



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

A Special Meeting of the Governing Board was held at 1:00 p.m. on December 13, 2022. Pursuant to the authorizations provided by Government Code section 54953, this meeting was available telephonically, using the Zoom video conferencing system. 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

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

**Staff/Consultants Present:** Steve Beall, District Manager, Martin de los Angeles, District Counsel

**Absent:** None

**Others Present-** Janna Coverston, Richmond Sanitary, Juan Diaz, Mann, Urrutia, Nelson CPA's

\*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 and 8B were taken out of order at this time in the meeting.

**8A) NOMINATION AND ELECTION OF OFFICERS FOR THE CALENDAR YEAR 2023(ACTION)**

President Connie Batchelder administered the Oath of Office to incumbent Board Directors Angela Noble and Maureen Brennan. The District Board discussed retaining the Board President, Vice President and Secretary positions in 2023. As a result, no election for Board Officers is required at this time. No changes to Board Committees.

9) **PUBLIC HEARING**

**Public Hearing to consider adoption of Resolution 2022-15 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 1:06 p.m. President Batchelder closed the hearing at 1:12 p.m. Customer Mario Austin attended the meeting via zoom. A payment plan was requested and approved by Janna Coverston. Customer Marcia Alcantara also attended via zoom. Ms. Alcantara inquired about a letter she received, staff verified that her account had been dropped off the list after setting up payment.

MOTION: By Noble, seconded by Frakes to adopt Resolution 2022-15 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

8B) **ACCEPTANCE OF THE ANNUAL FINANCIAL REPORT WITH INDEPENDENT AUDITOR'S REPORT, MANAGEMENT REPORT, SAS 114 LETTER, AND GASB REPORT FOR THE YEAR ENDED JUNE 30, 2022 (DISCUSSION AND ACTION)**

Juan Diaz of Mann, Urrutia, Nelson CPA's provided a presentation on RSD's Fiscal Year 2021-2022 financial audit. Based upon the audit procedures performed, Mann, Urrutia, Nelson CPA's and Associates, LLP has rendered their opinion that the District's financial statements present fairly the District's financial position at June 30, 2022. Mr. Diaz provided a review of the audit process and gave an unmodified "clean" audit opinion, which is the highest level of assurance that an agency can receive. During the internal audit, no significant deficiencies were identified, as well as no compliance exceptions. Mr. Diaz extended positive comments regarding working with District staff and responded to questions from the Board.

MOTION: By Noble seconded by Frakes to accept the Financial Audit Report for fiscal year ended June 30, 2022 and Independent Auditor's Report. Motion passed by the following vote of the Board:

VOTE:   AYES:       Callaghan, Batchelder, Noble, Frakes, Brennan

NOES: None  
ABSENT: None  
ABSTAIN: None

#### 4) **REPORTS**

a) District Manager:

##### **Key Activities**

District staff are working with Cunha Engineering, a long time consultant the District has used for many projects, including the SRF sewer Projects to develop CADD files. The District Manager has given Cunha the base files to create the background of the aeration basin, sections, and details. It is anticipated the background fillies will be complete by the first week of January 2023. At that time, the District will work with aeration equipment manufacturers on the design for the aeration basin. If all goes well, the design should be complete by mid February 2023 and sent for a QA Review with a process consultant (likely Carollo Engineers) with an advertisement planned for mid-March 2023. This will allow RSD to begin construction in early/mid-summer 2023. RSD will be doing the majority of the design and all of the construction management.

##### **Energy Conservation Project**

No update, still waiting for the Inflation Reduction Act Guidelines.

##### **District Personnel**

Birthdays for November – Richard Frakes and Connie Batchelder!! Happy Birthday!!!

##### **Operations Manager's Report:**

The operations department was able to use Operational Technical Services (OTS) for a few days this month. Retired City of Pinole Operations Manager Ron Toby was on-site to assist us this month and is always a great hand. RSD looks forward to having Ron back in December to assist us while we start the selection process for a part-time Operator In Training (OIT). OTS was not able to fulfill all of the District's labor needs this month, resulting in staff needing to work overtime to stay on top of work orders, manage contractors and assist with projects. OTS did inform us that there might be some available money from the state to reimburse some of the temporary labor costs accrued while using temporary labor during COVID. RSD will investigate and pursue

Historically, November is a difficult month to accomplish work due to the loss of time with the paid holidays and time off requests surrounding them. Internal projects worked on by the operations team were:

- Replacement of Primary Clarifier Sludge Pump sludge valve. The valve was broken partially shut and was hindering pumping throughout the day exhausting a few hours of manpower every couple of days when we would find that the pump could not move volume due to this valve.
- Aeration Blower number two motor and belt swap were completed and have been running great since completion. This task is not easy as the motor is located in a small sound enclosure and is extremely heavy. There is very little room, and it is hard to get to inside the enclosure. RSD

purchased an engine hoist that had to be slightly modified to help facilitate the motor swap. The number of belts replaced totaled five.

