

# CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

## CUPERTINO SANITARY DISTRICT

### BOARD MEETING

WEDNESDAY FEBRUARY 18, 2009

The Sanitary Board of the Cupertino Sanitary District convened this date at 8:00 p.m. in the Stevens Creek Office Center, Suite 104, 20833 Stevens Creek Boulevard, 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: John M. Gatto, William A. Bosworth, Wendell H. Kerr, Jr., Curtis B. Harrison, and Christopher C. Lee.

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

On motion of Director Harrison, seconded by Director Kerr, it was ordered that the Minutes of the meeting of Wednesday, February 04, 2009, be approved with correction.

After discussion, on motion of Director Bosworth, seconded by Director Gatto, it was unanimously ordered that the Financial Statement for the month of February be approved as written and the following bills be paid:

<u>VARRANT</u> <u>NUMBER</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>
16151	M&O	\$162,060.50	Mark Thomas & Co., Inc.	Office Expense \$400.00 Operating Supplies \$616.77 Management Services \$38,754.20 Engineering Services \$54,105.88 Plan Checking & Inspection \$2,175.22 Printing & Publications \$3,311.00 Repairs & Maintenance \$62,159.59 Capital Outlay-Sewer Const. \$537.84
16152	M&O	\$2,793.34	Dooley Insurance Services	Insurance
16153	M&O	\$300.00	Reserve Account - Pitney Bowes	Office Expense
16154	M&O	\$7.01	Home Depot Credit Services	Operating Supplies
16155	M&O	\$1,893.73	Soltec	Operating Supplies
16156	M&O	\$324.00	RMC Water & Environment	Engineering Services
16157	M&O	\$1,302.22	Atkinson-Farasyn, LLP	Legal \$925.00 Travel & Meetings \$377.22
16158	M&O	\$1,030.50	Creativemark Design & Photography	Printing & Publications
16159	M&O	\$91.17	\$15 Rooter Sewer & Drian Service	Repairs & Maintenance
16160	M&O	\$25,937.50	Able Underground Const.	Repairs & Maintenance \$24,058.50 Emergency \$1,879.00

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16161	M&O	\$1,847.00	City of Cupertino	Repairs & Maintenance
16162	M&O	\$170.00	Cunha Landscape Services	Repairs & Maintenance
16163	M&O	\$7,858.92	Pfeiffer Electric Co., Inc.	Repairs & Maintenance
16164	M&O	\$19,551.25	Roto Rooter Sewer Service	Repairs & Maintenance \$16,786.00 Emergency \$2,765.25
16165	M&O	\$170.00	Win Win IT Solutions	Repairs & Maintenance
16166	M&O	\$1,072.42	Christopher Lee	Travel & Meetings
16167	M&O	\$1,451.28	Curtis B. Harrison	Travel & Meetings
16168	M&O	\$1,354.22	John Gatto	Travel & Meetings
16169	M&O	\$954.39	Wendell H. Kerr, Jr.	Travel & Meetings
16170	M&O	\$991.60	William A. Bosworth	Travel & Meetings
16171	M&O	\$393.94	AT&T	Utilities
16172	M&O	\$988.48	AT&T Flow Monitoring	Utilities
16173	M&O	\$585.15	AT&T Managed Internet Service	Utilities
16174	M&O	\$2,583.77	PG&E	Utilities
<b>Total</b>		<b>\$235,712.39</b>		

\* Monthly Financial report included \$1,826,842.00 of last month meeting 1/15/09 approved to payoff series Bond B

Director Lee noticed that there was a \$10 late fee on one of the payment warrants. He directed Staff to avoid these charges by either making a pre-payment of one month ahead or asking the vendor to modify their billing schedule to match the District's payment schedule. Staff will follow-up and make the necessary corrections.

Correspondence from the Water Education Foundation was presented to the Board. On motion by Director Bosworth and seconded by Director Harrison, it was unanimously ordered to note and file.

Staff Member Machida reported that the City of San Jose is asking all of the tributary dischargers to agree to comply with the City's Living Wage Policy. This action would require all contracts Treatment Plant contracts will require the contractors to pay the Living Wage rates. The Tributary dischargers asked that this item be brought back at the next meeting. San Jose Staff also informed the Tributary Dischargers that the overhead rate that the City of San Jose will charge to the Treatment Plant will be increased from 14.5% to 23.7%. The Tributary Dischargers asked that an explanation of how the increase of the overhead rates were calculated. San Jose Staff will agendaize this item for the next meeting.

Director Gatto reported on regular meeting of the San Jose/Santa Clara Water Pollution Control Plant Advisory Committee held on Thursday, February 12, 2009. He could not attend the meeting, however, he contacted Monica Perras and learned that the New Bond was sold and there will be an Amalgam recovery program started in San Jose and then throughout the Tributary service areas.

Counsel Toppel presented a follow-up to the Board the related to the Four Month Grace Period for Sewer Service Charges on New Construction. After further discussion, it was determine a different approach for the collection of sewer service charges on new construction should be considered. Counsel Toppel will prepare a new Ordinance and bring this item back to the Board for action. Director Lee also directed staff to find out how West Valley Sanitation District collects their sewer service charges on new construction.

Manager Tanaka presented to the Board Resolution No. 1197, A Resolution of the Sanitary Board of the Cupertino Sanitary District of Intention to Consider an Increase in Sewer Service Charges; Establishing the

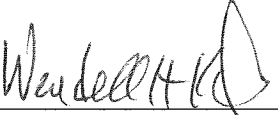
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Time and Place for a Public Hearing on the Proposed Increase; and Provide for the Giving of Notice of Such Public Hearing as Required by Law. After discussion, on motion of Director Gatto, seconded by Director Harrison, it was unanimously ordered that Resolution No. 1197 be approved.

On motion properly made and seconded, at 9:05 p.m. it was unanimously ordered that the meeting be adjourned to closed session.

  
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President of the Sanitary Board

  
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Secretary of the Said Board

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