

**CUPERTINO SANITARY DISTRICT
SPECIAL BOARD MEETING
TUESDAY, JUNE 28, 2022**

AGENDA

The meeting will be held at 4:00 p.m. via Teams teleconference [Click here to join the meeting](#) [or call: 1-916-245-2884 Phone Conference ID: 363 735 951#] and anyone interested may also call in. The District Office at 20863 Stevens Creek Blvd, Suite 100, Cupertino is closed.

1. ROLL CALL

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 Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

3. UNFINISHED BUSINESS

A. AMENDMENT TO RESOLUTION NO. 1337, CONSOLIDATION OF ELECTIONS

4. ADJOURNMENT



Memo

Item 3A

To: Board of Directors
From: Benjamin Porter, District Manager-Engineer
Date: June 28, 2022
Re: Amendment to Resolution No. 1337

Summary:

Resolution No. 1337, Consolidation of Elections was approved by the Board on May 18, 2022. The final, signed resolution was submitted to the Registrar of Voters and County Clerk of the Board on June 15, 2022 via email and USPS mail.

On June 22, 2022, the District received an email from Ralph Murrieta at Registrar of Voters, asking us to amend the resolution. The submitted resolution lists three seats with a term length of four years to be elected, as shown in the tables below.

Number of Seat (s)	Length of Term	Exact Title of Each Office to be Held
3	4 Years	Member of the Board of Directors

Member Names	Term: Full or Short	Seats Elected by Division/At Large
William A. Bosworth	Full Term 2020-2024	Elected by at Large
Angela S. Chen	Full Term 2020-2024	Elected by at Large
Patrick S. Kwok	Full Term 2018-2022	Elected by at Large
Taghi S. Saadati	Full Term 2018-2022	Elected by at Large
David A. Doyle	Full Term 2018-2022	Appointed for Term 2022-2022 / Normally is Elected by at Large

Ralph stated that David Doyle was appointed to the district governing board on March 2, 2022 to serve a term set to expire in 2024. He has instructed the District to amend Resolution No. 1337 to reflect two (2) full-term seats and one (1) short-term to be elected on the November ballot.

To comply with this request, the following changes were made to the resolution:

Number of Seat (s)	Length of Term	Exact Title of Each Office to be Held
2	4 Years	Member of the Board of Directors
1	2 Years	Member of the Board of Directors

Member Names	Term: Full or Short	Seats Elected by Division/At Large
William A. Bosworth	Full Term 2020-2024	Elected by at Large
Angela S. Chen	Full Term 2020-2024	Elected by at Large
Patrick S. Kwok	Full Term 2018-2022	Elected by at Large
Taghi S. Saadati	Full Term 2018-2022	Elected by at Large
David A. Doyle	Short Term 2022-2024	Appointed for Term 2022-2022 / Normally is Elected by at Large

Board Action:

Approve Amended Resolution No. 1337

Attached:

1. Approved Resolution No.1337
2. Draft Amended Resolution No.1337

RESOLUTION NO. 1337

A RESOLUTION OF THE SANITARY BOARD OF THE CUPERTINO SANITARY DISTRICT REQUESTING AND CONSENTING TO CONSOLIDATION OF ELECTIONS

WHEREAS, a Biennial General Election has been ordered to be held on Tuesday, November 8, 2022, in the Cupertino Sanitary District of Santa Clara County for the purpose of electing:

Number of Seat (s)	Length of Term	Exact Title of Each Office to be Held
3	4 Years	Member of the Board of Directors

and,

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code of the State of California, such election may be either completely or partially consolidated; and,

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That pursuant to Section 10403 of the Elections Code, the Board of Directors of the Cupertino Sanitary District calls for an election to be held on November 8, 2022 and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election.

Section 2. That the Board of Directors of the Cupertino Sanitary District requests the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Elections Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election.

Section 3. That pursuant to Section 10508 of the Elections Code of the State of California, said officers are to be elected At Large.

Section 4. That pursuant to Sections 10002 and 10520 of the Elections Code of the State of California, each district involved in a district general election in an affected county shall reimburse the county for the actual costs incurred by the county elections official in conducting the district general election for that district.

