

MEETING MINUTES OF NOVEMBER 21, 2024

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION AT 4:00 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** Megan Clark (arrived at 4:04 pm), Craig Murray, Barry Nitzberg, Gary Robards and Crystal Yezman
- BOARD MEMBERS ABSENT:** None
- STAFF PRESENT:** Curtis Paxton, General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer; Mel Liebmann, Plant Manager;
- 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.
1. **PUBLIC COMMENT:** None.

CLOSED SESSION:

ACTION:

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON NOVEMBER 21, 2024, AT 4:02 P.M. AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch, Liebman 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 November 21, 2024 at 4:32 p.m.

- BOARD MEMBERS PRESENT:** Megan Clark, Craig Murray, Barry Nitzberg, Gary Robards, Crystal Yezman
- STAFF PRESENT:** Curtis Paxton, General Manager, Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer, Mel Liebmann, Plant Manager
- OTHERS PRESENT:** Patrick Richardson, District Counsel; Justin Wilcock, Patty Garbarino, Peggy Clark and Jason Raleigh from Marin Sanitary Service; Jim Howison, Libby Costello from R3 Consulting; Tim Holmes from Kenwood Energy.

PUBLIC COMMENT: None.

REPORT ON CLOSED SESSION: President Murray reported that there was nothing to report.

3. 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 ~~October 17, 2024~~ November 7th, 2024
- B. Receive and Ratify the Check Warrant List
- C. Approve Board Compensation for October 2024
- D. Approve Murray attending CASA Winter Conference January 29-31 in Palm Springs
- E. Approve Modification to the January 2025 Board meeting schedule

Item A -Board Secretary Lerch mentioned that there was a typographical error on the agenda. Consent item A should have read November 7 and not October 17. The November 7th minutes were indeed included in the agenda packet for approval. This correction is now noted in these minutes.

ACTION:

Board approved (M/S Robards/Yezman 5-0-0-0) the Consent Calendar items A through E with the correction to Item A.

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

4. REVIEW OF THE GARBAGE AND REFUSE RATE FOR 2025, RESOLUTION 2024-2344 AND SET A PUBLIC HEARING FOR ORDINANCE 196

The Board reviewed the proposed Garbage and Refuse rate for 2025, Resolution 2024-2344 and the proposed Third Amendment to the Revised and Restated Exclusive Franchise Agreement between LGVSD and Marin Sanitary Service. Jason Rawley, Justin Wilcock, Patty Garbarino and Peggy Clark from Marin Sanitary Service attended and answered questions from the Board. Discussion ensued. The Board set a public hearing date of December 19, 2024 to discuss the proposed rate increase and adopt Ordinance 196.

ACTION:

Board approved (M/S Clark/Robards 5-0-0-0) the statement that the District complies with Senate Bill (SB) 1383 regulations.

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

ACTION:

Board approved (M/S Clark/Robards 5-0-0-0) Resolution 2024-2344 approving the Third Amendment to the Revised and Restated Exclusive Franchise Agreement between LGVSD and Marin Sanitary Service to Collect, Transfer, Process, Market and Dispose of Solid Waste, Recyclable and Organic Materials.

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

ACTION:

Board approved (M/S Robards/Clark 5-0-0-0) setting a Public Hearing date for December 19, 2024 to allow discussion and input from the public regarding the proposed rate increase to be adopted by Ordinance 196.

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

5. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

1. General Manager's Report – Paxton reported.
The Board agreed to a Multi-purpose Lab Building Workshop (Special Meeting) on January 23, 2025 at 4:00 pm.
2. Solar Project Update – Tim Holmes from Kenwood Energy gave the Board an status update presentation.
3. Engineering Department Report – District Engineer Cortez reported.
4. Operations Department Report – Plant Manager Liebmann reported.

6. SIDE LETTER OF AGREEMENT NO. 3 BETWEEN LAS GALLINAS VALLEY SANITARY DISTRICT AND OPERATING ENGINEERS LOCAL NO. 3.

The Board reviewed the Side Letter of Agreement No. 3 to the Memorandum of Understanding (MOU) between LGVSD and Operating Engineers Local No. 3 (OE3) incorporating language on irrevocable election of vacation cash out. Discussion ensued.

ACTION:

Board approved (M/S Clark/Yezman (5-0-0-0) the Side Letter of Agreement No. 3 to the Memorandum of Understanding (MOU) between the District (LGVSD) and Operating Engineers Local No. 3 (OE3) amending Section 15.3, Vacation Cash Out, to incorporate language on irrevocable election of vacation cash out.

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

Yezman left the meeting at 6:30 pm

7. BOARD REPORTS

1. CLARK
 - a. NBWA Board Committee – verbal report
 - b. Operation Control Centers Ad Hoc Committee – verbal report
 - c. Fleet Management Ad Hoc Committee – no report
 - d. FutureSense Ad Hoc Committee – no report
 - e. Energy Committee Ad Hoc Committee – no report
 - f. CASA Workforce Committee – verbal report
 - g. Other Reports – none
2. MURRAY
 - a. Marin LAFCO –verbal report
 - b. Flood Zone 6 – no report
 - c. CASA Energy Committee – verbal report

- d. Biosolids Ad Hoc Committee – no report
- e. Development Ad Hoc Committee – no report
- f. SF Bay Trail Ad Hoc Committee – no report
- g. Energy Ad Hoc Committee – verbal report
- h. Other Reports- written in the packet

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 – verbal report
- b. NBWRA – no 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 – none

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 – Murray requested to attend a virtual SDLA workshop on Boards' Role in HR.
- B. Board Agenda Item Requests – Yezman requested to review the Kennedy Jenks Phase 3 of the Integrated Wastewater Master Plan. Clark requested pending agenda item requests be on the Board Agenda.

8. VARIOUS INDUSTRY ARTICLES

Discussion ensued.

9. ADJOURNMENT:

ACTION:

The board approved (Clark/Robards 4-0-1-0) the adjournment of the meeting 7:05 p.m.

AYES: Clark, Murray, Nitzberg, Robards and Yezman.

NOES: None.

ABSENT: Yezman

ABSTAIN: None.

The next Board Meeting is scheduled for December 5, 2024 at 4:00 pm at the District office.

ATTEST:



Teresa Lerch, Board Secretary

APPROVED:



Gary E. Robards, Vice-President