- While performing the work order to exercise the effluent pump station pumps, we found that the one of the low flow pumps would not operate. After troubleshooting, we concluded the pump was unable to rotate. The effluent pumps are all vertical turbine pumps and have very tight clearances that should be checked regularly. After checking the clearances and finding them out of spec, adjustments were made to bring them into spec and the pump fired right up and worked as it should. This will become a regular work order for all four effluent pumps and serve as part of the new wet weather strategy that will be developed this wet season. *Please note that typically during an event like this, District Staff would have asked Telstar to help investigate, likely not making any progress, then calling a Mechanical Contractor to help. The new Operations Manager experience with this saved the District a significant expense.*

### **Sanitary Sewer Overflows (SSO) and Sewer Service Calls (SSC)**

October 26th, 2022, through November 29th, 2022, there were zero (0) sanitary sewer overflows (SSO)

October 26th, 2022, through November 29th, 2022, there was one (1) sanitary sewer call (SSC). Mahoney St- False call out. This was a private lateral issue. The resident was advised to contact a plumber.

b) Counsel for the District: District Counsel gave an update on SB 1439, effective January 1, 2023 which prohibits an elected official of any state or local government agency who has received a contribution of \$250 or more from an applicant or affiliated party from voting on the applicant's matter, whether it be a contract, a permit or other entitlement, if the official knows or has reason to know that the participant has a financial interest in the matter. Also an update on AB 361, regarding remote meetings during a state of emergency.

c) Secretary of the District: None

d) Board Members: None

### **Budget and Finance Committee**

December 12, 2022-C. Batchelder (stipend), Director M. Brennan(stipend)

### **Union Contract Negotiation Committee**

November 15, 2022- C. Batchelder (stipend), J. Callaghan (stipend)

## **5) CONSENT CALENDAR-**

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

1. Expenditures November 2022 were reviewed by the Budget Committee.
2. November 2022 Financial Statements reviewed by the Budget Committee.

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

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

6) **EMERGENCY SITUATIONS REQUIRING BOARD ACTION:** None

7) **OLD BUSINESS:**

A) **DISTRICT GOALS AND FUTURE WORK (DISCUSSION)**

Deferred to Special Meeting.

8) **NEW BUSINESS:**

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

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

8C) **CONTRACT AMENDMENT (DISCUSSION AND ACTION)**

Amendment to the District Manager's contract so all employees have the same vacation allowance per District Policy 2020. The District manager will have served 20 years with the District on December 15, 2022. When the contract was originally agreed upon, the offer of four weeks' vacation was included. This vacation allowance has remained in the Contract between the District and the District Manager. Based on the District Vacation Policy 2020, this will add six additional days of vacation to the District Manager's allowable allotment.

MOTION: By Noble, seconded by Brennan to update the District Manager's contract to the following language: Vacation. Manager shall accrue paid vacation at the rate commensurate with District Policy 2020 and will be capped at 30 days or 240 hours. All vacation use shall be subject to the reasonable prior approval of the District. During the term of this Agreement Manager may, at Manager's discretion, convert up to eighty (80)

hours per year of accrued vacation into salary. Motion passed by the following vote of the Board:

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

**D) APPROVE MINUTES FOR REGULAR BOARD MEETING SEPTEMBER 13, 2022 (DISCUSSION AND ACTION)**

MOTION: By Brennan, seconded by Noble, to approve the September 13, 2022 Regular Board Meeting Minutes. Motion passed by the following vote of the Board:

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

**E) APPROVE MINUTES FOR REGULAR BOARD MEETING OCTOBER 11, 2022 (DISCUSSION AND ACTION)**

MOTION: By Frakes, seconded by Brennan, to approve the October 11, 2022 Regular Board Meeting Minutes. Motion passed by the following vote of the Board:

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

**9) PUBLIC HEARING-** Item 9A 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-** None

14) **ADJOURNMENT**

Meeting adjourned at 219 p.m. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday January 10, 2023 at 1:00 P.M.at John Swett Unified School District.

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Connie Batchelder, President  
Rodeo Sanitary District

Countersigned:

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Nancy Lefebvre, District Administrator  
Rodeo Sanitary District