

**CUPERTINO SANITARY DISTRICT
SANITARY BOARD MEETING
WEDNESDAY, SEPTEMBER 21, 2022**

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.

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 positivity rate is over 14% and the County Health Officer continues to encourage social distancing and advises people to 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. 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.

4. 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.

5. MINUTES & BILLS

- A. APPROVAL OF THE REGULAR MEETING MINUTES OF AUGUST 17, 2022
- B. APPROVED MINUTES OF AUGUST 3, 2022
- C. PAYMENT OF BILLS AND APPROVAL OF FINANCIAL STATEMENTS
- D. DIRECTOR'S MONTHLY TIMESHEETS

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6. CORRESPONDENCE

- A. EMAIL FROM CALIFORNIA SPECIAL DISTRICTS ASSOCIATION - INITIATIVE #21-0042A1 (CBRT INITIATIVE)
- B. EMAIL FROM CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) – AB 2247 (BLOOM) - LETTERS OF SUPPORT NEEDED
- C. LETTER FROM RESIDENT REQUESTING SENIOR EXEMPTION OF SEWER SERVICE CHARGES
- D. LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY (LAFCO) SHPERE OF INFLUENCE – LAWRENCE-MITTY USA/SOI

7. MEETINGS

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) HELD ON MONDAY, OCTOBER 10, 2022
- B. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) HELD ON THURSDAY, OCTOBER 13, 2022

8. REPORTS

- A. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT TECHNICAL ADVISORY COMMITTEE (TAC) HELD ON MONDAY, SEPTEMBER 5, 2022
- B. TELECONFERENCE MEETING OF THE SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE (TPAC) TO BE HELD ON THURSDAY, SEPTEMBER 8, 2022
- C. TELECONFERENCE MEETING OF THE SANTA CLARA COUNTY SPECIAL DISTRICTS ASSOCIATION TO BE HELD ON MONDAY, SEPTEMBER 12, 2022

9. UNFINISHED BUSINESS

- A. COVID-19 UPDATES
- B. CUPERTINO FALL FESTIVAL

10. NEW BUSINESS

- A. PURCHASE OF CUES INC LATERAL CAMERA AND GRANITENET SOFTWARE

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11. STAFF REPORT

- A. FUTURE DEVELOPMENT PROJECTS
- B. ETHICS TRAINING CERTIFICATE UPDATE
- C. MAINTENANCE SUMMARY

12. CALENDAR ITEMS

- A. NEXT REGULAR DISTRICT BOARD MEETING IS SCHEDULED TO BE HELD ON WEDNESDAY, OCTOBER 5, 2022
- B. UPCOMING EVENT: CUPERTINO FALL FESTIVAL TO BE HELD SATURDAY, SEPTEMBER 24, 2022

13. ADJOURNMENT

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, AUGUST 17, 2022

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 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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, and David A. Doyle. Patrick S. Kwok was in and out of the meeting due to technical issues.

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

District Consultant: Richard K. Tanaka

Public: None

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.

On a motion by President Bosworth, seconded by Director Chen, by a vote of 4-0-0, the Board approved. Director Kwok was not present for the vote.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:04 p.m. Manager Porter, and Deputy Manager Woodhouse 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.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, AUGUST 17, 2022

President Bosworth adjourned the closed session at 7:29 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy District Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Doyle, by a vote of 4-0-0, the minutes of the regular meeting held Wednesday, August 3, 2022, were approved. Director Kwok was not present for the vote.
- B. By consensus, the Minutes of Monday, July 20, 2022, are to be Noted & Filed.
- C. The Board reviewed July payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the financial statements and payment of bills were approved as written.
- D. Board members will submit their August timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed a letter from LAFCO, titled Adopted FY22-23 LAFCO Budget. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter and Advisor Tanaka both plan to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, September 5, 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 Thursday, September 8, 2022.
- C. Added to the agenda: Director Bosworth plans to attend the Santa Clara County Special District meeting to be held on September 12, 2022.

8. REPORTS:

- A. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, August 8, 2022.
- B. Deputy Manager Woodhouse reported on the California Alliance for Sewer System Excellence (CASSE) teleconference meeting held on Wednesday, August 10, 2022.

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- C. Directors Kwok and Chen reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, August 11, 2022.
- D. Directors Chen, Kwok and Saadati reported on the CSRMA training held on August 10, 2022 in Olympic Valley, CA.
- E. The Board attended the California Association of Sanitation Agencies (CASA) annual conference held August 10-12, 2022 in Olympic Valley, CA.
 - 1. Director Chen reported on the CSRMA Board of Directors meeting.
 - 2. Counsel Hynes reported on the Attorney's Committee meeting.
 - 3. Other conference sessions:
 - Consider adding link on the District website to information about non-flushable wipes.
 - SSMP audit needs to be certified every two years.
 - Consider investigating the Cybersecurity assessment, which is free of charge.

9. UNFINISHED BUSINESS:

- A. The Board reviewed the VTA Utility Agreement for the Wolfe Road Sewer Relocation Project. On motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board approved the agreement as written.
- B. The Board reviewed and discussed the Conflict-of-Interest code. On motion by President Bosworth, seconded by Director Chen, by a vote of 5-0-0, the Board determined that no changes needed to be made to the Conflict-of-Interest Code.
- C. The Board discussed Ethics Certificate Renewal.
- D. There were no Covid-19 updates.

10. NEW BUSINESS:

- A. The Board reviewed the Board Memo requesting Purchase of New Multiquip Trailer Mounted Generator. On motion by President Bosworth, seconded by Director Chen, by a vote of 5-0-0, the Board approved the purchase of a new generator.

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11. STAFF REPORTS:

- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the Monthly Maintenance Summary.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, September 7, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 9:07 p.m. the meeting was adjourned.

Secretary of the Sanitary Board

President of the Sanitary Board

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, AUGUST 3, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:04 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, Patrick S. Kwok, and David A. Doyle.

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

District Consultant: Richard K. Tanaka

Public: None

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 positivity rate is over 14% and the County Health Officer continues to encourage social distancing and advises people to wear masks indoors, 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 Chen, by a vote of 5-0-0 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 7:06 p.m. Manager Porter, and Deputy Manager Woodhouse 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.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, AUGUST 3, 2022

President Bosworth adjourned the closed session at 7:28 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy District Manager Woodhouse rejoined the regular meeting.

5. MINUTES:

- A. On a motion by Director Saadati, seconded by President Bosworth, by a vote of 4-0-1, the minutes of Wednesday, July 20, 2022, were approved with revision. Director Kwok abstained as he was excused and did not attend the July 20, 2022, meeting.
- B. By consensus, the Amended Minutes of Wednesday, June 28, 2022, are to be Noted & Filed.
- C. By consensus, the Amended Minutes of Wednesday, June 15, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

7. MEETINGS:

- A. Manager Porter and District Consultant Tanaka both plan to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on August 8, 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 August 11, 2022.
- C. Four Directors, District Counsel, and Staff plan to attend the CASA Conference to be held August 10-12, 2022, in Olympic Valley, CA. Director Doyle will not attend.

8. REPORTS:

- A. Deputy Manager Woodhouse reported on the Peak Flow Reduction.

9. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates.

10. NEW BUSINESS:

- A. The Board reviewed the memo regarding Annual Renewal of GraniteNet Software. On a motion by Director Saadati, seconded by President Bosworth, by a vote of 5-0-0, the approved the annual renewal of GraniteNet software, and full reimbursement to Mark Thomas in the amount of \$2,150.
- B. The Board reviewed the California Mandatory Retirement Plan. There was no Board action.

11. STAFF REPORTS:

- A. Manager Porter reported on Current Development Projects.

CUPERTINO SANITARY DISTRICT BOARD MEETING
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12. CALENDAR ITEMS:

A. The next regular District Board meeting is scheduled to be held on Wednesday, August 17, 2022.

13. ADJOURNMENT

On a motion properly made and seconded, at 8:07 p.m. the meeting was adjourned.

Secretary of the Sanitary Board

President of the Sanitary Board

**CUPERTINO SANITARY DISTRICT
WARRANTS PAYABLE - September 21, 2022**

<u>WARRANT NUMBER</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	
N/A	M&O	\$ 4,662.81	ADP	Directors' Salary	
19505	M&O	\$ 1,181.91	Dooley Insurance Services	Insurance - Group Life & Dental	
19506	M&O	\$ 2,493.00	East Bay Muni (EBMUD)	Memberships - BACWA	
N/A	M&O	\$ 268.40	CalBank Credit Card Processing Fees	Operating Exp. - Credit Card Processing Fees	
19507	M&O	\$ 399,796.00	City of Santa Clara	Outfall Maintenance	129,651.80
				Outfall Capital	270,144.20
19508	M&O	\$ 392,886.01	Mark Thomas	Office Rent	400.00
				Operating Expenses - General	1,555.49
				Management Services	43,659.16
				Engineering Services	105,080.74
				Peak Flow Reduction	1,797.84
				Plan Checking & Inspection	15,884.27
				Repairs	1,058.16
				Maintenance	177,889.57
				Utilities	1,052.70
				Emergency Funds	7,494.64
				District Sewer Capital & Support	37,013.44
19509	M&O	\$ 2,000.00	Richard K. Tanaka	Legal - Consultant Services	
19510	M&O	\$ 1,926.00	Armento & Hynes LLP	Legal - District Counsel	
19511	M&O	\$ 197,988.72	Hunton Andrews Kurth	Legal - Common Interest Group (Advance Pay)	154,431.20
				Legal - Common Interest Group (CuSD Share)	43,557.52
19512	M&O	\$ 1,259.58	St. Francis Electric	Repairs	
19513	M&O	\$ 427.45	Home Depot	Maintenance	
19514	M&O	\$ 1,980.00	Norfield	Maintenance	
19515	M&O	\$ 3,413.28	Pioneer Research Corp.	Maintenance	
19516	M&O	\$ 8,434.64	CentralSquare-Tritech Software Systems	Maintenance	
19517	M&O	\$ 23,706.54	RotoRooter	Maintenance	
19518	M&O	\$ 85,320.00	AB/JDD Plumbing Heating & AC	Maintenance	84,620.00
				Emergency	700.00
19519	M&O	\$ 100,516.72	Able Underground Construction	Maintenance	74,274.75
				Emergency	2,598.75
				District Sewer Capital & Support	23,643.22
19520	M&O	\$ 785.60	Angela Chen	Travel & Meetings BOD	
19521	M&O	\$ 647.98	Bill Bosworth	Travel & Meetings BOD	
19522	M&O	\$ 609.55	Patrick Kwok	Travel & Meetings BOD	
19523	M&O	\$ 912.37	Taghi Saadati	Travel & Meetings BOD	
19524	M&O	\$ 57.92	City of Santa Clara Utilities	Utilities	
19525	M&O	\$ 4,803.66	PG&E	Utilities	
19526	M&O	\$ 104.08	San Jose Water Company	Utilities	
19527	M&O	\$ 1,435.00	Bennett Trenchless	District Sewer Capital & Support	
19528	M&O	\$ 18,000.00	Cupertino Roofing Inc.	District Sewer Capital & Support	
19529	M&O	\$ 10,389.63	City of San Jose	Outfall Capital	
TOTAL WARRANTS		\$ 1,266,006.85			

<u>Pk Flow Red. Total:</u>	\$ 1,797.84	Mark Thomas
<u>Maintenance Total:</u>	\$ 374,746.23	Mark Thomas, Home Depot, Norfield, Pionner, CentralSquare, Roto Rooter, ABLE, AB/JDD
<u>Utilities Total:</u>	\$ 6,018.36	Mark Thomas, Santa Clara Utilities, PG&E, San Jose Water
<u>Emergency Total:</u>	\$ 10,793.39	Mark Thomas, AB/JDD, Able

EMERGENCY DETAILS:

Roto-Rooter - No emergencies this month
Able - One emergency this month
AB/JDD Plumbing - One emergency this month

CUPERTINO SANITARY DISTRICT
MONTHLY FINANCIAL REPORT THROUGH AUGUST 2022
(2nd Month of Operations - 16% into FY Operations)
 FISCAL YEAR: July 1, 2022 to June 30, 2023

