

**CUPERTINO SANITARY DISTRICT
SANITARY BOARD MEETING
WEDNESDAY, MARCH 01, 2023**

AGENDA REVISED

The meeting will be held at 7:00 p.m. in the Stevens Creek Office Center, Suite 100, 20863 Stevens Creek Boulevard, Cupertino, California and via teleconference [call 1 (866) 899 - 4679 Conference Access Code: 251566821]. Anyone interested may attend in person or call in.

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 FEBRUARY 15, 2023
- B. APPROVED MINUTES OF FEBRUARY 1, 2023

6. CORRESPONDENCE

NONE

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SANITARY BOARD MEETING
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7. MEETINGS

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) TO BE HELD ON MONDAY, MARCH 6, 2023 HAS BEEN CANCELLED
- B. SANTA CLARA COUNTY SPECIAL DISTRICTS ASSOCIATION MEETING TO BE HELD MONDAY, MARCH 6, 2023
- C. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) TO BE HELD ON THURSDAY, MARCH 9, 2023 HAS BEEN CANCELLED

8. REPORTS

NONE

9. UNFINISHED BUSINESS

- A. ORDINANCE NO. 130, AMENDING PROPERTY LINE CLEANOUT

10. NEW BUSINESS

- A. ANNUAL INFOCARE RENEWAL FOR XPSWMM
- B. CASH FLOW SUMMARY
- C. DISTRICT MANAGER RATE

11. STAFF REPORT

- A. FUTURE DEVELOPMENT PROJECTS

12. CALENDAR ITEMS

- A. NEXT REGULAR DISTRICT BOARD MEETING IS TO BE HELD ON WEDNESDAY, MARCH 15, 2023

13. ADJOURNMENT

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, FEBRUARY 15, 2023

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:02 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 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: 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, Associate Sanitary Engineer Abby Yung, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: Hsukuei Lin, Customer

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

3. PUBLIC COMMENTS:

Hsukuei Lin addressed the Board regarding a defect in the sewer lateral, between the property line and the sewer mainline, that was discovered during the installation of a property line cleanout. Lin requested that the District repair the lower lateral and requested that the District increase the reimbursement amount for lower lateral repairs.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:10 p.m. Manager Porter, Deputy Manager Woodhouse, and Engineer Yung were excused from the closed session.

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- 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 Kwok adjourned the closed session at 7:17 p.m. and the regular meeting was called to order. District Manager Porter, Deputy Manager Woodhouse, and Engineer Yung rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, February 1, 2023, were approved.
- B. By consensus, the Minutes of Wednesday, January 18, 2023, are to be Noted & Filed.
- C. The Board reviewed January payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the financial statements and payment of bills for January were approved as written.
- D. The Board members will submit their February timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from the Bay Area Air Quality Management District titled Public Workshop-Draft Amendments to Regulation 3: Fee. It is to be Noted & Filed.

7. MEETINGS:

- A. Director Bosworth plans to attend the Santa Clara County Special Districts Association meeting to be held Monday, March 6, 2023.
- B. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held on Thursday, March 8, 2023.

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, February 6, 2023.
- B. President Kwok reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, February 9, 2023.

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- C. Woodhouse reported on the Bay Area Clean Water Agencies Collection Systems committee meeting held Thursday, February 9, 2023.

9. UNFINISHED BUSINESS:

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

10. NEW BUSINESS:

- A. The Board discussed Ordinance No. 130, Amending Property Line Cleanout & Lateral Ordinance. Board requested staff to investigate other agencies and what pipe materials they use for sewer laterals (ABS vs PVC SDR 26).

11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. 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, March 1, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8: 26 p.m. the meeting was adjourned.

Secretary of the Sanitary Board

President of the Sanitary Board

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, FEBRUARY 01, 2023

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:01 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 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: 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, Sasha Dansky (Mark Thomas), 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 Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:05 p.m. Manager Porter, Deputy Manager Woodhouse, and Dansky 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.

