

MINUTES OF THE SPECIAL MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT

NOVEMBER 13, 2012

CONVENE THE MT. VIEW SANITARY DISTRICT BOARD MEETING

The District Board of the Mt. View Sanitary District convened in a special 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 November 13, 2012, at 6:31 p.m.

At the request of Vice President Maggi, Director Schaal, Chairman of the Finance Committee presided over the meeting.

ROLL CALL OF DIRECTORS

PRESENT: Directors Stanley R. Caldwell and Elmer "Al" J. Schaal and Vice President David P. Maggi

ABSENT: Director Gregory T. Pyka and President Randell E. Williams
Also Present: STAFF – District Manager Michael D. Roe, Assistant District Manager Neal B. Allen, Secretary Sheri L. Riddle, District Engineer Randolph W. Leptien, and District Legal Counsel J. Daniel Adams

PUBLIC: None

PUBLIC COMMENT

None

3. CONSENT CALENDAR

- A. APPROVE CORRECTION TO PAGES 18 AND 19 OF THE MINUTES OF THE APRIL 12, 2012 REGULAR BOARD MEETING
- B. APPROVE THE MINUTES OF THE OCTOBER 11, 2012, REGULAR BOARD MEETING

- C. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 46783 THROUGH 46872 DATED OCTOBER 12, 2012 (See Purchase Journal following this item in packet for details.)
- D. RATIFY APPROVAL OF FACILITIES REHABILITATION FUND 3410 PAYMENT ORDER NUMBERS 378 THROUGH 380 DATED OCTOBER 12, 2012 (See Purchase Journal following this item in packet for details.)
- E. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 2267 THROUGH 2272 DATED OCTOBER 12, 2012 (See Purchase Journal following this item in packet for details.)
- F. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 46873 THROUGH 46878 DATED OCTOBER 31, 2012 (See Purchase Journal following this item in packet for details.)

It was noted that Item A is a correction to previously approved minutes. It was moved by Director Caldwell, seconded by Vice President Maggi, to approve Consent Calendar Items 3A through 3F.

Motion carried by the following vote:

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

4. NEW BUSINESS

A. REVISIONS TO POLICY 2326 – COMPENSATION

1. REPORT FROM STAFF

District Manager Roe reviewed the recent development and subsequent changes to District Policy 2326 – Compensation. District Manager Roe reported that certain factors arose during the recent recruitment for Wastewater Treatment Plant Operator, that when considered within the bounds of the current policy, have caused the District Manager to consider revision of certain provisions of this policy.

District Manager Roe stated the policy unnecessarily restricts the District Manager from exercising his judgment during the recruitment process and in managing the employee evaluation and merit advancement process. Specifically the policy limits the manager to considering advanced step hiring to only those instances where there is an inability to recruit. Further the policy has no provision for accelerated merit advancement in cases of exceptional performance.

District Manager Roe stated the recommended revisions to Policy 2326 retain as standard District practice entry level starting pay and the normal 4 year progression from entry level to top level pay; however the revisions provide for a wider range of considerations by the District Manager in bringing forward to the Board recommendations to grant advanced step hiring and accelerated merit advancement. The revised policy allows the manager to bring forward recommendations for Board Action and does not delegate to the District Manager authority to take such actions on his own.

2. CONSIDER ADOPTION OF A MOTION APPROVING REVISIONS TO DISTRICT POLICY 2326 - COMPENSATION

It was moved by Director Schaal, seconded by Vice President Maggi, to approve revisions to District Policy 2326 – Compensation.

Motion carried by the following vote:

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

B. FISCAL YEAR 2012-2013 BUDGET AMENDMENT – FUND 3410 FACILITIES REHABILITATION

1. REPORT FROM STAFF

Assistant District Manager Allen reported District staff recently identified that the ferrous chloride tank has developed a leak and that the top of the tank has numerous cracks that are continuing to develop and could potentially allow rainwater into the tank. Due to the highly acidic nature of ferrous chloride, introduction of rainwater could result in an exothermic reaction of sufficient magnitude to further damage the tank.

