

ITEM 11.a.

ROSS VALLEY SANITARY DISTRICT REGULAR BOARD MEETING MINUTES

Wednesday, August 19, 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
Phil Benedetti, Associate Engineer
Bryant Sparkman, Century Urban
Leo Ma, Century Urban
Ross Guehring, Century Urban
Griselda Blackburn, Century Urban
Lynette Dias, Urban Planning Partners, Inc.
Toby Levy, LDP Architecture
Robert Hensley, CBRE
Mike Taquino, CBRE
Robert Gamble, Public Financing Strategies
Mikhail Reyes, Enterprise Fleet Management

Public Present: None

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.

Minutetaker's Note: The meeting began on an incorrect GoToMeeting link. Director Sylla read the proclamations for Items 5 and 6. Upon realizing the error, the meeting convened on the correct link that is accessible to the public, and the Board began the meeting again.

Item # 1 – Call Meeting to Order and Roll Call

The meeting was called to order by President Sylla at 5:32 p.m. The Board Clerk called roll. The Board recited the Pledge of Allegiance.

Item # 2 –Adjourn to Closed Session

This item is on the agenda in error. There is no Closed Session in this meeting.

Item # 3 – Approval of Agenda

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

The Board agreed to move Items 5 and 6 to after Item 20 as well as Items 15 and 18 to before Item 7.

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

Item # 4 – Open Time for Public to Raise Items Not on Agenda or for Future Agendas

There was no public comment or requests for future agendas.

Item # 15 – Consideration of Adopting Resolution No. 20-1592, Adopting and Implementing the Uniform Public Construction Cost Accounting Act (UPCCAA)

Motion: M/s Boorstein/Gaffney to Adopt Resolution No. 20-1592, Adopting and Implementing the Uniform Public Construction Cost Accounting Act (UPCCAA)
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla. Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and explained the District’s regular need to move quickly on mid-size construction projects. By electing to comply with UPCCAA, the limit for informal bidding projects raises and the General Manager’s threshold to approve projects increases as well from \$15K and \$60K. He introduced Associate Engineer Phil Benedetti to the Board.

Mr. Benedetti gave additional detail on the benefits of UPCCAA as well as the ability to track staff time and account for their contribution to the project. GM Moore added that the District will continue to follow the existing Financial Policies and get three informal bids. President Sylla said that they reviewed this item at the Finance Committee meeting. Director Meigs asked by what authority is UPCCAA upheld, and Mr. Benedetti clarified that it is based on a State act. Director Gaffney made a point about the current cost of construction, and the old limit of \$15K does not match the price of even small projects. The Board agreed that this streamlines construction and saves staff time.

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

Item # 18 – Consideration of Adopting Resolution No. 20-1593 to Declare an Emergency for Bolinas Avenue 8-inch Sanitary Sewer Repair in San Anselmo, and Authorizing the General Manager, Upon Review and Approval of District Counsel, to Contract with Maggiora and Ghilotti to Repair the Sewer in the Amount of \$61,300

Motion: M/s Boorstein/Gaffney to Adopt Resolution No. 20-1593 to Declare an Emergency for Bolinas Avenue 8-inch Sanitary Sewer Repair in San Anselmo, and Authorizing the General Manager, Upon Review and Approval of District Counsel, to Contract with Maggiora and Ghilotti to Repair the Sewer in the Amount of \$61,300
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla. Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this emergency item to remediate a line that was severed during maintenance work by the Town of San Anselmo. He told the Board that this repair needs to be completed in a very narrow window in conjunction with a paving project. The District received two informal bids with reasonable prices based on the project details. He told the Board that Associate Engineer Phil Benedetti did fieldwork and got valuable insight, and he thanked him for rising to the occasion in order to complete the work in a timely fashion.

The Board asked about the situation in which the pipe was severed, and GM Moore explained that it was a miscommunication in which the contractor believed it was an abandoned line. Director Meigs asked if there is insurance that help recoup some of this cost. AGM Newhouse said that she would follow up with CSRMA.

