

## MEETING MINUTES JUNE 6, 2019

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION ON JUNE 6, 2019, AT 4:00 P.M., AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD, SAN RAFAEL, CALIFORNIA. THE BOARD PRESIDENT MENTIONED THAT TODAY IS D- DAY AND WE WANT TO THANK ALL THE SERVICE PEOPLE WHO HAVE SERVED AND WHO ARE SERVING OUR COUNTRY.

**BOARD MEMBERS PRESENT:** M. Clark, R. Elias, C. Murray, J. Schriebman and C. Yezman

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** Mike Prinz, General Manager, (Also present for Closed Sessions) Robert Ruiz, District Treasurer (Also present for Closed Sessions), Teresa Lerch, District Secretary;

**OTHERS PRESENT:** Patrick Richardson, District Counsel;

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

**PUBLIC COMMENT:** None

Pursuant to Government Code section 54954.5 District Counsel Richardson requested adding item CONFERENCE WITH REAL PROPERTY NEGOTIATORS, regarding a real property located at 79 Vendola Drive, in San Rafael to the Closed Session. Real Property Negotiator is Mike Prinz, General Manager.

### **ACTION:**

Board approved (M/S Schriebman/Yezman 5-0-0-0) adding Conference with Real Property Negotiators to the Agenda.

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

### **ADJOURNMENT:**

### **ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON JUNE 6, 2019, AT 4:03 P.M., AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD, SAN RAFAEL, CALIFORNIA.

Lerch left the meeting at 4:03 pm.

### **CLOSED SESSION:**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code § 54956.5; Regarding real property located at 79 Vendola Drive, San Rafael. Real Property Negotiator Is Mike Prinz, General Manager.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – General Manager: pursuant to subdivision (b)(1) of Government Code Section 54957.

**ADJOURNMENT:**

**ACTION:**

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on June 6<sup>th</sup>, 2019 at 5:10 pm.

**STAFF PRESENT:**

Mike Cortez, District Engineer; Teresa Lerch, District Secretary;

**OTHERS PRESENT:**

None.

**PUBLIC COMMENT:**

None.

**REPORT ON CLOSED SESSION:** President Murray reported that there were no reportable actions in Closed Session.

**RESOLUTION NO. 2019-2165 – A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN GIVEN FOR THE HEARING ON THE BUDGET FOR THE FISCAL YEAR 2019-20**

**ACTION:**

Board approved (M/S Schriebman/Clark 5-0-0-0) Resolution No. 2019-2165– A Resolution Certifying that Legal Notice Has Been Given for the Hearing on the Budget for the Fiscal Year 2019-20.

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

**RESOLUTION NO. 2019-2166– A RESOLUTION CERTIFYING THAT LEGAL NOTICE HAS BEEN GIVEN FOR THE HEARING ON THE SEWER SERVICE CHARGE RATE INCREASE FOR THE FISCAL YEAR 2018-19**

**ACTION:**

Board approved (M/S Schriebman/Clark 5-0-0-0) Resolution No. 2019-2166 – A Resolution Certifying that Legal Notice Has Been Given for the Hearing on the Sewer Service Charge Rate Increase for the Fiscal Year 2019-20.

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

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

- A. **OPEN PUBLIC HEARING** – President Murray opened the public hearing at 5:12 P.M.
- B. **RATE INCREASE PRESENTATION** - District staff presented staff report on the proposed sewer service charge rate increases for Fiscal Year 2019-20, which was in keeping with the five-year plan previously adopted by the District on June 11, 2015 and supported by studies to determine the operating expenses and capital outlay requirements for the fiscal years 2015-2016 through 2019-2020. The proposed increases are: Fiscal year 2019-20, not to exceed \$927.00

- C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations to increase sewer service charges.
- D. **BOARD COMMENT** – The Board discussed the 11 public protest letters on the proposed rates and structure and thanked the staff for their input. District Counsel Richardson noted that staff has prepared a report to support the rate increase with the evidence presented and that an insufficient number of protest letters (11) were received to oppose the rate increase. This meets the requirements of Article 13D of the California Constitution and also Government Code 53750 et seq. requiring the findings to substantiate the proposed rate increase.
- E. **PUBLIC COMMENT** – No members of the public addressed the Board with comments.
- F. **CLOSE THE PUBLIC HEARING** – President Murray closed the Public Hearing at 5:22 P.M.

**ACTION:**

Board approved (M/S Schriebman/Elias 5-0-0-0) the Sewer Service Charge Rate Increase to \$927 for the FY 2019/20 and noted that staff had prepared a report to support the rate increase with the evidence presented and that an insufficient number of protest letters (11) were received to oppose the rate increase. This meets the requirements of Article 13D of the California Constitution and also Government Code 53750 et seq. requiring the findings to substantiate the proposed rate increase.

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

**PUBLIC HEARING – BUDGET FOR THE 2019-20 FISCAL YEAR**

- A. **OPEN PUBLIC HEARING** – President Murray opened the public hearing at 5:24 P.M.
- B. **BUDGET 2019-20 PRESENTATION** - District staff presented the following proposed budgets for the fiscal year July 1, 2019 to June 30, 2020:
  - a. Revenue
  - b. Operating and Maintenance
  - c. Reserves
  - d. Debt Service
  - e. Capital Outlay
- C. **REVIEW DISTRICT STAFF RECOMMENDATIONS** – Board considered staff recommendations.
- D. **PUBLIC COMMENT** – No members of the public addressed the Board.
- E. **BOARD COMMENT** – The Board discussed the proposed Budgets and thanked the staff and for their input.
- F. **CLOSE THE PUBLIC HEARING** – President Murray closed the Public Hearing at 5:42 P.M.

