

1 **MINUTES OF JUNE 18, 2020**

2
3 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN
4 SESSION BY ZOOM CONFERENCE ON JUNE 18 2020 AT 3:37 PM AND STAFF BY ZOOM
5 CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE
6 ROOM, SAN RAFAEL, CA. 94903
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8 **BOARD MEMBERS PRESENT:** (By Roll Call): M. Clark, R. Elias, C. Murray,
9 J. Schriebman, C. Yezman.

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11 **BOARD MEMBERS ABSENT:** None

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13 **STAFF PRESENT:** Mike Prinz , General Manager; Teresa Lerch, District
14 Secretary.

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16 **OTHERS PRESENT:** Pat Richardson, District Counsel.

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18 **ANNOUNCEMENT:** President Elias announced that the agenda had been
19 posted as evidenced by the certification on file in
20 accordance with the law.

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22 **PUBLIC COMMENT:** None.

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24 **ACTION:**

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26 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO
27 CLOSED SESSION ON JUNE 18 2020 , AT 3:38 PM, BY ZOOM CONFERENCE AND AT THE DISTRICT
28 OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

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30 Lerch left at 3:38 pm.

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32 **CLOSED SESSION:**

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35 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code
36 § 54956.5; Regarding real property located at 405 Vendola Drive, San Rafael. Real Property Negotiator
37 Is Mike Prinz, General Manager.

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40 **ADJOURNMENT:**

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42 **ACTION:**
43 The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on
44 June 18, 2020 at 5:11 pm.

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46 **BOARD MEMBERS PRESENT:** (By Roll Call): M. Clark ,R. Elias, C. Murray,
47 J. Schriebman, C. Yezman

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49 **STAFF PRESENT:** Teresa Lerch, District Secretary; Mel Liebmann, Plant
50 Manager; Mike Cortez, District Engineer; Greg Pease,
51 Collections and Safety Manager, Sahar Golshani,
52 Environmental Services Director
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54 **OTHERS PRESENT:** Mark Moses, Glenn Lazof and Tony Sandhu from
55 Regional Government Services; John Cropper from
56 Cropper Accountancy.
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58 **PUBLIC COMMENT:** None.
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60 **REPORT ON CLOSED SESSION:** President Elias reported that there were no reportable actions in
61 Closed Session.
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63 **RESOLUTION NO. 2020-2190– A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN**
64 **GIVEN FOR THE HEARING ON THE SEWER SERVICE CHARGE RATE INCREASE FOR THE**
65 **FISCAL YEAR 2020-21**

66 **ACTION:**

67 Board approved (M/S Murray/Schriebman 5-0-0-0) Resolution No. 2020-2190 – A Resolution Certifying that
68 Legal Notice Has Been Given for the Hearing on the Sewer Service Charge Rate Increase for the Fiscal
69 Year 2020-21.

70 Roll Call:

71 AYES: Clark, Elias, Murray, Schriebman and Yezman.

72 NOES: None.

73 ABSENT: None.

74 ABSTAIN: None.
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76 **RESOLUTION NO. 2020-2191 A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN**
77 **GIVEN FOR THE HEARING ON THE BUDGET FOR THE FISCAL YEAR 2020-21**

78 **ACTION:**

79 Board approved (M/S Schriebman/Yezman 5-0-0-0) Resolution No. 2020-2191– A Resolution Certifying
80 that Legal Notice Has Been Given for the Hearing on the Budget for the Fiscal Year 2020-21.

81 Roll Call:

82 AYES: Clark, Elias, Murray, Schriebman and Yezman.

83 NOES: None.

84 ABSENT: None.

85 ABSTAIN: None.
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88 **PUBLIC HEARING - SEWER SERVICE CHARGE RATE INCREASE: A HEARING TO CONSIDER**
89 **RAISING THE ANNUAL SEWER SERVICE CHARGE FOR THE NEXT YEAR CONSISTENT WITH**
90 **REQUIREMENTS OF THE GOVERNMENT CODE**

91 A. **OPEN PUBLIC HEARING** – President Elias opened the public hearing at 5:16 P.M.

92 B. **RATE INCREASE PRESENTATION** - District staff presented the staff report on the proposed sewer
93 service charge rate increases for Fiscal Year 2020-21. The proposed increase is: Fiscal year 2020-21,
94 not to exceed \$968.00.

