



REGULAR MEETING MINUTES
Graton Community Services District (GCSD)
Meeting of the GCSD Board of Directors
Monday, August 21, 2023 at 6:00 PM
Various Locations – Teleconference Meeting Pursuant to
Executive Order N-29-20

1. CALL TO ORDER 6:05 PM

A. BOARD ROLL CALL - Determination of a Quorum

Board President, David Upchurch, H; Board Secretary, Jennifer Butler H; Max Wilmarth H; Devin Drew H; Ravi Alimchandani H.

2. APPROVAL OF THE AGENDA

Max Wilmarth Motioned to approve the order of the agenda and Jennifer Butler Seconded

Board President, David Upchurch, Y; Board Secretary, Jennifer Butler Y; Max Wilmarth Y; Devin Drew, Y; Ravi Alimchandani Y.

3. REPORT OUT OF CLOSED SESSION

A. Real Property Negotiations – Cal. Gov. Code S 54956.8

9155 Graton Road, Graton

Negotiating party:

District Negotiators: Chad Davisson, General Manager, Debra Johnson, BHHS Sonoma County Properties

Seller Negotiator: Ron Welsh, Sonoma County Real Estate

Claire Lai gave a verbal report and advised that during Closed Session on July 21, 2023 the Board by a vote of 4 to 1, with four directors present and one absent, approved the agreement to purchase the property at 9155 Graton Road, Graton for the amount of \$860,000 and authorized General Manager Davisson to make an offer for said amount to conclude negotiations and execute the agreement.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format or requires another person to assist you while attending this meeting, please contact staff at the Graton Community Services District office at (707) 823-1542 as soon as possible (no later than 10 days before the scheduled meeting) to ensure that arrangements for accommodation may be provided.

B. Existing Litigation – Cal. Gov. Code S54956.9(d)(1) Case Name: FMJ Graton Associates, LLC v. Graton Community Services District (SVC-272534)

At the closed session meeting on June 26, 2023 the Board by a vote of 4 to 1 with 4 directors present and 1 director absent, authorized settlement with FJM Graton Associates LLC for an amount of \$35,000 and authorized the General Manager to execute a settlement agreement.

4. PUBLIC COMMENT

At this time, the public may address the Board on subjects not on the agenda. Comments may not exceed three (3) minutes in length. While State Law prohibits Board action or discussion on any item not on the agenda, members of the Board may briefly respond to statements or questions from members of the public, provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting, or take action to direct staff to place a matter on a future agenda. Members of the public are asked to submit a speaker card for public comment in advance of the Chair calling for public comments.

Marcy Greeley and Nancy S members of the public were in attendance for a portion of the meeting. There were no public comments provided at this time. Director Drew was seeking to share public comment as a citizen living in the district and was advised that a Director of the Board may not share public comment during Public Comment, but may share during Board Member Reports section of the agenda.

5. CONSENT CALENDAR

Consent Calendar items are considered routine and will be adopted in one single motion with no separate discussion of the items. Directors or members of the public can request that specific items be removed from the Consent Calendar. When item(s) are removed, the Board will adopt the remaining Consent Calendar items in one single motion. After approval of the Consent Calendar, the Board will take action on pulled items as Business Before the Board.

A. REVIEW AND APPROVE SPECIAL MEETING MINUTES FROM JULY 21, 2023

Draft Minutes of July 26, 2023 Meeting

Director Drew requested the July 21, 2023 Draft Minutes be removed from the Consent Calendar. Director Drew stated he was present for the beginning of the meeting but lost connection before the end of Closed Session and would like the Minutes corrected.

The Minutes were pulled from the Consent Calendar for correction and will be reviewed by the Board at the next meeting.

6. BUSINESS BEFORE THE BOARD

A. CONSIDER AND POTENTIAL ACTION AMENDING AN EXISTING SERVICE AGREEMENT WITH MANZANA PRODUCTS CO. TO ALLOW INCREASED FLOW VOLUMES

Staff would recommend the increased flows be approved by the Board.

