

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, NOVEMBER 3, 2021**

**AGENDA**

**The meeting will be held at 7:00 p.m. via teleconference [call 1 (866) 899 - 4679 Conference Access Code: 251566821] and anyone interested may also call in. The District Office at 20863 Stevens Creek Blvd, Suite 100, Cupertino is closed.**

**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.

**1. ROLL CALL**

**2. PUBLIC COMMENTS**

This portion of the meeting is reserved for persons desiring to address the board on any matter not on the agenda. Speakers are limited to three (3) minutes.

All statements requiring a response will be referred to staff for further action. In most cases, state law will prohibit the board from making any decisions with respect to a matter not listed on the agenda.

**3. 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.

**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.

**4. MINUTES**

**A. APPROVAL OF THE MINUTES OF OCTOBER 20, 2021**

**B. APPROVED MINUTES OF OCTOBER 6, 2021**

**CUPERTINO SANITARY DISTRICT  
SANITARY BOARD MEETING  
WEDNESDAY, NOVEMBER 3, 2021**

**5. CORRESPONDENCE**

NONE

**6. MEETINGS**

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) TO BE HELD ON NOVEMBER 15, 2021
- B. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) TO BE HELD ON NOVEMBER 18, 2021

**7. REPORTS**

NONE

**8. UNFINISHED BUSINESS**

- A. COVID-19 UPDATES
- B. SAN JOSE SEWER USE ORDINANCE REVISIONS
- C. SUNNYVALE AGREEMENT
- D. ANNUAL REPORT

**9. NEW BUSINESS**

NONE

**10. STAFF REPORT**

- A. CLAIM – TIRE DAMAGE
- B. FUTURE DEVELOPMENT PROJECTS
- C. PEAK FLOW REDUCTION
- D. I-280/WOLFE ROAD SEWER RELOCATION

**11. CALENDAR ITEMS**

- A. NEXT REGULAR DISTRICT BOARD MEETING IS SCHEDULED TO BE HELD ON WEDNESDAY, NOVEMBER 17, 2021

**12. ADJOURNMENT**

## CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY, OCTOBER 20, 2021

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:02 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 Saadati 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, John M. Gatto, and Patrick S. Kwok.

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

District Consultant: Richard Tanaka

Public: None

### 2. PUBLIC COMMENTS:

There were none.

### 3. CLOSED SESSION:

President Saadati adjourned the regular meeting session and opened the closed session at 7:03 p.m.

- 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.

- 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 7:37 p.m. and the regular meeting was called to order. District Manager Porter and Deputy District Manager Woodhouse rejoined the regular meeting.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 20, 2021

4. MINUTES & BILLS:

- A. On a motion by Director Gatto, seconded by President Saadati, by a vote of 5-0-0 the minutes of Wednesday, October 6, 2021, were approved as written.
- B. By consensus, the Minutes of Wednesday, September 15, 2021, are to be Noted & Filed.
- C. The Board reviewed September payable warrants and financial statements. On a motion by Director Gatto, seconded by Director Kwok, by a vote of 5-0-0, the financial statement and payment of bills were approved as written.
- D. Board members will submit their October timesheets to Manager Porter.

5. CORRESPONDENCE:

There was none.

6. MEETINGS:

There are none.

7. REPORTS:

- A. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on October 12, 2021.
- B. Director Kwok reported on teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on October 14, 2021.

8. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates.
- B. The Board discussed the I-280/Wolfe Road Sewer Relocation. Manager Porter discussed a letter that was sent to VTA regarding the District's position that VTA should reimburse the District for the costs of the sewer relocation. The sewer relocation will require specialized engineering expertise to cross I-280. On a motion by Director Gatto, seconded by President Saadati, by a vote of 5-0-0, the Board authorized District Manager to provide \$25,000 initial contract to Bennett Engineering to begin work on the I-280/Wolfe Road Sewer Relocation project.
- C. The Board reviewed the Draft Annual Report.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 20, 2021

9. NEW BUSINESS:

- A. The Board reviewed request for reimbursement of permit fee for Cupertino Permit # BLD-2021-1108. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, the Board approved reimbursement in the amount of \$400.
- B. The Board reviewed sewer service charge correction for Mardesich Companies. On a motion by Director Chen, seconded by Director Gatto, by a vote of 5-0-0, the Board approved payment of correction fee in the amount of \$75 to Santa Clara County, Santa Clara Controller-Treasurer Department Tax Roll Control Unit to make the correction to the special assessment.

10. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Deputy Manager Woodhouse reported on the Peak Flow Reduction program.
- C. Manager Porter reported on the monthly maintenance report.

11. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, November 3, 2021.

12. AB 361:

On a motion by Director Gatto, seconded by President Saadati, by a vote of 5-0-0, 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.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:30 p.m. the meeting was adjourned.

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Secretary of the Sanitary Board

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President of the Sanitary Board

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 6, 2021

REVISED

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 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 Saadati 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, John M. Gatto, and Patrick S. Kwok.

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

District Consultant: Richard Tanaka

Public: None

2. PUBLIC COMMENTS:

There were none.

3. CLOSED SESSION:

President Saadati adjourned the regular meeting session and opened the closed session at 7:00 p.m.

A. Riverwatch Letter Discussion regarding Potential Litigation

Manager Porter and Deputy Manager Woodhouse were excused from the closed session at 7:08 p.m.

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.

Closed session was adjourned at 7:39 p.m. and the regular meeting was called to order. District Manager Porter and Deputy District Manager Woodhouse rejoined the regular meeting. There was no reportable action.

4. MINUTES:

A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0 the minutes of Wednesday, September 15, 2021, were approved.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 6, 2021

REVISED

B. By consensus, the Minutes of Wednesday, September 1, 2021, are to be Noted & Filed.

5. CORRESPONDENCE:

A. The Board reviewed a letter from the City of Sunnyvale – Conveyance of Wastewater from 91 Homes Across Calabazas Creek. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0 the Board agreed to have staff re-open agreement discussions with the City of Sunnyvale and bring back a proposal to the Board.

6. MEETINGS:

A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) scheduled to be held on October 12, 2021.

B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held on October 14, 2021.

7. REPORTS:

A. Manager Porter and Deputy Manager Woodhouse reported on the teleconference meeting of The California Alliance for Sewer System Excellence (CASSE) held on September 30, 2021.

8. UNFINISHED BUSINESS:

A. Manager Porter reported on COVID-19 updates. After discussion, on a motion by Director Bosworth, seconded by Director Gatto, by a vote of 5-0-0 the Board makes the following findings required by AB 361 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.
3. Due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

B. Manager Porter reported on the I-280/Wolfe Sanitary Sewer Relocation. Staff is in discussions with Caltrans and VTA regarding design and construction of a new crossing of I-280 for the District's existing 15-inch diameter sewer. The District's sewer was constructed prior to the I-280 construction so it appears all the costs of the sewer design and construction will be paid for by Caltrans and VTA. District staff will be discussing partnering with Bennett Engineering, a trenchless technology specialty firm, to assist the Mark Thomas Design Team with the design of the bore and jack crossing of the freeway.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, OCTOBER 6, 2021

REVISED

9. NEW BUSINESS:

- A. The Board considered updates to the District website. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0 the Board approved revisions to the District's website including website migration by a contractor, with an initial budget of \$5,000 for the migration services.
- B. The Board reviewed the Draft Annual Report for 2021. Board members provided comments and Staff will make revisions.

10. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Deputy Manager Woodhouse reported on Peak Flow Reduction.

11. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, October 20, 2021.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:46 p.m. the meeting was adjourned.

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Secretary of the Sanitary Board

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President of the Sanitary Board



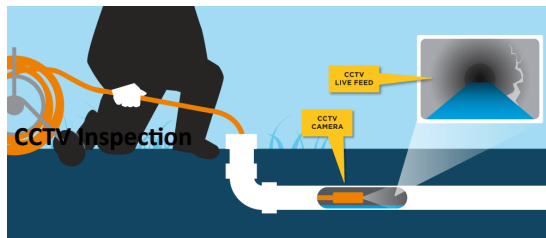
# PEAK FLOW REDUCTION PROGRAM

CuSD has an ongoing program to identify and reduce Inflow and Infiltration (I/I) in the District's sewer system. Inflow is stormwater that enters the system through illicit connections to the sanitary sewer system and Infiltration is stormwater and groundwater that enter through cracks in laterals, mains, and manholes. These flows can significantly limit the ability of the sewer system to convey sewer flows. Cupertino Sanitary District estimates that I/I can make up as much as 50 percent of peak flow in the sewer system during wet weather – and that much of this I/I originates on private property through illicit connections. If I/I is not corrected, it may cost the District millions of dollars to mitigate and will restrict new development projects in the District, while also impacting our capacity agreements. The purpose of the program is to reduce the amount of peak flow entering and exiting the District's sewer system. Reduction of I/I in the system has the potential to lower the risk of sanitary sewer overflows and decrease the costs of conveying and treating wastewater. The District is implementing I/I reduction feasibility studies and analysis in peak flow project areas to assess the cost-effectiveness of I/I reduction. The program is on a scale large enough to potentially offset the need for larger conveyance or storage facilities. The program is implemented in four phases, described below.

