

MINUTES OF THE REGULAR MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT
DECEMBER 11, 2008

The District Board of the Mt. View Sanitary District convened in a regular session at its regular place of meeting, Mt. View Sanitary District Meeting Room, 3800 Arthur Road, Martinez, County of Contra Costa, State of California, on December 11, 2008, at 6:29 p.m.

CALL TO ORDER

President Maggi called the meeting to order at 6:29 p.m.

SWEARING IN CEREMONY
(Conducted by Board Secretary)

Directors Elmer "Al" J. Schaal, David P. Maggi, and Randell E. Williams, stood, raised their right hands, and took the Oath of Allegiance.

ROLL CALL OF DIRECTORS

PRESENT: Directors Gregory T. Pyka, Elmer "Al" J. Schaal, and Randell E. Williams, Vice President Stanley R. Caldwell and President David P. Maggi

ABSENT: None

Also Present: STAFF – District Manager David R. Contreras, Assistant District Manager Michael D. Roe, Secretary Sheri L. Riddle, District Engineer Randolph W. Leptien, District Counsel J. Daniel Adams, and Operations Manager Dale W. Riddle (arrived at 7:52 p.m.)

PUBLIC – Central Contra Costa Sanitary District (CCCSD) representatives: Board Member Michael R. McGill; Environmental Services Division Manager Curtis Swanson, Household Hazardous Waste Program Supervisor David Wyatt

PUBLIC COMMENT

None

REORGANIZATION OF THE BOARD

1. NOMINATE, ELECT, AND ADOPT A MOTION APPOINTING THE BOARD PRESIDENT FOR THE PERIOD COMMENCING DECEMBER 11, 2008
(Conducted by President Maggi)

It was moved by Director Williams, seconded by Director Pyka, to nominate, elect and adopt a motion appointing Director Pyka as the Board President for the Period commencing December 11, 2008.

Motion carried by the following vote:

AYES:	Directors Pyka, Schaal, and Williams, Vice President Caldwell and President Maggi
NOES:	None
ABSENT:	None
ABSTAIN:	None

2. NOMINATE, ELECT, AND ADOPT A MOTION APPOINTING THE BOARD VICE PRESIDENT FOR THE PERIOD COMMENCING DECEMBER 11, 2008
(Conducted by the newly elected Board President)

It was moved by President Pyka seconded by Director Maggi to nominate, elect and adopt a motion appointing Vice President Caldwell as the Board Vice President for the Period commencing December 11, 2008.

Motion carried by the following vote:

AYES:	Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES:	None
ABSENT:	None
ABSTAIN:	None

CONSIDER ADOPTION OF MOTIONS APPROVING MINUTES AND CHECKS

3. CONSIDER ADOPTION OF A MOTION APPROVING MINUTES
 - A. OCTOBER 25, 2008, SPECIAL BOARD MEETING

This item was continued to the next meeting.

B. NOVEMBER 13, 2008, REGULAR BOARD MEETING

It was moved by Director Maggi, seconded by Director Williams, to approve the minutes of the November 13, 2008, regular board meeting.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

4. GENERAL FUND NO. 3409

A. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CHECK NUMBERS 41994 THROUGH 41995 DATED NOVEMBER 13, 2008

It was moved by Director Williams, seconded by Director Maggi, to ratify approval of General Fund No. 3409 Check Numbers 41994 through 41995 dated November 13, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

B. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CHECK NUMBERS 41996 THROUGH 41998 DATED NOVEMBER 14, 2008

It was moved by President Pyka, seconded by Director Maggi, to ratify approval of General Fund No. 3409 Check Numbers 41996 through 41998 dated November 14, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

C. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CHECK NUMBER 41999 DATED NOVEMBER 18, 2008

It was moved by Director Williams, seconded by Vice President Caldwell, to ratify approval of General Fund No. 3409 Check Number 41999 dated November 18, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

D. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CHECK NUMBERS 42000 THROUGH 42002 DATED NOVEMBER 21, 2008

It was moved by Director Maggi, seconded by Director Schaal, to ratify approval of General Fund No. 3409 Check Numbers 42000 through 42002 Dated November 21, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

E. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CHECK NUMBERS 42003 THROUGH 42004 DATED NOVEMBER 24, 2008

It was moved by Director Williams, seconded by Director Schaal, to ratify approval of General Fund No. 3409 Check Numbers 42003 through 42004 dated November 24, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

F. CONSIDER ADOPTION OF A MOTION APPROVING CHECKS DATED DECEMBER 12, 2008

It was moved by Vice President Caldwell, seconded by President Pyka to approve General Fund No. 3409 Check Numbers 42005 through 42110 dated December 12, 2008

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

5. CAPITAL OUTLAY FUND 3412

A. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF PAYMENT ORDER NUMBER 2099

It was moved by President Pyka, seconded by Director Maggi, to ratify approval of Capital Outlay Fund 3412 Payment Order Number 2099 dated December 5, 2008.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

B. CONSIDER ADOPTION OF A MOTION APPROVING PAYMENT ORDER NUMBERS 2100 THROUGH 2106

It was moved by Vice President Caldwell, seconded by Director Maggi, to approve Capital Outlay Fund 3412 Payment Order Numbers 2100 through 2106.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

6. CONSTRUCTION FUND 3415 – CONSIDER ADOPTION OF A MOTION APPROVING PAYMENT ORDER NUMBER 564

It was moved by Director Maggi, seconded by Director Williams, to approve Construction Fund 3415 Payment Order Number 564.

Motion carried by the following vote:

AYES:	Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES:	None
ABSENT:	None
ABSTAIN:	None

OLD BUSINESS

7. PACHECO BLVD/SHELL OIL EASEMENT SEWER REHABILITATION PROJECT

A. REPORT FROM STAFF

Engineer Leptien provided a brief progress report on the project. The contractor has completed a significant portion of the work including installation of manholes and a bypass line.

This item was continued until later in the meeting.

NEW BUSINESS

8. CONSIDER ADOPTION OF A MOTION CANCELLING JANUARY 8, 2009, REGULAR BOARD MEETING AND IN LIEU THEREOF SCHEDULING AN ADJOURNED REGULAR MEETING FOR WEDNESDAY, JANUARY 14, 2009

A. REPORT FROM STAFF

District Manager Contreras reported that Attorney Adams will not be available to attend the regular board meeting, and there are other reasons to cancel the regular meeting. District Manager Contreras recommended that the Board cancel the January 8, 2009, regular board meeting and schedule an adjourned regular meeting for January 14, 2009.

B. CONSIDER ADOPTION OF MOTION

It was moved by Director Maggi, seconded by President Pyka, to cancel the January 8, 2009, regular board meeting and in lieu thereof to schedule an adjourned regular meeting for Wednesday, January 14, 2009, at 6:30 p.m.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

9. ALLIED WASTE INDUSTRIES, INC. – AMENDMENT OF FRANCHISE AGREEMENT

A. REPORT FROM STAFF

Attorney Adams stated that he received the proposed amended agreement from Mr. Tom Bruen, attorney for Allied Waste. He will review the proposed amended agreement himself but has also forwarded the document to District Manager Contreras for input from Staff. He anticipates that MVSD will be in a position to take action at the January 14, 2009, adjourned regular board meeting. The purpose of this matter being on the agenda tonight is to call for a public hearing and to provide proper notice.

District Manager Contreras noted that prior to the meeting tonight the Board was provided with a copy of a December 4, 2008, letter from Tim Argenti, General Manager of Allied, regarding Allied exercising their contracted right to increase rates by the Consumer Price Index.

B. CONSIDER ADOPTION OF A MOTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE AMENDMENT FOR JANUARY 14, ~~2008~~ 2009 AT 6:30 PM

(Note: There was a typo on the agenda wherein the proposed year for the Public Hearing was listed as 2008 instead of 2009.) It was moved by Director Maggi, seconded by Director Williams, to set the time and place for a Public Hearing on the Amendment of the Franchise Agreement for Wednesday, January 14, 2009, at 6:30 p.m.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

10 HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY ANNUAL REPORT FOR FISCAL YEAR 2007-2008

A. PRESENTATION BY CENTRAL CONTRA COSTA SANITARY DISTRICT REPRESENTATIVES

District Manager Contreras introduced Central Contra Costa Sanitary District's (CCCSD's) representatives: Board Member Michael R. McGill; Environmental Services Division Manager Curtis Swanson, and Household Hazardous Waste Program Supervisor David Wyatt.

