

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, SEPTEMBER 04, 2019

AMENDED

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

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

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

2. MINUTES:

- A. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the minutes of Monday, August 19, 2019 were approved as written.
- B. By consensus, the Minutes of Wednesday, August 7, 2019 are to be Noted & Filed.

3. PERSONAL PRESENTATIONS:

There were none.

4. CORRESPONDENCE:

There was none.

5. MEETINGS:

- A. Director Bosworth is unable to attend the regular meeting of the Santa Clara County Special Districts Association regular meeting to be held September 9, 2019.
- B. Manager Porter and Advisor Tanaka both plan to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) meeting to be held September 9, 2019.
- C. Director Gatto plans to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) meeting to be held September 12, 2019.

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6. REPORTS:

The Board and Staff attended CASA Conference held August 21-23, in San Diego, CA. Director Saadati reported on the CSRMA pre-CASA conference training held on August 21, 2019. In his opinion, the topics were good this year. President Kwok commented on diversity. Director Chen attended the Ethics Training workshop.

7. UNFINISHED BUSINESS:

- A. The Board discussed the loan agreement with Zion. Staff was instructed to prepare a balance sheet on a regular basis.

8. NEW BUSINESS:

- A. Staff reported on the new Cal Bank account. The funds will go into a District account, requests for payment will be made by staff and will require signature by two Board members. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the Board approved opening two bank accounts (one checking and one saving).
- B. Staff reported on the Prospect Pump Station bid result and staff recommendation for contract award and payment to City of Saratoga. On motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the Board approved award of contract to Con-Quest Contractors, Inc. and payment to the City of Saratoga for Encroachment Permit fees.
- C. The Board discussed Vallco draft Installer's Agreement. The Board instructed staff to change "may" to "shall" on page 2 of the agreement and talked about other developments in Cupertino. On motion by Director Gatto, seconded by Director Saadati, by a vote of 4-0-0, the Board approved draft of the Installer's Agreement and to provide copy to the Installer for review and ultimately for Board's approval.

9. STAFF REPORTS:

- A. District Manager Porter reported on the District's Annual Report. The Board instructed staff to review the formatting as printed so that bold font does not appear where it is inappropriate and to make sure picture boxes are aligned.
- B. District Manager Porter reported on flow through City of Santa Clara and the Board and staff discussed that new developments may be water-tight. Using the Peak Wet Weather Flow to Average Dry Weather Flow ratio determined by the existing condition may not apply to future developments.

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C. District Advisor Tanaka reported on CSDA membership. The Board's membership will run through December 2020.

D. District Manager Porter reported on the District's annual audit.

10. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 9:05 p.m. in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District, and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

President Kwok adjourned the closed session and the regular meeting was called to order at 9:11 p.m.

There was no reportable action.

11. NEXT MEETING:

A. Next regular District Board meeting is scheduled to be held on Wednesday, September 18, 2019. Director Chen is excused from the meeting.

12. ADJOURNMENT:

On a motion properly made and seconded, at 9:15 p.m. the meeting was adjourned.


Secretary of the Sanitary Board


President of the Sanitary Board