

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, MAY 17, 2023

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted at the District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino.

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, Associate Sanitary Engineer Abby Yung, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: None

2. PUBLIC COMMENTS:

There were none.

3. PUBLIC HEARING:

A. The Board conducted a public hearing on the Proposed Sanitary Sewer Service Charge Increase for Fiscal Year 2023-2024.

1. Manager Porter presented the rate study.
2. President Kwok opened the public hearing at 7:13 p.m. The Board reviewed written protests. There were no public comments.
3. President Kwok closed the public hearing at 7:16 p.m.
4. The Board discussed the proposed new sewer rate increase not to exceed 5%.
5. On motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the Board approved Ordinance No. 131, Amending Sections 7301, 7302 and 7303 of Chapter VII of the Cupertino Sanitary District Operations Code Relating to Sewer Service Charges. The new sewer service rates will take effect, beginning July 1, 2023.
6. On motion by Director Bosworth, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution No. 1342, Fixing Time and Place for Public Hearing on Report on Rates and Collection on Tax Roll for FY 2023-24. The public hearing is set to take place on Wednesday, June 21, 2023 in the District office.

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4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:28 p.m. Manager Porter, and Associate Sanitary Engineer Yung 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 7:40 p.m. and the regular meeting was called to order. District Manager Porter, and Associate Sanitary Engineer Yung 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, April 19, 2023, were approved as written.
- B. By consensus, the Minutes of Wednesday, April 5, 2023, are to be Noted & Filed.
- C. The Board reviewed April 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 April were approved as written.
- D. The Board members will submit their May timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from Northpoint HOA regarding the protest of Ordinance No. 117. President Kwok recused himself from this item because of possible conflict of interest. After discussion, the Board directed Manager Porter to respond to the HOA..
- B. The Board reviewed and discussed an email from California Association of Sanitation Agencies (CASA) regarding support requested for National Wipes Legislation. By consensus, the Board agreed to support the legislation and President Kwok will sign the support letters.
- C. The Board discussed a request received for outreach. The Board directed Manager Porter to gather more information on the nature and extent of the outreach.

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7. MEETINGS:

- A. President Kwok, on the advice of Counsel, will not to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TPAC) to be held on Thursday, May 18, 2023.
- B. Director Bosworth plans to attend the Santa Clara County Special Districts Association (SCCSDA) regular meeting to be held on Monday, June 5, 2023. Director Chen is the alternate.
- C. The regular meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on Monday, June 12, 2023, is expected to be canceled
- D. The regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, June 15, 2023, is expected to be canceled.

8. REPORTS:

- A. Manager Porter, on the advice of Counsel, did not attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, May 15, 2023.

9. UNFINISHED BUSINESS:

- A. Manager Porter and Associate Sanitary Engineer Yung reported on the Annual Lateral Maintenance Program.

10. NEW BUSINESS:

There was none.

11. STAFF REPORTS:

- A. Associate Sanitary Engineer Yung reported on Future Development Projects.
- B. Manager Porter reported on the Maintenance Summary Report.

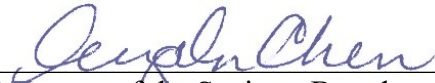
12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, June 7, 2023.

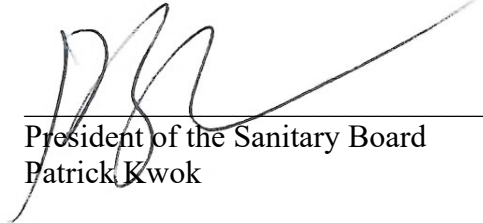
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13. ADJOURNMENT:

On a motion properly made and seconded, at 9:15 p.m. the meeting was adjourned.



Secretary of the Sanitary Board  
Angela Chen



President of the Sanitary Board  
Patrick Kwok