**ACTION:**

Board approved (M/S Clark/Elias 5-0-0-0) the Budgets for the 2019-20 Fiscal Year.

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

**ACTION:**

Board approved (M/S Yezman/Elias 5-0-0-0) Resolution No. 2019-2167– A Resolution Confirming the Annual Sewer Service Charge and Supplemental Service Charges for the Las Gallinas Valley Sanitary District for the Fiscal Year 2019-20.

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

**ACTION:**

Board approved (M/S Schriebman/Elias 5-0-0-0) Resolution No. 2018-2168 – A Resolution Fixing and Approving the Budget for the Fiscal Year 2019-20.

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

**ACTION:**

Board approved (M/S Elias/Schreibman 5-0-0-0) Resolution No. 2019-2169 – A Resolution Providing for the Collection of Sewer Service Charges on the Tax Roll.

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

**ACTION:**

Board approved (M/S Schriebman/Elias 5-0-0-0) Resolution No. 2018-2170 – A Resolution Determining the 2019-20 Appropriation of Tax Proceeds.

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. 2019-2171 – A Resolution Requesting Allocation of Taxes for the Fiscal Year 2019-20

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

**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 May 16th and May 21st , 2019
- B. Approve the Modified Warrant List for May 16th and the Warrant List for June 6, 2019
- C. Approve Board Compensation for May 2019
- D. Approve Conference requests for Elias, Clark and Yezman to attend the Special District Leadership Conference in Napa July 7-10 and Clark and Yezman to attend the CASA Conference in San Diego August 21-23 and Clark and Elias to attend the WaterReuse Conference in San Diego September 7-11.
- E. Approve Resolution 2019-2172 Adopting the Pay Scales Effective July 1, 2019
- F. Approve Award of Contract for On-Call Contract for Construction Projects to Piazza Construction

Items D,E and F were discussed

**ACTION:**

Board approved Elias/Schriebman 5-0-0-0) the Consent Calendar items A through F.

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

**APPROVE RENEWAL OF EMPLOYMENT AGREEMENTS BETWEEN LAS GALLINAS VALLEY SANITARY DISTRICT AND MICHAEL CORTEZ, DISTRICT ENGINEER; ROBERT LIEBMAN, PLANT MANAGER; ROBERT RUIZ, ADMINISTRATIVE SERVICES MANAGER; GREG PEASE, COLLECTION SYSTEM AND SAFETY MANAGER AND MIKE PRINZ, GENERAL MANAGER**

Board and staff discussed the Employment Agreements.

**ACTION:**

Board approved (M/S Schriebman/Yezman 5-0-0-0) the Employment Agreements between Las Gallinas Valley Sanitary District and Michael Cortez, District Engineer; Robert Liebmann, Plant Manager; Robert Ruiz, Administrative Service Manager; Greg Pease, Collection System and Safety Manager and Mike Prinz, General Manager.

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

**PURCHASE OF DISTRICT VEHICLE FOR GENERAL MANAGER**

Board and staff discussed the purchase of a District Vehicle for the General Manager.

**ACTION:**

Board approved (M/S Yezman/Clark 5-0-0-0) the purchase of a District Vehicle for the General Manager.

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

**INFORMATION ITEMS:**

**STAFF / CONSULTANT REPORTS:**

1. Interim General Manager Report – Verbal – Prinz reported. Prinz mentioned that the the Strategic Plan Workshop #2 will be held at a Special Board Meeting on June 27 1 pm to 3 pm. Due to a scheduling conflict Prinz asked the Board to move the July 18<sup>th</sup> Regular Board meeting to July 17<sup>th</sup> 1-3 pm. Discussion ensued.

**ACTION:**

Board approved (M/S Schriebman/Elias 5-0-0-0) moving the Regular Board meeting scheduled for July 18 to July 17<sup>th</sup>. District Counsel Richardson confirmed that the July 17<sup>th</sup> Board meeting is considered a Regular Board Meeting.

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

2. Contract for On-Call Contract Engineering Services with Hazen and Sawyer. Cortez and Prinz reported.

Cortez and Richardson left at 6:55 pm.

**BOARD REPORTS:**

- 1. LAFCO – Verbal – Murray reported
- 2. Gallinas Watershed Council / Miller Creek Watershed Council – Verbal – Schriebman reported.
- 3. JPA Local Task Force on Solid and Hazardous Waste – Verbal – no report.
- 4. Flood Zone 7– Verbal – Elias reported.
- 5. NBWA  
Board Committee – Verbal – no report.  
Executive Committee – Verbal – no report.  
JTC – Written – Schriebman reported.

Yezman left the meeting at 7:10 pm

- 6. NBWRA /North Bay Water – Verbal – Elias reported.
- 7. Engineering Subcommittee – Verbal – no report.
- 8. Other Reports – Written – Schriebman reported on Mosquito control.

**BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – none.
- B. Board Agenda Item Requests – none.

**VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE:**

Discussion ensued.

**ADJOURNMENT:**

**ACTION:**

Board approved (M/S Murray/Clark 4-0-1-0) the adjournment of the meeting at 7:17 p.m.

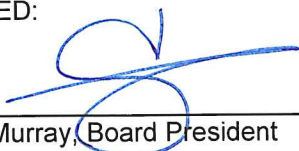
- AYES: Clark, Elias, Murray and Schriebman.
- NOES: None.
- ABSENT: Yezman.
- ABSTAIN: None.

The next Board Meeting is scheduled for June 20, 2019 at the District Office.

ATTEST:

  
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 Teresa Lerch, District Secretary

APPROVED:

  
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 Craig K. Murray, Board President

SEAL

