

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, MAY 19, 2021

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:03 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, Mark Thomas Principal Sash Dansky, and Counsel Marc Hynes.

District Consultant: Richard Tanaka

Public: None

2. PUBLIC COMMENTS:

There were none.

3. PUBLIC HEARING:

A. The Board conducted a public hearing on proposed sanitary sewer service charge increase for Fiscal Year 2021-2022.

1. A Staff presentation was given by District Manager Porter, who indicated that the rate increase came as a result of a series of six workshops to the Board over the past six months. The City of San Jose just updated the CuSD requirement for capital costs in the next fiscal year to contribute an additional \$3.8 M.
2. President Saadati opened the public hearing at 7:09 p.m. to receive testimonies from the public. There were no public comments.
3. President Saadati closed the public hearing at 7:10 p.m.
4. The Board discussed proposed changes.
5. On motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, Ordinance No. 127, Amending Article VII, Sections 7001 through 7003 of the Cupertino Sanitary District Operations Code was approved as written. Changes will take effect on July 1, 2021.

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, MAY 19, 2021

6. On motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, Resolution No. 1330, Setting Public Hearing Date to Collect Sewer Charges on Tax Roll was approved. The public hearing will take place on June 16, 2021, via teleconference.

4. MINUTES & BILLS:

- A. On a motion by Director Kwok, seconded by Director Gatto, by a vote of 5-0-0 the minutes of Wednesday, May 5, 2021 were approved as written.
- B. By consensus, the Minutes of Wednesday, April 21, 2021 is to be Noted & Filed.
- C. The Board reviewed April payable warrants and financial statements. On a motion by Director Kwok, seconded by Director Gatto, by a vote of 5-0-0, the financial statement and payment of bills were approved as written.
- D. Board members will submit their May timesheets to Manager Porter.

5. CORRESPONDENCE:

There was none.

6. MEETINGS:

- A. Director Gatto plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on May 20, 2021.

7. REPORTS:

- A. District Manager Porter reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on May 17, 2021.

8. UNFINISHED BUSINESS:

- A. District Manager Porter reported on COVID-19 updates. Santa Clara County has mandated that employers will be required to determine the vaccination status of employees if employees are to return to the office. Mark Thomas will need to comply. No changes have occurred to the Governor's order regarding relaxation of The Brown Act to allow remote meetings of the Board.
- B. District Manager Porter reported on the Oakcrest Pump Station. The contractor is seeing price increases on materials for the project.

9. NEW BUSINESS:

There was none.

10. STAFF REPORTS:

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, MAY 19, 2021

- A. District Manager Porter reported on future development projects. Staff has a meeting with Vallco tomorrow to discuss their thoughts on the development fees they are being asked to pay.
- B. District Manager Porter reported on the I/I Reduction follow-up. The District is proceeding with hydraulic modeling QA/QC with Akel Engineering. The first workshop will take place next week.

Deputy District Manager Woodhouse reported that the District is proceeding with the smoke testing program. The kick-off meeting is scheduled for next Tuesday. V&A will provide a project schedule for the smoke testing which will be shared with the Board at the next meeting.

- C. District Manager Porter reported on the monthly maintenance report.

11. CLOSED SESSION:

President Saadati adjourned the regular meeting session and opened the closed session at 7:50 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.

The closed session was adjourned at 8:08 p.m. and the regular meeting was called to order. District Manager Porter and Deputy District Manager Woodhouse rejoined the regular meeting.

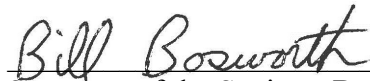
There was no reportable action.

12. CALENDAR ITEMS:

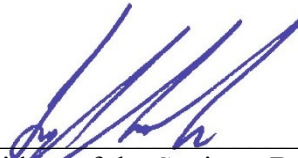
The next regular District Board meeting is scheduled to be held on Wednesday, June 2, 2021.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:12 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board