

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JUNE 15, 2022

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: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, David A. Doyle, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka joined the meeting at 7:19 p.m.

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. PUBLIC HEARING

A. The Board conducted a public hearing on Proposed Sanitary Sewer Service Charge Increase for Fiscal Year 2022-2023.

1. Manager Porter presented on the rate study.
2. President Bosworth opened the public hearing at 7:03 p.m. The Board reviewed written protests. There were no public comments.
3. President Bosworth closed the public hearing at 7:06 p.m.
4. The Board discussed proposed new sewer rate increase of 5%.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JUNE 15, 2022

5. On motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Ordinance No. 129, Amending Sections 7301, 7302 and 7303 of Chapter VII of the Cupertino Sanitary District Operations Code Relating to Sewer Service Charges. The new sewer service rates will take effect, beginning July 1, 2022.
- B. The Board conducted a public hearing on Accepting Report On Rates And Charges and Collection On Tax Roll for Fiscal Year 2022-2023.
1. Manager Porter presented on the Report on Rates and Charges.
 2. President Bosworth opened the public hearing at 7:23 p.m. There were no public comments.
 3. President Bosworth closed the public hearing at 7:24 p.m.
 4. The Board discussed the Report on Rates and Charges and Collection on Tax Roll for Fiscal Year 2022-2023.
 5. On motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution No. 1338, Confirming Report on Rates and Charges for Services and Facilities Furnished by the District and Delinquent Rates and Charges for the Cupertino Sanitary District for the Fiscal Year 2022-2023.
 6. On motion by Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the Board approved Resolution No. 1339, Providing for the Collection of Rates and Charges for Services and Facilities Furnished by the District and Delinquent Rates and Charges for Fiscal Year 2022-2023.

5. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:45 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.

President Bosworth adjourned the closed session at 7:52 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy District Manager Woodhouse rejoined the regular meeting.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JUNE 15, 2022

6. MINUTES & BILLS:

- A. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the minutes of Wednesday, June 1, 2022, were approved.
- B. By consensus, the Minutes of Monday, May 18, 2022, are to be Noted & Filed.
- C. The Board reviewed May payable warrants and financial statements. On a motion by Director Chen, seconded by Director Kwok, by a vote of 5-0-0, the financial statements and payment of bills were approved as written.
- D. Board members will submit their June timesheets to Manager Porter.

7. CORRESPONDENCE:

- A. The Board reviewed correspondence from Local Agency Formation Commission (LAFCO) Of Santa Clara County regarding LAFCO Budget for Fiscal Year 2022-2023. The notice is to be Noted & Filed.
- B. The Board reviewed emailed correspondence from Nick Bailey regarding Cupertino Tertiary Water. It is to be Noted & Filed. Manager Porter will respond to Mr. Bailey.

8. MEETINGS:

- A. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, July 11, 2022 has been canceled.
- B. The teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, July 14, 2022 has been canceled.
- C. Director Chen plans to attend the CSRMA-Board of Directors meeting to be held June 23, 2022, via teleconference.

9. REPORTS:

- A. Manager Porter reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, June 6, 2022.
- B. President Bosworth reported on The Santa Clara County Special Districts Association meeting held on Monday, June 6, 2022, via Zoom.
- C. Deputy Manager Woodhouse reported on the CASSE teleconference held on Thursday, June 8, 2022.
- D. Director Kwok reported on the teleconference meeting of The San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held Thursday, June 9, 2022.

10. UNFINISHED BUSINESS:

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JUNE 15, 2022

- A. The Board reviewed the District Audit for Fiscal Year 2020-2021. On motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board approved the Audit Report as written
- B. The Board previously approved the Sunnyvale Flow Transfer Agreement. The Board will sign the agreement tomorrow.
- C. Manager Porter reported on COVID-19 updates.

11. NEW BUSINESS:

- A. The Board reviewed the Fiscal Year 2022-2023 Budget. On motion by Director Chen, seconded by Director Kwok, by a vote of 5-0-0, the Board approved the budget as written.
- B. The Board reviewed CASA sponsored Bill AB 2247. On motion by Director Chen, seconded by Director Kwok, by a vote of 5-0-0, the Board approved support of Bill AB 2247. Staff is to submit a letter of support to Senate Environmental Quality Committee and Local Assembly Member.

12. STAFF REPORTS:

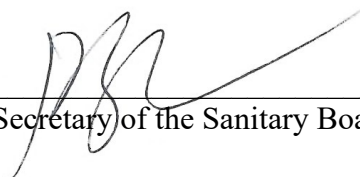
- A. Manager Porter reported on the City of Cupertino Notice to Owner - De Anza Boulevard at McClellan Road.
- B. Manager Porter reported on Current Development Projects.
- C. Manager Porter reported on the Monthly Maintenance Report.

13. CALENDAR ITEMS:

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

14. ADJOURNMENT:

On a motion properly made and seconded, at 8:30 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board