

# CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

## CUPERTINO SANITARY DISTRICT BOARD MEETING

WEDNESDAY, OCTOBER 4, 2023

REVISED

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. Participation was also available via videoconference.

### 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:

Board Members present: Angela S. Chen, Patrick S. Kwok, Taghi S. Saadati, David A. Doyle, and William A. Bosworth.

Absent: None

Staff present: District Manager Benjamin Porter, District Administrative Clerk Frankie Martinez, and Counsel Valerie Armento.

Public Present: Nancy Kao-The Forum, Jonni Streeter-The Forum, Don Toy-Public, Diane & Peter Hart-Residents, to discuss Item 8.A. – Forum Station Odor Mitigation. Jane Bessin-Public arrived at 7:03pm.

### 2. PUBLIC COMMENTS:

There were none.

### 3. CLOSED SESSION:

There was no closed session.

On motion by Director Chen, seconded by President Kwok, by a vote of 5-0-0, item 8.A, Forum Pump Station Odor Mitigation was moved up on the agenda.

#### 8.A. – Forum Pump Station Odor Mitigation

Manager Porter reported that staff is moving forward with the odor investigation and implementation of mitigation measures, as instructed by the Board at the last meeting. President Kwok then opened the meeting for public comments at 7:02 p.m. The Board heard statements from Diane Hart, Forum resident, Nancy Kao, Executive Director at The Forum, Jane Bessin, daughter of a Forum resident, Don Toy, son of a Forum resident, and Jonni Streeter, Director of Plant Operations at The Forum. President Kwok closed the public comments portion at 7:20 p.m. and the Board continued discussion of possible causes of odor and solutions. Jonnie invited the Board to visit the site. Some Board members plan to drive by on their own.

Guests left the Board meeting at 7:35 p.m.

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### 4. MINUTES & BILLS:

#### A. Approval of the Minutes of September 20, 2023

On a motion by Director Chen, seconded by President Kwok, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, September 20, 2023, were approved as written.

#### B. Approved Minutes of August 16, 2023

By consensus, the Minutes of Wednesday, August 16, 2023 are to be Noted & Filed.

### 5. CORRESPONDENCE:

There was none.

### 6. MEETINGS:

A. Manager Porter plans to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held Monday, October 9, 2023.

B. President Kwok plans to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TPAC) to be held on Thursday, October 12, 2023.

### 7. REPORTS:

#### A. Cupertino Fall/Fun Festival held September 9, 2023 at Memorial Park, Cupertino, CA

Directors Kwok, Sadaati, and Bosworth attended the festival, along with staff. The festival was a lot smaller than previous years, attendance was low, and booth traffic was very low.

#### B. Santa Clara County Special Districts Association Meeting Held on Monday, September 11, 2023

Director Bosworth reported Marc Landgraf of Santa Clara Open Space Authority was a special guest speaker, in celebration of its 30<sup>th</sup> anniversary.

#### C. Regular Meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) Held on Monday, September 11, 2023

Manager Porter reported.

#### D. Regular Meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) Held on Thursday, September 14, 2023

President Kwok reported.

#### E. California Association for Sewer System Excellence (CASSE) General Meeting Held on September 14, 2023 in Sacramento, CA

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Deputy Manager Woodhouse attended. Manager Porter reported.

### 8. UNFINISHED BUSINESS:

A. Forum Pump Station Odor Mitigation was moved up on the agenda, after Closed Session.

B. Inflow/Infiltration Reduction

Manager Porter conducted a PowerPoint presentation to follow up on Director Doyle's request to provide justification for continuing with I/I mitigation.

C. Final Annual Report

The Board reviewed the Final Annual Report. Staff is to make one minor edit. By consensus, the Board approved the final annual report for print.

D. Empower Retirement Plan/CalSaver

Manager Porter reported to the Board that the District has a retirement plan open with Empower. Since the District is a Special District, we are not required by law to offer a retirement plan to Board members. Currently, the District retirement plan has only one person enrolled, who is no longer an active Board member. By consensus, the Board agreed to terminate the retirement plan and allow the enrolled participant six months to roll over their funds.

### 9. NEW BUSINESS:

A. Via Regina Force Main

Manager Porter reported to the Board about the condition of the road and the risk to the District's sewer main if the road fails. After discussion by the Board, on motion by Director Saadati, seconded by President Kwok, by a vote of 5-0-0, the Board directed Staff to send a letter to property owners.

B. Akel Agreement – Amendment No. 3

The Board reviewed the Board memo and amendment number three. On motion by Director Chen, seconded by Director Doyle, by a vote of 5-0-0, the Board approved Amendment No. 3.

### 10. STAFF REPORTS:

A. Future Development Projects

Manager Porter reported.

B. Pumpkin Fiesta Storm Drain Project

Manager Porter reported.

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### 11. CALENDAR ITEMS:

A. The next regular District Board meeting is scheduled to be held on Wednesday, October 18, 2023.

### 12. ADJOURNMENT:

On a motion properly made and seconded, at 8:24 p.m. the meeting was adjourned.

  
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Secretary of the Sanitary Board

  
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President of the Sanitary Board