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B. District Manager Performance Review

Manager Porter and Dansky joined the closed session; Advisor Tanaka was excused

Board action: There was no reportable action.

President Kwok adjourned the closed session at 7:42 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

A. On a motion by Director Bosworth, seconded by Director Saadati, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, January 18, 2023, were approved.

B. By consensus, the Minutes of Wednesday, January 4, 2023, are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

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, February 6, 2023.

B. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held on Wednesday, February 8, 2023.

C. President Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, February 9, 2023.

8. REPORTS:

A. Deputy Manager Woodhouse reported on the CASSE teleconference meeting held on Thursday, January 19, 2023.

B. Board Members reported on the CASA Annual Winter Conference held January 25-27, 2023, in Palm Springs, CA.

9. UNFINISHED BUSINESS:

A. Manager Porter reported on Covid-19 updates. In-person Board meetings will resume, starting March 1, 2023.

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10. NEW BUSINESS:

- A. Wolfe Road Sewer Relocation Bids: The Board reviewed the Board memo. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved bid award to Cratus for the amount of \$6,635,182 and an additional contingency amount equal to \$663,518 for a total budget amount equal to \$7,298,700.
- B. I-280/ Wolfe Road Sewer Relocation – Imperium First Consulting Agreement for Contractor Prevailing Wage Compliance Services: The Board reviewed the Board memo and Consulting Agreement. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved the Agreement as written.
- C. I-280/ Wolfe Road Sewer Relocation – Sequoia Ecological Consulting Agreement for Biological Services: The Board reviewed the Board memo and Consultant Agreement. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved the Agreement as written.
- D. Board Director Salary Survey: Discussion was deferred until CASA salary survey results are available.

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, February 15, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8: 27 p.m. the meeting was adjourned.

Secretary of the Sanitary Board

President of the Sanitary Board

ORDINANCE NO. 130

**AN ORDINANCE OF THE CUPERTINO SANITARY DISTRICT
AMENDING PROPERTY LINE CLEANOUT**

The Sanitary Board of the Cupertino Sanitary District, Santa Clara County, California, hereby ordains as follows:

SECTION 1: Existing Section 4101, "Cleanouts" is deleted in its entirety and replaced and approved to read as follows:

4101. CLEANOUTS

Cleanouts are required as follows:

- 1) For all new developments
- 2) For all existing property fronting public street requiring building permit which meets any of the following conditions:
 - a. Any new plumbing fixture is added.
 - b. Total cost of improvements exceeds \$50,000.
 - c. Upper lateral (from building to property line) is being replaced or repaired.
- 3) Any property in which there is a sewer blockage as a result of defect in the existing cleanout.
- 4) Any property in which District has performed CCTV inspection and has determined PACP defect 4 or greater or cleanout size is less than 4 inches in diameter. PACP refers to National Association of Sewer Service Companies (NASSCO) Pipe Assessment Certification Program (PACP).

Except situations listed below:

- 1) At the option of the property owner, cleanout may be installed on properties fronting on private streets.
- 2) At the option of the property owner, cleanout may be installed on properties served via a sewer main located in an easement.
- 3) At the option of the property owner, cleanout may be installed in existing developed property fronting public street at any time at the request of property owner for ease of maintenance per Section 4103.

