

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

SANITARY BOARD MEETING WEDNESDAY JANUARY 6, 2010

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

President Kerr called the meeting to order and the following proceedings were had to wit: Roll call was taken, with the following members in attendance:

Directors: Wendell H. Kerr, Jr., Christopher C. Lee, Steve C. Andrews, John M. Gatto, and William A. Bosworth

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

Guest Present: Ms. Jacki Horton representing Apple Computer.

On motion of Director Gatto, seconded by Director Andrews, it was unanimously ordered that the Minutes of the meeting of Wednesday, December 16, 2009, be approved.

President Kerr requested that Item 8 be moved forward on the agenda so the Board could address the item that Ms. Horton came to hear. Staff Member Machida presented to the Board that Apple Computer has requested the District quitclaim a 50-foot sanitary sewer easement along the parcel of 19333 Valco Parkway. In exchange, Apple Computer would grant a 10-foot sanitary sewer easement back to the District for the CuSD sewer main. Apple Computer wanted a portion of the easement so that they could complete some on-site improvements. District Staff did not have an objection to reducing the width of the easement since there is adequate room to maintain the sewer main in a 10 foot easement. Further, reducing the easement from 50-feet to 10-feet would reduce the liability exposure to the District. After discussion, on a motion by Director Gatto, seconded by Director Andrews, it was unanimously approved to adopt Resolutions 1207 and 1208 that would quitclaim the 50-foot sanitary sewer easement to Apple Computer and accept a 10-foot sanitary sewer easement for replacement.

Staff reported that there was no correspondence from CASA. Staff member Machida stated that the mid-year CASA conference will be held next week.

The Special District and Local Government Institute flyer was circulated to the Board. Staff was directed to note in file.

Staff member Machida stated that he will attend the TAC meeting to be held on Monday, January 11, 2010.

Director Gatto stated that he will not attend the TPAC meeting to be held on Thursday, January 14, 2010 because he will be at the CASA conference. President Kerr asked if there are any directions that Director Gatto would like to provide to staff. Director Gatto stated that he will review the TPAC agenda when it is posted and provide directions to Staff, if needed.

Manager Tanaka stated that Staff will be changing the policy of responding to sewer lateral calls. When staff receives an after hours call related to a sewer lateral, unless the lateral is backing-up or spilling, staff will respond to the call on the next business day. This policy is different than the current practice where all

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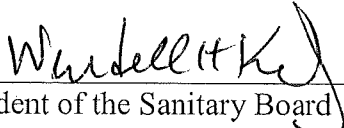
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calls are responded within one hour. Directors Gatto, Bosworth and Andrews suggested that staff should use their best judgment and if it does not appear that there will be a sanitary sewer overflow and the resident does not object the call out can be investigated on the next business day. Director Lee also suggested that Staff should go over the operations procedures to ensure that the customers concerns are addressed.


Director Andrews requested Staff to provide an update on the state of the Water Recycling Program. Staff Member Machida and Bowersox had a meeting with West Valley Sanitation District (WVSD) to obtain their view on the South Bay Water Recycling program. Mr. Bob Reid, the District Manager of WVSD, shared that he also has concerns that the water recycling is now more of a water supply issue rather than a disposal issue. Staff received some information on the recycled water program from the City of San Jose just prior to the Board meeting and the documents are being reviewed. Director Andrews directed that he would like a standing item on the agenda to discuss and update the Board on the recycled water program. The Board also stated that they want to see some evidence that the District agreed to fund Phase 2 of the South Bay Water Recycling Program

Director Lee asked Manager Tanaka about the number of Staff members that attend the Board meetings. In prior years, Manager Ross would be the only Mark Thomas representative at the meeting. There are now three Mark Thomas representatives at the meetings. Director Lee wanted to ensure that the District is operating efficiently and effectively. Manager Tanaka responded that the Mark Thomas Staff brings different expertise to the meetings and it is his expectation to answer all of the Boards questions at the meetings. After further Board discussion, it was stated that Mark Thomas was within budget and the Board was being provided good service.

On motion properly made and seconded, at 8:45 p.m. it was unanimously ordered that the meeting be adjourned.



President of the Sanitary Board



Secretary of the Said Board