



**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 12th day of January 2021. 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

President Batchelder called the meeting to order at 1:04 P.M.

The following members were present by video-conference:

Directors Secretary 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, President Connie Batchelder

Absent- Angela Noble

Others Via Zoom-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-

Director Janet Callaghan provided information to the Board and Staff regarding a Rodeo Citizens Association zoom meeting on January 25, 2021 at 7:30 p.m. The town of Rodeo has been identified as a "disadvantaged community" under Senate Bill (SB) 1000. The meeting will have County representatives which will present a brief overview of the Envision Contra Costa 2040 project among other topics.

3) CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER- None

4) **REPORTS**

a) District Manager:

Request For Qualifications for Energy Services Companies

The District Manager and District Counsel reviewed and commented on the Project Development Agreement (PDA) from Engie. Currently, the PDA is with Engie for them to respond to any District comments. After this process is complete, the Committee will meet again to review the PDA prior to sending to the full Board for review. It is anticipated the PDA will be brought before the full Board of Directors at the February 2021 Board Meeting.

District Personnel

Birthdays for January – Andrew Alva!

The District is still struggling to find an individual to become the District's next Operations Intern. The District is pursuing some new leads and will report when new information is available.

Qualitative Report of Plant Operations

District Staff converted the last three chlorine analyzers from a late 1990s technology to a modern chlorine analyzer technology. It is anticipated, these new chlorine analyzers will save the District about \$10,000 per year in maintenance and overtime costs. The new chlorine analyzers should pay for themselves in about a year. District Staff were also able to complete the electrical and instrumentation connections.

The bypass of the Grit System was terminated on December 16, 2020. At the same time, the new grit screw and grit tank aeration header were placed into service. We are all greatly looking forward to the operation of the bar screen.

Collection System Operation and Maintenance: The District had two sewer calls for the month of December. Both were non-RSD issues relating to resident's home internal plumbing systems.

a. Counsel for the District: Counsel Carl Nelson updated the Board and Staff with some Brown Act changes pertaining to social media.

b) Secretary of the District: None

c) Board Members:

Budget and Finance Committee

January 11, 2021- C. Batchelder (stipend), M. Brennan (absent)

Administrative Committee- None

5) **CONSENT CALENDAR-**

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

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

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

VOTE: AYE: 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 Callaghan, 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 finished work on installing the new isolation stop plates, grating and handrail rehabilitation, and structural repairs of the Headworks. The Contractor is about 95 % complete with the installation of the Bar Screen, the Screw Conveyor and the Washer and Compactor. The Electrical Subcontractor is hard at work installing the electrical for the Bar Screen Project. The Headworks was returned to service the week of December 14, 2020. The Bar Screen Manufacturer is scheduled to be on site the week of February 8, 2021 begin startup activities for all of the major equipment. The Board and Staff discussed planning a site visit on February 10, 2021 for the Board to see it in action.

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.

The District received a mailer from the Contra Costa County regarding the Notice of Preparation/Notice of Scoping Meeting for a Draft Environmental Impact Report for the Proposed Phillips 66 Rodeo Renewed Project. Director's Brennan and Callaghan prepared a response letter on behalf of the District for the Board's review. After lengthy discussion the Board directed the District Manager and Maureen to rewrite the letter with some additional concerns, then forward to District Counsel for review. The Board was particularly concerned with the timeliness of when the District received the letter and the deadline for response.

8) **NEW BUSINESS:**

A) **BOARD MEMBER COMPENSATION ADJUSTMENT (DISCUSSION AND ACTION)**

Motion by Batchelder, seconded by Frakes to forego a rate compensation increase. Motion passed by the following vote of the Board:

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

B) APPROVE MINUTES FOR REGULAR BOARD MEETING OCTOBER 13, 2020 (DISCUSSION AND ACTION)

MOTION: By Brennan, seconded by Frakes to approve the October 13, 2020 Regular Board Meeting Minutes. Motion passed by the following vote of the Board:

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

C. APPROVE MINUTES FOR REGULAR BOARD MEETING NOVEMBER 10, 2020 (DISCUSSION AND ACTION)

MOTION: By Frakes, seconded by Brennan to approve the November 10, 2020 Regular Board Meeting Minutes, as corrected. Motion passed by the following vote of the Board:

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

9) **PUBLIC HEARING-** None

10) **COMMUNICATION**

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

11) **CLOSED SESSION-** None

1. CONFERENCE WITH LEGAL COUNSEL-- Consideration of initiation of litigation pursuant to paragraph (4) of Government Code §54956.9 (d): (1 potential case)

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

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

14) **ADJOURNMENT**

Meeting adjourned at 2:12 p.m. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday February 9, 2020 at 1:00 P.M.at Rodeo Sanitary District.

Connie Batchelder, President
Rodeo Sanitary District

Countersigned:

Nancy Lefebvre, District Administrator
Rodeo Sanitary District