



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

6:30 P.M., THURSDAY, JUNE 9, 2011  
MEETING 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 72 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.

ROLL CALL OF DIRECTORS

PUBLIC COMMENT

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*

1. APPROVE THE MINUTES OF THE APRIL 5, 2011, FINANCE COMMITTEE MEETING
2. APPROVE THE MINUTES OF THE MAY 10, 2011, FINANCE COMMITTEE MEETING
3. APPROVE THE MINUTES OF THE MAY 12, 2011, REGULAR BOARD MEETING
4. RATIFY THE VOIDING OF GENERAL FUND 3409 CHECK NUMBER 45038 DATED MAY 13, 2011

5. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBER 45229 DATED MAY 18, 2011 (See Purchase Journal following this item in packet for details.)
6. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 45230 THROUGH 45231 DATED MAY 25, 2011 (See Purchase Journal following this item in packet for details.)
7. APPROVE GENERAL FUND 3409 CHECKS DATED JUNE 10, 2011 (See Purchase Journal following this item in packet for details.)
8. APPROVE FACILITIES REHABILITATION FUND 3410 PAYMENT ORDERS DATED JUNE 10, 2011 (See Purchase Journal following this item in packet for details.)
9. APPROVE CAPITAL OUTLAY FUND 3412 PAYMENT ORDERS DATED JUNE 10, 2011 (See Purchase Journal following this item in packet for details.)
10. APPROVE CONSTRUCTION FUND 3415 PAYMENT ORDERS DATED JUNE 10, 2011 (See Purchase Journal following this item in packet for details.)

#### PUBLIC HEARING

11. APPLICATION OF AT&T FOR SITE LEASE
  - A. REPORT FROM STAFF
  - B. CONDUCT CONTINUED PUBLIC HEARING
    - 1) OPEN PUBLIC HEARING
    - 2) RECEIVE PUBLIC TESTIMONY
    - 3) CLOSE PUBLIC HEARING
  - C. CONSIDER ADOPTION OF RESOLUTION NO. \_\_\_\_-2011 AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE FIFTH AMENDMENT TO MICROCELL SITE OPTION AND LEASE
12. ORDINANCE ADOPTING SCHEDULE OF CHARGES AND FEES FOR FY 2011-2012
  - A. RECEIVE REPORT FROM STAFF
  - B. PUBLIC HEARING
    - 1) OPEN PUBLIC HEARING
    - 2) RECEIVE PUBLIC TESTIMONY
    - 3) CLOSE PUBLIC HEARING

- C. CONSIDER ADOPTION OF ORDINANCE NO. 2011-105  
PROMULGATING GENERAL REGULATION NO. 105 ESTABLISHING  
SCHEDULE OF CHARGES AND FEES FOR FY 2011-2012

NEW BUSINESS

- 13. 5 YEAR CAPITAL IMPROVEMENT PLAN FY 2012 -2016
  - A. REPORT FROM FINANCE COMMITTEE
  - B. REPORT FROM STAFF
- 14. FISCAL YEAR BUDGET 2011-2012
  - A. REVIEW 2011-2012 FISCAL YEAR BUDGETS
    - 1. OPERATIONS & MAINTENANCE FUND 3409
    - 2. FACILITIES REHABILITATION FUND 3410
    - 3. CAPITAL OUTLAY FUND 3412
  - B. CONSIDER ADOPTION OF A MOTION APPROVING FISCAL YEAR 2011-2012 BUDGETS FOR FUNDS 3409, 3410, and 3412
- 15. PROFESSIONAL SERVICES AGREEMENT – DISTRICT LEGAL COUNSEL
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION APPROVING THE PROFESSIONAL LEGAL SERVICES AGREEMENT AND TASK ORDER NO. 1 WITH TURNER, HUGUET, ADAMS FOR DISTRICT LEGAL COUNSEL SERVICES AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE AGREEMENT NOT-TO-EXCEED THE AMOUNT SET FORTH FOR DISTRICT LEGAL SERVICES (ACCOUNT 4554 IN FUNDS 3409, 3410 & 3412) IN THE ANNUAL BUDGET FOR EACH FISCAL YEAR AND TO EXECUTE TASK ORDER NO. 1
- 16. RESPONSE TO GRAND JURY REPORT NO. 1104 – “ELECTED BOARD MEMBERSHIP”
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF MOTION APPROVING RESPONSE TO GRAND JURY REPORT NO. 1104

17. CONSULTING SERVICES AGREEMENT WITH LINDSAY WILDLIFE MUSEUM
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION AUTHORIZING PRESIDENT TO EXECUTE CONSULTING SERVICES AGREEMENT WITH LINDSAY WILDLIFE MUSEUM FOR WETLANDS FIELDTRIP PROGRAM SERVICES IN AN AMOUNT NOT TO EXCEED \$26,000
  
