

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, JANUARY 4, 2023**

**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**

- A. APPROVAL OF THE MINUTES OF DECEMBER 21, 2022
- B. APPROVED MINUTES OF DECEMBER 7, 2022

**6. CORRESPONDENCE**

- A. CITY OF SAN JOSE - THIRD QUARTER ADJUSTMENTS FOR FY21-22 O&M AND CIP BILLINGS

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, JANUARY 4, 2023**

**7. MEETINGS**

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) TO BE HELD ON MONDAY, JANUARY 9, 2023
- B. CASA COLLECTION SYSTEM WORK GROUP TO BE HELD JANUARY 11, 2023
- C. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) TO BE HELD ON THURSDAY, JANUARY 12, 2023
- D. CASSE TELECONFERENCE MEETING TO BE HELD THURSDAY, JANUARY 19, 2023

**8. REPORTS**

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) HELD ON THURSDAY, DECEMBER 8, 2022

**9. UNFINISHED BUSINESS**

- A. COVID-19 UPDATES

**10. NEW BUSINESS**

- A. CALIFORNIA WATER ENVIRONMENT ASSOCIATION AC23 ANNUAL CONFERENCE TO BE HELD APRIL 18-21, 2023, IN SAN DIEGO, CA

**11. STAFF REPORT**

- A. FUTURE DEVELOPMENT PROJECTS
- B. CASA ANNUAL WINTER CONFERENCE UPDATES

**12. CALENDAR ITEMS**

- A. NEXT REGULAR DISTRICT BOARD MEETING IS TO BE HELD ON WEDNESDAY, JANUARY 18, 2023

**13. ADJOURNMENT**

## CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, DECEMBER 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, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes. Staff Member Vani Kathula joined the meeting for Item 10.B., only.

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 Saadati, 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 7:03 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, DECEMBER 21, 2022

President Bosworth adjourned the closed session at 8:25 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting. Director Kwok left the regular meeting.

On a motion by President Bosworth, seconded by Director Chen, by a vote of 4-0-0, the Board added New Agenda Item 10.C. to the agenda.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 4-0-0, the revised minutes of the regular meeting held on Wednesday, December 7, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, November 16, 2022, are to be Noted & Filed.
- C. The Board reviewed November payable warrants and financial statements. On a motion by Director Chen, seconded by Director Saadati, by a vote of 4-0-0, the financial statements and payment of bills for November were approved as written.
- D. The Board members will submit their December timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from the City of San Jose, titled: Revised FY 2021-22 Operating & Maintenance Cost Sharing. It is to be Noted & Filed.
- B. The Board reviewed correspondence from the City of San Jose, titled: Timetable for Completion of 2023-2024 Revenue Program. 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 Advisory Committee (TAC) to be held on Monday, January 9, 2023.
- B. Deputy Manager Woodhouse plans to attend the CASA Collection System Work Group to be held January 11, 2023.

Director Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held on Thursday, January 12, 2023.

8. REPORTS:

- A. Report on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Monday, December 8, 2022 was deferred to the next regular meeting.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, DECEMBER 21, 2022

- B. The Board continued discussion of Purchase of One New 20 kW Multiquip Trailer-Mounted Generator and Rehabilitation of Country Club Pump Station. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 4-0-0, the Board approved staff recommendations as follows: The purchase of one new 20 kW MultiQuip trailer mounted generator and labor cost to perform electrical work at a total estimated cost of \$39,248.25. Awarding construction to Able Septic Tank at a total cost of \$41,105.00, to be charged to the Major Repair and Maintenance account. St-Francis Electric labor estimated at \$6,500, based on time and materials (T&M).

10. NEW BUSINESS:

- A. The Board elected District Officers for the year 2023, effective January 1, 2023. On motion by President Bosworth, seconded by Director Chen, by a vote of 4-0-0, the Slate of Officers for the District was approved as follows:

President – Patrick Kwok  
Secretary – Angela Chen  
Secretary Pro-Tem – Taghi Saadati

By concurrence, it was ordered that the Slate of Representatives for the District be approved, effective January 1, 2023, as follows:

TPAC Alternate	Patrick Kwok Angela Chen
Special Districts Association Alternate	Bill Bosworth Angela Chen
CASA	Patrick Kwok
CSRMA Alternate	Angela Chen Bill Bosworth
Finance Committee	Taghi Saadati (Director in Position 3) David Doyle (Director in Position 4)
TAC	Manger Porter, Deputy Manger Woodhouse, Staff Member Kathula

Staff Member Kathula joined the meeting.

- B. The Board discussed Lucy Enhancement. Staff Member Kathula provided a description of the proposed enhancements to the Lucy computerized maintenance management system. On motion by President Bosworth, seconded by Director Chen, by a vote of 4-0-0, the Board approved the purchase of professional software service support in an amount not to exceed \$4,992.00 to provide professional services related to Central Square’s Lucy Asset Management and Work Order system.

Staff Member Kathula left the meeting.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, DECEMBER 21, 2022

- C. The Board discussed Developer and City of Cupertino Emails to Directors. There was no Board action.

