

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

Wednesday, January 20, 2021  
5:00 PM

Via GoToMeeting

Directors Present: Michael Boorstein  
Thomas Gaffney  
Doug Kelly (Arrived 5:04)  
Pamela Meigs  
Mary Sylla

Directors Absent: None.

Staff/Consultants Present: Steve Moore, General Manager  
Felicia Newhouse, Assistant General Manager  
Julia Cooper, Clerk of the Board  
Andrea Clark, District Counsel  
Stephen Miksis, Operations and Maintenance Manager  
Melvin Garcia, Finance Supervisor  
Phil Benedetti, Associate Engineer  
Paul Pham, Chavan & Associates  
Daniel Wilkins, Harris & Associates

Public Present: Sandy Guldman, Friends of Corte Madera Creek  
Bill Johnson, 1 Lincoln Park Senior Housing

*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.rvsd.org](http://www.rvsd.org).*

**Item # 1 – Call Meeting to Order and Roll Call**

The meeting was called to order by President Sylla at 5:01 p.m. The Board Clerk called roll. The Board recited the Pledge of Allegiance.

**Item # 2 – Item # 2 –Adjourn to Closed Session**

The Board adjourned to Closed Session at 5:03 p.m.

**Item # 3 – Closed Session**

- a) Government Code Section 54956.9(d)(2): December 22, 2020 claim received by Barbara Rose, which will be made available for public inspection upon request (one potential case)

**Item # 4 – Reconvene to Open Session**

The Board reconvened to Open Session at 5:31 p.m.

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

The Board reported that they reject the claim received December 22, 2020.

**Item # 6 - Approval of Agenda**

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

The motion as stated above carried unanimously via a roll-call vote.

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

Sandy Guldman of Friends of Corte Madera Creek reported that RVSD had made its final payment to the Regional Water Board for the Supplemental Environmental Project (SEP) associated with the Administrative Civil Liability (ACL) enforcement order that was issued as a result of a series of SSOs before 2012. This final payment of \$34,627.15 will complete RVSD’s financial obligation under the enforcement order and help fund the remaining quarterly reports required of the Friends of Corte Madera Creek by the permitting agencies for the wetlands restoration in Creekside Marsh funded by the SEP.

Director Gaffney inquired how the project was chosen, and Ms. Guldman responded that projects were prioritized that were close to the SSO site. Director Meigs asked whether pesticides were used in these projects, and Ms. Guldman confirmed that they were not used. Director Boorstein asked how the public can get involved in volunteering for these projects, and Operations and Maintenance Manager Stephen Miksis suggested that future events could be included in a future GM Bulletin.

**Item # 8 – Committees Report Out**

Finance Committee – Director Gaffney reported that the Committee reviewed the interim financial statements, the proposed capacity charge reduction, and other agenda items.

Central Marin Sanitation Agency (CMSA) – Director Boorstein reported that they approved new financial software, reviewed the annual metrics report, and approved a new FOG ordinance. Director Kelly added that there was an informational item regarding Board employment classification status. District Counsel said that she would be happy to research state law for relevant precedent.

North Bay Watershed Association (NBWA) – The NBWA did not meet in the last month; there was nothing to report.

**Item # 9 - Verbal Report by General Manager**

GM Moore reported on the recently updated FOG ordinance from CMSA. He said that the other JPA members also implement CMSA’s ordinance, and he recommended revisiting the District’s FOG ordinance at a future meeting. He mentioned seeing the District commercials on Comcast.

GM Moore reported on the updated COVID Exposure Control Plan and the positive cases amongst District staff. He told the Board that some employees needed to be quarantined, which affects the monthly metrics.

GM Moore reported on the new working version of the easement initiative. He explained this program is to gain contact and property information for parcels that have easements. This initiative will have an interactive map and will allow for communication with homeowners for line maintenance work. Director Gaffney asked if the initiative would include easements that are not recorded, and GM Moore responded that yes, where not recorded there is a prescriptive easement that gives the District access to its assets if they are on private property.

**Item # 10 - Verbal Report by Board Members and Requests for Future Items**

There were no verbal reports by Board members or requests for future items.

**Item # 11 – Consent Calendar**

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

The motion as stated above carried unanimously via a roll-call vote.

**Item # 12 - Adopting Resolution No. 21-1600 Reducing Sewer Connection Fees for the Senior Housing Facility at 1 Lincoln Park, San Anselmo**

<b>Motion:</b> M/s Kelly/Gaffney to Adopt Resolution No. 21-1600 Reducing Sewer Connection Fees for the Senior Housing Facility at 1 Lincoln Park, San Anselmo by 25%
<b>Vote:</b> Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and the proposed resolution to reduce the capacity charges for this San Anselmo development based on direction and language from Ordinance 92. He then introduced Associate Engineer Phil Benedetti for further description. Associate Engineer Benedetti described the project and property details. He told the Board that two units are intended to be below market rate and reviewed the language of Ordinance 92 that gives the Board discretion to reduce the capacity charges by up to 50%.

President Sylla reviewed the discussion that the Finance Committee had about this item and said that the funds will not necessarily go to the renters. The Committee reviewed the ordinance and

considered a proportionate discount for the low-income units. Director Kelly added that he spoke with the Town Manager of San Anselmo and confirmed that this is not considered low-income housing.

Bill Johnson described his involvement with the project since 2013. This development will respond to a community need for independent senior housing. He reviewed the rent prices, development costs, and the effects of COVID-19 on the timeline and budget. Director Gaffney agreed that the project idea is great, but he was unsure that it fell under the ordinance’s intention. He said that he would prefer to benefit tenants with such discounts.

