

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, FEBRUARY 15, 2023

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 Kwok 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, Associate Sanitary Engineer Abby Yung, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: Hsukuei Lin, Customer

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) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, 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 Director Chen, seconded by Director Saadati, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

Hsukuei Lin addressed the Board regarding a defect in the sewer lateral, between the property line and the sewer mainline, that was discovered during the installation of a property line cleanout. Lin requested that the District repair the lower lateral and requested that the District increase the reimbursement amount for lower lateral repairs.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:10 p.m. Manager Porter, Deputy Manager Woodhouse, and Engineer Yung were excused from the closed session.

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- 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 Kwok adjourned the closed session at 7:17 p.m. and the regular meeting was called to order. District Manager Porter, Deputy Manager Woodhouse, and Engineer Yung rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Saadati, seconded by Director Bosworth, by a vote of 5-0-0, the minutes of the regular meeting held on Wednesday, February 1, 2023, were approved.
- B. By consensus, the Minutes of Wednesday, January 18, 2023, are to be Noted & Filed.
- C. The Board reviewed January payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the financial statements and payment of bills for January were approved as written.
- D. The Board members will submit their February timesheets to Manager Porter.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from the Bay Area Air Quality Management District titled Public Workshop-Draft Amendments to Regulation 3: Fee. It is to be Noted & Filed.

7. MEETINGS:

- A. Director Bosworth plans to attend the Santa Clara County Special Districts Association meeting to be held Monday, March 6, 2023.
- B. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held on Thursday, March 8, 2023.

8. REPORTS:

- A. Manager Porter reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held on Monday, February 6, 2023.
- B. President Kwok reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, February 9, 2023.

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- C. Woodhouse reported on the Bay Area Clean Water Agencies Collection Systems committee meeting held Thursday, February 9, 2023.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.

10. NEW BUSINESS:

- A. The Board discussed Ordinance No. 130, Amending Property Line Cleanout & Lateral Ordinance. Board requested staff to investigate other agencies and what pipe materials they use for sewer laterals (ABS vs PVC SDR 26).

11. STAFF REPORTS:

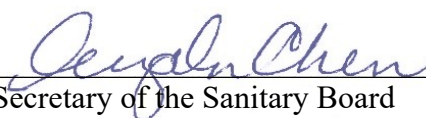
- A. Manager Porter reported on Future Development Projects.
B. Manager Porter reported on the maintenance summary report.

12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, March 1, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8: 26 p.m. the meeting was adjourned.


Secretary of the Sanitary Board


President of the Sanitary Board