

CUPERTINO SANITARY DISTRICT BOARD MEETING  
WEDNESDAY, APRIL 20, 2022

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:02 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, and David A. Doyle. Patrick S. Kwok joined arrived later.

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 4-0-0, 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 7:06 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 7:17 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 President Bosworth, seconded by Director Chen, by a vote of 4-0-0, the minutes of Wednesday, April 6, 2022, were approved as written. Director Kwok was absent.
- B. By consensus, the Minutes of Monday, March 16, 2022, are to be Noted & Filed.

**Director Kwok joined the meeting.**

- C. The Board reviewed March 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 April timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed Santa Clara LAFCO – Adoption of Proposed Budget for FY-2023 & Notice Of Public Hearing. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on Monday, May 16, 2022.
- B. Director Kwok plans to attend the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, May 19, 2022.

8. REPORTS:

- A. Director Kwok reported on the CWEA Annual Conference held on April 11-14, 2022.

9. UNFINISHED BUSINESS:

- A. Manager Porter presented on the Rate Study follow-up and presented information on the historical consumer price index (CPI) in the Bay Area. Between February 2021 and February 2022, the CPI has increased 5.2 % in the Bay Area. There was no reportable Board action.
- B. Manager Porter presented information on the LIHWAP. Board directed staff to proceed with registration for the LIHWAP.
- C. Manager Porter reported on COVID-19 updates. Staff have returned to working in the Cupertino office on a hybrid arrangement. There is 50 percent of staff in the office on any given day and the remainder are working remotely.

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10. NEW BUSINESS:

- A. The Board discussed the Amendment to Agreement - I-280/Wolfe Road Sewer Relocation Bennett Trenchless Engineers (BTE) Agreement for Trenchless Engineering Services. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the amendment to the agreement was approved.

11. STAFF REPORTS:

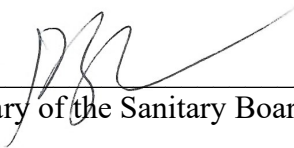
- A. Manager Porter reported on Future Development Projects.
- B. Deputy Manager Woodhouse reported on New Waste Discharge Requirements Update
- C. Manager Porter reported on the Monthly Maintenance Report.


12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, May 4, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:41 p.m. the meeting was adjourned.

  
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Secretary of the Sanitary Board

  
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President of the Sanitary Board