

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 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: Ashley Barnes

Chad Mosley, City Engineer for City of Cupertino, joined the meeting immediately following the Closed Session.

2. PUBLIC COMMENTS:

Ashley Barnes indicated that she was attending the meeting so she could hear the discussions related to agenda item number 10.

The Board indicated that they would move the agenda item forward to occur after the Closed Session meeting.

3. CLOSED SESSION:

President Saadati adjourned the regular meeting session and opened the closed session at 7:03 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 7:26 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.

Chad Mosley joined the regular meeting.

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10. STAFF REPORTS:

- A. Mr. Nandy Kumar of Vallco contacted Director Chen and requested to speak at a future Board Meeting. Director Chen suggested, with Board concurrence, that discussion of the Vallco Installer's Agreement be adjourned to a meeting when Mr. Kumar can address the entire Board. Manager Porter reported on Vallco including discussion of letters that have been exchanged with Vallco related to a notice of violation that was issued to Vallco as a result of the District's discovery of an excavation at the Vallco Development that exposed a District sewer pipe. The District staff have investigated the exposed pipe and are working with the developer to remedy the situation. The District also requested that Vallco pay fees to the District for continued District engineering reviews and inspection services.

4. MINUTES:

- A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0 the minutes of Wednesday, February 17, 2021 were approved.
- B. By consensus, the Minutes of Wednesday, February 3, 2021 is to be Noted & Filed.

5. CORRESPONDENCE:

- A. The Board reviewed a letter from CSDA requesting support for the Special Services Provide Essential Services Act. Manager Porter is to prepare and submit letters that support CSDA's positions.

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 March 8, 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 March 11, 2021.

7. REPORTS:

- A. Director Bosworth reported on the regular teleconference meeting of the Santa Clara County Special Districts Association held on March 1, 2021.

8. UNFINISHED BUSINESS:

- A. Manager Porter reported on the status of Form 700 filing. Manager Porter reported that all District Form 700s have been prepared and submitted.
- B. Manager Porter reported on COVID-19 updates. Public participant, Chad Mosley reported that Santa Clara County has opened up access for vaccinations to essential workers. Access by essential workers is now limited only by the availability of the vaccine at the distribution sites in the County.

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9. NEW BUSINESS:

- A. The Board reviewed the Preliminary FY 2021-2022 Budget. Manager Porter reported that several projects have been delayed at the San Jose Santa Clara Water Pollution Control Plant, including the dewatering project and the Legacy Lagoons project. As a result, the City of San Jose will be sending lower bills to the District for the remainder of the current fiscal year. The Board asked Manager Porter to take another look at the projected costs for insurance next year, as it was learned at the CSMRA conference that insurance costs are expected to rise next year. Also, consider reducing the costs for elections to zero as there will be no election this year. The Board also asked Manager Porter to review the projected engineering costs and report back to the Board.
- B. Manager Porter presented on the Rate Study Methodology and Revenue. The Board reviewed the summary spreadsheet that displayed all the proposed rate changes for each customer use category and whether the customers were located in the pump zones or non-pump zones of the District. The Board requested Manager Porter to proceed with the rate study using the rates that distribute flows and loads across all customer types, and to include analysis for customers in the pump zones to account for higher cost to operate the pump stations than the gravity sewer systems in the District.
- C. The Board discussed the CASA Conference Call for Abstracts. The Board would like to present to CASA with more experience with the I/I Program and I/I Reduction results in the CUSD system.

10. STAFF REPORTS:

- A. This agenda item was moved up in the agenda to follow item 3. Closed Session.
- B. Manager Porter reported on the flow metering at Homestead metering station.

11. CALENDAR ITEMS:

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

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:50 p.m. the meeting was adjourned.


Secretary of the Sanitary Board


President of the Sanitary Board