Cleanouts shall be installed by the property owner at no cost to the District. The new cleanout shall conform to the Current District Standard for all above conditions. The cleanout is required to be protected with a (G-5) Christy Box. If the cleanout is installed in the driveway or may be subject to traffic, the lid is required to have a traffic bolt-down grate, and the box must be set and conform to the pavement finished grade. The cleanout must not be covered up by pavers or any other materials that will make the cleanout inaccessible. Connection of the cleanout to the existing lower lateral shall be made where the existing sewer lower lateral pipe is in good condition as determined by the District. If a section of the existing lower lateral is cast iron pipe, steel pipe, or ABS pipe, that section of the pipe is required to be removed and replaced with new PVC

SRD26, per District's standard details and specifications. If the point of connection is more than three (3) feet from the cleanout and within the public right-of way, District will reimburse the owner four hundred dollars (\$400) if there is no sidewalk and curb and gutter replacement, and five hundred dollars (\$500) per foot if there is a sidewalk and curb and gutter replacement. District has the final authority for determining the point of connection. Prior to backfill, contractor is required to video the repair work with a District inspector present onsite to accept the work and ensure it complies with District's specifications and standard details.

SECTION 2: Upon adoption this Ordinance shall be entered in the minutes of the Sanitary Board and a summary of this Ordinance prepared by the District Counsel shall be published once in the Cupertino Courier and the Saratoga News, being newspapers of general circulation in the District. A certified copy of the full text of this Ordinance shall be posted in the office of the District Clerk.

SECTION 3: This Ordinance shall become effective upon expiration of the week of publication.

PASSED AND ADOPTED at a regular meeting of the Sanitary Board of the Cupertino Sanitary District held on the ____ day of _____, 20____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the Sanitary Board

ATTEST:

Secretary

APPROVED AS TO FORM:

District Counsel



Memo

Item 10A

To: Board of Directors

From: Benjamin T. Porter, District Manager-Engineer

Date: March 1, 2023

Re: ANNUAL INFOCARE RENEWAL FOR XPSWMM

Background:

XPSWMM is a hydraulic and hydrologic modeling software that combines traditional one-dimensional calculations for upstream to downstream flow with two-dimensional overland flow spreadsheet calculations.

INFOCARE is the annual maintenance service bundle for XPSWMM. The June 1, 2023 to May 31, 2024 renewal benefits include:

- 1 full year of upgrades and regular updates
- 1 full year of unlimited tech support
- 1 hour of modeling consultation

Mark Thomas owns one user license for XPSWMM and it is licensed to be used in the Cupertino Office. Mark Thomas purchased the XPSWMM software seven years ago for a cost of \$35,000 to support and update the Cupertino Sanitary District Master Plan and potentially to be used for other clients. Currently, Mark Thomas uses the software solely for Cupertino Sanitary District to analyze the capacity of the Cupertino Sanitary District's sanitary sewer system. Staff is continuing to use it for updating and calibrating the district hydraulic modelling and is also using it to model how our existing pipes would handle the City of Cupertino 2040 General Plan build out and I&I Reduction Study.

The total cost of the annual maintenance cost for this software is \$7,520.00. Mark Thomas is requesting that the District consider 50% reimbursement to Mark Thomas.

Board Consideration/Action:

Cupertino Sanitary District Board of Directors authorize a reimbursement amount of \$3,760.00 (50%) to Mark Thomas.

Attachment:

- Invoice No. Q-140558



An  AUTODESK company

Invoice Date: 21-February-2023
Account: Mark Thomas & Company, Inc.

TOTAL	DUE BY	INVOICE NO.
7,520.00 USD	31-May-2023	Q-140558

Innovyze LLC
221 SE Ankeny Street
Portland, Oregon 97214
United States

Main: + 1 (888) 554 5022
Federal Tax ID:
94-2819853
[Terms and Conditions](#)

On May 7, 2024, we will end annual InfoCare renewals.

In your renewal window after May 7, 2024, you will have the opportunity to convert to subscription via our InfoCare to Subscription Program - <https://www.autodesk.com/campaigns/infocare-to-subscriptions> but will not have the ability to renew InfoCare.

Please reach out to your sales representative if you have any questions.

Innovyze is retiring older license technology (licensing that is not identified as new licensing in the below FAQ link) for many existing products. We recommend that you upgrade the licensing technology, if applicable, by visiting the [Support Portal](#) and placing a request to exchange licenses. To learn more about this new license technology, please visit <https://help.innovyze.com/display/ILA/FAQ+Innovyze+Licensing+Changes> for additional information.

