



**RODEO SANITARY DISTRICT
MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
DISTRICT OFFICE, 800 SAN PABLO AVE, RODEO, CA**

A Regular Meeting of the Governing Board was held at 1:00 p.m. on the 8th day of September, 2020. In accordance with the Governor's Executive Order N-29-20, which suspended certain requirements of the Brown Act due to the ongoing COVID-19 pandemic, Board Members and some staff participated in this meeting via video conference. Members of the public were provided options to participate in the meeting as provided on the agenda.

1) ROLL CALL

Vice President Callaghan called the meeting to order at 1:05 P.M.

The following members were present by video-conference:

Directors Angela Noble, Richard Frakes, Maureen Brennan, Vice President Janet Callaghan
Staff-District Legal Counsel Carl Nelson and Morgan Biggerstaff

Directors and Staff Present (in person):

Staff- District Manager Steve Beall, District Administrator Nancy Lefebvre

Absent- President Connie Batchelder

Others Present- None

a) **PLEDGE OF ALLEGIANCE TO THE FLAG**-District Manager Steve Beall led the pledge of allegiance.

2) PUBLIC COMMENTS-Communication from the public on subjects not on the agenda-

No public comment was received.

3) CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER-

None

4) REPORTS

a) District Manager:

Sewer Year 4-NEW NAME-2020 Priority Improvements Project

The 2020 Priority Improvements Project design is nearly complete. The District has utilized the services of L.R. Paulsell Consulting to perform pothole investigations at the two targeted improvement sites. These potholes are necessary to establish elevations, slopes, and location of the proposed sewer modifications. The drawings are almost

ready for Board review. The locations of the proposed work are at the easement between Spruce Court and the Elm Drive Easement, and on Vaqueros Avenue. Both of these locations have sewers that are difficult to maintain, are in a severe deteriorated state and pose a very high risk of failure that could lead to a Category 1 Sewer Overflow. It is anticipated that the District will advertise this project at the end of September with a bid opening a few weeks later. The Project will be brought before the Board of Directors for authorization to award the Construction Contract.

Cathodic Protection System and Outfall

The Dive/Inspection to clear the blocked ports of the outfall was conducted in August 2020. The photographs on the following page show something no one was expecting. One port has a manmade plug in it. It also appears that the port was covered/sealed with concrete. The District does not have any documentation to provide a reason why this port was plugged. The District is investigating with the Cities of Pinole and Hercules but does not believe they will have any information either. It appears there may be deterioration around this port which led to the plug being installed. The District is working with our consultant and the Regional Board to allow this port to remain sealed. The Consultant believes the Diffuser Section, with one blocked port, creates the necessary 75:1 dilution as required in the Districts Operating Permit. The District will be discussing this with the Regional Board in early/mid-September.

District Personnel

The District Manager is struggling through the process of establishing a relationship between the District and the Department of Veteran Affairs. The COVID times are making connecting difficult. It is desired to bring in a Veteran to act as the District Operator in Training. Hopefully, by the next Managers Report, I will be able to report the District is in the interview process with potential Veteran Operator in Training candidates. The District finally heard back from the Department of Veteran Affairs. Their staff are searching for candidates for the District. Currently, the District employees two Veterans.

Qualitative Report of Plant Operations

The District is trialing a new kind of chlorine analyzer. It is believed, the new analyzer will save the District approximately \$15,000 per year in operations and maintenance costs. Preliminary results strongly confirmed this. If the District proceeds, the District will purchase four analyzers to replace the analyzers that control chemical fee. The capital outlay will be approximate \$15,000 for all four analyzers. This results in a return on investment of about one year.

District staff spent over eight hours removing 43 gallons of rags from the digester overflow box, headworks, and secondary clarifiers. District Staff are now required to spend approximately two hours per day "fishing" rags out of the Primary Clarifier Scum Trough and the Clarifier Weirs.

Collection System Operation and Maintenance: The District had no sewer calls for the month of August.

- a. Counsel for the District: District Counsel Carl Nelson updated the staff and Board regarding pending litigation between Contra Costa County Deputy Sheriffs Association and CCCERA.

- b) Secretary of the District: None
- c) Board Members:

Budget and Finance Committee

September 8, 2020-C. R. Frakes (Pro-Bono)

Administrative Committee- None

5) CONSENT CALENDAR-

Staff Recommendation (Motion required): Adopt the consent calendar as recommended.

