

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

Thursday, June 4, 2020
5:00 PM

Via GoToMeeting

Directors Present: Michael Boorstein
Thomas Gaffney
Doug Kelly
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
Stephen Miksis, Operations and Maintenance Manager
Melvin Garcia, Finance Supervisor
Michael Morisoli, Miller Pacific Engineering Group
Jill Barnes, Project Manager
Bridgette DeShields, Integral Consulting
Carolyn Huynh, Integral Consulting
Ron Peluso, Vertran Associates

Public Present: Stephen Keese

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.

Item # 1 – Call Meeting to Order and Roll Call

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

Item # 2 - Verbal Report by Board Members and Requests for Future Items

Director Meigs requested an agenda item in which the Board would select the real estate consultant for the Larkspur Landing property. She said that she felt the Board had the duty to the community. President Boorstein directed staff to place it on a future agenda.

Item # 3 - Verbal Report by General Manager

GM Moore reported that the District hired a new engineer, Phil Benedetti, who comes from the City of Petaluma. His expected start date is June 22, 2020. He also informed the Board that staff plans to begin internal recruitment for the two Senior Collection System Worker positions. Then, the intent is to also recruit for a Deputy O&M Manager and a Compliance Officer.

He thanked the Board for their input related to the budget and to please send any more comments.

Minutetaker’s Note: The Board agreed to consider Item #7 next to accommodate the present consultant.

Item # 7 - Consideration of Adopting Resolution No. 20-1586 to Declare an Emergency for 31 Ellsworth Easement Pipeline Slide Repair in Oak Manor

Motion: M/s Gaffney/Sylla to Adopt Resolution No. 20-1586 to Declare an Emergency for 31 Ellsworth Easement Pipeline Slide Repair in Oak Manor
Vote: Ayes: Gaffney, Meigs, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: None
The motion passed.

Minutetaker’s Note: Due to clerical error, this resolution was originally labeled 20-1584. The title and motion above reflect the correct resolution number.

GM Moore introduced this item and told the Board about the site’s history, the previous corrective action, and the District is now looking for a more permanent solution. GM Moore told the Board that the project needs to be done before the next wet season, and the problem area is located on private property.

GM Moore introduced Michael Morisoli from Miller Pacific, and Mr. Morisoli reviewed past efforts along with a diagram of the hill in relation to the sewer line. He told the Board that they intend to solicit bids next week if this item is approved. Director Meigs asked a clarifying question about the location of the site and whether there will be excavation. Mr. Morisoli responded that it was possible due to ground instability but would be approximately 75 cubic yards. The Board discussed potential issues of tree removal.

Director Gaffney asked if Miller Pacific has enough of a plan for contractors to bid on, and Mr. Morisoli responded that there is a conceptual plan and they intend to be hands-on during the construction phase. He told the Board that they want to balance the cost of plan preparation with the actual project costs. Director Kelly asked a clarifying question about the drainage in the complete project.

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

Item # 4 – Consideration of Adopting Resolution No. 20-1585 Approving a Mitigated Negative Declaration for and Approving Laurel Grove Sewer Rehabilitation Project

Motion: M/s Kelly/Gaffney to Adopt Resolution No. 20-1585 Approving a Mitigated Negative Declaration for and Approving Laurel Grove Sewer Rehabilitation Project
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

Minutetaker’s Note: Due to clerical error, this resolution was originally labeled 20-1583. The title and motion above reflect the correct resolution number.

GM Moore introduced the Project Manager Jill Barnes and the consultants from Integral for questions from the Board. He told the Board that this project replaces existing infrastructure and has minimal environmental impacts; the current sewer is just too small to serve the connected homes. Jill Barnes added that she received a few comments regarding cultural resources, but they made revisions that were met with approval. Director Kelly expressed his approval for the project.

Director Meigs asked if there was any way to share costs. After District Counsel decided that this was the correct item to discuss it, Ms. Barnes said that there is reduced trench reconstruction because of the County’s planned work. Director Meigs asked if there were any public hearings, and Ms. Barnes responded that no public hearings were held or required for this project. Director Meigs noted a typographical error in the Mitigated Negative Declaration. Carolyn Huynh reviewed the page in question and thanked her for the edit.

Jill Barnes told the Board that the District put a notice in the local newspaper and distributed notices to residences within 500 feet of the project.

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

Item # 5 – Consideration of Awarding and Authorizing the General Manager, Upon Review and Approval of Counsel, to Execute Construction Contract for the Laurel Grove Sewer Rehabilitation Project, with Glosage Engineering, Inc., Inc., in the Amount Not to Exceed \$1,795,146

Motion: M/s Sylla/Gaffney to Award and Authorize the General Manager, Upon Review and Approval of Counsel, to Execute Construction Contract for the Laurel Grove Sewer Rehabilitation Project, with Glosage Engineering, Inc., Inc., in the Amount Not to Exceed \$1,795,146
Vote: Ayes: Gaffney, Meigs, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and thanked the project team for their hard work. There is a high degree of pressure to time a section of this project with the County’s improvements on Sir Francis Drake Boulevard. The County is breaking ground on Sunday June 7, and the District will do their best to coordinate the portion that intersects.

GM Moore told the Board that this project received six bids, which is a great turnout although two bids were found unresponsive. District Consultant Jill Barnes thanked Nute Engineering for their work

on the plans, and the District’s recommendation is to award this contract to Glosage Engineering, Inc. who is the second lowest bidder. The lowest bidder did not provide project sheets that were material to the bid package. GM Moore said that the District will be busy with construction projects this summer, but not as busy as Summer 2019.

