

MEETING MINUTES OF OCTOBER 3, 2024

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION AT 4:01 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

BOARD MEMBERS PRESENT: Megan Clark, Craig Murray, Barry Nitzberg and Gary Robards

BOARD MEMBERS ABSENT: Crystal Yezman

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

OTHERS PRESENT: Patrick Richardson, District Counsel; Tim Holmes, Kenwood Energy

ANNOUNCEMENT: 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.

CLOSED SESSION:

ACTION:

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON OCTOBER 3, 2024, AT 4:01 P.M. AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch and McDonald left the meeting at 4:02 pm.

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to subdivision (b) of Gov. Code Section 54956.9 – One potential case.

ADJOURNMENT:

ACTION:

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on October 3, 2024 at 4:48 p.m.

BOARD MEMBERS PRESENT: Megan Clark, Craig Murray, Barry Nitzberg, Gary Robards

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

OTHERS PRESENT: Patrick Richardson, District Counsel; Scott Wolfenberger, Myers & Sons Construction, LLC.

PUBLIC COMMENT: None.

REPORT ON CLOSED SESSION:

President Murray reported that there was nothing to report.

3. APPROVAL OF UNILATERAL CONTRACT CHANGE ORDERS FOR THE SECONDARY TREATMENT UPGRADE AND RECYCLED WATER EXPANSION (STPURWE) PROJECT

The Board reviewed the request for the STPURWE Unilateral Change orders with a combined amount of \$203,700 to Meyers and Sons Construction. Discussion ensued.

ACTION:

Board approved (M/S Murray/Robards (4-0-1-0) the issuance of six unilateral Contract Change Orders (COOs) with a combined amount of \$203,700 to Myers and Sons Construction, LLC (MSC) for the Secondary Treatment Upgrade and Recycled Water Expansion (STPURWE) project and authorizes the transfer from Capital Reserves to cover payment of the Contract Change Orders.

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

4. 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 Board Minutes for September 19, 2024
- B. Receive and Ratify the Check Warrant List
- C. Approve Award of Contract to Amerine – Center Pivot #3 and #4 Replacement Projects
- D. Approve Award of Contract to Sanbell – CM & Inspection for Sewer Main Rehabilitation Program 2024
- E. Approve Award of Contract to Alpha CM – CM & Inspection for Smith Ranch PS Electrical Upgrades and PS Lighting Projects
- F. Approve Supplemental Will-Serve Letter for Legacy at Lucas Valley (Talus Reserve)
- G. Approve Notice of Completion – John Duckett Force Main Access Structures
- H. Approve Notice of Completion – Standby Generator System for Minor Pump Stations

Items B, D, E and F were pulled for discussion.

ACTION:

Board approved (M/S Nitzberg/Clark (4-0-1-0) the Consent Calendar items A through H with a modification to item F showing no balance due.

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

5. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. General Manager's Report – Paxton reported.

6. BOARD REPORTS

- 1. CLARK
 - a. NBWA Board Committee – no report
 - b. Operation Control Centers Ad Hoc Committee – no report

- c. Fleet Management Ad Hoc Committee – no report
- d. FutureSense Ad Hoc Committee – verbal report
- e. Energy Committee Ad Hoc Committee – no report
- f. CASA Workforce Committee – no report
- g. Other Reports – reported on the SDLF Finance workshop.

2. MURRAY

- a. Marin LAFCO –verbal report
- b. Flood Zone 6 – no report
- c. CASA Energy Committee – no report
- d. Biosolids Ad Hoc Committee – verbal report
- e. Development Ad Hoc Committee – no report
- f. SF Bay Trail Ad Hoc Committee – no report
- g. Energy Ad Hoc Committee – no report
- h. Other Reports- attended the Ember Stomp fair at the Civic Center.

3. NITZBERG

- a. Operation Control Centers Ad Hoc Committee – no report
- b. Fleet Management Ad Hoc Committee – no report
- c. McInnis Marsh Ad Hoc Committee – no report
- d. SF Bay Trail Ad Hoc Committee – no report
- e. Other Reports – no report

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek – no report
- b. NBWRA – verbal report
- c. STPURWE Engineering Ad Hoc Committee –no report
- d. McInnis Marsh Ad Hoc Committee – no report
- e. Development Ad Hoc Committee – no report
- f. FutureSense Ad Hoc Committee – no report
- g. Other Reports – walked with the public around the reclamation area.

5. YEZMAN - absent

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. Marin Special District Association – no report
- d. STPURWE Engineering Ad Hoc Committee – no report
- e. Biosolids Ad Hoc Committee – no report
- f. Other Reports– no report

7. **BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – Clark requested to attend the SDLF Leadership Academy November 3-5 in San Rafael.
- B. Board Agenda Item Requests – Review the ADU Ordinance at a future board meeting, Solar arrays, and a discussion on an AI policy.

8. **VARIOUS INDUSTRY ARTICLES**

Discussion ensued.

9. ADJOURNMENT:

ACTION:

The board approved (Robards/Clark 4-0-1-0) the adjournment of the meeting at 6:49 p.m.

AYES: Clark, Murray, Nitzberg and Robards.

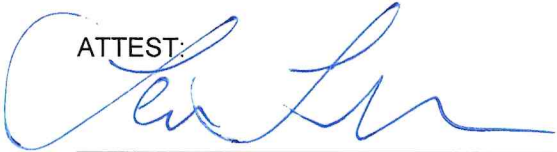
NOES: None.

ABSENT: Yezman.

ABSTAIN: None.

The next Board Meeting is scheduled for October 17, 2024 at 4:00 pm at the District office.

ATTEST:



Teresa Lerch, Board Secretary

APPROVED:



Gary E. Robards, Vice-President

