



**RODEO SANITARY DISTRICT
AGENDA
For
Special Meeting
June 2023
Board of Directors Special Meeting**

A Special Meeting of the Governing Board will be held at **6:00 p.m.** on the **13th day of June 2023**. The location of the meeting is the **John Swett Unified School District Board Room, 400 Parker Avenue, Rodeo, California 94572.**

INFORMATION FOR THE PUBLIC

Anyone attending in person who wishes to address the Board of Directors should complete a speaker's card and submit it to the Board Secretary. In addressing the Board, speakers should step before the Board conference table and state their names and address for the record. The Board President may direct questions to any member of the audience as appropriate at any time during the meeting. Please be aware that the signing, registering, or completion of the speaker's card is voluntary and not required. Members of the public may also observe and comment upon the open session portions of the meeting electronically by using the following link:

<https://us02web.zoom.us/j/83518955972?pwd=SWs3VFZQdEoxK2pqdXFZTzNNbzFHQT09>

Meeting ID : 835 1895 5972

Password: 497512

One tap mobile

669 900 6833 US (San Jose)

In addition to providing comments "in real time" in person, on Zoom, or by telephone as discussed above, members of the public are welcome to submit comments via U.S. mail (to 800 San Pablo Ave, Rodeo Ca, 94572) or by e-mail by sending them to bealls@rodeosan.org. All comments so submitted that are received prior to 12:00 p.m. on the day of which the meeting is held will be read out loud during the discussion of the respective item(s) identified in the e-mail; comments without such identification shall be read during the public comments portion of the meeting.

All matters listed under **CONSENT CALENDAR** are considered as being routine by the Board of Directors and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Member of the Board of Directors or the public prior to the time the Board votes on the motion to adopt.

ADDRESSING THE BOARD ON AN ITEM ON THE AGENDA

Persons wishing to speak of **PUBLIC HEARINGS** and **OTHER MATTERS** listed on the agenda will be heard when the President calls for comments from the audience, except on public hearing items previously heard and closed to public comment. The President may specify the number of minutes each person will be permitted to speak based on the number of persons wishing to speak and the time available. After the public has commented, the item is closed to further public comments and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the Board.

ADDRESSING THE BOARD ON AN ITEM NOT ON THE AGENDA

In accordance with State law, the Board is prohibited from discussing items not calendared on the Agenda. You may only address the Board on an item not on the Agenda, and which are within their jurisdiction, under **PUBLIC COMMENTS**. The time allotted for this discussion shall be three (3) minutes, subject to reasonable modification by the Board President. Matters raised which are not on the Agenda may be referred to staff for action or calendared on a future Agenda.

AGENDA REPORTS

Supporting materials on Agenda items are available for public review at the office of Rodeo Sanitary District. Reports of information relating to Agenda items distributed within 72 hours of the meeting to a majority of the Board are also available for public inspection at the District Office. During the meeting, information and supporting materials are available in the meeting area within the Board Room upon request.

AMERICANS WITH DISABILITIES ACT

In accordance with the **Americans with Disabilities Act** and **California Law**, it is the policy of the Rodeo Sanitary District to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. Board meetings can be made accessible to persons with disabilities, whether the person is attending the meeting in person or remotely.

Requests for Reasonable Accommodations

Upon request made sufficiently in advance, the District will provide special assistance for participation in this meeting, which may

include closed captioning, automatic transcripts, relay service, sign language interpreters, or other alternative methods. Please submit requests for a disability-related modification or an accommodation in order to participate in the public meeting at least two working days in advance of the meeting by contacting the District at (510) 799-2970.

The Agenda items to come before the Board, and brief description of each item, are as follows:

1. **ROLL CALL**

- a) Pledge of Allegiance

2. **PUBLIC COMMENTS**

3. **CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER**

4. **REPORTS**

- a) District Manager
1) Discuss current pertinent activities of the District's operation including treatment, collection, construction, and other matters.
Staff Recommendation: Receive the Report
- b) Counsel for the District
1) Discuss current pertinent activities of the District.
Staff Recommendation: Receive the Report
- c) Secretary of the District
- d) Board Members
Board Member reports on recent meetings for which they will receive the stipend; and meetings or conferences for which the District paid their expenses.

Administrative Committee – None
Solid Waste Committee – None
Union Contract Negotiation Committee – None
Budget and Finance Committee

June 12, 2023 – Secretary Richard Frakes (stipend), Director Maureen Brennan (stipend)

CCCSDA Meeting – None

Staff Recommendation: Receive the Reports.

5. **CONSENT CALENDAR**

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

1. Recommend approval of expenditures for May 2023. Reviewed by Budget Committee.
2. Receive May 2023 Financial Statements. Reviewed by Budget Committee.
3. Adopt Minutes of March 14, 2023 Regular Meeting. Reviewed by Administrative Committee

6. **EMERGENCY SITUATIONS REQUIRING BOARD ACTION – None**

7. **OLD BUSINESS**

- A. District Goals and Future Work Development Discussion (Discussion)
The District Board and Administrative Staff will discuss current projects, District goals, future projects from all aspects of District Administration, Engineering, Capital Projects, Regulatory Development, and Prioritization.

Staff Recommendation: Receive the Report and Engage in General Discussion.

8. **NEW BUSINESS**

- A. Nomination and Election of Officers for the Remainder of Calendar Year 2023 (Action)
At this time the Board of Directors will elect officers and select committees for the remainder of the calendar year after the sudden loss of President Connie Batchelder.