EXPENSE SUMMARY REPORT

Account Name	Account Number	BUDGET	Prior Expenses	Amount Payable	Total To Date Expenses	Remaining Balance	%Expended To Date	Comments
AUG SERVICES								
OPERATING EXPENSES								
Loan Payments	41000	\$1,200,063	\$0.00	\$0.00	\$0.00	\$1,200,063.00	0.0%	None to date
Directors Fees	41030	\$38,000	\$2,643.86	\$4,662.81	\$7,306.67	\$30,693.33	19.2%	On Target
Gasoline, Oil & Fuel	41060	\$4,000	\$0.00	\$0.00	\$0.00	\$4,000.00	0.0%	None to date
Insurance	41060	\$170,000	\$9,147.48	\$1,181.91	\$10,329.39	\$159,670.61	6.1%	Dooley Insurance (Group Life and Dental - October Coverage)
Memberships	41080	\$57,000	\$16,510.23	\$2,493.00	\$19,003.23	\$37,996.77	33.3%	BACWA Membership for FY2022-2023
Office Rent	41090	\$4,800	\$400.00	\$400.00	\$800.00	\$4,000.00	16.7%	On Target
Operating Expenses - General	41100	\$3,000	\$49.90	\$1,555.49	\$1,605.39	\$1,394.61	53.5%	Annual Fall Festival (Booth Registration, Giveaways); New Checks Re-ordered for CuSD Payments
Operating Expenses - Credit Card Transaction Fees	41100-1	\$6,000	\$586.06	\$268.40	\$854.46	\$5,145.54	14.2%	Credit Card Processing Fees - August
Contractual Services:								
Outfall Maintenance	41113	\$71,000	\$46,535.89	\$129,651.80	\$176,187.69	-\$105,187.69	248.2%	City of Santa Clara - O&M Cost Sharing for FY2021-2022 including special O&M projects
T.P. Operations & Maintenance	41114	\$6,902,554	\$1,725,639.00	\$0.00	\$1,725,639.00	\$5,176,915.00	25.0%	None this month
Professional Services:								
Management Services	41121	\$575,000	\$29,314.87	\$43,659.16	\$72,974.03	\$502,025.97	12.7%	On Target
SSMP Certification and Implementation	41121	\$100,000	\$0.00	\$0.00	\$0.00	\$100,000.00	0.0%	None to date
Engineering Services	41122	\$1,365,000	\$105,756.08	\$105,080.74	\$210,836.82	\$1,154,163.18	15.4%	On Target
Inflow/Infiltration Reduction	41122	\$500,000	\$12,284.40	\$1,797.84	\$14,082.24	\$485,917.76	2.8%	Hydraulic model calibration
Plan Checking & Inspection	41123	\$300,000	\$29,543.63	\$15,884.27	\$45,427.90	\$254,572.10	15.1%	On Target
Legal - Consultant Services	41124	\$36,000	\$2,500.00	\$2,000.00	\$4,500.00	\$31,500.00	12.5%	Richard Tanaka - Consulting Services for August 2022
Legal - District Counsel	41124	\$60,000	\$1,845.00	\$1,926.00	\$3,771.00	\$56,229.00	6.3%	District Counsel - Legal Services for August 2022
Legal - Common Interest Group (CuSD Advance Pay)	41124	\$1,404,000	\$141,640.25	\$154,431.20	\$296,071.45	\$1,107,928.55	21.1%	Hunton Andrews Kurth (Legal Services for July)
Legal - Common Interest Group (CuSD Share)	41124	\$396,000	\$39,949.81	\$43,557.52	\$83,507.33	\$312,492.67	21.1%	Hunton Andrews Kurth (Legal Services for July)
Audit	41125	\$12,600	\$0.00	\$0.00	\$0.00	\$12,600.00	0.0%	None to date
Printing & Publications	41130	\$28,000	\$3,376.40	\$0.00	\$3,376.40	\$24,623.60	12.1%	None this month
Repairs and Maintenance								
Repairs	41150	\$300,000	\$9,175.51	\$2,317.74	\$11,493.25	\$288,506.75	3.8%	On Target
Maintenance	41151	\$3,725,000	\$287,138.92	\$374,746.23	\$661,885.15	\$3,063,114.85	17.8%	On Target
Travel & Meetings Staff	41170	\$15,000	\$0.00	\$0.00	\$0.00	\$15,000.00	0.0%	None to date
Travel & Meetings BOD	41170	\$18,000	\$0.00	\$2,955.50	\$2,955.50	\$15,044.50	16.4%	CASA Conference - Travel Expenses August 10-12, 2022
Utilities	41190	\$70,000	\$5,623.20	\$6,018.36	\$11,641.56	\$58,358.44	16.6%	On target
Refunds & Reimbursements:								
Miscellaneous	41201	\$50,000	\$0.00	\$0.00	\$0.00	\$50,000.00	0.0%	None to date
Connection Fees	41202	\$2,000	\$0.00	\$0.00	\$0.00	\$2,000.00	0.0%	None to date
Checking & Inspection	41203	\$3,000	\$0.00	\$0.00	\$0.00	\$3,000.00	0.0%	None to date
Emergency Funds	48000	\$250,000	\$5,245.70	\$10,793.39	\$16,039.09	\$233,960.91	6.4%	AB/JDD (1); Able (1); Mark Thomas stoppage response
Consolidated Election	48001	\$150,000	\$0.00	\$0.00	\$0.00	\$150,000.00	0.0%	None this Fiscal Year
TOTAL OPERATING EXPENSES		\$17,816,017	\$2,474,906.19	\$905,381.36	\$3,380,287.55	\$14,435,729.45	19.0%	
CAPITAL EXPENSES								
District Sewer Capital & Support	46041	\$2,500,000	\$33,765.18	\$80,091.66	\$113,856.84	2,386,143.16	4.6%	Mark Thomas (Wolfe Road; Significant Defect); Bennett Trenchless-VTA; Cupertino Roofing-Florence PS
Treatment Plant Capital	46042	\$3,789,547	\$628,474.00	\$0.00	\$628,474.00	3,161,073.00	16.6%	None this month
Outfall Capital	46042	\$95,000	\$0.00	\$280,533.83	\$280,533.83	(185,533.83)	295.3%	FY2021-2022: City of Santa Clara (\$270,144) including 2 emergency projects; City of San Jose (\$10,389)
District Equipment	46043	\$150,000	\$3,966.20	\$0.00	\$3,966.20	146,033.80	2.6%	None this month
Replacement Fund	46044	\$300,000	\$0.00	\$0.00	\$0.00	\$300,000.00	0.0%	
TOTAL CAPITAL EXPENSES		\$6,834,547	\$666,205.38	\$360,625.49	\$1,026,830.87	\$5,807,716.13	15.0%	
TOTAL EXPENSES		\$24,650,564	\$3,141,111.57	\$1,266,006.85	\$4,407,118.42	\$20,243,445.58	17.9%	

CUPERTINO SANITARY DISTRICT
MONTHLY FINANCIAL REPORT THROUGH AUGUST 2022
(2nd Month of Operations - 16% into FY Operations)
 FISCAL YEAR: July 1, 2022 to June 30, 2023

REVENUE SUMMARY REPORT

Account Name	Account Number	BUDGET	Prior Receipts	Current Month Receipts Aug Receipts	Total Amount Received	Remaining Balance to Collect	% Earned To Date	Comments
OPERATING REVENUES								
Service Charges								
Handbilling	31010	\$618,711.00	\$0.00	\$0.00	\$0.00	\$618,711.00	0.0%	None to date
Tax Roll	31010	\$20,395,721.00	\$0.00	\$0.00	\$0.00	\$20,395,721.00	0.0%	None to date
Permit Fees	31020	\$75,000.00	\$5,528.28	\$9,530.97	\$15,059.25	\$59,940.75	20.1%	Twenty-three payments received this month; Forty payments received to date
Connection Fees	31031	\$600,000.00	\$0.00	\$0.00	\$0.00	\$600,000.00	0.0%	None to date
Capacity Fees	31032	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00	0.0%	None to date
Pump Zone Fees	31033	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00	0.0%	None to date
Checking & Inspection Fees	31040	\$300,000.00	\$7,800.00	\$10,600.00	\$18,400.00	\$281,600.00	6.1%	Twenty-eight payments received this month; Forty-eight payments received to date
Annexation	32010	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	0.0%	None to date
Interest	32050	\$100,000.00	\$0.00	\$33,811.63	\$33,811.63	\$66,188.37	33.8%	FY2021-2022 Q4
City of San Jose Credit(s)	32091	\$500,000.00	\$0.00	\$0.00	\$0.00	\$500,000.00	0.0%	None to date
Legal - Common Interest Group (Tributaries)	32092.1	\$1,404,000.00	\$448,633.07	\$99,439.48	\$548,072.55	\$855,927.45	39.0%	Payments from City of Milpitas and BSD (for June billing); CSD2-3 (for March-June billings)
Legal - Common Interest Group (2% Admin Fees)	32902.2	\$36,000.00	\$9,155.78	\$1,988.78	\$11,144.56	\$24,855.44	31.0%	Payments from City of Milpitas and BSD (for June billing); CSD2-3 (for March-June billings)
Refunds/Reimbursements - Misc.	32091	\$10,000.00	\$0.00	\$2,877.18	\$2,877.18	\$7,122.82	28.8%	Bubb Road, and N. De Anza Blvd.; Add'l. Reimbursement from MTCO for Stolen Equipment
Lateral Construction	32093	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00	0.0%	None to date
TOTAL OPERATING REVENUE		\$24,526,932.00	\$471,117.13	\$158,248.04	\$629,365.17	\$23,897,566.83	2.57%	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	Reserve Account
TOTAL OPERATING REVENUE		\$24,526,932.00	\$471,117.13	\$158,248.04	\$629,365.17	\$23,897,566.83	2.57%	

FDVK#DFFRXQW#VXPPDU

Date	Operating Fund	Replacement Fund	Comingled Fund	Cal Bank Trust Acct	Loan Balance with interest *	Net Cash
June 30, 2022	\$18,765,721.45	\$3,000,000.00	\$15,765,721.45	\$762,082.82	\$1,058,859.55	\$20,586,663.82
July 31, 2022	\$18,057,733.71	\$3,000,000.00	\$15,057,733.71	\$770,283.34	\$1,058,923.08	\$19,886,940.13
August 31, 2022	\$15,040,721.91	\$3,000,000.00	\$12,040,721.91	\$787,005.74	\$1,059,066.69	\$16,886,794.34

FOR CAL BANK SUMMARY, SEE ATTACHED DETAIL.

CALIFORNIA BANK AND TRUST ACCOUNT SUMMARY AS OF 8/31/2022

Cal Bank Activities			Total Interest Earned or Refund Received from CSJ	Interest or Refund Prorated to Loan Balance	Loan Balance w/Interest	Interest or Refund Prorated to \$600K District Savings	District Portion of Savings Balance	Total Savings balance	Checking Acct Balance (Credit Card Payments Received)	TOTAL AT CAL BANK	
No.	Payee	Date	Check Amount		\$10,000,000.00			\$10,000,000.00		\$10,000,000.00	
1001	San Jose	10/16/19	\$2,180,309.00		\$7,819,691.00			\$7,819,691.00		\$7,819,691.00	
1002	San Jose	10/16/19	\$29,515.44		\$7,790,175.56			\$7,790,175.56		\$7,790,175.56	
1003	Tesco	11/20/19	\$17,707.00		\$7,772,468.56			\$7,772,468.56		\$7,772,468.56	
1004	Shape	11/20/19	\$108,814.78		\$7,663,653.78			\$7,663,653.78		\$7,663,653.78	
1005	Tesco	12/18/19	\$169,018.00		\$7,494,635.78			\$7,494,635.78		\$7,494,635.78	
1006	Con Quest	12/18/19	\$385,242.58	\$30,683.35	\$7,140,076.55			\$7,140,076.55		\$7,140,076.55	
1007	San Jose	01/15/20	\$6,966,355.00		\$173,721.55			\$173,721.55		\$173,721.55	
Interest through 3/31/20				\$6,823.36	\$180,544.91			\$180,544.91		\$180,544.91	
Deposit			04/16/20		\$180,544.91		\$600,000.00	\$780,544.91	\$2,996.28	\$783,541.19	
Balance as of 5/30/2020				\$179.37	\$41.50	\$180,586.41	\$137.87	\$600,137.87	\$780,724.28	\$5,744.81	\$786,469.09
Balance as of 6/30/2020				\$197.98	\$45.80	\$180,632.21	\$152.18	\$600,290.05	\$780,922.26	\$31,953.57	\$812,875.83
Balance as of 7/31/2020				\$191.84	\$44.37	\$180,676.58	\$147.47	\$600,437.52	\$781,114.10	\$37,732.75	\$818,846.85
Balance as of 8/31/2020				\$154.53	\$35.74	\$180,712.33	\$118.79	\$600,556.30	\$781,268.63	\$48,220.05	\$829,488.68
Balance as of 9/30/2020				\$25.62	\$5.93	\$180,718.25	\$19.69	\$600,576.00	\$781,294.25	\$56,059.22	\$837,353.47
Balance as of 10/31/2020				\$25.62	\$5.93	\$180,724.18	\$19.69	\$600,595.69	\$781,319.87	\$67,713.45	\$849,033.32
Balance as of 11/30/2020				\$26.47	\$6.12	\$180,730.30	\$20.35	\$600,616.04	\$781,346.34	\$80,097.89	\$861,444.23
Balance as of 12/31/2020				\$26.47	\$6.12	\$180,736.42	\$20.35	\$600,636.39	\$781,372.81	\$89,436.48	\$870,809.29
Balance as of 1/31/2021				\$24.83	\$5.74	\$180,742.17	\$19.09	\$600,655.47	\$781,397.64	\$99,672.14	\$881,069.78
Balance as of 2/28/2021				\$23.98	\$5.55	\$180,747.71	\$18.43	\$600,673.91	\$781,421.62	\$108,211.86	\$889,633.48
Balance as of 3/31/2021				\$28.26	\$6.54	\$180,754.25	\$21.72	\$600,695.63	\$781,449.88	\$121,953.35	\$903,403.23
Balance as of 4/30/2021				\$22.27	\$5.15	\$180,759.40	\$17.12	\$600,712.75	\$781,472.15	\$135,672.77	\$917,144.92
Balance as of 5/31/2021				\$11.99	\$2.77	\$180,762.18	\$9.22	\$600,721.96	\$781,484.14	\$153,926.10	\$935,410.24
Deposit - CSJ Refund			06/22/21	\$1,415,647.00	\$926,889.61	\$1,107,651.79	\$488,757.39	\$1,089,479.35	\$2,197,131.14		
Balance as of 6/30/2021				\$20.34	\$10.25	\$1,107,662.04	\$10.09	\$1,089,489.44	\$2,197,151.48	\$168,561.21	\$2,365,712.69
1008 Voided - CSJ			07/15/21								
Balance as of 7/31/2021				\$36.12	\$18.21	\$1,107,680.25	\$17.91	\$1,089,507.35	\$2,197,187.60	\$190,143.43	\$2,387,331.03
Balance as of 8/31/2021				\$38.53	\$19.42	\$1,107,699.67	\$19.11	\$1,089,526.46	\$2,197,226.13	\$200,919.93	\$2,398,146.06
Balance as of 9/30/2021				\$36.12	\$18.21	\$1,107,717.88	\$17.91	\$1,089,544.37	\$2,197,262.25	\$215,257.91	\$2,412,520.16
1009 Co-Mingled Fund			10/20/21	\$690,453.00			(\$480,000.00)	(\$480,000.00)		(\$210,453.00)	
1010 C2R Engineering			10/20/21	\$49,030.00		(\$49,030.00)					
Balance as of 10/20/2021						\$1,058,687.88		\$609,544.37	\$1,668,232.25	\$4,804.91	\$1,673,037.16
Balance as of 10/31/2021				\$31.44	\$19.95	\$1,058,707.83	\$11.49	\$609,555.86	\$1,668,263.69	\$25,242.07	\$1,693,505.76
Balance as of 11/30/2021				\$29.25	\$18.56	\$1,058,726.40	\$10.69	\$609,566.54	\$1,668,292.94	\$38,319.76	\$1,706,612.70
Balance as of 12/31/2021				\$28.34	\$17.99	\$1,058,744.38	\$10.35	\$609,576.90	\$1,668,321.28	\$55,958.38	\$1,724,279.66
Balance as of 1/31/2022				\$28.34	\$17.99	\$1,058,762.37	\$10.35	\$609,587.25	\$1,668,349.62	\$65,691.28	\$1,734,040.90
Balance as of 2/28/2022				\$25.60	\$16.25	\$1,058,778.61	\$9.35	\$609,596.61	\$1,668,375.22	\$85,965.01	\$1,754,340.23
Balance as of 3/31/2022				\$28.34	\$17.99	\$1,058,796.60	\$10.35	\$609,606.96	\$1,668,403.56	\$106,346.21	\$1,774,749.77
Balance as of 4/30/2022				\$26.51	\$16.82	\$1,058,813.42	\$9.69	\$609,616.65	\$1,668,430.07	\$119,004.80	\$1,787,434.87
Balance as of 5/31/2022				\$29.25	\$18.56	\$1,058,831.98	\$10.69	\$609,627.34	\$1,668,459.32	\$132,240.88	\$1,800,700.20
Balance as of 6/30/2022				\$43.43	\$27.56	\$1,058,859.55	\$15.87	\$609,643.20	\$1,668,502.75	\$152,439.62	\$1,820,942.37
Balance as of 7/31/2022				\$100.11	\$63.53	\$1,058,923.08	\$36.58	\$609,679.78	\$1,668,602.86	\$160,603.56	\$1,829,206.42
Balance as of 8/31/2022				\$226.30	\$143.61	\$1,059,066.69	\$82.69	\$609,762.47	\$1,668,829.16	\$177,243.27	\$1,846,072.43
TOTAL OR BALANCE AMOUNT			\$10,596,444.80	\$1,454,820.96	\$965,058.49	\$1,059,066.69	\$9,762.47	\$609,762.47	\$1,668,829.16	\$177,243.27	\$1,846,072.43

