

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

January 12, 2021

*Valley Sanitary District conducted this meeting in accordance with California Governor Newsom's Executive Orders N-29-20 and COVID-19 protocols.*

A regular Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held via videoconference, on Tuesday, January 12, 2021.

**1. CALL TO ORDER**

President Sear called the meeting to order at 1:01 p.m.

**1.1 Roll Call**

Directors Present:

Debra Canero, Dennis Coleman, Mike Duran, Scott Sear, William Teague

Staff Present:

Beverli Marshall, General Manager, Holly Gould, Ron Buchwald, Jeanette Juarez, and Robert Hargreaves, Best Best & Krieger

**1.2 Pledge of Allegiance**

**2. PUBLIC COMMENT**

*This is the time set aside for public comment on any item not appearing on the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.*

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None.

**3. CONSENT CALENDAR**

**3.1 Approve December 29, 2020 Special Meeting Minutes**

**3.2 Approve Warrants for December 23, 2020 to January 6, 2021**

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**ACTION TAKEN:**

**MOTION:** Director Teague a motion to approve the consent calendar items as presented.  
Director Duran seconded the motion. Motion carried unanimously.

**MINUTE ORDER NO. 2020-3074**

**4. NON-HEARING ITEMS**

**4.1 Approve Purchase of New Telephone System from Southwest Networks**

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The District's current Cisco UG560 Voice over Internet Protocol (VOIP) telephone system, implemented in 2011, is outdated and no longer meets the District's needs. Staff contacted three (3)

telecom providers for quotes to replace/update the existing hardware. Only Southwest Networks was able to provide the District with a new system upgrade compatible with the current Spectrum voice service. The proposal from Southwest Networks includes warranty, support, initial training, new upgraded equipment, and user licenses (app and web-based app) for all employees. The new system is compatible with the District's SCADA system. This contract will be funded using Board approved carryover operating funds from FY2019/20.

**ACTION TAKEN:**

**MOTION:** Director Duran made a motion to delegate authority to the General Manager to negotiate and execute a contract with Southwest Networks to purchase new phones and software upgrades for a total cost not to exceed \$25,000 including tax and instillation upon approval as to form by Valley Sanitary District's General Counsel. Secretary Canero seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

**MINUTE ORDER NO. 2020-3075**

#### 4.2 Cal/OSHA COVID-19 Prevention Standards Cubicle Rentals and Purchase of Computers

As of December 1, 2020, Cal/OSHA's emergency regulations requiring employers to protect workers from hazards related to COVID-19 are in effect, following their approval by the Office of Administrative Law. The regulations require that employers implement a site-specific written COVID-19 Prevention Program (CPP) to address COVID-19 health hazards, correct unsafe or unhealthy conditions and provide face coverings. One (1) of the compliance requirements in the CPP is the control of COVID-19 Hazards as it relates to physical distancing. The requirement states that where possible to always ensure at least six (6) feet of distancing in the workplace. To help remedy the current workspace situation the team has developed a plan to rent and install temporary cubicles to assist with the Cal/OSHA physical distancing requirement and six (6) additional desktops would also need to be purchased to eliminate equipment sharing. The fiscal impact to implement the physical distancing standards would be \$35,781 for 12-month cubicle rentals and \$7,625 for six (6) new desktop computers. A budget adjustment would be required to include this expense in the current FY2020/21 budget. To help recover some of the costs a FEMA grant application would be submitted to cover the cost of the cubicle rentals. After some discussion, the Board requested that this item be brought back at the next regular board meeting on January 26, as an action item.

#### 4.3 Wastewater rate Study Update

Jeanette Juarez presented the committee with the draft technical memo prepared by NBS for the Comprehensive Wastewater Rate Study. It addresses three (3) key issues; the development of net revenue requirements from FY2021/22 to FY2040/41, the establishment and maintenance or reserve funds and targets, and the funding of the districts' Capital Improvement Program. NBS developed three (3) financial plan alternatives for district staff and the board of directors to consider; alternative 1 full funding of CIP, no debt, alternative 2 full funding of CIP with \$150 million in debt, and alternative 3 full funding with \$185 million in debt. Secretary Canero and Director Duran requested the Board have a wastewater rate study session to be able to dive deeper into the information provided. Ms. Juarez informed the committee that a special meeting has been scheduled on January 19, 2021 to meet with NBS. The Board will have the opportunity ask questions and get more information from the consultants. Secretary Canero requested the topic of staffing requirements be addressed with NBS and how it will affect the study.

