



**MINUTES OF THE REGULAR MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT**

April 11, 2024

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 April 11, 2024, at 3:30 p.m.

1. ROLL CALL OF DIRECTORS

PRESENT: Directors Brian A. Danley, David P. Maggi, Jared D. Ruddell, Vice President Gregory T. Pyka, and President Julia R. Halsne
ABSENT: None
Also Present: STAFF – General Manager Lilia M. Corona, 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: CEO/Principal David Moore of NAI Global Wireless

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

- A. APPROVE THE MINUTES OF THE MARCH 14, 2024, REGULAR BOARD MEETING
- B. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 61767 THROUGH 61810 DATED MARCH 5,
- C. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 61811 THROUGH 61851 DATED MARCH 19, 2024
- D. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBER 712, DATED MARCH 5, 2024
- E. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3217 THROUGH 3218 DATED MARCH 5, 2024

F. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3219 THROUGH 3220 DATED MARCH 19, 2024

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

Motion carried by the following vote:

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

4. PUBLIC HEARING

A. PUBLIC HEARING – BOARD MEMBER COMPENSATION

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONDUCT PUBLIC HEARING ON PROPOSED INCREASE OF BOARD MEMBER COMPENSATION FROM \$267.75 TO UP TO A MAXIMUM OF \$281.13 FOR EACH DAY'S SERVICE NOT EXCEEDING A TOTAL OF SIX (6) DAYS IN ANY CALENDAR MONTH.

a. OPEN PUBLIC HEARING

President Halsne opened the Public Hearing.

b. RECEIVE PUBLIC COMMENT

There was no public testimony.

c. CLOSE PUBLIC HEARING

President Halsne closed the Public Hearing.

3. CONSIDER ADOPTION OF ORDINANCE NO. 2024-142, ADOPTING GENERAL REGULATION NO. 142 INCREASING THE COMPENSATION TO BE PAID TO MEMBERS OF THE BOARD OF DIRECTORS FOR A DAY'S SERVICES AS A

DIRECTOR FROM \$267.75 TO NOT GREATER THAN \$281.13 FOR EACH DAY'S SERVICE NOT EXCEEDING A TOTAL OF SIX (6) DAYS IN ANY CALENDAR MONTH TO BE EFFECTIVE JULY 1, 2024.

It was moved by Director Danley, seconded by Vice President Pyka, to adopt Ordinance No. 2024-142, adopting General Regulation No. 142, increasing the compensation to be paid to members of the Board of Directors for a day's services as a Director from \$267.75 to \$280.00 for each day's service not exceeding a total of six (6) days in any calendar month to be effective July 1, 2024.

Motion carried by the following vote:

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

B. PUBLIC HEARING FOR CONSIDERATION OF ORDINANCE AND GENERAL REGULATION ADOPTING AND ESTABLISHING SCHEDULE OF CHARGES AND FEES FOR THE FISCAL YEAR 2024-2025

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONDUCT PUBLIC HEARING

a. OPEN PUBLIC HEARING

President Halsne opened the Public Hearing.

b. RECEIVE PUBLIC TESTIMONY

There was no public testimony.

c. CLOSE PUBLIC HEARING

President Halsne closed the Public Hearing.

3. CONSIDER ADOPTION OF ORDINANCE NO. 2024-143, PROMULGATING GENERAL REGULATION NO. 143 ADOPTING AND ESTABLISHING A SCHEDULE OF CHARGES AND FEES FOR FISCAL YEAR 2024-2025

It was moved by Director Danley, seconded by Vice President Pyka, to adopt Ordinance No. 2024-143, promulgating General Regulation No. 143, adopting, and establishing a schedule of charges and fees for Fiscal Year 2024-2025.

