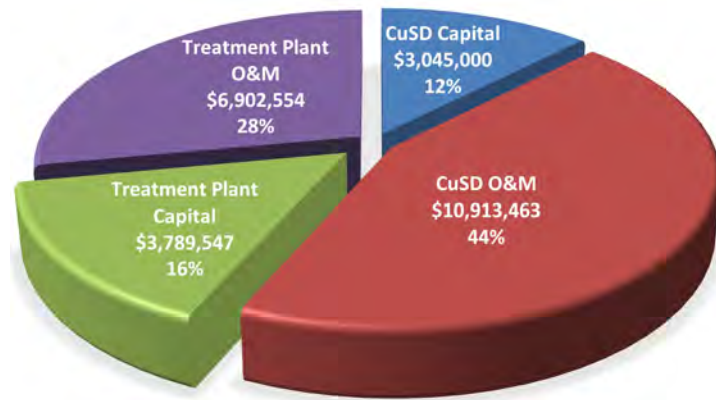


**Wipe it, can it, cool it, toss it.**

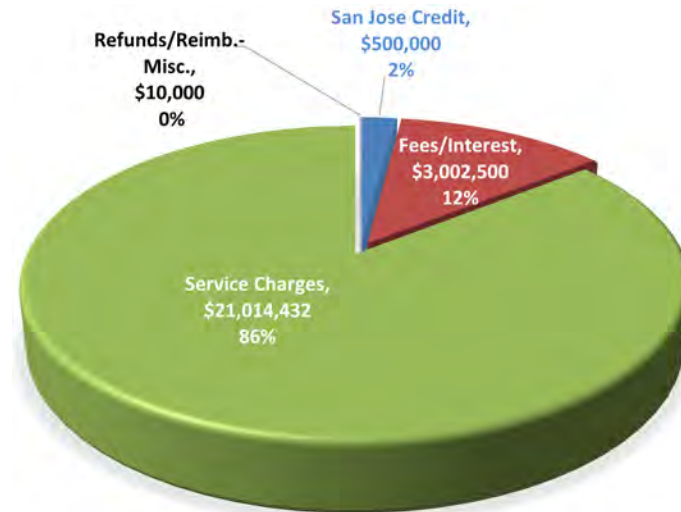
1. Wipe FOG from plates and pans using a scraper or paper towel.
2. Pour FOG into a sealed container.
3. Allow FOG to cool and solidify.
4. Dispose of FOG in your trash can.

## FACTS & FIGURES

### EXPENSES FY 2022-23



### REVENUE FY 2022-23



## NOTABLE ACCOMPLISHMENTS

- The District completed rehabilitation of the Oakcrest Pump Station wet well. This wet well was severely deteriorated and corroded. Rehabilitation included relocating electrical components and replacing corroded grates and pipes.
- The District has responded to COVID-19 by continuing its operations and maintenance without interruption. Please do your share to help us keep our sewer system running smoothly.

## ANNUAL MAINTENANCE PROGRAM

The District continues to implement its annual maintenance program, District-wide, to help ensure our sewer system is running smoothly. With routine maintenance, we are able to better serve you by keeping the sewer lines clear and focusing on areas with a history of root intrusion and regular stoppages.

The District's contractors access property line cleanouts to rod and flush the lower sewer lateral, pulling out any roots and debris found in the line. Our contractors are licensed professionals who have been working with the District for several years. To see if your property is on our annual maintenance list, or to request service, call our office at (408) 253-7071 and our staff will be happy to assist you.