- B. 2023 Priority Improvements Bid Result and Proposed Project Modifications (Discussion and action)
 A Board decision is needed regarding the approach to the potential award of the construction contract for the 2023 Priority Improvements Project. The apparent low bid received on Tuesday May 30, 2023 was \$267,850, which was 76 percent higher than the Engineer’s Opinion of Probable Cost (Engineer’s Estimate) of \$152,000.

Staff Recommendation (Motion Required):

- 1) **Reject the 2023 Priority Improvements Project bid as it exceeds Engineer’s Estimate.**
- 2) **Modify scope of work to remove spot repair for damaged caused by EBMUD water line installation.**
- 3) **Re-advertise on June 15, 2023 and re-bid on June 28, 2023.**

- C. SDRMA Board of Directors Election (Discussion and Action)
 The Special District Risk Management Authority has requested the Rodeo Sanitary District assist in the election of the SDRMA Board of Directors.

Staff Recommendation (Motion Required): Come to a consensus on three candidates and direct the District Manager to submit the official ballot to SDRMA.

- D. CSDA Board of Directors Election (Discussion and Action)
 The California Special District Association has requested the Rodeo Sanitary District assist in the election of the CSDA Board of Directors.

Staff Recommendation (Motion Required): Come to a consensus on one candidate and direct the District Manager to submit the vote to CSDA.

- E. Approve Minutes for Regular Board Meeting February 14, 2023 (Discussion and Action)
 The Board will consider approving the minutes to the February 14, 2023, Regular Meeting.

Staff Recommendation (Motion Required): Approve Minutes

9. PUBLIC HEARING

- A. Public Hearing to consider establishing sewer rates and charges by the adoption of Ordinance 2023-100 of the Rodeo Sanitary District and thereby superseding Ordinance 2018-100, to consider the written report prepared concerning the collection of sewer rates and charges on the property tax roll by Resolutions 2023-04 and 2023-05, directing that the sewer service charges thus established be collected on the property tax roll, and receiving and considering protests to either or both.

RESIDENTIAL FLAT RATE

The District Board of Directors should implement a single 13.0% increase for the 2023-2024 fiscal year as shown below.

Current Rate	Proposed 2023 – 2024 Rate (13.0% Increase)
\$1,031.52	\$1,165.62

COMMERCIAL RATES

The non-residential commercial rate would receive the same annual percentage rate adjustments as noted below:

Category	Current (per hcf)	Proposed 2023 – 2024 Rate (13.0% Increase) (per hcf)
Bars w/o Dining	\$9.95	\$11.24
Restaurants/Food Service	\$18.18	\$20.54
Commercial Professional	\$9.24	\$10.44
Laundromat	\$8.26	\$9.34

Food Markets w/Bakery/Deli	\$18.18	\$20.54
Bakeries	\$18.18	\$20.54
Gasoline/Service/Wrecking	\$10.44	\$11.80
Hospitals/Clinics	\$9.86	\$11.14
Schools/Day Care/Rec.	\$6.82	\$7.70
Churches	\$6.40	\$7.24
Commercial Laundries	\$17.32	\$19.57
Minimum Charge	\$1,031.52	\$1,165.62
Please note that the abbreviation "hcf" stands for hundred cubic feet of water. The District will continue to use information supplied by the water supplier (East Bay Municipal Utility District) concerning your annual water usage (except when, as described below, the minimum charge is applicable). For example, if a Laundromat uses (and discharges) 250 units of		

Staff Recommendation (Motion Required): Conduct the Public Hearing and determine if there is a majority protest. If there is no Majority protest, proceed to items B, C, and D.

- B. Ordinance 2023-100 - Adoption Ordinance 2023-100 Establishing the sewer service charges to be billed by the Rodeo Sanitary District to all customers and superseding Ordinance No. 2018-100 (Discussion and Action)

Establish the sewer service charges as specified in Ordinance No. 2023-100

Staff Recommendation (Motion Required): Adopt Ordinance 2023-100 by a 4/5 vote of the Board.

- C. Resolution 2023-04 - Adoption of Final Engineer's Report and Sewer Service Rates; and Direct Collection of Certain Sewer Service Charges on the County Tax Roll (Discussion and Action)

Adopting Final Engineer's Report and Sewer Service Rates; and Direct Collection of Certain Sewer Service Charges on the County Tax Roll

Staff Recommendation (Motion Required): Adopt Resolution 2023-04.

- D. Resolution 2023-05 - Adoption of Rodeo Sanitary District Fiscal Year 2023-2024 Operations Budget and Authorizing Collection of Sewer Service Charges on the Tax Roll for the Fiscal Year 2023-2024 (Discussion and Action)

Formally adopt the operations budget and direct the Secretary of the District to file resolution with the Contra Costa County Auditor-Controller

Staff Recommendation (Motion Required): Adopt Resolution 2023-05.

10. PUBLIC HEARING

- A. Ordinance 2023-500, An Ordinance of the Board of Directors of the Rodeo Sanitary District Establishing Regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

Staff Recommendation (Motion Required): Adopt Ordinance 2023-500 Establishing Regulations for Accessory Dwelling Units and Junior Accessory Dwelling Units.

11. COMMUNICATION

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

12. CLOSED SESSION

13. REPORT OUT OF CLOSED SESSION

14. SUGGESTIONS FOR FUTURE AGENDA ITEMS

15. ADJOURNMENT