95 C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations to
96 increase sewer service charges.

97 D. **BOARD COMMENT** – Discussion ensued.

98 E. **PUBLIC COMMENT** – No members of the public addressed the Board with comments.

99 F. **CLOSE THE PUBLIC HEARING** – President Elias closed the Public Hearing at 6:20 P.M.
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ACTION:

In considering a Motion for adoption of the sewer service charge rate increase the Board hereby finds that action to adopt said sewer service charge rate increase is supported by substantial evidence as contained in the administrative record as follows:

1. That there is substantial evidence, based upon the Sewer Rate Methodology and Connection Fee study prepared by HDR Engineering, Inc. and adopted by the Board on January 30, 2014, and the budget analysis conducted by District staff for the 2020-2021 fiscal year, both of which are available for inspection at the District's website and are incorporated by reference herein, and the Agenda Summary Report prepared by District staff along with supporting documentation; and
2. That the evidence supports a finding that the revenues derived from the proposed sewer service rate increase does not exceed the funds required to provide the District's property related services.; and
3. That the evidence supports a finding that revenues derived from the proposed sewer service rate increase is not for a purpose other than the services provided by the District; and
4. That the evidence supports a finding that the revenues derived from the proposed sewer service rate increase imposed on any parcel or person does not exceed the proportional cost of the District's services attributable to the parcel; and
5. That the evidence supports a finding that the revenues derived from the proposed sewer service rate increase is only imposed for District service's that are actually used or immediately available to the owner of the property in question; and
6. That the Board has heard and considered all public comment regarding the proposed sewer service rate increase and takes note that it received only Eight (8) Protest letters against the proposed rate increase; and
7. That these findings and the entirety of the Administrative Record are consistent with Article 13D, Sec. 6 of the California Constitution and Government Code Section 53750 through 53758.

Board approved (M/S Elias/Murray 5-0-0-0) the findings about and the Sewer Service Charge Rate Increase to \$968 for the FY 2020-21.

Roll Call:

- AYES: Clark, Elias, Murray, Schriebman and Yezman.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

PUBLIC HEARING – ORDINANCE NO. 182 AMENDING TITLE 3, CHAPTER 1 – SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

- A. **OPEN PUBLIC HEARING** – President Elias opened the public hearing at 6:27 P.M.
- B. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered Staff and District Counsel recommendations on approving Ordinance 182, Amending Title 3, Chapter 1 – Sanitary Code of the Las Gallinas Valley Sanitary District.
- C. **PUBLIC COMMENT** – No members of the public addressed the Board with comments.
- D. **BOARD COMMENT** – Discussion ensued
- E. **CLOSE THE PUBLIC HEARING** – President Elias closed the Public Hearing at 6:29 P.M.

ACTION:

Board approved (M/S Schriebman/Murray 5-0-0-0) Ordinance 182, Amending Title 3, Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District and made a finding that the proposed action is consistent with the requirements of Proposition 218.

Roll Call:

- AYES: Clark, Elias, Murray, Schriebman and Yezman.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

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PUBLIC HEARING – BUDGET FOR THE 2020-21 FISCAL YEAR

164 A. **OPEN PUBLIC HEARING** – President Elias opened the public hearing at 6:31 P.M.
165 B. **BUDGET 2021-21 PRESENTATION** - District staff presented the following proposed budgets for the
166 fiscal year July 1, 2020 to June 30, 2021:

- 167 a. Revenue
168 b. Operating and Maintenance
169 c. Reserves
170 d. Debt Service
171 e. Capital Outlay

172 C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations.

173 D. **PUBLIC COMMENT** – No members of the public addressed the Board.

174 E. **BOARD COMMENT** – The Board discussed the proposed Budgets and thanked the staff and for their
175 input.

176 F. **CLOSE THE PUBLIC HEARING** – President Elias closed the Public Hearing at 6:41 P.M.
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178 **ACTION:**