PRODUCT	UNIT PRICE	QTY	TOTAL
XPSWMM Complete Bundle SA InfoCare - Renewal	USD 7,520.00	1	7,520.00
1-June-2023 to 31-May-2024			
Serial No: 42-3058			

SUBTOTAL	7,520.00
TAX	0.00
TOTAL	7,520.00

All values displayed are in USD

www.innovyze.com

PLEASE READ THE FOLLOWING PRIOR TO PURCHASE ORDER AND/OR PAYMENT ISSUANCE

Our company name, address and Tax ID are updated to:

**Innovyze LLC (not INC)
221 SE Ankeny Street
Portland, OR 97214
Tax ID: 94-2819853**

Please make sure that payment is made/remitted via one of the following and NOT to our Portland office.

Payment Methods

Reference invoice number Q-140558

Remit Check Via US Post

Innovyze LLC
DEPT CH 17953
Palatine, IL 60055-7953

Remit Check Via Courier

Innovyze LLC
Attn: 17953
5505 N Cumberland Ave., Suite 307
Chicago, IL 60656-1471

Direct Electronic Bank Transfer

Account Name Innovyze LLC
Bank Name HSBC Bank USA NA
Account Type Checking
Account No. 447004131
ACH Routing No. 022000020
Wire Routing No. 021001088
SWIFT ID MRMDUS33

Remit to: uscustomerbilling@innovyze.com

BILL TO	SHIP TO	AUTHORIZATION
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Mark Thomas & Company, Inc.
2833 Junction Ave., #110
San Jose, CA 95134
US
ap@markthomas.com

Mark Thomas & Company, Inc.
2833 Junction Ave., #110
San Jose, CA 95134
US
bporter@markthomas.com

Main Contact:
Ben Porter

The estimated tax due, is as identified, an estimate. Actual taxable amount may vary. Customer is responsible for all tax liabilities and/or obligations that result from any purchase identified on, or result from, this quotation. If customer is tax exempt, a copy of a valid exemption certificate must be provided to Innovyze.

Technical support and/or maintenance services ("Support Services") are offered pursuant to this quotation and the Innovyze Software Maintenance & Support Agreement. To receive Support Services, customer acknowledges and agrees that it must at all times continue to be party to the Innovyze Software Maintenance & Support Agreement without interruption. Customer acknowledges and agrees that in the event the Innovyze Software Maintenance & Support Agreement is not renewed or is allowed to lapse (whether as a result of non-renewal, lack of payment, or otherwise): (i) Innovyze will have no obligation to provide customer with the Support Services or any other technical support and/or maintenance of any kind; and (ii) in order to again be eligible to receive Support Services, customer will be required to pay all delinquent payment/outstanding balances due, regardless of duration, plus a twenty-five percent (25%) reinstatement fee.

Any software delivered in connection with this quotation is governed by the Innovyze Software License Agreement.

www.innovyze.com

For InfoCare to be maintained, all orders need to be issued to, and paid to, Innovyze, even if there currently exists a contract with Autodesk.

Any software delivered in connection with the quotation that is labeled above as "Single User" means, with respect to each license for that product, that only one individual within Customer's organization may use the license. Customer is not permitted to install the license in a location that would allow any other individual to access or use the license. If Customer needs to change the assigned Customer individual user for the license, it may only do so by contacting Innovyze Customer Support.

Innovyze policy states that if any provision contained in this Agreement is in conflict with, or inconsistent with any clause in the Innovyze Licensing Agreement (www.innovyze.com/en-us/agreements), the clause contained in the applicable Innovyze standard agreement shall govern and control.