## Phase 1: Find Sources of I/I

The District uses Sewer System Evaluation Surveys (SSES) to examine the condition of sewers located on the private/public property lines to identify the likely sources of I/I. SSES methods include smoke testing and closed circuit television (CCTV) inspection.

CCTV cameras are robotically sent through sanitary sewer lines and along each side sewer to record a video of



sewer conditions. CCTV inspections can identify breaks, root intrusion, leaking water and deteriorating conditions.

Smoke Testing involves pumping smoke through sewers from manholes in streets and observing where the smoke exits. The exiting smoke can indicate a broken pipe, or where the roof or foundation drains might be illegally connected to the sewer system.

### Smoke Testing

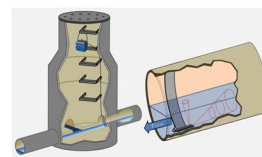


## Phase 2: Fix Sources of I/I

Once the sources of I/I have been identified, the defects that are allowing I/I to enter the sewer system will be repaired. The primary focus of these repairs will be to fix broken pipes, manholes, and joint connections. Another focus is to reduce the amount of I/I that enters the sewer system from storm events by disconnecting roof drain downspouts and other building or yard drains that may be directly connected to the sewer and capping cleanouts.

## Phase 3: Measure Sewer Flows During Rainfall Events

Flow is measured with metering equipment to determine the rainfall that enters the sewer system. Flow Monitoring can help to identify areas of high flows during a rainfall event, indicating the presence of inflow, infiltration, or both.



## Phase 4: Model Peak Flows and Consider Storage

Metered flows are used as input to a hydraulic model of the Cupertino sewer system. The model will be used to determine how I/I flows impact the capacity and peak flow in the system and to assess whether there is sufficient capacity available to accommodate new development in the community.

## OUR MISSION

- To protect the public health and environment.
- To provide for safe and cost-efficient collection of sewage waste.
- To provide for effective conveyance to the Treatment Plant.



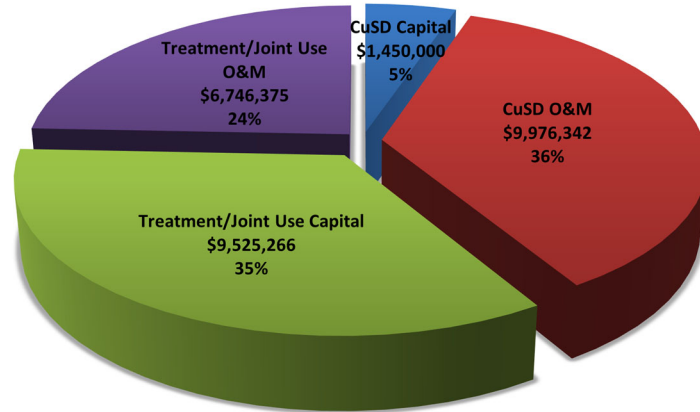
20863 Stevens Creek Boulevard  
Suite 100  
Cupertino, CA 95014

PROPERTY OWNER

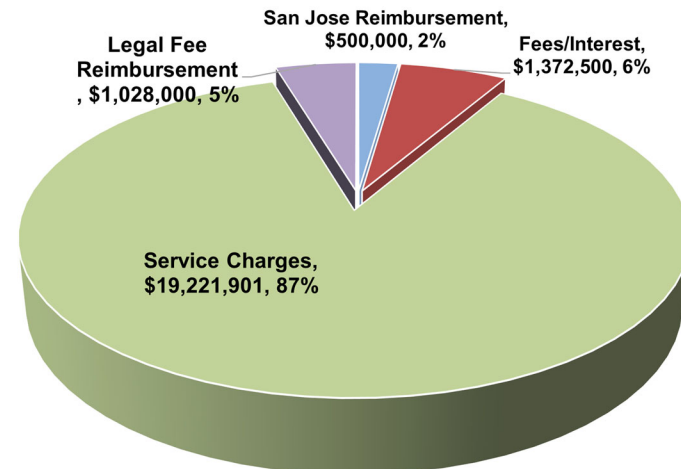


## FACTS & FIGURES

### EXPENSES FY 2021-22



### REVENUE FY 2021-22



## NOTABLE ACCOMPLISHMENTS

- The District Board and Staff completed a comprehensive assessment of the cost of service for each of the District's customers, including residential type, commercial type, and whether the user required pump stations for the conveyance of wastewater to the treatment plant, as defined by regulatory requirements. The District Board adjusted the rates accordingly, based on the cost of service.
- The District has responded to COVID-19 by continuing its operations and maintenance without interruption. Please do your share to help us keep our sewer system running smoothly.

