

# CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

## CUPERTINO SANITARY DISTRICT BOARD MEETING

WEDNESDAY, SEPTEMBER 18, 2024

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, Patrick Kwok, and Bill Bosworth.

Director Doyle attended virtually from 621 South Douglas Avenue, Lyons, KS 67554.

Director Saadati attended virtually from Hotel Grand Brizo Cerrito 180, C1010AAD Cdad. Autonoma de Buenos Aires, Argentina.

Staff present: District Manager Benjamin Porter, District Administrative Clerk Frankie Martinez, and Counsel Marc Hynes.

Public Present: Rhoda Fry

### 2. PUBLIC COMMENTS:

Rhoda Fry addressed the Board about her concerns over a Board member's residency. She believes the Board member does not live in the District and Miss Fry feels underrepresented by the Board. Miss Fry also mentioned a sewer odor problem affecting her residence.

Miss Fry left the Board meeting at 7:04 p.m.

### 3. CLOSED SESSION:

President Chen adjourned the regular meeting session and opened the closed session at 7:11 p.m. Porter and Martinez 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.

- B. Conference with Legal Counsel – Anticipated Litigation

Manager Porter and Martinez entered the Closed Session at 7:20 p.m.

Board action: There was no reportable action.

President Chen adjourned the closed session at 7:44 p.m. and the regular meeting was called to order.

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### 4. MINUTES & BILLS:

#### A. Approval of the Regular Meeting Minutes of September 4, 2024

On a motion by Director Bosworth, seconded by Director Kwok by a roll call vote of 5-0-0, the minutes of the Regular Meeting held on Wednesday, September 4, 2024, were approved as written.

#### B. Approved Amended Minutes of August 21, 2024, are to be Noted & Filed.

#### C. Approval of Financial Statements and Bills

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

#### D. Timesheets

The Board submitted their September timesheets to District Manager Porter.

### 5. CORRESPONDENCE:

#### A. Email from County of Santa Clara Registrar of Voters – Certificate of Election Facts and Request to Fill Elective Office by Appointment. It is to be Noted & Filed.

### 6. MEETINGS:

#### A. Director Bosworth plans to attend the Santa Clara County Special Districts Association (SCCSDA) Special Meeting/Workshop on Proposed LAFCO Policy Changes to be held on Monday, September 23, 2024.

#### B. Manager Porter plans to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on Monday, October 7, 2024.

#### C. Manager Porter and Staff plan to attend the California Alliance for Sewer System Excellence (CASSE) teleconference to be held on Wednesday, October 9, 2024.

#### D. Director Doyle plans to attend the regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, October 10, 2024.

### 7. REPORTS:

#### A. Manager Porter reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, September 9, 2024.

#### B. Director Bosworth reported on the Santa Clara County Special Districts Association (SCCSDA) Regular Meeting held on Monday, September 9, 2024.

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- C. Manager Porter reported on the California Alliance for Sewer System Excellence (CASSE) teleconference held on Wednesday, September 11, 2024.
- D. Director Kwok reported on the regular meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, September 12, 2024.
- E. Manager Porter and the Board reported on the Silicon Valley Fall Festival held Saturday, September 14, 2024, in Cupertino.

### 8. UNFINISHED BUSINESS:

#### A. 2023-2024 Fiscal Year Audit

Manager Porter reported on selection of auditors for the 2023-2024 Fiscal Year. On a motion by Director Kwok, seconded by Director Bosworth, by a roll call vote of 5-0-0, the Board approved Harshwal for one more year of audit.

### 9. NEW BUSINESS:

#### A. Significant Defect Repair Project – Phase 2 Bids

On motion by Director Kwok, seconded by Director Bosworth, by a roll call vote of 5-0-0, the Board approved awarding the project to C2R Engineering.

### 10. STAFF REPORT

#### A. Manager Porter reported on Future Development Projects.

#### B. Manager Porter reported on the Monthly Maintenance Summary.

### 11. CALENDAR ITEMS

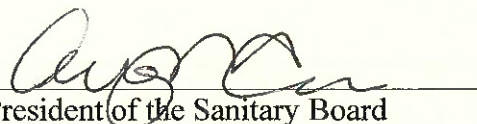
- A. The next regular District Board Meeting is scheduled to be held on Wednesday, October 2, 2024. President Chen will be absent.

### 12. ADJOURNMENT:

On a motion properly made and seconded, at 9:01 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board