

CROCKETT COMMUNITY SERVICES DISTRICT

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For Review

MINUTES OF THE REGULAR BOARD MEETING ON AUGUST 28, 2024.

1. CALL TO ORDER - ROLL CALL: The meeting was called to order at 7:03 pm by President Spinner. Present were Board Members Barassi, Mackenzie, Martinez, Peterson, and Spinner. Present staff included Administrative Services Manager (ASM) Goodman, Sanitary Department Manager (SDM) Barnhill, and District Secretary (DS) Rivas.
2. CLOSED SESSION: The Closed Session began at 7:40.
 - a. CONFERENCE WITH LABOR NEGOTIATORS. Public Employee Negotiations: Interim General Manager. Pursuant to Government Code Section 54957.6.
3. RECONVENE TO REGULAR SESSION: The regular session resumed at 8:15 pm.
4. REPORT ON CLOSED SESSION: There were no reportable actions.
5. CALL TO ORDER - ROLL CALL: All Board members were present.
6. CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER: Item 12 was moved and discussed before the closed session. Item 14d was moved to discuss after Item 10.
 - 12a CONSIDER ENTERING INTO A CONTRACT WITH CPS HR CONSULTING: Chair Spinner introduced Deborah Gutman a principal at CPS HR Consulting. As a joint powers authority, CPS firm works for public agencies and was recommended by CSDA (California Special District Association). The CPS Principal verbally presented a list of the wide range of human resource services they offer and added that they can often answer questions without having to consult an attorney. A flat annual fee of \$1,950 includes 15 hours per month. Additional time is on an as-needed basis. This lengthy discussion asked how services would be paid when they were not accounted for in the budget and questioned the need for the services when the District is already using a different human resources company. The Board agreed to table the item to allow time to compare the two agencies and return for an in-depth discussion in the future.
7. PUBLIC COMMENTS ON NON-AGENDA ITEMS: Vice-Chair Martinez reported that discussions are being had within the community about a possible condominium project being proposed above Second Avenue. The District Code requires that every property within the District's boundary be connected to the District's sewer. Director Peterson suggested that the sanitary commission consider the need for an impact fee for new sewer customers and the potential financial implications.
8. PUBLIC HEARING: None.
9. CONSENT CALENDAR: Approved as presented. (Barassi 1st, Mackenzie 2nd, 5/0)
 - a. Approve Minutes of the CCSD Board meeting on June 26, 2024.
 - b. Receive minutes of commissions and committees.

Members: Luigi Barassi, John Mackenzie, Diana Martinez (VP), Kent Peterson, Nick Spinner (President)

c. Approve payment of District Bills.

10. ITEMS REMOVED FROM THE CONSENT CALENDAR: None.

11a. MANAGERS' REPORTS RECREATION: ASM Goodman reported that the community center is booked solidly for Saturdays through the end of the year. There was only one cancellation in recent months. Recreation is working on producing metric reports for better information sharing as time allows.

11b. MANAGERS' REPORTS DISTRICT SECRETARY: Staff is applying for a FEMA-sponsored Cybersecurity grant. Campbell Business Solutions will be assisting with the application and CVSAN Commissioner McDonald has also offered to help.

11c. MANAGERS' REPORTS ADMINISTRATIVE SERVICES MANAGER: Maze & Associates continues to make progress. They are working on accessing old credit card statements. The ASM is working on diversifying services with contractors, and vendors. A good amount of time is being spent in the field with the SDM to identify areas needing improvement and maintenance, primarily at the EQ site and the pump station. The tax levy roll was submitted successfully. The tax roll revenues for FY 24/25 are as follows: Lighting and Landscape - \$63,000 from 1,259 parcels; Recreation - \$136,510 from 1,241 parcels; Port Costa - \$296,824.08 from 85 parcels and one direct bill; CVSAN - \$1,810,514.18 from 1,167 parcels.