Motion carried by the following vote:

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

C. PUBLIC HEARING – VALERO PIGGING STATION LICENSE RENEWAL

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONDUCT PUBLIC HEARING

a. OPEN PUBLIC HEARING

President Halsne opened the Public Hearing.

b. RECEIVE PUBLIC COMMENT

There was no public testimony.

c. CLOSE PUBLIC HEARING

President Halsne closed the Public Hearing.

3. CONSIDER ADOPTION OF RESOLUTION 1598-2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE PIGGING STATION GROUND LEASE AGREEMENT WITH VALERO ON THE

MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.

It was moved by Vice President Pyka, seconded by Director Maggi, to adopt Resolution No.1598-2024, making the necessary findings under California Health and Safety Code 6514.1 and authorizing the Board President to execute the pigging station ground lease agreement with Valero on the Mt. View Sanitary District property at 3800 Arthur Rd., Martinez, CA.

Motion carried by the following vote:

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

D. PUBLIC HEARING - SALE OF CELL TOWER & BILLBOARD LEASES

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONDUCT PUBLIC HEARING

a. OPEN PUBLIC HEARING

President Halsne opened the Public Hearing.

b. RECEIVE PUBLIC COMMENT

There was no public testimony.

c. CLOSE PUBLIC HEARING

President Halsne closed the Public Hearing.

3. CONSIDER ADOPTION OF RESOLUTION 1599-2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE SYMPHONY WIRELESS LETTER OF INTENT FOR THE SALE OF THE CELL SITE

LEASES ON THE MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.

It was moved by Director Danley, seconded by Director Maggi, to adopt Resolution No. 1599-2024, making the necessary findings under California Health and Safety Code 6514.1 and authorizing the Board President to execute the Symphony Wireless Letter of Intent for the sale of the cell site leases on the Mt. View Sanitary District property at 3800 Arthur Rd., Martinez, CA.

Motion carried by the following vote:

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

4. CONSIDER ADOPTION OF RESOLUTION xxxx -2024, MAKING THE NECESSARY FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE 6514.1 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE LANDMARK TERMS OF AGREEMENT FOR THE SALE OF THE CLEAR CHANNEL BILLBOARD LEASES AND THE CELL SITE SUBLEASE TO AT&T MOBILITY ON THE MT. VIEW SANITARY DISTRICT PROPERTY AT 3800 ARTHUR RD., MARTINEZ, CA.

Item 4D4 was continued to the May 9, 2024, Regular Board Meeting at 3:30 p.m.

5. NEW BUSINESS

A. INTER-FUND TRANSFER OF AD VALOREM FROM FUND 3409 TO FUND 3410; OF SEWER SERVICE CHARGES (SSC) FROM FUND 3409 TO FUND 3412; AND OF 3412 RESERVE FUNDS TO 3412 CASH FOR CAPITAL PROJECTS

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF RESOLUTION NO. 1600-2024, AUTHORIZING A TRANSFER FROM FUND 3409 TO FUND 3410 IN THE AMOUNT OF \$465K FOR AD VALOREM TAXES; AND, AUTHORIZING THE TRANSFER OF SEWER SERVICE CHARGES FROM FUND 3409 TO FUND 3412 IN THE AMOUNT OF

\$1.3M; AND THE TRANSFER OF \$700K FROM 3412 RESERVE FUNDS (LAIF) TO 3412 CASH.

It was moved by Vice President Pyka, seconded by Director Maggi, to adopt Resolution No. 1600-2024, authorizing a transfer from Fund 3409 to Fund 3410 in the amount of \$465k for Ad Valorem Taxes; and, authorizing the transfer of Sewer Service Charges from Fund 3409 to fund 3412 in the amount of \$1.3M; and the transfer of \$700k from 3412 Reserve Funds (LAIF) to 3412 Cash.