1. Expenditures August 2020 were reviewed by the Budget Committee.
2. August 2020 Financial Statements reviewed by the Budget Committee.

MOTION: By Noble, seconded by Frakes to approve the Consent Calendar. Motion passed by the following vote of the Board:

VOTE: AYES:4 NOES: 0 ABSENT: 1 ABSTAIN: 0

6) EMERGENCY SITUATIONS REQUIRING BOARD ACTION:

Resolution 2020-03 requires Board action to continue the emergency provisions contained in the resolution.

In light of the continuing existence of the COVID-19 pandemic, and Executive Order N-33-20 and the Contra Costa Health Officer Orders, and the need for the District Manager to remain authorized to take all actions necessary for the District to continuously provide essential services to the Rodeo community, and to take all reasonable steps to recover such costs from any and all available sources, and to make determinations, in response to Executive Order N-33-20 and the Contra Costa Health Officer Orders, regarding which District facilities comprise Essential Infrastructure, which District services are Essential Governmental Functions, which District employees and contractors comprise the Essential Workforce and are needed to continue providing Essential Governmental Functions, and to confirm:

- That the District wastewater treatment facility (“WWTP”) located at 800 San Pablo Avenue, Rodeo, and its other facilities used to provide continuous and uninterrupted collection, conveyance, and treatment of wastewater, are crucial infrastructure within the meaning of the Executive Order and Essential Infrastructure under the Health Officer Orders:

- That the continuous and uninterrupted collection, conveyance, and treatment of wastewater by the District is an Essential Governmental Function;
- That specified District employees and contractors comprise the Essential Workforce and are needed to continue providing Essential Governmental Functions,

MOTION: By Noble, seconded by Brennan, that Resolution 2020-03 Declaring Emergency and Delegating Authority in Response To COVID-19 pandemic remain in place. Motion passed by the following vote of the Board:

VOTE: AYES:4 NOES: 0 ABSENT: 1 ABSTAIN: 0

7) **OLD BUSINESS:**

A) **BAR SCREEN PROJECT UPDATE (DISCUSSION AND ACTION)**

The District continues to receive submittals for the Bar Screen Project The District Manager is distributing the submittals to the appropriate parties (Carollo Engineers, McMillan Jacobs Associates, District Staff). During this period, the contractor placed the concrete for the Bar Screen Structure perimeter walkway and stripped all exterior forms. The contractor installed the temporary bypass piping to reroute flow around the headworks into the Primary Clarifier. The contractor is in the process of demolishing concrete in order to tie in the Bar Screen discharge channel and replace the isolation stop plates. Minor miscellaneous activities for the project have also been completed.

B) **CONOCO PHILLIPS REFINERY PROJECT (DISCUSSION AND ACTION)**

At the request of the Board of Directors, a continuing discussion item will remain in the Board Packet until further notice. The discussion will revolve around the Conoco Phillips Refinery Project and risk to the District. A discussion ensued regarding the Selby Storage Tank Retrofit Project and Conoco Phillips plans to reconfigure its Rodeo refinery to produce renewable fuels. Conoco also has plans to shut down the Rodeo Carbon Plant facility.

8) **NEW BUSINESS:**

A) **APPROVE MINUTES FOR SPECIAL BOARD MEETING AUGUST 11, 2020 (Discussion and Action)**

MOTION: By Frakes, seconded by Noble to approve the August 11, 2020 Special Board Meeting Minutes, as corrected. Motion passed by the following vote of the Board:

VOTE: AYES:3 NOES: 0 ABSENT: 1 ABSTAIN: 1

9A) **PUBLIC HEARING-** None

10) **COMMUNICATION**

Relevant Communications to and from the District are included in the Board Packet.

11) **CLOSED SESSION-**

1. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION-
(Pursuant to Govt. Code § 54956.9 (d) (2) because of significant exposure to litigation): (1 case)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Govt. Code § 54957 (b) (1)
Title: District Manager

The Board entered into the closed session via a breakout room at 2:04 p.m. and returned to open session at 2:28 p.m.

12) **REPORT OUT OF CLOSED SESSION-**Nothing to report.

13) **SUGGESTIONS FOR FUTURE AGENDA ITEMS-** None

14) **ADJOURNMENT**

Meeting adjourned at 2:31 p.m. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday October 13, 2020 at 1:00 P.M.at Rodeo Sanitary District.

Richard Frakes, Secretary
Rodeo Sanitary District

Countersigned:

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Nancy Lefebvre, District Administrator
Rodeo Sanitary District