

*Rosamond Community Services District
Regular Board Meeting – Minutes
Wednesday, May 10, 2023 @ 5:30PM*

**REGULAR MEETING OF THE
BOARD OF DIRECTORS
ROSAMOND COMMUNITY SERVICES DISTRICT**

5:30PM Closed Session
6:00 PM Regular Board Meeting
Wednesday, May 10, 2023
District Board Room
3179 35th Street West
Rosamond, CA 93560

Teleconference
1-877-411-9748
Access Code: 5150560
Teleconference Address:
Hotel Abrego
755 Abrego St.
Monterey, CA 93940

Minutes

CALL TO ORDER

The meeting was called to order at 5:32 PM by Vice President Ben Stewart.

ROLL CALL

Director Greg Washington	Present
Director Alfred Wallis	Teleconference
Director Rick Webb	Present
Vice President Ben Stewart	Present
President Byron Glennan	Teleconference
General Manager (GM) Kim Domingo	Present
Director of Public Works John Houghton	Present
Director of Administration Sherri Timm	Present
Legal Counsel, John Komar, Esq.	Teleconference

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

A motion to approve the agenda was made by Director Webb and seconded by Director Washington.
Motion passed 5/0, all ayes.

PUBLIC COMMENTS

(At this time, any person may address the Board on any subject within the District’s jurisdiction which is not on the agenda. However, any non-agenda matter will be referred to staff for a report and/or action at a subsequent Board meeting and no action can be taken on any such item discussed unless the action has been authorized under §54954.2(b) of the Government Code. Any person may also address the Board on any agenda matter at the time that matter is discussed, prior to Board consideration and action. Speakers are requested to limit comments to five (5) minutes.

None

VOLUNTARY PUBLIC ROLL-CALL VIA TELECONFERENCE

(If any member of the public on the teleconference/video conference wishes to identify themselves as present for this meeting, please do so for the records/minutes)

CLOSED SESSION

A motion to go into Closed Session at 5:35 PM was made by Director Washington and seconded by Director Webb.

Motion passed 5/0 all ayes.

CS 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2)
One Potential Case.

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION

A motion to come out of Closed Session at 6:00 PM was made by Director Washington and seconded by Director Webb.

Motion passed 5/0, all ayes.

X No Reportable Action _____ Reportable Action by: _____

6:00 P.M. OPEN SESSION Time: 6:03 PM

PUBLIC COMMENTS

(At this time, any person may address the Board on any subject within the District's jurisdiction which is not on the agenda. However, any non-agenda matter will be referred to staff for a report and/or action at a subsequent Board meeting and no action can be taken on any such item discussed unless the action has been authorized under §54954.2(b) of the Government Code. Any person may also address the Board on any agenda matter at the time that matter is discussed, prior to Board consideration and action. Speakers are requested to limit comments to five (5) minutes.

Mr. Dave Snyder asked if reclaimed water is available for construction use. Staff was directed to research the matter and respond to Mr. Snyder.

VOLUNTARY PUBLIC ROLL-CALL VIA TELECONFERENCE

(If any member of the public on the teleconference/video conference wishes to identify themselves as present for this meeting, please do so for the records/minutes)

John Joyce – Rosamond News
Steve Perez

CONSENT CALENDAR

CC 1 Receive Check/Voucher Register dated April 18, 2023 through May 1, 2023, Payroll (Direct Deposit) dated April 26, 2023.

A motion to approve CC 1 was made by Director Webb and seconded by Director Washington.

Motion passed 5/0, all ayes

MINUTES

M 1. Approve April 24,2023 Government/Community Relations Committee Meeting Minutes

M 2. Approve April 24, 2023 Sewer Committee Meeting Minutes

M 3. Approve April 24, 2023 Policy Committee Meeting Minutes

M 4. Approve April 26, 2023 Regular Board Meeting Minutes

A motion to approve M 1 through M 4 was made by Director Washington and seconded by Director Webb.

Motion passed 5/0, all ayes.

PUBLIC HEARING

PH 1. Annual Budget Adoption (Presenter District Finance Consultant Dr. Brad Rockabrand.)

A. Public Hearing regarding the adoption of Resolution No. 2023-7.

1) A motion was made to open the Public Hearing at 6:08 PM by Director Washington and seconded by Director Webb.

The motion passed 5/0 by the following roll call vote:

Director Greg Washington Aye
Director Alfred Wallis Aye
Director Rick Webb Aye
Vice President Ben Stewart Aye
President Byron Glennan Aye

2) Presentation from District Finance Consultant Dr. Brad Rockabrand.