18. ADVANCEMENT OF OPERATOR II ROBERT J. MARTIN
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION AUTHORIZING ADVANCEMENT OF OPERATOR II ROBERT J. MARTIN TO LEVEL III AT A MONTHLY SALARY OF \$6,017.98 EFFECTIVE 7/1/2011
  
19. ADVANCEMENT OF OPERATOR I MARK J. GONZALEZ
  - A. REPORT FROM STAFF
  - B. ADVANCEMENT OF OPERATOR I MARK J. GONZALEZ TO LEVEL III AT A MONTHLY SALARY OF \$4,605.50 EFFECTIVE JULY 1, 2011
  
20. BOARD ETHICS TRAINING
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION SCHEUDLING A SPECIAL BOARD MEETING ON WEDNESDAY, AUGUST 3, 2011 at 5:30 P.M. TO CONDUCT BOARD ETHICS TRAINING
  
21. JDF HOLDINGS
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION DECLARING INTENT OF DISTRICT TO PLACE UNPAID SEWER USER SERVICE CHARGES FOR 4949 AND 4961 PACHECO BOULEVARD ON THE COUNTY TAX ROLL FOR COLLECTION AND CALLING FOR PUBLIC HEARING

22. COLLECTION OF SEWER USER SERVICE CHARGES WITH THE GENERAL TAXES FOR FISCAL YEAR 2011-2012, SETTING THE TIME AND PLACE FOR A HEARING ON THE REPORT OF THE ENGINEER AND DIRECTING THE PUBLICATION OF NOTICE
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF RESOLUTION NO. \_\_\_\_-2011 RELATING TO THE COLLECTION OF SEWER USER SERVICE CHARGES WITH THE GENERAL TAXES FOR FISCAL YEAR 2011-2012, SETTING THE TIME AND PLACE FOR A HEARING ON THE REPORT OF THE ENGINEER AND DIRECTING THE PUBLICATION AND POSTING OF NOTICE
  
23. PROFESSIONAL SERVICES AGREEMENT WITH WEBSOFT DEVELOPERS FOR CMMS AND GIS HOSTING SERVICES
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF A MOTION AUTHORIZING PRESIDENT TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH WEBSOFT DEVELOPERS FOR CMMS AND GIS HOSTING SERVICES
  
24. AMENDMENT TO DISTRICT MANAGER'S CONTRACT
  - A. REPORT FROM STAFF
  - B. CONSIDER ADOPTION OF RESOLUTION NO. \_\_\_\_-2011 AUTHORIZING SECOND AMENDMENT TO DISTRICT MANAGER'S EMPLOYMENT AGREEMENT TO INCLUDE A PERFORMANCE BASED PAY INCREASE OF 1%, RAISING THE ANNUAL BASE PAY OF THE DISTRICT MANAGER TO \$167,520 TO BE EFFECTIVE JULY 1, 2011, AND TO CORRECT AN ERRONEOUS DELETION IN A PRIOR AMENDMENT

REPORTS

25. DISTRICT MANAGER
26. ASSISTANT DISTRICT MANAGER
27. ENGINEER
28. LEGAL COUNSEL
29. SECRETARY

30. DIRECTORS
  - A. STANLEY R. CALDWELL
    - 1) CSDA MEMBERSHIP AND RECRUITMENT COMMITTEE MEETING – MAY 20, 2011
  - B. DAVID P. MAGGI
  - C. GREGORY T. PYKA
  - D. VICE PRESIDENT WILLIAMS
  - E. PRESIDENT SCHAAL

FUTURE BOARD ITEMS

31. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

COMMUNICATIONS – INFORMATION ONLY – NO ACTION NECESSARY

32. CSDA ANNUAL CONFERENCE & EXHIBITOR SHOWCASE - SAVE THE DATE – OCTOBER 10-13, 2011, MONTEREY CALIFORNIA
33. LOCAL AGENCY INVESTMENT FUND – QUARTERLY INTEREST STATEMENT – MARCH 31, 2011
34. CONTRA COSTA COUNTY GRAND JURY MAY 26, 2011 TRANSMITTAL LETTER AND GRAND JURY REPORT NO. 1105 – “ETHICS AND TRANSPARENCY ISSUES IN CONTRA COSTA COUNTY”

CLOSED SESSION

35. PERSONNEL MATTERS – PUBLIC EMPLOYMENT– GOVERNMENT CODE SECTION 54957  
TITLE: DISTRICT LEGAL COUNSEL – ANNUAL EVALUATION
36. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 (One Case)

REPORTS OUT OF CLOSED SESSION

ADJOURNMENT – THE NEXT SCHEDULED BOARD MEETING IS AN ADJOURNED REGULAR BOARD MEETING ON THURSDAY, JULY 21, 2011, AT 6:30 P.M.