

MINUTES OF JUNE 30,2023

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION JUNE 30, 2023, AT 4:34 PM IN PERSON AND BY ZOOM CONFERENCE AT THE SAN RAFAEL CITY SCHOOLS BOARDROOM 310 NOVA ALBION WAY, 2ND FLOOR, SAN RAFAEL CA. 94903

BOARD MEMBERS PRESENT: Megan Clark (by Zoom), Ron Ford, Craig K. Murray, Gary Robards, Crystal Yezman

BOARD MEMBERS ABSENT: None

STAFF PRESENT: Curtis Paxton , General Manager; Teresa Lerch, District Secretary; Dale McDonald, District Treasurer; Mel Liebmann, Plant Manager; Mike Cortez, District Engineer;

OTHERS PRESENT: Pat Richardson, District Counsel; Mark Hildebrand, Hildebrand Consulting, Emily Busch, San Rafael City Schools

ANNOUNCEMENT: Vice President Murray announced that the agenda had been posted as evidenced by the certification on file in accordance with the law.

1. **PUBLIC COMMENT:** None.

2. **RESOLUTION NO. 2023-2308 - A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN GIVEN FOR THE HEARING ON THE SEWER SERVICE CHARGE RATE INCREASES FOR THE FISCAL YEARS 2023-2024 THROUGH 2026-2027 AND RESOLUTION NO. 2023-2309 - A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN GIVEN FOR THE HEARING ON THE BUDGET FOR THE FISCAL YEAR 2023-2024**

ACTION:

Board approved (M/S Yezman/Robards 5-0-0-0) Resolution No. 2023-2308 – A Resolution Certifying that Legal Notice Has Been Given for the Hearing on the Sewer Service Charge Rate Increases for the Fiscal Years 2023-2024 through 2026-2027 and Resolution No. 2023-2309 – A Resolution Certifying that Legal Notice has been Given for the Hearing on the Budget for the Fiscal Year 2023-2024.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

3. **PUBLIC HEARING - SEWER SERVICE CHARGE RATE INCREASE: A HEARING TO CONSIDER RAISING THE ANNUAL SEWER SERVICE CHARGE FOR THE NEXT FOUR YEARS CONSISTENT WITH REQUIREMENTS OF THE GOVERNMENT CODE 54954.6**

A. **OPEN PUBLIC HEARING** – Vice President Murray opened the public hearing at 4:37 P.M.

B. **RATE INCREASE PRESENTATION** – Mark Hildebrand from Hildebrand Consulting presented a summary of the Sewer Rate Study Report presented in May regarding service charge rate increases for Fiscal Years 2023-2024 through 2026-2027. The proposed rates for Single Family Homes (SFR) or similar residential units are: Fiscal Year 2023-2024, not to exceed \$1,233; Fiscal Year 2024-2025, not to exceed \$1,356; Fiscal Year 2025-2026, not to exceed \$1,492; and Fiscal Year 2026-2027, not to exceed \$1,641. Sewer Service Charges for non-residential customers are calculated based on estimated sewer strengths off the basic SFR rates.

- C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations to increase sewer service charge rates.
- D. **BOARD COMMENT** – Discussion ensued.
- E. **PUBLIC COMMENT** – No members of the public addressed the Board with comments. District Counsel noted the Board has heard and considered all public comments regarding the proposed sewer service rate increase and takes note that it received only twelve (12) protest letters against the proposed rate increase.
- F. **CLOSE THE PUBLIC HEARING** – Vice President Murray closed the Public Hearing at 5:05 P.M.

ACTION:

Board approved (M/S Robards/Ford 5-0-0-0) the findings as contained in the proposed Ordinance 192 and approved the Sewer Service Charge Rates for Fiscal Year 2023-2024 \$1,233; Fiscal Year 2024-2025 \$1,356; Fiscal Year 2025-2026 \$1,492; and Fiscal Year 2026-2027 \$1,641 for Single Family Homes and corresponding calculated non-residential rates as recommended.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
 NOES: None.
 ABSENT: None.
 ABSTAIN: None.

