

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING

WEDNESDAY, APRIL 17, 2019

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:

Acting President Chen 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, John M. Gatto, and William A. Bosworth. President Patrick S. Kwok arrived at 7:30 p.m. (delayed by traffic)

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

Guests: Kyle Tanaka and Colleen Haley with California Special Districts Association, Nouman Tarabichi with Pacific Catch, and Sasha Dansky with Mark Thomas.

9. A. UNFINISHED BUSINESS:

Director Chen motioned to move item 9.A. up on the agenda, Director Saadati seconded the motion, and all approved. Mr. Tarabichi, owner of Pacific Catch, addressed the Board regarding District development fee for Pacific Catch. The Board discussed Mr. Tarabichi's points and unanimously agreed that the fee is required per Ordinance No. 123. Staff is to bring Ordinance No. 123 back to the Board for consideration to change/clarify fee payment requirements in approximately one month.

2. MINUTES & BILLS:

A. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 4-0-0, the minutes of Wednesday, March 27, 2019 were approved as written.

B. By consensus, the Minutes of Wednesday, March 6, 2019 are to be Noted & Filed.

C. Director Gatto motioned to add new item 2.C. - Bills on the Agenda, Director Bosworth seconded the motion, and all approved. The Board reviewed the March financials for payment. Board instructed Staff to revise analysis to include net cash. The Board discussed Hunton Andrews invoice rounding error and business cards receipt. On a motion by Director Saadati, seconded by Director Gatto, by a vote of 4-0-0, the payment of bills was approved.

D. The Directors submitted their March 2019 timesheets to Staff.

3. PERSONAL PRESENTATIONS:

There were none.

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4. SPECIAL - TRANSPARENCY CERTIFICATION:

These items were deferred to after item 7.B.

5. CORRESPONDENCE:

There was none.

6. MEETINGS:

There were none.

President Kwok arrived at 7:30 p.m. and resumed the meeting as President.

7. REPORTS:

- A. Deputy Manager Porter reported on the Regular Meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) held April 9, 2019.
- B. Director Gatto reported on the Regular Meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held April 11, 2019. Kerri Romanov committed that City of San Jose will not sign a contract for biosolids until the disposal issue is resolved.

4. SPECIAL - TRANSPARENCY CERTIFICATION: (These items were deferred to occur later in the meeting)

- A. Colleen Haley, representing Special District Leadership Foundation (SDLF), presented the Board with SDLF District Transparency Certificate of Excellence.
- B. Kyle Tanaka, representing California Special District Association (CSDA), gave a presentation to the Board about the benefits of becoming a member of CSDA.

8. UNFINISHED BUSINESS:

- A. Manager Tanaka presented an update on the line of credit request for proposal for the District. The District is close to getting a term sheet for a line of credit from the bank and is also expecting to receive loan terms from CSDA soon.

9. NEW BUSINESS:

- A. Pacific Catch development fee moved up to after roll call.
- B. The Board submitted Form 470 to Deputy Manager Porter for filing.
- C. The Board discussed abandonment of sewer easement at The Forum at Rancho San Antonio. On a motion by Director Gatto, seconded by Director Bosworth, by a vote of 5-0-0, the Board approved Resolution No. 1309, Vacating a Portion of a Sanitary Sewer Easement and Authorizing Execution of a Quitclaim Deed. The Quitclaim deed was signed and notarized.

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- D. The Board discussed a request of reimbursement to St. Jude Church for overcharge of sewer inspection fees. On a motion by Director Gatto, seconded by Director Saadati, by a vote of 5-0-0, reimbursement in the amount of \$400.00 was approved.
- E. The Board discussed attendance of ESRI User Conference to be held July 8-12 in San Diego, CA. The Board agreed with staff recommendation for attendance by one engineering level staff member and one management level staff member and appreciated the communication. The management staff member will attend the Engineering Summit, and the engineering level staff member will attend the Preconference Seminar.
- F. The Board discussed attendance of Advanced Management & Supervisory Leadership Training Program to be held May 20-22, 2019 in Santa Clara, CA. The Board agreed with staff recommendation Deputy District Manager Porter to attend and appreciated the communication.
- G. The Board discussed Staff's recommendation to purchase three generators and one trasher pump for District pump stations. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, the Board approved purchase of three New MultiQuip trailer mounted generators at a total cost of \$90,958.30 and the purchase of a 6-inch trasher pump with hose and fittings at a cost of \$49,116.03.

10. STAFF REPORTS:

- A. District Counsel Hynes discussed transitioning of District Manager-Mark Thomas & Co. Agreement. The Board received memo from District Counsel Hynes, and it is to be Noted & Filed. On a motion by Director Gatto, seconded by Director Chen, by a vote of 5-0-0, the Board agreed with recommendation from District Counsel that a contract amendment is not required..
- B. District Manager Tanaka reported on annual report to Riverwatch. No significant issues were reported.
- C. District Manager Tanaka gave an update on Prospect Pump Station. Discussion included costs-to-date, electrical design for new control panel, and PG&E new service point.
- D. Deputy District Manager Porter reported on the monthly maintenance report.

11. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 8:30 p.m. 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.

President Kwok adjourned the closed session and the regular meeting was called to order at 8:38 p.m.

There was no reportable action.

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12. ADJOURNMENT:


President Kwok was excused from the regular meeting to be held May 1, 2019.

District Counsel Hynes reported his absence from the regular meeting to be held May 1, 2019. Steven Baird will attend in his place.

On a motion properly made and seconded, at 8:39 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board