11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on CASA Conference Updates.
- C. Manager Porter reported on The Maintenance Summary Report.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, January 4, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 9: 25 p.m. the meeting was adjourned.

---

Secretary of the Sanitary Board

---

President of the Sanitary Board

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, DECEMBER 7, 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 Administrative Clerk/Notary Public, Frankie Martinez joined the meeting at 8:09pm.

District Consultant: Richard K. Tanaka

Public: Sayareh Farsio, Setareh Farsio and Ali Mozaffari

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 Saadati, by a vote of 5-0-0, the Board approved.

On a motion by Director Kwok, seconded by Director Saadati, by a vote of 5-0-0, the Board moved agenda Item 10.A - “Alan Row Installers Agreement” up in the agenda to follow Agenda Item 2.

10. NEW BUSINESS:

A. After review and discussion, on a motion by Director Kwok, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Alan Row Installer’s Agreement.

3. PUBLIC COMMENTS:

There were none.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, DECEMBER 7, 2022

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:07 p.m. Manager Porter, and Deputy Manager Woodhouse were excused from the closed session. Public guests left the meeting.

- 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.

President Bosworth adjourned the closed session at 8:09 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting. District Administrative Clerk, Martinez joined the meeting.

5. MINUTES:

- A. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, November 16, 2022, were approved with amendments.
- B. By consensus, the Minutes of Wednesday, October 19, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

- A. The Board received letters from Santa Clara County Clerk of the Board for Appointment of Patrick Kwok, David Doyle, and Taghi Saadati. District Manager Porter administered the Oath of office to all three candidates, and District Administrative Clerk/Notary Public, Martinez witnessed the swearing of oaths.

District Administrative Clerk/Notary Public, Martinez left the meeting at 8:18 p.m.

- B. The Board received an emailed letter from County of Santa Clara Office of County Assessor for Lucky Road Annexation No. 1. It is to be Noted & Filed.

7. MEETINGS:

- A. Director Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held on Thursday, December 8, 2022.



CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, DECEMBER 7, 2022

8. REPORTS:

- A. Deputy Manager Woodhouse reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, December 5, 2022.
- B. Director Bosworth reported on the Santa Clara County Special Districts Association regular teleconference meeting held on December 5, 2022.
- C. Deputy Manager Woodhouse reported on the California Alliance for Sewer System Excellence (CASSE) teleconference meeting held December 7, 2022.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.

10. NEW BUSINESS:

- B. After discussion by the Board, the memo on Purchase of One New 20 kw Multiquip Trailer-Mounted Generator and Rehabilitation of Country Club Pump Station was deferred to the next regular meeting.

11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, December 21, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8: 56 p.m. the meeting was adjourned.

---

Secretary of the Sanitary Board

---

President of the Sanitary Board



**Item 6.A.**

*Environmental Services Department*

December 20, 2022

**Cupertino Sanitary District**  
Attn: Benjamin T. Porter  
20863 Stevens Creek Blvd, Suite 100  
Cupertino, Ca. 95014-2154

RECEIVED  
DEC 22 2022  
CUPERTINO  
SANITARY DISTRICT

Re: Third Quarter Adjustments for FY21-22 O&M and CIP Billings

Dear Benjamin,

In accordance with Section E.3.b in the 1983 Master Agreement between the City of San Jose-Santa Clara and the Tributary Agencies, "...adjustments in any payment described above shall be on the basis of actual payment to expenditures and shall be made no later than the third quarter billing of the following fiscal year. A statement outlining the method of adjusting costs and actual adjustments shall be included."

In Section G of the 1983 Master Agreement between the City of San Jose-Santa Clara and the Tributary Agencies, "...payment of Agency of any moneys to which it may become entitled may be made by off-setting the amount of such moneys against any payments which Agency may be obligated to pay under the provisions of this Agreement or Agency may request reimbursement of any credit balance. The request for cash reimbursement shall be honored by First Parties within forty-five (45) days following receipt of notice."

As a courtesy we are sending this letter to remind you of your options for reimbursement for your credit. Attached is a reconciliation for the amounts that represent the "credits" for your FY21-22 O&M and CIP billings. Please notify us both by email and in writing by the close of business on January 3, 2023, if you will request a check for a cash reimbursement or a credit adjustment for your credit adjustment. If you have any questions, I may be contacted at [laura.burke@sanjoseca.gov](mailto:laura.burke@sanjoseca.gov)

Sincerely,

Laura Burke, Principal Accountant  
City of San Jose, Environmental Services Department, 10<sup>th</sup> Floor  
200 E. Santa Clara St.  
San Jose, Ca. 95112  
Email: [laura.burke@sanjoseca.gov](mailto:laura.burke@sanjoseca.gov)

