

MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE DISTRICT BOARD  
MT. VIEW SANITARY DISTRICT  
JUNE 19, 2023

The District Board of the Mt. View Sanitary District convened in an adjourned 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 June 19, 2023, at 10:00 a.m.

1. ROLL CALL OF DIRECTORS

PRESENT: Directors David P. Maggi, and Gregory T. Pyka, Vice President  
Julia R. Halsne, and President Brian A. Danley.

ABSENT: None

Also Present: STAFF – General Manager Lilia M. Corona, Deputy General  
Manager Stacey Ambrose, CFO/Administrative Services  
Manager Denise D. Gray, Board Secretary Stephanie L.  
Seregin, and District Legal Counsel J. Daniel Adams

PUBLIC: None

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

A. APPROVE THE MINUTES OF THE MAY 11, 2023, REGULAR BOARD MEETING

B. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 60809  
THROUGH 60853 DATED MAY 2, 2023

C. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 60854  
THROUGH 60900 DATED MAY 16, 2023

D. RATIFY APPROVAL OF GENERAL FUND 3409 CHECK NUMBERS 60901  
THROUGH 60941 DATED MAY 31, 2023

E. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBER 695 DATED  
MAY 2, 2023

F. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBERS 696 THROUGH  
697 DATED MAY 16, 2023

- G. RATIFY APPROVAL OF GENERAL FUND 3410 CHECK NUMBER 698 DATED MAY 31, 2023
- H. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3152 THROUGH 3154 DATED MAY 2, 2023
- I. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3155 THROUGH 3160 DATED MAY 16, 2023
- J. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3161 THROUGH 3162 DATED MAY 31, 2023

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

Motion carried by the following vote:

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

#### 4. PUBLIC HEARING

##### **A. PUBLIC HEARING TO ADOPT A MOTION ESTABLISHING SCHEDULES OF RATES, FEES, AND CAPACITY CHARGES FOR THE FISCAL YEAR 2023-2024**

###### 1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

###### 2. CONDUCT PUBLIC HEARING

###### A. OPEN PUBLIC HEARING

President Danley opened the Public Hearing.

###### B. RECEIVE PUBLIC COMMENT

There was no public testimony.

###### C. CLOSE PUBLIC HEARING

President Danley closed the Public Hearing.

3. CONSIDER ADOPTION OF A MOTION ESTABLISHING SCHEDULES OF RATES FEES AND CAPACITY CHARGES FOR FISCAL YEAR 2023-2024.

It was moved by Vice President Halsne, seconded by Director Pyka, to adopt a motion establishing schedules of Rates, Fees, and Capacity Charges for Fiscal Year 2023-2024.

Motion carried by the following vote:

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

**B. PUBLIC HEARING TO CONSIDER COLLECTION OF SEWER SERVICE CHARGES FOR FISCAL YEAR 2023-24 WITH THE GENERAL TAXES**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONDUCT PUBLIC HEARING

A. OPEN PUBLIC HEARING

President Danley opened the Public Hearing.

B. RECEIVE PUBLIC COMMENT

There was no public testimony.

C. CLOSE PUBLIC HEARING

President Danley closed the Public Hearing.

3. CONSIDER ADOPTION OF RESOLUTION NO. 1586-2023, OVERRULING OBJECTIONS, ADOPTING THE REPORT OF THE GENERAL MANAGER, AND ORDERING THE COLLECTION OF SEWER SERVICE CHARGES FOR THE FISCAL YEAR 2023-2024 IN THE SAME MANNER, BY THE SAME PERSON AND AT THE SAME TIME TOGETHER WITH THE GENERAL TAXES.

It was moved by Director Pyka, seconded by Director Maggi, to adopt Resolution No. 1586-2023, overruling objections, adopting the report of the General Manager, and ordering the collection of sewer service charges for the Fiscal Year 2023-2024 in the same manner, by the same person and at the same time together with the general taxes.

