

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, SEPTEMBER 21, 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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, David A. Doyle, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Sr. Sanitary Engineer Vani Kathula, 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 Kwok, 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 7:01 p.m. Manager Porter, and Sr. Engineer Kathula 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.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, SEPTEMBER 21, 2022

President Bosworth adjourned the closed session at 7:19 p.m. and the regular meeting was called to order. District Manager Porter, and Sr. Engineer Kathula rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the minutes of the regular meeting held Wednesday, August 17, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, August 3, 2022, are to be Noted & Filed.
- C. The Board reviewed August payable warrants and financial statements. Staff provided detailed clarification to the Board regarding the District's share of cost towards the operation and maintenance of Santa Clara Outfall. On a motion by Director Chen, seconded by President Bosworth, by a vote of 5-0-0, the financial statements and payment of bills for August were approved as written.
- D. Board members submitted their September timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed an email from California Special Districts Association - Initiative #21-0042A1 (CBRT Initiative). Board reviewed the email, the initiative, and Resolution 1340 to oppose the initiative. On a motion by President Bosworth, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution 1340 to oppose the CBRT initiative #21-0042A1.
- B. The Board reviewed an email from California Association Of Sanitation Agencies (CASA) – AB 2247 (Bloom) - Letters of Support Needed. On a motion by President Bosworth, seconded by Director Kwok, by a vote of 5-0-0, the Board approved motion to submit a letter of support.
- C. The Board reviewed a letter from a senior resident requesting senior exemption of sewer service charges. On motion by Director Kwok, second by Director Chen, by a vote of 5-0-0, the request of the resident to exempt the sewer service charges was denied.
- D. The Board reviewed an email from Local Agency Formation Commission of Santa Clara County (LAFCO) Sphere of Influence – Lawrence-Mitty USA/SOI. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, October 10, 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, October 13, 2022.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, SEPTEMBER 21, 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, September 5, 2022.
- B. Director Kwok reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, September 8, 2022.
- C. President Bosworth reported on the teleconference meeting of The Santa Clara County Special Districts Association held on Monday, September 12, 2022.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.
- B. District Manager Porter and Staff will attend the District public outreach booth at the Cupertino Fall Festival, to be held on Saturday, September 24, 2022.

10. NEW BUSINESS:

- A. The Board reviewed the Board Memo requesting Purchase of CUES Inc. lateral camera and GraniteNet software. On motion by Director Kwok, seconded by Director Chen, by a vote of 5-0-0, the Board approved the purchase of the lateral camera and software in the amount of \$21,490.06.

11. STAFF REPORTS:

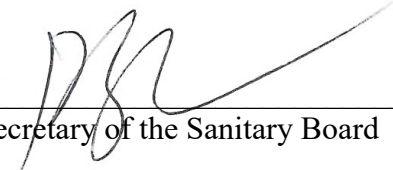
- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on Ethics Training Certificate update.
- C. Manager Porter reported on the Monthly Maintenance Summary and District repairs. District maintenance is ahead of schedule for mainline cleaning and on schedule for FOG inspections and other maintenance activities.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, October 5, 2022.
 - a) President Bosworth and Director Kwok are excused from the regular Board meeting of October 19, 2022.
 - b) The regular Board meeting of November 2, 2022 is cancelled due to three Board members scheduled to be away.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:35 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board