# Summary of Q3 FY21-22 Adjustments

O&M Reconciliation for Cash and Non-cash Items						
	San Jose*	Santa Clara	West Valley	Cupertino	Milpitas	District 2-3
Fund 513	\$ 1,234,973	\$ 3,562,668	\$ 2,076,532	\$ 1,029,445	\$ 1,109,819	\$ 199,945
SBWR Operating Fund - Fund 570	\$ 2,975,708	\$ 746,708	\$ 445,928	\$ 271,170	\$ 279,948	\$ 46,896
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Credit/ (Debit) Summary</b>	<b>\$ 4,210,681</b>	<b>\$ 4,309,376</b>	<b>\$ 2,522,460</b>	<b>\$ 1,300,615</b>	<b>\$ 1,389,767</b>	<b>\$ 246,841</b>
<b>\$ 59,156</b>						
CIP Reconciliation for Cash and Non-cash Items Fund 512						
	San Jose*	Santa Clara	West Valley	Cupertino	Milpitas	District 2-3
Rolling Average CIP- Fund 512	\$ (136,915,366)	\$ 1,777,725	\$ 824,546	\$ 540,669	\$ 937,436	\$ 63,171
Digester Project	\$ (1,627,637)	\$ (64,075)	\$ (11,633)	\$ (7,187)	\$ (12,057)	\$ (1,619)
Blower Improvements	\$ (7,613,216)	\$ 112,023	\$ 37,944	\$ 24,443	\$ 38,896	\$ 2,853
Nitrification Clarifier Rehab	\$ 9,321,960	\$ (87,049)	\$ (28,841)	\$ (17,994)	\$ (31,313)	\$ (2,544)
Headworks Improvements	\$ (496,699)	\$ (19,113)	\$ (7,383)	\$ (4,947)	\$ (8,944)	\$ (758)
New Headworks	\$ (14,221)	\$ (167,832)	\$ (70,113)	\$ (47,015)	\$ (85,179)	\$ (6,477)
Outfall Bridge & Levee Improvements	\$ 2,015,000	\$ (36,406)	\$ (13,200)	\$ (8,604)	\$ (14,680)	\$ (1,263)
Filter Rehab	\$ (2,149,067)	\$ (130,266)	\$ (58,158)	\$ (39,031)	\$ (70,831)	\$ (5,195)
Sledge Dewatering	\$ 419,685	\$ (236,262)	\$ (72,090)	\$ (42,515)	\$ (68,849)	\$ (5,586)
<b>Total Credit/ (Debit) Summary</b>	<b>\$ (137,059,561)</b>	<b>\$ 1,148,745</b>	<b>\$ 601,072</b>	<b>\$ 397,819</b>	<b>\$ 684,479</b>	<b>\$ 42,582</b>
<b>\$ 22,112</b>						
<b>Adjustment for San Jose due to open Line of Credit (LOC) for non-expended funds (non-cash items include: Reserve for Encumbrances and CIP Rebudgets)</b>						
	\$ 300,000,000					
<b>San Jose's Adjusted Cash Position</b>	<b>\$ 162,940,439</b>					



Home » Conference Resources » Annual Conference

## Annual Conference

AC23 Annual Conference & Expo • April 18 - 21, San Diego

### You may also like

- Events Calendar
- CWEA Conferences
- Volunteer

### One Community. One Purpose.

#### Uniting the wastewater community.

CWEA is returning to San Diego at the newly remodeled Town and Country on **April 18-21, 2023**.

## CONFERENCE INFO



### CWEA's Trainer Academy

#### How To Teach Online and In-Person - On Demand Class Available for All Speakers

Learn how to design an effective workshop and how to deliver that workshop in a way that maximizes participation. Learn elements of adult learning that will be the foundation for how you design a learning experience.

Sign up today >

### Exhibitor & Sponsorship Prospectus

April 18-21, 2023

You're invited to become a supporting partner at the 2023 Annual Conference and Expo. Packages are designed to fit any budget and help you surpass your company's marketing goals.

Details to come.

### Volunteer Opportunities

Volunteer opportunities are available for the AC23 Conference in San Diego. Please contact Amy Lai, CWEA.

## PAST CONFERENCES





**CUPERTINO SANITARY DISTRICT  
MEETING/EVENT SCHEDULE**

**Item 12.A.**

**JANUARY 2023**

01/04: 1<sup>st</sup> Regular Meeting  
 01/09: TAC  
 01/11: CASA CSWG  
 01/12: TPAC  
 01/18: 2<sup>nd</sup> Regular Meeting  
 01/25-27: CASA Winter Conference

JANUARY 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 HOLIDAY	3	4 1 <sup>st</sup> Regular Meeting	5	6	7
8	9 TAC	10	11 CASA CSWG	12 TPAC	13	14
15	16	17	18 2 <sup>nd</sup> Regular Meeting	19	20	21
22	23	24	25	26	27	28 CASA CONFERENCE
29	30	31				

**FEBRUARY 2023**

02/01: 1<sup>st</sup> Regular Meeting  
 02/06: TAC  
 02/09: TPAC  
 02/15: 2<sup>nd</sup> Regular Meeting

FEBRUARY 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 1 <sup>st</sup> Regular Meeting	2	3	4
5	6 TAC	7	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				

**MARCH 2023**

03/01: 1<sup>st</sup> Regular Meeting  
 03/06: TAC & SCCSDA  
 03/09: TPAC  
 03/15: 2<sup>nd</sup> Regular Meeting

MARCH 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 1 <sup>st</sup> Regular Meeting	2	3	4
5	6 TAC SCCSDA	7	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	