Mr. Swanson stated it was a pleasure to appear before the MVSD Board this evening to discuss the Household Hazardous Waste Collection Facility (HHWCF) Annual Report, noting that the HHWCF is now in its 11th year of operation. Mr. Swanson stated the HHWCF has become a very important and visible program in the County and briefly reviewed the success of program. Mr. Swanson stated that he would like to convey the message from CCCSD's Board and staff that they are very appreciative of MVSD's past and continued support of the HHWCF.

Mr. Wyatt provided a review of the facility, noting that it was a very successful year. Mr. Wyatt provided a report on the following:

- 2007/2008 HHW Program Highlights
- Operations Data
 - Residential Participation
 - Residential Participants vs. % of Households - Past 5 years
 - Participants vs. % Participation Fiscal Year 2007/2008
 - Operating Costs
 - Total Operating Costs – Costs per Car – Past 5 years
 - Operating Expenses – Labor Costs (Salary, Benefits and Overhead)
 - Cost per Car Broken Down by Expense
 - Reuse Program
 - Waste Management
 - Pounds of Hazardous Waste Collected
 - Universal Waste Impact – Household Battery Collection
 - Universal Waste Impact – Fluorescent Lamp Collection
- Temporary Collection Event
 - Total Cars Served at Temporary Collection Events
- Small Business Program
 - Small Business Program Summary – Number of Appointments
- FY 2008/09 Program Outlook

Mr. Wyatt and Mr. Swanson fielded questions from the Board. The Board thanked the Central Contra Costa Sanitary District representatives for the presentation. There was a brief break taken with refreshments at this time with the Central Contra Costa Sanitary District representatives taking part. They then left the meeting.

President Pyka asked if there were any objections to returning to Item 7A. Hearing none, the board digressed from the order of the agenda and returned to Item 7A.

7. PACHECO BLVD/SHELL OIL EASEMENT SEWER REHABILITATION PROJECT

A. REPORT FROM STAFF (Continued)

Engineer Leptien provided a PowerPoint presentation and reviewed the progress of the project. Operations Manager Riddle arrived at 7:52 p.m. Engineer Leptien, District Manager Contreras, and Operations Manager Riddle fielded questions from the Board.

11. CASA MID-YEAR CONFERENCE – JANUARY 21-24, 2009 – HYATT GRAND CHAMPIONS, INDIAN WELLS, CALIFORNIA

A. REPORT FROM STAFF

District Manager Contreras stated that at the November 13th regular board meeting, he had conveyed Vice President Caldwell’s interest in attending the CASA Mid-year conference. District Manager Contreras expressed his interest as well. Attorney Adams stated that if the Attorneys Committee meeting has topics that need his attention, he would like to be able to attend.

B. CONSIDER ADOPTION OF A MOTION DIRECTING DISTRICT REPRESENTATIVES TO ATTEND CASA MID-YEAR CONFERENCE

It was moved by Director Maggi, seconded by President Pyka, to direct Vice President Caldwell, District Manager Contreras and Attorney Adams, if necessary, to attend the January 21-24, 2009, CASA Mid-Year Conference.

Motion carried by the following vote:

- AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
- NOES: None
- ABSENT: None
- ABSTAIN: None

12. CONSIDER ADOPTION OF A MOTION AUTHORIZING ADVANCEMENT OF OPERATOR I RODNEY L. ENGLISH FROM START LEVEL TO LEVEL II AT A MONTHLY SALARY OF \$4,289.44 EFFECTIVE JANUARY 1, 2009

A. REPORT FROM STAFF

District Manager Contreras recommended the advancement of Mr. English from Start Level to Level II of the Operator I position.