Motion carried by the following vote:

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

5. NEW BUSINESS

**A. APPOINTMENT OF DIRECTOR FOR BOARD VACANCY**

1. REPORT FROM STAFF  
General Manager Corona reported.
2. CONDUCT CANDIDATE INTERVIEWS
3. INVITE CANDIDATES TO ADDRESS THE BOARD.
4. CONDUCT BOARD DELIBERATION
5. CONSIDER ADOPTION OF A MOTION APPOINTING THE NEW DIRECTOR TO THE VACANT POSITION TO SERVE UNTIL DECEMBER OF 2024 WHEN THE NEXT GENERAL ELECTION WINNER IS QUALIFIED AND TAKES OFFICE.
6. ADMINISTER THE OATH OF OFFICE TO THE NEW DIRECTOR

No candidates have expressed an interest in the Board vacancy. The Board discussed outreach options to enlist interest.

Vice President Halsne suggested GM Corona reach out to reporter Craig Lazeretti. There was then discussion regarding the reporter's name that attended our public hearing and wrote an article for "Martinez News and Views," Craig Lazeretti or Tom Lochner.

**B. AFFIRMATION OF OFFICES OF DISTRICT LEGAL COUNSEL AND BOARD SECRETARY**

1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION AFFIRMING J. DANIEL ADAMS TO THE OFFICE OF DISTRICT LEGAL COUNSEL

3. CONSIDER ADOPTION OF A MOTION AFFIRMING STEPHANIE L. SEREGIN TO THE OFFICE OF BOARD SECRETARY

It was moved by Director Pyka, seconded by President Danley, to adopt a motion affirming J. Daniel Adams to the office of District Legal Counsel; and, a motion affirming Stephanie L. Seregin to the office of Board Secretary.

Motion carried by the following vote:

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

**C. DELEGATION OF DISTRICT TREASURER DUTIES**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION TO AUTO-RENEW THE DELEGATION OF GENERAL MANAGER AND CFO/ADMINISTRATIVE SERVICES MANAGER PER DISTRICT RESOLUTION 1533-2021 AS THE AUTHORITIES TO INVEST AND REINVEST DISTRICT FUNDS TO THE CONTRA COSTA COUNTY TREASURER AS DISTRICT TREASURER FOR THE NEXT ONE-YEAR PERIOD UNTIL SUCH IS REVOKED.

It was moved by President Danley, seconded by Director Maggi, to adopt a motion to auto-renew the delegation of General Manager and CFO/Administrative Services Manager per District Resolution 1533-2021 as the

authorities to invest and reinvest District funds to the Contra Costa County Treasurer as District Treasurer for the next one-year period until such is revoked.

Motion carried by the following vote:

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

**D. BENEFITS POLICY NO. 2015 REVISION**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING REVISIONS TO POLICY NO. 2015

It was moved by President Danley, seconded by Vice President Halsne, to adopt a motion approving revisions to Policy No. 2015 - Benefits.

Motion carried by the following vote:

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

**E. FY 2023-2024 LEGAL SERVICES TASK ORDER NO. 20 TO PROFESSIONAL LEGAL SERVICES AGREEMENT (AMENDED AGREEMENT 11-0002) WITH TURNER, HUGUET, ADAMS AND FARR**

1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION APPROVING TASK ORDER NO. 20 TO THE AMENDED AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

(AGREEMENT NO. 11-0002) WITH TURNER, HUGUET, ADAMS AND FARR FOR DISTRICT LEGAL COUNSEL SERVICES, EFFECTIVE JULY 1, 2023, NOT-TO-EXCEED \$154,128.00 ROUTINE DISTRICT LEGAL COUNSEL SERVICES FOR FISCAL YEAR 2023-2024 AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE TASK ORDER

It was moved by President Danley, seconded by Director Pyka, to adopt a motion approving Task Order No. 20 to the Amended Agreement for Professional Legal Services (Agreement No. 11-0002) with Turner, Huguet, Adams and Farr for District Legal Counsel Services, effective July 1, 2023, not-to-exceed \$154,128.00 routine District Legal Counsel services for Fiscal Year 2023-2024 and authorizing the Board President to execute the Task Order.

