

CUPERTINO SANITARY DISTRICT

SANTA CLARA COUNTY

CUPERTINO SANITARY DISTRICT

BOARD MEETING

WEDNESDAY, MAY 20, 2009

(revised)

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: William A. Bosworth, Wendell H. Kerr, Jr., Curtis B. Harrison, and Christopher C. Lee and John M. Gatto.

Staff present: Staff Member Steven J. Machida and Counsel Steven Baird.

On motion of Director Harrison, seconded by Director Gatto, it was unanimously ordered that the Minutes of the meeting of Wednesday, May 6, 2009, be approved. The Board stated that the minutes detailing the comments in the Public Hearing for the Rate Increase were excellent and the Board wanted to commend Staff Members Machida and Bowersox on the completeness of the minutes.

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

<u>WARRANT NUMBER</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>
16221	M&O	\$157,003.00	Mark Thomas & Co., Inc.	Office Expense \$400.00 Operating Supplies \$102.53 Management Services \$35,132.07 Engineering Services \$51,509.16 Printing & Publications \$6,784.71 Repairs & Maintenance \$61,063.42 Utilities \$636.18 Capital Outlay-Sewer Const.\$1,374.93
16222	M&O	\$2,181.69	Dooley Ins. & Financial Svcs.	Insurance
16223	M&O	\$79.11	Home Depot Credit Services	Operating Supplies
16224	M&O	\$137.50	Silicon Valley Comm. Newspaper	Printing & Publications
16225	M&O	\$17,036.00	Able Underground Const.	Repairs & Maintenance \$16,547.00 Emergency \$489.00
16226	M&O	\$500.00	City of Saratoga	Repairs & Maintenance
16227	M&O	\$170.00	Cunha Landscape Services	Repairs & Maintenance
16228	M&O	\$93.75	Industrial Safety Supply	Repairs & Maintenance
16229	M&O	\$23,141.25	Roto Rooter Sewer Service	Repairs & Maintenance \$22,367.75 Emergency \$773.50
16230	M&O	\$255.00	Win Win IT Solutions	Repairs & Maintenance

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16231	M&O	\$984.82	Curtis B. Harrison	Travel & Meetings
16232	M&O	\$764.89	Wendell H. Kerr, Jr.	Travel & Meetings
16233	M&O	\$750.83	William A. Bosworth	Travel & Meetings
16234	M&O	\$373.94	AT&T	Utilities
16235	M&O	\$530.99	AT&T Flow Monitoring	Utilities
16236	M&O	\$585.15	AT&T Managed Internet Service	Utilities
16237	M&O	\$3,169.41	Pacific Gas & Electric	Utilities
16238	M&O	\$35.33	San Jose Water Co.	Utilities-Water
16239	M&O	\$837.00	CSC - Roads & Airports Dept.	Emergency
16240	M&O	\$4,222.70	ITT Water & Wastewater USA MSI Engineering &	Emergency
16241	M&O	\$2,000.00	Improvements	Emergency
16242	M&O	\$5,810.00	Mello Pipelines, Inc.	Emergency
16243	M&O	\$595.43	Pfiever Electric Co., Inc.	Emergency
16244	M&O	<u>\$1,332.84</u>	Restoration Management Co.	Emergency

Total **\$222,590.63**

CASA Correspondence - Note in file

- Governor Releases Two Versions of "May Revision" of Budget: One Plan Borrows \$2 Billion from Local Governments
- Legislative Analyst's Office Releases Update on State's Cash Flow

Comments from the Public Hearing – Note in file

Neil Chen

Cynthia Chang

Director Kerr stated that he will be participating in the CASA Legislative Meeting on Friday, May 29, 2009. He will report back to the Board at the next meeting.

Staff member Machida summarized the discussion at the TAC meeting held on May 11, 2009. The discussion centered on the proposed Operation and Maintenance (O&M) and Capital Improvement (CIP) budgets for the Treatment Plant. Staff Member Machida stated that he submitted several question related to the budgets and San Jose Staff was going to respond to the questions in the following week.

Director Gatto summarized the actions at the TPAC meeting held on May 14, 2009. Director Gatto also asked that the proposed O&M and CIP budgets for the Treatment Plant be agendized for the first meeting in June 2009 to allow the Board the opportunity to review and comment of the budgets. The Board's comments can then be provided to Staff for discussion at the TAC meeting in June. Staff to agendize this item for the next Board Meeting.

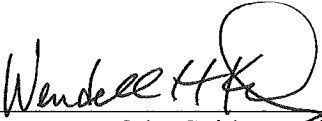
Staff member Machida requested that the Agreement between the Cupertino Sanitary District and Harold S. Toppel and Atkinson –Farasyn, LLP, Amendment to Contract for Legal Services be re-agendize to the June 17, 2009 meeting. On a motion by Director Gatto, seconded by Director Kerr it was unanimously ordered that this item be re-agendized to June 17, 2009.

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Staff member Machida received the preliminary applications that the City of San Jose will be submitting for Stimulus money for projects in the Treatment Plant. The two projects are the Nitrification Gate and Channel Aeration Improvements and the Clean Biogas Fuel Cell Program. The City of San Jose is also considering submitting an application for stimulus money to perform the Digester Rehabilitation but City Staff was informed that this money would be in the form of a loan. If San Jose accepts the loan it may affect their bond rating which may impact future bond financing. Director Kerr asked if these projects were planned but not funded. The projects were planned but the timing and funding had not been identified. Director Lee asked if San Jose was planning to apply for funds related to the recycle water projects. Staff Member Machida will follow-up with the City of San Jose on this question.

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


Secretary of the Said Board


President of the Sanitary Board

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