

CROCKETT COMMUNITY SERVICES DISTRICT

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MINUTES OF REGULAR BOARD MEETING: JANUARY 24, 2024.

1. CALL TO ORDER - ROLL CALL: The meeting was called to order at 6:37 pm by President Barassi. Present were Board Members, Barassi, Martinez, Peterson and Spinner. Director Mackenzie arrived at 6:43 pm. Director Barassi left the meeting at 8:10 pm. Staff present included: Interim General Manager (IGM)/ District Secretary (DS) Rivas, District Engineer (DE) Murdock, Administrative Services Manager Goodman, and Sanitary Services Manager James Barnhill. CVSAN Commissioner Wais was also present.
2. CLOSED SESSION: The Closed Session began at 6:43.
 - a. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION.
 - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Govt. Code Section 54956.9: One case.”
 - b. CONFERENCE WITH LABOR NEGOTIATORS.
 - Public Employee Negotiations: Interim General Manager/District Secretary. Pursuant to Government Code Section 54957.6.
3. RECONVENE TO REGULAR SESSION: The regular session resumed at 7:41 pm.
4. REPORT ON CLOSED SESSION: President Barassi reported that one action was taken by the Board to authorize legal counsel to enter into a tolling and joint defense agreement with ASR C&H.
5. CALL TO ORDER — ROLL CALL, INSTALLATION OF OFFICERS, AND COMMITTEE ASSIGNMENTS: All Board members were present. DS Rivas thanked President Barassi for his three years as Board president. Mr. Barassi is excited to see a new generation coming into this leadership position. President Spinner expressed his appreciation for Mr. Barassi's three-year tenure. Spinner joined the Board about a year ago when the state of affairs was less than desirable but feels that things are going in the right direction. VP Martinez thanked Director Mackenzie for his support that brought her on the Board, and she expressed her intention to support President Spinner and the Board as best possible.

Director Barassi was appointed to the finance committee and President Spinner will remain on the personnel committee. No changes were made to other committees.
6. CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER: ASM Goodman requested to pull Item 9d. Crockett Sanitary (CVSAN) Commissioner Chair Manzione asked to move items 12e (CVSAN) and 13d (CVSAN Wastewater) out of order and present them as one report. He reported that the wastewater committee has three projects regarding the Joint Use Agreement (JUA) renewal: 1) renewal of the Joint Use Agreement (JUA) expressed as a modification of the original 1976 agreement with C&H, 2) the assessment of C&H billing to determine exactly what

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

the District is paying for, and 3) C&H invoicing to assure the District is billing correctly. Small breakout meetings have been established as part of the negotiation process: a) technical and pricing, b) legal and financial, and c) funding sources. Mr. Manzione commended the Board for appointing former general manager Dale McDonald to CVSAN as he brings a wealth of information useful for the negotiation process. The anticipated process includes a draft modified agreement that has been approved by both negotiating parties, then presented to CVSAN for approval, and finally presented to the Board for review and comment. The negotiation team will be clear that the Board is the signatory authority.

A brief discussion was had regarding the creation and management of sensitive confidential records. Both negotiation teams agreed that as long as the District is not a party to the current litigation issues C&H is undergoing and there is no direct influence on the negotiations, both sides have agreed to focus on the matters of the JUA. The District Board and CVSAN both consult with the same attorney.

7. PUBLIC COMMENTS ON NON-AGENDA ITEMS: Director Peterson announced that he expects to leave the Board between April and June of this year. He has asked CVSAN Commissioner Dale McDonald to apply for the seat.

A member of the public brought up the issue of repeated property damage in residential streets caused by large delivery trucks to and from C&H. She has posted on Facebook asking that the community take photos of truck license plates and report them to Greg Green (security manager) at C&H. Several agencies were discussed to contact to address the truck route issues including Caltrans and Contra Costa Public Works. Ms. Wais reported that existing truck signage is not legally approved signs and is therefore not enforceable. Director Peterson suggested that the issue be presented to the Crockett Improvement Association (CIA).

President Nick Spinner announced that a candidates' forum is scheduled for February 8th at the community center and is asking for assistance in planning the event. The event is tentatively scheduled to begin at 5:30 pm.

Ms. Wais inquired about the MOU for the Dog Park. She stated that the District is not supposed to pay for anything associated with this project. Director Peterson has drafted a Memorandum of Understanding (MOU), but no further progress has been made.