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

Item # 7 – Committees Report Out

HR Committee – Director Boorstein reported that the Committee discussed the proposed personnel policies with staff.

Finance Committee – Director Gaffney reported that they reviewed a presentation from Century Urban regarding Item 12 that will be different from tonight’s presentation by addressing the financial components of this contract. President Sylla added that they reviewed most of the items on the agenda.

Ad Hoc Facilities Committee – This Committee did not meet and therefore had nothing to report.

Central Marin Sanitation Agency (CMSA) – There was no meeting of CMSA and therefore nothing to report.

Item # 8 - Verbal Report by General Manager

GM Moore informed the Board that staff received an offer of 2.4 million dollars for the purchase of 2960 Kerner from the Ritter Center, a non-profit organization for people and families experiencing homelessness in Marin County. They requested that the Board be made aware of this offer. GM

Moore said the District needs this property for the foreseeable future to comply with social distancing protocols, and there is specific regulation regarding the disposal of surplus property.

GM Moore detailed the progress of the IAMP; the goal is to bring the District to a pay-go system and organizing capital work based on data analysis. He added that current data indicates that I&I is lowering. GM Moore reported that the Larkspur Landing remediation project is nearly complete, and topsoil is being laid today.

Director Kelly asked how much the District paid for the Kerner building, and Director Meigs responded with the figure she recalled from the time of purchase. Staff said that they would review and inform the Board. Director Kelly added that he would be interested in seeing data that indicates the reduction in I&I.

Item # 9 - Verbal Report by Board Members and Requests for Future Items

Director Meigs requested that staff record special meetings as well as regular meetings. President Sylla said that special meetings are often closed sessions, but it is easy to record them with GoToMeeting. Director Meigs also requested time at a future meeting to report on information from the recent CASA conference.

Item # 10 – Consent Calendar

Motion: M/s Kelly/Boorstein to Accept Items in the Consent Calendar Except Item 10.b.
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

Director Meigs asked to review Items 10.b. and 10.e., and Director Kelly also asked to review Item 10.e. Director Meigs said that she would not support the minutes from Item 10.b.; she feels they are too brief and there is no audiovisual recording to back them up.

Regarding Item 10.e., Director Meigs asked if the equipment in Item 10.e. is also leasable because the purchase price is high. President Sylla said they asked the same question in the Finance Committee meeting, but it is not possible. Operations and Maintenance Manager Stephen Miksis added that the District could rent them for \$10-14K per month, but the truck and attached vacuum machine are specialized equipment. Director Kelly asked if it is worth keeping the older trucks, and Mr. Miksis elaborated that they affect productivity because they require regular repairs, but the District will keep them for parts. They discussed when the current trucks were purchased, and Director Gaffney said that this purchase is budgeted, and GM Moore said that staff is very invested in acquiring new trucks.

M/s Gaffney/Boorstein to approve Item 10.b. This item was passed with a 4-1 vote, with Director Meigs voting no.

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

Item # 11 - Consideration of Authorizing the General Manager, Upon Review and Approval of Counsel, to Approve a Lease Agreement with Enterprise Fleet Management for a 2020 Dodge RAM ProMaster 1500 in the Amount of \$32,442.76 for a Four-Year Lease

Motion: M/s Boorstein/Gaffney to Authorize the General Manager, Upon Review and Approval of Counsel, to Approve a Lease Agreement with Enterprise Fleet Management for a 2020 Dodge RAM ProMaster 1500 in the Amount of \$32,442.76 for a Four-Year Lease
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and reminded the Board of the similarities to a previous lease agreement for computer servers in 2019. This agreement would be for non-specialized vehicles, and this agreement is a pilot for future leasing opportunities. Stephen Miksis told the Board that Enterprise did an analysis of the fleet two years ago, and it would be a significant cost savings to lease the vehicles rather than purchase them. He also told the Board that Enterprise will install software, navigation, and other features before delivering it to the District.