- B. CONSIDER ADOPTION OF A MOTION AUTHORIZING ADVANCEMENT OF OPERATOR I RODNEY L. ENGLISH FROM START LEVEL TO LEVEL II AT A MONTHLY SALARY OF \$4,289.44 EFFECTIVE JANUARY 1, 2009

It was moved by Vice President Caldwell, seconded by Director Maggi, to authorize the advancement of Operator I Rodney L. English from Start Level to Level II at a monthly salary of \$4,289.44 effective January 1, 2009.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

- 13. CONSIDER ADOPTION OF A MOTION AUTHORIZING ADVANCEMENT OF UTILITY LABORER STEVEN P. THOMPSON FROM START LEVEL TO LEVEL II AT A MONTHLY SALARY OF \$3,880.18 EFFECTIVE JANUARY 1, 2009

- A. REPORT FROM STAFF

District Manager Contreras recommended the advancement of Utility Laborer Steven P. Thompson from Start Level to Level II.

- B. CONSIDER ADOPTION OF A MOTION AUTHORIZING ADVANCEMENT OF UTILITY LABORER STEVEN P. THOMPSON FROM START LEVEL TO LEVEL II AT A MONTHLY SALARY OF \$3,880.18 EFFECTIVE JANUARY 1, 2009

It was moved by President Pyka, seconded by Director Williams, to authorize the advancement of Utility Laborer, Steven P. Thompson, from Start Level to Level II at a monthly salary of \$3,880.18 effective January 1, 2009.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

14. NORTHRIDGE ROAD MAINLINE AND EASEMENT ACCEPTANCE

A. REPORT FROM STAFF

Engineer Leptien provided a report on Items 14 B through E, noting that these documents represent a long process involving the property owner who purchased a Northridge Road property where easements are necessary to bring the mainline and sewer service to the property. Engineer Leptien explained Items 14 B through E as follows:

Item 14B is a resolution for the approval of the mainline sanitary sewer improvements and authorizes a release of 90% of the security.

Item 14C is a resolution to accept and approve the agreement with East Bay Regional Park District (EBRPD) for an access easement over the California State Riding Trail. Director Schaal inquired as to how EBRPD can grant an easement over the State owned riding trail. After a discussion, Attorney Adams stated that the Board can take action on the easement subject to confirming that the EBRPD has the right to convey the easement.

Item 14D is a resolution that would approve and accept a grant of sanitary sewer easement from the Silva's for sewer facilities on the property at 4804 Northridge Road.

Item 14E is a resolution approving and accepting a grant of easement for a 15 foot wide access easement for maintenance.

Engineer Leptien recommended approval of Items 14 B through E.

B. CONSIDER ADOPTION OF RESOLUTION NO. 1216-2008 APPROVING AND ACCEPTING MAINLINE SANITARY SEWER IMPROVEMENTS LOCATED AT 4804 NORTHRIDGE ROAD AS COMPLETE AND AUTHORIZING RELEASE OF SECURITY

It was moved by Vice President Caldwell, seconded by President Pyka, to adopt Resolution No. 1216-2008 approving and accepting mainline sanitary sewer improvements located at 4804 Northridge Road as complete and authorizing release of 90% of the security.

Motion carried by the following vote:

AYES:	Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES:	None
ABSENT:	None
ABSTAIN:	None

C. CONSIDER ADOPTION OF RESOLUTION NO. 1217-2008 APPROVING AND ACCEPTING A GRANT OF EASEMENT AND AGREEMENT FROM EAST BAY REGIONAL PARK DISTRICT FOR MAINLINE SEWER SERVICE TO 4804 NORTHRIDGE ROAD

It was moved by President Pyka, seconded by Director Schaal, to approve Resolution No. 1217-2008 approving and accepting a Grant of Easement and Agreement from EBRPD for mainline sewer service to 4804 Northridge Road subject to confirmation that the EBRPD has the authority to convey.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

D. CONSIDER ADOPTION OF A RESOLUTION NO. 1218-2008 APPROVING AND ACCEPTING GRANT OF EASEMENT FOR SEWER FACILITIES ON THE PROPERTY AT 4804 NORTHRIDGE ROAD

It was moved by President Pyka, seconded by Director Williams, to approve Resolution No. 1218-2008 approving and accepting a Grant of Easement and Agreement from EBRPD for mainline sewer service to 4804 Northridge Road subject to confirmation that the EBRPD has the authority to convey.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

