



**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE RODEO SANITARY DISTRICT**  
**LOCATION: JOHN SWETT UNIFIED SCHOOL DISTRICT BOARD ROOM, 400 PARKER AVE., RODEO, CA 94572**

A Regular Meeting of the Governing Board was held at 1:00 p.m. on April 12, 2022. Pursuant to the authorizations provided by Government Code section 54953€, this meeting was available telephonically, using the Zoom video conferencing system. One or more Directors attended via electronic means. 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 1:03 P.M.

**Directors Present:** Connie Batchelder, Richard Frakes, Janet Callaghan, Maureen Brennan, Angela Noble\*,

**Staff/Consultants Present:** Steve Beall, District Manager, Nancy Lefebvre, District Administrator, Morgan Biggerstaff, District Counsel

**Absent:** None

**Others Present-** None

\*via video-conference

**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-** None

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

Items 8A & 9 were taken out of order at this time in the meeting.

**8A) A) ADOPTION OF RESOLUTION 2022-09 (DISCUSSION AND ACTION)**

To continue holding virtual Board meetings for the next thirty days pursuant to Government Code Section 54953€, the Board of Directors of the Rodeo Sanitary District voted to adopt Resolution 2021-08.

**MOTION:** By Callaghan, seconded by Frakes to adopt Resolution 2022-09, a resolution of the Board of Directors of the Rodeo Sanitary District proclaiming a local emergency persists, re-ratifying the proclamation of a state of emergency by Governor Newsom on March 4, 2020, and re-

authorizing remote teleconference meetings of the legislative bodies of Rodeo Sanitary District for the period April 12, 2022 through May 12, 2022, pursuant to Brown Act provisions. Motion passed by the following vote of the Board:

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

9) **PUBLIC HEARING**

**Public Hearing to consider adoption of Resolution 2022-08 directing staff to place delinquent Solid Waste Charges on the Contra Costa County Property Tax Roll, Record Certificates of Unpaid charges to establish liens on property.**

President Batchelder opened the Public Hearing at 1:09 p.m. President Batchelder closed the hearing at 1:11 p.m. No comments were received from the public.

MOTION: By Brennan, seconded by Frakes to adopt Resolution 2022-08 approving and directing collection of delinquent solid waste charges on the Contra Costa County Tax Roll, and a lien recorded against the properties, as set forth in the packet with updated list. Motion passed by unanimous vote of the Board:

VOTE: AYES: Brennan, Noble, Callaghan, Frakes, Batchelder  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

4) **REPORTS**

a) District Manager:

**Key Activities**

An RFP has been issued for the Digester Cleaning Project. Proposals are due April 18, 2022. RSD has been experiencing the same difficulty as happened four years ago with the accumulation of rags in the Digesters. Even though the Bar Screen is performing perfectly, there are about three years of accumulation causing problems. The cleaning is about one year early and will be completed sometime in the summer.

**District Personnel**

Birthdays for March: Steve Beal! Anniversaries for March: Tim Gregor- Seven years!

**Energy Conservation Project**

Engie has sent the Energy Services Contract to the District for review. District counsel and the District Manager have reviewed it and provided comments to Engie. Based on the current schedule, it is anticipated that Engie will have a financial presentation that will cover the capital cost of the project, operational expenses for the project elements, alternative energy generation income, eligible grants, and debt service for the June 2022 Board Meeting. The project will have a net zero cost to the District over the debt service term of the project.

**Qualitative Report of Plant Operations**

Du-All Safety conducted safety training on March 15, 2022. Personal Protective Equipment Training and Blood Borne Pathogens were the topics covered.

**Collection System Operation and Maintenance:** The District had no Sanitary Sewer Overflows for the month of March.

- a. Counsel for the District: None
- b) Secretary of the District: None
- c) Board Members:

**Budget and Finance Committee**

April 11, 2022-C. Batchelder (stipend), M. Brennan (absent)

**Administrative Committee**

April 5, 2022-J. Callaghan (stipend)

**5) CONSENT CALENDAR-**

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

- 1. Expenditures March 2022 were reviewed by the Budget Committee.
- 2. March 2022 Financial Statements reviewed by the Budget Committee.
- 3. Adopt Minutes of February 3, 2022 Regular Board Meeting. Reviewed by Administrative Committee.

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

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

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

7) **OLD BUSINESS:**

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

During this period, there has been no construction or administrative work on the project. The HMI was installed and the Bar Screen Project is complete effective April 11, 2022. Awaiting Contractor final billing.

8A Item 8A was taken out of order earlier in the meeting.

8B) **APPROVE DISTRICT CELL PHONE POLICY 2095 AMENDMENT.  
(DISCUSSION AND ACTION)**

District staff has amended the District Personal Telephone Calls Policy #2095, under the guidance of the Administrative Committee and District Counsel. The policy has been amended to include information regarding usage and stipends. Motion passed by the following vote of the Board:

MOTION: By Noble, seconded by Frakes, to approve the amended District Cell Phone Policy #2095. Motion passed by the following vote of the Board:

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

8C) **APPROVE DISTRICT CODE OF ETHICS POLICY #2091 (DISCUSSION  
AND ACTION)**

District staff created the District code of Ethics Policy under the guidance of the Administrative Committee. The Policy originated from the California Special Districts Association and was tailored to suit the District.

MOTION: By Noble, seconded by Brennan, to approve the District Code of Ethics Policy #2091. Motion passed by the following vote of the Board:

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

9) Item 9 was taken out of order earlier in the meeting.

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**-Nothing to report.

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

Award Digester Cleaning Services Project at the April 26, 2022 Special Board Meeting.

14) **ADJOURNMENT**

Meeting adjourned at 2:24 p.m. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday April 26, 2022 at 1:00 P.M.at John Swett Unified School District Board Room.

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Connie Batchelder, President  
Rodeo Sanitary District

Countersigned:

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Nancy Lefebvre, District Administrator  
Rodeo Sanitary District