

MEETING MINUTES OF DECEMBER 19, 2024

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION AT 4:02 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903. PRESIDENT MURRAY OPENED THE MEETING EXPRESSING THE DISTRICT'S CONDOLENCES ON THE PASSING OF JOSEPH GARBARINO, PRESIDENT OF MARIN SANITARY SERVICE.

BOARD MEMBERS PRESENT: Megan Clark, Craig Murray, Gary Robards and Crystal Yezman

BOARD MEMBERS ABSENT: None

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

OTHERS PRESENT: Patrick Richardson, District Counsel; Nicholas Lavrov; Justin Wilcock, Patty Garbarino and Jason Raleigh from Marin Sanitary Service; Jim Howison from R3 Consulting; Paul Kaymark from Nigro and Nigro;

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.

ACTION: Per District Counsel: Pursuant to Gov. Code § 54954.2(b)(2) the Board voted unanimously to add a Closed Session item pursuant to Gov. Code § 54956.9(d)(2) [significant exposure to litigation] and (e)(5) [a statement was made threatening litigation by a person outside an open public meeting]; and found that there was a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted 72 hours before this regular meeting pursuant to Gov. Code § 54954.2(a)(1).

2. SWEARING IN OF BOARD MEMBERS

Nicholas Lavrov was officially sworn in for his two-year term.

Craig Murray and Gary Robards were officially sworn in for their four-year terms.

3. PUBLIC HEARING FOR ORDINANCE NO. 196 AMENDING TITLE 4, CHAPTER 1 – REGULATING SOLID WASTE, RECYCLABLE AND ORGANIC MATERIALS, AND THE COLLECITON, REMOVAL AND DISPOSAL THEREOF INCLUDING THE GARBAGE AND REFUSE RATE ADJUSTMENT FOR 2025

Jim Howison from R3 Consulting, Patty Garbarino, Justin Wilcock, and Jason Rawley from Marin Sanitary Service were available to answer questions from the Board or the public.

OPENED PUBLIC HEARING – President Murray opened the public hearing at 4:12 p.m. No members of the public were in attendance.

CLOSED PUBLIC HEARING – President Murray closed the public hearing at 4:13 p.m.

ACTION:

Board approved (M/S Clark/Robards (5-0-0-0)) the adoption of Ordinance No 196, An Ordinance Amending Title 4, Chapter 1 of the District Ordinance Code as presented, adjusting the garbage and refuse rate by 3.63% to be effective January 1, 2025, and directing its publication.

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

Staff requested moving the Audit Report item and Annual Comprehensive Financial Report up in the agenda. Board unanimously agreed.

4. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. Audit Report 2023-24 and Annual Comprehensive Financial Report (ACFR) – Paul Caymark from Nigro and Nigro presented the audit report and answered questions from the Board.

5. 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 December 5, 2024
- B. Receive and Ratify the Check Warrant List
- C. Approve Board Compensation for November 2024

Item B was pulled and discussed.

ACTION:

Board approved (M/S Robards/Clark 5-0-0-0) the Consent Calendar items A through C.

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

6. INFORMATION ITEMS CONTINUED:

STAFF / CONSULTANT REPORTS:

- 2. General Manager’s Report – Paxton reported.

7. ORDINANCE NO. 197 MODIFICATION TO THE SEWER LATERAL ASSISTANCE PROGRAM

The Board reviewed Ordinance 197 Amending Title 2, Chapter 8 of the LGSD Ordinance code increasing the maximum amount of the Contractual Assessment Principal allowed per property from \$10,000 to \$15,000 and clarifying criteria for participation in the Private Sewer Lateral Assistance Program.

ACTION:

Board approved (M/S Yezman/Robards (5-0-0-0) adopting Ordinance 197 Amending Title 2, Chapter 8 of the LGSD Ordinance code increasing the maximum amount of the Contractual Assessment Principal allowed per property from \$10,000 to \$15,000 and clarifying criteria for participation in the Private Sewer Lateral Assistance Program.

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

8. BOARD ELECTIONS

Board discussed electing a President and Vice President.

ACTION:

Board nominated and approved (M/S Murray/Clark 5-0-0-0) Gary Robards to serve as President for 2025.

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

ACTION:

Board nominated and approved (M/S Murray/Clark 5-0-0-0) Crystal Yezman to serve as Vice-President for 2025.

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

9. 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 – no report
 - e. Energy Committee Ad Hoc Committee – no report
 - f. CASA Workforce Committee – no report
 - g. Other Reports – none
2. LAVROV
 - a. no reports
3. MURRAY
 - a. Marin LAFCO –verbal report
 - b. Flood Zone 6 – no report
 - c. CASA Energy Committee – no 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 – no report
 - h. Other Reports- none
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 – none
5. YEZMAN
 - 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

10. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – Lavrov would like to attend the 2025 WaterReuse California Annual Conference in San Diego, September 7-9
- B. Board Agenda Item Requests –none.

11. VARIOUS INDUSTRY ARTICLES

Discussion ensued.

11. CLOSED SESSIONS:

ACTION:

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON DECEMBER 19, 2024 AT 5:18 P.M. AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch left the meeting at 5:18 pm.

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

CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION –pursuant to Gov. Code § 54956.9(d)(2) [significant exposure to litigation] and (e)(5) [a statement was made threatening litigation by a person outside an open public meeting]; Significant exposure to litigation pursuant to subdivision (b) of Gov. Code Section 54956.9 – One potential case.

ACTION:

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on December 19, 2024 at 5:48 p.m.

REPORT ON CLOSED SESSIONS:

President Murray reported that there was nothing to report.

12. ADJOURNMENT:

ACTION:

The board approved (Yezman/Clark 5-0-0-0) the adjournment of the meeting 5:49 p.m.

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

The next Board Meeting is scheduled for January 16, 2025 at 4:00 pm at the District office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Crystal J. Yezman, Vice-President

Meeting Minutes