Staff recommends replacement of the ferrous chloride tank as a high priority project. The estimated cost of the replacement is \$30,000 for the tank, and approximately \$10,000 for installation. This exceeds the \$35,000 allowance for treatment plant equipment and materials budgeted annually to address unforeseen plant equipment failures. Staff recommends amending the Fund 3410 Fiscal Year 2012-2013 Budget to add the replacement of the ferrous chloride tank project with a budget of \$40,000.

Assistant District Manager Allen reported the existing ferrous chloride tank is too small to accommodate delivery of a full truckload of chemical. The

smaller tank size results in additional delivery charges associated with the delivery of a partial load. This proposed Board action includes increasing the tank capacity to accommodate a full truckload and should result in reduced chemical delivery charges.

2. CONSIDER ADOPTION OF A MOTION AMENDING THE FUND 3410 FACILITIES REHABILITATION FISCAL YEAR 2012-2013 BUDGET TO INCLUDE REPLACEMENT OF THE FERROUS CHLORIDE TANK AND AUTHORIZING DISTRICT STAFF TO PROCEED WITH REPLACEMENT OF THE FERROUS CHLORIDE TANK IN AN AMOUNT NOT TO EXCEED \$40,000

It was moved by Director Caldwell, seconded by Vice President Maggi, to amend the Fund 3410 Facilities Rehabilitation Fiscal Year 2012-2013 Budget to include replacement of the ferrous chloride tank and authorizing District staff to proceed with replacement of the ferrous chloride tank in an amount not to exceed \$40,000.

Motion carried by the following vote:

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

C. COMPARISON OF SOLID WASTE COLLECTION RATES AND SERVICES WITHIN MVSD AND CITY OF MARTINEZ FRANCHISE AREAS

1. REPORT FROM STAFF

Engineer Leptien reported Allied Waste (Republic Waste) Services provides solid waste (garbage) collection services under separate franchise agreements to MVSD and to the City of Martinez. When territory in the unincorporated areas is annexed to the City, the City of Martinez assumes the garbage service as required by state law.

District Engineer Leptien reviewed the recent attempt by the City of Martinez to annex an area known as North Pacheco to the City which was defeated by the residents of the area. District Engineer Leptien reported that during the review of this matter staff noted that in certain areas within the District where the City line crosses through a neighborhood, residents are paying different rates and receiving different garbage service than their neighbors. For this reason staff is concerned that there is an appearance that garbage rates in the City are less and the service better than in the District. Staff believes it

appropriate to approach Allied Waste Services with regard to the differences in rates and services and to investigate equalizing the rates.

District Engineer Leptien reported that a meeting was held on October 22, 2012, between the District Manager and District Engineer of MVSD and Tim Argenti and Susan Hurl of Allied Waste Services to discuss the various garbage and recycling services and rates and discuss options, if any, for changing rates if appropriate. Mr. Argenti and Ms. Hurl indicated that they had adjusted rates mid-term in other jurisdictions and that an adjustment in rates or scheduled services in MVSD would not be unprecedented.

District Engineer Leptien reviewed the differences in rates in the two service areas noting that what became immediately apparent, upon comparing the rates is that it is not an apples to apples comparison.

The current contract with Allied Waste Services runs through December 31, 2021. One option is to wait until the contract expires and then review the rates and services as prescribed in the agreement. A second option is to approach Allied with a proposal to amend the current agreement to revise the rates and services to be more in line with those provided in the City.

District Engineer Leptien stated staff is requesting the Board to provide direction with regard to these options.

Director Schaal provided a presentation on a spreadsheet he created comparing the garbage service and rates in the MVSD and City of Martinez service areas.

2. DIRECT STAFF TO DEFER CONSIDERATION OF SOLID WASTE COLLECTION SERVICES AND RATES TO THE NORMALLY SCHEDULED CONTRACT RENEWAL PERIOD, OR IN THE ALTERNATIVE APPROACH ALLIED WASTE SERVICES REGARDING THE POSSIBILITY OF AMENDING THE CURRENT AGREEMENT TO ALIGN SERVICES AND RATES WITHIN THE MVSD FRANCHISE WITH THOSE PROVIDED BY ALLIED WITHIN THE CITY OF MARTINEZ

The Board directed staff to approach Allied Waste Services regarding the possibility of amending the current agreement to align services and rates within the MVSD Franchise with those provided by Allied within the City of Martinez.

