

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, FEBRUARY 2, 2022

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 Bosworth 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: Angela S. Chen, Taghi S. Saadati, William A. Bosworth, and Patrick S. Kwok. Director Gatto's Board position was vacant.

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

District Consultant: Richard K. Tanaka

Public: David Doyle

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 has a Universal Indoor Face Covering Order in effect and continues to encourage social distancing, 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 President Bosworth, seconded by Director Kwok, by a vote of 4-0-0 the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:02 p.m. Guest Doyle was excused from the closed session.

A. Conference with legal counsel – Significant Exposure to Litigation in accordance with government code section paragraph (2) of subdivision (d), there is significant exposure to litigation from California Riverwatch pertaining to the Clean Water Act.

Board action: There was no reportable action.

Manager Porter and Deputy Manager Woodhouse were excused from the remainder of closed session at 7:20 p.m.

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- B. 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.

The closed session was adjourned at 7:42 p.m. and the regular meeting was called to order. District Manager Porter, Deputy District Manager Woodhouse, and Guest Doyle rejoined the regular meeting.

5. MINUTES:

- A. On a motion by Director Kwok, seconded by Director Chen, by a vote of 4-0-0 the minutes of Monday, January 17, 2022, were approved with revision.
- B. By consensus, the Minutes of Wednesday, December 15, 2021, are to be Noted & Filed.

6. CORRESPONDENCE:

- A. The Board received condolences from Burbank Sanitary District Board of Directors for John Gatto. It is to be Noted & Filed.
- B. The Board reviewed the CSRMA Annual Report. It is to be Noted & Filed.

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 February 7, 2022.
- B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on February 10, 2022.

8. REPORTS:

- A. Director Chen reported on the teleconference meeting of the CSRMA Board Meeting held on January 20, 2022. Insurance premium increased by 12 percent and there are two additional charges that are not considered premiums: Program Director charge and the JPA charge.

9. UNFINISHED BUSINESS:

- A. The Board discussed a vacancy on the Board. Staff will post notices of an open Board position at the following locations within the District: Cupertino and Saratoga City Halls and libraries, the District's office door and website, and the Cupertino Senior Center. Applicants will need to complete a District application form to be considered.

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- B. The Board reviewed the Westport Installer's Agreement. On a motion by Director Saadati, seconded by Director Kwok, by a vote of 4-0-0 the Installer's Agreement was approved as written.
- C. Manager Porter reported on COVID-19 updates.

10. NEW BUSINESS:

- A. The Board reviewed draft wording for a commendation plaque for John Gatto.
- B. The Board discussed CCTV truck operation and maintenance. On a motion by President Bosworth, seconded by Director Saadati, by a vote of 4-0-0, the Board approved payment of an hourly equipment charge of \$80 per hour for the CCTV truck usage on District work.
- C. District Manager Porter provided an update on the schedule for completion of Form 700 filing for all Board members.

11. STAFF REPORTS:


- A. Manager Porter reported on current development projects.

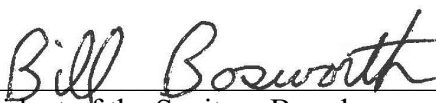
12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, February 16, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:34 p.m. the meeting was adjourned.

  
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Secretary of the Sanitary Board

  
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President of the Sanitary Board