Motion carried by the following vote:

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

#### **F. THIRD AMENDMENT TO GENERAL MANAGER EMPLOYMENT AGREEMENT**

##### 1. REPORT FROM STAFF

District Legal Counsel Adams reported.

##### 2. IN OPEN SESSION CONSIDER THE PROPOSED THIRD AMENDMENT TO THE GENERAL MANAGER EMPLOYMENT AGREEMENT AND IF ACCEPTABLE, ADOPT A MOTION AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE AMENDMENT AND PRESENT IT TO THE GENERAL MANAGER FOR HER EXECUTION

AND

##### 3. PROVIDE DIRECTION TO REVISE THE DISTRICT POLICY AND PROCEDURE 2305 – SALARY & WAGE SCHEDULES

##### 4. IN THE ALTERNATIVE, PROVIDE DIRECTION TO DISTRICT LEGAL COUNSEL

It was moved by Vice President Halsne, seconded by Director Pyka, to adopt a motion approving the Third Amendment to the General Manager Employment Agreement and authorizing the Board president to execute the Amendment and present it to the General Manager for her execution.

Direction was provided to update District Policy 2305- Salary & Wage Schedules.

Motion carried by the following vote:

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

**G. PROPOSED FISCAL YEAR 2023-2024 BUDGET FOR FUNDS 3409, 3410, 3412 AND 3415**

1. REPORT FROM STAFF

CFO/Administrative Services Manager Gray reported.

2. CONSIDER ADOPTION OF A MOTION TO APPROVE THE FISCAL YEAR 2023-2024 ANNUAL BUDGET FOR FUNDS 3409, 3410, 3412, AND 3415

OR ALTERNATELY:

3. PROVIDE DIRECTION TO THE GENERAL MANAGER TO PROVIDE A REVISED BUDGET FOR APPROVAL IN JULY

It was moved by Vice President Halsne, seconded by Director Maggi, to adopt a motion to approve the Fiscal Year 2023-2024 Annual Budget for Funds 3409, 3410, 3412, and 3415.

Motion carried by the following vote:

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



ABSTAIN: None

## **H. PROFESSIONAL SERVICES REQUISITIONING AND PURCHASING POLICY UPDATE**

### 1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF RESOLUTION NO. 1587-2023 APPROVING REVISIONS TO DISTRICT POLICY NO. 2270 PURCHASING POLICIES AND PROCEDURES AND ADOPTING THE UPDATED POLICY, AND DIRECTING THE GENERAL MANAGER TO INCLUDE THE REVISED POLICY IN THE DISTRICT'S POLICY AND PROCEDURE MANUAL AND TO DISTRIBUTE IT TO DISTRICT STAFF.

It was moved by Director Pyka, seconded by President Danley, to adopt Resolution No. 1587-2023 approving revisions to District Policy No. 2270 Purchasing Policies and Procedures and adopting the updated policy, and directing the General Manager to include the revised policy in the District's Policy and Procedure manual and to distribute it to District staff.

Motion carried by the following vote:

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

## **I. APPOINT AD HOC COMMITTEE REGARDING THE MERGER FEASIBILITY STUDY**

### 1. REPORT FROM STAFF

General Manager Corona reported.

2. CONSIDER ADOPTION OF A MOTION DIRECTING THE BOARD PRESIDENT TO APPOINT 2 BOARD MEMBERS TO AN AD HOC COMMITTEE ENTITLED "AD HOC COMMITTEE ON POTENTIAL MERGER WITH CENTRAL SAN"

It was moved by Vice President Halsne, seconded by President Danley, to adopt a motion directing the Board President to appoint 2 Board Members to an Ad Hoc Committee entitled "Ad Hoc Committee on potential merger with Central San."