Director Kelly asked if there is a lease to own option, but President Sylla said that the point is not to own the vehicles. GM Moore said that trucks become more of a liability as they age. Mr. Miksis said that many other local agencies lease vehicles and sell them upon term to maintain updated safety features and operational costs. President Sylla said that she supports this pilot and thinks it’s a great idea.

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

Item # 12 – Consideration of Authorizing the General Manager Upon Review and Approval of Counsel to Execute a Contract for Real Estate Services with Century Urban

Motion: M/s Boorstein/Gaffney to Authorize the General Manager Upon Review and Approval of Counsel to Execute a Contract for Real Estate Services with Century Urban
Vote: Ayes: Gaffney, Meigs, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and gave background information about the RFQ process for real estate consulting services. The District received four submissions on the June 29th deadline, and GM Moore, AGM Newhouse, and District Counsel interviewed three of these firms. After ranking the firms individually, they are recommending Century Urban. AGM Newhouse added that the District asked for specific experience in the RFQ, such as experience with public entities, ground leases, and public engagement. She told the Board that she was impressed by the Century Urban structure as a suite of peak firms. Staff introduced Bryant Sparkman from Century Urban to give a presentation to the Board.

Mr. Sparkman thanked staff and said that he was pleased to meet the Board members to review the details of this exciting project. His presentation gave an overview of Century Urban, case study information, introduced project team members, and detailed their project management approach. Director Meigs asked how this large team works together. Mr. Sparkman said that, though there are

five partner firms, Century Urban is the lead and will oversee subconsultants. He added that they have worked together for many years.

Director Kelly asked for clarification about what will come before the Board after Phase one of the contract is complete, and Mr. Sparkman responded that future actions will be based on Board direction. AGM Newhouse said that it would be ideal for Century Urban to steward the entire process, but there is no obligation for the District to continue with them after this contract is complete. Director Meigs confirmed that Century Urban has experience with public private partnerships and leases. The Board discussed the timeframe for the actions in this contract and potential future issues. GM Moore added that Mr. Sparkman is a ratepayer.

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

Item # 13 - Consideration of Authorizing the General Manager, Upon Review and Approval of Counsel, to Approve Task Order No. 5 with Kennedy Jenks for \$116,900, for Construction Management and Engineering Services During Construction (ESDC) for the Larkspur Landing Excavation and Remediation Project (Project #900)

<p>Motion: M/s Gaffney/Boorstein to Authorize the General Manager, Upon Review and Approval of Counsel, to Approve Task Order No. 5 with Kennedy Jenks for \$116,900, for Construction Management and Engineering Services During Construction (ESDC) for the Larkspur Landing Excavation and Remediation Project (Project #900)</p>
<p>Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None</p>
<p>The motion passed.</p>

GM Moore introduced this item and informed the Board that Todd Miller from Kennedy Jenks was present to answer any questions from the Board about the requested task order amendment. GM Moore told the Board that this is a byproduct of extending the work to two summers.

Mr. Miller told the Board they are striving to gain EPA approval by fostering a rapport, and he gave specific examples. They intend to present the final report to the EPA immediately upon project completion. Director Gaffney clarified that the budget is increasing based on additional hours, and Mr. Miller gave examples of different tasks that fall under ESDC.

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

Item # 14 – Discussion and Direction on Board Compensation Policy

AGM Newhouse introduced this item and told the Board that this discussion arose from questions from staff about specific meeting reimbursements. She told the Board that they should discuss what types of meetings, like regular meetings, special meetings, and committee meetings, should be reimbursable.

Director Meigs told the Board that she reached out to a board member from Las Gallinas Valley Sanitary District (LGVSD) and reviewed their policy which includes reimbursement for additional items like webinars and tours of District facilities. She also noted that this policy includes insurance policies for medical and dental benefits. Director Gaffney offered that the Board delay this

conversation until everyone can review the LGVSD policy. Director Kelly said that he would direct staff to review this policy and bring the item back.

