

## MEETING MINUTES OF DECEMBER 16, 2021

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON DECEMBER 16, 2021 AT 4:04 PM AND STAFF BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** M. Clark, C. Murray, J. Schriebman and C. Yezman
- BOARD MEMBERS ABSENT:** None.
- STAFF PRESENT:** Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer
- OTHERS PRESENT:** Patrick Richardson and Dave Byers, District Counsel
- ANNOUNCEMENT:** Vice President Clark announced that the agenda had been posted as evidenced by the certification on file in accordance with the law
- 1. PUBLIC COMMENT:** None.

### **ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON DECEMBER 16, 2021 , AT 4:07 PM, BY ZOOM CONFERENCE AND AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch left at 4:07 pm.  
McDonald left at 4:15 pm

### **CLOSED SESSION:**

**PUBLIC EMPLOYMENT - INTERIM GENERAL MANAGER:** pursuant to subdivision (b)(1) of Government Code Section 54957.

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to paragraph (2) of Government Code § 54956.9: Two potential cases.

### **ADJOURNMENT:**

#### **ACTION:**

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on December 16, 2021 at 5:10 pm.

- BOARD MEMBERS PRESENT:** (By Roll Call): M. Clark , C. Murray, J. Schriebman, C. Yezman
- STAFF PRESENT:** Dale McDonald, District Treasurer; Teresa Lerch, District Secretary; Mike Cortez, District Engineer
- OTHERS PRESENT:** Pat Richardson, District Counsel; Patty Garbarino from Marin Sanitary Service; Garth Schultz from R3 Consulting Group;
- PUBLIC COMMENT:** None.

**REPORT ON CLOSED SESSION: REPORT ON CLOSED SESSION:** President Yezman reported that there were no reportable actions in Closed Session.

**2. CONSENT CALENDAR:**

These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.

- A. Approve the Board Minutes for November 18, 2021
- B. Approve the Warrant List for December 16, 2021
- C. Approve Board Compensation for November, 2021
- D. Approve Resolution 2021- 2233 – Remote Meetings
- E. Approve Managers' and Unrepresented Employee Contracts and Resolution 2021-2234  
Adopting a Pay Scale

Item E was discussed.

**ACTION:**

Board approved (M/S Murray/Schriebman 4-0-0-0) the Consent Calendar items A through D.

- AYES: Clark, Murray, Schriebman and Yezman.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

Item E was discussed. Clark requested a separate future agenda item to review the Board Secretary Salary.

**ACTION:**

Board approved (M/S Clark/Schriebman 3-1-0-0) the Consent Calendar item E.

- AYES: Clark, Murray and Schriebman
- NOES: Yezman
- ABSENT: None.
- ABSTAIN: None.

**3. INFORMATION ITEMS:**

STAFF / CONSULTANT REPORTS:

- 1. Acting General Manager's Report – McDonald reported.
- 2. Department Reports – Administration and Engineering – McDonald and Cortez reported.

**4. PUBLIC HEARING FOR ORDINANCE NO. 188 AMENDING TITLE 4, CHAPTER 1 – REGULATING SOLID WASTE, RECYCLABLE AND ORGANIC MATERIALS, AND THE COLLECITON, REMOVAL AND DISPOSAL THEREOF INCLUDING THE GARBAGE AND REFUSE RATE ADJUSTMENT FOR 2022**

Garth Schultz from R3 Consulting and Patty Garbarino from Marin Sanitary Service were available to answer questions from the Board or the public.

**OPENED PUBLIC HEARING** – President Yezman opened the public hearing at 6:06 p.m.  
No members of the Public attended.

**CLOSED PUBLIC HEARING** – President Yezman closed the public hearing at 6:07 p.m.

**ACTION:**

Board approved (M/S Murray/Schriebman 4-0-0-0) the adoption of Ordinance No 188, An Ordinance Amending Title 4, Chapter 1 of the District Ordinance Code and adjusting the garbage and refuse rate by 0.64% and directing its publication.

- AYES: Clark, Murray, Schriebman and Yezman.
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

**5. PRESENTATION AND RECEIPT OF THE ANNUAL FINANCIAL STATEMENT AND AUDITOR'S REPORT FOR THE YEAR ENDED JUNE 30, 2020**

John Cropper of Cropper Accountancy presented the results of the Annual Financial Audit for the year ending June 30, 2021. Discussion ensued.

