

**ROSS VALLEY SANITARY DISTRICT
REGULAR BOARD MEETING MINUTES**

Wednesday, June 19, 2019
5:00 PM

Ross Valley Sanitary District
2960 Kerner Blvd., San Rafael, CA

Directors Present: Michael Boorstein
Thomas Gaffney
Doug Kelly (via teleconference)
Pamela Meigs
Mary Sylla

Directors Absent: None

Staff/Consultants Present: Steve Moore, General Manager
Felicia Newhouse, Assistant General Manager
Julia McEntee, Clerk of the Board
Andrea Clark, District Counsel
Katherine Hayden, Technical Services Manager
Stephen Miksis, Operations and Maintenance Manager
Melvin Garcia, Accounting and Financial Analyst
John Vogel, Condition Assessment Supervisor
Patrick Clark, Patrick Clark Consulting
Lawrence McGuire, NV5
Todd Miller, Kennedy Jenks
Gary Skrel, Psomas Construction Management
Pippin Cavagnaro, Nute Engineering

Public Present: Stephen Keese
Katherine O’Laughlin
Anita Belofksy
C. Bartly
Rick Adler
James Holmes
Joel Bartly
Adamarie Fernandez

Note: These minutes do not represent a transcript of the meeting and are intended to be a summary of the most important points. For a complete record, please refer to the video recording of the meeting, which will be available on the District’s website at www.rvsvd.org.

Item # 1 – Call Meeting to Order and Roll Call

The meeting was called to order by President Gaffney at 5:03 p.m. The Clerk of the Board called roll. The Board recited the Pledge of Allegiance.

Item # 2—Adjourn to Closed Session

The Board adjourned to Closed Session at 5:05 p.m.

Item # 3 Closed Session

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code section 54956.8)
 Property: 1111 Andersen Drive, San Rafael, CA 94901
 Agency negotiator: Steve Moore, Haden Ongaro
 Negotiating Parties: Ross Valley Sanitary District, Comcast Corporation
 Under negotiation: Lease – price and terms of payment

- b) Conference with Labor Negotiator (Government Code Section § 54957.6) Agency
 Designated Representative: Patrick Clark. Employee Organization: AFSCME

Item # 4 Reconvene to Open Session

The Board reconvened to Open Session at 6:08 p.m.

Item # 5—Report on Action Taken by the Board During Closed Session, If Any, Pursuant to California Government Code Section 54957.1

There was nothing to report from Closed Session.

Item # 6—Approval of Agenda

Motion: M/s Boorstein/Kelly to Approve the Agenda
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None.
The motion passed.

President Gaffney suggested moving item #12 on the agenda to after item #6.

The motion as stated above carried unanimously.

Item # 12 – Public Hearing on Proposed Five Year Schedule of Wastewater Utility Service Rates

Motion: M/s Boorstein/Sylla to Adopt Ordinance No. 101, an Ordinance Repealing Ordinance No. 65 Adopted May 21, 2014 and Enacting This Ordinance Relating to Sewer Service Charges
Vote: Ayes: Gaffney, Boorstein, Kelly, Sylla, Meigs Noes: None. Absent: None. Abstain: None.
The motion passed.

This item opened with a PowerPoint presentation from the rate consultant, Mark Hildebrand. He explained the rate setting process and the factors that contributed to the final rate study. Director Meigs had questions about total debt service payments. Then, Mr. Hildebrand shifted to discuss the cost of service.

After the presentation, President Gaffney opened the public hearing. GM Moore clarified the need for the District to incur debt in order to spread out the cost of capital projects among several generations who will benefit from the updated infrastructure. He described the progression of the hearing and invited anyone present to make a statement.

Katherine O’Laughlin, resident of Larkspur, made comments regarding her sewer lateral replacement experience and frustration with the more expensive Larkspur rate. The Board gave a brief response to Ms. O’Laughlin and referred to topics like the annexation of Larkspur, ad valorem revenue, and language in the Proposition 218 notice sent to residents of the District.

James Holmes, resident of Larkspur, spoke in protest of the rate increases. He mentioned topics like the new RVSD building purchase, the cease and desist order that drives capital work, and the rates of neighboring districts in comparison. The Board responded to Mr. Holmes and addressed his specific questions. They also added specific information about funding the OPEB and pension liabilities.

Anita Belofsky, resident of Larkspur, asked informational questions about District projects and infrastructure. She asked for clarification about sewer overflows, the age of the District’s assets, and the Sewer Service Assistance Program.

Rick Adler, resident of Larkspur, protested the sewer rate increases and asked that the Board consider a flow-based system and discuss water conservation incentives. The Board discussed the current complexities related to a flow-based system, even one based on usage tiers. GM Moore elaborated on the fixed costs of sewer service that are independent of flow volumes to the sewer system.

At 8:00 p.m., President Gaffney closed the public hearing and the Board adjourned so the Clerk of the Board could count the protest votes. The Board reconvened at 8:06 p.m., and the Clerk of the Board reported that 46 parcels protested the sewer rate increases.