From: Colleen Haley <colleenh@csla.net>
Sent: Tuesday, August 16, 2022 12:37 PM
To: Benjamin Porter <bporter@markthomas.com>
Subject: TAKE ACTION: Initiative #21-0042A1 (CBRT Initiative)

Hi Ben,

I hope you are doing well. I am reaching out to you to provide in update on the CBRT Initiative. The CSDA Board of Directors **OPPOSES [Initiative #21-0042A1](#), otherwise known as the California Business Roundtable Initiative, because it limits the ability of voters and state and local governments to raise revenues for government services.** The California Secretary of State's deadline to submit signatures to counties to qualify for the November, 2024 statewide general election was August 2, 2022. Unfortunately, it looks as if the initiative WILL qualify for the ballot. **Therefore, CSDA is requesting district boards consider passing a resolution in opposition to the measure.**

CSDA opposes initiative #21-0042A1 because it would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure. It specifically does this by:

- *Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees. Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative's proponents and plaintiffs; creating new grounds to challenge these funding sources and disrupting fiscal certainty.*
- *Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.*
- *The initiative also includes provisions that would retroactively void all state and local taxes or fees adopted after January 1, 2022 if they did not align with the provisions of this initiative. This may also affect indexed fees that adjust over time for inflation or other factors. Effectively, it would allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.*

Please see attached sample resolution. As far as the deadline goes, CSDA recommends passing the resolution as soon as is feasible. Once approved, please email your resolution to advocacy@csla.net and consider issuing a press release to local media.

For more information on the initiative, including background analysis and a sample press release, please see [CSDA's website](#).

Thank you so much for the consideration.

-Colleen

Colleen Haley

Bay Area Public Affairs Field Coordinator
California Special Districts Association
[1112 I Street, Suite 200](#)
[Sacramento, CA 95814](#)
530-902-3932 cell
www.csla.net

A Proud California Special Districts Alliance Partner
California Special Districts Association
Special District Risk Management Authority
CSDA Finance Corporation

RESOLUTION NO. 1340

A RESOLUTION OF THE SANITARY BOARD OF THE CUPERTINO SANITARY DISTRICT OPPOSING INITIATIVE 21-0042A1

WHEREAS, an association representing California’s wealthiest corporations and developers is spending millions to push a deceptive proposition aimed for the November 2024 statewide ballot; and

WHEREAS, the proposed proposition, Initiative 21-0042A1, has received the official title: “LIMITS ABILITY OF VOTERS AND STATE AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT”; and

WHEREAS, the measure includes provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure exposes taxpayers to new costly litigation, limits the discretion and flexibility of locally elected boards to respond to the needs of their communities, and injects uncertainty into the financing and sustainability of critical infrastructure; and

WHEREAS, the measure severely restricts state and local officials’ ability to protect our environment, public health and safety, and our neighborhoods against those who violate the law; and

WHEREAS, the measure creates new constitutional loopholes that would allow corporations to pay less than their fair share for the impacts they impose on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure threatens billions of dollars currently dedicated to state and local services, and could force cuts to wastewater management as well as public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to address homelessness, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, ports, drinking water, sanitation, utilities, and more.

THEREFORE, BE IT RESOLVED that the Cupertino Sanitary District opposes Initiative 21-0042A1;

BE IT FURTHER RESOLVED, that the Cupertino Sanitary District will join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state.

PASSED and ADOPTED by the Board of Directors of the Cupertino Sanitary District, State of California on 7th day of September 2022, by the following vote:

AYES, and in favor thereof,

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Secretary, Cupertino Sanitary District

APPROVED:

President, Cupertino Sanitary District

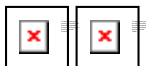
From: CASA <cmackelvie@casaweb.org>
Sent: Friday, September 2, 2022 10:07 AM
To: Frankie Martinez
Subject: Urgent Request - AB 2247 (Bloom) - Letters of Support Needed



CASA's sponsored bill, [AB 2247](#) (Bloom) relating to PFAS disclosure, is headed to the Governor for his signature. CASA is requesting that agencies submit a letter of support to Governor Newsom as soon as possible. The Governor has until September 30 to sign or veto all of the bills sent to him in the final weeks of Session. Attached is a [template letter of support](#) that can be customized for your agency. All letters should be submitted to the Governor via [email](#). In addition to sending your letter of support to the Governor, please send a copy to CASA staff. If you need any help with drafting or submitting your letter, please reach out to [Spencer Saks](#).

AB 2247 is an important bill that will help water and wastewater agencies better identify sources of PFAS entering their systems. The bill would require manufacturers of products that contain intentionally added PFAS to annually disclose the presence of PFAS in their products on a publicly accessible database beginning in 2026. We are partnering with Clean Water Action and Environmental Working Group to co-sponsor this legislation, which is a critical first step in reducing sources of PFAS in our waterways and environment.

Thank you for bolstering CASA's advocacy efforts with a letter of support for AB 2247. For questions about the bill or submitting a support letter, please contact [Jessica Gauger](#).



CASA represents more than 125 local public agencies engaged in the collection, treatment and recycling of Wastewater and biosolids to protect public health and the environment. Our mission is to provide trusted information and advocacy on behalf of California clean water agencies, and to be a leader in sustainability and utilization of renewable resources.

[Visit Our Website](#)

CASA | 925 L Street, Suite 200, Sacramento, CA 95814

[Unsubscribe fmartinez@markthomas.com](#)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by cmackelvie@casaweb.org

DISTRICT MANAGER-ENGINEER

MARK THOMAS & COMPANY, INC.
BENJAMIN T. PORTER, P.E.

DISTRICT COUNSEL

ARMENTO AND HYNES, LLP
MARC HYNES



BOARD OF DIRECTORS

WILLIAM A. BOSWORTH
PATRICK S. KWOK
ANGELA S. CHEN
TAGHI S. SAADATI
DAVID A. DOYLE

20863 STEVENS CREEK BOULEVARD, SUITE 100
CUPERTINO, CALIFORNIA 95014-2154
PHONE (408) 253-7071 • Fax (408) 253-5173
WWW.CUPERTINOSANITARYDISTRICT.ORG

September 07, 2022

The Honorable Gavin Newsom
Governor of the State of California
1021 O Street, Room 9000
Sacramento, CA 95814

Subject: AB 2247 (Bloom): Support & Signature Request

Dear Governor Newsom:

The Cupertino Sanitary District respectfully requests your signature on AB 2247 (Bloom), which would require manufacturers of PFAS or products containing intentionally added PFAS to disclose the presence of PFAS in those products on a publicly accessible database. This is important and necessary information that will inform state and local decision making regarding the management of PFAS in our watersheds and the environment.

Per- and Polyfluoroalkyl substance (PFAS) have recently become a topic of public concern, due to their high mobility and resistance to breaking down naturally in the environment, as well as the persistent detection of PFAS compounds in people's bodies. The State is comprehensively investigating levels of PFAS in our environment, with a particular focus on water and wastewater resources. While significant progress is being made towards identifying pathways of PFAS in our water and sewer sheds, additional information is needed for agencies to be able to make efficient management decisions: local water and wastewater agencies need to know what exactly they are looking for in order to implement effective source reduction policies to limit PFAS inputs into our systems. AB 2247 would allow us to use the PFAS disclosure data required from manufacturers of PFAS or products containing intentionally added PFAS to optimize pollution prevention programs at the local level through our local pre-treatment programs. Furthermore, this information would generate consumer awareness about the chemicals used in everyday products and how they impact the environment. We need data to support practical and cost-effective management solutions, and AB 2247 is an important first step towards this end goal.

It's important to note that PFAS chemicals are ubiquitous. Without better information about sources of PFAS to support source control, local water management options are limited and costly, leading to affordability concerns for the delivery of essential public services. In some cases, PFAS can be removed from water and wastewater at the end of the cycle through advanced treatment technology. However, once removed, PFAS residuals are merely displaced and transferred to another waste stream and typically cycle back through the waste management process.

DISTRICT MANAGER-ENGINEER

MARK THOMAS & COMPANY, INC.
BENJAMIN T. PORTER, P.E.

DISTRICT COUNSEL

ARMENTO AND HYNES, LLP
MARC HYNES



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20863 STEVENS CREEK BOULEVARD, SUITE 100
CUPERTINO, CALIFORNIA 95014-2154
PHONE (408) 253-7071 • Fax (408) 253-5173
WWW.CUPERTINOSANITARYDISTRICT.ORG

The author and sponsors of AB 2247 have been actively engaged with the opposition to address their concerns by exempting medications and medical devices from reporting, removing criminal penalties, and extending the reporting deadline.

For these reasons Cupertino Sanitary District supports AB 2247 and respectfully requests your signature when it arrives to your desk.

Sincerely,

William A. Bosworth,
President, Board of Directors

CC: Assembly Member Richard Bloom
[Jessica Gauger](#), California Association of Sanitation Agencies

Manoush Yegyayan
7543 Newcastle Drive
Cupertino, CA 95014

8/29/22

RECEIVED

SEP - 1 2022


CUPERTINO
SANITARY DISTRICT

Cupertino Sanitation District
Attn: Board Members
20863 Stevens Creek Blvd.
Cupertino, CA 95014

Dear Cupertino Sanitation District Board Members,

I am writing on behalf of my senior citizen Mother, Manoush Yegyayan who lives by herself in her home of over 30 years. We were directed to address a letter to you to request a discount or exemption for my Mother on her yearly tax bill under Special Assessments. My Mother is on a fixed income and current inflation and cost of living is posing a financial challenge for her to meet her bills. I am a single Mother and educator and am not in a position to assist financially and so we are asking if you would consider removing this special assessment from her bill. Thank you for your time, empathy, and consideration.

Thanks and Best Regards,



Kohar Scott
(818)415-4769

From: Abello, Emmanuel <Emmanuel.Abello@ceo.sccgov.org>
Sent: Friday, August 5, 2022 1:19 PM
Subject: LAFCO Certificate of Completion - Lawrence Expressway-Mitty Way USA/SOI Amendment and Reorganization 2022
Attachments: Assessor Report Lawrence-Mitty Park USA SOI & Reorganization 2022 Detachment from San Jose and Annexation to Cupertino rpt.pdf; Lawrence-Mitty USA SOI- Certificate of Completion.pdf; Assessor Report - Lawrence-Mitty Park USA SOI & Reorganization 2022 Annexation to SCCCFPD rpt.pdf

Follow Up Flag: Follow up
Due By: Monday, August 8, 2022 11:30 AM
Flag Status: Flagged

Please see attached LAFCO Certificate of Completion and Santa Clara County Assessor's Reports listing the parcel included in the completed **Lawrence Expressway-Mitty Way Urban Service Area/Sphere of Influence Amendment and Reorganization 2022**. This reorganization takes effect today, **August 5, 2022**.

