

MINUTES OF THE REGULAR MEETING  
OF THE DISTRICT BOARD  
MT. VIEW SANITARY DISTRICT  
MAY 11, 2023

The District Board of the Mt. View Sanitary District convened in a regular session at its regular place of meeting, Mt. View Sanitary District Board Room, 3800 Arthur Road, Martinez, County of Contra Costa, State of California, on May 11, 2023, at 6:33 p.m.

1. ROLL CALL OF DIRECTORS

PRESENT: Directors Julia Halsne, David P. Maggi, Gregory T. Pyka, and President Brian A. Danley.

ABSENT: None

Also Present: STAFF – General Manager Lilia M. Corona, Deputy General Manager Stacey Ambrose, District Engineer Chris D. Elliott, CFO/Administrative Services Manager Denise D. Gray, Board Secretary Stephanie L. Seregin, and District Legal Counsel J. Daniel Adams

PUBLIC: None

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

A. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 60667 THROUGH 60757 DATED APRIL 4, 2023

B. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 60758 THROUGH 60808 DATED APRIL 20, 2023

C. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBER 692 DATED APRIL 4, 2023

D. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBERS 693 THROUGH 694 DATED APRIL 20, 2023

E. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3148 THROUGH 3149 DATED APRIL 4, 2023

F. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3150 THROUGH 3151 DATED APRIL 20, 2023

It was moved by President Danley, seconded by Director Maggi, to approve Consent Calendar Items 3A to 3F.

Motion carried by the following vote:

AYES:	Directors Halsne, Maggi, Pyka, and President Danley
NOES:	None
ABSENT:	None
ABSTAIN:	None

4. NEW BUSINESS

**A. ELECTION OF BOARD VICE PRESIDENT AND COMMITTEE APPOINTMENTS**

1. REPORT FROM STAFF

General Manager Corona reported.

2. NOMINATE AND ELECT THE BOARD VICE PRESIDENT FOR THE PERIOD COMMENCING APRIL 13, 2023 (CONDUCTED BY PRESIDENT DANLEY)
- A. REQUEST NOMINATION(S)
  - B. CONDUCT ELECTION OR REQUEST MOTION APPOINTING THE NOMINEE AS VICE PRESIDENT

President Danley nominated Director Halsne as the Board Vice President for the period commencing May 11, 2023, seconded by Director Pyka.

Motion carried by the following vote:

AYES:	Directors Halsne, Maggi, Pyka, and President Danley
NOES:	None
ABSENT:	None
ABSTAIN:	None

3. THE BOARD PRESIDENT SOLICITS INTEREST AND APPOINTS COMMITTEE MEMBERS AND ALTERNATES TO THE FOLLOWING STANDING COMMITTEES:

- A. PLANNING COMMITTEE
- B. ORDINANCE COMMITTEE
- C. PERSONNEL COMMITTEE
- D. FINANCE COMMITTEE

E. PUBLIC INFORMATION COMMITTEE

President Danley inquired as to whether anyone desired to change committees.

4. CONSIDER ADOPTION OF A MOTION CONFIRMING THE BOARD PRESIDENT'S COMMITTEE APPOINTMENTS.

There being no requests for changes, President Danley declared that the Committee assignments and Chairs for each Committee for 2023 would remain as is.

It was moved by Director Pyka, seconded by Director Maggi, to adopt a motion confirming the Board President's Committee appointments.

Motion carried by the following vote:

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

5. DIRECT BOARD SECRETARY TO POST FAIR POLITICAL PRACTICE COMMISSION FORM 806 TO THE DISTRICT WEBSITE AS REQUIRED BY STATE LAW.

By consensus, the Board directed the Board Secretary to prepare and post the Fair Political Practice Commission Form 806 to the District website as required by State law.

**B. SIGNATURE AUTHORITY LETTER – CONTRA COSTA COUNTY AUDITOR-CONTROLLER**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE SIGNATURE AUTHORITY LETTER REFLECTING THE GENERAL MANAGER, DEPUTY GENERAL MANAGER,

CFO/ADMINISTRATIVE SERVICES MANAGER, BOARD SECRETARY/EXECUTIVE ASSISTANT, BOARD SECRETARY PRO TEM, AND BOARD MEMBERS' AUTHORITY TO SIGN WARRANTS AND PAYMENT ORDERS ISSUED BY AND ON BEHALF OF MT. VIEW SANITARY DISTRICT AND AUTHORIZING FUTURE BOARD PRESIDENTS TO EXECUTE THE SIGNATURE AUTHORITY LETTER AS NEEDED DUE TO PERSONNEL CHANGES IN THESE DESIGNATED POSITIONS.

It was moved by President Danley, seconded by Director Pyka, to adopt a motion authorizing the Board President to execute the Signature Authority Letter reflecting the General Manager, Deputy General Manager, CFO/Administrative Services Manager, Board Secretary/Executive Assistant, Board Secretary Pro Tem, and Board Members' authority to sign warrants and payment orders issued by and on behalf of Mt. View Sanitary District and authorizing future Board Presidents to execute the Signature Authority Letter as needed due to personnel changes in these designated positions.

