

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, JANUARY 20, 2021  
REVISED

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted in accordance with the Executive Order N-33-20 via teleconferencing. 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, John M. Gatto, William A. Bosworth, 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 7:02 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.

Closed session was adjourned at 7:18 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 & BILLS:

A. On a motion by Director Gatto, seconded by Director Chen, by a vote of 4-0-0 the minutes of Wednesday, January 6, 2021 were approved as written. President Saadati was not present for the vote due to audio problems. He rejoined the meeting after the vote.

B. By consensus, the Minutes of Wednesday, December 16, 2020 are to be Noted & Filed.

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- C. The Board reviewed December 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. The Board requested that Manager Porter report on the status of the audit report at the next regular Board meeting.
- D. Board members will submit their December timesheets to Manager Porter.

5. CORRESPONDENCE:

- A. The Board reviewed correspondence from County of Santa Clara Office of the County Counsel regarding Training for Form 700 Filing Officials. It is to be Noted & Filed.

6. MEETINGS:

- A. CASA Virtual Winter Conference to be held January 27-28, 2021. Manager Porter reported that all Board members and District staff are registered for the CASA Conference.
- B. CSRMA Virtual Webinars to be held January 26, 2021. Board members have either registered themselves or were registered by staff.

7. REPORTS:

- A. Director Chen reported on the LAFCO Independent Special District Selection Committee Meeting held on January 11, 2021. Yoriko Kishimoto was elected permanent representative for Special Districts to the LAFCO Board. Hellen Chapman was elected to be the alternate representative for Special Districts to the LAFCO Board.
- B. Manager Porter reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on January 11, 2021.
- C. Director Gatto reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on January 14, 2021.

8. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. One District employee tested positive for COVID-19 at the beginning of last week. Contact tracing procedures were followed. Affected employee was quarantined and the office was closed last week. The CCTV truck, where employee was working, has been disinfected using a fogging treatment. CCTV truck was returned to service this week.

9. NEW BUSINESS:

- A. Manager Porter reported that agenda item 9.A titled D&B Legacy, LLP Deposit Refund refers to an incorrect business owner (D&B Legacy). The item will be deferred to the next regular Board

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meeting using the correct business owner's name. Board requested District staff to provide staff recommendation memos to future Board packages.

- B. Manager Porter presented on the Budget Update for Joint Use Capital and District Advisor. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, the budget was approved with changes.

10. STAFF REPORTS:

- A. Manager Porter reported on Vallco. Vallco has agreed to pay the requested \$70,000 to address the shortfalls in the Engineering deposit account for the project. District staff discussed the Vallco project with the City of Cupertino staff. Both parties agreed to coordinate Vallco project support moving forward by sharing information and holding periodic calls.
- B. Manager Porter reported on the monthly maintenance report.

11. CALENDAR ITEMS:

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

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:23 p.m. the meeting was adjourned. The Board requested the following be added to the agenda:

- Status of the audit report



Secretary of the Sanitary Board



President of the Sanitary Board