

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

Wednesday, September 16, 2020  
5:00 PM

Via GoToMeeting

Directors Present: Michael Boorstein  
Thomas Gaffney  
Doug Kelly  
Pamela Meigs (Arrived 5:08)  
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

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](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 –Adjourn to Closed Session**

The Board adjourned to Closed Session at 5:02 p.m.

**Item # 3 – Closed Session**

- a. CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION  
Government Code Section 54956.9(d)(2): July 31, 2020 claim received by Telstar Instruments, Inc., 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 5:26 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 formally reject the claim dated July 31 that the District received on August 4.

**Item # 6 – Approval of Agenda**

<b>Motion:</b> M/s Boorstein/Gaffney to Approve the 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**

There was no public comment or requests for future agendas.

**Item # 8 – Committees Report Out**

Finance Committee – Director Gaffney reported that the Committee reviewed most items on the agenda including wet well repairs, rugged laptop purchases, and currently vacant positions. President Sylla said that the laptops are not worth leasing since they endure a lot of wear and tear. Director Kelly agreed based on industry experience that these are worth buying rather than leasing.

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

Central Marin Sanitation Agency (CMSA) – Director Kelly reported on the CMSA subcommittee’s compromise regarding the President position. He said there will be an unofficial rule of rotation by the member agencies for the roles of President, Vice President, and Treasurer among those who want to serve. He clarified that a majority vote is still needed. Director Kelly then reported on the public bidding authorization for the next step of the co-gen project, pump station upgrades at San Quentin Village, and the Board briefly discussed the annexation process.

North Bay Watershed Association (NBWA) – Director Meigs reported on the Re-Oaking efforts in the North Bay following the wildfires, the One Water strategic plan, and told the Board that it was Judy Kelly’s last meeting.

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

GM Moore reported that his background image is of hydroseeding at the Larkspur Landing property on the last day of the soil remediation project. Irrigation will continue until the wet season, and staff is cautiously optimistic for a positive response from the EPA in 45-60 days.

GM Moore reported that staff met with real estate consultant Century Urban to develop materials for the first Board workshop. He also told the Board that they sent an updated letter of intent to Comcast related to 1111 Andersen. He updated the Board on the District’s application to FEMA for

COVID-19 related expenses like protective equipment and janitorial services. He told the Board about the water sampling results from Corte Madera Creek.

Director Kelly asked for staff to compile the full Comcast payment once the lease agreement is signed and complete.

Director Meigs asked for an update on the offer for the Kerner property from Ritter House. President Sylla responded that it was an unsolicited bid, and the District cannot sell it to them as is.

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

Director Meigs requested updates on the scholarship applications; Operations and Maintenance Manager reported that the District received a couple of applicants and are extending the deadline another month to hopefully receive more.

**Item # 11 – Consent Calendar**

<b>Motion:</b> M/s Kelly/Boorstein 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.

Director asked for an edit in Item 11.a. to clarify a question he asked of Century Urban. The Board Clerk agreed to edit the minutes.

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

**Item # 12 - Consideration of Approving a One-Year Lease Amendment with Andersen Place Associates to be Executed by the General Manager for a Total Amount of \$50,976**

<b>Motion:</b> M/s Boorstein/Gaffney to Approve a One-Year Lease Amendment with Andersen Place Associates to be Executed by the General Manager for a Total Amount of \$50,976
<b>Vote:</b> Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item to extend the lease at the District warehouse space on Andersen Drive. The intent is to overlap with the move into 1111 Andersen, and that will not be ready before the current lease ends. He told the Board that the price for the additional year is not exorbitant compared to the value it provides staff for storage and a repair shop space. Director Gaffney asked if the warehouse at 1111 Andersen will have a vehicle repair space, and Stephen Miksis confirmed that it is in the plan. President Sylla added that it will eclipse the need to keep this additional storage in the future.

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

**Item # 13 – Consideration of Adopting New Job Description and Salary Range for Operations and Maintenance Superintendent Position**

<b>Motion:</b> M/s Boorstein/Gaffney to Adopt New Job Description and Salary Range for Operations and Maintenance Superintendent Position
<b>Vote:</b> Ayes: Gaffney, Meigs, Boorstein, Kelly, Sylla Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and told the Board that this position was created and incorporated in the FY 2020-21 budget. He said that this position is reflective of the shift in the District’s priorities away from the intense capital activities of the last several years. There have been title changes and open positions this year, and he said that staff considered job responsibilities and organizational needs. This position is similar to the Inspections Superintendent but with a broader scope of responsibilities. Stephen Miksis said that he is looking forward to having support with operational tasks like safety and Competency Based Training, so he can focus on larger scale priorities.

President Sylla said the Finance Committee confirmed that the District is maintaining its current maximum of 35 full time employees. Director Meigs expressed her concern that the responsibilities in this job description were too much for one person; she asked how many people will report to this person. AGM Newhouse agreed that the breadth is enormous, but Stephen Miksis is currently doing all of it and more. The four Operations Supervisors would report to this position, and they would all get support from the Operations and Maintenance Manager. Director Meigs was concerned that this position is too intimidating. AGM Newhouse said that this position description represents a collective staff effort based on the needs of the District, and Stephen Miksis deserves credit for identifying areas of support. Director Kelly said that this will be a competitive job, but it is also a savings in terms of salary ranges. Director Boorstein said he was sure that staff will provide training, guidance, and support. The Board discussed the required tasks, unrepresented status, experience requirements, and other District vacancies.