The motion as stated above carried unanimously.

Minutetaker’s Note: Director Kelly left the meeting at 8:09 p.m.

Item # 7 – Open Time for Public to Raise Items Not on Agenda or for Future Agendas

There were no comments made in public time.

Item # 8—Standing Committees Report Out

Finance Committee – President Gaffney reported that the Committee discussed many of the items present on the agenda including construction management contracts, the rate study, and the final budget.

Central Marin Sanitation Agency (CMSA) – Director Boorstein reported on the latest CMSA Commission meeting where they discussed needed repairs for the new cogeneration engine. They found a replacement part, and it should be up and running after the repairs are made.

North Bay Watershed Association (NBWA) – Director Meigs reported that a guest speaker from San Francisco gave a presentation about their integrative approach to water. They also discussed large-

scale recycled water projects in new construction buildings and city parks.

Item # 9 – Verbal Report by Board Members and Staff, and Requests for Future Items

GM Moore told the Board that the District’s credit rating was raised to AA status, which is favorable for the imminent bond sale. He thanked them for their participation at the PS 12 & 13 ribbon cutting event.

GM Moore reported on the status of the grading permit for the Larkspur Landing Remediation Project; construction will hopefully begin in July. He told the Board about the public meeting with Marin LAFCo and the presentation to the Larkspur City Council. Responding to a question from the public, GM Moore said that the City of Larkspur sent written protests to the sewer rate increases on behalf of the five city-owned parcels.

Item # 10 –Consent Calendar

Motion: M/s Boorstein/Sylla to Accept Items in the Consent Calendar
Vote: Ayes: Gaffney, Meigs, Boorstein, Sylla Noes: None. Absent: Kelly
The motion passed.

Regarding Item # 10.c., President Gaffney quickly noted that this change order represents a savings of \$182K to the District. The Board recognized construction manager, Gary Skrel, for his diligent attention to the project.

The motion as stated above carried with a 4-0 vote. Director Kelly was absent for the vote.

Item # 11 – Presentation of Proclamation in Appreciation of Service for Technical Services Manager, Katherine Hayden

President Gaffney read the full proclamation, and Director Sylla thanked Technical Services Manager Katherine Hayden for her dedication to the District.

This was a presentation item only; no Board action was taken on this item.

Item # 13 – Consideration of Authorizing the General Manager, Upon Review and Approval of Legal Counsel, to Approve Task Order No. 5 with Kennedy Jenks, in an Amount Not to Exceed \$883,190, for Construction Management and Engineering Services During Construction for the Larkspur Landing Excavation and Remediation Project (Project #900)

Motion: M/s Sylla/Boorstein to Authorize the General Manager, Upon Review and Approval of Legal Counsel, to Approve Task Order No. 5 with Kennedy Jenks, in an Amount Not to Exceed \$883,190, for Construction Management and Engineering Services During Construction for the Larkspur Landing Excavation and Remediation Project (Project #900)
Vote: Ayes: Gaffney, Boorstein, Sylla, Meigs Noes: None. Absent: Kelly. Abstain: None.
The motion passed.

GM Moore introduced Todd Miller of Kennedy Jenks and told the Board about the successful bidding period and preconstruction process. He also detailed the construction management and engineering services costs compared to the total cost of the capital project. Mr. Miller discussed potential contingency plans for construction and highlighted the need for constant communication with the EPA. President Gaffney confirmed that Kennedy Jenks will produce a remedial action completion report.

Director Sylla asked if there is a time limit for construction. Mr. Miller responded that the project will hopefully be completed in December, but there are options if the weather does not cooperate or other unplanned factors.

The motion as stated above carried with a 4-0 vote. Director Kelly was absent for the vote.

Item #14— Consideration of Approving Resolution No. 19-1559 to Adopt the Budget for Fiscal Year 2019/2020

Motion: M/s Kelly/Boorstein to Approve Resolution No. 19-1559 to Adopt the Budget for Fiscal Year 2019/2020
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Noes: None. Absent: Kelly. Abstain: None.
The motion passed.

GM Moore introduced this item and said that staff included a red line version to demonstrate changes from the previous draft as requested by the Board. President Gaffney said that the Finance Committee reviewed the budget. Staff said that they did not receive Board questions since the first draft appeared on the May agenda. GM Moore told the Board that the budget reflects the changes recommended by the classification and compensation study that brings the District compensation to the median of similar agencies in the area. Adoption of the study and other specific items will be brought to the Board at a later meeting.


The Board requested a paragraph that details revenue bonds and other special projects. They discussed what may work within the scope of an annual budget and gave specific feedback.

The motion as stated above carried unanimously.

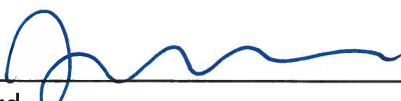
Item #15— Informational Items

The Board noted the eight miles of lateral inspections from the monthly metrics report.

Adjourn: The Board adjourned at 8:58 p.m.



 Mary Sylla
 Secretary of the Board

Submitted by: 
 Clerk of the Board