Trial Versions

If the Software products delivered under this quotation are trial versions (collectively, "Trial Versions"), customer may download, install, access or use Trial Versions only during the period and for the purpose of the trial, as expressly permitted by Innovyze. With respect to such Trial Versions, (i) the license term or subscription period for the Trial Version will be limited to the period set forth in this quotation, (ii) Customer's use will be limited to non-commercial evaluation purposes with no rights to make available or distribute the Trial Version to any third party, and (iii) unless otherwise set forth in this quotation, the use will be only by Customer as an individual or, if Customer is a company or other legal entity, by one named employee. Notwithstanding anything contained in this Agreement or otherwise, (a) Innovyze makes no commitments with respect to Trial Versions regarding any features, functions, service levels or data and provides no warranties of any kind with respect to Trial Versions, (b) Innovyze may choose not to generally release any Trial Versions or convert any Trial Version into a product offering, and (c) Trial Versions may contain code that is not fully tested, including errors and faults that may cause total data loss or system failure. Innovyze reserves the right, without any further notice, to end any Trial Versions at any time. In the event of any conflict between these Trial Version terms and Innovyze's standard software terms and conditions, these Trial Version terms will control.

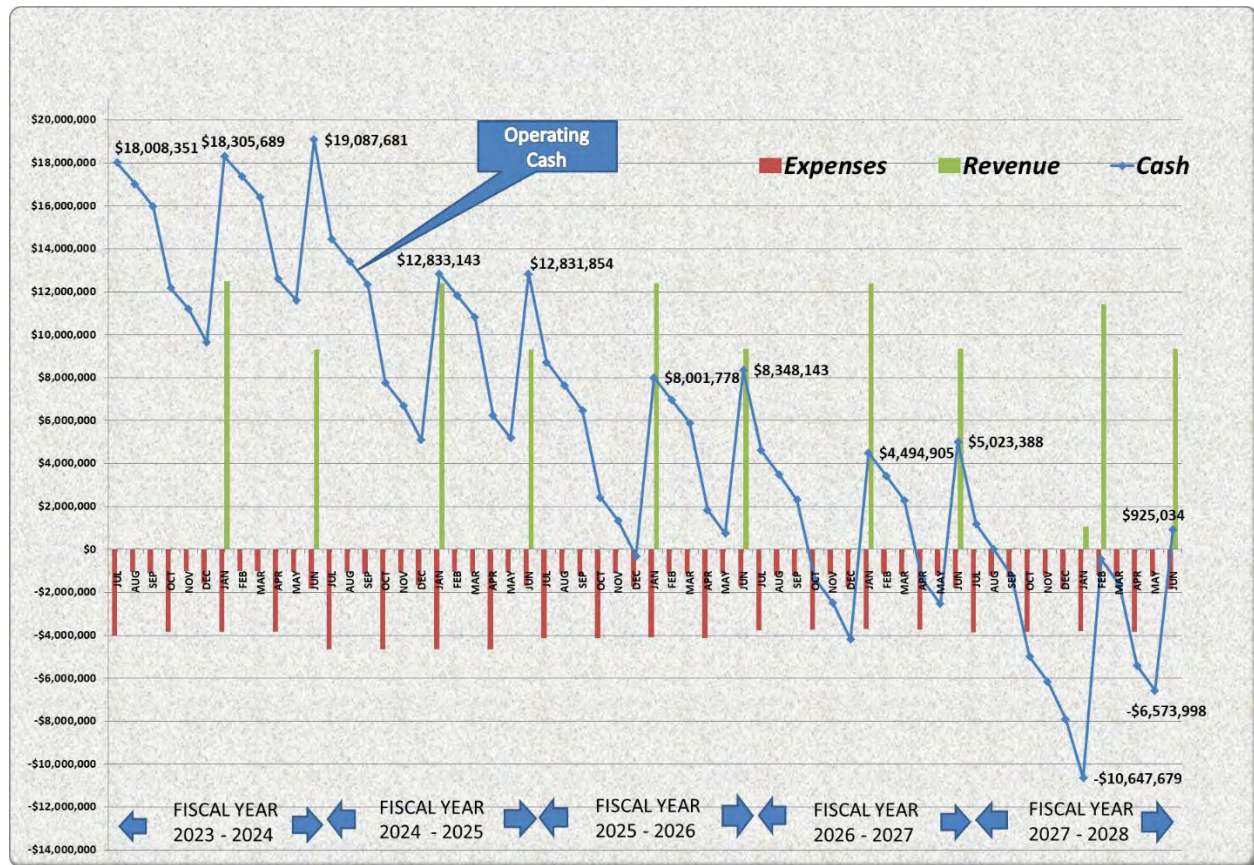
In addition to the Company's standard terms and conditions:

