

# CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

SANITARY BOARD MEETING  
WEDNESDAY, MARCH 9, 2011

## SPECIAL MEETING

### Revised

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:30 p.m. in the Stevens Creek Office Center, 20833 Stevens Creek Boulevard, Suite 104, Cupertino, California.

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

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

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

Counsel Toppel informed the Board that the County Staff had committed a procedural error in 2010 when they processed the resolution to change the District's election schedule from odd years to even years. County Staff should have sent out notices to other special districts and to the District's voters to inform them of the change. This step did not occur. County Staff indicated that a new resolution must be adopted by the Board and be filed with the Clerk of the Board by March 14, 2011 if the change is to apply in 2011. A Special Meeting was needed so that the resolution, if adopted, could be filed with the Clerk's office by the designated date.

President Lee asked if the County was going to reimburse the District for the cost that the District incurred for the mistake that County Staff committed. Director Gatto asked if the Board of Supervisors will approve the resolution.

Counsel Toppel recommended that the District file the resolution with the Clerk of the Board so that the resolution can be submitted to the Board of Supervisors for action. When the District receives the County invoice, the District can then request reimbursement for the costs that the District incurred to hold a special meeting to adopt a new resolution.

Counsel Toppel stated that the Board of Supervisors approved the previous resolution in 2010 so it is likely that they would also approve this resolution.

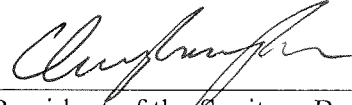
After further discussion, on a motion by Director Kerr, seconded by Director Andrews, by a vote of 4-0-1 Resolution No. 1224 was approved. President Lee abstained.

President Lee also asked the Board that if the County will not reimburse the District for our costs to hold a special meeting, the Board may want to consider forgoing payment for their attendance at this meeting.

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On motion properly made and seconded, at 7:34 p.m. it was unanimously ordered that the meeting be adjourned.



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President of the Sanitary Board



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Secretary of the Sanitary Board