

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT

BOARD MEETING

WEDNESDAY MARCH 4, 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, Staff Member Nichol Bowersox and Counsel Harold S. Toppel.

Guests: Vita Bruno

On motion of Director Harrison, seconded by Director Gatto, it was ordered that the Minutes of the meeting of Wednesday, February 18, 2009, be approved as is.

CASA correspondence was reviewed; the subject was "State Water Board Adopts Policies Addressing Recycled Water, Supplemental Environmental Projects". On motion of Director Harrison, seconded by Director Gatto, the Board directed Staff to note and file.

Staff Member Machida will attend the TAC meeting, to be held March 9, 2009.

Director Gatto will attend the TPAC meeting, to be held March 12, 2009.

Staff Member Machida stated that the CASA Spring Conference will be held on April 29 to May 2, 2009. Details of the conference will be distributed to the Board once the agenda is established. Tentatively, Directors Kerr, Bosworth, Harrison and Lee are planning to attend. Director Gatto will not be able to attend the conference.

CASA Legislative Committee will be meeting this Friday, March 6, 2009 and Director Kerr will report on the items at the next Board Meeting.

Director Bosworth reported on the Special Meeting, Districts Association, held on March 2, 2009. The Economic Stimulus Package was discussed and the group was informed that the Legislature introduced 870 bills last Friday, February 27, 2009.

The Board discussed Ordinance No. 95, Amending Sections 7001, 7002 and 7003 of Chapter VII of the Cupertino Sanitary District Operations Code Relating to Sewer Service Charges. Director Gatto requested additional language in the Ordinance to address refunds. Counsel Toppel will modify the Ordinance to add additional language to address refunds. On motion by Director Kerr and seconded by Director Gatto, it was unanimously approved with the revised language.

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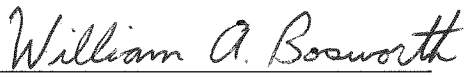
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Staff Member Machida provided an update on the status of the Via Regina Pump Station. All of the work on the station has been complete and the last item of work is the submittal of the warranty security for the project. The Contractor is trying to obtain a bond that includes the Cupertino Sanitary District named on the bond. Vita Bruno indicated that if they can not obtain a bond, the Via Regina Association will submit a CD. She asked that this item be put on the Board's agenda for the next meeting. A Transfer Agreement and Acceptance Resolutions will need approval by the Board.

Manager Tanaka stated that there are two Directors that are up for re-election. They are Directors Harrison and Kerr. Staff will be coordinating with the County to complete the appropriate paperwork for the election process.

Staff Member Bowersox made a presentation to the Board on the operations of the SmartCovers. It was noted that President's Holiday weekend, the District experienced inflow/infiltration for various sources.

On motion properly made and seconded, at 8:56 p.m. it was unanimously ordered that the meeting be adjourned to closed session.



President of the Sanitary Board



Secretary of the Said Board