Motion carried by the following vote:

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

**C. CONTRA COSTA LOCAL AGENCY FORMATION (LAFCO) REQUESTING VOTE FOR SPECIAL DISTRICT MEMBER ALTERNATE SEAT**

1. REPORT FROM STAFF

General Manager Corona reported.

2. DISCUSS AND CONSIDER THE LIST OF CANDIDATES TO FILL THE SPECIAL DISTRICT MEMBER ALTERNATE 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 MAY 19, 2023.

By consensus, the Board agreed to support candidate Susan Morgan of Iron House Sanitary District and directed the ballot to be completed, signed, and returned to LAFCO no later than May 19, 2023.

**D. BOARD OF DIRECTORS VACANCY**

1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION TO PROCEED BY APPOINTMENT TO FILL THE VACANCY ON THE BOARD.

3. CONSIDER ADOPTION OF A MOTION RATIFYING THE GENERAL MANAGER'S TIMELY NOTICE TO THE COUNTY ELECTION OFFICIAL OF THE VACANCY AND TAKE THE NECESSARY ACTIONS TO FACILITATE THE APPOINTMENT OF A NEW DIRECTOR.

4. CONSIDER ADOPTION OF A MOTION RATIFYING THE GENERAL MANAGER'S TIMELY POSTING OF THE NOTICE OF THE BOARD VACANCY.

It was moved by Vice President Halsne, seconded by Director Maggi, to adopt a motion to proceed by appointment to fill the vacancy on the Board, and; ratify the General Manager's timely notice to the county election official of the vacancy and take the necessary actions to facilitate the appointment of a new Director, and; ratify the General manager's timely posting of the notice of the Board vacancy.

Motion carried by the following vote:

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

**E. FISCAL YEAR 2022-2023 – 3<sup>RD</sup> QUARTER BUDGET REPORT**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. PROVIDE DIRECTION, AS NECESSARY

President Danley thanked Ms. Gray for her report.

**F. COST OF LIVING ADJUSTMENT & DISTRICT INFLATION INDEX**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING A 5.598% COST OF LIVING ADJUSTMENT (COLA) FOR ALL DISTRICT POSITIONS AND;

PROVIDE DIRECTION TO REVISE THE DISTRICT POLICY AND PROCEDURE 2305 – SALARY & WAGE SCHEDULE.

It was moved by President Danley, seconded by Director Pyka, to approve a 5.598% cost of living adjustment (COLA) for all district positions and; provide direction to revise the District Policy and Procedure 2305 – Salary & Wage Schedule

Motion carried by the following vote:

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

**G. ANNUAL REVIEW OF DISTRICT POSITIONS AND SUCCESSION**

1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING:

A. THE SUCCESSION PLAN

B. REVISED POLICY AND PROCEDURE 2300 - AUTHORIZED POSITIONS

C. REVISED POLICY AND PROCEDURE 2305 – SALARY WAGE SCHEDULE

D. REVISED ORGANIZATIONAL CHART

It was moved by Vice President Halsne, seconded by Director Pyka, to adopt a motion approving the succession plan, revised Policy and Procedure

2300 - Authorized Positions, revised Policy and Procedure 2305 – Salary Wage Schedule, and the revised Organizational Chart.

Motion carried by the following vote:

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

#### **H. FISCAL YEAR 2023-2024 DRAFT BUDGET PRESENTATION**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. PROVIDE DIRECTION, AS NECESSARY

President Danley thanked Ms. Gray for her report.

#### **I. CALL FOR PUBLIC HEARING - DISTRICT FEES AND CAPACITY CHARGES FOR FISCAL YEAR 2023-2024**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION CONFIRMING THE INTENT TO INCREASE DISTRICT FEES AND CAPACITY CHARGES BY THE DISTRICT INFLATION FACTOR OF 5.598%

3. CONSIDER ADOPTION OF A MOTION DIRECTING STAFF TO PREPARE AND PUBLISH AS NECESSARY, THE DOCUMENTATION CALLING FOR A PUBLIC HEARING ON JUNE 8, 2023, AND FOLLOW THE REQUIRED PROCEDURES NECESSARY FOR THE BOARD OF DIRECTORS TO CONSIDER ADOPTION OF THE INCREASE IN DISTRICT FEES AND CAPACITY CHARGES, OTHER THAN SEWER SERVICE CHARGES, UP TO A 5.598 PERCENT INCREASE TO BE EFFECTIVE JULY 1, 2023

It was moved by Vice President Halsne, seconded by Director Pyka, to adopt a motion confirming the intent to increase District Fees and Capacity Charges by the District inflation factor of 5.598%, and; adopt a motion directing staff to prepare and publish as necessary, the documentation calling for a Public Hearing as revised to June 19, 2023, and follow the required procedures necessary for the Board of Directors to consider adoption of the increase in District Fees and Capacity Charges, other than Sewer Service Charges, up to a 5.598 percent increase to be effective July 1, 2023.