11d. MANAGERS' REPORTS MAINTENANCE DEPARTMENT: ASM Goodman reminded the Board that the roof at 1 Rolph Park Drive (1RPD) leaks. There are plans to address the roof before wet weather. Staff will resume working on replacing the front door. Much of the Dog Park construction supplies have been cleared from the garage. The ASM plans to organize the space and create a spare part library for the District. The HVAC system has been addressed and is in good working order providing both heat and air. Cal OSHA recently passed a regulation that prevents employees from working inside facilities where temperatures exceed more than 80 degrees; which staff has had to endure on several occasions during the last few months. The system is made up of three units; upstairs, the chapel, and the common areas. The system is old, obsolete, and will need to be completely replaced at some point.

11e. MANAGERS' REPORTS PORT COSTA SANITARY DEPARTMENT: There were no exceedances or spills. One of the effluent pumps at the treatment plant needs maintenance or replacement. Since these pumps are obsolete Pan Pacific is hesitant to remove them for maintenance until a replacement is found. Grundfos is searching their warehouse for pumps in their old inventory. An electrician would still need to address the electrical connections. The cost of a full pump replacement is estimated at \$20,000.

11f. MANAGERS' REPORTS CROCKETT SANITARY DEPARTMENT: SDM Barnhill reported on the maintenance performed at the neglected EQ tank site. Let's Dig performed fire abatement and cleared refuse away from buildings and in roadways. Fence holes were repaired by the ASM and SDM, and one entry point needs additional fencing. The building and the EQ tank are covered in graffiti; they will be pressure-washed and painted. The valve pit (plumbing for the EQ tank) was flooded due to a fist-sized rock stuck at the entrance of the pump. The pump was unaffected by the blockage, some maintenance was done, and remains in working order. There is debris that needs to be mucked out. Staff will request a quote from the new operator.

The SDM listed several items that need repair or are being repaired, most from deferred maintenance. With wet weather season around the corner, it is best to jump on repairs sooner rather than later. Mechanical issues are simple, but motors and piping are expensive. The biggest risk is the MCC panel. Crockett is operating with the original panel that requires continual maintenance. The lead time for pumps can range from weeks to months. Most repairs have been anticipated and costs have been included in the budget as best possible.

The department now has a new backup gas generator, a cart lift to ease transferring the generator, and a low-tech camera and Wi-Fi were installed at the EQ tank for remote surveillance.

- 11g. MANAGERS' REPORTS LIGHTING & LANDSCAPE COMMISSION: ASM Goodman reported that staff is working on preparing, reporting, recording, and scheduling documentation. Director Peterson has contributed a significant amount of effort in preparing for the success of the department by creating guidelines and templates that will lead to a maintenance plan. Due to staffing shortages, Staff is focusing on recording maintenance activities that will be plugged into the maintenance plan and any necessary or emergency issues as they present themselves.
- 11h. MANAGERS' REPORTS GOVERNMENTAL MATTERS: The State Controller's office contacted ASM Goodman the previous week requesting staff salaries for the previous year. Three Board seats are up for election in November. Director Barassi reported that he and CVSAN Commissioner McDonald have filled for the two full-term seats which are uncontested and not on the ballot. They will automatically be appointed. The third seat is a half-term of two years. There will be a town election between Gaunt Murdock and Matthew (Matt) Raver. Member of the public, Ms. Reiser asked about a public candidates' forum. Chair Spinner explained that a government agency cannot hold electoral events but such an event can be driven by any individual or community group.
- 11i. ANNOUNCEMENTS AND DISCUSSION: The DS reported that there will be two community events on September 28th. A rummage sale will be held by the coffee shop at 1RPD from 8 am to 1 pm. CREEC will be hosting their annual festival from 10 am to 4 pm. CREEC is located on Dowrelia after the treatment plant.
- ASM Goodman reported that there was a strange sewage-like smell in the air. After driving around town, she was unable to identify the source of the smell. She reported that Vallejo Sanitary is currently changing large infrastructure. The Vallejo community has been complaining about the smell.
- 12a. CONSIDER ENTERING INTO A CONTRACT WITH CPS HR CONSULTING: Item was discussed earlier.
- 12b. RECOGNIZE THE DISTRICT SECRETARY'S END OF PROBATION EFFECTIVE AUGUST 1, 2024, AND TASK THE PERSONNEL COMMITTEE TO FACILITATE THE ANNUAL REVIEW: President Spinner announced that the District Secretary has completed her one-year probationary period effective August 1st. As an appointed role that reports to the Board, he directed the Personnel Committee to coordinate the annual review.
- 12c. APPROVE RESOLUTION 24/25-04 APPOINT AN INTERIM GENERAL MANAGER: Director Barassi requested the item be on the agenda. He reported that the Board attempted a shared GM form of leadership that resulted in dysfunction. Three key staff people are no longer with the District and the recreation department is experiencing financial difficulties. The District is engaging in a high-stakes endeavor that requires the ability to respond quickly. The District has lacked strong leadership since the former general manager McDonald left. The Board desires to return to a more structured format with a strong leader. Appointing an existing staff member allows for the immediate transition of responsibly and continuity of District business. The Board will continue to search for a permanent general manager. Ms. Goodman is not receiving a pay increase for the interim role. A motion to appoint Jena Goodman as the Interim General Manager was approved unanimously. (Peterson 1st, Barassi 2nd, 5/0)
- 12d. ENDING THE PERSONNEL AD HOC COMMITTEE: President Spinner reported that the Personnel Ad Hoc committee has served its purpose and is therefore terminated. A report will later be submitted to the Board for consideration on high-level changes to the personnel-related code changes.
- 12e. CREATE A NEW GENERAL MANAGER RECRUITMENT AD HOC COMMITTEE: President Spinner announced a new ad hoc committee comprised of the Board president and vice president to guide the hiring of a new general manager. Director Barassi suggested that Dale McDonald, the former general