## UPDATES

Cupertino Sanitary District continues to identify and reduce Inflow and Infiltration (I/I) in the District's sewer system. Inflow is stormwater that enters the system through illicit connections to the sanitary sewer system and Infiltration is stormwater and groundwater that enter through cracks in laterals, mains, and manholes. These flows can significantly limit the ability of the sewer system to convey sewer flows. Cupertino Sanitary District estimates that I/I can make up as much as 50 percent of peak flow in the sewer system during wet weather – and that much of this I/I originates on private property through illicit connections. The purpose of the program is to reduce the amount of peak flow entering and exiting the District's sewer system. Reduction of I/I in the system has the potential to lower the risk of sanitary sewer overflows and decrease the costs of conveying and treating wastewater. The District is implementing I/I reduction feasibility studies and analysis in peak flow project areas to assess the cost-effectiveness of I/I reduction. The program is on a scale large enough to potentially offset the need for larger conveyance or storage facilities. The program is implemented in four phases:

- Phase 1: Find Sources of I/I
- Phase 2: Fix Sources of I/I
- Phase 3: Measure Sewer Flows During Rainfall Events
- Phase 4: Model Peak Flows and Consider Storage

## WHO'S RESPONSIBLE FOR WHAT?

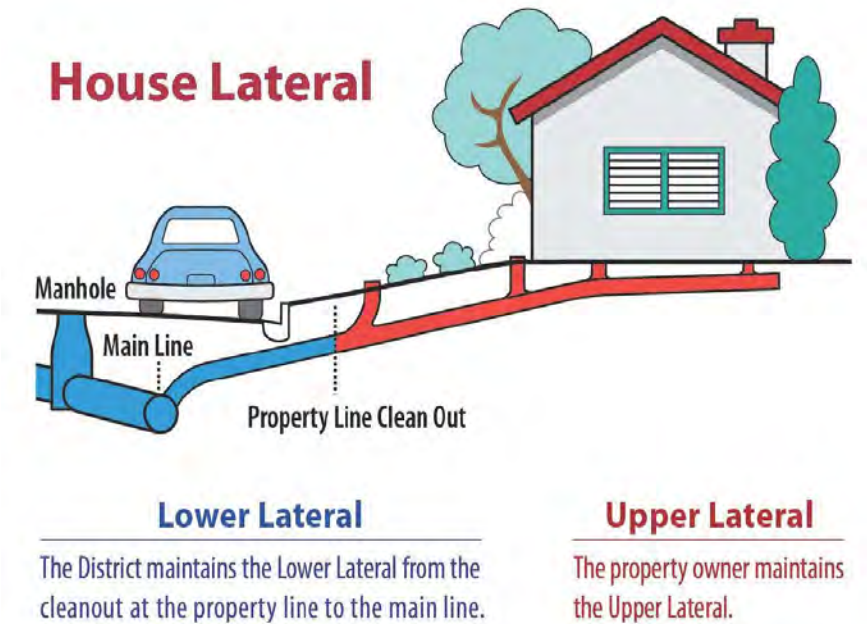
### HOMEOWNER'S RESPONSIBILITY:

The owner is responsible for the "Upper Lateral" portion of the House Lateral. If a blockage occurs within the property line, then the homeowner must take responsibility to hire a plumber to remove the blockage.

A Property Line Clean Out is required by the District to service Lower Laterals. It is the owner's responsibility to have one installed, properly maintained, and accessible at all times.

### DISTRICT'S RESPONSIBILITY:

The District is responsible for the maintenance and service of the lower portion of the lateral and the main sewer line. If a property line cleanout does not exist, the District will not be able to access our portion of the lateral. It is the responsibility of the homeowner to have a cleanout installed at the property line.



**SSOs**

Start Date	Location	Cause of SSO	Cat	Main/Lat	Spill Volume (Gal)	Spill Recovered (Gal)	Volume of Wash Water Used (Gal)
None							

**PLSDs (Private Lateral Sewage Discharge)**

Start Date	Location	Cause of PLSD	Main/Lat	Spill Volume (Gal)	Spill Recovered (Gal)	Volume of Wash Water Used (Gal)
9/1/2022	22590 Voss Ave, Cup	Onsite	Lat	Unknown	Unknown	800
9/5/2022	6033 Shadygrove Dr, Cup	Hvy roots	Lat	0.45	0.45	Unknown