## ANNUAL MAINTENANCE PROGRAM

The District continues to implement its annual maintenance program, District-wide, to help ensure our sewer system is running smoothly. With routine maintenance, we are able to better serve you by keeping the sewer lines clear and focusing on areas with a history of root intrusion and regular stoppages.

The District's contractors access property line cleanouts to rod and flush the lower sewer lateral, pulling out any roots and debris found in the line. Our contractors are licensed professionals who have been working with the District for several years. To see if your property is on our annual maintenance list, or to request service, call our office at (408) 253-7071 and our staff will be happy to assist you.

## COVID-19 UPDATES

We know you're working hard to keep yourselves healthy during the COVID-19 pandemic. There has been an increase in the flushing of toilet paper, paper towels, rags, and disposable wipes. Toilet paper readily breaks down in the system and does not cause issues. However, other paper products do not break down as easily and can create blockage problems in your private lateral and the public sewer.

Help us keep our sewers healthy. Remember to never flush wipes, paper towels or tissues because they clog our pump stations and our pipes! The District has 17 pump stations and it has become a major maintenance issue, resulting in additional costs to maintain the sewer system.

For more information, go to [www.cupertinosanitarydistrict.org](http://www.cupertinosanitarydistrict.org) where you will find additional information and links to recent media coverage, or contact us at (408) 253-7071.



## WHO'S RESPONSIBLE FOR WHAT?

### HOMEOWNER'S RESPONSIBILITY:

The owner is responsible for the "Upper Lateral" portion of the House Lateral. If a blockage occurs within the property line, then the homeowner must take responsibility to hire a plumber to remove the blockage.

A Property Line Clean Out is required by the District to service Lower Laterals. It is the owner's responsibility to have one installed, properly maintained, and accessible at all times.

### DISTRICT'S RESPONSIBILITY:

The District is responsible for the maintenance and service of the lower portion of the lateral and the main sewer line. If a property line cleanout does not exist, the District will not be able to access our portion of the lateral. It is the responsibility of the homeowner to have a cleanout installed at the property line.



**Lower Lateral**  
The District maintains the Lower Lateral from the cleanout at the property line to the main line.

**Upper Lateral**  
The property owner maintains the Upper Lateral.



**CUPERTINO SANITARY DISTRICT  
MEETING/EVENT SCHEDULE**

**Item 11.A.**

<p align="center"><b><u>NOVEMBER 2021</u></b></p> <p>11/03: 1<sup>st</sup> Regular Meeting 11/15: TAC 11/17: 2<sup>nd</sup> Regular Meeting 11/18: TPAC</p>	<table border="1"> <thead> <tr> <th colspan="7">NOVEMBER 2021</th> </tr> <tr> <th>Sunday</th> <th>Monday</th> <th>Tuesday</th> <th>Wednesday</th> <th>Thursday</th> <th>Friday</th> <th>Saturday</th> </tr> </thead> <tbody> <tr> <td></td> <td>1</td> <td>2</td> <td>3 1<sup>st</sup> Regular Meeting</td> <td>4</td> <td>5</td> <td>6</td> </tr> <tr> <td>7</td> <td>8</td> <td>9</td> <td>10</td> <td>11</td> <td>12</td> <td>13</td> </tr> <tr> <td>14</td> <td>15 TAC</td> <td>16</td> <td>17 2<sup>nd</sup> Regular Meeting</td> <td>18 TPAC</td> <td>19</td> <td>20</td> </tr> <tr> <td>21</td> <td>22</td> <td>23</td> <td>24</td> <td colspan="2">25-26 HOLIDAY-OFFICE CLOSED</td> <td>27</td> </tr> <tr> <td>28</td> <td>29</td> <td>30</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	NOVEMBER 2021							Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		1	2	3 1 <sup>st</sup> Regular Meeting	4	5	6	7	8	9	10	11	12	13	14	15 TAC	16	17 2 <sup>nd</sup> Regular Meeting	18 TPAC	19	20	21	22	23	24	25-26 HOLIDAY-OFFICE CLOSED		27	28	29	30											
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