

1 **MINUTES OF JULY 2, 2020**

2  
3 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN  
4 SESSION BY ZOOM CONFERENCE ON JULY 2 2020 AT 4:33 PM AND STAFF BY ZOOM  
5 CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE  
6 ROOM, SAN RAFAEL, CA. 94903

7  
8 **BOARD MEMBERS PRESENT:** (By Roll Call): M. Clark, R. Elias, C. Murray,  
9 J. Schriebman, C. Yezman.

10  
11 **BOARD MEMBERS ABSENT:** None

12  
13 **STAFF PRESENT:** Mike Cortez, District Engineer; Teresa Lerch, District  
14 Secretary.

15  
16 **OTHERS PRESENT:** Pat Richardson, District Counsel.

17  
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.

21  
22 **PUBLIC COMMENT:** None.

23  
24  
25 **CONSENT CALENDAR:**

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

- 28 A. Approve the Board Minutes for June 18, 2020  
29 B. Approve the Warrant List for July 2, 2020  
30 C. Approve the Application of Allocation for APN 155-230-11, Gravity Vault  
31 D. Approve Extension of Designation of the Secondary Treatment Process Upgrade and  
32 Recycled Water Expansion Project as an Essential Function per Marin County Public Health  
33 Order

34  
35 Items B and C were discussed.

36  
37 **ACTION:**

38 Board approved (M/S Clark/Schriebman 4-1-0-0) the Consent Calendar items A, B and D.

39 Roll Call:

40 AYES: Clark, Elias, Schriebman and Yezman.  
41 NOES: Murray  
42 ABSENT: None.  
43 ABSTAIN: None.

44  
45 **PUBLIC HEARING – FOR ORDINANCE NO. 183 AMENDING SECTION 907. IX. PERMITS AND FEES**  
46 **OF TITLE 2, CHAPTER 1 – SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT**  
47 **PUBLIC HEARING (PREVIOUSLY MISIDENTIFIED AS ORDINANCE 182 WHEN PUBLISHED IN THE**  
48 **MARIN INDEPENDENT JOURNAL ON 5/18/20 AND 6/4/20).**

- 49 A. **OPEN PUBLIC HEARING** – President Elias opened the public hearing at 5:21 P.M.  
50 B. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations to  
51 adopt Ordinance 183, An Ordinance Amending Section 907. Article IX. Permits and Fees of Title 2,  
52 Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District.  
53 C. **BOARD COMMENT** – Discussion ensued.  
54 D. **PUBLIC COMMENT** – No members of the public addressed the Board with comments.

55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108

E. **CLOSE THE PUBLIC HEARING** – President Elias closed the Public Hearing at 5:33 P.M.

**ACTION:**

In considering a Motion for approval of Ordinance No. 183, Amending Section 907, IX. Permits and Fees of Title 2, Chapter 1 of the Sanitary Code of the Las Gallinas Valley Sanitary District, the Board hereby finds that action to approve said Ordinance No. 183, is supported by substantial evidence as contained in the administrative record as follows:

1. That there is substantial evidence, based upon the base Engineering News Record (ENR) San Francisco City Index of 12,051(July 2018) and the July 2019 ENR Index for San Francisco of 12,354 (July 2019), for the Board to adopt and adjustment to the Capital Facilities Charge (CFC) and the Connection Fee per additional plumbing fixture unit (PFU) in the same proportion as the change in the ENR Index, as follows:

- a. That the CFC should be adjusted from its current rate of \$6,224 to \$6,380; and
- b. That the Connection Fee per additional PFU, when an addition or alteration causes the existing structure to exceed twenty (20) PFUs, should be adjusted from its current rate of \$311 to \$319.

2. That the evidence supports a finding that the revenues derived from the proposed increase in Capital Facilities Charge and connection fee per additional plumbing fixture unit 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 increase in Capital Facilities Charge and connection fee per additional plumbing fixture unit 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 increase in Capital Facilities Charge and connection fee per additional plumbing fixture unit 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 increase in Capital Facilities Charge and connection fee per additional plumbing fixture unit is only imposed for the District services 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 increase in Capital Facilities Charge and connection fee per additional plumbing fixture unit and takes note that it has NOT received any Protest letters against the proposed increase in the Capital Facilities Charge and connection fee per additional plumbing fixture unit; 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 Schriebman/Murray 5-0-0-0) adopting Ordinance 183, An Ordinance Amending Section 907. Article IX. Permits and Fees of Title 2, Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District.

Roll Call:

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

**INFORMATION ITEMS:**

STAFF / CONSULTANT REPORTS:

- 1. Board Secretary – WateReuse Conference Update – Lerch reported.

**BOARD MEMBER REPORTS:**

- 1. CLARK
  - a. NBWA Board Committee – written report
  - b. NBWA Conference Committee– no report
  - c. Ad Hoc HR Committee re: 2019 GM Evaluation-no report
  - d. Ad Hoc HR Committee re: 2019 Employee Climate Survey – no report
  - e. Other Reports– written – WateReuse Conference

- 109 2. ELIAS  
 110 a. NBWRA– verbal report  
 111 b. Ad Hoc Engineering Committee— verbal report  
 112 c. Other Reports– no report  
 113  
 114 3. MURRAY  
 115 a. Marin LAFCO– verbal report  
 116 b. CASA Energy Committee– no report  
 117 c. Ad Hoc HR Committee re: GM Evaluation – no report  
 118 d. Other Reports– verbal report – Marin County Special Districts Association  
 119  
 120 4. SCHRIEBMAN  
 121 a. JPA Local Task Force– no report  
 122 b. NBWA Tech Advisory Committee– no report  
 123 c. Ad Hoc HR Committee re: 2019 Employee Climate Survey – no report  
 124 d. Other Reports– no report  
 125  
 126 5. YEZMAN  
 127 a. Gallinas Watershed Council/Miller Creek Watershed Council– no report  
 128 b. Flood Zone 7– no report  
 129 c. CSRMA– no report  
 130 d. Ad Hoc Engineering Committee– no report  
 131 e. Other Reports– verbal report – OneWater meeting  
 132

133 **BOARD REQUESTS:**

- 134 A. Board Meeting Attendance Requests – None.  
 135 B. Board Agenda Item Requests – The Board requested the following items be placed on a future  
 136 agenda: Board Conference registration assistance; River Otter event sponsorship; Dissolution of Ad  
 137 Hoc HR Sub committees for GM Evaluation and 2019 Employee Climate Survey; Administrative Policy  
 138 A-03, Mobile Computer Devices Used for District Business; 2020 Employee Climate Survey; LGVSD  
 139 Response to Marin County Civil Grand Jury report dated April 28, 2020.  
 140

141 **VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE:**

142 Discussion ensued.  
 143

144 **ACTION:**

145 Board approved (M/S Clark/Murray 5-0-0-0) the adjournment of the meeting at 6:14 pm.

146 Roll Call:

147 AYES: Clark, Elias, Schriebman and Yezman.  
 148 NOES: None.  
 149 ABSENT: Murray  
 150 ABSTAIN: None.  
 151

152 The next Board Meeting is scheduled for July 16, 2020.  
 153

154 ATTEST

155   
 156 \_\_\_\_\_  
 157 Teresa Lerch, District Secretary  
 158  
 159

160 APPROVED:

161   
 162 \_\_\_\_\_  
 163 Judy Schriebman, Vice President  
 164

SEAL