4. PUBLIC HEARING – ORDINANCE NO. 192 AMENDING TITLE 3, CHAPTER 1 – SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

- A. **OPEN PUBLIC HEARING** – Vice President Murray opened the public hearing at 5:10 P.M.
- B. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendation to adopt Ordinance 192 to reflect the increase in sewer service charge rates effective July 1, 2023, through June 30, 2027, amending Title 3, Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District.
- C. **PUBLIC COMMENT** – Two members of the public addressed the Board with comments.
- D. **BOARD COMMENT** – Discussion ensued.
- E. **CLOSE THE PUBLIC HEARING** – Vice President Murray closed the Public Hearing at 5:14 P.M.

ACTION:

Board approved (M/S Yezman/Robards 5-0-0-0) Ordinance 192, Amending Title 3, Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District setting the annual sewer service unit for Fiscal year 2023-2024 at \$1,233; Fiscal Year 2024-2025 at \$1,356; Fiscal Year 2025-2026, at \$1,492; and Fiscal Year 2026-2027 at \$1,641 and made a finding that the proposed action is consistent with the requirements of Proposition 218.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
 NOES: None.
 ABSENT: None.
 ABSTAIN: None.

5. PUBLIC HEARING – BUDGET FOR THE 2023-2024 FISCAL YEAR

- A. **OPEN PUBLIC HEARING** – Vice President Murray opened the public hearing at 5:15 P.M.
- B. **BUDGET 2023-2024 PRESENTATION** - District staff presented the following proposed budget for the fiscal year July 1, 2023 to June 30, 2024.
 - a. Revenue
 - b. Operating and Maintenance
 - c. Reserves
 - d. Debt Service
 - e. Capital Outlay

- C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendation to approve the budget as presented in the Agenda Summary Report and supporting documents.
- D. **PUBLIC COMMENT** – One member of the public addressed the Board.
- E. **BOARD COMMENT** – The Board discussed the proposed Budget.
- F. **CLOSE THE PUBLIC HEARING** – Vice President Murray closed the Public Hearing at 5:37 P.M.

ACTION:

Board approved (M/S Robards/Ford 5-0-0-0) the Budget for the 2023-2024 Fiscal Year as proposed.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

6. RESOLUTIONS

ACTION:

Board approved (M/S Yezman/Ford 5-0-0-0) Resolution No. 2023-2310 – A Resolution Confirming the Annual Sewer Service Charge and Supplemental Service Charges for the Las Gallinas Valley Sanitary District for the Fiscal Years 2023-2024 through 2026-2027 and Providing for the Collection of Sewer Service Charges on the Tax Roll.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

ACTION:

Board approved (M/S Ford/Robards 5-0-0-0) Resolution No. 2023-2311– A Resolution Fixing and Approving the Budget for the Fiscal Year 2023-2024.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

ACTION:

Board approved (M/S Ford/Murray 5-0-0-0) Resolution No. 2023-2312 – A Resolution Determining the 2023-2024 Appropriation of Tax Proceeds

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

ACTION:

Board approved (M/S Robards/Ford 5-0-0-0) Resolution No. 2023-2313 – A Resolution Requesting Allocation of Taxes for the Fiscal Year 2023-2024.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

7. CONSENT CALENDAR:

These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.

- A. Approve the Warrant List for June 30, 2023

ACTION:

Board approved (M/S Ford/Robards 5-0-0-0) Consent Calendar item A.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

15. ADJOURNMENT:

ACTION:

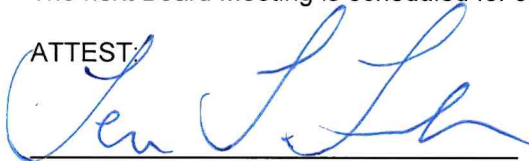
Board approved (M/S Ford/Robards 5-0-0-0) the adjournment of the meeting at 5:42 pm.

Roll Call:

AYES: Clark, Ford, Murray, Robards and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

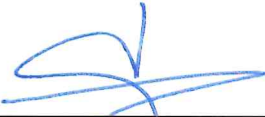
The next Board Meeting is scheduled for July 6, 2023 at the District Office.

ATTEST:



Teresa Lerch, Board Secretary

APPROVED:



Craig K. Murray, Vice President

