

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, JANUARY 18, 2023

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 Kwok 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, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: Richard Lowenthal, Arvind Agarwal, and Yoriko Kishimoto

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 Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the Board approved.

By consensus, the Board moved agenda Item 10.A - "Proposed Cupertino Water Treatment Plant" up in the agenda to follow Agenda Item 2.

10. NEW BUSINESS:

- A. Richard Lowenthal presented a proposal to develop a water treatment facility adjacent to Blackberry Farms Golf Course. The treatment facility could treat all or a portion of the wastewater from two sewer mains that serve approximately 530 Cupertino residential connections to produce recycled water to irrigate the Blackberry Farm Golf Course, Deep Cliff Golf Course, and McClellan Ranch.

3. PUBLIC COMMENTS:

Yoriko Kishimoto, the President of Mid-Pen Open Space, who also serves on the Local Area Formation Commission (LAFCO), introduced herself to the Board.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:35 p.m.

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Manager Porter, Deputy Manager Woodhouse, and guests 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.

President Kwok adjourned the closed session at 8:01 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Bosworth, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, January 4, 2023, were approved.
- B. By consensus, the Minutes of Wednesday, December 21, 2022, are to be Noted & Filed.
- C. The Board reviewed December payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the financial statements and payment of bills for December were approved as written.
- D. The Board members will submit their January timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from the County of Santa Clara Supervisor, Otto Lee – Congratulations Letters to District Board Members Taghi Saadati, Patrick Kwok, and David Doyle. They are to be Noted & Filed.

7. MEETINGS:

- A. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held Thursday, January 19, 2023.
- B. Board Members and Staff plan to attend the CASA Annual Winter Conference to be held January 25-27, 2023, in Palm Springs, CA.
- C. Manager Porter plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on Monday, February 6, 2023.
- D. President Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, February 9, 2023.

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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, January 9, 2023.
- B. Deputy Manager Woodhouse reported on the CASA Collection System Work Group held on January 11, 2023.
- C. President Kwok reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, January 12, 2023.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.

10. NEW BUSINESS:

- A. Item 10.A moved up on the agenda before public comments.
- B. The Board reviewed Installer's Agreement Closeout for The Forum Development. On a motion by Director Chen, seconded by Director Doyle, by a vote of 5-0-0, the Board approved Resolution No. 1338, Accepting The Sanitary Sewer Improvements Installed In Conjunction With Parcel Map 342 Page 54, Parcel 052, "23500 Cristo Rey Drive", Cupertino Ca 95014 More Specifically Known As The Forum At Rancho San Antonio.

11. STAFF REPORTS:


- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the maintenance summary report.

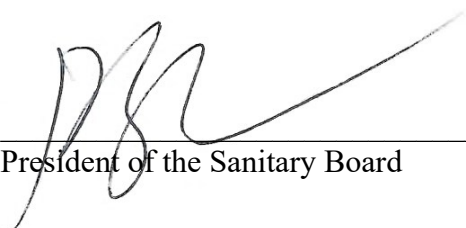
12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, February 1, 2023.

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