Motion carried by the following vote:

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

B. COST OF LIVING ADJUSTMENT & DISTRICT INFLATION INDEX

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

- 2. CONSIDER ADOPTION OF A MOTION APPROVING A 3.66% COST OF LIVING ADJUSTMENT (COLA) FOR ALL DISTRICT POSITIONS AND;**
- 3. PROVIDE DIRECTION TO REVISE THE DISTRICT POLICY AND PROCEDURE 2305 – SALARY & WAGE SCHEDULES AND PRESENT IT TO THE BOARD FOR APPROVAL AT THE JUNE 13, 2024, REGULAR BOARD MEETING.**

It was moved by Director Danley, seconded by Director Maggi, to adopt a motion approving a 3.66% cost of living adjustment (COLA) for all District positions and provide direction to staff to revise District Policy and Procedure 2305 – Salary & Wage schedules and present it to the Board for approval at the June 13, 2024, Regular Board Meeting.

Motion carried by the following vote:

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

C. FUND 3412 BUDGET AMENDMENT FOR THE UV DISINFECTION REPLACEMENT

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF RESOLUTION NO. 1601-2024 APPROVING THE PROPOSED FUND 3412 BUDGET AMENDMENT FOR THE UV DISINFECTION REPLACEMENT IN THE TOTAL INCREASE AMOUNT OF \$700,000.

It was moved by Director Danley, seconded by Director Maggi, to adopt Resolution No. 1601-2024, approving the proposed Fund 3412 budget amendment for the UV Disinfection Replacement in the total increase amount of \$700,000.

Motion carried by the following vote:

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

D. PRETREATMENT NOTICE OF VIOLATIONS (NOV)

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. PROVIDE DIRECTION TO STAFF TO PROCEED WITH PUBLIC NOTIFICATION OF NOV.

By consensus, the Board advised staff to investigate this violation further prior to publication in the Gazette. Director Danley suggested that repeated commercial inspections to confirm compliance could be charged a fee to cover the cost of the inspection consultant Central San. Direction was also provided to investigate if the District's inspection of the grease interceptor installation was performed correctly.

**E. CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO)
REQUESTING VOTE FOR SPECIAL DISTRICT MEMBER REGULAR SEAT AND
FOR NAMES OF VOTING DELEGATES**

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. DISCUSS AND CONSIDER THE LIST OF CANDIDATES TO FILL THE SPECIAL DISTRICT MEMBER REGULAR 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 APRIL 19, 2024
3. CONSIDER ADOPTION OF A MOTION DESIGNATING A DIRECTOR AS THE INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE (ISDSC) REPRESENTATIVE AND ANOTHER DIRECTOR AS MVSD'S ALTERNATE TO THE LAFCO (ISDSC)

By consensus, the Board directed staff to cast the ballot for Mike McGill of Central San and return it to LAFCO no later than April 19, 2024; there are no changes to Independent Special District Selection Committee (ISDSC) representatives.

**F. RATIFICATION OF OPPOSITION LETTER FOR INITIATIVE 1935 – SURPLUS
LAND ACT**

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S OPPOSITION LETTER FOR INITIATIVE 1935 OF THE HOUSING AND COMMUNITY DEVELOPMENT (HCD) AND DRAFT UPDATED SURPLUS LAND ACT GUIDELINES WRITTEN TO DIRECTOR VELASQUEZ OF THE HCD.

It was moved by Vice President Pyka, seconded by Director Danley, to adopt a motion ratifying the District's opposition letter for Initiative 1935 of the Housing and Community Development (HCD) and Draft Updated Surplus Land Act Guidelines written to Director Velasquez of the HCD.

Motion carried by the following vote:

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

G. RATIFICATION OF H.R. 7525 SPECIAL DISTRICT GRANT ACCESSIBILITY ACT SUPPORT LETTER

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S H.R. 7525 SUPPORT LETTER, WRITTEN TO REPRESENTATIVES MARK DESAULNIER AND JOHN GARAMENDI.

It was moved by Director Danley, seconded by Director Maggi, to adopt a motion ratifying the District's H.R. 7525 support letter, written to Representatives Mark DeSaulnier and John Garamendi.

