

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, FEBRUARY 03, 2021

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 Advisor: 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 7:30 p.m. and the regular meeting was called to order. District Manager Porter and Deputy District Manager Woodhouse rejoined the regular meeting. There was no reportable action.

4. MINUTES:

A. On a motion by Director Chen, seconded by Director Gatto, by a vote of 5-0-0 the minutes of Wednesday, January 20, 2021 were approved with revisions.

B. By consensus, the Minutes of Wednesday, January 6, 2021 are to be Noted & Filed.

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5. CORRESPONDENCE:

- A. The Board reviewed the Santa Clara County Voters Registration Memo to Form 700 Filing Officials. It is to be Noted & Filed.

6. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) scheduled to be held February 9, 2021.
- B. Director Gatto plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) scheduled to be held February 11, 2021

7. REPORTS:

- A. Several Board Members attended the CSRMA virtual webinars held on January 26, 2021. During one session it was mentioned that 59% of new employees have accidents during their first six months of employment. The key to reducing accidents with new employees is enhanced safety training.
- B. All Board Members and staff attended the CASA Virtual Winter Conference held January 27-28, 2021.

Director Bosworth reported on the CSRMA Board of Directors meeting and noted that insurance rates are on the rise and it is necessary to plan for a 35% increase in insurance rates during the next budget planning cycle. Insurance deductible amounts will also be going up to \$100K for the pool liability program.

President Saadati reported on What's Next for Agency Financing and Investment?

8. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. All staff continue to work safely, without any positive tests for COVID-19.

9. NEW BUSINESS:

- A. The Board reviewed the CSDA survey. Manager Porter is to complete the survey and submit to CSDA.
- B. The Board discussed the Board Memo for Terry Brown-Cordova Reimbursement. The revised memo indicates that fees provided by Terry Brown-Cordova are not refundable. No action was required by the Board.

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- C. Manager Porter made a presentation for Workshop #6. The intent of the new rate structure is to make CUSD rates fairer and more equitable to the various types of customers. Manager Porter provided additional information on how the costs of service were being developed for those customers located in the pump station zones of the District.

It is necessary to perform a careful review of all other projects attached to the pump station zones to make sure they are defensible. For example:

- Need to increase the amount of the Low-Level Pump Station Zone costs to include the cost of SCADA. Need to decrease the cost of the High-Level Pump Station Zone to remove the \$100K scheduled to be completed at the Prospect Pump Station. That work has already been completed in the Prospect Pump Station emergency repair project.
- Also need to remove the \$280K Inflow Correction project.

It is necessary to change the 76% factor applied to SFR to get MFR rates to either 75% or 80%. Our work is not that accurate, and an overly accurate percentage will be hard to defend. The upper level pump station zone cost estimate appears to be better supported than the medium level pump station zone cost estimate.

10. STAFF REPORTS:

- A. Manager Porter reported on the FY 2019/20 audit report.
- B. Manager Porter and Deputy Woodhouse reported on Vallco. The Board requested that staff revise the draft Vallco Installers Agreement to include monitoring the progress of the I/I Program and then offering a pivot point after the first two phases of the program. The pivot point will allow for a change in approach away from I/I Reduction and implement conveyance and storage options as a means to reduce the total wet weather flows to the City of Santa Clara below 13.8 MGD.

11. CALENDAR ITEMS:

The next regular District Board meeting is scheduled to be held on Wednesday, February 17, 2021.

12. ADJOURNMENT:

On a motion properly made and seconded, at 10:09 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board