

MINUTES OF THE REGULAR MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT
JULY 14, 2022

The District Board of the Mt. View Sanitary District convened a regular session of the Mt. View Sanitary District Board of Directors in a virtual meeting online via Zoom at <https://us02web.zoom.us/join/91119427171> on July 14, 2022, at 6:35 p.m.

1. ROLL CALL OF DIRECTORS

PRESENT: Directors Stanley R. Caldwell, Melody LaBella, and Gregory T. Pyka, Vice President Brian A. Danley, and President David P. Maggi

ABSENT: None

Also Present: STAFF –District Manager Lilia M. Corona, District Engineer Chris D. Elliott, Associate Engineer Ruby Vicencio, Environmental Services Manager Stacey Ambrose, Board Secretary Stephanie L. Seregin, and District Legal Counsel J. Daniel Adams

PUBLIC: None

2. PUBLIC COMMENT

None

4. NEW BUSINESS

A. VIRTUAL MEETINGS

1. REPORT FROM STAFF

District Counsel Adams reported.

2. CONSIDER ADOPTION OF RESOLUTION NO. 1559-2022 AUTHORIZING THE DISTRICT TO CONTINUE TO CONDUCT VIRTUAL BOARD AND COMMITTEE MEETINGS

It was moved by Director LaBella, seconded by Director Pyka, to adopt Resolution No. 1559-2022, authorizing the District to continue to conduct virtual Board and Committee Meetings.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

3. CONSENT CALENDAR

- A. APPROVE THE MINUTES OF THE JUNE 9, 2022, REGULAR BOARD MEETING
- B. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 59701 THROUGH 59741 DATED JUNE 14, 2022
- C. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 59742 THROUGH 59789 DATED JUNE 28, 2022
- D. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBERS 675 THROUGH 678 DATED JUNE 28, 2022
- E. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3086 THROUGH 3090 DATED JUNE 14, 2022
- F. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3091 THROUGH 3096 DATED JUNE 28, 2022

It was moved by Director LaBella, seconded by Director Pyka, to approve Consent Calendar Items 3A to 3F.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

4. NEW BUSINESS

B. CALL FOR PUBLIC HEARING – SB 1383 MANDATORY ORDINANCE

1. REPORT FROM STAFF

District Manager Corona reported.

Vice President Danley asked if Republic Services would go through our garbage to enforce SB1383, mandatory organic waste recycling.

Director LaBella advised that Republic Services would audit our garbage to check for compliance. The Mandatory SB 1383 Ordinance authorizes the District to enforce on noncompliant recycling sorting.

President Maggi inquired whether Republic Services plans to provide information to residents on how to store organic waste.

2. CONSIDER ADOPTION OF A MOTION DIRECTING STAFF TO PREPARE THE DOCUMENTATION, CALL FOR A PUBLIC HEARING ON AUGUST 11, 2022, AND FOLLOW THE REQUIRED PROCEDURES NECESSARY FOR THE BOARD OF DIRECTORS TO CONSIDER ADOPTION OF AN ORDINANCE IMPLEMENTING THE REQUIREMENTS OF SB 1383 TO IMPLEMENT A NEW INSPECTION AND ENFORCEMENT PROGRAM.

It was moved by President Maggi, seconded by Director LaBella, to adopt a motion directing staff to prepare the documentation, call for a public hearing on August 11, 2022, and follow the required procedures necessary for the Board of Directors to consider adoption of an Ordinance implementing the requirements of SB 1383.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

C. CORRECTION OF SEWER SERVICE CHARGES FOR TWENTY-EIGHT (28) PARCELS FOR FISCAL YEARS 2018-19, 2019-20, 2020-21 AND/OR 2021-22

1. REPORT FROM STAFF

Associate Engineer Ruby Vicencio reported.

Vice President Danley inquired whether this type of error had happened before. He expressed his concern regarding charging residents for previous years of unposted SSC's that we inadvertently undercharged for and considered the hardship it could cause these individuals.

Director LaBella advised that it is not entirely uncommon, and legally we can collect up to four years of back SSC's. Ms. LaBella indicated holding a public hearing is the appropriate way to proceed.

2. CONSIDER ADOPTION OF RESOLUTION NO. 1560-2022 AUTHORIZING THE REFUND OF EXCESS SEWER SERVICE CHARGES TO LOCKWOOD PROPERTY GROUP OF 1201 ARNOLD DR. FOR FISCAL YEAR 2018-2019 THROUGH FISCAL YEAR 2021-22 IN THE AMOUNT OF \$253.20

It was moved by Director Caldwell, seconded by Director LaBella, to adopt Resolution No. 1560-2022, authorizing the refund of excess sewer service charges to Lockwood Property Group of 1201 Arnold Dr. for Fiscal Year 2018-2019 through Fiscal Year 2021-22 in the amount of \$253.20.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

3. CONSIDER ADOPTION OF RESOLUTION NO. 1561-2022 AUTHORIZING THE REFUND OF EXCESS SEWER SERVICE CHARGES TO KIMBERLY AND RONALD DAVIS OF 116 CLIPPER LN. FOR FISCAL YEAR 2018-2019 THROUGH FISCAL YEAR 2021-22 IN THE AMOUNT OF \$2,477.64

It was moved by Director LaBella, seconded by Vice President Danley, to adopt Resolution No. 1561-2022 authorizing the refund of excess sewer service charges to Kimberly and Ronald Davis of 116 Clipper Ln. for Fiscal Year 2018-2019 through Fiscal Year 2021-22 in the amount of \$2,477.64.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
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NOES: None
ABSENT: None
ABSTAIN: None

4. PROVIDE DIRECTION TO STAFF CONCERNING THE COLLECTION OF UNPOSTED SEWER SERVICE CHARGES FOR TWENTY-SIX (26) PARCELS FOR FISCAL YEARS 2018-19, 2019-20, 2020-21, AND/OR 2021-22

The Board requested staff provide a more detailed report at the August meeting explaining the corrections required and the options available to our residents in order for the Board to make an informed decision.