#### 4.4 Board Laptop Quotes

Pursuant to the Governor's Executive Order N-25-20 issued on March 4, 2020 and N-29-20 issued on March 18, 2020; the Board of Directors regular meeting and committee meetings are now held via Zoom to comply with physical distancing protocols. The remote work arrangements are just one-way Valley Sanitary District is assisting in the control of COVID-19 hazards. However, the use of new technology also means that new resources and upgrades must be made to ensure that the organization runs efficiently. For this reason, the Board of Directors requested quotes for new laptops for the Directors to use for official District business. The new laptops will make it faster and more efficient for the Directors to conduct official business and attend Board and Committee meetings. Currently the directors rely on District issued iPads with more limited capabilities. Staff provided information on three different laptop options. A budget adjustment would need to be executed to include the expense in the FY2020/21 budget. The budget adjustment could range from \$5,120 to \$7,128. The Board likes the idea of being able to use a laptop in conjunction with their tablets for board meetings and virtual conferences. The Board has requested that staff bring this item back before the Board as an action item.

### 5. **GENERAL MANAGER'S ITEMS**

#### 5.1 Monthly General Manager's Report - November 2020

Ms. Marshall informed the Board that the District has finally passed the toxicity testing. Staff has been struggling with identifying the cause and after a lot of hard work has been able to remedy the situation and pass the testing requirements. Caselle will be conducting live trainings the first two week of February and there is a hard deadline of June 30, 2021 to have the new system fully implemented. The Board thanked Ms. Marshall for her leadership and staff for their hard work in solving the toxicity issue.

#### 5.2 Update on COVID-19 Regional Lockdown and Related Impacts on District Operations

Ms. Marshall updated the board with the current COVID mandatory stay at home order that was put into place on December 9, 2020. As of December 29, Governor Newsome extended the order for three more weeks. The district will continue with the Team A/Team B schedule with half of the operations, maintenance and collections staff alternating working from home. The split schedule is posing to be quite a struggle. There are many projects that have been delayed to the lack of staff. Unfortunately, the District will not be able to maintain this schedule for much longer and will have to bring staff back fulltime. As of now the A/B schedule will remain in place throughout the end of January. The District did have an employee test positive for COVID-19. All legal and procedural requirements have been followed. The impact of exposure was reduced due to the split schedule. As of now, wastewater workers are included in tier 1C for the COVID-19 vaccine. The earliest staff would be able to receive the vaccine would be March or April 2021.

### 6. **COMMITTEE REPORTS**

#### 6.1 Budget & Finance Committee – Draft January 5, 2021 Regular Meeting Minutes

Chairman of the Budget & Finance Committee, Dennis Coleman, gave a report to the Board on the committee meeting. He informed the Board of the Audit Services recommendation staff brought before the committee. The recommendation is to bring the proposal from Davis Farr LLP before the

board for approval. Their proposal was clear, concise, and demonstrated a strong understanding of the scope of work with very good references. Chairman Coleman also informed the Board of his request for staff to look at the District's Cal Trust investments and the possibility of a financial manager for the District. The Board thanked the committee and appreciated the minutes of the meeting.

## **7. DIRECTOR'S ITEMS**

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None.

## **8. INFORMATIONAL ITEMS**

### **8.1 Vacation Leave Balances and Cost for Payout for All Employees**

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Jeanette Juarez presented the requested information of accrued hours and liability of vacation hours for all employees. Director Canero was concerned that more than half of employees have more than a month of accrued vacation. She requested that the General Manager come up with a plan so staff can begin to take vacation time. Ms. Marshall informed the Board that Ms. Juarez is scheduled to bring a report before the board that will discuss this issue.

## **9. PUBLIC COMMENT**

*This is the time set aside for public comment on any item to be discussed in Closed Session. Please notify the Secretary in advance of the meeting of you wish to speak on an item.*

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None.

## **10. CONVENE IN CLOSED SESSION**

*Items discussed in Closed Session comply with the Ralph M. Brown Act.*

10.1 Pursuant to Government Code Section 54954.5  
Public Employee Performance Evaluation  
Title: General Manager

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The Board adjourned to closed session at 2:46 p.m.

## **11. CONVENE IN OPEN SESSION**

*Report out on Closed Session items.*

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The board reconvened to open session at 3:30 p.m. President Sear reported that Vice President Coleman and Director Duran have been appointed to the General Manager Evaluation Committee.

## **12. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 3:32 p.m. The next special board meeting will be held January 19, 2021.

Respectfully submitted,

Holly Gould, Clerk of the Board  
Valley Sanitary District