Director Wilmarth Motioned that we authorize our staff to negotiate the terms to the amended contract and bring back to the Board for their approval at their next regularly scheduled meeting.

The Motion was made by Director Wilmarth and Seconded by Director Drew.

Board President, David Upchurch, Y; Board Secretary, Jennifer Butler Y; Max Wilmarth Y; Devin Drew Y; Ravi Alimchandani Y.

B. RECEIVE REPORT REGARDING BOARD POLICIES RELATING TO MEETING AGENDA PREPARATION AND RELATED PROCEDURES

Board Policies Related to Agenda Preparation and Duties of Board President

In 2021 The Board approved several policies. General Manager Davisson provided the Board with copies of them.

Director Drew expressed his opinions and concerns regarding the timeliness of Board and Public notifications and receipt of Board agendas and documents. Director Drew requested staff share draft meeting minutes with the board as immediately as possible after meetings, and provide draft meeting agendas with the board and public as early as possible. He requested that draft agendas be shared 10 or more calendar days in advance of a regular meeting.

After considerable discussion, the Board requested General Manager Davisson bring back, to a future meeting, a review of those policies establishing agenda preparation procedures along with any recommendations for revisions that should be considered.

C. RECEIVE REPORT AND UPDATE REGARDING AUTHORIZED SERVICES AND FACILITIES FOR THE DISTRICT UNDER APPLICABLE STATE LAW

General Manager Davisson received a request from Director Drew to obtain verification that the District is authorized to provide services specifically related to the proposed town square. The founding documents related to the creation of the Graton Community Services District include providing parks and recreation services and sewer services. Legal Counsel Claire Lai provided a handout listing the general powers of a "Community Services District". Counsel reviewed the authorized services in depth with the Board. The directors asked several questions and Legal Counsel provided the responses to their questions.

D. RECEIVE A REPORT FROM THE TOWN SQUARE AD HOC COMMITTEE REGARDING FUNDING FOR PROCUREMENT, DEVELOPMENT AND ONGOING OPERATION/MAINTENANCE OF THE TOWN SQUARE PROPERTY

The district was very interested in a piece of property and discussed all of the particulars regarding the property. We are currently under contract with the seller of the property, and we requested 60 days to do our due diligence to discuss all of the particulars. The seller also has a 60-day due diligence. The buyer's due diligence will not start until the sell due diligence is complete. During the due diligence of the seller or buyer, either party can withdraw from the contract with no penalty. The Ad Hoc Committee will provide future updates as appropriate.

E. RECEIVE A STATUS REPORT FROM THE GENERAL MANAGER ON ACTIVITIES RELATED TO THE GRANT FUNDED SEWER ASSESSMENT PLANNING PROJECT

The project schedule was included in the Board packet provided by our engineering firm West Yost. In 2017 the district received a grant for the planning of the sewer collection system. We will also apply for another grant for the construction of the sewer collection system. General Manager Davisson explained that as of the date of the meeting, West Yost and conducted inspections of both the lift stations, has contracted with a sub for the cleaning and inspection work of the entire collection system and will be starting manhole inspection work within the next two weeks.

F. ADOPT RESOLUTION NO. 230821A APPROVING AN AGREEMENT WITH SONOMA COUNTY FOR COLLECTION OF SPECIAL TAXES, FEES, AND ASSESSMENTS.

This is an annual business item. This authorizes Sonoma County to be the collector of the District's annual sewer service fees. General Manager Davisson gave a brief description of above items to the Board. He advised the Board the wording is the same as last year and only the dates were changed.

Director Drew Motioned to approve Resolution 230821A for collection of the special taxes, fees and assessments and David Upchurch seconded.

Board President, David Upchurch, Y; Board Secretary, Jennifer Butler Y; Max Wilmarth Y; Devin Drew, Y; Ravi Alimchandani Y.

