

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, AUGUST 21, 2024 AMENDED

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 Chen 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 Chen, Taghi Saadati, Patrick Kwok, David Doyle, and Bill Bosworth.

Staff present: District Manager Benjamin Porter, and Counsel Marc Hynes.

Public Present: Rhoda Fry, Peggy Griffin, Liang Chao, Kitty Moore, and Lisa Warren

2. PUBLIC COMMENTS:

The Board received comments from members of the public on The Rise:

Rhoda Fry, Peggy Griffin, Liang Chao, Kitty Moore, and Lisa Warren all provided comments to the Board on the correspondence from the Rise development, encouraging the Board to ensure that the development pays its fair share in a timely manner.

3. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 7:35 p.m. Porter, and all members of the public 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: By unanimous vote, the Board determined not to appeal the decision of the judge on plaintiff's claims in existing litigation matter.

- B. Conference with Legal Counsel – Potential Litigation

Board action: The Board did not discuss the potential litigation

President Chen adjourned the closed session at 7:40 p.m. and the regular meeting was called to order. Porter rejoined the regular meeting.

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4. MINUTES & BILLS:

A. Approval of the Special Meeting Minutes of July 15, 2024

On a motion by Director Bosworth, seconded by Director Saadati by a vote of 5-0-0, the minutes of the Special Meeting held on Monday, July 15, 2024, were approved as written.

B. Approval of the Regular Meeting Minutes of July 17, 2024

On a motion by Director Bosworth, seconded by Director Kwok by a vote of 5-0-0, the minutes of the Regular Meeting held on Wednesday, July 17, 2024, were approved.

C. Approved Regular Meeting Minutes of June 19, 2024 are to be Noted & Filed.

D. Approval of Financial Statements and Bills

On a motion by Director Doyle, seconded by Director Bosworth, by a vote of 5-0-0, the financial statements and warrants were approved.

E. Timesheets

The Board submitted their August timesheets to District Manager Porter.

5. CORRESPONDENCE:

A. Registrar of Voters Notice of Election – November 5, 2024 – General Election is to be Noted & Filed.

B. The Rise letter was deferred to the next regular Board meeting scheduled to be held on September 4, 2024.

6. MEETINGS:

A. Director Bosworth plans to attend the Santa Clara County Special Districts Association (SCCSDA) Regular Meeting to be held on Monday, September 9, 2024.

7. REPORTS:

A. The Board reported on the California Sanitation Risk Management Authority (CSRMA) Risk Management Seminar held on Wednesday, July 31, 2024 in Monterey, CA.

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, AUGUST 21, 2024 AMENDED

- B. The Board reported on the California Association of Sanitation Agencies (CASA) Annual Conference held July 31 to August 2, 2024 in Monterey, CA.
1. CSRMA Training – President Chen and Directors Kwok and Saadati reported.
 2. Regular Conference Sessions
 3. Attorney’s Committee Meeting – District Counsel did not attend this year.
 4. Other Conference Sessions – President Chen and Director Bosworth reported on the CSRMA Board of Directors meeting.
- C. Manager Porter reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, August 5, 2024.
- D. Director Kwok reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, August 8, 2024.
- E. Manager Porter reported on the California Alliance for Sewer System Excellence (CASSE) teleconference held on Wednesday, August 14, 2024.

8. UNFINISHED BUSINESS:

A. 2022-2023 Fiscal Year Audit

The Board discussed the Audit results. The results of the audit were positive, indicating no lack of control or need for improvement.

B. Booth Registration Now Open for Cupertino Rotary Fall Fest 2024

Director Saadati proposed Item 5.A. in the minutes of July 17, 2024 be amended to reflect the following, Director Doyle seconded by a vote of 5-0, the motion was approved:

On a motion by President Chen, seconded by Director Kwok, by a vote of 3-1-0, the Board approved District booth support at the Fall Festival. Director Saadati voted No.

On a motion by Director Kwok, seconded by Director Doyle, by a vote of 5-0, the Board authorized a budget of \$2,500 for the Fall Fest.

9. NEW BUSINESS:

A. Permit Fees Reimbursement Request

On a motion by Director Saadati, seconded by Director Bosworth by a vote of 5-0-0, the Board approved reimbursement in the amount of \$400 for APN 369-27-027 inspection fees.

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING

WEDNESDAY, AUGUST 21, 2024

AMENDED

B. 2023-2024 Fiscal Year Auditor

On a motion by Director Saadati, seconded by Director Doyle by a vote of 5-0-0, the Board approved selection of a new auditor, subject to certification of references.

C. Conflict of Interest Code

On a motion by Director Bosworth, seconded by Director Kwok by a vote of 5-0-0, the Board approved the Conflict of Interest Code.

10. STAFF REPORT

A. Future Development Projects

Manager Porter reported on the status of future development projects.

B. Monthly Maintenance Summary

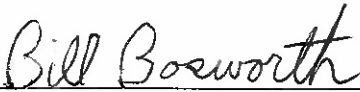
Manager Porter reported on the monthly maintenance.

11. CALENDAR ITEMS

- A. The next regular District Board Meeting is scheduled to be held on Wednesday, September 4, 2024. On a motion by Director Saadati, seconded by President Chen by a vote of 5-0-0, the Board approved adding CASA Reimbursement to the agenda.

12. ADJOURNMENT:

On a motion properly made and seconded, at 9:39 p.m. the meeting was adjourned.



Acting Secretary of the Sanitary Board



President of the Sanitary Board