

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, SEPTEMBER 02, 2020

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted in accordance with the Executive Order N-33-20 via teleconferencing. The District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino was closed.

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, William A. Bosworth, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, District Advisor Richard K. Tanaka, Robert Woodhouse, Deputy District Manager, Sasha Dansky (Mark Thomas Principal), and Counsel Marc Hynes.

Public: None

By consensus, the Board moved Item 10. CLOSED SESSION to before Item 2-Minutes.

10. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 7:07 p.m. Advisor Tanaka was present for a portion of the Closed Session to provide historical background information. Manager Porter was 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.

Closed session was adjourned at 8:36 p.m. and the regular meeting was called to order. Manager Porter and Advisor Tanaka rejoined the regular meeting. There was no reportable action.

2. MINUTES:

- A. On a motion by Director Gatto, seconded by Director Kwok, by a vote of 5-0-0 the minutes of Wednesday, August 19, 2020 were approved with corrections to Items 6A and 6B.
- B. By consensus, the Minutes of Wednesday, August 5, 2020 are to be Noted & Filed.

3. PERSONAL PRESENTATIONS:

There were none.

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4. CORRESPONDENCE:

There was none.

5. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) scheduled to be held September 8, 2020.
- B. Director Gatto plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held September 10, 2020.
- C. Director Bosworth plans to attend the virtual meeting of Santa Clara County Special Districts Association scheduled to be held Monday, September 14, 2020.

6. REPORTS:

There were none.

7. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. In response to a notice the District received on August 14, 2020 about a confirmed case of COVID-19 at the District office complex, Staff requested that inspectors who were in contact with the affected area get tested for the virus and wait for a negative result before returning to work. Four inspectors got tested and all came up negative for the COVID-19 virus. Manager Porter reported that he is primarily using his cell phone for business purposes.
- B. The Board received and reviewed an updated Resolution No. 1326, Accepting Notice of Completion for the Hyatt House Installer's Agreement. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0, Resolution No. 1326 was approved.

8. NEW BUSINESS:

- A. The Board discussed the rate study workshop for accessory dwelling units. Staff is to obtain the City of Cupertino's ADU definition and bring this item back to the Board.
- B. Staff announced the retirement of Advisor Tanaka from Mark Thomas effective at the end of this calendar year.
- C. Directors Gatto, Bosworth, Kwok, and Saadati are required to renew their Ethics Training Certificate by September 30, 2020.

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9. STAFF REPORTS:

- A. There were no updates to report for future development projects.
- B. Advisor Tanaka reported that the District requested and received an additional deposit of \$8,000 to complete project close-out for The Forum.
- C. Manager Porter reported that Via Regina retaining wall has been constructed with no apparent impact to the District sewer system at this time. The District did not design, construct, or inspect the retaining wall, but District staff did make observations during the construction and after it was completed.

10. CLOSED SESSION:

Moved up to before Item 2A.

11. NEXT MEETING:

The next regular District Board meeting is scheduled to be held on Wednesday, September 16, 2020.

12. ADJOURNMENT:

On a motion properly made and seconded, at 9:58 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board