



**RODEO SANITARY DISTRICT
MINUTES OF A SPECIAL 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 25th day of May 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 1:06 P.M.

The following Board Directors were present by video-conference:

Maureen Brennan (left @ 2:32), Angela Noble, Vice President Janet Callaghan, & Staff-District Legal Counsel Carl Nelson and Morgan Biggerstaff

Directors and Staff Present (in person):

President Connie Batchelder, Secretary Richard Frakes (left @ 1:43). Staff-District Manager Steve Beall, District Administrator Nancy Lefebvre (left @ 2:30),

Absent- None

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- No comments.

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

4) REPORTS

District Manager:

Energy Conservation Project

Engie continues to perform analysis on implementing Energy Conservation Measure (ECM) for the Districts Wastewater Treatment Plant. The District Manager is working closely with Engie to develop the ECMs. A printout of a Google Earth view of the District's Wastewater Treatment Plant was provided which detailed potential ECMs. The following elements of the project will develop during June 2021:

- District Manager and Counsel review of the Energy Services Contract.
- Exploration of a significantly larger solar array on the East Bay Parks District land adjacent to the Districts Wastewater Treatment Plant. District Manager spoke with Contra Costa County Supervisor Federal Glover and he supports the project.
- Discussion of Financial aspects of funding these projects heavily focusing on grants.
- Development of newsletter articles for community information.

The District Manager will keep this item in the Managers Report in the short term. The Engie team may begin informational presentations to the Board of Directors as early as the June 2021 board meeting.

Qualitative Report of Plant Operations

The District is beginning to reap the benefits of the new bar screen installation. Operators are not spending as much time pulling rags from the grit pump, the digester overflow box, the return activated sludge pipelines, and the chopping/mixing pumps of the digester tanks.

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

- a. Counsel for the District: Counsel Carl Nelson updated the Board and staff with information regarding the CCCERA case.
- b) Secretary of the District: None
- c) Board Members:

Budget and Finance Committee

May 3, 2021- C. Batchelder (stipend), M. Brennan (stipend)
 May 10, 2021-C. Batchelder (stipend), M. Brennan (stipend)

Solid Waste Committee

April 14, 2021-J. Callaghan (stipend), A. Noble (stipend)

5) CONSENT CALENDAR-

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

1. Expenditures April 2021 were reviewed by the Budget Committee.
2. April 2021 Financial Statements reviewed by the Budget Committee.

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

VOTE: AYE: 5 NOES: 0 ABSENT: 0 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 Frakes, that Resolution 2020-03 Declaring Emergency and Delegating Authority in Response To COVID-19 pandemic remain in place. Motion passed by unanimous vote of the Board:

VOTE: AYES:5 NOES: 0 ABSENT: 0 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, under the direction of the District, L.R. Paulsell and APB General Engineering performed reconstruction of drying bed number five drain line and multiple repairs of the

District's plant drain system. The Paving Contractor also began paving which will be done before the end of May. Minimal work was completed on the Bar Screen portion of the project during this period.

The District is currently working with the systems integrator to complete the remaining items to finish the project (HMI interface, SCADA interface).

The overall Project is about nine months behind schedule. This is a result of the COVID-19 pandemic, District initiated project changes, and Prime Contractor scheduling issues. In order to ensure the Prime Contractor can complete the Bar Screen portion of the project to get operational as soon as possible, the District continues to work on and complete several small elements that were originally to be assigned to the Prime Contractor. These elements include Storm Water Pollution Prevention Measures, Concrete Restoration, and District Storm Drain Improvements.

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.

Director Callaghan informed the Board and Staff that she attended a Nustar meeting. Information was provided on details of the fire that occurred in October 2019.

8) NEW BUSINESS:

A) APPROVE FISCAL YEAR DRAFT 2021-2022 OPERATING BUDGET (DISCUSSION AND ACTION)