Motion carried by the following vote:

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

H. RATIFICATION OF THE POSITION LETTER RE: THE CONSEQUENCES OF LISTING PFAS AS HAZARDOUS UNDER CERCLA

1. RECEIVE REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION RATIFYING THE DISTRICT'S POSITION LETTER REGARDING THE CONSEQUENCES OF DESIGNATING PER AND POLY-FLUOROALKYL SUBSTANCES (PFAS) CHEMICALS AS HAZARDOUS SUBSTANCES UNDER COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), WRITTEN TO SENATORS

SHELLY MOORE CAPITO, TOM CARPER, ALEX PADILLA, AND LAPHONZA BUTLER.

It was moved by Director Danley, seconded by Director Ruddell, to adopt a motion ratifying the District's position letter regarding the consequences of designating per and poly-fluoroalkyl substances (PFAS) chemicals as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), written to Senators Shelly Moore Capito, Tom Carper, Alex Padilla, and Laphonza Butler.

Motion carried by the following vote:

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

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

1. RECEIVE REPORT FROM STAFF.

General Manager Corona reported.

2. 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,
3. ADOPT RESOLUTION NO.1602-2024 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 JUNE 13, 2024.

It was moved by Vice President Pyka, seconded by President Halsne, 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, adopt Resolution No.1602-2024 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 June 13, 2024.

Motion carried by the following vote:

AYES: Directors Danley, Maggi, Ruddell, Vice President Pyka, and President Halsne

NOES: None

ABSENT: None

ABSTAIN: None

6. REPORTS

R-1. GENERAL MANAGER

General Manager Corona Reported on the following items:

- General Manager Evaluation Form
- RFP with Central San

R-2. DEPUTY GENERAL MANAGER

General Manager Corona responded to questions from the Board.

R-3. DISTRICT ENGINEER

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

R-4. CFO/ADMINISTRATIVE SERVICES MANAGER

Administrative Services Manager Gray advised the Board the settlement payment had been received by River Watch.

R-5. WASTEWATER OPERATIONS MANAGER

General Manager Corona responded to the Board's questions regarding a smell complaint.

R-6. DISTRICT LEGAL COUNSEL

District Legal Counsel Adams advised the Board that the River Watch case had been successfully concluded.

R-7. BOARD SECRETARY

Secretary Seregin advised the Board she had items for them to sign before leaving the meeting. She then thanked the Board and staff for timely submitting their Conflict of Interest Form 700's.

R-8. DIRECTORS

R 8.01 PRESIDENT JULIA HALSNE
None

R 8.02 DIRECTOR BRIAN A. DANLEY

Director Danley advised the Board that he had recently attended a CWEA chapter meeting and the East Bay Municipal Engineers meeting.

R 8.03 DIRECTOR DAVID P. MAGGI
None

R 8.04 DIRECTOR GREGORY T. PYKA
None

R 8.05 DIRECTOR JARED RUDDLELL
None

7. COMMUNICATIONS

- A. BMO MONTHLY STATEMENT
- B. LAIF MONTHLY STATEMENT
- C. UPCOMING AGENDA ITEMS AND SCHEDULE OF EVENTS

8. FUTURE BOARD ITEMS

- A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS
None

9. 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 5:03 p.m.

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

The Board reconvened the regular Mt. View Sanitary District Board Meeting at 5:28 p.m.

11. ADJOURNMENT

A. THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, MAY 9, 2024, AT 3:30 P.M. THE NEXT SCHEDULED MEETING IS A FINANCE COMMITTEE MEETING ON THURSDAY, APRIL 18, 2024 AT 9:00 A.M.

President Halsne adjourned the meeting at 5:28 p.m. The next scheduled Board meeting is a regular Board meeting on Thursday, May 9, 2024, at 3:30 p.m. The next scheduled meeting is the Finance Committee meeting on Thursday, April 18, 2024, at 9:00 a.m.


Stephanie L. Seregin, Board Secretary