

CROCKETT COMMUNITY SERVICES DISTRICT

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MINUTES OF REGULAR BOARD MEETING: MAY 22, 2024.

1. CALL TO ORDER - ROLL CALL: The meeting was called to order at 7:03 pm by President Spinner. Present were Board Members, Martinez, Peterson, and Spinner. Director Mackenzie arrived at 7:04. Director Barassi arrived at 7:13.
2. CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER: None.
3. PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.
4. PUBLIC HEARING: None.
5. CONSENT CALENDAR: Item 5.b was pulled. Items 5.a and 5.c were approved. (Mackenzie 1st, Martinez 2nd, 4/0, 1 absent)
 - a. Approve Minutes of the CCSD Board meeting on April 24, 2024.
 - b. Receive minutes of commissions and committees.
 - c. Approve payment of District Bills.
6. ITEMS REMOVED FROM THE CONSENT CALENDAR:
 - 5b. MINUTES OF COMMISSIONS AND COMMITTEES: Director Peterson requested that the names of meeting public attendees should not be listed in the minutes. A sentence from the Police Liaison Committee report was requested to be removed. Minutes for commissioners and committees were received with the edit. (Peterson 1st, Barassi 2nd, 4/0, 1 absent)
- 7a. APPROVE RESOLUTION 23/24-27 OPPOSE INITIATIVE 1935 - TAXPAYER PROTECTION ACT: Initiative 1935 would restrict how taxes and fees are voted on by increasing voting approvals from a simple majority to a two-thirds majority. The Lighting and Landscape Measure L initiative would be immediately impacted. Should the initiative pass, it could possibly retroact any taxes and fees that have been collected. There was an expressed concern of the heavy-handed language and advocacy component of the resolution that was written by the CSDA (California Special District Association) but supports the opposition. Director Barassi motioned to approve the resolution with the removal of the "Be it further resolved" section. Approved (Barassi 1st, Martinez 2nd, 5/0)
- 7b. APPROVE RESOLUTION 23/24-28 – ANNUAL RECREATION SPECIAL TAX FOR FISCAL YEAR 23/24: The resolution is a requirement to notify the public how much the District will levy taxpayers for the recreation special tax to continue improving, maintaining, and operate the park and recreation facilities and services within the area served by the District. This tax was increased from \$50 to \$110 in 2012 in a ballot measure. The Recreation Commission had a brief conversation on the general

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

increase in costs. The 2012 ballot to increase the tax was written so that the tax could be reduced but could not be increased without a two-thirds vote. ASM Goodman added that from a financial perspective, the Recreation Department Manager is a part-time employee who also volunteers much of his time and will be retiring soon. Recreation may need to consider raising funds to adjust for a New Recreation Manager. Staff will discuss the issue with the Recreation Commission in January. The resolution to levy \$110 was approved. (Barassi 1st, Mackenzie 2nd, 5/0)

7c. CONSIDER RESOLUTION 23/24-29 COLA (COST-OF-LIVING-ADJUSTMENT) FOR FY 24/25: The District began implementing COLA adjustment but has not yet established a policy. The COLA applies to non-contracted employees, except seasonal employees since their rates are adjusted in January through annual State-mandated minimum wage rate increases and are administered on May 1st. The Personnel Committee has recommended the published consumer price index (CPI) with an effective date of July 1st to coincide with the new fiscal year. The April 2024 published CPI rate (as per the Consumer Price Indexes Pacific Cities and U.S. City average for All Urban Consumers within the San Francisco-Oakland-Hayward, CA area) is 3.8%. Director Peterson requested that the resolution be modified to state that the COLA will not exceed the CPI.

7d. CONSIDER RECOMMENDATIONS ON A POSSIBLE MAINTENANCE SPECIAL TAX INCREASE AND SET A DATE FOR A PUBLIC HEARING: After a brief discussion, the Lighting and Landscape Commission determined that funds were still available, and an increase was not warranted at this time. A public hearing is not required. Measure L funds are a continuous tax and will automatically continue at \$50 per residential parcel.

7e. RECEIVE THE CROCKETT SANITARY SEWER USE CHARGE (SUC) STUDY REPORT FOR FY 2024/25, CONSIDER RECOMMENDATION OF CROCKETT SANITARY COMMISSION ON INCREASING SUCS FOR THE TOWN OF CROCKETT, CONSIDER APPROVAL OF PROP. 218 NOTICE FOR CROCKETT ON PROPOSED RATE INCREASE FOR SEWER SERVICE, SET DATE FOR PUBLIC HEARING, AND ON METHOD OF COLLECTION: DE Murdock presented at the April meeting, the Board had requested that staff return with revised SUC calculations. The District engineer recommended the following SUC increases are recommended: SFR (single-family residence) from \$918 to \$1,153; Apartment from \$759 to \$822; and the volumetric rate for commercial and mixed-use properties from \$13.71 to \$21.23 per 100 cubic feet of water. There is a contingency amount that represents only 10% of the deficit. The SUC was not increased for FY 23/24. The Board was asked to consider that in addition to general inflation, the Construction Costs Index for the Bay Area has increased by 19% over the last two years. A professional rate study was suggested.