**ACTION:**

Board received (M/S Schriebman/Murray 4-0-0-0) the Annual Financial Statement and Auditor's report as presented for the year ending June 30, 2021.

AYES: Clark, Murray, Schriebman and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

**6. BROWN AND CALDWELL CONTRACT EXTENSION**

Board reviewed the Contract Amendment 2 for the Brown and Caldwell contract pertaining to the Secondary Treatment Plant Upgrade and Recycled Water project.

**ACTION:**

Board approved (M/S Murray/Schriebman 4-0-0-0) Contract Amendment 2 to the Brown and Caldwell Contract in the amount of \$39,202.

AYES: Clark, Murray, Schriebman and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

**7. CONSIDER RESOLUTION 2021-2235 RECOGNIZING EMPLOYEES**

Board reviewed Resolution 2021-2235 recognizing the dedication of the LGVSD employees during the pandemic. Discussion ensued. Board directed staff to work with District Counsel to formulate recognition in 2022. No action was taken by the Board.

**8. BOARD TO CREATE A BIOSOLIDS AD HOC COMMITTEE**

Board discussed creating a Biosolids Ad Hoc Committee. By consensus, Board created a Biosolids Ad Hoc Committee. Board President Yezman appointed herself and Director Schriebman on the Committee with Yezman as the chair.

**9. PUBLIC COMMENT – none.**

**10. BOARD MEMBER REPORTS**

**1. CLARK**

- a. NBWA Board Committee –verbal report
- b. NBWA Conference Committee – no report
- c. 2021 Employee Climate Survey Ad Hoc Committee- no report
- d. 2021 Operations Control Center Ad Hoc Committee – no report
- e. Other Reports–no report

**2. MURRAY**

- a. Marin LAFCO – verbal report
- b. CASA Energy Committee– no report
- c. Ad Hoc 2021 GM Recruitment Committee – no report
- d. 2021 Legal Services Ad Hoc Committee – no report
- e. 2021 Employee Climate Survey Ad Hoc Committee- no report
- f. Marin County Special Districts Association – verbal report
- g. Other Reports – verbal report

3. SCHRIEBMAN

- a. Gallinas Watershed Council/Miller Creek Watershed Council– verbal report
- b. JPA Local Task Force– no report
- c. NBWA Tech Advisory Committee– verbal report
- d. Other Reports- no report

4. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. 2021 STPURWE Engineering Ad Hoc Committee– no report
- d. 2021 GM Recruitment Ad Hoc Committee – verbal report
- e. 2021 Legal Services Ad Hoc Committee – no report
- f. Other Reports–no report

11. BOARD REQUESTS:

- A. Board Meeting Attendance Requests-none.
- B. Board Agenda Item Requests- Clark requested the following agenda items - the salary disparity between the District Secretary and the Administrative/Financial Specialist, discussion on COVID-19 vaccinations, Grant opportunities, establishing an Ad hoc HR committee, and sewer service charge relief for low income residents.
- C. Board Secretary Lerch reminded the Board of the upcoming meetings:  
January 4, 2022                    3 PM                    Special Board Meeting  
January 6, 2022                    4 PM                    Regular Board Meeting  
January 20, 2022                    4 PM                    Regular Board Meeting  
The Celebration of Rabi Elias's 8 years as Board director will be on December 20, 4 PM at Crave Restaurant in Novato.

12. VARIOUS INDUSTRY RELATED ARTICLES – discussion ensued.

13. ADJOURNMENT:

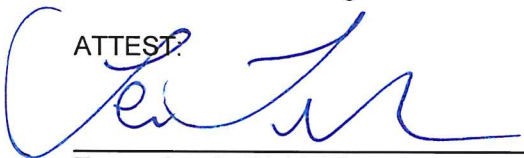
**ACTION:**

Board approved (M/S Schriebman/Murray 4-0-0-0) the adjournment of the meeting at 7:37 pm.

- AYES: Clark, Murray, Schriebman and Yezman
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

The next Board Meeting is scheduled for Tuesday, January 4<sup>th</sup> at 3 pm by Zoom meeting.

ATTEST:

  
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Teresa Lerch, District Secretary

APPROVED:

  
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Crystal J. Yezman, Board Vice-President