Dr. Rockabrand explained the District is going into its third year of the 2021 Rate Study. A \$700,000 deficit was forecast in the third year. This approach was intended to smooth the impact of the rate increases while simultaneously getting the District's reserves replenished over the five-year study period. The FY 2023-24 budget shows better than expected results. It is a balanced budget and does not have the anticipated deficit due to better than expected year to date actuals in fiscal year 2022-2023 and the carryover savings. Dr. Rockabrand noted that there was a change in the amount of \$75,000 that was added to Power expense at the Water Reclamation Plant.

3) Receipt of public testimony.

Yolanda Ash asked if a copy of the budget was available to the public. District staff informed her it was available on our website.

Never Lewis questioned why the sewer and water are fees placed on the property tax roll. She stated the public had voted to not put them on the tax roll previously. She felt it is unfair for RCSD to continue charging the fees in this manner since it was already voted on. She stated RCSD does not do anything for the community.

Director Webb responded that some of the community services were discontinued when Kern County took over jurisdiction of the parks. He encouraged the community members to approach RCSD staff with ideas for community events.

Dave Snyder expressed that more residents need to help pay for the swimming pool, other than the few who are charged on their property tax bill. He recalled that voters gave RCSD authority over the parks but did not approve a funding source.

Director Webb suggested Mr. Snyder attend the monthly RMAC meetings and speak to 2nd District Supervisor Scrivener's Field Representative, who is a regular attendee.

Ardella Birdsong stated she has seen great change since moving here in 2004. She is still being charged for the park on her property tax bill and doesn't understand why since Westpark is not functional.

Yolanda Ash also said she was concerned about rate increases and irrigation water waste in town. There are a lot of weeds proliferating in the community that used to be taken care of. She said she doesn't mind paying for services but wants to know what she is paying for.

Vice President Stewart responded that many of the funds RCSD has are restricted to specific uses, making it difficult for the District to do work outside of its main scope. He thanked the public for their comments and empathized with the frustrations that they expressed.

GM Domingo reminded the audience that 99 percent of the complaints they expressed are with Kern County. He welcomed their complaints and committed to helping the members of the community find the proper people at the County to contact.

4) Closing of Public Hearing at 6:37 PM

B. Adopt Resolution No. 2023-7, adopting the Annual Budget for the Fiscal Year Ending June 30, 2024.

A motion to adopt Resolution No. 2023-7, adopting the Annual Budget for the Fiscal Year Ending June 30, 2024 was made by Director Webb and seconded by Director Washington.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Aye
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

New Business

NB 1. Approve Agreement and First Task Order with Cannon Corporation for Biosolids Disposal Analysis Report. (Presenter GM Domingo).

GM Domingo informed the Board that the District must submit a work plan to the California Regional Water Control Board, Lahontan Region, that will address the disposal of biosolids that have accumulated in the oxidation ponds. The ponds are no longer used for treatment. A draft work plan was submitted to Lahontan on May 4, 2023, with the proposed study to be conducted by Cannon Corporation as an integral part of the plan. The study is the first step in what will inform the District regarding how the sludge will ultimately be disposed. There are three alternatives that will be considered which will quantify the cost of each for District planning and implementation. Staff recommends approval of the Agreement and First Task Order with Cannon Corporation.

A motion to approve and authorized the board President to execute the Master Services Agreement and Task Order 2023-1 with Cannon Corporation was made by Director Washington and seconded by Director Webb.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Aye
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

NB 2. Approval of Resolution 2023-6 Adopting the California Uniform Public Construction Cost Accounting Procedures (CUPCCAA). (Presenter GM Kim Domingo)

The District's current procurement policy follows Public Contract Code, which requires any Construction contract greater than \$25,000 to be formally bid. The CUPCCAA was passed by legislature to standardize the cost accounting for construction costs and modified the procedures that contract could be let. Adopting CUPCCAA will provide the district flexibility in completing needed projects by raising the cost level of construction projects that require outside bids from \$25,000 to \$60,000 and allow for informal bidding for projects up to \$200,000. Projects greater than \$200,000 require a formal bid process.

A motion to approve Resolution 2023-6 Adopting the California Uniform Public Construction Cost Accounting Procedures was made by Director Webb and seconded by Director Washington.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Aye
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

NB 3. Adoption of Administrative Handbook Policy 7010 – Non-Profit Activity on District Property. (Presenter GM Kim Domingo).

It has been past practice to allow the use of District facilities, such as the board room, for non-profit groups, such as the Red Cross for blood drives or local mutual water companies for informational meetings. Staff reviewed the current Administrative Handbook for guidance and found that no policy exists. The proposed policy identifies terms of use, which may include fees that would recoup expenses incurred by the District for use by a non-profit entity. Staff recommends adoption of the policy to clearly establish the requirement of use of a District facility by non-profits.