8. PUBLIC HEARING: None.

9. CONSENT CALENDAR: Item 9e was pulled for discussion. Item g was corrected from Approve to Receive. Items 9a-9c, 9f & 9g were approved. (Mackenzie 1st, Martinez 2nd, 3/0 in favor; 1 abstain, 1 absent)

- a. Approve Minutes of CCSD Board meeting on December 20, 2023.
- b. Receive minutes of commissions and committees.
- c. Receive payment of District bills.
- d. Receive Annual Report on the use of recreation taxes (Gov't Code Sec. 50075.3)
Item was removed.
- e. Receive annual CPA report. Item was pulled for discussion.
- f. Receive Resolution 2023-1 Allocation of Crockett Cogeneration Plant Property Taxes (Crockett Community Foundation).
- g. Receive proposed budget schedule for 2024.

10a ITEMS REMOVED FROM THE CONSENT CALENDAR: Items 9e: ASM Goodman reported that the 2022 and 2023 financial audits have not been completed. Ms. Goodman has been working with CPA Dave Farnsworth. The 2022 report submission deadline is February or March, and the 2023 report

submission deadline is May 2024. Mr. Farnsworth is on schedule to submit the District's financial report to the State Controller's Office. Ms. Goodman had reached out to him monthly with no response until January. The cause of the delays appears to be missing reports to the CPA.

Switching auditors every three years is good practice. President Spinner stated that finding a new CPA should be a staff-led task. ASM Goodman volunteered to prepare an RFQ to identify a new CPA. DS Rivas suggested that we consider identifying CPA firms by inquiring through membership services that the District is currently involved with for the RFP process.

- 10b APPROVE SALARY SCHEDULE TO MEET JANUARY 2024 REQUIREMENTS: The State mandated a minimum wage increase of \$.50. ASM Goodman presented the minimum wage increases for recreation staff and reported that the payroll for January reflected the increases listed. Approved (Martinez 1st, Mackenzie 2nd, 4/0, 1 absent)
- 10c APPROVE PERSONNEL AD HOC POLICY UPDATES: VP Martinez reported that the ad hoc committee has canceled the last two meetings, but a meeting is scheduled for the next day.
- 10d CONSIDER RESOLUTION NO. 23/24-15 RE-APPOINTING KAREN KLAIBER AND TOM LIST TO PORT COSTA SANITARY COMMISSION FOR TWO YEARS: Approved with corrections. (Mackenzie 1st, Martinez 2nd, 4/0, 1 absent)
- 11a. DISCUSS FINANCIAL MATTERS RELATED TO THE DISTRICT.: Effective January 1st, the LAIF statement balance is \$4,684,182.74 with an interest earned amount of \$47,056.63.
- 11b CONSIDER REPORT ON BUDGET FOR FY 2023/24.: Ms. Goodman continues to work on trying to prepare monthly summary sheets. Water usage data has been requested. She will be sending out meeting requests to budget and finance committee members for February meetings. Ms. Goodman will be meeting with Director Peterson for additional information on the budget process as it pertains to property tax allocations. President Spinner inquired about the purpose of the monthly statements. Director Peterson explained that monthly statements are a method of reconciliation with the County records and reflect any potential discrepancies in the District's accounting.
- 11c. DESIGNATE SIGNATORIES FOR THE COUNTY TREASURER AND AUDITORS/CONTROLLERS OFFICE: Nicholas Spinner and Diana Martinez will be added as signatories to the County Treasure and auditor/Controller's office. Staff will update other signatories based on current conditions.
- 12a. MANAGERS' REPORTS RECREATION: RDM Wilson was not in attendance. DS Rivas reported on his behalf. Recreation passed their health department inspection. The John Swett High School swim team starts on February 5. Ms. Rivas reminded the Board that rates had recently increased but Mr. Wilson has not reported on how the rate increases were received by the schools. There was a mandatory site visit on January 19th for the Alexander Park Improvements bid (Prop 68) for handicap accessibility improvements. Bids are due February 9 at 2 pm.
- 12b. MANAGERS' REPORTS DISTRICT SECRETARY: DS Rivas reported that she is working on distributing the Form 700 forms (Statement of Economic Interest). The office has continued to hold staff meetings on Thursdays. We are continuing to make progress on the maintenance of the building. She commended staff for their efforts on the JUA agreement. Weekly staff meetings have continued and have been informative and productive.
- 12c. MANAGERS' REPORTS MAINTENANCE DEPARTMENT: Mr. Murdock reported that the front doors at 1 Rolph Park Drive will be installed soon. He reported that Revival Coffee is doing well. The coffee cart passed all inspections and is fully insured. The ramp roof does not have sprinklers.