This email and its PDF attachments constitute the official notification to your agency relating to this completed annexation. Your agency will be notified of all future annexations using the email address(es) you provided. To continue to receive notices on future annexations, please let us know when there are changes to your agency's emails.

Thank you,
Emmanuel Abello
Associate Analyst
LAFCO of Santa Clara County
777 North First Street, Suite 410
San Jose, CA 95112
(408) 993-4705
Twitter: [@SantaClaraLAFCO](https://twitter.com/SantaClaraLAFCO)
www.SantaClaraLAFCO.org

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County of Santa Clara
Office of the County Assessor

County Government Center
70 West Hedding Street
San Jose, CA 95110-1771
Fax (408) 298-9446



Lawrence E. Stone, Assessor

REPORT OF THE COUNTY ASSESSOR

Date Report Prepared: **June 14, 2022**

Title of Proposal: **Lawrence-Mitty Park USA/SOI Amendment & Reorganization 2022 - Detachment from the City of San Jose & Annexation to the City of Cupertino**

Type of Application: **Anx/Detach to City**

Conducting Authority: **Local Agency Formation Commission**

1. Review of Proposal

- a. Location: Lawrence Expressway / Mitty Avenue
- b. Assessor's Parcel Numbers: 375-21-001 & 375-22-001 (both are owned by the City of Cupertino, & both are public parcels) 7.89 AC +/-
- c. Respective Net value of assessed parcels as of July 1, 2021: \$0

2. Conformity to Lines of Assessment or Ownership

- Boundaries of proposal conform.
- Boundaries of proposal fail to conform to lines of assessment per attached map.
- Upon annexation, lines of assessment will no longer be split by TRA lines within this proposal.

3. Special Districts

Special districts within the proposed area include:

TRA 17-024	TRA
017-024 0265 RANCHO RINCONADA PARK & REC	
017-024 0069 CUPERTINO UNION ELEM. SCHOOL	
017-024 0135 FREMONT UNION HIGH SCHOOL	
017-024 0196 FOOTHILL COMM. COLLEGE	
017-024 0323 SANTA CLARA VALLEY-ZONE NC-1 COUNTY WATER	
017-024 0021 SAN JOSE CITY	
017-024 0215 BAY AREA JT(1,7,21,28,38,41,43,48,49) AIR QUALITY MGMT.	
017-024 0322 SANTA CLARA VALLEY COUNTY WATER	
017-024 0376 SANTA CLARA VALLEY-ZONE W-4 COUNTY WATER	
017-024 0335 SANTA CLARA COUNTY IMPORTATION WATER-MISC.	

Prepared By:

Anita Badger, Property & Title Identification Technician
(408) 299-5506 anita.badger@asr.sccgov.org

COPY

Place Clerk Recorder sticker below this line

WHEN RECORDED, PLEASE MAIL
THIS TO:

LAFCO
777 N. First St., Suite 410
San Jose, CA 95112

25354184

Regina Alcomendras
Santa Clara County - Clerk-Recorder
08/05/2022 12:07 PM

CONFORMED COPY

Copy of document recorded.
Has not been compared with original.

CERTIFICATE OF COMPLETION:
LAWRENCE-MITTY USA/SOL AMENDMENT AND REORGANIZATION 2022

DOCUMENT TITLE



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
San Jose, CA 95112
SantaClaraLAFCO.org

Commissioners
Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Linda J. LeZotte
Mike Wasserman
Susan Vicklund Wilson

Alternate Commissioners
Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull
Executive Officer
Neelima Palacherla

CERTIFICATE OF COMPLETION

I, Neelima Palacherla, Executive Officer of the Santa Clara County Local Agency Formation Commission, issue this Certificate of Completion pursuant to Government Code Sections 57200 and 57201.

The name of the City is: **Cupertino.**

The entire City is located in Santa Clara County.

The proceedings completed are an **Urban Service Area Amendment** and **Sphere of Influence Amendment** for the cities of San Jose and Cupertino, a **Sphere of Influence Amendment** for the Santa Clara County Fire Protection District, and a **REORGANIZATION** which includes detachment of property from the **City of San Jose** and annexation to the **City of Cupertino** and to the Santa Clara County Central Fire Protection District. The maps and descriptions of the boundaries of the urban service area and sphere of influence amendments, and of the reorganization are appended hereto.

The title of this proceeding is: **Lawrence Expressway-Mitty Way Urban Service Area/
Sphere of Influence Amendment and Reorganization
2022**

The date of adoption of the **LAFCO Resolution No. 2022-04** approving the urban service area amendment, sphere of influence amendments and reorganization is **April 6, 2022.**

The City has complied with all the conditions of approval imposed by the Commission on Lawrence Expressway-Mitty Way Urban Service Area/Sphere of Influence Amendment and Reorganization 2022 as of June 9, 2022.

I declare under the penalty of perjury in the State of California that the foregoing is true and correct.

Date: 7/22/22

Neelima Palacherla
Neelima Palacherla, Executive Officer
LAFCO of Santa Clara County

Attachment:

Resolution No. 2022-04 with:

- Attachment 1 – Map of Urban Service Area/ Sphere of Influence Amendment
- Attachment 2 – Sphere of Influence Determinations for City of Cupertino
- Attachment 3 – Detachment from City of San Jose and Annexation to City of Cupertino Exhibit A (Legal Description) and Exhibit B (Map)
- Attachment 4 – Sphere of Influence Determinations for Santa Clara County Central Fire Protection District (CCFD)
- Attachment 5 –Annexation to CCFD Exhibit A (Legal Description) and Exhibit B (Map)

RESOLUTION NO. 2022-04

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF SANTA CLARA COUNTY APPROVING AN AMENDMENT TO THE URBAN SERVICE
AREA AND SPHERE OF INFLUENCE BOUNDARIES FOR THE CITIES OF CUPERTINO AND
SAN JOSE AND APPROVING THE LAWRENCE EXPRESSWAY-MITTY WAY
REORGANIZATION 2022**

**LAWRENCE EXPRESSWAY-MITTY WAY
USA/SOI AMENDMENT AND REORGANIZATION 2022**

WHEREAS, a request by the City of Cupertino to amend the urban service area (USA) and sphere of influence (SOI) boundaries for the cities of Cupertino and San Jose in order to detach approximately 7.91 acres located west of Lawrence Expressway (comprising APNs 375-21-001 and 375-22-001) from the City of San Jose and to annex said properties to the City of Cupertino and to the Santa Clara County Central Fire District was heretofore filed with the Local Agency Formation Commission of Santa Clara County (LAFCO); and

WHEREAS, the City of Cupertino adopted Resolution No. 21-072 requesting LAFCO to amend the City's USA and SOI boundaries and to detach approximately 7.91 acres of land located west of Lawrence Expressway (comprising APNs 375-21-001 and 375-22-001) from the City of San Jose and to annex said properties to the City of Cupertino and Santa Clara County Central Fire Protection District; and the City of San Jose adopted Resolution No. 80360 supporting the detachment of said properties from the City of San Jose and the annexation of said properties to the City of Cupertino; and

WHEREAS, the Santa Clara County Central Fire Protection District (CCFD) does not object to the amendment of the CCFD's Sphere of Influence boundary and annexation of APNs 375-21-001 and 375-22-001 to CCFD; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including her recommendations, the proposal and report having been presented to and considered by LAFCO; and

WHEREAS, the subject territory is uninhabited and it has been determined to the satisfaction of LAFCO that all owners of the land included in this proposal consent to the proposal; and

WHEREAS, the Executive Officer has provided notice of public hearing pursuant to Government Code Section 56663 and no written opposition to the proposal was received before the conclusion of the LAFCO proceedings; and

WHEREAS, LAFCO as a Responsible Agency has complied with the California Environmental Quality Act (CEQA) incident to its consideration of this request, as described below; and

RESOLUTION NO. 2022-04

NOW, THEREFORE, the LAFCO of Santa Clara County, does hereby resolve, determine and order as follows:

SECTION 1:

1. As a Responsible Agency under CEQA, LAFCO finds that the Project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15061(b)(3).

SECTION 2:

1. LAFCO hereby approves the urban service area (USA) and sphere of influence (SOI) amendment for the cities of Cupertino and San Jose as shown in Attachment 1 and adopts SOI determinations as stated in Attachment 2.

SECTION 3:

1. LAFCO hereby approves the detachment of approximately 7.91 acres of land (APNs 375-21-001 and 375-22-001) from the City of San Jose and approves the concurrent annexation of said properties to the City of Cupertino, conditioned on receiving the County Surveyor-approved legal description and map for the reorganization [Attachment 3 (Exhibit A & B)].

SECTION 4:

1. LAFCO hereby approves the amendment of the Santa Clara County Central Fire Protection District's sphere of influence to include APNs 375-21-001 and 375-22-001 and adopts SOI determinations as stated in Attachment 4.

SECTION 5:

1. LAFCO hereby approves the annexation of APNs 375-21-001 and 375-22-001 to the Santa Clara County Central Fire Protection District, conditioned on receiving the County Surveyor-approved legal description and map for the annexation [Attachment 5 (Exhibits A & B)].

SECTION 6:

1. LAFCO hereby waives protest proceedings pursuant to Government Code Section 56662(a).

///

///

RESOLUTION NO. 2022-04

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Clara County, State of California, on April 6, 2022, by the following vote:

AYES: CHAPMAN, CONSTANTINE, ELLENBERG, JIMENEZ, LEZOTTE, WASSERMAN, VICKLUND WILSON

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:
Rich Constantine
49E434F935CF48E
Rich Constantine, Chairperson
LAFCO of Santa Clara County

ATTEST:

DocuSigned by:
Emmanuel Abello
43C41738CE194CA
Emmanuel Abello, LAFCO Clerk

APPROVED AS TO FORM:

DocuSigned by:
Joshua Nelson
4E6C9855F30946A
Malathy Subramanian, LAFCO Counsel

CERTIFICATION

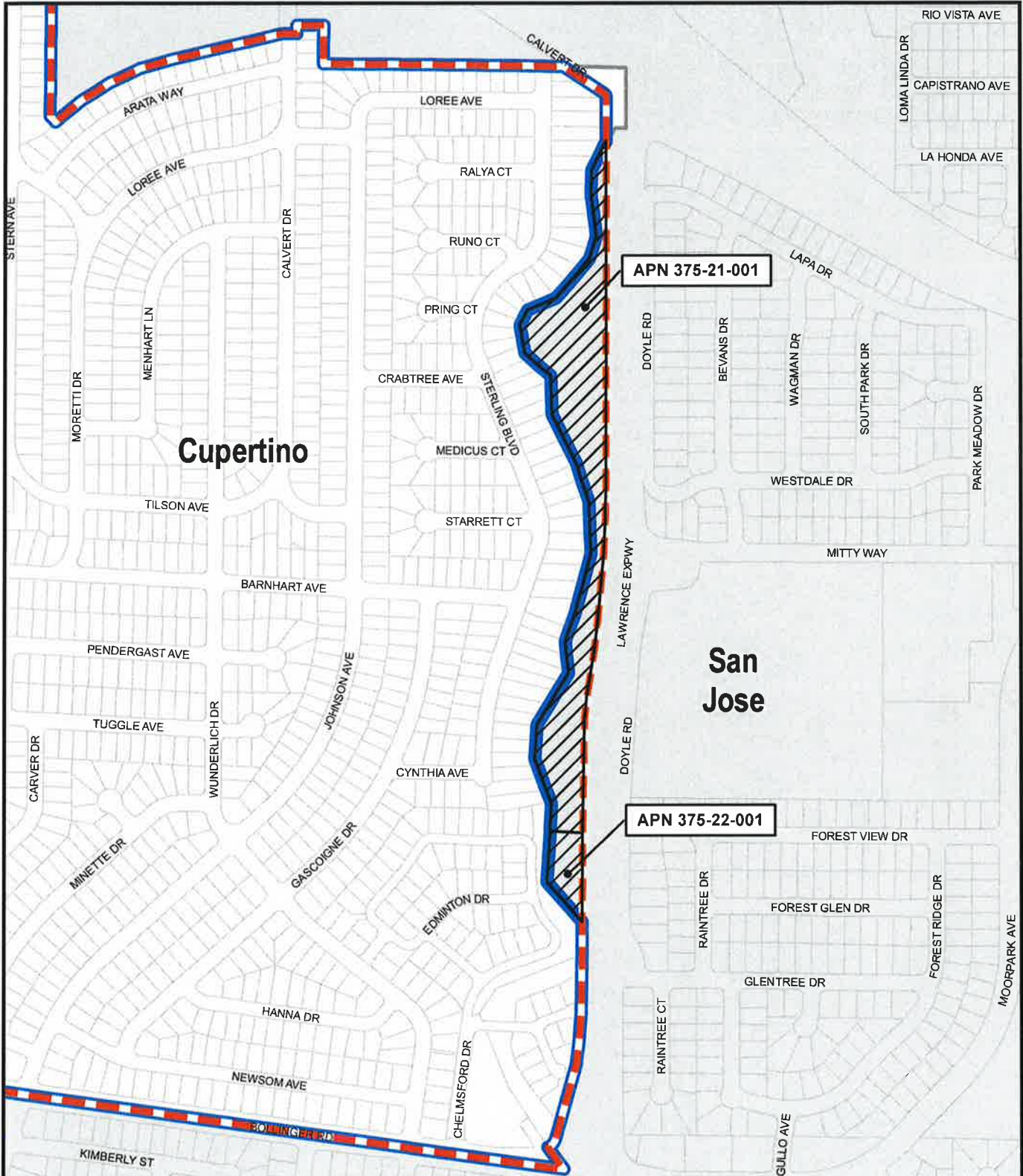
This is to certify that the foregoing document is a true and correct copy of the original.

