

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, OCTOBER 21, 2020

REVISED

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, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

Public: None

2. MINUTES & BILLS:

- A. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 5-0-0 the minutes of Wednesday, October 7, 2020 were approved.
- B. By consensus, the Minutes of Wednesday, September 16, 2020 are to be Noted & Filed.
- C. The Board reviewed October payable warrants. Counsel Hynes confirmed that Hunton's invoice is within budget. Manager Porter confirmed that Conquest's invoice was for Homestead PS flow meter and Florence PS repairs and not for Prospect Pump Station. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0 the payment of bills was approved.

3. PERSONAL PRESENTATIONS:

There were none.

4. CORRESPONDENCE:

There was none.

5. MEETINGS:

There were none.

6. REPORTS:

- A. Director Gatto reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held October 8, 2020.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, OCTOBER 21, 2020

REVISED

7. UNFINISHED BUSINESS:

- A. COVID-19 update - Staff reported on the future of public meetings. There has been no change in status from Santa Clara County or the State. The Brown Act compliance is waived as long as the State Order N-33-20 and local social distancing protocols are in place.
- B. The Board reviewed the final draft Annual Report. On a motion by Director Bosworth, seconded by Director Gatto, by a vote of 5-0-0 the Annual Report was approved with revisions as requested by the Board. Staff can finalize and mail them out.

8. STAFF REPORTS:

- A. Manager Porter and Deputy Manager Woodhouse reported on The City of Sunnyvale update. The City is reviewing the draft agreement and they plan to set up a virtual meeting soon to discuss review comments. Manager Porter reported there is no urgency since the Santa Clara Valley Water District has delayed construction on Calabazas Creek until 2022.
- B. Manager Porter reported on the pavement issue on Via Regina. There is a safety concern with uneven pavement at manholes, pump station concrete pad and trenches. The District has an easement in the private road and still would be responsible for potential liability. District approved the work to be performed by Conquest in the amount of \$43,000. Repair work is now underway.
- C. Manager Porter reported on the monthly maintenance report.

9. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 7:50 p.m. Manager Porter, Deputy Manager Woodhouse, and Advisor Tanaka 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.

Closed session was adjourned at 8:23 p.m. and the regular meeting was called to order. Manager Porter, Deputy Manager Woodhouse, and Advisor Tanaka rejoined the regular meeting. There was no reportable action.

10. NEW BUSINESS:

- A. The Board reviewed and discussed Consultant Agreement for District Advisor. The Board requested several changes be made and for it to be brought back for approval at the next regular Board meeting.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, OCTOBER 21, 2020

REVISED

11. NEXT MEETING:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, November 4, 2020.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:43 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board