E. CONSIDER ADOPTION OF A RESOLUTION NO. 1219-2008 APPROVING AND ACCEPTING GRANT OF EASEMENT FOR INGRESS EGRESS OVER THE PROPERTY AT 4804 NORTHRIDGE ROAD

It was moved by Director Schaal, seconded by President Pyka, to approve Resolution No. 1219-2008 approving and accepting Grant of Easement for Ingress and Egress over the property at 4804 Northridge Road.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

15. BHI CONSULTING SERVICES AGREEMENT

A. REPORT FROM STAFF

District Manager Contreras reviewed the proposed BHI Management Consulting contract and scope of services related to the Strategic Plan and recommended that the board ratify the approval. District Manager Contreras noted that the first portion of the services related to the Strategic Plan has been significantly completed.

Attorney Adams stated that he has reviewed the Consulting Services Agreement and the Scope of Work, and the substance of the Scope is adequate. Attorney Adams recommended the Board ratify approval of the Agreement with BHI Consulting Services.

B. CONSIDER ADOPTION OF A MOTION RATIFYING APPROVAL OF CONSULTING SERVICES AGREEMENT

It was moved by Vice President Caldwell, seconded by Director Maggi, to ratify approval of the Consulting Services Agreement with BHI Consulting Services.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

It was moved by Vice President Caldwell, seconded by President Pyka, to extend the meeting past 8:30 p.m. and to digress from the order of the agenda and conduct the Closed Session at the end of the meeting.

Motion carried by the following vote:

AYES: Directors Maggi, Schaal, and Williams, Vice President Caldwell and President Pyka
NOES: None
ABSENT: None
ABSTAIN: None

REPORTS

17. DISTRICT MANAGER

District Manager Contreras provided reports on the following:

- He received word today that MVSD has been accepted to participate in the Pooled Liability Program insurance pool by the CSRMA Executive Board. We are now waiting for the formality of acceptance by the CSRMA Board of Directors. We will now have a deductible.
- Staff purchased a Prius this week. It is in the parking lot for viewing by the Board.
- MVSD provided a tour for Mr. Terry Oda, a former U.S. Environmental Protection Agency official. Mr. Oda brought with him a representative of the World Bank and two consultants from China.
- MVSD experienced a SSO yesterday near Fig Tree Lane. Staff is still assessing quantities at this time. He reviewed actions taken by Staff to address the matter and to fulfill notification requirements.
- MVSD experienced a coliform exceedance this week. MVSD limits for coliform in wet weather are 240 mpn with a maximum of 10,000 mpn. Typically we are at 2 mpn. On Monday the results were 2 mpn. Tuesday's were greater than 16,000 mpn. Preliminary results for Wednesday appear to be 2 mpn. District Manager Contreras reviewed the reporting procedures, noting that staff chose to err on the side of caution, over-reported the event, and handled it as a bypass. There was no fish kill with the event. MVSD was contacted by media on the matter.
- Copies of the District's December newsletter were provided to board members earlier this evening.

18. ASSISTANT DISTRICT MANAGER

Assistant District Manager Roe asked if there were any questions on his written report. Vice President Caldwell inquired as to the origin of the brick lodged in the pump impeller at Pump Station No. 2, mentioned in the written report. Assistant District Manager Roe deferred the question to Operations Manager Riddle who indicated that Staff had checked the manhole upstream and found it to be intact. Staff is still investigating the matter.

19. ENGINEER

Engineer Leptien reviewed his written report including the following:

- GIS Phase III
- Met with Operations Manager Riddle and Assistant District Manager Roe at two of our pump stations to discuss the use of the old force mains for rerouting in the event of an emergency.
- Progress update on new District Code
- Work on non residential USC matters
- Very impressed with reports included in the packets.

20. ATTORNEY

Attorney Adams also reported on his work with Engineer Leptien on draft Code, stating that he expects to go to committee in the next quarter. He is also continuing to work on updating the District's Policy Manual.

21. SECRETARY

Secretary Riddle reported the draft audit report is being reviewed by Staff. It is expected to be ready for review and acceptance by the Board at the next board meeting.