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

**Item # 14 - Discussion and Approval of Board Policy on Board Member Compensation**

GM Moore introduced this discussion item responding to Board request. He thanked the Board Clerk for the research, and District Counsel for assembling the package and draft policy. District Counsel said that she is available for questions, and GM Moore said that the draft policy is a basis for Board discussion and direction.

President Sylla said that she would like to make the current practices clear and consistent, and she reviewed Ordinance 80 that details the benefits of the Board. Director Kelly suggested a year-end report to comply with the Civil Grand Jury’s requests that includes specific information about trainings. Director Gaffney agreed with Director Kelly and reviewed language of the draft policy. His edits included not compensating the Board for CMSA Commission attendance and Ad Hoc Committees being compensated by Board approval. The Board discussed previous attendance at Marin LAFCo and the Marin chapter of CSDA, making all compensation requests subject to Board approval, and reporting protocols.

Director Meigs raised the subject of conferences, and the Board discussed compensation for virtual versus in person conferences. Director Boorstein said that he does not have issues with the current policy, and Board members can direct staff to not reimburse them case by case. Director Meigs said

she did not think staff did enough comparison to partner agencies and raised specific items like a minimum time for reimbursement, distance reimbursement, and cost of living increases (COLA). Director Kelly reminded the Board that, upon passing Ordinance 80, the Board agreed to remove reimbursement for COLA, reimbursement for CMSA appointments, and to keep the reimbursement at \$314 until a change is needed.

The Board gave staff direction to incorporate specific items relating to Board approval of webinars, tours, and other educational opportunities before bringing the item back for review. The Board Clerk asked for members to send any notes from the discussion.

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

**Item # 15 – Consideration of Adopting Resolution No. 20-1595, Approving the Amended and Restated Payment Agreement Relating to Central Marin Sanitation Agency (CMSA) Revenue Bonds**

<b>Motion:</b> M/s Boorstein/Gaffney to Adopt Resolution No. 20-1595, Approving the Amended and Restated Payment Agreement Relating to Central Marin Sanitation Agency (CMSA) Revenue Bonds
<b>Vote:</b> Ayes: Gaffney, Meigs, Boorstein, Sylla, Kelly Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item that is before the Board per the request of Jason Dow from Central Marin Sanitation Agency (CMSA). They intend to issue bonds for capital projects, and they need repayment assurance from members of the JPA. This is an update from a similar 2015 agreement that reflects the District’s name change and the removal of Larkspur’s membership.

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

**Item # 16 – Consideration of Authorizing the General Manager to Release Retention in the Amount of \$72,500 to Ranger Pipelines, Inc. for the FY 2014 Gravity Sewer Rehabilitation Projects - Group A**

<b>Motion:</b> M/s Kelly/Boorstein to Authorize the General Manager to Release Retention in the Amount of \$72,500 to Ranger Pipelines, Inc. for the FY 2014 Gravity Sewer Rehabilitation Projects - Group A
<b>Vote:</b> Ayes: Gaffney, Boorstein, Kelly, Meigs, Sylla. Noes: None. Absent: None. Abstain: None
The motion passed.

GM Moore introduced this item and told the Board that this item is above the General Manager’s signing authority of \$50K. This is only a portion of the project’s retention amount, and it was dependent of the completion of necessary subcontractor repairs. The repair involves removing tape that was an SSO risk from repaired lines by hydrojetting. District employees verified that the lines were acceptable through CCTV. Director Boorstein said that the funds for this retention is carried over from a previous budget.

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

**Item # 17 – Review and Terminate Emergency Adopted in Resolution No. 20-1593 to Declare Emergency for Bolinas Avenue 8-inch Sanitary Sewer Repair in San Anselmo and Authorize General Manager to Issue Payment of \$65,881.51 to Maggiora and Ghilotti, Inc.**

**Motion:** M/s Gaffney/Boorstein to Terminate Emergency Adopted in Resolution No. 20-1593 to Declare Emergency for Bolinas Avenue 8-inch Sanitary Sewer Repair in San Anselmo and Authorize General Manager to Issue Payment of \$65,881.51 to Maggiora and Ghilotti, Inc.

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

The motion passed.

GM Moore introduced this item and told the Board that this emergency was declared at the August meeting. After approval, the District moved forward with the low bidder of the informal bidding process. There were a few unforeseen conditions related to abandoned utilities, but the work was completed in time for the County's paving project. The Board reviewed the detail image from the Board packet, the homes that this line sewer serves, and Philip Benedetti's project support.

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

**Item # 18 - 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.

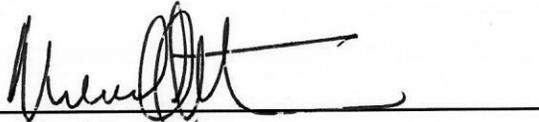
GM Moore updated the Board that the project is proceeding on schedule. It is scheduled to be completed by the end of the month. He said that this work will stabilize the hillside sewer, local environment, and maintain the District's good relationship with the landowner.

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

**Item # 19 — Informational Items**

President Sylla congratulated staff on a no-spill report. Director Gaffney noted the reduced flow to CMSA and said it was low compared to the other partner agencies. The Board discussed the recycled water metric, and Stephen Miksis said that two more District vehicles will shortly use recycled water. Director Kelly supported the results in the metrics report.

**Adjourn:** The Board adjourned at 7:11 p.m.



Michael Boorstein  
Secretary of the Board

Submitted by: Julia McEntee  
Clerk of the Board