

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, OCTOBER 6, 2021

REVISED

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted via teleconferencing in accordance with AB 361. 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, William A. Bosworth, John M. Gatto, 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 7:00 p.m.

A. Riverwatch Letter Discussion regarding Potential Litigation

Manager Porter and Deputy Manager Woodhouse were excused from the closed session at 7:08 p.m.

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.

Closed session was adjourned at 7:39 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:

A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0 the minutes of Wednesday, September 15, 2021, were approved.

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B. By consensus, the Minutes of Wednesday, September 1, 2021, are to be Noted & Filed.

5. CORRESPONDENCE:

A. The Board reviewed a letter from the City of Sunnyvale – Conveyance of Wastewater from 91 Homes Across Calabazas Creek. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0 the Board agreed to have staff re-open agreement discussions with the City of Sunnyvale and bring back a proposal to the Board.

6. 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 on October 12, 2021.

B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held on October 14, 2021.

7. REPORTS:

A. Manager Porter and Deputy Manager Woodhouse reported on the teleconference meeting of The California Alliance for Sewer System Excellence (CASSE) held on September 30, 2021.

8. UNFINISHED BUSINESS:

A. Manager Porter reported on COVID-19 updates. After discussion, on a motion by Director Bosworth, seconded by Director Gatto, by a vote of 5-0-0 the Board makes the following findings required by AB 361 to continue holding meetings by teleconferencing electronically:

1. The March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect.
2. The County of Santa Clara has a Universal Indoor Face Covering Order in effect and continues to encourage social distancing.
3. Due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

B. Manager Porter reported on the I-280/Wolfe Sanitary Sewer Relocation. Staff is in discussions with Caltrans and VTA regarding design and construction of a new crossing of I-280 for the District's existing 15-inch diameter sewer. The District's sewer was constructed prior to the I-280 construction so it appears all the costs of the sewer design and construction will be paid for by Caltrans and VTA. District staff will be discussing partnering with Bennett Engineering, a trenchless technology specialty firm, to assist the Mark Thomas Design Team with the design of the bore and jack crossing of the freeway.

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9. NEW BUSINESS:

- A. The Board considered updates to the District website. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0 the Board approved revisions to the District's website including website migration by a contractor, with an initial budget of \$5,000 for the migration services.
- B. The Board reviewed the Draft Annual Report for 2021. Board members provided comments and Staff will make revisions.

10. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Deputy Manager Woodhouse reported on Peak Flow Reduction.

11. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, October 20, 2021.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:46 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board