



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

OCTOBER 12, 2023, 6:30 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 SEPTEMBER 14, 2023, REGULAR BOARD MEETING

B. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 61248 THROUGH 61289 DATED SEPTEMBER 19, 2023 *(See purchase journal following this item in packet for details.)*

C. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3190 THROUGH 3192 DATED SEPTEMBER 19, 2023 *(See purchase journal following this item in packet for details.)*

4. PUBLIC HEARING

A. CALIFORNIA VOTING RIGHTS ACT

1. REPORT FROM STAFF
2. CONDUCT PUBLIC HEARING
  - A. OPEN PUBLIC HEARING
  - B. RECEIVE PUBLIC COMMENT
  - C. CLOSE PUBLIC HEARING
3. CONSIDER ADOPTION OF RESOLUTION NO. \_\_\_\_\_-2023, OR IN THE ALTERNATIVE,
4. CONFIRM THE ABSENCE OF ANY POTENTIAL CLAIM THAT A VIOLATION OF THE CALIFORNIA VOTING RIGHTS ACT EXISTS WITHIN THE DISTRICT.

5. NEW BUSINESS

**A. CALL FOR PUBLIC HEARING TO CHANGE BOARD MEETING TIME**

1. REPORT FROM STAFF
2. CONSIDER ADOPTION OF A MOTION SCHEDULING A PUBLIC HEARING FOR NOVEMBER 9, 2023, AND DIRECT THE BOARD SECRETARY TO PROPERLY NOTICE IT AND PUBLISH THE NOTICE

**B. MEMORANDUM OF UNDERSTANDING (MOU) WITH CCCSD FOR FEASIBILITY STUDY**

3. REPORT FROM STAFF
4. PROVIDE DIRECTION

**C. KENNEDY JENKS AMENDMENT & TASK ORDER**

1. REPORT FROM STAFF
2. CONSIDER ADOPTION OF A MOTION APPROVING AMENDMENT NO. 5 TO CONTRACT NO. 22-0001 WITH KENNEDY / JENKS CONSULTANTS, INC.

(KJ), INCREASING THE TOTAL CONTRACT AMOUNT BY \$90,000 FROM \$895,677 TO \$985,677, AND CHANGING THE TIME OF COMPLETION TO JUNE 30, 2024.

3. CONSIDER ADOPTION OF A MOTION APPROVING TASK ORDER NO. 6 TO CONTRACT NO. 22-0001 IN THE AMOUNT OF \$90,000, AUTHORIZING KJ TO PROVIDE ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES

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 BRIAN A. DANLEY
  - R 8.02 DIRECTOR JULIA R. HALSNE
  - R 8.03 DIRECTOR DAVID P. MAGGI
  - R 8.04 DIRECTOR GREGORY T. PYKA

7. COMMUNICATIONS

- A. LAIF MONTHLY STATEMENT
- B. BANK OF THE WEST MONTHLY STATEMENT
- C. JULY 17, 2023 LETTER FROM THE LAW OFFICE OF JACK SILVER

8. FUTURE BOARD ITEMS

- A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

9. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF GOVERNMENT CODE SECTION 54956.9: (ONE CASE). SEE JULY 17, 2023 LETTER FROM THE LAW OFFICE OF JACK SILVER, WHICH IS INCLUDED UNDER COMMUNICATIONS WITH THIS AGENDA.

- 10. ADJOURNMENT – THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, NOVEMBER 9, 2023, AT 6:30 P.M.