**Emergency Calls - Causes**

Call Rec'd Business Hours	# of Calls	Call Rec'd After Hours	# of Calls	Call Rec'd Weekend	# of Calls
Root Intrusion	3	Root Intrusion	0	Root Intrusion	0
Onsite	3	Onsite	0	Onsite	1
Grease	0	Grease	0	Offset	1
Offset	0	Offset	1	Grease	0
Other	1	Others	0	Others	1
Debris	0	Pump Station	0	Pump Station	3
<b>Total:</b>	<b>7</b>	<b>Total:</b>	<b>1</b>	<b>Total:</b>	<b>6</b>

**Repairs**

Address	Main/Lat	Description of Work
Florence PS	PS	Pump station re-roofed

**Mainline Maintenance**

Size of Pipe	4"	6"	8"	10"	12"	14"	15"	16"	18"	> 20"	Total	FY2022-23 YTD	FY2022-23 Annual Schedule	% Complete (YTD/Annual Schedule)
Mainline Cleaning (ft)	0	70,462	60,287	15,242	0	0	2,531	0	0	0	148,522	445,116	1,673,032	27%
Easement Cleaning (ft)	0	5,898	11,406	1,900	0	0	0	0	0	0	19,204	65,554	217,684	30%
CCTV (ft)	0	2,120	12,662	3,761	4,800	0	1,696	0	0	0	25,039	66,883	207,880	32%

**Lateral Maintenance**

Activity	# of Laterals	FY2022-23 YTD	FY2022-23 Annual schedule	% Complete (YTD/Annual schedule)
Cleaning	528	1,669	6,436	26%
CCTV	17	36		
Inspection	39	104		

**FOG Inspection - Limited due to Restaurant closures (COVID -19)**

	# of Inspections	YTD FY2022-23	FY2022-23 Annual Schedule	% Complete (YTD/Annual schedule)
Performed	26	76		
Completed	21	64	265	24%
Follow up Needed	1			

**CUPERTINO SANITARY DISTRICT  
MEETING/EVENT SCHEDULE**

**Item 12A**

**OCTOBER 2022**

10/05: 1<sup>st</sup> Regular Meeting  
 10/06: CASSE  
 10/10: TAC - CANCELED  
 10/13: TPAC - CANCELED  
 10/19: 2<sup>nd</sup> Regular Meeting  
 (Directors Bosworth and Kwok absent)

OCTOBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 1 <sup>st</sup> Regular Meeting	6 CASSE	7	8
9	10 TAC	11	12	13 TPAC	14	15
16	17	18	19 2 <sup>nd</sup> Regular Meeting	20	21	22
23	24	25	26	27	28	29
30	31					

**NOVEMBER 2022**

11/02: 1<sup>st</sup> Regular Meeting - CANCELED  
 11/07: TAC  
 11/09: CASSE  
 11/10: TPAC  
 11/16: 2<sup>nd</sup> Regular Meeting  
 11/16: CASA CSW

NOVEMBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 1 <sup>st</sup> Regular Meeting	3	4	5
6	7 TAC	8	9 CASSE	10 TPAC	11	12
13	14	15	16 2 <sup>nd</sup> Regular Meeting CASA CSW	17	18	19
20	21	22	23	24 HOLIDAY	25	26
27	28	29	30			

**DECEMBER 2022**

12/05: TAC & SCCSDA  
 12/05: 1<sup>st</sup> Regular Meeting  
 12/08: TPAC  
 12/14: CASSE  
 12/21: 2<sup>nd</sup> Regular Meeting

DECEMBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 TAC SCCSDA	6	7 1 <sup>st</sup> Regular Meeting	8 TPAC	9	10
11	12	13	14 CASSE	15	16	17
18	19	20	21 2 <sup>nd</sup> Regular Meeting	22	23	24
25	26 HOLIDAY	27	28	29	30	31