179 Board approved (M/S Yezman/Murray 5-0-0-0) the Budgets for the 2020-21 Fiscal Year.

180 Roll Call:

181 AYES: Clark, Elias, Murray, Schriebman and Yezman.
182 NOES: None.
183 ABSENT: None.
184 ABSTAIN: None.
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186 **ACTION:**

187 Board approved (M/S Elias/Schriebman 5-0-0-0) Resolution No. 2020-2192– A Resolution Confirming the
188 Annual Sewer Service Charge and Supplemental Service Charges for the Las Gallinas Valley Sanitary
189 District for the Fiscal Year 2020-21.

190 Roll Call:

191 AYES: Clark, Elias, Murray, Schriebman and Yezman.
192 NOES: None.
193 ABSENT: None.
194 ABSTAIN: None.
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196 **ACTION:**

197 Board approved (M/S Schriebman/Clark 5-0-0-0) Resolution No. 2020-2193 – A Resolution Fixing and
198 Approving the Budget for the Fiscal Year 2020-21.

199 Roll Call:

200 AYES: Clark, Elias, Murray, Schriebman and Yezman.
201 NOES: None.
202 ABSENT: None.
203 ABSTAIN: None.
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205 **ACTION:**

206 Board approved (M/S Clark/Elias 5-0-0-0) Resolution No. 2020-2194 – A Resolution Providing for the
207 Collection of Sewer Service Charges on the Tax Roll.

208 Roll Call:

209 AYES: Clark, Elias, Murray, Schriebman and Yezman.
210 NOES: None.
211 ABSENT: None.
212 ABSTAIN: None.

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Cortez, Huang, Liebmann and Pease left the meeting at 6:48 pm.

ACTION:

Board approved (M/S Murray/Clark 5-0-0-0) Resolution No. 2020-2195 – A Resolution Determining the 2020-21 Appropriation of Tax Proceeds.

Roll Call:

AYES: Clark, Elias, Murray, Schriebman and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

ACTION:

Board approved (M/S Yezman/Clark 5-0-0-0) Resolution No. 2020-2196 – A Resolution Requesting Allocation of Taxes for the Fiscal Year 2020-21.

Roll Call:

AYES: Clark, Elias, Murray, Schriebman and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

RESOLUTION 2020-2197 – A RESOLUTION ADOPTING THE PAY SCALES EFFECTIVE JULY 1, 2020 PURSUANT TO THE CALIFORNIA CODE OF REGULATIONS, SUBCHAPTER 1, EMPLOYEES’ RETIREMENT SYSTEM REGULATIONS SECTION 570.5

Staff reported on the pay scales to be effective July 2020. Discussion ensued.

ACTION:

Board approved (M/S Clark/Murray 5-0-0-0) Resolution No. 2020-2197 – A Resolution Adopting the Pay Scales Effective July 1, 2020 Pursuant to the California Code of Regulations, Subchapter 1, Employees’ Retirement System Regulations Section 570.5.

Roll Call:

AYES: Clark, Elias, Murray, Schriebman and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

APPROVE FINANCIAL AUDIT CONTRACT EXTENSION

Board and staff reviewed the contract extension with Cropper Accountancy for the annual financial audit with the option for a single audit and the audit of the Marin Public Financing Authority. Discussion ensued.

ACTION:

Board approved (M/S Murray/Elias 5-0-0-0) the Contract Extension with Cropper Accountancy for the Annual Financial Audit with the option for a Single Audit and the audit of the Marin Public Financing Authority.

Roll Call:

AYES: Clark, Elias, Murray, Schriebman and Yezman.
NOES: None.
ABSENT: None.
ABSTAIN: None.

REGIONAL GOVERNMENT SERVICES – SUPPORT OF FINANCIAL MANAGEMENT ACTIVITIES

Board and staff discussed the support of Financial Management Activities from Regional Government Services.

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269 **ACTION:**

270 Board approved (M/S Schriebman/Clark 5-0-0-0) authorizing the General Manager to execute a contract
271 with Regional Government Services in an amount not to exceed \$81,000 for the period of June 19, 2020 to
272 September 30, 2020.

