

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 2, 2022

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 Bosworth 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, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, Mark Thomas Principal Sasha Dansky, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: David Doyle

2. AB 361:

The Board of Directors makes the following findings required by AB 361 in order 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, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

On a motion by President Bosworth, seconded by Director Saadati, by a vote of 4-0-0 the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:03 p.m. Dansky and Doyle were excused from the closed session.

A. Conference with legal counsel – Significant Exposure to Litigation in accordance with government code section paragraph (2) of subdivision (d), there is significant exposure to litigation from California Riverwatch pertaining to the Clean Water Act.

Board action: There was no reportable action.

Manager Porter and Deputy Manager Woodhouse were excused from the remainder of closed session at 7:10 p.m.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 2, 2022

- 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.

Board action: There was no reportable action.

The closed session was adjourned at 8:15 p.m. and the regular meeting was called to order. District Manager Porter, Deputy District Manager Woodhouse, Dansky and Doyle rejoined the regular meeting.

5. MINUTES:

- A. On a motion by Director Chen, seconded by Director Kwok, by a vote of 4-0-0, the minutes of Wednesday, February 16, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, February 2, 2022 are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

7. MEETINGS:

- A. President Bosworth plans to attend the Santa Clara County Special Districts Association regular meeting to be held March 7, 2022
- B. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on March 7, 2022.
- C. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on March 10, 2022.

8. REPORTS:

- A. Manager Porter reported on the Sunnyvale Flow Transfer Agreement. On a motion by Director Kwok, seconded by Director Saadati, by a vote of 4-0-0, the agreement was approved with revisions.

9. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. Santa Clara County lifted mask mandates yesterday. Mark Thomas will follow the new Santa Clara County guidelines. Mark Thomas staff plans to return to the office on April 4, 2022 in a hybrid arrangement between working at home and working in the office.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 2, 2022

10. NEW BUSINESS:

- A. The Board discussed Board Vacancy Appointment. David Doyle was the only applicant for the open Board position. The Board concluded that David Doyle is qualified to be a Director of the Sanitary District. On a motion by President Bosworth, seconded by Director Saadati, by a vote of 4-0-0, the Board approved Resolution No. 1334, Appointing David Doyle to The Board of Directors which he will hold until November 2022 when the next election is held. President Bosworth administered the Oath of Office to David Doyle.

11. STAFF REPORTS:

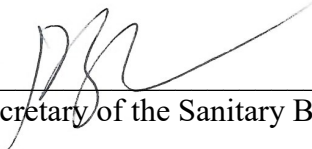
- A. Manager Porter reported on current development projects.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, March 16, 2022.

13. ADJOURNMENT

On a motion properly made and seconded, at 8:48 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board