

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY SEPTEMBER 16, 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: William A. Bosworth, Wendell H. Kerr, Jr. Curtis B. Harrison, John M. Gatto and Christopher C. Lee.

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

On motion of Director Harrison, seconded by Director Gatto, it was unanimously ordered that the Minutes of the meeting of Wednesday, September 2, 2009, be approved.

Director Kerr requested Staff to elaborate on his reimbursement submittal that the hotel misbilled his room to Staff's credit card. Director Kerr will not be receiving reimbursement for the hotel room and he will adjust/reimburse Staff for expenses not related to District business (one meal). On a motion by Director Bosworth and seconded by Director Lee, it was unanimously ordered that the Financial Statement for the month of August 2009 be approved as written and the following bills be paid:

<u>WARRANT NUMBER</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	
16304	M&O	\$0.00	Void to set-up Payroll Account		
16305	M&O	\$133,199.31	Mark Thomas & Company, Inc.	Office Expenses	\$400.00
				Accounting & Clerical	\$27,993.18
				Mgmt & Eng	\$40,368.03
				Plan Ck & Inspection	\$666.06
				Repairs & Maintenance	\$47,511.76
				Travel & Meetings (CASA)	\$3,309.72
				Capital Outlay – Sewer Const.	\$6,146.54
				Emergency Funds	\$6,804.02
16306	M&O	\$797.96	Dooley Ins. & Financial Svcs.	Insurance	
16307	M&O	\$3,006.00	Atkinson – Farasyn, LLP	Legal	
16308	M&O	\$4,500.00	Vavrinek, Trine, Day & Co., LLP	Audit	
16309	M&O	\$320.00	Silicon Valley Comm. Newspaper	Printing & Publications	
16310	M&O	\$53,000.00	Registrar of Voters (SCC)	Consolidated Election Deposit (70%)	
16311	M&O	\$18,166.38	Able Underground Construction	Repairs & Maintenance	\$10,961.25
				Emergency Funds	\$7,205.13
16312	M&O	\$170.00	Cunha Landscape Services, Inc.	Repairs & Maintenance	
16313	M&O	\$151.52	Home Depot	Repairs & Maintenance	
16314	M&O	\$18,039.50	Roto-Rooter Sewer Service	Repairs & Maintenance	\$13,843.00
				Emergency	\$4,196.50
16315	M&O	\$7,831.00	City of Saratoga	Repairs & Maintenance	

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

16317	M&O	\$1,233.83	Christopher Lee	Travel & Meeting	
16318	M&O	\$1,389.72	Curtis B. Harrison	Travel & Meeting	
16319	M&O	\$1,334.96	John M. Gatto	Travel & Meeting	
16320	M&O	\$517.21	Wendell H. Kerr, Jr.	Travel & Meeting	
16321	M&O	\$1,252.65	William A. Bosworth	Travel & Meeting	
	M&O	\$0.00	AT&T Managed Internet Svc	Utilities-Account in dispute	
16322	M&O	\$532.31	AT&T Flow Monitoring	Utilities	
16323	M&O	\$383.77	AT&T Flow Monitoring	Utilities	
16324	M&O	\$4,648.79	PG&E	Utilities	
16325	M&O	\$38.21	San Jose Water Co.	Utilities-water	
16326	M&O	\$62,655.00	Mello Pipelines	CIP-Cordova & Foothill	\$58,855.00
				Repairs & Maintenance	\$3,800.00
16327	M&O	\$13,209.58	ITT Water & Wastewater	CIP-Equipment SCADA	
16328	M&O	\$4,653.46	Pfeiffer Electric Co.	Emergency Funds-Cristo Rey Pump Station	
TOTAL		\$335,531.16			

The board discussed the correspondence from the Department of Treasury regarding Employment Tax Examination. Staff was directed to Note in File.

Manager Tanaka reported on the Meeting with the City of Sunnyvale. The Sunnyvale Plant has a treatment capacity of 29 MGD of which the City uses 13 MGD. Sunnyvale is completing their Plant Master Plan and the City Staff will be providing updates on preliminary costs of the plant improvements, their financial audits, and their CIP program. District Staff will provide to the City a copy of the Master Agreement between the District and the San Jose/Santa Clara Treatment Plant. The Board directed Counsel to review the Master Agreement to determine the process to opt out on the agreement.

Staff member Machida reported on the After-TAC Meeting held September 14, 2009. The items that were discussed were the update of the treatment plant master plan, the costs and overhead charges that the City is charging to the tributary dischargers, and the status of the negotiations with the improvements of the Advanced Water Treatment facilities.

President Bosworth reported on the Santa Clara County Special District Meeting held September 14, 2009. During the past several months, there was increased legislative activity in the State but very little production. Rose Herrera from the City of San Jose provided a presentation on the status of the proposed stadium in downtown San Jose. LAFCO presented that the City of Gilroy wants to expand 600 acres of county land into the City.

Counsel Toppel completed the revisions from the previous meeting. After additional discussion, the Board wanted further clarification from the City of San Jose on the threshold limit of grease. Staff will make further revisions and bring this item back to the Board for consideration.

Manager Tanaka stated that the 2009 Annual Reports are being printed and they will be available for distribution at this weekend's Fall Festival and will be mailed this October. Manager Tanaka also stated that Staff will have a display board, the lateral camera, FOG literature and a cleanout assembly in the District's booth at the Fall Festival. The 2008-2009 Financial Audit for the District is being completed and it will be presented to the Board at the October 21, 2009 meeting.

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

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On motion properly made and seconded, at 9:20 p.m. it was unanimously ordered that the meeting be adjourned.

Bill Bosworth

President of the Sanitary Board

Wendell HK

Secretary of the Said Board

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY