

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, FEBRUARY 01, 2023

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:01 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, Sasha Dansky (Mark Thomas), 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 Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:05 p.m. Manager Porter, Deputy Manager Woodhouse, and Dansky 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, FEBRUARY 01, 2023

B. District Manager Performance Review

Manager Porter and Dansky joined the closed session; Advisor Tanaka was excused

Board action: There was no reportable action.

President Kwok adjourned the closed session at 7:42 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 Bosworth, seconded by Director Saadati, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, January 18, 2023, were approved.

B. By consensus, the Minutes of Wednesday, January 4, 2023, are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

7. MEETINGS:

A. 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.

B. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held on Wednesday, February 8, 2023.

C. President Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, February 9, 2023.

8. REPORTS:

A. Deputy Manager Woodhouse reported on the CASSE teleconference meeting held on Thursday, January 19, 2023.

B. Board Members reported on the CASA Annual Winter Conference held January 25-27, 2023, in Palm Springs, CA.

9. UNFINISHED BUSINESS:

A. Manager Porter reported on Covid-19 updates. In-person Board meetings will resume, starting March 1, 2023.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, FEBRUARY 01, 2023

10. NEW BUSINESS:

- A. Wolfe Road Sewer Relocation Bids: The Board reviewed the Board memo. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved bid award to Cratus for the amount of \$6,635,182 and an additional contingency amount equal to \$663,518 for a total budget amount equal to \$7,298,700.
- B. I-280/ Wolfe Road Sewer Relocation – Imperium First Consulting Agreement for Contractor Prevailing Wage Compliance Services: The Board reviewed the Board memo and Consulting Agreement. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved the Agreement as written.
- C. I-280/ Wolfe Road Sewer Relocation – Sequoia Ecological Consulting Agreement for Biological Services: The Board reviewed the Board memo and Consultant Agreement. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved the Agreement as written.
- D. Board Director Salary Survey: Discussion was deferred until CASA salary survey results are available.

11. STAFF REPORTS:

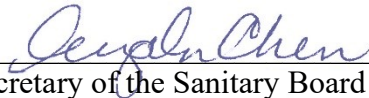
- A. Manager Porter reported on Future Development Projects.

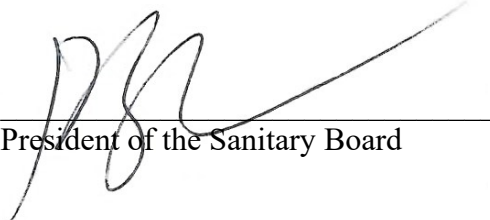
12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, February 15, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8: 27 p.m. the meeting was adjourned.

  
Secretary of the Sanitary Board

  
President of the Sanitary Board