Emmanuel Abello 7/7/21
Emmanuel Abello, LAFCO Clerk




Attachments to Resolution No. 2022-02



- Attachment 1 – Map of USA/SOI Amendment
- Attachment 2 – SOI Determinations for City of Cupertino
- Attachment 3 – Exhibit A – Legal Description of Reorganization
Exhibit B – Map of Reorganization
- Attachment 4 – SOI Determinations for Santa Clara County Central Fire Protection District (CCFD)
- Attachment 5 – Exhibit A – Legal Description of Annexation to CCFD
Exhibit B – Map of Annexation to CCFD

**Lawrence Expressway-Mitty Way
Urban Service Area / Sphere of Influence Amendment and Reorganization 2022**



County of Santa Clara
 Department of Planning and Development
 County Government Center, East Wing
 70 West Hedding St., 7th Floor
 San Jose, California 95110

-  Proposed for Detachment from San Jose and Annexation to Cupertino
-  Proposed Cupertino and San Jose USA/SOI Boundary
-  Current Cupertino and San Jose USA/SOI Boundary

-  City of Cupertino
-  City of San Jose



RESOLUTION NO. 2022-04

LAWRENCE EXPRESSWAY-MITTY WAY
USA/SOI AMENDMENT AND REORGANIZATION 2022

SPHERE OF INFLUENCE DETERMINATIONS FOR CITY OF CUPERTINO

1. Present and planned land uses in the area, including agricultural and open space lands.

The subject parcels are both undeveloped. The City of Cupertino owns the parcels and anticipates using them for public park and open space purposes in the future, consistent with the current and proposed land use designations and zoning/pre-zoning designations of both cities. Additionally, the proposal area includes a portion of the San Tomas Aquino-Saratoga Creek Trail which is currently maintained by the City of Cupertino. Lastly, the subject parcels do not include agricultural lands as defined in the CKH Act.

2. Present and probable need for public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City of Cupertino anticipates using the subject parcels for public park and open space purposes in the future. Depending on the City's actual development plans for the site, various urban services/infrastructure and utilities will need to be extended to the site, such as water (San Jose Water Company), sanitary sewer (City of Sunnyvale by contract), law enforcement (County Sheriff by contract), fire protection (CFPD), etc. Public services appear adequate. However, as proposed, the subject parcels should be annexed to CFPD to receive fire services.

3. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The present capacity of public facilities appears to be adequate. No new facilities are required to serve the subject parcels. However, as proposed, the subject parcels should be annexed to CFPD to receive fire services.

4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The subject parcels are surrounding by the City of Cupertino on three sides (north, south, and west) and are proposed for detachment from the City of San Jose and annexation to the City of Cupertino and the CFPD. The City of Cupertino owns the parcels and anticipates using them for public park and open space purposes in the future. Additionally, the proposal area includes a portion of the San Tomas Aquino-Saratoga Creek Trail which is currently maintained by the City of Cupertino. There is a social and economic interaction between the City of Cupertino and the area.

5. Present and probable need for water, wastewater, and structural fire protection facilities and services in any disadvantaged unincorporated communities within the existing sphere of influence.

There are no disadvantaged unincorporated communities (DUCs) within the City of Cupertino's SOI based upon mapping information provided by the State of California Department of Water Resources.

EXHIBIT "A"

LAWRENCE-MITTY PARK
URBAN SERVICE AREA/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2022:

DETACHMENT FROM CITY OF SAN JOSE
AND ANNEXATION TO CITY OF CUPERTINO
GEOGRAPHIC DESCRIPTION



All that certain property, situate in a portion of Quito Rancho, in the County of Santa Clara, State of California, described as follows:

Beginning at a point being on the boundary line common to the City of San Jose (Annexation - Doyle No. 4) and the City of Cupertino (Annexation - Rancho Rinconada 98-09); said point being at the southeast corner of Lot 246, as shown upon that certain map entitled "Tract 1183", which was filed for record on June 23, 1953, in Book 44 of Maps, at Page 11, Santa Clara County Records, said point being on the westerly line of Lawrence Expressway, as said line is shown upon that unrecorded plan entitled "Lawrence Expressway Unit No. 6A"-layout details sheets for stations 1+00.23 to 40+00;

- 1 - Thence, leaving said common boundary line, South $00^{\circ}44'33''$ East, along said westerly line of Lawrence Expressway, 1,055.78 feet;
- 2 - Thence, to the beginning of a tangent curve to the right, having a radius of 5,433.00 feet, a central angle of $5^{\circ}01'21''$, an arc length of 476.25 feet;
- 3 - Thence, South $4^{\circ}16'48''$ West, 511.37 feet;
- 4 - Thence, to the beginning of a tangent curve to the left, having a radius of 5,567.00 feet, a central angle of $5^{\circ}01'21''$, an arc length of 488.00 feet;
- 5 - Thence, South $0^{\circ}44'33''$ East, 377.17 feet, to a point on the boundary line common to the City of San Jose (Annexation - Doyle No. 4) and the City of Cupertino (Annexation - Rancho Rinconada 98-09);

Thence, along said boundary line common to the City of San Jose and the City of Cupertino, the following bearings and distances:

- 6 - Thence, leaving said westerly line of Lawrence Expressway, North $43^{\circ}00'40''$ West, 192.89 feet;
- 7 - Thence, North $2^{\circ}11'00''$ East, 282.38 feet;
- 8 - Thence, North $20^{\circ}09'45''$ West, 177.77 feet, portions of said line also the easterly boundary of Parcel 5, as shown upon said Parcel Map, which was filed for record in Book 609 of Maps, at Page 6 in Santa Clara County Records, and the easterly boundary of lots 292, 291 and 290, as shown upon said map of "Tract 1183";

Thence, continuing along the easterly boundary of the "Tract 1183", the following courses and distances:

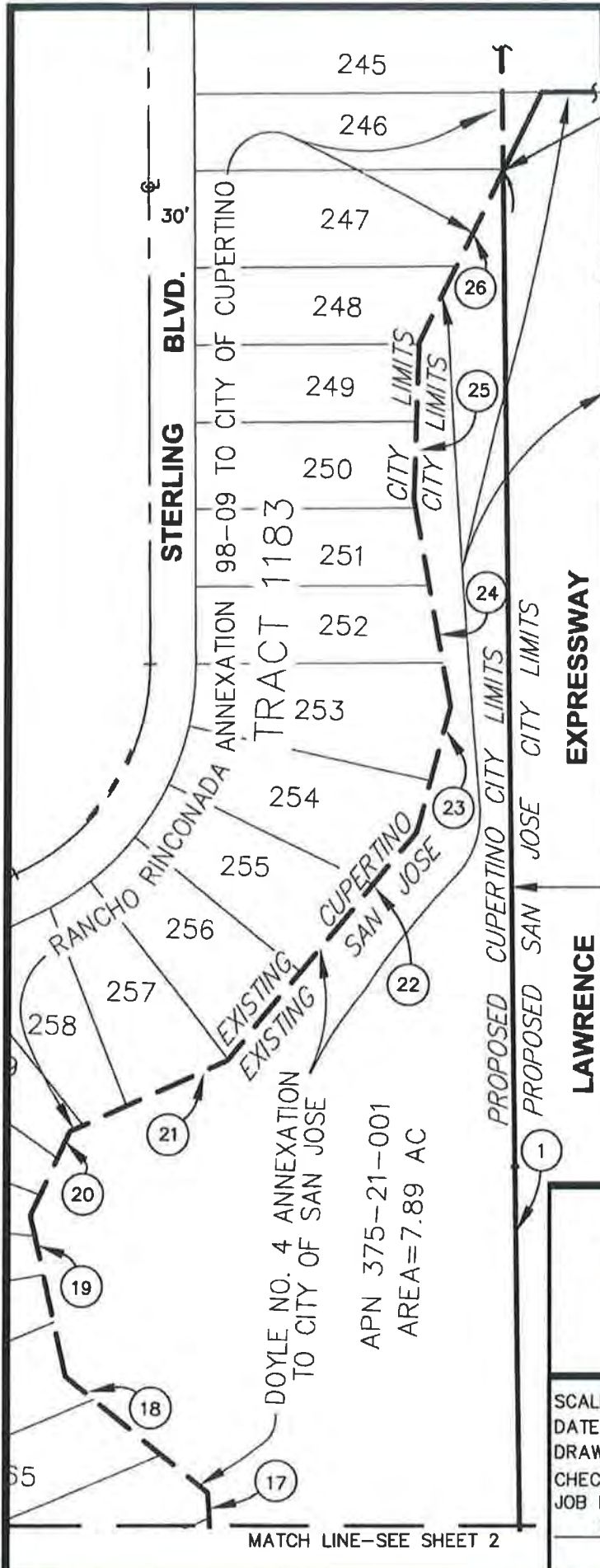
- 9 - North 4°04'45" East, 125.69 feet;
- 10 - North 29°51'15" East, 214.50 feet;
- 11 - North 6°13'45" West, 116.81 feet
- 12 - North 19°26'45" East, 109.24 feet;
- 13 - North 14°30'00" East, 228.20 feet;
- 14 - North 3° 22'45" West, 191.71 feet;
- 15 - North 19° 29'45" West, 151.30 feet;
- 16 -North 27°45'15" West, 189.35 feet;
- 17 - North 3°17'15" West, 147.02 feet;
- 18 - North 50°51'45" West, 121.65 feet;
- 19 - North 12°27'45" West, 107.74 feet;
- 20 - North 25°06'15" East, 61.00 feet;
- 21 - North 66°02'15" East, 113.84 feet;
- 22 - North 39°42'00" East, 194.78 feet;
- 23 - North 15°14'00" East, 85.91 feet;
- 24 - North 10°16'15" West, 138.43 feet;
- 25 - North 1°51'30" East, 103.33 feet;
- 26 - North 26°18'45" East, 126.23 feet, to the **POINT OF BEGINNING.**

Containing an area of 7.89 acres, more or less.

END OF DESCRIPTION.

Disclaimer:

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis of an offer for sale of the land described.

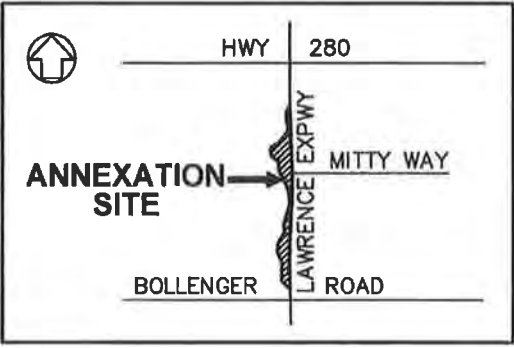


AREA OF ANNEXATION = 7.89± ACRES

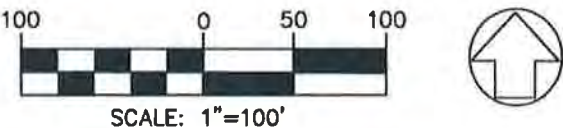
POINT OF BEGINNING

LEGEND
 --- EXISTING CITY LIMITS BOUNDARY
 - - - PROPOSED CITY LIMITS BOUNDARY
 SCVWD SANTA CLARA VALLEY WATER DISTRICT

DISCLAIMER
 FOR ASSESSMENT PURPOSES ONLY, THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



LOCATION MAP
N.T.S.



NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.