273 Roll Call:

274 AYES: Clark, Elias, Murray, Schriebman and Yezman.
275 NOES: None.
276 ABSENT: None.
277 ABSTAIN: None.
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280 **CONSENT CALENDAR:**

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

- 283 A. Approve the Board Minutes for May 21 and June 4, 2020
284 B. Approve the Warrant List for June 18, 2020
285 C. Approve Board Compensation for May, 2020
286 D. Approve Schriebman attending the CASA Virtual Annual Conference Aug 12-14
287 E. Approve Schriebman attending the Virtual 35th Annual National WaterReuse Conference
288 September 14-16.
289 F. Approve Murray attending the CWEA Covid-19 in California Update #3 Webinar June 16
290 G. Approve Murray attending the CSDA Reducing Short Lived Climate Pollutants in California
291 Webinar June 23
292 H. Approve Application of Allocation of Capacity for APN 165-114-14 23 Upper Oak Drive
293 I. Approve Extension of Designation of the Secondary Treatment Process Upgrade and
294 Recycled Water Expansion Project as an Essential Function per Marin County Public Health
295 Order

296 Items E and H were discussed. Item E was withdrawn by Schriebman.
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298 **ACTION:**

299 Board approved (M/S Schriebman/Clark 5-0-0-0) the Consent Calendar items A through D and F through
300 I.

301 Roll Call:

302 AYES: Clark, Elias, Murray, Schriebman and Yezman.
303 NOES: None.
304 ABSENT: None.
305 ABSTAIN: None.
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307 **ADMINISTRATIVE SERVICES MANAGER SELECTION PROCESS**

308 The General Manager briefed the Board on the Administrative Service Manager selection process.
309 Discussion ensued.

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311 **INFORMATION ITEMS:**

312 **STAFF / CONSULTANT REPORTS:**

- 313 1. General Manager Report – Verbal – Prinz reported.
314 2. Contract for On-Call Inspection Services with Kennedy Jenks – Written – Prinz reported
315

316 **BOARD MEMBER REPORTS:**

- 317 1. CLARK
318 a. NBWA Board Committee – verbal report
319 b. NBWA Conference Committee– no report
320 c. Ad Hoc HR Committee re: 2019 GM Evaluation-no report

- 321 d. Ad Hoc HR Committee re: 2019 Employee Climate Survey – no report
- 322 e. Other Reports– no report
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- 324 2. ELIAS
- 325 a. NBWRA– no report
- 326 b. Ad Hoc Engineering Committee— no report
- 327 c. Other Reports– no report
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- 329 3. MURRAY
- 330 a. Marin LAFCO– verbal report
- 331 b. CASA Energy Committee– no report
- 332 c. Ad Hoc HR Committee re: GM Evaluation – no report
- 333 d. Other Reports– no report
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- 335 4. SCHRIEBMAN
- 336 a. JPA Local Task Force– no report
- 337 b. NBWA Tech Advisory Committee– no report
- 338 c. Ad Hoc HR Committee re: 2019 Employee Climate Survey – no report
- 339 d. Other Reports– no report
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- 341 5. YEZMAN
- 342 a. Gallinas Watershed Council/Miller Creek Watershed Council– no report
- 343 b. Flood Zone 7– no report
- 344 c. CSRMA– no report
- 345 d. Ad Hoc Engineering Committee– verbal report
- 346 e. Other Reports– no report
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BOARD REQUESTS:

- A. Board Meeting Attendance Requests – none.
- B. Board Agenda Item Requests – Dissolution of Ad Hoc HR Sub-committees.

VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE:

Discussion ensued.

ACTION:

Board approved (M/S Schriebman/Yezman 5-0-0-0) the adjournment of the meeting at 7:58 pm.

Roll Call:

- AYES: Clark, Elias, Schriebman and Yezman.
- NOES: None.
- ABSENT: Murray
- ABSTAIN: None.

The next Board Meeting is scheduled for July 2, 2020.

ATTEST:



 Teresa Lerch, District Secretary

APPROVED:



 Judy Schriebman, Vice President

SEAL

