



**MT. VIEW SANITARY DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING
AGENDA**

APRIL 11, 2024, 3:30 PM PACIFIC TIME
BOARD ROOM, 3800 ARTHUR ROAD, MARTINEZ, CALIFORNIA

NOTICE: Members of the public may address the Board of Directors on any item of interest that is within the subject matter jurisdiction of the Board. Individuals who wish to speak should furnish their name and address to the secretary and the agenda item number. Individuals will be heard during the Board's consideration of the item. If the item is not listed on the agenda, the individual should describe the subject matter to the secretary, and it will be called under agenda item "Public Comment." Time limit is three (3) minutes subject to reasonable modification by the Chairman. If you have a physical impairment that requires special accommodations to participate, please call the Board Secretary's office at least 24 hours in advance of the meeting at 925-228-5635.

Any writings or documents provided to the majority of the Board of Directors after distribution of the agenda packet regarding any item on the Agenda will be made available for public inspection in the Mt. View Sanitary District Office at 3800 Arthur Road during normal business hours.

1. ROLL CALL OF DIRECTORS

2. PUBLIC COMMENT

3. CONSENT CALENDAR

Consent Calendar items are typically routine in nature and are considered for approval by the Board of Directors with one single motion. Members of the Board, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Board President

A. [APPROVE THE MINUTES OF THE MARCH 14, 2024, REGULAR BOARD MEETING](#)

B. [RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 61767 THROUGH 61810 DATED MARCH 5, 2024](#) *(See purchase journal following this item in packet for details.)*

C. [RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 61811 THROUGH 61851 DATED MARCH 19, 2024](#) *(See purchase journal following this item in packet for details.)*

D. [RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBER 712 DATED MARCH 5, 2024](#) *(See purchase journal following this item in packet for details.)*

E. [RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3217 THROUGH 3218 DATED MARCH 5, 2024](#) *(See purchase journal following this item in packet for details.)*

- F. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3219 THROUGH 3220 DATED MARCH 19, 2024 *(See purchase journal following this item in packet for details.)*

4. PUBLIC HEARING

A. PUBLIC HEARING – BOARD MEMBER COMPENSATION

1. RECEIVE REPORT FROM STAFF
2. CONDUCT PUBLIC HEARING ON PROPOSED INCREASE OF BOARD MEMBER COMPENSATION FROM \$267.75 TO UP TO A MAXIMUM OF \$281.13 FOR EACH DAY'S SERVICE NOT EXCEEDING A TOTAL OF SIX (6) DAYS IN ANY CALENDAR MONTH.
 - a. OPEN PUBLIC HEARING
 - b. RECEIVE PUBLIC COMMENT
 - c. CLOSE PUBLIC HEARING
3. CONSIDER ADOPTION OF ORDINANCE NO. 2024-142, ADOPTING GENERAL REGULATION NO. 142 INCREASING THE COMPENSATION TO BE PAID TO MEMBERS OF THE BOARD OF DIRECTORS FOR A DAY'S SERVICES AS A DIRECTOR FROM \$267.75 TO NOT GREATER THAN \$281.13 FOR EACH DAY'S SERVICE NOT EXCEEDING A TOTAL OF SIX (6) DAYS IN ANY CALENDAR MONTH TO BE EFFECTIVE JULY 1, 2024.

B. PUBLIC HEARING FOR CONSIDERATION OF ORDINANCE AND GENERAL REGULATION ADOPTING AND ESTABLISHING SCHEDULE OF CHARGES AND FEES FOR THE FISCAL YEAR 2024-2025

1. RECEIVE REPORT FROM STAFF
2. CONDUCT PUBLIC HEARING
 - a. OPEN PUBLIC HEARING
 - b. RECEIVE PUBLIC TESTIMONY
 - c. CLOSE PUBLIC HEARING
3. CONSIDER ADOPTION OF ORDINANCE NO. 2024-143, PROMULGATING GENERAL REGULATION NO. 143 ADOPTING AND ESTABLISHING A SCHEDULE OF CHARGES AND FEES FOR FISCAL YEAR 2024-2025

C. PUBLIC HEARING – VALERO PIGGING STATION LICENSE RENEWAL

1. RECEIVE REPORT FROM STAFF
2. CONDUCT PUBLIC HEARING
 - a. OPEN PUBLIC HEARING
 - b. RECEIVE PUBLIC COMMENT
 - c. CLOSE PUBLIC HEARING
3. CONSIDER ADOPTION OF RESOLUTION _____-2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE PIGGING STATION GROUND LEASE AGREEMENT WITH VALERO ON THE MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.

