

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT BOARD MEETING WEDNESDAY OCTOBER 7, 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: Staff Member Steven J. Machida and Counsel Harold S. Toppel.

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

President Bosworth stated that the water recycling report published in the San Jose Business Journal was interesting reading. After discussion, the Board ordered to Note in File.

President Bosworth stated that the Water Education Foundation tour of the San Joaquin River was open to any of the Board members that wish to attend. After discussion, the Board ordered to Note in File.

Director Gatto stated that he will attend the Regular Meeting of the San Jose/Santa Clara Water Pollution Control Plant Advisory Committee (TPAC) on October 8, 2009.

Staff Member Machida presented the items discussed at the TAC on October 5, 2009. The topics included the contract to demolish the non-compliant buildings in the buffer area of the plant, a water conservation contract with the Santa Clara Valley Water District, a contract to extend the lease agreement for on-site trailers at the Treatment Plant and changing of the contract terms for Anderson Pacific.

President Bosworth commented that the Fall Festival 2009 had interesting displays and vendors. It appeared that most of the people that visited the CuSD booth did not have a high level of interest in what the District performs. Director Lee commented that the Festival gave the District a forum to talk and educate our customers. Director Harrison stated that the Festival seemed to be well attended and this year it was focused on "green" living. Director Kerr commented that the City of San Jose had a booth that would take back pharmaceuticals and thermometers. He suggested that it may be a good idea for the District to contact the City of Cupertino and Senior Center to encourage a program to take back these items.

After discussion of the proposed changes to the District Code, on a motion by Director Harrison, seconded by Director Gatto it was unanimously ordered that Ordinance 97 be adopted to the Operations Code.

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After discussion on the Model Conflict of Interest Code, on a motion by Director Gatto, seconded by Director Harrison it was unanimously approved to adopt Resolution No. 1205, the Model Conflict of Interest Code set forth in Title 2, Section 18730 of the California Code of Regulations.

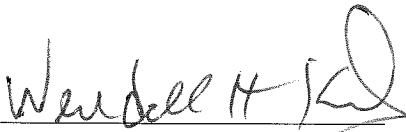
Staff Member Machida reported on the status of the SB 1760 Projects during the past five years. The Cupertino Town Center paid an in-lieu fee of \$200,000 to install a sanitary sewer in Wolfe Road. Staff consulted with Counsel and it was determined that the payment was to satisfy a condition of development so the requirements of SB 1760 does not apply to this situation. There were no other projects to report.

Director Gatto asked the Board if they would like to have a lunch or dinner to recognize Director Harrison's many years of service on the Cupertino Sanitary District Board. After discussion, it was decided that a lunch on Thursday, November 12, 2009 would be held. Staff is to select a restaurant that we could hold the lunch. An informal invitation should be created. Reservations should be for 20-25 guests. Spouses are also welcome to attend the lunch.

On a motion properly made and seconded, at 8:48 p.m. it was unanimously ordered that the meeting be adjourned.



President of the Sanitary Board



Secretary of the Said Board