The Board discussed potential discount options. Director Meigs commented that she would prefer to discount only the two low-income units, which would total 12.5%, and she does not want to set precedent for Board action. Director Kelly said that he believes that the Board can use its discretion on a case-by-case basis. He suggested a 25% discount, which is a compromise between the two requests. President Sylla supported this suggestion but added that the 50% discount is not big compared to the total District budget or total project cost. Directors Boorstein and Gaffney also agreed to the 25% discount.

The amended motion as stated above carried unanimously via a roll-call vote.

**Item # 13 – Consideration of Authorizing the General Manager, Upon Review and Approval of Legal Counsel, to Execute Master Services Agreement and Task Order Nos. 1, 2 and 3 with Harris & Associates, Inc. to Provide Design and Engineering Services during Construction (ESDC) for the Butterfield/Arroyo-Kenrick Gravity Sewer Improvements, Winship Capacity Improvements and Bridge Sewer Relocation, and Nokomis Bridge Sewer Relocation Projects for an Amount Not to Exceed \$417,271 (Project Nos. 947, 946, and 952)**

**Motion:** M/s Gaffney/Boorstein to Authorize the General Manager, Upon Review and Approval of Legal Counsel, to Execute Master Services Agreement and Task Order Nos. 1, 2 and 3 with Harris & Associates, Inc. to Provide Design and Engineering Services during Construction (ESDC) for the Butterfield/Arroyo-Kenrick Gravity Sewer Improvements, Winship Capacity Improvements and Bridge Sewer Relocation, and Nokomis Bridge Sewer Relocation Projects for an Amount Not to Exceed \$417,271 (Project Nos. 947, 946, and 952)

**Vote:** Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None

The motion passed.

GM Moore introduced this item and Daniel Wilkins of Harris & Associates. He explained the difficulties of the current contract due to delays with certain capital projects. This item reconstitutes much of the already approved work into task orders which will improve project tracking. The proposed additional work is already accounted for in the current budget and will take place under a tight timeline in Summer 2021.

Mr. Wilkins reviewed his project history with the District. The Board discussed the order of capital work for bridge projects that have been delayed by the towns, and GM Moore said that these projects can incorporate design work completed by Mr. Wilkins into future construction plans.

The motion as stated above carried unanimously via a roll-call vote.

**Item # 14 - Consideration of Accepting the Fiscal Year (FY) 2019-20 Financial Audit and Comprehensive Annual Financial Report (CAFR)**

<b>Motion:</b> M/s Boorstein/Gaffney to Accept the Fiscal Year (FY) 2019-20 Financial Audit and Comprehensive Annual Financial Report (CAFR)
<b>Vote:</b> Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

AGM Newhouse introduced this item and informed the Board that this audit is the fourth of a five-year agreement with Chavan & Associates. She introduced Paul Pham of Chavan & Associates and thanked him and Finance Supervisor Melvin Garcia for their work compiling this document. Mr. Pham told the Board that they conducted the audit based on state and local governmental standards. He reviewed highlights but said that all the changes are consistent with the prior year. He commended AGM Newhouse and Finance Supervisor Garcia for the additional effort producing the CAFR, and he said the process was smooth. The Board expressed support for the contents of the report.

The motion as stated above carried unanimously via a roll-call vote.

**Item # 15 - Consideration of an Amendment to the General Manager’s Contract**

<b>Motion:</b> M/s Boorstein/Gaffney to Amend the General Manager’s Contract
<b>Vote:</b> Ayes: Gaffney, Boorstein, Kelly, Sylla Noes: None. Absent: None. Abstain: Meigs
The motion passed.

President Sylla asked for a brief statement from the GM Review subcommittee. Director Boorstein reported that the Board completed an annual questionnaire, and GM Moore scored highly. He reported that the Committee recommends amending the GM’s contract as of 11/13/20 by adding a 3% COLA bringing his monthly salary to \$22,430.52, giving GM Moore a 5% performance bonus of \$13,524.31, and extending his contract for another year. Director Gaffney said that they based the bonus on the performance review results. Director Kelly said that RVSD is a well-run organization, and Director Boorstein said that GM Moore was also doing the job of the District Engineer for much of the year as well. Director Meigs said that she was previously unaware that the Board can also give bonuses to other managers. District Counsel Clark agreed that manager contracts are determined by the Board. AGM Newhouse added that bonuses are also the subject of a personnel policy, so the Board can discuss bonuses when manager contracts are up for review.

The motion as stated above carried 4-0-1 via a roll-call vote. Director Meigs abstained from this vote.

**Item # 16 - Informational Items**

Operations and Maintenance Manager Stephen Miksis told the Board that construction debris is responsible for line blockages that resulted in small overflows. Director Gaffney asked if the District is aware when a contractor connects to the sewer, and O&M Manager Miksis responded yes if the contractor pulled a permit for the work. Director Kelly asked if the spills are localized, and O&M

Manager Miksis said that they are currently random but are all tracked in the GIS database. The Board reviewed other specific items on the monthly metrics like lateral replacements and pipe repairs.

For Item 16.b. O&M Manager Miksis shared his screen and gave a presentation on Computerized Maintenance Management System (CMMS) integration at RVSD. First, he defined CMMS, reviewed the integrations with District software and user interface, and explained the capabilities to graph and map relevant data. He also went through the dashboard for different operations departments, highlighting the types of information that is relevant to different users. Director Boorstein commented on the amount of memory and storage the District uses.

**Adjourn:** The Board adjourned at 7:41 p.m.



Michael Boorstein  
Secretary of the Board

Submitted by: Julia Cooper  
Clerk of the Board