EXHIBIT "B"

GK Giuliani & Kull - San Jose, Inc.
 Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
 San Jose, California 95129
 (408) 615-4000

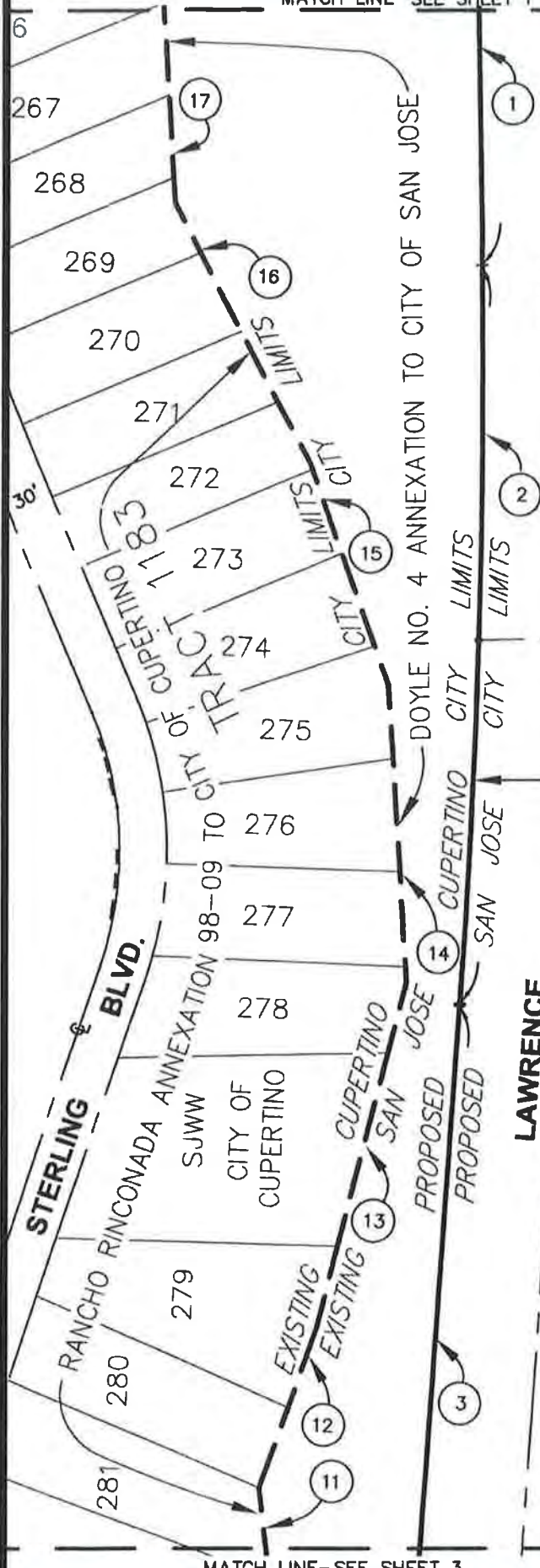
SCALE: 1"=100'
 DATE: 3/30/22
 DRAWN: E.T.
 CHECKED: M.H.
 JOB NO.: 19129
 SHEET 1 OF 3

LAWRENCE EXPRESSWAY-MITTY WAY
 URBAN SERVICE AREA/SPHERE OF
 INFLUENCE AMENDMENT AND
 REORGANIZATION 2022:

DETACHMENT FROM CITY OF SAN
 JOSE AND ANNEXATION TO CITY OF
 CUPERTINO

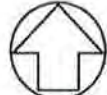
MATCH LINE-SEE SHEET 2

MATCH LINE—SEE SHEET 1



NO.	BEARING	DISTANCE	RADIUS	DELTA	LENGTH
1	S00°44'33"E	1055.78'	—	—	—
2	—	—	5433.00'	5°01'21"	476.25'
3	S4°16'48"W	511.37'	—	—	—
4	—	—	5567.00'	5°01'21"	488.00'
5	S00°44'33"E	377.17'	—	—	—
6	N43°00'40"W	192.89'	—	—	—
7	N2°11'00"E	282.38'	—	—	—
8	N20°09'45"W	177.77'	—	—	—
9	N4°04'45"E	125.69'	—	—	—
10	N29°51'15"E	214.50'	—	—	—
11	N6°13'45"W	116.81'	—	—	—
12	N19°26'45"E	109.24'	—	—	—
13	N14°30'00"E	228.20'	—	—	—
14	N3°22'45"W	191.71'	—	—	—
15	N19°29'45"W	151.30'	—	—	—
16	N27°45'15"W	189.35'	—	—	—
17	N3°17'15"W	147.02'	—	—	—
18	N50°51'45"W	121.65'	—	—	—
19	N12°27'45"W	107.74'	—	—	—
20	N25°06'15"E	61.00'	—	—	—
21	N66°02'15"E	113.84'	—	—	—
22	N39°42'00"E	194.78'	—	—	—
23	N15°14'00"E	85.91'	—	—	—
24	N10°16'15"W	138.43'	—	—	—
25	N1°51'30"E	103.33'	—	—	—
26	N26°18'45"E	126.23'	—	—	—

NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.



SCALE: 1"=100'



EXHIBIT "B"

GK Giuliani & Kull - San Jose, Inc.
 Engineers • Planners • Surveyors

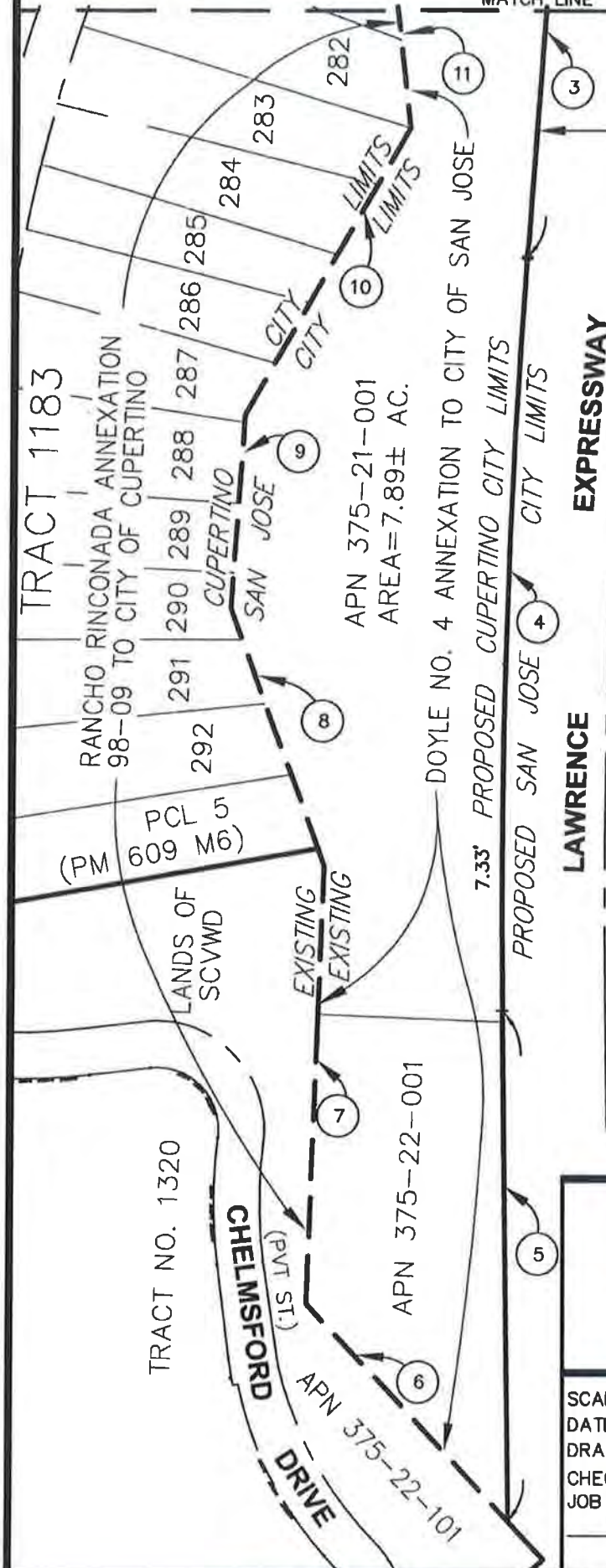
4880 Stevens Creek Blvd. Suite 100
 San Jose, California 95129
 (408) 615-4000

SCALE: 1"=100'
 DATE: 3/30/22
 DRAWN: E.T.
 CHECKED: M.H.
 JOB NO.: 19129
 SHEET 2 OF 3

LAWRENCE EXPRESSWAY—MITTY WAY
 URBAN SERVICE AREA/SPHERE OF
 INFLUENCE AMENDMENT AND
 REORGANIZATION 2022:

DETACHMENT FROM CITY OF SAN
 JOSE AND ANNEXATION TO CITY OF
 CUPERTINO

MATCH LINE—SEE SHEET 3



NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.

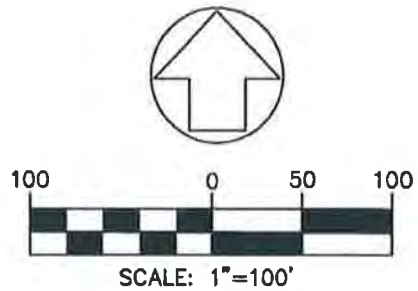


EXHIBIT "B"

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Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
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(408) 615-4000

SCALE: 1"=100'
DATE: 3/30/22
DRAWN: E.T.
CHECKED: M.H.
JOB NO.: 19129
SHEET 3 OF 3

LAWRENCE EXPRESSWAY—MITTY WAY
URBAN SERVICE AREA/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2022:

DETACHMENT FROM CITY OF SAN
JOSE AND ANNEXATION TO CITY OF
CUPERTINO

ATTACHMENT 4

RESOLUTION NO. 2022-04

LAWRENCE EXPRESSWAY-MITTY WAY USA/SOI AMENDMENT AND REORGANIZATION 2022

SPHERE OF INFLUENCE DETERMINATIONS FOR SANTA CLARA COUNTY CENTRAL FIRE PROTECTION DISTRICT

1. Nature, location, extent, functions, and classes of services provided.

CFPD provides fire protection services, emergency medical service response, hazardous materials response, technical rescue response, arson investigations, public education, communication/dispatch, training, fire code and law enforcement, engineering services, vehicle/fleet maintenance services, and regional incident command resources.

CFPD serves portions of the unincorporated area and the cities of Cupertino, Monte Sereno, Los Gatos and a portion of Saratoga. CFPD also provides fire protection service by contract to cities of Campbell, Los Altos, as well as the Los Altos Hills County Fire Protection District and Saratoga Fire Protection District.

2. Present and planned land uses in the area, including agricultural and open space lands.

The subject parcels are both undeveloped. The City of Cupertino owns the parcels and anticipates using them for public park and open space purposes in the future, consistent with the current and proposed land use designations and zoning/pre-zoning designations of both cities. Additionally, the proposal area includes a portion of the San Tomas Aquino-Saratoga Creek Trail which is currently maintained by the City of Cupertino. Lastly, the subject parcels do not include agricultural lands as defined in the CKH Act.

3. Present and probable need for public facilities and adequacy of public services that the agency provides or is authorized to provide.

The subject parcels are both undeveloped. A portion of a public trail is located on the edge of the subject parcels. Development of these parcels for public park and open space purposes will increase the need for fire protection and emergency services. CFPD has one fire station in the vicinity of the proposal area.

4. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

CFPD has the ability to provide fire services to the subject parcels. The District's present capacity of public facilities and services is adequate.

5. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The subject parcels are proposed for detachment from the City of San Jose and annexation to the City of Cupertino and to the CFPD. The proposal area includes a portion of the San Tomas Aquino-Saratoga Creek Trail which is currently maintained by the City of Cupertino. CFPD serves the City of Cupertino. There is a social and economic interaction between CFPD, the City of Cupertino, and the area.

RESOLUTION NO. 2022-04

6. Present and probable need for water, wastewater, and structural fire protection facilities and services in any disadvantaged unincorporated communities within the existing sphere of influence.

There are no disadvantaged unincorporated communities (DUCs) within CFPD's SOI based upon mapping information provided by the State of California Department of Water Resources.

EXHIBIT "A"

LAWRENCE-MITTY PARK
URBAN SERVICE AREA/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2022:

ANNEXATION TO SANTA CLARA COUNTY
CENTRAL FIRE PROTECTION DISTRICT
GEOGRAPHIC DESCRIPTION



All that certain property, situate in a portion of Quito Rancho, in the County of Santa Clara, State of California, described as follows:

Beginning at a point being on the boundary line common to the City of San Jose (Annexation - Doyle No. 4) and the City of Cupertino (Annexation - Rancho Rinconada 98-09); said point being at the southeast corner of Lot 246, as shown upon that certain map entitled "Tract 1183", which was filed for record on June 23, 1953, in Book 44 of Maps, at Page 11, Santa Clara County Records, said point being on the westerly line of Lawrence Expressway, as said line is shown upon that unrecorded plan entitled "Lawrence Expressway Unit No. 6A"-layout details sheets for stations 1+00.23 to 40+00;

- 1 - Thence, leaving said common boundary line, South 00° 44' 33" East, along said westerly line of Lawrence Expressway, 1,055.78 feet;
- 2 - Thence, to the beginning of a tangent curve to the right, having a radius of 5,433.00 feet, a central angle of 5° 01' 21", an arc length of 476.25 feet;
- 3 - Thence, South 4° 16' 48" West, 511.37 feet;
- 4 - Thence, to the beginning of a tangent curve to the left, having a radius of 5,567.00 feet, a central angle of 5° 01' 21", an arc length of 488.00 feet;
- 5 - Thence, South 0° 44' 33" East, 377.17 feet, to a point on the boundary line common to the City of San Jose (Annexation - Doyle No. 4) and the City of Cupertino (Annexation - Rancho Rinconada 98-09);

Thence, along said boundary line common to the City of San Jose and the City of Cupertino, the following bearings and distances:

- 6 - Thence, leaving said westerly line of Lawrence Expressway, North 43° 00' 40" West, 192.89 feet;
- 7 - Thence, North 2° 11' 00" East, 282.38 feet;
- 8 - Thence, North 20° 09' 45" West, 177.77 feet, portions of said line also the easterly boundary of Parcel 5, as shown upon said Parcel Map, which was filed for record in Book 609 of Maps, at Page 6, in Santa Clara County Records, and the easterly boundary of lots 292, 291 and 290, as shown upon said map of "Tract 1183";

Thence, continuing along the easterly boundary of the "Tract 1183", the following courses and distances:

