

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, NOVEMBER 04, 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, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

Public: Consultant Richard K. Tanaka

2. MINUTES:

A. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 5-0-0 the minutes of Wednesday, October 21, 2020 were approved with revision.

B. By consensus, the Minutes of Wednesday, October 7, 2020 are to be Noted & Filed.

3. PERSONAL PRESENTATIONS:

There were none.

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 November 9, 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 November 12, 2020.

6. REPORTS:

There were none.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, NOVEMBER 04, 2020

7. UNFINISHED BUSINESS:

- A. The Board discussed the Consultant Agreement with Richard Tanaka and Request from Burbank Sanitary District. CuSD Board Members and District Counsel do not see the need for a memorandum of understanding with BSD for joint defense of Consultant. Consultant will be advising the Board and will have no direct contact with the City of San Jose. On a motion by Director Saadati, seconded by Director Gatto, by a vote of 5-0-0 the agreement was approved with revision.
- B. Manager Porter indicated that there are no COVID-19 issues to report.

8. NEW BUSINESS:

- A. Manager Porter presented on the Rate Study Workshop No. 3-Establishment of User Rates. The proposed approach will be more defensible methodology for future rates. The approach will be used to collect the required funds for future district costs.
- B. The Board discussed the Conflict of Interest (COI) Statement. Counsel is to call Kimberley Forrester to discuss the COI statement.

9. STAFF REPORTS:

- A. Manager Porter reported on future development projects. Vallco will be asked to provide a more robust bypass pumping plan for the utility work planned at the site.
- B. Manager Porter reported final inspection for The Forum will occur when construction is complete. The Installer's Agreement will be closed out after final inspection.
- C. Manager Porter reported on Via Regina Safety Improvements. The work on rehabilitating the roadway and the trench restoration will be completed next week.

10. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 8:05 p.m. Manager Porter and Deputy Manager Woodhouse 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 8:57 p.m. and the regular meeting was called to order. District Manager Porter and Deputy District Manager Woodhouse rejoined the regular meeting. There was no reportable action.

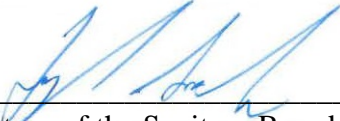
CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, NOVEMBER 04, 2020

11. NEXT MEETING:

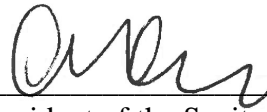
The next regular District Board meeting is scheduled to be held on Wednesday, November 18, 2020.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:58 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board