

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MARCH 16, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 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) over 1 million US residents have died from COVID and health officials continue to encourage social distancing, 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 Saadati, 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 7:01 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.

The closed session was adjourned at 8:47 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy District Manager Woodhouse rejoined the regular meeting.

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5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 4-0-1, the minutes of Wednesday, March 2, 2022, were approved as written. Director Doyle abstained.
- B. By consensus, the Amended Minutes of Monday, February 16, 2022, are to be Noted & Filed.
- C. The Board reviewed February payable warrants and financial statements. On a motion by Director Kwok, 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 March timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed the City of San Jose – Draft Proposed 2022-23 Regional Wastewater Facility (RWF) Capital Budget, Draft Proposed 2023-27 RWF Capital Improvement Program, Draft Proposed 23-27 South Bay Water Recycling (SBWR) Capital Budget and Capital Improvement Program, and Draft Proposed 2022-23 RWF and SBWR Operating and Maintenance (O&M) Budget. It is to be Noted & Filed.

7. MEETINGS:

- A. There are none.

8. REPORTS:

- A. Director Bosworth reported on the Santa Clara County Special Districts Association regular meeting held on March 7, 2022.
- B. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on March 7, 2022.
- C. Director Kwok reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on March 10, 2022.

9. UNFINISHED BUSINESS:

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

10. NEW BUSINESS:

- A. The Board discussed Form 470 Filing for 2022. Manager Porter is to send a pdf copy of Form 470 to all Board members.
- B. The Board reviewed memo on Annual Infocare Renewal for XPSWMM. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board approved reimbursement in the amount of \$3,580.00 (50%) to Mark Thomas.

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- C. The Board discussed the Preliminary Budget Review. Staff is to finalize the budget and bring it back to the Board for approval.
- D. The Board reviewed the Riverwatch Settlement Agreement. On a motion by Director Saadati, seconded by President Bosworth, by a vote of 5-0-0, the agreement was approved.

11. STAFF REPORTS:

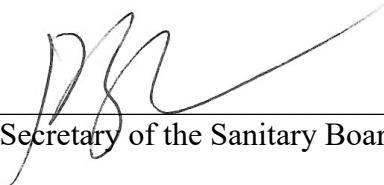
- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the Monthly Maintenance Report.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, April 6, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 10:02 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board