President Sylla responded and said that, in the Finance Committee discussion, they believed that Board members should only be paid for things that bring value back to the Board. The Board discussed details of Board compensation, and Director Meigs said the District should be on par with other agencies. President Sylla summarized the conversation and directed staff to review the LGVSD policy and include specific examples in a future policy item.

This item was for discussion and direction only; there was no action taken.

Item # 16 – Consideration of Adopting the Fiscal Year 2020/21 Business Plan

Motion: M/s Kelly/Boorstein to Adopt the Fiscal Year 2020/21 Business Plan
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla. Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and reviewed the third iteration of the Business Plan, which is a document that helps enact the District’s strategic plan. Staff met with the Ad Hoc Committee for the Business Plan to review and update the plan. GM Moore highlighted the District’s accomplishments from the last year. Director Gaffney said that he would like to see a summary of results from last year’s plan in future updates. GM Moore said that staff will bring a mid-year update to the Board at a future meeting. The Board discussed the annexation of Murray Park and San Quentin Village.

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

Item # 17 Consideration of Adopting an Administrative Policy for Employee Leave and Compensation under the Families First Coronavirus Response Act (FFCRA), and an Employee Telecommuting Policy

Motion: M/s Boorstein/Kelly to Adopt an Administrative Policy for Employee Leave and Compensation under the Families First Coronavirus Response Act (FFCRA), and an Employee Telecommuting Policy
Vote: Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla. Noes: None. Absent: None. Abstain: None
The motion passed.

AGM Newhouse introduced this item and discussed the context for the two proposed policies. She reviewed the details of the Federal Families First Coronavirus Response Act (FFCRA) and the extension of the Emergency Telecommuting Policy that staff enacted in March.

She told the Board that the HR Committee reviewed this item, and there was a question during the meeting about how many employees currently work from home at least part of the time. She clarified that six employees use it. GM Moore added that staff will present a general personnel policy update later this year. Director Kelly stated that the first policy complies with Federal law and he supports the second policy. Director Gaffney clarified that District employees are disaster responders, and AGM Newhouse reviewed details of leave under FFCRA.

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

Item # 19 - Review and Determine a Need to Continue the Emergency Action Adopted in Resolution No. 20-1586 for the 31 Ellsworth Easement Pipeline Slide Repair in Oak Manor

Motion: M/s Kelly/Boorstein to Determine a Need to Continue the Emergency Action Adopted in Resolution No. 20-1586 for the 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.

GM Moore told the Board that the emergency needs to continue, and construction is set to begin on September 1.

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

Item # 20 – Informational Items

Operations and Maintenance Manager Stephen Miksis explained the one spill on the monthly metrics report. He told the Board it occurred due to a build up of wipes. Staff highlighted the recycled water metric.

Director Gaffney reviewed a few items including: the reduced flow rate to CMSA, claim details, and compensation policies from other public agencies.

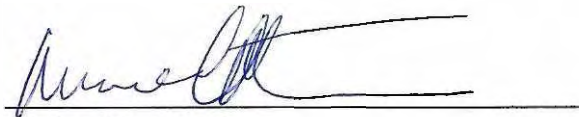
Item # 5 – Presentation of Proclamation in Appreciation of Service for Collection System Worker, Bruce Corlett, No Staff Report

President Sylla thanked Bruce and Kevin for their years of service at the District. She read the two proclamations aloud in the previous meeting with the incorrect link.

Item # 6 – Presentation of Proclamation in Appreciation of Service for Collection System Worker, Kevin Shine, No Staff Report

President Sylla thanked Bruce and Kevin for their years of service at the District. Director Meigs especially noted Mr. Shine’s 34 years working as a Collection System Worker. President Sylla read the two proclamations aloud in the previous meeting with the incorrect link.

Adjourn: The Board adjourned at 7:59 p.m.



Michael Boorstein
Secretary of the Board

Submitted by: Julia McEntee
Clerk of the Board