manager and current CVSAN commissioner, could be a good contributor to the process. No additional members were added to the ad hoc. There was a discussion on who can serve on an ad hoc committee.

12f. APPROVE RESOLUTION 24/25-05 – ESTABLISHING THE DISTRICT'S APPROPRIATIONS LIMIT FOR THE 2024-25 FISCAL YEAR, AND CERTIFYING THAT FISCAL YEAR 2024-25 APPROPRIATIONS SUBJECT TO LIMITATION DO NOT EXCEED THE APPROPRIATIONS LIMIT: IGM Goodman reported the appropriation numbers using the same calculations historically used by the District. Director Peterson reported that the workbook should be posted with the report.

12g. CONSIDER APPROVAL OF ALLOCATION FROM AD VALORUM TAXES TO THE RECREATION BUDGET: This item is a duplicate and was rolled into item 13b under Budget & Finance.

12h. RATIFY AN EXTENSION OF THE JOINT USE AGREEMENT (JUA) NEGOTIATIONS TO OCTOBER 2024: President Spinner reported that both the JUA and the C&H lease with the State Lands Commission (SLC) expired in July. Due to legalities, the SLC approved an unprecedented agreement to continue operations until the JUA is approved with a hard deadline of the SLC October meeting. He signed the agreement on behalf of the District. A motion to ratify the extension was approved. (Barassi 1st, Martinez 2nd, 5/0)

12i. DISCUSS AND RECOMMEND PAYMENT OF C&H BILLING: IGM Goodman has requested missing billing from C&H and suggested continuing the item to the next Board meeting.

12j. CONSIDER A CONTRACT WITH NATURAL SYSTEMS UTILITIES (NSU): Valley Operators notified the District that their last day serving Port Costa is October 1st, 2024. The SDM determined that the District also needed to diversify its operators. NSU services unique districts such as Port Costa and have local offices and operators. They are an international company with access to massive resources and knowledge assistance to tackle any situation. They provide design and construction services and can operate treatment plans. NSU has been highly responsive and offers a variety of services that are critical for the needs of the District. The company has built plants, built unique systems, can help with engineering maintenance, and employs grant writers. This is a single contract with two projects that are billed separately. Both Port Costa and CVSAN have reviewed and approved the contract. SDM Barnhill highlighted changes made to the contract as requested by the District's legal counsel. Sections included 1.13.10, 1.13.16, 9.1, 13.1, 17.3, 17.9. The IGM pointed out that the liability insurance is at \$350,000 but also noted that there is an additional \$2 million insurance policy in place. Staff expects some overlap with Valley Operators for Port Costa starting at the beginning of September.

