

MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT
SEPTEMBER 8, 2011

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 September 8, 2011, at 6:30 p.m.

ROLL CALL OF DIRECTORS

PRESENT: Directors Stanley R. Caldwell and David P. Maggi, Vice President Randell E. Williams, and President Elmer "Al" J. Schaal
ABSENT: Director Gregory T. Pyka (excused)
Also Present: STAFF – District Manager Michael D. Roe, Secretary Sheri L. Riddle, District Engineer Randolph W. Leptien, and District Legal Counsel J. Daniel Adams
PUBLIC: None

PUBLIC COMMENT

None

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

CONSENT CALENDAR

1. APPROVE THE MINUTES OF THE AUGUST 18, 2011, ADJOURNED REGULAR BOARD MEETING
2. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 45528 AND 45529 DATED SEPTEMBER 1, 2011 (See Purchase Journal following this item in packet for details.)
3. APPROVAL OF GENERAL FUND 3409 CHECKS DATED SEPTEMBER 9, 2011 (See Purchase Journal following this item in packet for details.)

- 4. APPROVAL OF FACILITIES REHABILITATION FUND 3410 PAYMENT ORDERS DATED SEPTEMBER 9, 2011 (See Purchase Journal following this item in packet for details.)
- 5. APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDERS DATED SEPTEMBER 9, 2011 (See Purchase Journal following this item in packet for details.)

President Schaal stated that Agenda Item 1 was pulled from the Consent Calendar.

Director Caldwell stated the following: "I would like to indicate my displeasure at the fact that we got the financials 26 hours before the meeting. It made it a little bit tight to be able to look at them. But I just would hope that it doesn't happen often. I know that there were circumstances beyond your control."

Secretary Riddle stated that due to the timing of the board meeting falling on the 8th day of the month (and including a District Holiday), staff was contending with a very short turn around time. Additionally late receipt of invoices needed to complete the financials caused them to not be available for the board packet until just prior to the meeting.

It was moved by Director Caldwell, seconded by Director Maggi, to approve Items 2 through 5 on the Consent Calendar.

Motion carried by the following vote:

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

OLD BUSINESS

- 6. CONSIDER PROPOSAL FROM WEST YOST ASSOCIATES FOR SCOPE OF SERVICES--PRELIMINARY DESIGN PROJECT NO. 1

A. REPORT FROM STAFF

Engineer Leptien reviewed discussions on this item at the last Board meeting and stated West Yost Associates has submitted a revised scope of services at a reduced cost. Engineer Leptien recommended the Board approve the Consulting Services Agreement with West Yost Associates.

Attorney Adams reported he has reviewed the Consulting Services Agreement and finds it to be in order.

- B. CONSIDER ADOPTION OF MOTION APPROVING CONSULTING SERVICES AGREEMENT WITH WEST YOST ASSOCIATES, INC FOR ENGINEERING EVALUATION OF PHASE I WASTEWATER TREATMENT PLANT IMPROVEMENTS

It was moved by President Schaal, seconded by Vice President Williams to approve the consulting services agreement with West Yost Associates, Inc., for engineering evaluation of Phase I Wastewater Treatment Plant Improvements.

Motion carried by the following vote:

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

NEW BUSINESS

7. ANNUAL EMPLOYEE APPRECIATION EVENT

A. REPORT FROM STAFF

District Manager Roe reported that in order to provide the maximum planning opportunity for employees and the Board to attend this annual event it is desirable to establish a consistent time frame for holding the event each year. District Manager Roe recommended the Board adopt a motion designating that the Annual Employee Appreciation Event will be held each year during the fourth week of April.

- B. CONSIDER DESIGNATING THAT THE ANNUAL EMPLOYEE APPRECIATION EVENT BE HELD EACH YEAR DURING THE FOURTH WEEK OF APRIL

It was moved by Director Caldwell, seconded by Director Maggi, to designate that the Annual Employee Appreciation Event will be held each year during the Fourth Week of April.

Motion carried by the following vote:

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

8. WASTEWATER CONTRIBUTION PERMIT (WWCP) FOR GALLETTI & SONS

A. REPORT FROM STAFF

Engineer Leptien reviewed the proposed wastewater contribution permit for Galletti and Sons. Attorney Adams noted a revised resolution was provided this evening. The resolution provides Staff with discretion to make minor modifications to the form of Wastewater Contribution Permit to be issued to the discharger. Discussion ensued. Engineer Leptien noted Galletti and Sons has not agreed to sign this permit. Attorney Adams noted the permit requires that Galletti hold the District harmless in the event of a spill or overflow. Staff recommended adoption of the resolution authorizing a Wastewater Contribution Permit be issued to the Galletti and Sons site at 55 Howe Road. Engineer Leptien indicated that the permit would be issued for a one year period and could be renewed, conditioned upon the discharger's compliance with the various conditions required for discharge.

B. CONSIDER ADOPTION OF RESOLUTION NO. 1290 -2011 AUTHORIZING A WASTEWATER CONTRIBUTION PERMIT BE ISSUED TO GALLETTI AND SONS SITE AT 55 HOWE ROAD

It was moved by Vice President Williams, seconded by Director Maggi, to adopt Resolution No. 1290-2011 authorizing a wastewater contribution permit be issued to Galletti and Sons site at 55 Howe Road.