- The associated terms for the above products and/or services (the "Solution Set") are, as issued herein, non-cancellable and non-refundable ("NCNR");
- Any prepayment made by customer to Company, as associated with the above Solution Set(s) is also considered non-cancellable and non-refundable ("NCNR"). Modification and/or change to a Solution Set does not alter the NCNR status.
- Customer acknowledges that the NCNR clause shall supersede any and all other applicable language, in any agreement, by and between the parties; where there is a conflict, NCNR terms shall rule.

Cash Flow Study - Cupertino Sanitary District
Sewer Service Charges with No Rate Increase For Five Years

Item 10.C.

	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Rate Increases		0%	0%	0%	0%	0%
Single Family Residential Rate	\$699.58	\$699.58	\$699.58	\$699.58	\$699.58	\$699.58
Number of SFR Units	11,239	11,239	11,239	11,239	11,239	11,239
SFR Rate - Pump Zone	\$769.14	\$769.14	\$769.14	\$769.14	\$769.14	\$769.14
Number of SFR PZ Units	5,857	5,857	5,857	5,857	5,857	5,857
Multi Family Residential Rates	\$531.72	\$531.72	\$531.72	\$531.72	\$531.72	\$531.72
Number of MFR Units	3,994	3,994	3,994	3,994	3,994	3,994
MFR Pump Zone Rates	\$583.90	\$583.90	\$583.90	\$583.90	\$583.90	\$583.90
Number of MFR PZ Units	177	177	177	177	177	177
SFR + Accessory Dwelling Unit Rate	\$1,215.96	\$1,215.96	\$1,215.96	\$1,215.96	\$1,215.96	\$1,215.96
Number of SFR + ADU	40	40	40	40	40	40
SFR + ADU PZ Rate	\$1,337.68	\$1,337.68	\$1,337.68	\$1,337.68	\$1,337.68	\$1,337.68
Number of SFR + ADU PZ	16	16	16	16	16	16
Residential Service Charges	\$14,664,514	\$14,664,514	\$14,664,514	\$14,664,514	\$14,664,514	\$14,664,514
Commercial	\$5,654,820	\$5,654,820.30	\$5,654,820.30	\$5,654,820.30	\$5,654,820.30	\$5,654,820.30
Handbilling	\$497,824	\$497,823.50	\$497,823.50	\$497,823.50	\$497,823.50	\$497,823.50
Service Charges Subtotal	\$20,817,158	\$20,817,158	\$20,817,158	\$20,817,158	\$20,817,158	\$20,817,158
(1% Collection Fee)	(\$203,193)	(\$203,193)	(\$203,193)	(\$203,193)	(\$203,193)	(\$203,193)
Total Service Charges	\$20,613,964.32	\$20,613,964	\$20,613,964	\$20,613,964	\$20,613,964	\$20,613,964
Interest Income	\$130,424	\$91,121	\$62,904	\$31,440	\$3,106	\$14,463
Other Revenue	\$6,070,853	\$1,626,971	\$1,512,910	\$1,621,570	\$1,702,507	\$1,763,720
Total Yearly Revenue	\$26,815,241	\$22,332,056	\$22,189,778	\$22,266,974	\$22,319,577	\$22,392,147
Treatment Plant CIP Allocation	\$3,789,547	\$3,904,644	\$6,483,910	\$3,818,884	\$1,716,306	\$1,433,259
Loan Payments	\$1,200,063	\$1,199,563	\$1,198,375	\$1,201,563	\$1,199,063	\$1,195,875
Joint Use (CSI/SC Payments)	\$1,479,779	\$445,581	\$93,300	\$93,300	\$46,536	\$46,536
CUSD 5 Year CIP	\$754,347	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
CUSD O&M	\$11,225,391	\$11,786,661	\$12,375,994	\$12,994,793	\$13,644,533	\$14,326,760
Total Yearly Expense	\$25,704,247	\$25,221,614	\$28,406,002	\$26,750,684	\$25,655,689	\$26,479,144
Revenue/Expense Diff.	\$1,110,994	(\$2,889,557)	(\$6,216,224)	(\$4,483,711)	(\$3,336,112)	(\$4,086,997)
Cash on Hand	-	\$21,977,238	\$19,087,681	\$12,871,457	\$8,387,746	\$5,051,635
COH at End of FY	\$21,977,238	\$19,087,681	\$12,871,457	\$8,387,746	\$5,051,635	\$964,637