NSU's quote is competitive and falls below the threshold of money allocated for each department in the previously approved 24/25 Budget. A motion to enter into contract with NSU passed unanimously. (Barassi 1st, Mackenzie 2nd, 5/0).

12k. APPROVE SALARY SCALE SCHEDULE: There was a discussion between Director Martinez and IGM Goodman on the roles of staff pertaining to exempt status and how hourly numbers are calculated and who should be hourly versus salary. Ms. Martinez argued that contracts have been monetarily unfair to staff and the District. There was a difference of opinion on how the District Code is written which allows contracts to override the District Code and impact salaries and benefits. Historically the District has offered contracts to management staff members as the wages offered with the District are considerably lower than industry standards locally. Contracts were used as a way to attract and hold talent. Director Barassi expressed that the salary schedule is based on the current salaries of all employees and suggested that if the Board sees fit the District Code can be updated at a later time.

IGM Goodman presented the salary schedule noting that the highlighted cells are reflective of current salary levels. The salary schedule has not been updated regularly. A rate was not listed for the general manager's probationary wage but Director Barassi noted that wages are agreed upon in negotiations. The

Personnel Committee approved the schedule but requested that wages be reported as hourly and to remove the currently approved hourly allotments for each position. The IGM expressed that the SDM contract will be reviewed to address fair compensation due to the excessive hours worked. A motion was made to accept the salary schedule as drafted. (Barassi 1st, Mackenzie 2nd, Martinez – Ney, 4/1)

12l. UPDATE ON RESPONSE TO CALTRANS MEMORANDUM OF UNDERSTANDING (MOU): DS Rivas reported that she took over communications with Caltrans when the district engineer left. The original MOU language was beyond the capabilities of the District's capacity to uphold. Director Peterson prepared a detailed rebuttal to protect the District. CalTRANS misunderstood the intention of the rebuttal and suggested terminating the discussions. The DS requested a follow-up meeting to discuss the District's concerns. President Spinner and Director Peterson agreed to partake in the call.

12m. CONSIDER DOG PARK MEMORANDUM OF UNDERSTANDING (MOU): Director Barassi provided a short history of the Dog Park project. The Recreation Commission did not allocate funds for the project. A group of volunteers took on the project stating they would fundraise for the park. The District had originally agreed to cover insurance but later modified the MOU to state that the dog park committee would be responsible for insurance, utilities, and dog waste removal. Staff was able to identify private donations for the first year. Mr. Barassi presented a revised MOU with lease terms of one year to synchronize with the annual expenditures. If the dog park committee is unable to raise funds for insurance, the MOU could be terminated. He added the requirement that a responsible party be identified for contractual purposes.

Member of the public, Nancy Reiser reported that the dog park committee did not accept the terms of the MOU and argued that it violated the Crockett Community Foundation terms since it would not cover insurance and utilities. Additionally, Ms. Reiser claimed that a grate had been lost from the District's garage. She provided an update on the work that has been done by various volunteers.

Other discussions were around the legality of the insurance requirement, the CSD was never to incur costs associated with the park, whether the program was to eventually be taken over by the CSD, the difference of opinions on who promised what in terms of responsibilities. Director Barassi stated that it is the responsibility of Ms. Reiser or other dog park committee volunteers to perform any research associated with the dog park operations, not District staff. President Spinner suggested that since the first year of insurance is paid for, the responsible party should sign the MOU to move forward and take the next year to figure out the insurance issue. Ms. Reiser refused to sign the MOU as drafted. A public comment via email was received on this item but no action was taken.

No action was taken on the item. Director Martinez left the meeting during this conversation at 10:22 pm.

