

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

SANITARY BOARD MEETING WEDNESDAY, DECEMBER 05, 2018

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. in the Stevens Creek Office Center, 20863 Stevens Creek Boulevard, Suite 100, Cupertino, California.

1. ROLL CALL:

Directors present: William A. Bosworth, Patrick S. Kwok, Taghi S. Saadati, and John M. Gatto.
Remote Call-in: Angela S. Chen.

Staff present: District Manager Richard K. Tanaka, Deputy District Manager Benjamin Porter, and Counsel Marc Hynes.

Guest present: Sasha Dansky, Mark Thomas Principal

2. MINUTES:

- A. On a motion by Director Gatto, seconded by Director Kwok, by a vote of 5-0-0, the Minutes of Wednesday, November 21, 2018 were approved by a roll call vote.
- B. By consensus, the Approved Minutes of November 07, 2018 were Noted & to be Filed.

3. PERSONAL PRESENTATIONS:

There were none.

4. PUBLIC HEARING:

1. Manager Tanaka gave a presentation on the proposed fee changes.
2. President Bosworth opened the public hearing at 7:02 p.m. Comments from guests: There were none.
3. On a motion by Director Gatto, seconded by Director Kwok, by a roll call vote of 5-0-0, President Bosworth closed the public hearing at 7:03 p.m.
4. Board discussion: Director Gatto discussed timing of payment of fees, installer's agreements, and their relationships. Staff was instructed to identify purpose in section 7200. PURPOSE, of ARTICLE 2: SYSTEM CONNECTION FEES. The Board discussed selectively differentiating pump zones and Staff was directed to amend section 7400. PURPOSE, of ARTICLE 4: PUMP ZONE FEE.
5. On a motion by Director Gatto, seconded by Director Kwok, by a roll call vote of 5-0-0, Resolution No. 123 was approved with amendments to sections 7200 and 7400.

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5. CORRESPONDENCE:

There was none.

6. MEETINGS:

- A. Deputy District Manager Porter will attend the Regular Meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held December 10, 2018.
- B. Director Gatto plans to attend the Regular Meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held December 13, 2018.

7. REPORTS:

- A. President Bosworth reported on the regular meeting of the Santa Clara County Special Districts Association held December 3, 2018. Topics discussed included: political activism, for which there was no agreement and it was sent back to committee; video contest for high school students; fees to stay @ \$100; and AB2299.

8. UNFINISHED BUSINESS:

There was none.

9. NEW BUSINESS:

- A. Counsel Hynes reported on long form/short form Contractor Agreements and discussed length of contract, termination, and how task orders work. District to proceed with implementation of these agreements.

10. STAFF REPORTS:

- A. Manager Tanaka reported on the status of smoke testing and noted that lots of small defects were discovered; large inflow connection at local pool and suggested future meeting to discuss strategy/ implementation.

11. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:43 p.m.

- A. The Board discussed Public Employee Appointment in accordance with Government Code Section 54957(B)(1) Public Employee Appointment Title: District Manager-Engineer.

There was no reportable action.

- B. The Board Conducted Conference with Legal Counsel on 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

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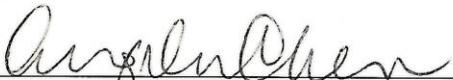
District, Burbank Sanitary District, and the City of Milpitas v. The City of San Jose, The City of Santa Clara and Does 1 through 50 inclusive.

There was no reportable action.

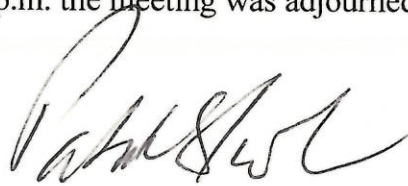
President Bosworth adjourned the closed session and the regular meeting was called to order at 7:59 p.m.

12. ADJOURNMENT:

On a motion properly made and seconded, at 8:02 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board