

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

BOARD MEETING WEDNESDAY FEBRUARY 17, 2010 (Revised)

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 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., William A. Bosworth, John M. Gatto, Christopher C. Lee and Steve C. Andrews were present.

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

On a motion by Director Gatto, seconded by Director Andrews, it was ordered by a vote of 5-0-0 that the Minutes of the meeting of Wednesday, February 3, 2010 be approved with correction.

By consensus, it was ordered that the Approved Minutes of January 20, 2010 be noted in file.

After discussion by the Board, on a motion by Director Gatto, seconded by Secretary Lee, it was ordered by a vote of 5-0-0 that the Financial Statement for the month of February 2010 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>	
N/A	M&O	\$4,198.37	ADP PAYROLL	DIRECTORS FEES	
16424	M&O	\$98,585.79	MARK THOMAS & CO, INC.	OFFICE EXPENSES	\$400.00
				MANAGEMENT & ENGINEERING	\$25,288.13
				OPERATING EXPENSES	\$400.11
				REPAIRS & MAINTENANCE	\$38,410.69
				EMERGENCY FUNDS	\$2,822.99
				CAPITAL OUTLAY-SEWER CONST.	\$871.36
				UTILITIES (WIRELESS COMM.)	\$343.09
16425	M&O	\$24,310.00	REGISTRAR OF VOTERS -SCC	CONSOLIDATED ELECTION	
16426	M&O	\$717.50	DOOLEY INS. & FINANCIAL SVCS	INSURANCE	
16427	M&O	\$37.04	HOME DEPOT CREDIT SERVICES	REPAIRS & MAINTENANCE	
16428	M&O	\$1,225.00	ATKINSON-FARASYN, LLP	LEGAL	
16445	M&O	\$150.00	SCC SPECIAL DISTRICTS ASSOC.	MEMBERSHIP	
16429	M&O	\$23,384.86	ABLE UNDERGROUND CONST.	REPAIRS & MAINTENANCE	\$9,071.50
				EMERGENCY FUNDS	\$9,600.00
				CIP	\$9,170.00
16430	M&O	\$170.00	CUNHA LANDSCAPE SVCS, INC.	REPAIRS & MAINTENANCE	
16431	M&O	\$4,172.40	PFEIFFER ELECTRIC CO., INC.	EMERGENCY	

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16432	M&O	\$17,037.00	MELLO PIPELINES, INC.	CAPITAL OUTLAY-SEWER CONST.	\$9,170.00
				EMERGENCY	\$7,867.00
16443	M&O	\$11,607.69	PACIFIC UNDERGROUND CONST.	CIP	
16433	M&O	\$755.81	CHRISTOPHER LEE	TRAVEL & MEETINGS	
16434	M&O	\$1,306.57	JOHN GATTO	TRAVEL & MEETINGS	
16435	M&O	\$1,430.44	STEVE ANDREWS	TRAVEL & MEETINGS	
16436	M&O	\$1,271.36	WENDELL H. KERR JR.	TRAVEL & MEETINGS	
16437	M&O	\$952.93	WILLIAM A. BOSWORTH	TRAVEL & MEETINGS	
16438	M&O	\$614.66	HAROLD S. TOPPEL	TRAVEL & MEETINGS	
16444	M&O	\$95.00	FLORA WONG	EMERGENCY	
16440	M&O	\$383.78	AT&T	UTILITIES	
16419	M&O	\$533.55	AT&T FLOW MONITORING	UTILITIES	
16420	M&O	\$3,757.37	PG&E	UTILITIES	
Total		\$196,697.12			

Staff member Machida will attend the San Jose/Santa Clara Water Pollution Control Plant Technical Advisory Committee (TAC) meeting on February 22, 2010.

Director Gatto will attend the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) meeting on February 25, 2010.

Counsel Toppel presented the discussion of holding board elections on even years. After discussion, the board directed Counsel and staff to amend a Resolution to change the board election to even years for the board meeting on March 17, 2010. Staff was directed to publish a Notice of Intent for the election year change to allow for public comment.

Manager Tanaka presented the status of the San Jose/Santa Clara WPCP South Bay Water Recycling Program. Staff has received a majority of the items requested on the letter dated February 2, 2010. Staff is reviewing all documents and will present a comprehensive report at the next meeting. After discussion, Director Gatto directed Counsel to prepare a letter to the City of San Jose City Council expressing CuSD concerns regarding the SBRWP. Counsel will present a draft letter at the next meeting.

Directors Bosworth, Andrews and Gatto stated that they would like to move the board meeting start time to 7:30 PM. After discussion, on a motion by Director Bosworth, seconded by Director Andrews, it was ordered by a vote of 5-0-0 that the Ordinance 98 be approved and published. The new meeting time will be effective on March 3, 2010.

Manager Tanaka presented the Consideration for Rate Increase. After discussion, on a motion by Director Gatto, seconded by Director Andrews, it was ordered by a vote of 3-2-0 to prepare a Resolution Setting a Date and Time for Public Hearing to Consider a Rate Increase. Staff will prepare the resolution for discussion at the meeting on March 3, 2010. The resolution will reflect a 4.17% rate increase for residential and commercial customers.

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Manager Tanaka presented the Installer's Agreement for the relocation of an existing 8" sanitary sewer main located at 20199 Guava Court. Director Gatto would like assurance that the manhole will be constructed so as not to impede the sewer flow due to the 90 degree turn. After discussion, on a motion by Director Andrews, seconded by Director Gatto, it was ordered by a vote of 5-0-0 to approve the Installer's Agreement.

Manager Tanaka presented the Treatment Plant Master Plan Update received from the SJ/SC WPCP staff. Staff will attend the March 11, 2010 Community Advisory Group meeting discussion on Plant Infrastructure. SJ/SC WPCP staff will be meeting with tributary agency staff prior to the TPAC meeting to discuss the PMP Public Outreach efforts. Director Gatto stated that he would like to be advised of the date and time for that meeting.

On a motion properly made and seconded, at 9:42 p.m. it was unanimously ordered that the meeting be adjourned.



President of the Sanitary Board



Secretary of the Sanitary Board

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