President Boorstein asked about the project length, and Ms. Barnes told the Board that the expectation is to complete construction in 120 days.

Director Gaffney asked about Glosage Engineering, Inc., and staff responded that the company is based out of Richmond, and they have completed many lateral replacements for the District.

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

Item # 6 - Consideration of Authorizing the General Manager, Upon Review and Approval of Counsel, to Execute a Finance Agreement Between Ross Valley Sanitary District and Marin Health Medical Center for Sewer Capacity Charges Related to the Hospital Expansion Project known as the West Wing Addition

<p>Motion: M/s Kelly/Sylla to Authorize the General Manager, Upon Review and Approval of Counsel, to Execute a Finance Agreement Between Ross Valley Sanitary District and Marin Health Medical Center for Sewer Capacity Charges Related to the Hospital Expansion Project known as the Hospital Replacement Project and Direct Staff to Honor the 2019 Rates Through August 1, 2020</p>
<p>Vote: Ayes: Gaffney, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: Meigs</p>
<p>The motion passed.</p>

Director Meigs asked if she should recuse herself since she is employed by Marin Health. District Counsel said that she was welcome to exhibit an abundance of caution, but one will typically recuse themselves if the proposed amount will have a material effect on them. Director Meigs decided to recuse herself and leave the room but ask questions later as a member of the public.

AGM Newhouse introduced this item by stating the correct project title is the “Hospital Replacement Project” and the motion should be amended. She told the Board that this project triggered the recently approved Ordinance 92; the fixture count is over 2,000, and the total fee is approximately 1.4 million dollars. Staff and the hospital worked together toward a permit, and staff is proposing a financing agreement similar to the terms of the lateral loan program. The term would be ten years, a total and an interest rate of 3.5%. She suggested District Counsel do a final review of the agreement before it appears at the hospital Board meeting in July.

AGM Newhouse introduced Ron Peluso, a project manager to answer any questions from the Board. Director Kelly asked about the section of the staff report related to the 2019 and 2020 rate calculations. AGM Newhouse responded that the figures adjust next fiscal year, but the Board can direct staff to honor the current fiscal year’s rates. Mr. Peluso said that the hospital Board will not convene until July, so it would be next fiscal year before the agreement can be approved.

Director Sylla asked if the budget anticipates this revenue, and if the District is going to submit the portion of these fees to CMSA. AGM Newhouse clarified that the District already collects these CMSA charges, and they have agreed to accept annual payments in this case. AGM Newhouse added that

the District planned to receive these fees from Marin Health in the previous fiscal year, but the budget does not rely on receiving the full amount right away. Director Sylla also asked if these new fixtures will place unexpected wear and tear on the system. GM Moore responded that the sewer lines will handle it because they are built to withstand extreme storm conditions. Director Sylla asked how they currently pay their sewer service charges, and AGM Newhouse said that they are billed annually as a commercial customer.

Member of the public Pamela Meigs asked a few questions to staff and Mr. Peluso regarding the losses due to COVID-19 and whether the District can require low-flow toilets or other environmental fixtures. AGM Newhouse responded that the District does not have the jurisdiction to require certain fixtures of a project. Mr. Peluso said that the State of California governs hospital buildings, and these decisions were made at least five years ago. The project is trying to get LEED Silver status which includes low-flow toilets. Ms. Meigs asked if there are stability issues at the building site, and GM Moore said that there were issues on a nearby street, but he does not remember a conversation about the hospital building. He assured the Board that he is working through many issues with the project engineer.

President Boorstein said that this is a great example of the District working with the community.

The motion as stated above carried 4-0-1 via a roll-call vote. Director Meigs did not vote as she recused herself.

Item # 8 - Consideration of Approving the General Manager to Provide a Letter to the Governor and Legislature as requested by CSDA for COVID-19 Relief for Special Districts

<p>Motion: M/s Sylla/Kelly to Approve the General Manager to Provide a Letter to the Governor and Legislature as requested by CSDA for COVID-19 Relief for Special Districts and Provide a Letter for the Federal Bill H. R. 7073 - the Special Districts Provide Essential Services Act</p>
<p>Vote: Ayes: Gaffney, Meigs, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: None</p>
<p>The motion passed.</p>

GM Moore introduced this item and told the Board that he received an urgent request from the California Special Districts Association (CSDA) to send a letter regarding relief to include special districts in proposed state and federal legislation in addition to counties and municipalities. A broader proposal was also introduced by Congressman Garamendi, the Special Districts Provide Essential Services Act, which will need to be added to the motion.

GM Moore discussed the data from the item’s attachment regarding the short and long term effects of COVID-19. He told the Board that special districts are not currently facing the same challenges as cities and municipalities, but should the economic situation continue to worsen, it could impact the District’s ad valorem revenue.

AGM Newhouse said that the District applied for FEMA reimbursement, and they are tracking related expenditures from as early as January. She added that it tracks with the data from CSDA, and the Board discussed the types for expenses that the District has incurred, totaling approximately \$80K. Director Sylla said that the District needs to advocate for itself, because the state budget is severely impacted by the pandemic.

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

A handwritten signature in cursive script that reads "Thomas Gaffney". The signature is written in black ink and is positioned above a horizontal line.

Thomas Gaffney
Secretary of the Board

Submitted by:  _____
Clerk of the Board