D. PUBLIC HEARING - SALE OF CELL TOWER & BILLBOARD LEASES

1. RECEIVE REPORT FROM STAFF
2. CONDUCT PUBLIC HEARING
 - a. OPEN PUBLIC HEARING
 - b. RECEIVE PUBLIC COMMENT
 - c. CLOSE PUBLIC HEARING
3. CONSIDER ADOPTION OF RESOLUTION _____-2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE SYMPHONY WIRELESS LETTER OF INTENT FOR THE SALE OF THE CELL SITE LEASES ON THE MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.
4. CONSIDER ADOPTION OF RESOLUTION _____-2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE LANDMARK TERMS OF AGREEMENT FOR THE SALE OF THE CLEAR CHANNEL BILLBOARD LEASES AND THE CELL SITE SUBLEASE TO AT&T MOBILITY ON THE MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.

5. NEW BUSINESS

A. INTER-FUND TRANSFER OF AD VALOREM FROM FUND 3409 TO FUND 3410; OF SEWER SERVICE CHARGES (SSC) FROM FUND 3409 TO FUND 3412; AND OF 3412 RESERVE FUNDS TO 3412 CASH FOR CAPITAL PROJECTS

1. RECEIVE REPORT FROM STAFF
2. CONSIDER ADOPTION OF RESOLUTION NO. ____-2024, AUTHORIZING A TRANSFER FROM FUND 3409 TO FUND 3410 IN THE AMOUNT OF \$465K FOR AD VALOREM TAXES; AND, AUTHORIZING THE TRANSFER OF SEWER SERVICE CHARGES FROM FUND 3409 TO FUND 3412 IN THE AMOUNT OF \$1.3M; AND THE TRANSFER OF \$700K FROM 3412 RESERVE FUNDS (LAIF) TO 3412 CASH.

B. COST OF LIVING ADJUSTMENT & DISTRICT INFLATION INDEX

1. RECEIVE REPORT FROM STAFF
2. CONSIDER ADOPTION OF A MOTION APPROVING A 3.66% COST OF LIVING ADJUSTMENT (COLA) FOR ALL DISTRICT POSITIONS AND;
3. PROVIDE DIRECTION TO REVISE THE DISTRICT POLICY AND PROCEDURE 2305 – SALARY & WAGE SCHEDULES AND PRESENT IT TO THE BOARD FOR APPROVAL AT THE JUNE 13, 2024, REGULAR BOARD MEETING.

C. FUND 3412 BUDGET AMENDMENT FOR THE UV DISINFECTION REPLACEMENT

1. RECEIVE REPORT FROM STAFF
2. CONSIDER ADOPTION OF RESOLUTION NO. ____-2024 APPROVING THE PROPOSED FUND 3412 BUDGET AMENDMENT FOR THE UV DISINFECTION REPLACEMENT IN THE TOTAL INCREASE AMOUNT OF \$700,000.

D. PRETREATMENT NOTICE OF VIOLATIONS (NOV)

1. RECEIVE REPORT FROM STAFF
2. PROVIDE DIRECTION TO STAFF TO PROCEED WITH PUBLIC NOTIFICATION OF NOV.

E. CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO) REQUESTING VOTE FOR SPECIAL DISTRICT MEMBER REGULAR SEAT AND FOR NAMES OF VOTING DELEGATES

1. RECEIVE REPORT FROM STAFF
2. DISCUSS AND CONSIDER THE LIST OF CANDIDATES TO FILL THE SPECIAL DISTRICT MEMBER REGULAR SEAT ON THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO), AND BY CONSENSUS, DIRECT THE BALLOT TO BE COMPLETED, SIGNED, AND RETURNED TO LAFCO NO LATER THAN APRIL 19, 2024
3. CONSIDER ADOPTION OF A MOTION DESIGNATING A DIRECTOR AS THE INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE (ISDSC) REPRESENTATIVE AND ANOTHER DIRECTOR AS MVSD'S ALTERNATE TO THE LAFCO (ISDSC)

F. RATIFICATION OF OPPOSITION LETTER FOR INITIATIVE 1935 – SURPLUS LAND ACT

1. RECEIVE REPORT FROM STAFF
2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S OPPOSITION LETTER FOR INITIATIVE 1935 OF THE HOUSING AND COMMUNITY DEVELOPMENT (HCD) AND DRAFT UPDATED SURPLUS LAND ACT GUIDELINES WRITTEN TO DIRECTOR VELASQUEZ OF THE HCD.