Crockett and C&H entered into a 10-year settlement agreement in 2012 that expired in 2022. Under that agreement, C&H's SUC increases would be capped at 3%. The District has continued to charge/increase their SUC by 3%. A request was made to add the 2012 Settlement Agreement to the next month's agenda.

A motion was made to accept the SUC study, version two, approve the mailing of the Prop 218 mailing, and set the hearing date for the July 24th Board meeting. (PETERSON 1st, Martinez 2nd, 5/0)

7.f. RECEIVE THE PORT COSTA SANITARY SEWER USE CHARGE (SUC) STUDY REPORT FOR FY 2024/25, CONSIDER RECOMMENDATION OF PORT COSTA SANITARY COMMISSION ON INCREASING SUCS FOR THE TOWN OF PORT COSTA, CONSIDER APPROVAL OF PROP. 218

NOTICE FOR PORT COSTA ON PROPOSED RATE INCREASE FOR SEWER SERVICE, SET DATE FOR PUBLIC HEARING, AND ON METHOD OF COLLECTION: Port Costa will be experiencing operator changes by October at a significantly higher rate. Port Costa Sanitary (PCSAN) commissioners have reviewed the proposed SUC rate increases and have voted to decline any increases on both occasions. Staff is in discussions with a potential contractor who will split their services between Crockett and Port Costa but Port Costa still requires up to three visits per week. Port Costa operates very close to their revenues. The worst-case scenario is that PCSAN runs out of funds, but some expenses must be paid. After a discussion on the current state of the financials, a Port Costa commissioner expressed that the commissioners were not confident in the financials, understood the financial implications, and still opted to decline to raise rates at this time. The Board accepted PCSAN's arguments against a rate increase for FY 24/25. A motion was made to accept the SUC study, a Prop 218 notice was not required and a public hearing for the method of collection is scheduled for the July 24th Board meeting. (Peterson 1st, Barassi 2nd, 5/0)

Chair Surges reported that he has reached out to the California Special District Association (CSDA) and Supervisor Glover's office in search of financial assistance to help mitigate a potentially never-ending increase in sewer charges.

7g. CONSIDER DRAFT NEWSLETTER TO BE INCLUDED WITH THE PROP 218 MAILING: DS Rivas presented a 2022 newsletter and explained that the updated newsletter will have the same required information but will update the Board directors.

7h. CONSIDER DRAFT MOU FOR PLAZA MAINTENANCE AND OPERATION: A Memorandum of Understanding between the Crockett Improvement Association and the District. The purpose of the MOU is to clarify the responsibilities of each party and differentiate between cleanliness and routine maintenance. The updated MOU has minimal changes including that recreation staff is performing daily maintenance at the downtown Plaza. The CIA will continue certain upkeep such as repairs, electricity, and water. A motion was made to enter into the MOU with the CIA as drafted. (Barassi 1st, Mackenzie 2nd, 5/0)

8a. DISCUSS FINANCIAL MATTERS RELATED TO THE DISTRICT: A LAIF transfer was made for Recreation. A trial balance is a new monthly report that shows the cash balance on each account at the bottom right-hand corner. Account 3240 is the District's primary account that collects property taxes, sewage charges, and recreation taxes are collected and dispersed to the appropriate account and has a balance of roughly \$800,000.

The ASM continues to meet weekly with Maze & Associates, granting access has proven challenging. Recreation facilities manager Witschi has been entering deposits and has successfully updated records up to June 2023. The LAIF account has \$4,631,236 and includes roughly \$50,000 in interest gains.

8b. CONSIDER REPORT ON BUDGET FOR FY 2023/24: The ASM is in preparation for meetings with department budget & finance representatives.

9a. MANAGERS' REPORTS RECREATION: The entire ADA update at the pool is expected to be completed by June 19th. Crockett has 14 new lifeguards, three of who are returning. There is enough staff to offer private parties on Saturday nights which has not been done in several years. Recreation received \$54,000 in grant funding for basic water safety. In addition to a goodie bag, the pool received a total of \$40,000 in family passes. The training was split into two days; the last one is on

June 1st. The pool is open now until school begins. The Walk of Honor was last week, back after a few years. The event raised \$46,000 with \$23,000 issued to the Crockett Memorial Hall fund. Board President Spinner received the check on Crockett's behalf. "And that's my report." Mr. Wilson is retiring and announced that June 30th is his last day. It's been a great 42 years. He will make himself available to complete the Prop 68 project, train, and will return for the holiday dinner. He has created and posted operational instructions throughout the pool area and has hired a pool manager.

9b. MANAGERS' REPORTS DISTRICT SECRETARY: DS Rivas thanked President Spinner and ASM Goodman for their efforts in helping with accessing health benefits. 2024 is an election year. Election day is November 5th. Candidates must file between July 15th and August 9th. The list of resolutions and ordinances has been updated with only five that have not been found. Resolutions and ordinances for the last two years have been scanned as well. The order of agendas will be modified to have manager reports earlier on the agenda so staff can leave after their reports. A retirement party for Ron Wilson is scheduled for June 30th at the Bass Club. CVSAN Commissioner Trask is coordinating the event.

