

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, MAY 4, 2022
AMENDED

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:01 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 Kwok, 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 7:03 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.

Board action: There was no reportable action.

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The closed session was adjourned at 7:12 p.m.; the regular meeting was called to order, and Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the minutes of Wednesday, April 20, 2022, were approved.
- B. By consensus, the Minutes of Wednesday, April 6, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

There was none.

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 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 May 19, 2022.

8. REPORTS:

- A. Manager Porter reported on the California Low-Income Housing Water Assistance Program Enrollment. The District has exhausted its investigation but cannot participate in the program because the District works with Santa Clara County as its third-party biller and the County bills the District's customers using tax roll. In addition, renters are not eligible for payments through the program.

9. UNFINISHED BUSINESS:

- A. Manager Porter reported on COVID-19 updates. The District office in Cupertino is open each day, at least from 10 a.m. to 3 p.m.

10. NEW BUSINESS:

- A. On a motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution No. 1336, Fixing Time and Place for Hearing on Report on Rates and Charges and Collection on Tax Roll for Service and Facilities Furnished by the District for the Fiscal Year 2022-2023. The public hearing is set to take place on June 15, 2022, at 7 p.m. via teleconference.
- B. The Board reviewed the Annual InfoCare renewal for XPSWMM. On a motion by Director Kwok, seconded by Director Doyle, by a vote of 5-0-0, the Board approved renewal in the amount of \$7,160.00, sharing the cost with Mark Thomas; and authorized a reimbursement amount of \$3,580.00 (50%) to Mark Thomas.

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11. STAFF REPORTS:

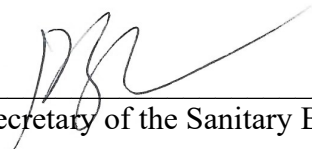
A. Manager Porter reported on Current Development Projects.

12. CALENDAR ITEMS:

A. The next regular District Board meeting is scheduled to be held on Wednesday, May 18, 2022. President Bosworth requested an excused absence from the meeting. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 4-0-1, the Board approved the request. President Bosworth abstained.

13. ADJOURNMENT

On a motion properly made and seconded, at 7:37 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board