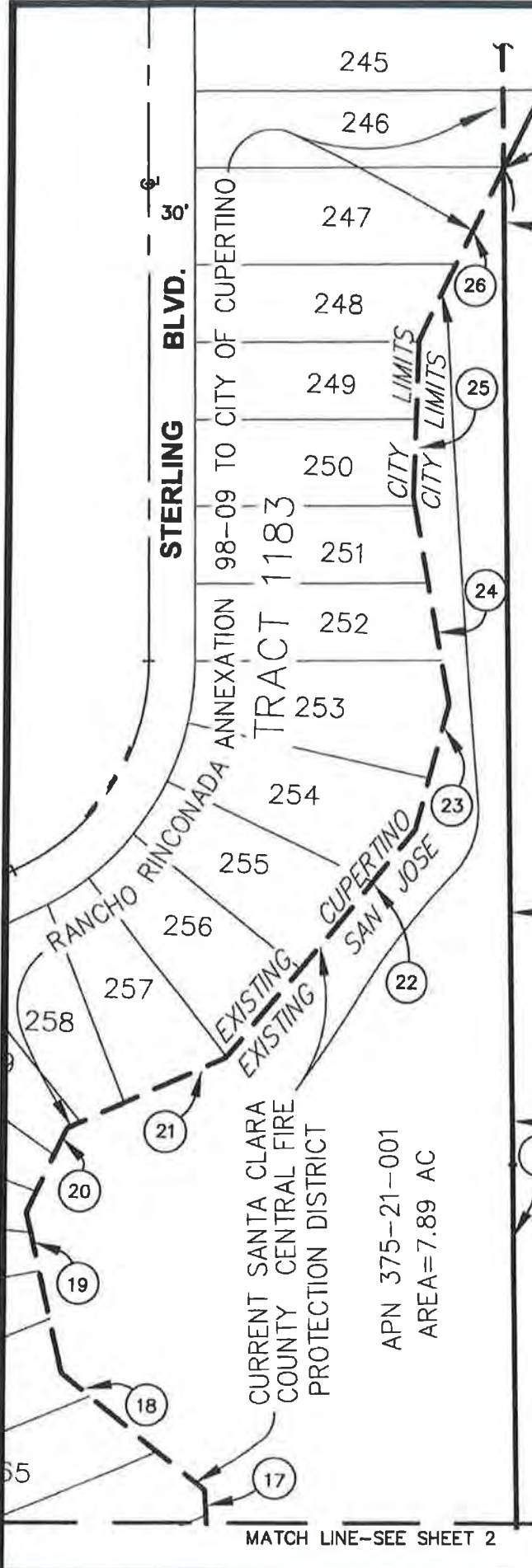
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- 14 - North $3^{\circ}22'45''$ West, 191.71 feet;
- 15 - North $19^{\circ}29'45''$ West, 151.30 feet;
- 16 - North $27^{\circ}45'15''$ West, 189.35 feet;
- 17 - North $3^{\circ}17'15''$ West, 147.02 feet;
- 18 - North $50^{\circ}51'45''$ West, 121.65 feet;
- 19 - North $12^{\circ}27'45''$ West, 107.74 feet;
- 20 - North $25^{\circ}06'15''$ East, 61.00 feet;
- 21 - North $66^{\circ}02'15''$ East, 113.84 feet;
- 22 - North $39^{\circ}42'00''$ East, 194.78 feet;
- 23 - North $15^{\circ}14'00''$ East, 85.91 feet;
- 24 - North $10^{\circ}16'15''$ West, 138.43 feet;
- 25 - North $1^{\circ}51'30''$ East, 103.33 feet;
- 26 - North $26^{\circ}18'45''$ East, 126.23 feet, to the **POINT OF BEGINNING.**

Containing an area of 7.89 acres, more or less.

END OF DESCRIPTION.

Disclaimer:

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis of an offer for sale of the land described.



AREA OF ANNEXATION = 7.89± ACRES

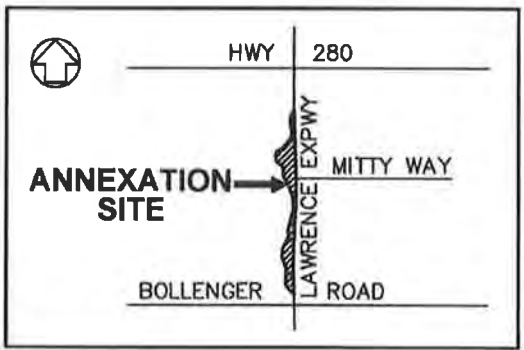
POINT OF BEGINNING

LEGEND

- EXISTING CITY LIMITS BOUNDARY
- PROPOSED CITY LIMITS BOUNDARY
- SCVWD SANTA CLARA VALLEY WATER DISTRICT

DISCLAIMER

FOR ASSESSMENT PURPOSES ONLY, THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



LOCATION MAP

N.T.S.



SCALE: 1"=100'



NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.



Mark A. Helton

EXHIBIT "B"

GK Giuliani & Kull - San Jose, Inc.
Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000

SCALE: 1"=100'
DATE: 3/30/22
DRAWN: E.T.
CHECKED: M.H.
JOB NO.: 19129
SHEET 1 OF 3

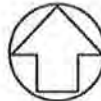
LAWRENCE EXPRESSWAY-MITTY WAY URBAN SERVICE AREA/SPHERE OF INFLUENCE AMENDMENT AND REORGANIZATION 2022:

ANNEXATION TO SANTA CLARA COUNTY CENTRAL FIRE PROTECTION DISTRICT

MATCH LINE-SEE SHEET 1

NO.	BEARING	DISTANCE	RADIUS	DELTA	LENGTH
1	S00°44'33"E	1055.78'	---	---	---
2	---	---	5433.00'	5°01'21"	476.25'
3	S4°16'48"W	511.37'	---	---	---
4	---	---	5567.00'	5°01'21"	488.00'
5	S00°44'33"E	377.17'	---	---	---
6	N43°00'40"W	192.89'	---	---	---
7	N2°11'00"E	282.38'	---	---	---
8	N20°09'45"W	177.77'	---	---	---
9	N4°04'45"E	125.69'	---	---	---
10	N29°51'15"E	214.50'	---	---	---
11	N6°13'45"W	116.81'	---	---	---
12	N19°26'45"E	109.24'	---	---	---
13	N14°30'00"E	228.20'	---	---	---
14	N3°22'45"W	191.71'	---	---	---
15	N19°29'45"W	151.30'	---	---	---
16	N27°45'15"W	189.35'	---	---	---
17	N3°17'15"W	147.02'	---	---	---
18	N50°51'45"W	121.65'	---	---	---
19	N12°27'45"W	107.74'	---	---	---
20	N25°06'15"E	61.00'	---	---	---
21	N66°02'15"E	113.84'	---	---	---
22	N39°42'00"E	194.78'	---	---	---
23	N15°14'00"E	85.91'	---	---	---
24	N10°16'15"W	138.43'	---	---	---
25	N1°51'30"E	103.33'	---	---	---
26	N26°18'45"E	126.23'	---	---	---

NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.



SCALE: 1"=100'



EXHIBIT "B"

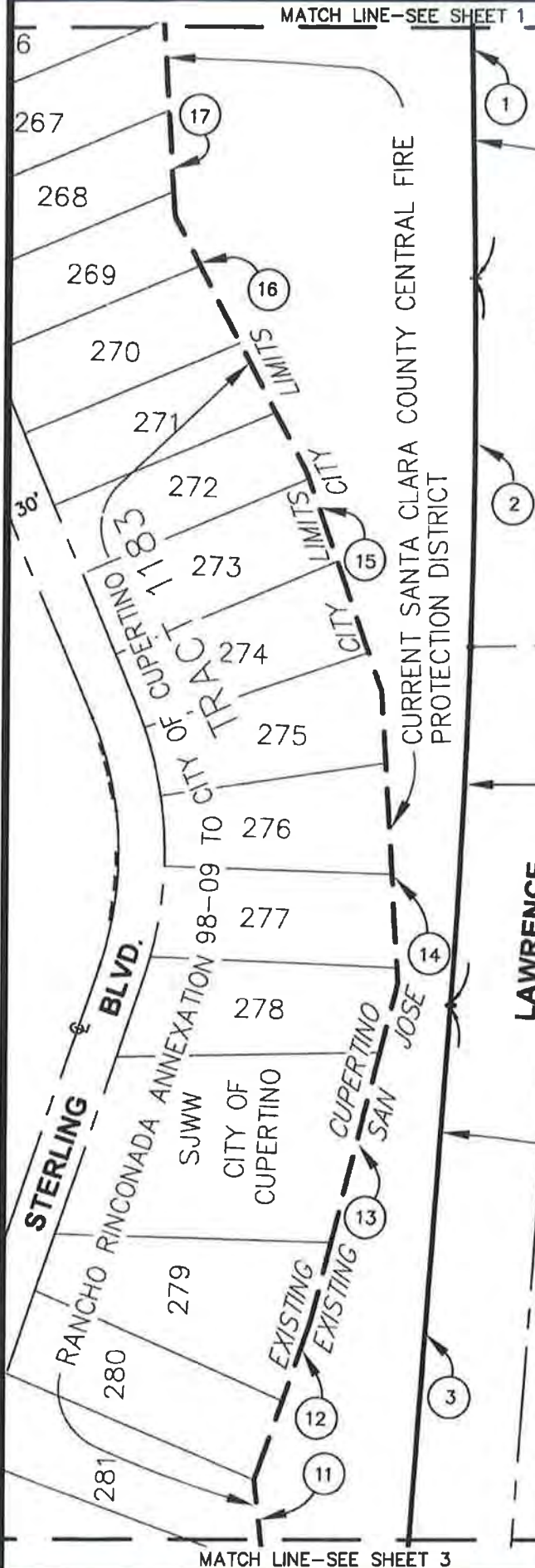
GK Giuliani & Kull - San Jose, Inc.
Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000

SCALE: 1"=100'
DATE: 3/30/22
DRAWN: E.T.
CHECKED: M.H.
JOB NO.: 19129
SHEET 2 OF 3

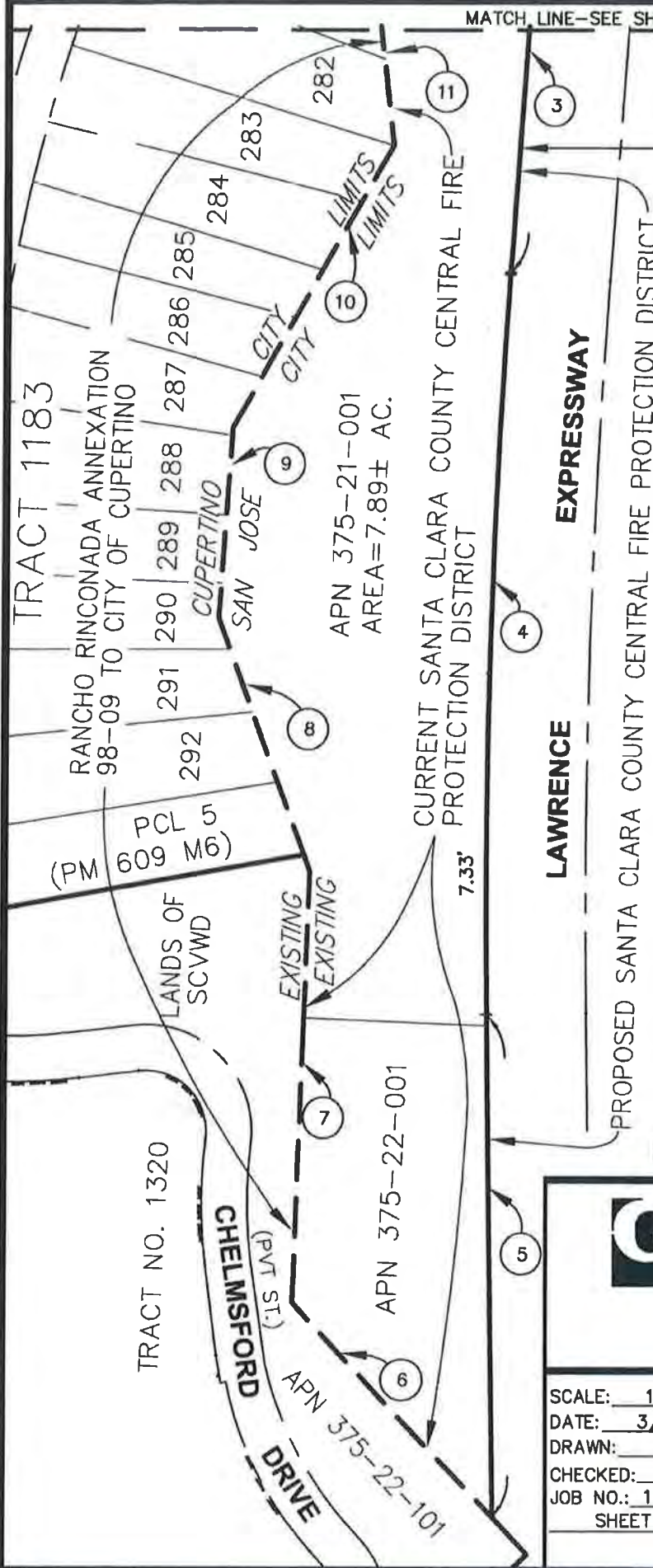
LAWRENCE EXPRESSWAY-MITTY WAY
URBAN SERVICE AREA/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2022:

ANNEXATION TO SANTA CLARA
COUNTY CENTRAL FIRE PROTECTION
DISTRICT

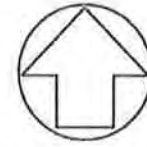


MATCH LINE-SEE SHEET 3

MATCH LINE-SEE SHEET 2



NOTE: THE WESTERLY BOUNDARY OF LAWRENCE EXPRESSWAY WILL BECOME THE COMMON CITY LIMITS LINE BETWEEN THE CITY OF SAN JOSE AND THE CITY OF CUPERTINO WITH THIS ANNEXATION.