Motion carried by the following vote:

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

**J. CALL FOR PUBLIC HEARING FOR COLLECTION OF SEWER SERVICE CHARGES FOR FISCAL YEAR 2023-2024 WITH THE GENERAL TAXES**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION DECLARING THE INTENTION OF THE DISTRICT TO COLLECT SEWER SERVICE CHARGES (SSC) WITH THE GENERAL TAXES FOR FISCAL YEAR 2023-2024, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PRELIMINARY REPORT FOR JUNE 8, 2023, AND DIRECTING PUBLICATION OF NOTICE OF THE PUBLIC HEARING.

It was moved by Director Maggi, seconded by President Danley, to adopt a motion declaring the intention of the District to collect Sewer Service Charges (SSC) with the general taxes for Fiscal Year 2023-2024, setting the time and place for a public hearing on the preliminary report as revised to June 19, 2023, and directing publication of Notice of the Public Hearing.

Motion carried by the following vote:

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

## K. RATIFICATION OF AB 557 EMERGENCY REMOTE BROWN ACT MEETING

### 1. REPORT FROM STAFF

General Manager Corona reported.

### 2. RATIFICATION OF H.R. 2467 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) EXEMPTION REQUEST FOR CLEAN WATER PUBLIC OWNED TREATMENT WORKS (POTWS) LETTERS

It was moved by President Danley, seconded by Director Maggi, to ratify H.R. 2467 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) exemption request for clean water publicly owned treatment works (POTWS) letters.

Motion carried by the following vote:

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

## 5. REPORTS

### R-1. GENERAL MANAGER

General Manager Corona reported on the following items:

- Updated Vacation Schedule
- LAFCO Meeting Attendance
- Prop 218 Rate Increases proposed at Vallejo Flood & Wastewater District, and Rodeo Sanitary District

### R-2. DISTRICT ENGINEER

District Engineer Elliott provided an update regarding the completion of the U.V. project.

R-3. CFO/ADMINISTRATIVE SERVICES MANAGER

Her written report was referenced, and there were no questions.

R-4. DEPUTY GENERAL MANAGER

Deputy General Manager Ambrose informed the Board of "World Backup Day" an annual event that reminds people to back up their electronic data before they lose it.

R-5. WASTEWATER OPERATIONS MANAGER

General Manager Corona responded to questions from the Board regarding the clearing of the Moorhen Marsh wildlife garden.

R-6. DISTRICT LEGAL COUNSEL

District Legal Counsel Adams informed the Board the new Board member will need to be appointed at the next Board meeting.

Counselor Adams then advised the Board that after Item #9 the Closed Session should be announced and staff dismissed except General Manager Corona and District Legal Counsel Adams.

R-7. BOARD SECRETARY

None

R-8. DIRECTORS

R 8.01 PRESIDENT BRIAN A. DANLEY

President Danley reported his attendance at the LAFCO meeting and the approved extension of the MSR contract.

R 8.02 DIRECTOR JULIA HALSNE

None

R 8.03 DIRECTOR DAVID P. MAGGI

None

R 8.04 DIRECTOR GREGORY T. PYKA

None

6. COMMUNICATIONS

- A. BANK OF THE WEST MONTHLY STATEMENTS
- B. LAIF MONTHLY STATEMENT
- C. JOINT PFAS RECEIVERS LETTER ON CERCLA

7. FUTURE BOARD ITEMS

- A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

President Danley requested Ms. Corona prepare a presentation on agency consolidation.

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

The Board adjourned to a meeting of the Board of Directors of the Dorothy M. Sakazaki Environmental Endowment Fund at 8:05 p.m.

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

The Board reconvened the regular Mt. View Sanitary District Board Meeting, announced the Closed Session, and excused staff.

10. CLOSED SESSION

- A. PERSONNEL MATTERS – PUBLIC EMPLOYMENT – GOVERNMENT CODE SECTION 54957 - TITLE: DISTRICT LEGAL COUNSEL ANNUAL REVIEW
- B. REAL PROPERTY NEGOTIATIONS-NEGOTIATORS: CHRIS ELLIOTT AND STEVE CASTELLANO ARWS-PROPERTY: 888 HOWE ROAD, MARTINEZ, CA, OWNER: BARRY THOMPSON
- C. REPORTS OUT OF CLOSED SESSION

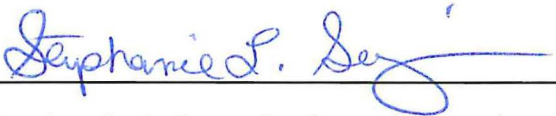
The Board of Directors came out of closed session at 9:27 pm, and President Danley reported that no reportable action was taken on the Real

Property Negotiations matter, and The District Legal Counsel received a favorable review.

11. ADJOURNMENT

A. THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, JUNE 8, 2023, At 6:30 P.M.

President Danley adjourned the meeting at 9:28 p.m. The next scheduled Board meeting is a regular board meeting on Thursday, June 8, 2023, at 6:30 p.m.

  
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Stephanie L. Seregin, Board Secretary