

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 18, 2020

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. This meeting was conducted in accordance with the Executive Order N-25-20 via teleconferencing.

1. ROLL CALL:

President Chen 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 William A. Bosworth. Director Patrick S. Kwok called in at 7:03 pm.

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

Public: None present or conferenced in.

2. MINUTES & BILLS:

- A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 4-0-1, the minutes of Wednesday, March 4, 2020 were approved. President Chen abstained due to her absence at that meeting.
- B. By consensus, the Minutes of Wednesday, February 19, 2020 are to be Noted & Filed.
- C. The Board reviewed the February financials for payment. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0, payment of bills was approved.
- D. Manager Porter will email time sheet to Directors. The Directors present at the Board Meeting submitted their March 2020 timesheets to Staff. Others will either drop off or email to staff.

3. PERSONAL PRESENTATIONS:

There were none.

4. CORRESPONDENCE:

- A. City of San Jose – FY20-21 Regional Wastewater Facility Capital Cost Allocation: The Board instructed staff to note & file.
- B. City of San Jose – FY20-21 Revenue Program (O&M cost): The Board instructed staff to note & file.

5. MEETINGS:

There are none.

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6. REPORTS:

There were none.

7. UNFINISHED BUSINESS:

There was none.

8. NEW BUSINESS:

- A. Discussion to set a time and place for public hearing on consideration of rate adjustment was deferred to the meeting of April 1, 2020.
- B. The Board discussed issues arising from COVID-19 pandemic.
- C. Discussion of fund transfer from co-mingled account to Cal Bank was deferred to the meeting of April 1, 2020.

9. STAFF REPORTS:

- A. Advisor Tanaka reported on the Prospect Pump Station. The striping is the only item that remains to be completed.
- B. Manager Porter reported on The Forum update. A follow up meeting with the Residential Board will be scheduled in the future.
- C. Manager Porter reported on the monthly maintenance report.

10. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 8:12 p.m.

- A. Conference with legal counsel – Anticipated Litigation. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One Case.

Manager Porter and Advisor Tanaka participated in this session. There was no reportable action.

- B. 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.

Manager Porter and Advisor Tanaka were excused from this closed session. Closed session was adjourned, and the regular meeting was called to order at 8:19 p.m. Manager Porter and Advisor Tanaka rejoined the regular meeting. There was no reportable action.

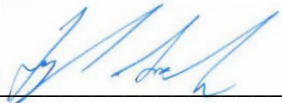
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11. NEXT MEETING:

The next regular District Board meeting is scheduled to be held on Wednesday, April 1, 2020.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:20 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board