Director Mackenzie reported that the installation of sprinklers is not necessary unless there is a major remodel of more than 50% of the building.

DS Rivas reported that the local fire station was in the parking lot and asked for a tour of the building. The building is complicated but now they are now better equipped to enter the building should there be a fire.

12d. MANAGERS' REPORTS PORT COSTA SANITARY DEPARTMENT: SDM Barnhill reminded the Board of the electrical pole fire in Port Costa in December. The generator ran continuously for 700-plus hours of continual use. Before this incident, as of October, the generator had a total of 396 hours of run time. It is a standard recommendation to load bank emergency generators after approximately 13 to 20 hours of run time. The generator maintenance contractor performed full-service maintenance in January: oil, fuel, and filters. The engine oil was sent out for metals analysis, he said that he plans to run the metals analyses annually. The oil filter was blackened and replaced. Mr. Murdock said that staff will see if there's an exhaust system leak into the generator enclosure.

The three-cylinder Kubota (25 Kilowatt) generator seems to be in good shape. Full-service is typically performed in October /November in anticipation of wet weather but this incident moved this task earlier. He will reassess the generator in October and determine if it warrants another full service. The septic tank was cleaned. The surface solids, scum, were removed by vacuum truck. The truck departed with a full load.

Director Mackenzie reported that the property owner of the pole's location sent a check for almost the entire damage estimate in case he was the responsible party but asked for a hold until that decision was made. Mr. Mackenzie expects to meet with a railroad representative soon to assess and identify the responsible party.

12e. MANAGERS' REPORTS CROCKETT SANITARY DEPARTMENT: Mr. Murdock reported a large Sanitary Sewer Overflow (SSO) on January 3rd on Edward Street. He reported 30,000 gallons went down the storm drain as estimated from the time sanitary staff was informed but the actual amount may be higher. The volume qualifies this as a class one spill and therefore reported to the State Waterboard. The high volume is due to multiple property lines located on a slope. The spillage originated from two laterals at 555 and 535 Pomona which are in good shape and likely the result of an unknown blockage.

Staff have received the water data from EBMUD which is needed to calculate sewer use fees. Staff continue to work on the JUA renewal.

12f. MANAGERS' REPORTS LIGHTING & LANDSCAPE COMMISSION: Mr. Murdock reported that the Lighting and Landscape (L&L) will begin clearing the north side of Pomona Street through Alexander Street and clearing between five to ten feet of County property. The Crockett Improvement Association has previously requested the County to clear this area with no response so the L&L Commission decided to move forward and clear the area.

12g. MANAGERS' REPORTS GOVERNMENTAL MATTERS: ASM Goodman reported that LAFCO (Contra Costa Local Agency Formation Commission) has an opening for a seat on their board. The incumbent is Michael McGill from the Central Sanitary District who will be seeking a reappointment. As a voting member, CCSD can nominate a representative if there is interest. The process requires a nomination by a board, approved by resolution, and submitted by March 11. President Spinner nominated Director Mackenzie who accepted. Staff will work on preparing the resolution for the February agenda.

DS Rivas reported that she reconnected with Harpreet Sandhu of Congressman Garamendi's office at a business mixer. They have a local office in Richmond.

12h. ANNOUNCEMENTS AND DISCUSSION: No report.

13a. REPORT FROM PERSONNEL COMMITTEE REPORT: No report.

13b. REPORT FROM BUDGET & FINANCE COMMITTEE: No report.

13c. REPORT FROM POLICE LIAISON COMMITTEE: NO Report.

13d. REPORT FROM CVSAN WASTEWATER COMMITTEE: DS Rivas reminded the Board that CVSAN Chair Manzione presented a combined report for CVSAN and Wastewater.

13e. REPORT FROM MEMORIAL HALL ADVISORY COMMITTEE: No report.

13f. REPORT FROM AD HOC COMMITTEES: No report.

13g. REPORT FROM INTER-AGENCY MEETINGS: No report.

14. FUTURE AGENDA ITEMS/BOARD COMMENTS: Director Mackenzie announced that the fire department received a new water tanker that was partially funded by the Crockett Community Foundation.

- Resolution approving Martin Luther King, Cesar Chavez, and Juneteenth holidays.
- Annual Report on the use of recreation taxes (Gov't Code Sec. 50075.3)

12. ADJOURNMENT. The meeting was adjourned at 9:00 pm until February 28, 2024.

Respectfully submitted,
Sonai Rivas, MBA
District Secretary