

BOARD MEETING
WEDNESDAY NOVEMBER 4, 2009
(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.

Secretary 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., Curtis B. Harrison, John M. Gatto, and Christopher C. Lee. William A. Bosworth was absent.

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

On a motion by Director Harrison, seconded by Director Gatto, it was ordered by a vote of 3-0-1 that the Minutes of the meeting of Wednesday, October 21, 2009 be approved. Director Lee abstained.

Secretary Kerr stated that President Bosworth was not going to be in attendance at the next meeting so he asked for another Director to volunteer to review the monthly financials. Director Gatto volunteered to review the monthly financials for the next meeting.

The Board reviewed the approved minutes of October 7, 2009 and September 16, 2009. At the meeting on October 21, 2009, Director Harrison stated that the final minutes of the September 16, 2009 meeting had a paragraph missing. Staff member Machida stated that the Minutes that the Board approved were correct but when the minutes were printed in final form for signature, a formatting problem occurred to the document. Staff member Machida indicated that a correct version will be reprinted for final signature.

The Board discussed the Water Education Forum – 2009 Layperson's Guide to Flood Management and the Lower Yuba River Accord: from Controversy to Consensus. Staff was directed to Note in File.

The Board discussed League of Women Voters Newsletter. Staff was directed to Note in File. Secretary Kerr also discussed what occurred at the Candidates Forum. There were some unique questions asked from the public. Members from the audience asked when and where the CuSD meetings are held. Secretary Kerr stated that at the conclusion of the Candidates Forum, the CuSD Board meeting will take place at 20833 Steven Creek Blvd, Suite 104, Cupertino, CA at 8:00 PM

Staff member Machida stated that he will attend the Regular Meeting of the San Jose/Santa Clara Pollution Control Plant Technical Committee (TAC) to be held on November 9, 2009.

Director Gatto stated that he will attend the Regular Meeting of the San Jose/Santa Clara Water Pollution Control Plant Advisory Committee (TPAC) to be held on November 12, 2009.

Manager Tanaka reported on Staff's preliminary findings to convey the CuSD's flow to the Sunnyvale Treatment Plant. City Staff had not yet provided all of the valuation costs to the CuSD Staff. CuSD

Staff obtained the O&M and CIP costs of the Sunnyvale Treatment Plant in the City's annual budgets. CuSD Staff prepared tables to compare the probable O&M and CIP costs from Sunnyvale versus the San Jose/Santa Clara Plant. Director Gatto stated that some of the costs in the table should be re-reviewed, but based on the information provided this option does not look as attractive as he originally thought. Further, Counsel Toppel's assessment to withdraw from the San Jose/Santa Clara Plant will also have cost impacts. Director Lee directed Staff to work with the Sunnyvale Staff to obtain and negotiate the actual costs that the Sunnyvale will charge to the CuSD so that a more complete comparison can be developed. It was the consensus of the Board that Staff obtains the actual cost numbers from the City of Sunnyvale.

The Board discussed Resolution No. 1206 and the quitclaim request of the sewer easement on Amelia Court. Director Harrison asked if any of the CuSD's facilities are in this easement. Staff member Bowersox stated there are no CuSD facilities in this easement. On a motion by Director Gatto, seconded by Director Harrison, it was ordered by a vote of 4-0-0 that Resolution No. 1206 be adopted.

On a motion properly made and seconded, at 9:00 p.m. it was unanimously ordered that the meeting be adjourned.

President of the Sanitary Board

Secretary of the Said Board