Memo

Item 10C

To: Board of Directors
From: Benjamin T. Porter, District Manager-Engineer
Date: March 1, 2023
Re: DISTRICT MANAGER RATE

Background:

The District Manager-Engineer performs a variety of services to the District and the Board of Directors. The nature, diversity, and scope of responsibilities require knowledge of community interests, governmental functions, and the frequent use of discretion, initiative, and independent judgment. The District Manager functions in a staff capacity and provides direct support and assistance through research, advisory, and facilitating services specifically to the Board.

The last time an increase was implemented for the position of District Manager-Engineer was in July of 2019. At that time, the District Manager's rate was set at \$254 per hour. The contract allows for the District Manager's rate to be adjusted annually based on the Consumer Price Index for the San Francisco Bay Area, with a maximum increase of 3.0%. The CPI over the period from September 2019 is summarized below.

CPI Rates from 2019-2022:

From	To	CPI	Use
9/1/2019	6/30/2020	1.6%	1.6%
6/30/2020	6/30/2021	3.2%	3.0%
6/30/2021	6/30/2022	6.8%	3.0%

Total: 7.6%

Over the course of three years since September 2019, the CPI increased a total 11.6%. However, using an annual increase cap of 3.0%, the total increase over the three-year period is 7.6%. Increasing the current District Manager rate by 7.6 % results in an hourly rate of \$273.30.

Board Consideration/Action:

Staff requests that the Board approve a total increase of 7.6% to cover the past three years and increase the District Manager's rate to \$273.00.

**CUPERTINO SANITARY DISTRICT
MEETING/EVENT SCHEDULE**

Item 12.A.

MARCH 2023

03/01: 1st Regular Meeting
 03/06: TAC (Canceled) & SCCSDA
 03/08: CASSE
 03/09: TPAC (Canceled)
 03/15: 2nd Regular Meeting

MARCH 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 1 st Regular Meeting	2	3	4
5	TAC SCCSDA	6	7	8 CASSE	9 TPAC	10
11					12	13
14			15 CASA-CSW 2 nd Regular Meeting	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL 2023

04/05: 1st Regular Meeting
 04/10: TAC
 04/12: CASSE
 04/13: TPAC
 04/19: 2nd Regular Meeting

APRIL 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 1 st Regular Meeting	6	7	8
9	10 TAC	11	12 CASSE	13 TPAC	14	15
16	17	18	19 2 nd Regular Meeting	20	21	22
23	24	25	26	27	28	29
30						

MAY 2023

05/03: 1st Regular Meeting
 05/08: TAC
 05/11: TPAC
 05/17: 2nd Regular Meeting

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