D. REVISION TO POLICY & PROCEDURE 2305 –SALARY WAGE SCHEDULE

1. REPORT FROM STAFF

District Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING THE REVISED POLICY & PROCEDURE 2305 –SALARY WAGE SCHEDULE

It was moved by Director Pyka, seconded by Director LaBella, to adopt a motion approving the revised Policy & Procedure 2305 –Salary Wage Schedule.

Motion carried by the following vote:

AYES: Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES: None
ABSENT: None
ABSTAIN: None

E. LYSTEK MEMORANDUM OF UNDERSTANDING AMENDMENT FOR BIOSOLIDS

1. REPORT FROM STAFF

District Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) AMENDMENT BETWEEN MT. VIEW SANITARY DISTRICT AND LYTEK INTERNATIONAL LIMITED (LYSTEK) AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE DOCUMENT

It was moved by President Maggi, seconded by Director Pyka, to adopt a motion approving the Memorandum of Understanding (MOU) Amendment between Mt. View sanitary District and Lystek International Limited (Lystek) and authorizing the Board President to execute the document.

Motion carried by the following vote:

AYES:	Directors Caldwell, LaBella, and Pyka, Vice President Danley, and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

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

1. REPORT FROM STAFF

District Manager Corona reported.

2. CONSIDER ADOPTION OF 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,

It was moved by President Maggi, seconded by Director LaBella, to 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,

Motion carried by the following vote:

AYES: Directors Caldwell, LaBella, and Pyka, Vice President Danley,
and President Maggi
NOES: None
ABSENT: None
ABSTAIN: None

3. CONSIDER ADOPTION OF RESOLUTION NO.1562-2022 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 SEPTEMBER 8, 2022

It was moved by Director Pyka, seconded by Director LaBella, to adopt Resolution No.1562-2022 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 September 8, 2022.

Motion carried by the following vote:

AYES: Directors Caldwell, LaBella, and Pyka, Vice President Danley,
and President Maggi
NOES: None
ABSENT: None
ABSTAIN: None

5. REPORTS

R-1. DISTRICT MANAGER

District Manager Corona advised the Board that she and Environmental Services Manager Ambrose are working on an America the Beautiful grant application that would assist in funding activities in Moorhen Marsh, such as the floating islands nutrient removal study and the streambed alteration agreement.

Ms. Corona advised the Board that September 28 is the tentative date for the annual employee appreciation luncheon. The Board agreed to the date for the luncheon.

R-2. DISTRICT ENGINEER

District Engineer Elliott provided an update on 888 Howe Road and housing developments within the District. Mr. Elliott recognized Associate

Engineer Ruby Vicencio for her hard work on current and developing subdivisions.

R-3. CFO/ADMINISTRATIVE SERVICES MANAGER

None

R-4. ENVIRONMENTAL SERVICES MANAGER

Environmental Services Manager Ambrose answered the Board's questions regarding the biotower mural, graffiti at the plant, and security issues on the plant road.

Director Pyka recommended we include an article in the Mt. View Monitor informing residents of the graffiti issues and why it could affect their rates.

Director LaBella suggested targeted outreach, informing our direct neighbors of these issues and requesting assistance in thwarting this problem.

R-5. WASTEWATER OPERATIONS MANAGER

None

R-6. DISTRICT LEGAL COUNSEL

District Legal Counsel Adams advised the Board of his potential attendance at the CASA Conference in Squaw Creek.

R-7. BOARD SECRETARY

District Secretary Seregin advised the Board of the upcoming due date for filing their Local California Campaign Form 470.

R-8. DIRECTORS

R 8.01 DIRECTOR BRIAN A. DANLEY

Vice President Danley informed the Board of his attendance at the Annual CASA Conference in Squaw Creek next month.

R 8.02 DIRECTOR DAVID P. MAGGI

None

R 8.03 DIRECTOR GREGORY T. PYKA

Director Pyka advised the Board he may not join the August Board meeting due to his traveling schedule.

R 8.04 DIRECTOR STANLEY R. CALDWELL

Director Caldwell left the meeting at 7:53 p.m.

R 8.05 DIRECTOR MELODY LABELLA

None

6. COMMUNICATIONS

A. BANK OF THE WEST MAY-JUNE MONTHLY STATEMENTS

7. FUTURE BOARD ITEMS

A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

Director LaBella inquired about the MVSD Vision Statement. District Manager Corona indicated she plans to present her Vision Statement to the Board within the next few months.

8. ADJOURNMENT

A. THE NEXT SCHEDULED BOARD MEETING IS A REGULAR MEETING ON THURSDAY, AUGUST 11, 2022 ,AT 6:30 P.M. THE NEXT SCHEDULE MEETING IS A PUBLIC INFORMATION COMMITTEE MEETING ON TUESDAY, JULY 19, 2022, AT 10:30 A.M.

President Maggi adjourned the meeting at 7:54 pm.


Stephanie Sereg, Board Secretary