Motion carried by the following vote:

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

9. APPROVE MODIFICATIONS TO PLANS AND ENVIRONMENTAL DETERMINATION FOR SECURITY FENCING PROJECT

A. REPORT FROM STAFF

Engineer Leptien reviewed the proposed fencing project including recent modifications to the construction plans and the proposed finding that the project is categorically exempt under the California Environmental Quality Act. Engineer Leptien stated the current engineer's estimate is \$88,500 and recommended the Board adopt the proposed resolution.

B. CONSIDER ADOPTION OF RESOLUTION NO. 1291-2011 APPROVING THE MODIFICATIONS TO THE PLANS FOR THE TREATMENT PLANT SECURITY FENCING PROJECT, AND FINDING THE PROJECT TO BE CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING THE SECRETARY TO FILE A NOTICE OF EXEMPTION

It was moved by President Schaal, seconded by Vice President Williams, to adopt Resolution No. 1291-2011 approving the modifications to the plans for the Treatment Plant Security Fencing Project, finding the project to be categorically exempt under the California Environmental Quality Act and directing the Secretary to file a Notice of Exemption.

Motion carried by the following vote:

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

10. 84TH ANNUAL WATER ENVIRONMENT FEDERATION TECHNICAL EXHIBITION AND CONFERENCE – OCTOBER 15-19, 2011

A. REPORT FROM STAFF

District Manager Roe reported the Board has previously determined that the District would benefit by the District Manager's attendance at the Conference. The District Engineer has recently reviewed material on the conference and determined that the District would benefit from his attendance. District Manager Roe stated he concurs with the District Engineer, and is now seeking the Board's approval for the District Engineer's attendance at the conference.

- B. CONSIDER ADOPTION OF A MOTION DETERMINING ATTENDANCE AT THE 84TH ANNUAL WATER ENVIRONMENT FEDERATION TECHNICAL EXHIBITION AND CONFERENCE IN LOS ANGELES, CALIFORNIA, OCTOBER 15 THROUGH 19, 2011 IS A SIGNIFICANT BENEFIT TO THE DISTRICT AND THEREFORE ITS OFFICIAL BUSINESS AND DIRECTING THE DISTRICT ENGINEER TO ATTEND

It was moved by Vice President Williams, seconded by Director Caldwell, to determine attendance at the 84TH Annual Water Environment Federation Technical Exhibition and Conference in Los Angeles, California, October 15 through 19, 2011 is a significant benefit to the District and therefore its official business and directing District Engineer Leptien to attend.

Motion carried by the following vote:

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

REPORTS

11. DISTRICT MANAGER

District Manager Roe reported on the following items:

- No NPDES permit violations in August
- Sanitary Sewer Overflow near Pump Station No. 3
- Wet weather stress test results were positive
- Tour with Shell Martinez refinery Manager Paul Gabbert
- Reclaimed water issues and meetings with Jim Kelly

12. ASSISTANT DISTRICT MANAGER

President Schaal noted Assistant District Manager Allen provided a written report.

13. ENGINEER

Engineer Leptien reported on the following:

- Smoke testing kick off meeting
- Next sewer rehab project may not occur until next fiscal year.
- Development updates

14. LEGAL COUNSEL

None

15. SECRETARY

None

16. DIRECTORS

A. STANLEY R. CALDWELL

Director Caldwell provided the following reports:

- He received nice comments from his neighbor across the street on the MVSD newsletter.
- He and President Schaal went to the Oro Loma Sanitary District Board of Directors meeting last week and presented their Board with a framed copy of MVSD Resolution 1287-2011.
- He attended the August 19th CSDA fiscal committee meeting and the 8/26 CSDA executive meeting.

B. DAVID P. MAGGI

Director Maggi provided positive comments on the MVSD newsletter.

C. GREGORY T. PYKA

None

D. VICE PRESIDENT WILLIAMS

None

E. PRESIDENT SCHAAL

None

FUTURE BOARD ITEMS

17. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

None

Secretary Riddle was excused from the meeting.

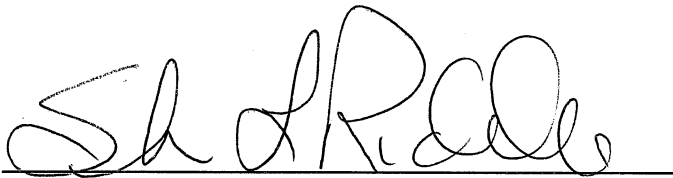
CLOSED SESSION

18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION GOVERNMENT CODE SECTION 54956.9 (a) MVSD VS. PAC BELL (AT&T)

A closed session was held from 7:32 p.m. to 7:54 p.m. Immediately following the closed session President Schaal reported in open session that the Board received a report from Legal Counsel and provided Legal Counsel with direction.

ADJOURNMENT – THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, OCTOBER 13, 2011, AT 6:30 P.M.

At 7:54 p.m. President Schaal adjourned the meeting. The next scheduled Board Meeting is a Regular Meeting on Thursday, October 13, 2011, at 6:30 p.m.

A handwritten signature in cursive script, appearing to read "Sh L Riddle", written over a horizontal line.

Sheri L. Riddle, Board Secretary