12n. CONSIDER CROCKETT CHAMBER OF COMMERCE MEMORANDUM OF UNDERSTANDING (MOU): DS Rivas reported that the Crockett Chamber of Commerce has received funding from the Crockett Community Foundation to install decorative planners on the decorative streetlights on Pomona Street. The Lighting and Landscape Commission has reviewed and approved the project. The DS prepared an MOU with the terms of the project. Director Peterson reviewed the MOU for accuracy. Staff will confirm the insurance coverage. The Hercules Landscape Company will install, maintain, and carry the insurance. A motion was made to approve the MOU as drafted. (Peterson 1st, Barassi 2nd, 4/0, 1 absent)

13a. DISCUSS FINANCIAL MATTERS RELATED TO THE DISTRICT: Cash in account balances were received. The IGM reported the LAIF account balance is \$4,633,441.08.

13b. APPROVE TRANSFER OF FUNDS FROM AD VALOREM ACCOUNT NO. 3240 TO RECREATION 3241 AND TO CVSAN ACCOUNT NO.3426: The ASM/IGM reported on the memo included in the agenda that Recreation is experiencing a deficit in its spending power for the department to complete this year until their tax revenue is received later in the year in the projected amount of \$180,000. Factors that led to this

included the hiring of unbudgeted staff, overstaffing of lifeguards to cover the excess usage of the pool generated by the P66 swim safety passes program, the unbudgeted payout of a long-term employee, and lack of financial oversight of the pool ADA upgrades. While grant funds for the ADA project are expected, when they will be received is tenuous and potentially later than expected. Otherwise, the first round of Recreation tax funds will not hit the District's account until December. The Ad Valorem property tax fund is currently at \$731,000. Resolution 18/19-15 breaks down how this fund is typically allocated into the following departments: 85% to CVSAN, 14% to Recreation, and 1% to Maintenance but has not yet been split. The Sewer Use Charge for FY 24/25 includes an allocation of \$475,000 from the ad valorem account to CVSAN.

The ASM/IGM has met with the Board's Budget & Finance Committee and created three possible solutions that modify the percentage allocation of the Ad Valorem fund to address the deficit. She met with the Recreation Committee who voted to transfer the exact shortfall of \$180,000 (three in favor, one abstained, one was absent). Staff recommends the second bullet: \$180,000 to cover the deficit and \$200,000 to hire a recreation manager to create and manage community programs that can also generate revenues over the next two years. She noted that the recreation tax has not been increased since 2012 and should be reevaluated to consider increasing the tax through a ballot measure in two years.

After an extended discussion on the three bullet point options, there was a consensus to move forward with bullet point three: a minimum transfer of \$239,918 into CVSAN fund 3426, and to ensure the stability and increased community presence of the Recreation Department, availability of \$491,703.66 in ad valorem fund 3240 to be on hand to cover costs in Recreation fund 3241 of which 14% should be transferred into 3241, and utilize the remaining fundas as needed to fund a new Recreation Manager and stabilize the Recreation Department.

- 14a. REPORT FROM PERSONNEL COMMITTEE REPORT: The committee discussed the salary schedule.
- 14b. REPORT FROM BUDGET & FINANCE COMMITTEE: The committee met earlier to discuss the recreation deficit and utilizing ad valorem taxes.
- 14c. REPORT FROM POLICE LIAISON COMMITTEE: The committee did not meet in August.
- 14d. REPORT FROM CVSAN WASTEWATER COMMITTEE: The JUA's original July deadline was extended. Two Board members contributed to the draft response. The draft has been reviewed by the attorney and has been returned for clarification on exhibits.
- 14e. REPORT FROM MEMORIAL HALL ADVISORY COMMITTEE: The committee expects to have a meeting soon.
- 14f. REPORT FROM AD HOC COMMITTEES: No report.
- 14g. REPORT FROM INTER-AGENCY MEETINGS: No report.
- 15. FUTURE AGENDA ITEMS/BOARD COMMENTS: Item was not discussed.
 - Caltrans Maintenance Agreement
 - 1 Rolph Park Drive Ad Hoc Committee
 - Dog Park MOU
- 16. ADJOURNMENT. The meeting was adjourned at 11:18 pm until September 25, 2024.

Respectfully submitted,
Sonai Rivas, MBA
District Secretary