Section 5. That the candidates' statements of qualifications shall be limited to:

- 200 words and,
- That the cost of printing, translating and distributing said statements shall be borne by the candidates who file such statements and,
- That each candidate who files such a statement shall be required to pay in advance his or her pro rata share of the estimated costs of printing, handling,

and mailing said candidate statement, such estimated costs to be determined by the Registrar of Voters.

Section 6. That pursuant to Section 10522 the Elections Code of the State of California, a current map showing the boundaries of the district is herewith submitted.

Section 7. That pursuant to Section 10551 and 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by lot.

Section 8. That the following is listed below:

- 1) Names of all current Board Members; and,
- 2) Term: full or short; and,
- 3) Seats elected by: District or At Large

Member Names	Term: Full or Short	Seats Elected by Division/At Large
William A. Bosworth	Full Term 2020-2024	Elected by at Large
Angela S. Chen	Full Term 2020-2024	Elected by at Large
Patrick S. Kwok	Full Term 2018-2022	Elected by at Large
Taghi S. Saadati	Full Term 2018-2022	Elected by at Large
David A. Doyle	Full Term 2018-2022	Appointed for Term 2022-2022 / Normally is Elected by at Large

PASSED and ADOPTED by the Board of Directors of the Cupertino Sanitary District, State of California on 18th day of May 2022, by the following vote:

AYES, and in favor thereof, Angela Chen, Taghi Saadati, Patrick Kwok, and David Doyle

NOES: None


ABSTAIN: None

ABSENT: Bill Bosworth

ATTEST:


Secretary Pro-Tem, Cupertino Sanitary District

APPROVED:


Acting President, Cupertino Sanitary District

APPROVED AS TO FORM AND LEGALITY:


Marc Hynes, District Counsel

INFORMATION SHEET

(To be return with Resolution)

Cupertino Sanitary District

DISTRICT CONTACT:

Name/Title: Benjamin T. Porter – District Manager-Engineer

Address: 20863 Stevens Creek Blvd, Suite 100, Cupertino, CA 95014

Phone: 408-253-7071

Fax: 408-253-5173

Email: bporter@markthomas.com

DISTRICT OFFICE DATES AND HOURS OF OPERATION:

Monday – Friday 8:00am – 5:00pm

Date: May 18, 2022

Signed 

Print Name: Benjamin T. Porter

**RESOLUTION NO. 1337
AMENDED**

**A RESOLUTION OF THE SANITARY BOARD OF THE CUPERTINO
SANITARY DISTRICT REQUESTING AND CONSENTING TO
CONSOLIDATION OF ELECTIONS**

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1	2 Years	Member of the Board of Directors

and,

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NOW, THEREFORE, BE IT RESOLVED:

Section 1. That pursuant to Section 10403 of the Elections Code, the Board of Directors of the Cupertino Sanitary District calls for an election to be held on November 8, 2022 and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election.

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Section 8. That the following is listed below:

- 1) Names of all current Board Members; and,
- 2) Term: full or short; and,
- 3) Seats elected by: District or At Large

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David A. Doyle	Short Term 2022-2024	Appointed for Term 2022-2022 / Normally is Elected by at Large

PASSED and ADOPTED by the Board of Directors of the Cupertino Sanitary District, State of California on 18th day of May 2022, by the following vote:

AYES, and in favor thereof, Angela Chen, Taghi Saadati, Patrick Kwok, and David Doyle

NOES: None

ABSTAIN: None

ABSENT: Bill Bosworth

ATTEST:

Secretary Pro-Tem, Cupertino Sanitary District

APPROVED:

Acting President, Cupertino Sanitary District

APPROVED AS TO FORM AND LEGALITY:

Marc Hynes, District Counsel

INFORMATION SHEET

(To be return with Resolution)

Cupertino Sanitary District

DISTRICT CONTACT:

Name/Title: Benjamin T. Porter – District Manager-Engineer

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Phone: 408-253-7071

Fax: 408-253-5173

Email: bporter@markthomas.com

DISTRICT OFFICE DATES AND HOURS OF OPERATION:

Monday – Friday 8:00am – 5:00pm

Date: May 18, 2022

Signed _____

Print Name: Benjamin T. Porter