

MINUTES OF THE REGULAR MEETING
OF THE DISTRICT BOARD
MT. VIEW SANITARY DISTRICT
OCTOBER 12, 2023

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 October 12, 2023, at 6:31 p.m.

1. ROLL CALL OF DIRECTORS

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

ABSENT: Vice President Julia R. Halsne

Also Present: STAFF – General Manager Lilia M. Corona, Deputy General Manager Stacey Ambrose, 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: None

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

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

C. RATIFY APPROVAL OF CAPITAL OUTLAY FUND 3412 PAYMENT ORDER NUMBERS 3190 THROUGH 3192 DATED SEPTEMBER 19, 2023

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

Motion carried by the following vote:

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

4. PUBLIC HEARING

A. CALIFORNIA VOTING RIGHTS ACT

1. REPORT FROM STAFF

District Legal Counsel Adams 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. 1592-2023, 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.

It was moved by Director Pyka, seconded by President Danley, to adopt Resolution No. 1592-2023.

Motion carried by the following vote:

AYES: Directors Maggi, Pyka, and President Danley
NOES: None

ABSENT: Vice President Halsne
ABSTAIN: None

5. NEW BUSINESS

A. CALL FOR PUBLIC HEARING TO CHANGE BOARD MEETING TIME

1. REPORT FROM STAFF

General Manager Corona reported.

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

It was moved by Director Pyka, seconded by Director Maggi, to adopt a Motion scheduling a Public Hearing for November 9, 2023, and direct the Board Secretary to properly notice it and publish the notice.

Motion carried by the following vote:

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

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

3. REPORT FROM STAFF

General Manager Corona reported.

4. PROVIDE DIRECTION

By consensus, the Board approved the MOU and authorized Pres. Danley to execute, but determined to hold off on executing the MOU until Vice President Halsne can do a final review.

C. KENNEDY JENKS AMENDMENT & TASK ORDER

1. REPORT FROM STAFF

District Engineer Elliott reported.

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

It was moved by Director Maggi, seconded by Director Pyka, to adopt 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; and, adopt 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.

Motion carried by the following vote:

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

6. REPORTS

R-1. GENERAL MANAGER

General Manager Corona reported on the following items:

- Vacation Schedule
- Republic Services Interim General Manager

R-2. DEPUTY GENERAL MANAGER

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

R-3. DISTRICT ENGINEER

District Engineer Elliott provided an update on 888 Howe Road.

R-4. CFO/ADMINISTRATIVE SERVICES MANAGER

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

R-5. WASTEWATER OPERATIONS MANAGER

The Board inquired about the surplus equipment being auctioned.

R-6. DISTRICT LEGAL COUNSEL

District Legal Counsel Adams advised the Board that after Item 8A is addressed, all staff should be dismissed except for himself, General Manager Corona, Deputy General Manager Ambrose, and District Engineer Elliott for the Closed Session Item.

R-7. BOARD SECRETARY

Board Secretary Seregin reported she has items for President Danley to sign prior to her departure for the closed session.

R-8. DIRECTORS

R 8.01 PRESIDENT BRIAN A. DANLEY

None

R 8.02 DIRECTOR JULIA R. HALSNE

Excused

R 8.03 DIRECTOR DAVID P. MAGGI

None

R 8.04 DIRECTOR GREGORY T. PYKA

None

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

President Danley announced the below closed session and dismissed Administrative Services Manager Gray and Board Secretary Seregin from the meeting.

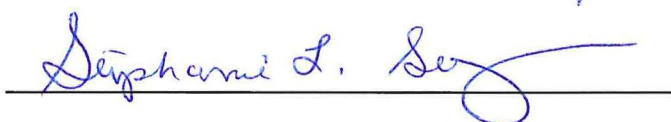
9. CLOSED SESSION

- 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.

The Board of Directors came out of Closed Session at 7:31 p.m., and President Danley reported, "No reportable action was taken."

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

President Danley adjourned the meeting at 7:33 pm. The next scheduled Board meeting is a regular board meeting on Thursday, November 9, 2023, at 6:30 p.m.



Stephanie L. Seregin, Board Secretary