9c. MANAGERS' REPORTS ADMINISTRATIVE SERVICES MANAGER: ASM Goodman has been working on paperwork for recreation seasonal staff onboarding. The Board will be recognizing Ron Wilson at the next meeting. There are a few employees who have hit milestone employment years. Although there is no official policy in place, staff will look into implementing a plan. A suggestion was made to name a building or the pool after him in honor of his service.

A Workplace Violence Protection Plan is a new Cal OSHA requirement. The ASM updated a template from the CSDA website and forwarded to the Personnel Committee for consideration. In the interim, an incident log has been created until the full Plan can be implemented.

9d. MANAGERS' REPORTS MAINTENANCE DEPARTMENT: Little progress has been made due to the focus on the SUC. Mr. Murdock will coordinate with Director Mackenzie regarding the installation of the doors at 1 Rolph Park Drive. Recreation staff will be painting the downstairs interior of 1 Rolph Park Drive. Director Peterson reported that the Memorial Hall Committee is losing Mr. Wilson leaving only 2, possibly 3 members. He is concerned that he has been unable to communicate with the engineer. The future of the project is questionable at this moment. Efforts will be made to locate the engineer. The maintenance of the streetlights falls under Measure L (lighting and Landscape).

9e. MANAGERS' REPORTS PORT COSTA SANITARY DEPARTMENT: Two new chemical pumps were purchased (~\$22,000) are being installed on Friday at Port Costa. Once installed and tested, the old ones will be mothballed for emergency backup. Some primary pumps that are installed at the front end of the treatment plant are no longer produced. If replacement parts are not identified, an upgrade will likely be recommended. The NPDES permit is being considered and expected to be approved on June 12th. Port Costa will need to begin testing for pesticides.

9f. MANAGERS' REPORTS CROCKETT SANITARY DEPARTMENT: The district engineer has been working on the SUC and the Alexander Park sewer repair consisting of 763 feet of 12-inch pipe. The project has encountered some challenges but is making progress.

9g. MANAGERS' REPORTS LIGHTING & LANDSCAPE COMMISSION: Mr. Murdock reported that recreation staff Ms. Morales has been doing a nice job cleaning the plaza. Ken Shaw has removed deadwood, brushes and trees at the Bridgehead under the direction of Steve Batchelder.

9h. MANAGERS' REPORTS GOVERNMENTAL MATTERS: Initiative 1935 was discussed earlier.

9i. ANNOUNCEMENTS AND DISCUSSION: No report.

- 10a. REPORT FROM PERSONNEL COMMITTEE REPORT: The District Secretary has been working more than 30 hours per week. The Personnel Committee recommends increasing the position to 30 hours per week and will bring it to the Board soon. The Committee also discussed staff safety, emergencies such as shelter in place and creating an emergency policy.
- 10b. REPORT FROM BUDGET & FINANCE COMMITTEE: No report.
- 10c. REPORT FROM POLICE LIAISON COMMITTEE: Flock brand license plate readers are used by most jurisdictions. They produce their cameras, monitor them, and are very costly. The lieutenant at the last meeting informed the committee of a different company, Rekor, that are being used by some jurisdictions. Flock is a lease program where Rekor products are owned by the buyer. Each system is integrated into Sherrif's network. Phillips 66 has committed partial funds with the condition that the District can solidify funding for three years of maintenance fees. C&H has been solicited and have committed but were not specific in the amount.
- 10d. REPORT FROM CVSAN WASTEWATER COMMITTEE: The JUA committee is made up of the ASM, the DE, CVSAN Commissioners Manzione and Bartlebaugh, and MacDonald serving as alternate. The District's attorney has two agreement document versions: one with C&H's edits, and the second one with the District's asks. A special meeting will be held on Friday, June 21st to focus on the JUA document. C&H has requested to share the land lease the District and is asking the District to indemnify them of inverse condemnation where one could argue that government regulations could deprive one of their economic asset.
- 10e. REPORT FROM MEMORIAL HALL ADVISORY COMMITTEE: No report.
- 10f. REPORT FROM AD HOC COMMITTEES: The Committee is working on significant changes, additions and forms to the Personnel Manual. These changes will be brought to the Board through a special meeting due to the magnitude of the changes.
- 10g. REPORT FROM INTER-AGENCY MEETINGS: No report.
11. FUTURE AGENDA ITEMS/BOARD COMMENTS: A discussion was had regarding replacing the Recreation Department Manager, qualifications and posting in employment networks. It was suggested to consider the process after the budget is approved.
- 2012 C&H Settlement Agreement
 - Caltrans Maintenance Agreement
 - Reduce Police Liaison Committee seats from seven to five.
 - Resolution authorizing the District Engineer to sign Emergency Contracts up to \$50,000.
 - Ron Wilson recognition.
12. ADJOURNMENT. The meeting was adjourned at 9:50 pm until June 26, 2024.

Respectfully submitted,
Sonai Rivas, MBA
District Secretary