The Budget Committee met on May 3, 2021 to discuss the Fiscal Year 2021-2022 Operations Budget. The District Manager implemented the minor corrections as recommended by the Budget Committee. Manager Beall presented the proposed Fiscal Year 2021 – 2022 Operations Budget to the Board which will result in a surplus of \$1,086,953 . The required SRF reserve deposit is \$872,000. The required operations transfer of former loan debt service is \$248,900. Therefore, the District has the potential to have a \$33,900 Operations Budget loss for the Fiscal Year 2021 - 2022. The proposed Fiscal Year 2021 – 2022 Operations Budget represents an 8.7 % increase in expenditures when compared to the 2020 – 2021 fiscal year operations budget. Manager Beall noted that from July 1, 2012 to June 30, 2021 the District has only increased its operational budget by 4.6% total (over the same period, the consumer price index rose about 25%). A substantial increase has been inevitable. Each account on the draft budget was discussed and questions were solicited and answered. The District Board adopted Ordinance 2018-100 on July 10, 2018 after going through the Proposition 218 process. The Ordinance stated rate increases ad-

justing 8% over the five year period beginning FY 2018-19 through FY 2022-23. The District Board chose not to enact the 1% rate increase for FY 2020-21, while leaving the entire rate structure in place, due to the impact of COVID-19. The proposed rate for FY 2021-22 is an increase of 2.5%. The sewer service fee would increase annually \$24.92 with a new annual rate of \$1,021.30. The Budget will be presented for Board approval at the June 8, 2021 Board meeting.

Motion by Brennan, seconded by Noble to approve the fiscal year draft 2021-2022 Operations Budget, with the proposed sewer service rate increase of 2.5%. Motion passed by the following vote of the Board:

VOTE: AYES: Callaghan, Batchelder, Brennan, Noble
 NOES: None
 ABSENT: Frakes
 ABSTAIN: None

B) APPROVE FISCAL YEAR DRAFT 2021-2022 CAPITAL BUDGET (DISCUSSION AND ACTION)

The Budget Committee met on May 3, 2021 to discuss the Fiscal Year 2021 – 2022 Capital Budget. The Budget Committee recommended the approval of the presented Capital budget for the 2021 -2022 fiscal year.

The requested Fiscal Year 2021 – 2022 Capital Budget of \$444,000 (down from \$2.7 million last year) will potentially result in a spending surplus of approximately \$188,000. This will potentially increase the total capital reserve from all \$1,124,000 to \$1,312,000. The District's Capital Reserve Policy requires a \$2 million reserve, thus resulting in deficit of approximately \$688,000.

Motion by Noble, seconded by Brennan to approve the fiscal year 2021-2022 Capital Budget. Motion passed by the following vote of the Board:

VOTE: AYES: Callaghan, Batchelder, Brennan, Noble
 NOES: None
 ABSENT: Frakes
 ABSTAIN: None

C) CONSULTING CONTRACTS FOR AS NEEDED TECHNICAL ASSISTANCE ASSOCIATED WITH NPDES PERMIT COMPLIANCE AND CHRONIC TOXICITY SPECIES SENSITIVITY SCREENING (DISCUSSION AND ACTION)

District Manager Beall request a Board decision to award contracts to two consultants for as-needed technical assistance to support NPDES permit compliance activities. The consultants will provide regulatory and technical support at the direction of the District Manager.

Motion by Noble, seconded by Brennan to authorize District Manager to contract with Larry Walker Associates for the contracted amount of \$16,000 and McCampbell Analytical, Inc for an amount of \$24,591 for as needed technical assistance to support NPDES permit compliance.

VOTE: AYES: Callaghan, Batchelder, Brennan, Noble
 NOES: None
 ABSENT: Frakes
 ABSTAIN: None

**D) APPROVE MINUTES FOR REGULAR BOAD MEETING APRIL 13, 2021
(DISCUSSION AND ACTION)**

MOTION: By Callaghan, seconded by Brennan to approve the April 13, 2021 Regular Board Meeting Minutes, as amended. Motion passed by the following vote of the Board:

VOTE: AYES: Callaghan, Batchelder, Brennan, Noble
 NOES: None
 ABSENT: Frakes
 ABSTAIN: None

9) **PUBLIC HEARING-** None

10) **COMMUNICATION**

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

11) **CLOSED SESSION-** NONE

12) **REPORT OUT OF CLOSED SESSION-**NONE

13) **SUGGESTIONS FOR FUTURE AGENDA ITEMS-**

None

14) **ADJOURNMENT**

Meeting adjourned at 2:45 p.m. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday June 8, 2021 at 1:00 P.M.at Rodeo Sanitary District.

Connie Batchelder, President
Rodeo Sanitary District

Countersigned:

Nancy Lefebvre, District Administrator
Rodeo Sanitary District