Motion carried by the following vote:

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

3. UPON ADOPTION OF THE MOTION, PRESIDENT DANLEY APPOINTS 2 BOARD MEMBERS TO THE COMMITTEE

By consensus, the Board determined the Ad Hoc Committee would consist of President Danley and Vice President Halsne.

4. PROVIDE DIRECTION AS MAY BE APPROPRIATE

#### **J. VERIZON CELL TOWER LEASE NEGOTIATION**

1. REPORT FROM STAFF

General Manager Corona reported.

2. PROVIDE DIRECTION

General Manager Corona was directed to investigate further the option of a payout.

#### **K. CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPECIAL DISTRICT MEMBER ALTERNATE SEAT RUN-OFF ELECTION**

1. REPORT FROM STAFF

General Manager Corona reported.

2. DISCUSS AND CONSIDER THE TWO RUN-OFF CANDIDATES TO FILL THE SPECIAL DISTRICT MEMBER ALTERNATE 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 JULY 10, 2023

After discussion by consensus, the Board determined they would abstain from the vote.

## 6. REPORTS

### R-1. GENERAL MANAGER

General Manager Corona reported on the following items:

- Vacation Schedule
- Grant Funding
- West Yost Associates contract for floating islands on hold

### R-2. DEPUTY GENERAL MANAGER

Deputy General Manager Ambrose responded to Vice President Halsne's question regarding staff's response to the prospect of a merger with Central San.

Vice President Halsne suggested contacting our local council member and inquiring about available grants.

### R-3. DISTRICT ENGINEER

District Engineer Elliott responded to the Boards question regarding the status of the paving project.

### R-4. CFO/ADMINISTRATIVE SERVICES MANAGER

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

### R-5. WASTEWATER OPERATIONS MANAGER

General Manager Corona responded to questions regarding the SSO in the "Traditions at the Meadows" subdivision.

## R-6. DISTRICT LEGAL COUNSEL

District Legal Counsel Adams provided updates on the following items:

- 888 Howe Road Real Property Negotiations
- California Voting Rights Act Case - PICO Neighborhood Association
- Pacheco Boulevard Sewer Claim

## R-7. BOARD SECRETARY

None

## R-8. DIRECTORS

### R 8.01 PRESIDENT BRIAN A. DANLEY

President Danley reported on the following items:

- Recycling Issues in his neighborhood
- CASA Conference Attendance

### R 8.02 DIRECTOR JULIA HALSNE

Vice President Halsne expressed her remorse the Board meeting had to be scheduled on a District Holiday and thanked staff for their attendance.

### R 8.03 DIRECTOR DAVID P. MAGGI

Director Maggi commented this month's Board packet was a lot of information and some intense reading. Director Maggi then commended Deputy General Manager Ambrose for her excellent response to an employee's email expressing concern regarding the possible merger with Central San.

### R 8.04 DIRECTOR GREGORY T. PYKA

Director Pyka commended Administrative Services Manager Gray for her excellent work on this year's budget. He then advised the Board he would be out of town from October 15 – 23.

## 7. COMMUNICATIONS

### A. BANK OF THE WEST MONTHLY STATEMENTS

B. LAIF MONTHLY STATEMENT

8. FUTURE BOARD ITEMS

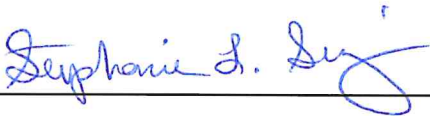
A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

Vice President Halsne requested the minutes for the Dorothy M. Sakazaki Environmental Endowment Fund meeting be presented in draft form.

9. ADJOURNMENT

A. THE NEXT SCHEDULED BOARD MEETING IS A REGULAR BOARD MEETING ON THURSDAY, JULY 13, 2023, At 6:30 P.M.

President Danley adjourned the meeting at 12:18 p.m. The next scheduled Board meeting is a regular board meeting on Thursday, July 13, 2023, at 6:30 p.m.



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Stephanie L. Seregina, Board Secretary