

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, APRIL 6, 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, Patrick S. Kwok, and David A. Doyle.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, Operations Manager Frank Quach, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: Leagong Chen

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) over 1 million US residents have died from COVID and health officials continue 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 Chen, by a vote of 5-0-0 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 7:04 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.

Board action: There was no reportable action.

The closed session was adjourned at 7:23 p.m. and the regular meeting was called to order. Manager Porter, and Deputy Manager Woodhouse, rejoined the regular meeting at 7:24 p.m.

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Motion to move Agenda Item 10. New Business, Item A. forward in the agenda to allow Mr. Leagong Chen and Frank Quach to participate in the discussion.

On a motion by Director Saadati, seconded by Director Kwok, by a vote of 5-0-0, Item 10.A. was moved up.

10. NEW BUSINESS

A. Clean Out Installation - APN: 326-08-030

After discussion, on a motion by Director Saadati, seconded by Director Kwok, by a vote of 4-0-1, the Board denied the request for a waiver and required the homeowner to follow District standards. Director Chen abstained.

Board requested a review of the District ordinance for approval of a lateral connection to require the homeowner to provide a TV inspection of the existing lateral at their cost.

5. MINUTES:

A. On a motion by Director Saadati, seconded by Director Kwok, by a vote of 5-0-0, the minutes of Wednesday, March 16, 2022, were approved.

B. By consensus, the Minutes of Wednesday, March 2, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

A. The Board reviewed an email request to participate in the California Department of Community Services & Development – Low Income Household Water Assistance Program. The Board requested staff to check with other sewer system agencies through CASA BACWA and CASSE. Director Kwok will check with other sewer agencies at the annual CWEA conference in Sacramento.

7. MEETINGS:

A. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on April 11, 2022 was canceled.

B. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on April 14, 2022 was canceled.

C. Director Kwok will attend the California Water Environment Association (CWEA) 2022 Annual Conference (AC22) in Sacramento held from April 11 – 14.

8. REPORTS:

There were none.

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9. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. Mark Thomas has returned to the Cupertino office in a hybrid arrangement.
- B. The Board discussed the Rate Study – Consideration To Set Time And Place For Public Hearing. Manager Porter presented various cash flow scenarios with different amounts of rate increase for the next 5 years. On a motion by Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the Board set the rate increase to a maximum of 5% and set the public hearing for June 1, 2022, via teleconference.

Director Kwok left the meeting at 9:05 p.m. and returned at 9:15 p.m.

10. NEW BUSINESS:

Moved up on the agenda, after Item 4.A.

11. STAFF REPORTS:

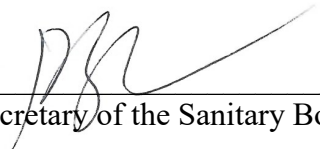
- A. The report on Waste Discharge Requirements was deferred to the next regular Board meeting.
- B. Manager Porter provided a summary of Current Development Projects.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, April 20, 2022.

13. ADJOURNMENT

On a motion properly made and seconded, at 9:25 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board