G. RATIFICATION OF H.R. 7525 SPECIAL DISTRICT GRANT ACCESSIBILITY ACT SUPPORT LETTER

1. RECEIVE REPORT FROM STAFF
2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S H.R. 7525 SUPPORT LETTER, WRITTEN TO REPRESENTATIVES MARK DESAULNIER AND JOHN GARAMENDI.

H. RATIFICATION OF THE POSITION LETTER RE: THE CONSEQUENCES OF LISTING PFAS AS HAZARDOUS UNDER CERCLA

1. RECEIVE REPORT FROM STAFF

2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S POSITION LETTER REGARDING THE CONSEQUENCES OF DESIGNATING PER AND POLY-FLUOROALKYL SUBSTANCES (PFAS) CHEMICALS AS HAZARDOUS SUBSTANCES UNDER COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), WRITTEN TO SENATORS SHELLY MOORE CAPITO, TOM CARPER, ALEX PADILLA, AND LAPHONZA BUTLER.

I. **CALL FOR PUBLIC HEARING: CONFLICT OF INTEREST CODE – AMENDMENT**

1. RECEIVE REPORT FROM STAFF.
2. ADOPT A MOTION AUTHORIZING THE TRANSMISSION OF CORRESPONDENCE TO THE CONTRA COSTA COUNTY CLERK OF THE BOARD OF SUPERVISORS REGARDING THE ANTICIPATED AMENDMENT OF THE CONFLICT OF INTEREST CODE FOR THE MT. VIEW SANITARY DISTRICT; AND,
3. ADOPT RESOLUTION NO. _____-2024 DIRECTING THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO AMEND THE MT. VIEW SANITARY DISTRICT CONFLICT OF INTEREST CODE AND THE SETTING OF A PUBLIC HEARING FOR JUNE 13, 2024.

6. **REPORTS**

- R-1. [GENERAL MANAGER](#)
- R-2. [DEPUTY GENERAL MANAGER](#)
- R-3. [DISTRICT ENGINEER](#)
- R-4. [CFO/ADMINISTRATIVE SERVICES MANAGER](#)
- R-5. [WASTEWATER OPERATIONS MANAGER](#)
- R-6. DISTRICT LEGAL COUNSEL
- R-7. BOARD SECRETARY
- R-8. DIRECTORS

- R 8.01 PRESIDENT JULIA HALSNE
- R 8.02 DIRECTOR BRIAN A. DANLEY
- R 8.03 DIRECTOR DAVID P. MAGGI
- R 8.04 DIRECTOR GREGORY T. PYKA
- R 8.05 DIRECTOR JARED RUDELL

7. COMMUNICATIONS

- A. [BMO MONTHLY STATEMENT](#)
- B. [LAIF MONTHLY STATEMENT](#)
- C. [UPCOMING AGENDA ITEMS AND SCHEDULE OF EVENTS](#)

8. FUTURE BOARD ITEMS

- A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

9. ADJOURN TO A MEETING OF THE BOARD OF DIRECTORS OF THE DOROTHY M. SAKAZAKI ENVIRONMENTAL ENDOWMENT FUND NONPROFIT PUBLIC BENEFIT CORPORATION [\(SEE SEPARATE AGENDA\)](#)

10. RECONVENE THE REGULAR MT. VIEW SANITARY DISTRICT BOARD MEETING

11. ADJOURNMENT

- A. THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, MAY 9, 2024, AT 3:30 P.M. THE NEXT SCHEDULED MEETING IS A FINANCE COMMITTEE MEETING ON THURSDAY, APRIL 18, 2024 AT 9:00 A.M.