

# CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

## CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY SEPTEMBER 2, 2009

The Sanitary Board of the Cupertino Sanitary District convened this date at 8:00 p.m. in the Stevens Creek Office Center, 20833 Stevens Creek Boulevard, Suite 104, Cupertino, California.

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: John M. Gatto, William A. Bosworth, Wendell H. Kerr, Jr., Curtis B. Harrison, and Christopher C. Lee.

Staff present: Manager Richard K. Tanaka, Staff Member Steven J. Machida, Staff Member Nichol Bowersox and Counsel Harold S. Toppel.

Director Lee asked that the minutes of August 19, 2009 reflect that the Board directed Staff to prepare a letter to the City of San Jose indicating that the 1<sup>st</sup> Quarterly Payment for the Operations and Maintenance invoice will be paid but the Board reserves the right to request an adjustment should it be determined that the District is not responsible for all or a portion of this invoice. On a motion by Director Harrison, seconded by Director Gatto, it was ordered with a vote of 5-0-0, that the Minutes of the meeting of Wednesday, August 19, 2009, be approved with the revision.

Director Kerr discussed with the Board the Rotary Club of Cupertino's Fall Festival 2009. Director Kerr inquired if the Board wished to have a booth at the event. In the booth, we could display a system map, a cleanout assembly and the lateral push camera. We can also give out copies of the Annual Report and FOG literature. The cost would be at the non-profit rate. Staff would volunteer to be at the booth for both days. On a motion by Director Kerr, seconded by Director Lee, it was ordered with a vote of 5-0-0 to sponsor a booth at the Fall Festival 2009. President Bosworth and Director Lee indicated that they would drop by the booth during the event.

Director Kerr inquired if the Board would be willing to allow the Rotary Club to use the District's generator for the Fall Festival 2009. The Board has allowed the Rotary Club to use the generator for past festivals. Staff would bring the generator with all of the cords on a trailer. The local Boy Scout Troop would camp out at the site to watch over the booths and equipment during the weekend. On a motion by Director Gatto, seconded by Director Harrison, it was ordered with a vote of 5-0-0 to allow the Rotary Club to borrow the District's generator for the Fall Festival 2009.

The Regular Meeting of the San Jose/Santa Clara Water Pollution Control Plant Technical Committee (TAC), to be held on September 8, 2009 was cancelled.

The Regular Meeting of the San Jose/Santa Clara Water Pollution Control Plant Advisory Committee (TPAC) on September 10, 2009 was cancelled.

President Bosworth stated that the Quarterly Special District meeting will be held on September 14, 2009. He will attend the meeting and report back to the Board.

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Manager Tanaka presented to the Board the results of Staff's evaluation to reroute the flow that is currently conveyed through the City of San Jose's pipes and reroute the flow through the City of Santa Clara's pipes. After summarizing the results, Director Gatto stated that the improvements that are needed to reroute the flow will be paid back in approximately 50 years. Director Gatto suggested that rather than pursuing the improvements, Staff should concentrate in the negotiations with San Jose Staff. Director Gatto thanked Staff for the work in preparing the report and stated that we should keep the report for future reference.

Manager Tanaka presented to the Board the final draft of the 2009 Annual Report. Director Kerr asked the "forces" be deleted after District in the center panel. On a motion by Director Gatto, seconded by Director Harrison, it was ordered to accept the final draft by a vote of 5-0-0 with revision.

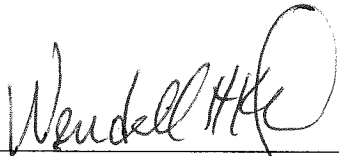
Counsel Toppel presented to the Board the updates of the District Code. The red-line additions were provided by the City of San Jose. The yellow highlights are changes made by District Staff to clarify or update a Section. After much discussion, the Board directed Staff to go back and word-smith the language and bring back to the Board for consideration.

Manager Tanaka stated that at the last meeting, Director Lee requested copies of the charge rates for Able Construction and Roto-Rooter. This information was distributed to the Board.

On a motion properly made and seconded, at 9:37 p.m. it was unanimously ordered that the meeting be adjourned.



President of the Sanitary Board



Secretary of the Said Board