G. REVIEW AND APPROVE FINAL JUNE AND JULY 2023 FINANCIAL REPORTS

General Manager Davisson reviewed each report in detail with the Board and answered all questions that were asked.

Director Wilmarth Motioned to approve the June and July 2023 Financial reports and Director Alimchandani seconded.

Board President, David Upchurch, Y; Board Secretary, Jennifer Butler Y; Max Wilmarth Y; Devin Drew, Y; Ravi Alimchandani Y.

7. **INFORMATIONAL ITEMS FROM STAFF** – (No action required) The following items are informational in nature. Staff is available to the Board and Public to provide any additional information requested.

A. Receive an update on the Forestville/GCSD Recycled Water activities

We are setting up a joint meeting with Forestville Water District. They are at a point where a lot of decision making needs to be made on various items. They would like to explore the opportunity of working with Graton.

B. Receive an update on the Occidental pipeline project

Our next Regular meeting will be held at the Community Center. Sonoma County Water Agency asked to attend the meeting and provide a presentation to update us on the Occidental pipeline project. Sonoma County Water Agency has asked that all members of the Board attend that meeting in person. Sonoma County Water Agency will be issuing a press release and will distribute it to the public. The press release will be submitted to the residents of Graton and Occidental.

C. Update on District Connection Audit

We are still working on this project. We have maps of our service area and the parcels that are owned by the citizens. We are looking at the parcels from the county that have property taxes being collected and we are not collecting sewer fees from. So that will be our basis for checking on those properties to see if there are sewer connections there. General Manager Davisson will be returning to the Board with his recommendations in addition to other resources that may be needed, etc. It is important that we do this periodically to make sure people are not receiving free sewer service and make sure for safety reasons that we are aware of all connections to our sewer line.

D. Receive an update on the FY 2022-23 Financial Audit

General Manager Davisson has provided the auditor with the engagement letter. He has responded to the standard questions that are asked. President Upchurch and Director Butler has answered her questions as well. We anticipate having a draft audit to present at the November meeting.

E. Receive an update on the NPDES Permit Renewal Status

These permits have a five-year duration, however they can be extended beyond that, so we are actively working with the state on the renewal and all of our renewal information has been sent. The permit will be renewed by April next year. They are currently looking at what the next five years looks like for Graton. What capital projects we have ahead. They want to make sure the permit will not have to be amended after it is issued. We have so many unknowns at this point with all of the projects we are currently working on. We provided them with as much information as we could.

8. GENERAL MANAGER'S REPORT TO THE BOARD

A. Treatment Plant Operations Update

- Operations Report – June 2023 Operations Report
- Overtime report

The Operations and Overtime reports were reviewed and discussed. Questions were asked and answers were provided to the Board.

9. GENERAL MANAGER ANNOUNCEMENTS

General Manager Davisson will be away from August 28th thru the 31st. He had nothing additional to report at this time.

10. BOARD MEMBER REPORTS

Directors Wilmarth and Butler listened to the Committee for Unincorporated Government session to help determine what needs and support are needed. The two supervisors attended. Secretary Butler and Director Wilmarth talked with the Board and mentioned the various items that were discussed. They provided input on behalf of Graton.

Director Drew reported that, before the Board meeting, he shared a draft resolution directly with other Board members as one example of how he believes the district's decision to pursue real property can be separated into a transparent/open session component in addition to the closed session for property contract negotiation details. Director Drew stated his belief that the district can do a better job of transparency.

11. FUTURE AGENDA ITEMS FOR CONSIDERATION

Revisions to the policies

Closed Session for GM performance evaluation

Allow additional time in the meetings to discuss the Mission Statement and other needed items

Constituent outreach for what the public wants and for financial help for the additional development of the new property.

12. ADJOURNMENT 9:30 PM

Minutes Approved

Date