

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, MARCH 17, 2021

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 Saadati 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.

District Consultant: Richard Tanaka

Public: None

2. PUBLIC COMMENTS:

There were none.

3. CLOSED SESSION:

President Saadati adjourned the regular meeting session and opened the closed session at 7:03 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 7:28 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.

4. MINUTES & BILLS:

- A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0 the minutes of Wednesday, March 3, 2021 were approved as written.
- B. By consensus, the Minutes of Wednesday, February 17, 2021 is to be Noted & Filed.
- C. The Board reviewed February payable warrants and financial statements. On a motion by Director Kwok, seconded by Director Gatto, by a vote of 5-0-0, the financial statement and payment of bills were approved as written.

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D. Board members will submit their March timesheets to Manager Porter.

5. CORRESPONDENCE:

- A. The Board reviewed City of San Jose – FY21-22 Regional Wastewater Facility Capital Cost Allocation. It is to be Noted & Filed.
- B. The Board reviewed City of San Jose – FY21-22 Revenue Program (O&M Cost). It is to be Noted & Filed.
- C. The Board reviewed LAFCO of Santa Clara County - Notice for the April 7, 2021 LAFCO Public Hearing on its Proposed FY 2022 Budget. It is to be Noted & Filed.

6. MEETINGS:

There are none.

7. REPORTS:

- A. Manager Porter reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on March 9, 2021.
- B. Director Gatto reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on March 11, 2021.

8. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates.
- B. Manager Porter presented on the Budget Discussion. Manager Porter discussed how management and engineering costs have been higher this year as a result of costs incurred by District staff for work on the SSMP update, the development of the Systemwide I/I Program, correspondence/agreements with other agencies, and the revised rate study methodology.
  - The SSMP update has called for more effort by staff this past year due to new requirements proposed for the new WDR to be published in late 2021.
  - The I/I Program development and planning is crucial as a means to mitigate the impacts of future development on the CuSD sewer system and prevent the future wet weather flows from exceeding the limit required by the District's agreement with the City of Santa Clara. The I/I Program will account the planned developments in the City by 2040.

The Board suggested that Manager Porter separate these one-time costs and show them as separate line items in the budget. Manager Porter will separate the costs for the SSMP Update and the Systemwide I/I Program on future versions of the budget.

9. NEW BUSINESS:

- A. The Board discussed setting a time and place for a public hearing to consider a rate increase.

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The Board requested District Staff to revise the Resolution No. 1327 to indicate that the maximum rate increase for affected customers will not exceed the attached rate schedule shown on Exhibit “A” that includes the proposed revised rates for each user type. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, Resolution No. 1327 was approved, setting a public hearing for May 19, 2021 via teleconference.

10. STAFF REPORTS:

- A. Manager Porter reported on Vallco.
  - 1. Director Saadati reported that he received a call from a representative of Vallco Development Group. Director Saadati invited the representative to either discuss with staff or attend a Board meeting to address the Board together.
  - 2. Manager Porter reported that discussions are continuing with Vallco, and District staff will continue to update the Board on any progress in those discussions. The cost of District staff for administration, engineering, and management support of the Vallco project has exceeded the funds provided by the development group and an additional deposit was requested in a letter dated March 4, 2021, which is being discussed.
- B. Manager Porter reported on Future Development Projects. Manager Porter presented a table that listed proposed developments in the City of Cupertino between now and 2040, and the District’s flow projections from those developments.
- C. Deputy Manager Woodhouse reported on I/I Reduction Follow Up. Deputy Manager Woodhouse presented on a Systemwide I/I Program that is designed to reduce wet weather flows in the system by an amount equal to or greater than the peak dry weather flows from new developments planned for Cupertino.
- D. Deputy Manager Woodhouse reported on the Sewer System Management Plan Update. He presented on the SSMP update work that has been completed by District staff. The SSMP update has called for more enhanced use of the District’s ArcGIS, the XPSWMM hydraulic model, and the Lucity maintenance management software to develop a risk-based approach to capital improvement planning that will be required for future updates to the SSMP.

Deputy Manager Woodhouse will present a risk prioritization matrix and ArcGIS maps that show high priority pipes and pump stations in the system at the April 7, 2021 Board meeting. The high-risk assets will be used to prioritize improvements in a revised District 10-year Capital Improvement Plan later this spring.

Deputy Manager Woodhouse presented an update on the proposed new Waste Discharge Requirements to be discussed and approved later this year by the State Water Resources Control Board. A draft compliance strategy was presented for the District’s SSMP update.

- E. Manager Porter reported on the Monthly Maintenance Report.

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11. CALENDAR ITEMS:

The next regular District Board meeting is scheduled to be held on Wednesday, April 7, 2021.

12. ADJOURNMENT:

On a motion properly made and seconded, at 9:43 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board