5. REPORTS

R-1. DISTRICT MANAGER

District Manager Roe reported on the following items:

- October Self Monitoring report: No violations
- Sanitary Sewer Overflows: Non reportable spills
- Integration of Manage Pro Software with Strategic Plan
- Algae Bloom in McNabney Marsh update
- Site Security update
- Wet Weather Standard Operating Procedures
- CASA Acronym List
- Digest of System Reliability Study

R-2. ASSISTANT DISTRICT MANAGER

Assistant District Manager Allen reviewed his written report on year-to-date expenditures and the Dorothy M. Sakazaki Environmental Endowment Fund.

R-3. DISTRICT ENGINEER

Engineer Leptien reported on the following items:

- User Service Charges and implementation of the automated billing system for metered accounts as part of the GIS program
- Source Control annual meeting to review the 2012-13 program
- Pacheco Blvd/Arthur Road Manhole Repair projects
- Flow Monitoring/Hydraulic Modeling
- GIS update
- Smoke Testing
- 2012 Pipeline Rehabilitation Project
- Grease Receiving Station at MVSD
- Extension of potable water system to the laboratory, operations and control building
- There were no significant plan review activities in October.

Engineer Leptien responded to questions from the Board regarding the proposed Wastewater Contribution Permit Applications for Galletti and Sons and American Stage Tours.

R-4. DISTRICT LEGAL COUNSEL

District Counsel Adams provided reports on the following:

- Progress on the City of Brentwood v. Contra Costa County Auditor/Controller regarding the Chevron Property Tax Refund litigation.
- The District has been named as a defendant in the lawsuit against the contractor who performed the District's Pacheco Blvd. Arthur Road Manhole Project but has not yet been served. The District need not be concerned with any significant economic exposure..
- The approval of Proposition 30 eliminated the requirement for the State to reimburse agencies for Brown Act compliance.
- This December, Turner Huguet & Adams will become Turner Huguet Adams and Farr and will be moving one block to the north to 838 Escobar in mid-December.

R-5. SECRETARY

None

R-6. DIRECTORS

R 6.01 STANLEY R. CALDWELL

A) REPORT ON VARIOUS MEETINGS

Director Caldwell noted he had provided a written report in the packet. Director Caldwell noted the Manager's report mentioned the CSDA Committee approved by the Board last month. Director Caldwell stated he was asked by CSDA last year to serve on Education Committee when Mr. Kohlen passed away. He further noted the paperwork President Williams signed at the last board meeting was for 3 committees and the Staff Report indicated only 2 committees.

Director Caldwell further reported he attended and was asked to speak at the farewell for CCCSD Board of Director Mario Menisini.

Director Caldwell further reported on the Shell Community Appreciation Day.

R 6.02 GREGORY T. PYKA

(Absent)

R 6.03 ELMER J. SCHAAL

None

R 6.04 VICE PRESIDENT DAVID P. MAGGI

Vice President Maggi stated he would like to attend CSDA Board Member Training being held in Monterey in January. He would like the Board to authorize his attendance at the December meeting. Vice President Maggi stated he would like the District to cover the costs of the training; but he will cover his travel expenses, and he does not want a stipend.

R 6.05 PRESIDENT RANDELL E. WILLIAMS

(Absent)

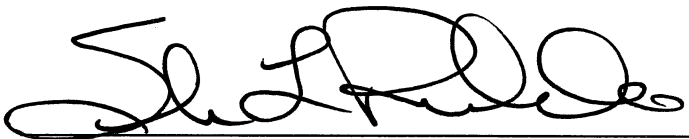
6. FUTURE BOARD ITEMS

A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

Vice President Maggi requested the topic of approval of the CSDA Board How to Be an Effective Board Member Training be placed on the next Board Meeting Agenda.

7. ADJOURNMENT

At 7:52 p.m. Director Schaal adjourned the meeting. The next scheduled board meeting is a regular meeting scheduled for Thursday, December 13, 2012 at 6:30 p.m.

A handwritten signature in black ink, appearing to read "Sheri L. Riddle", written over a horizontal line.

Sheri L. Riddle, Board Secretary