

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, AUGUST 17, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:02 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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, and David A. Doyle. Patrick S. Kwok was in and out of the meeting due to technical issues.

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

District Consultant: Richard K. Tanaka

Public: None

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 Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, 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 4-0-0, the Board approved. Director Kwok was not present for the vote.

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.

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President Bosworth adjourned the closed session at 7:29 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy District Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Doyle, by a vote of 4-0-0, the minutes of the regular meeting held Wednesday, August 3, 2022, were approved. Director Kwok was not present for the vote.
- B. By consensus, the Minutes of Monday, July 20, 2022, are to be Noted & Filed.
- C. The Board reviewed July payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the financial statements and payment of bills were approved as written.
- D. Board members will submit their August timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed a letter from LAFCO, titled Adopted FY22-23 LAFCO Budget. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter and Advisor Tanaka both plan to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, September 5, 2022.
- B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, September 8, 2022.
- C. Added to the agenda: Director Bosworth plans to attend the Santa Clara County Special District meeting to be held on September 12, 2022.

8. REPORTS:

- A. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, August 8, 2022.
- B. Deputy Manager Woodhouse reported on the California Alliance for Sewer System Excellence (CASSE) teleconference meeting held on Wednesday, August 10, 2022.

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- C. Directors Kwok and Chen reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, August 11, 2022.
- D. Directors Chen, Kwok and Saadati reported on the CSRMA training held on August 10, 2022 in Olympic Valley, CA.
- E. The Board attended the California Association of Sanitation Agencies (CASA) annual conference held August 10-12, 2022 in Olympic Valley, CA.
 - 1. Director Chen reported on the CSRMA Board of Directors meeting.
 - 2. Counsel Hynes reported on the Attorney's Committee meeting.
 - 3. Other conference sessions:
 - Consider adding link on the District website to information about non-flushable wipes.
 - SSMP audit needs to be certified every two years.
 - Consider investigating the Cybersecurity assessment, which is free of charge.

9. UNFINISHED BUSINESS:

- A. The Board reviewed the VTA Utility Agreement for the Wolfe Road Sewer Relocation Project. On motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board approved the agreement as written.
- B. The Board reviewed and discussed the Conflict-of-Interest code. On motion by President Bosworth, seconded by Director Chen, by a vote of 5-0-0, the Board determined that no changes needed to be made to the Conflict-of-Interest Code.
- C. The Board discussed Ethics Certificate Renewal.
- D. There were no Covid-19 updates.

10. NEW BUSINESS:

- A. The Board reviewed the Board Memo requesting Purchase of New Multiquip Trailer Mounted Generator. On motion by President Bosworth, seconded by Director Chen, by a vote of 5-0-0, the Board approved the purchase of a new generator.

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11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the Monthly Maintenance Summary.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, September 7, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 9:07 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board