22. DIRECTORS

A. STANLEY R. CALDWELL

1. DIRECTORS REPORT RE: CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD MEETING AND STRATEGIC PLANNING SESSION - NOVEMBER 13 & 14, 2008
2. DIRECTORS REPORT RE: SUMMARY OF PRIVATE SEWER LATERAL TASKFORCE (CASA)

Director Williams expressed his thanks to Staff for reports included in the packet. He thanked Director Maggi and Vice President Caldwell for their past year's service. Director Williams reported that he had recently received positive comments from a rate payer who came to the District concerned with issues, but left very pleased after receiving a tour of the plant and answers to his concerns.

Director Maggi expressed his thanks to the Board and Staff this year. He stated that everyone did a good job and the Board efforts were excellent. He added that Vice President Caldwell has inquired about compensation for certain services and asked if this could be brought before the Board at another meeting. Attorney Adams stated that the Board can address it at another meeting if the Board chooses.

Vice President Caldwell stated that he was appointed to the CSDA Board of Directors. CSDA does not pay a stipend but does provide for reimbursement of expenses. He would like to be paid for his service on the CSDA Board.

President Pyka directed Staff to bring the matter back to the Board at a future meeting, January if possible, with reports. He also directed Staff to investigate how other Districts handle these matters.

Director Schaal referred to his history of work in the field, and stated that he was new to the policy-making area of the industry. He asked for the Board to guide him and provide input as necessary.

Vice President Caldwell referred to and reviewed his written reports. He stated that he was unable to attend the CASA Sewer Lateral Task Force teleconference. He stated that the expectation is that in the future the State will require Districts to be responsible for laterals. Furthermore, he referred to his participation on other CSDA committees and asked that the Committees be on the next Agenda, which will allow him to receive a compensation for his attendance at them.

CLOSED SESSION

16. CONFERENCE WITH LEGAL COUNSEL– ANTICIPATED LITIGATION INITIATION OF LITIGATION PURSUANT TO SUBDIVISION (c) OF GOVERNMENT CODE SECTION 54956.9 (one case)

REPORT OUT OF CLOSED SESSION

A closed session was held from 8:55 p.m. to 9:09 p.m. President Pyka reported the Board received a report from District Counsel and gave District Counsel direction.

COMMUNICATIONS – INFORMATION ONLY – NO ACTION NECESSARY

23. “WETLANDS PROGRAM EXPANDS TO MEET EDUCATIONAL NEEDS,” *MARTINEZ, NEWS GAZETTE*, NOVEMBER 22-23, 2008
24. “WETLANDS PROGRAM EXPANDS TO MEET EDUCATIONAL NEEDS,” *MARTINEZ, NEWS GAZETTE*, NOVEMBER 29-30, 2008
25. MARINE SCIENCE INSTITUTE – NOVEMBER 18, 2008 – LETTER TO KELLEY DAVIDSON CHOU REGARDING DELTA DISCOVERY VOYAGES FOR WINTER 2009
26. CSDA – NOVEMBER 10, 2008 – LETTER TO DAVID R. CONTRERAS WITH 2009 MEMBERSHIP DUES RATES
27. CSDA – 2008 MAJOR ACCOMPLISHMENTS
28. CSRMA – WORKER’S COMPENSATION PROGRAM –FINAL PREMIUM AUDIT – PROGRAM YEAR 7/1/07 TO 7/1/08
29. STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION, DIVISION OF RECYCLING –NOVEMBER 28, 2008 – NOTICE – 2009 REFUND VALUE PER SEGREGATED POUND, REFUND VALUE PER COMMINGLED POUND AND CONTAINERS PER SEGREGATED POUND RATES
30. LAFCO – NOTICE AND AGENDA FOR DECEMBER 10, 2008, MEETING

ADJOURN TO AN ADJOURNED REGULAR MEETING AT 6:30 PM ON
WEDNESDAY, JANUARY 14, 2009

At 9:10 p.m., President Pyka adjourned the meeting to an adjourned regular meeting on Wednesday, January 14, 2009, at 6:30 p.m.

Sheri L. Riddle, Board Secretary