SCALE: 1"=100'



Mark A. Helton

EXHIBIT "B"

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SHEET 3 OF 3

LAWRENCE EXPRESSWAY-MITTY WAY
URBAN SERVICE AREA/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2022:

ANNEXATION TO SANTA CLARA
COUNTY CENTRAL FIRE PROTECTION
DISTRICT

County of Santa Clara
Office of the County Assessor

County Government Center
70 West Hedding Street
San Jose, CA 95110-1771
Fax (408) 298-9446



Lawrence E. Stone, Assessor

REPORT OF THE COUNTY ASSESSOR

Date Report Prepared: **June 14, 2022**

Title of Proposal: **Lawrence-Mitty Park USA/SOI Amendment & Reorganization 2022 - Annexation to Santa Clara County Central Fire Protection District**

Type of Application: **Annexation to District**

Conducting Authority: **Local Agency Formation Commission**

1. Review of Proposal

- a. Location: Lawrence Expressway / Mitty Avenue
- b. Assessor's Parcel Numbers: 375-21-001 & 375-22-001 (both are owned by the City of Cupertino, & both are public parcels) 7.89 AC +/-
- c. Respective Net value of assessed parcels as of July 1, 2021: \$0

2. Conformity to Lines of Assessment or Ownership

- Boundaries of proposal conform.
- Boundaries of proposal fail to conform to lines of assessment per attached map.
- Upon annexation, lines of assessment will no longer be split by TRA lines within this proposal.

3. Special Districts

Special districts within the proposed area include:

TRA 17-024	TRA
017-024 0265 RANCHO RINCONADA PARK & REC	
017-024 0069 CUPERTINO UNION ELEM. SCHOOL	
017-024 0135 FREMONT UNION HIGH SCHOOL	
017-024 0196 FOOTHILL COMM. COLLEGE	
017-024 0323 SANTA CLARA VALLEY-ZONE NC-1 COUNTY WATER	
017-024 0021 SAN JOSE CITY	
017-024 0215 BAY AREA JT(1,7,21,28,38,41,43,48,49) AIR QUALITY MGMT.	
017-024 0322 SANTA CLARA VALLEY COUNTY WATER	
017-024 0376 SANTA CLARA VALLEY-ZONE W-4 COUNTY WATER	
017-024 0335 SANTA CLARA COUNTY IMPORTATION WATER-MISC.	

Prepared By:

Anita Badger, Property & Title Identification Technician
(408) 299-5506 anita.badger@asr.sccgov.org



Memo

Item 10A

To: Board of Directors

From: Benjamin T. Porter, District Manager-Engineer

Date: September 21, 2022

RE: Purchase of CUES Inc Lateral Camera and GraniteNet Software

This memorandum provides a summary of the quote provided by CUES Inc towards the purchase of a CCTV lateral camera along with GraniteNet CCTV data management software for Cupertino Sanitary District (CuSD or District).

The 2021 Smoke Testing investigation has shown that most of the Inflow/Infiltration (I/I) defects are in the upper and lower laterals. Over half of the inflow problem is from the lower laterals. District is responsible for the operation and maintenance of lower laterals and it is important we accurately assess their condition. It is necessary to document the condition of our lower laterals when they are televised. Currently, we only have record of the condition of the mainlines in our asset management software (Lucity), which represents 70% of the pipes that we manage. Condition of the lower laterals is not recorded in Lucity. Purchasing the CUES lateral inspection CCTV camera and GraniteNet data recording software will enable us to build our CCTV database for laterals and thereby enable us to see our entire system in the next couple of years.

The Sewer System Management Plan (SSMP) 2022 annual audit report and our resilience in planning also revealed that 90% of our SSOs originate from laterals. It is important to assess the condition of lower laterals and make informed decisions during the prioritization of the lower laterals for maintenance and rehabilitation work. Reducing SSOs will help us to reduce the risk of SSOs. Therefore, getting a CCTV camera for lateral and data management software will help us to focus on the potential problem areas.

Staff recommends the Board to approve the purchase of new CUES lateral camera and GraniteNet Data software, which costs \$21,490.06.

Included in this memo is a quote we received from WECO industries toward the purchase of Cues lateral CCTV camera and GraniteNet data management software, and a lateral camera brochure.

Attachments (2):

1. WECO Industries - Lateral Camera Quote
2. CUES INC - Brochure of CCTV lateral camera



Quote No. 081622

4971 ALLISON PKWY SUITE A
VACAVILLE, CA 95688

(800) 677-6661 Fax: (707) 446-7933

QUOTATION

Customer

Contact Vani Kathula
Company Mark Thomas
Address 20863 Steven Creek Blvd

Date 8/16/2022
Expiration 10/16/2022
Salesman Joe Luckhurst
Terms NET-30
Delivery DESTINATION
FOB DESTINATION

City Cupertino State CA Zip 95014
Phone 1-408-477-7320

Item	Qty	U/M	Part No.	Description	Unit Price	TOTAL
			MPLUS+	Cues Mini Portable TV System MPLUS+	\$16,088.00	
1	1	ea		Pro Scout III Color Camera Self Leveling with 512 HZ Built In Sonde for use in 2" - 12" pipes		
2	1	ea		Camera Head Protection Sleeve.		
3	1	ea		Wheeled Stainless Steel Storage Reel with 10" Wheels.		
4	1	ea		200 Feet of Push Cable.		
5	1	ea		Weather Proof / Water Resistant Electronics Enclosure That Swivels, Tilts, or Removeable for Remote Operation.		
6	1	ea		LCD Display 8.4" High Resolution with Sun Shade.		
7	1	ea		User Friendly Weather Proof Keyboard.		
8	1	ea		Digital Video Recorder with SD Media Card.		
9	1	ea		Electronic Footage Display.		
10	1	ea		Alpah Numeric Titling.		
11	1	ea		Built In 12 Volt Battery with Charger.		
12	1	ea		Conections for Auxiliary Monitor, Video In/Out, Quadrature Out.		
13	1	ea		Accessory Bag		
OPTIONS						
O1	1	ea	-----	Truck Digital 2.4 GHz Wireless Video Receiver -----	\$654.74	
O2	1	ea	GN512	Software, GraniteNet Lateral Module	\$2,950.00	
SUB-TOTAL					\$19,692.74	
CA STATE SALES TAX @ 9.125%					\$1,797.32	
FREIGHT					\$0.00	
TOTAL DELIVERED AND TRAINED					\$21,490.06	

Weco

Offering Complete Solutions
For Our Municipal and Contractor Customers
Visit our web site- <http://www.wecoind.com>

Subtotal	
Shipping & Handling	
Taxes	
Other	
TOTAL	

"The Standard of the Industry"



MPlus+ & MPlus+ XL

Portable Lateral & Mini-Mainline Push System

The CUES MPlus+ offers the most flexible and feature packed lateral and mini-mainline push system on the market. The MPlus+ modular design combines easy operation with its refined all-in-one set up with the flexibility of facilitating quick removal of the control unit to be used separately for off road or remote jobsites or to accommodate compact storage. The MPlus+ is the most versatile push system available in the market today.



The advanced MPlus+ system stands out by integrating all of the most sought after features into an easy to use and intuitive package.



This lightweight system is manufactured for rugged reliability and designed to handle rigorous field use.



Push cables incorporate exclusive HDPE jackets and advanced fiberglass rods designed for longer pushes and extended life.



Contact your CUES Regional Sales Representative for a complete list of optional equipment!



MPLUS+ COILER & CAMERA

- Two coiler configurations for lateral & mini-mainline push applications:
 - Industry leading push cables with exclusive HDPE jackets
 - Configurable for any installed push rod length
 - On-screen customizable distance counter
- Standard configuration lateral coiler – 100, 200, 300 and 350ft push cable lengths available:
 - .444" optimized push cable (.197" fiberglass rod) for longer pushes
- XL coiler configuration for mini-mainline applications – 300, 350, 400 and 500ft push cable lengths available:
 - .517" rigid push cable (.236" fiberglass rod) for larger pipeline applications.
 - Configurations include standard SR3 self-leveling camera for 2" - 12" pipelines and an optional advanced pan & tilt camera head for 4" - 12" pipelines.

MPlus+ & MPlus+ XL

Features & Benefits

Full featured control unit offers advanced text writing, observation coding, digital recording and more in a weather/water resistant enclosure.

- The large 8.4" industrial grade optically bonded monitor offers the clearest picture in adverse conditions.
- Extensive video titling includes multiple predefined and customizable screens for job documentation. Customized screens and operator data are retained in memory for efficient operation.
- The advanced digital recorder features USB mpg. recording and playback of video and screenshot picture images. The operation is fully integrated with easy to understand intuitive controls. 16GB external and 128GB internal memory is included.
- Operate the MPlus+ anywhere with either 110 AC mains power, 12VDC power or the advanced internal Li-Ion battery delivering 4+ hours of use on a single charge.

The standard and XL coilers will deliver years of service with their heavy gauge and corrosion resistant stainless steel construction.

OPTIONAL EQUIPMENT

- Optional adapters for the MPlus+ to work with truck-mounted/portable mainline systems and asset management software.
- Wireless digital video for operation with a mainline truck or any other remote location with receiver.
- Mainline interface cable for operation with a CUES multi-conductor TV truck.
- Optional pan & tilt camera for mainline or large pipe applications features continuous 360 deg rotation and pan:
 - All pan & tilt functionality is fully integrated into the systems' controller; built-in multi-frequency 512 Hz and 8kHz sonde transmitter.
- Locator/receiver for accurate camera location in metallic and non-metallic pipelines.
- A large array of optional skids and skates.
- Quadrature footage interface for external asset management software.
- Optional line trace post for 128Hz, 1kHz, 8Hz and 33kHz locating.



MPLUS+ CONTROLLER

- 8.4" display mounted in a weather resistant control unit that features a quick connect mount for attaching to the coiler.
- Digital recorder with integrated controls featuring intuitive buttons for all recording and playback functions. Features dual drive recording for redundancy and file safety.
- System Interface connection offers flexibility for unique applications and includes video, audio, and 12VDC outputs and a video input. Quadrature footage output for optional asset management software.
- Internal Li-Ion Battery with Intellicharge technology offers 4+ hours of continuous use on a single charge. Also accepts AC and 12 VDC power input.



MPlus+ XL with Optional Pan & Tilt Camera



SSOs

Start Date	Location	Cause of SSO	Cat	Main/Lat	Spill Volume (Gal)	Spill Recovered (Gal)	Volume of Wash Water Used (Gal)
8/30/2022	7573 Rollingdell Dr, Cup MH2780-11	Grease & Roots	3	Main	1.27	1.27	48

PLSDs (Private Lateral Sewage Discharge)

Start Date	Location	Cause of PLSD	Main/Lat	Spill Volume (Gal)	Spill Recovered (Gal)	Volume of Wash Water Used (Gal)
8/18/2022	6188 Shadygrove Dr, Cup	Offset	Lat	30	4	32

Emergency Calls - Causes

Call Rec'd Business Hours	# of Calls	Call Rec'd After Hours	# of Calls	Call Rec'd Weekend	# of Calls
Root Intrusion	3	Root Intrusion	1	Root Intrusion	0
Onsite	4	Onsite	3	Onsite	0
Grease		Grease	0	Offset	0
Offset	1	Offset	0	Grease	1
Other	2	Others	0	Others	1
Debris	0	Pump Station	4	Pump Station	2
Total:	10	Total:	8	Total:	4

Repairs

Address	Main/Lat	Description of Work
De Anza Blvd T-281 - T-125	Main	Emergency mainline spot repair due to a broken pipe (Hydro-flush cutters were stuck in the pipe)

Mainline Maintenance

Size of Pipe	4"	6"	8"	10"	12"	14"	15"	16"	18"	> 20"	Total	FY2022-23 YTD	FY2022-23 Annual Schedule	% Complete (YTD/Annual Schedule)
Mainline Cleaning (ft)	0	31,924	105,097	2,508	20,665	0	4,610	476	42	4,492	169,814	296,594	1,673,032	18%
Easement Cleaning (ft)	0	5,259	19,033	424	173	0	0	476	0	0	25,365	46,350	217,684	21%
CCTV (ft)	0	4,199	8,494	186	11,790	53	0	0	0	0	24,722	41,844	207,880	20%

Lateral Maintenance

Activity	# of Laterals	FY2022-23 YTD	FY2022-23 Annual schedule	% Complete (YTD/Annual schedule)
Cleaning	611	1,141	6,436	18%
CCTV	10	19		
Inspection	41	65		

FOG Inspection - Limited due to Restaurant closures (COVID -19)

	# of Inspections	YTD FY2022-23	FY2022-23 Annual Schedule	% Complete (YTD/Annual schedule)
Performed	30	50		
Completed	27	43	265	16%
Follow up Needed	1			

CUPERTINO SANITARY DISTRICT MEETING/EVENT SCHEDULE

SEPTEMBER 2022

09/05: TAC
 09/07: 1st Regular Meeting
 09/08: TPAC
 09/12: Santa Clara County Special Districts
 09/21: 2nd Regular Meeting
 09/21: CASA CSW
 09/24: Cupertino Fall Festival

SEPTEMBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 TAC	6	7 1 st Regular Meeting	8 TPAC	9	10
11	12	13	14	15	16	17
18	19	20	21 2 nd Regular Meeting	22	23	24 Fall Festival
25	26	27	28	29	30	

OCTOBER 2022

10/05: 1st Regular Meeting
 10/10: TAC
 10/13: TPAC
 10/19: 2nd Regular Meeting

OCTOBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 1 st Regular Meeting	6	7	8
9	10 TAC	11	12	13 TPAC	14	15
16	17	18	19 2 nd Regular Meeting	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER 2022

11/02: 1st Regular Meeting
 11/07: TAC
 11/10: TPAC
 11/16: 2nd Regular Meeting
 11/16: CASA CSW

NOVEMBER 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 1 st Regular Meeting	3	4	5
6	7 TAC	8	9	10 TPAC	11	12
13	14	15	16 2 nd Regular Meeting CASA CSW	17	18	19
20	21	22	23	24	25	26
27	28	29	30			