A motion to adopt the Administrative Handbook Policy-7010 Non-Profit Activity on District Property was made by Director Washington and seconded by Director Webb.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Aye
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

NB 4. Approve First Amendment to Agreement and Work Order 2023-01 with NBS Government Finance Group for Water and Sewer Tax Roll Services. (Presenter GM Kim Domingo).

The District relies upon services provided by NBS to determine and process the documents and files necessary for submittal to Kern County for placement of levies on the tax roll. In the process of reviewing the agreements on file, it was discovered that the Professional Services Agreement (PSA) had expired on July 9, 2022 and that an amendment to the agreement would be required if the District desired to retain services from NBS under the PSA. The proposed amendment will re-authorize the PSA to July 9, 2025 and take effect retroactively to July 9, 2022. Staff recommends approval of the First Amendment to Agreement and Work Order 2023-01 with NBS Government Finance Group for Water and Sewer Tax Roll Services.

A motion to approve the First Amendment to Agreement and Work Order 2023-01 with NBS Government Finance Group for Water and Sewer Tax Roll Services was made by Director Webb and seconded by VP Stewart.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Aye
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

NB 5. Adoption of Amendment to Employee Handbook - Compensation Policy, Exempt Employees not Under an Employment Agreement. (Presenter GM Kim Domingo).

On April 24th the Policy Committee met to discuss a proposed policy change that would provide compensation increases to exempt employees not under an employment agreement the same percentage wage increases granted to represented employees and vice versa. The Compensation and Classification study that resulted in a Side Letter Agreement with the AFSCME providing a 4% increase retroactive to July 1, 2022 and a 2% increase on July 1, 2023, does not include a similar increase for exempt employees. Historically, not providing the same increases to both employee classifications has led to wage compaction issues as well as a sense of inequality between the employee classes.

While it may have been the Board's intention in the past, the requisite policy was not adopted. Therefore, it is at the Board's discretion whether to adopt this policy retroactive to the adoption of the Side Letter Agreement.

A motion to adopt the amendment to the Employee Handbook - Compensation Policy, Exempt Employees not Under an Employment Agreement, allowing percentage based wage increases granted to represented employees to also be granted to exempt employees not under an Employment Agreement and vice versa, retroactive to July 1, 2022, was made by Director Webb and seconded by Director Washington.

Motion passed by the following 5/0 roll call vote:

Director Greg Washington Aye
Director Alfred Wallis Aye
Director Rick Webb Aye
Vice President Ben Stewart Aye
President Byron Glennan Aye

NB 6. Approve Fourth Amendment to Employment Agreement with Steve Perez (Presenter GM Kim Domingo).

This amendment is directly related to NB 5 and extends the AFSCME 4% wage increase retroactive to July 1, 2022 that was afforded to the represented employees also to the former General Manager Steve Perez.

A motion to approve the Fourth Amendment to Employment Agreement with Steve Perez to extend the same 4% wage increase afforded to represented employees retroactive to July 1, 2022 was made by Director Webb and seconded by VP Stewart.

Motion passed by the following 4/0 roll call vote:

Director Greg Washington Aye
Director Alfred Wallis Absent (Left meeting at 7:15 PM)
Director Rick Webb Aye
Vice President Ben Stewart Aye
President Byron Glennan Aye

NB 7. Approval of Resolution No. 2023-3, Adopting Initiating Proceedings for the Levy and Collection of Assessments for the Landscape and Lighting Assessment District No. 2 for Fiscal Year 2023-2024. (Presenter Dir. of Administration Sherri Timm)

Revenues from the assessments are utilized for ongoing operation, maintenance, and servicing of street lighting improvements. The Resolution of Intention sets the assessment procedure in action for the Fiscal Year 2023-24 tax roll.

A motion was made by Director Webb and seconded by Director Washington to approve Resolution No. 2023-3, adopting initiating proceedings for the levy and collection of assessments for the Landscape and Lighting Assessment District No. 2 for Fiscal Year 2023-2024.

Motion passed by the following 4/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Absent (Left meeting at 7:15 PM)
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

NB 8. Approval of Resolution 2023-4, Adopting Declaring Rosamond Community Services Districts Intention to Levy and Collect Assessments for the Landscaping and Lighting Assessment District No.2 for Fiscal Year 2023/2024. (Presenter Dir. of Administration Sherri Timm)

Revenues from the assessments are utilized for ongoing operation, maintenance, and servicing of street lighting improvements.
The Resolution of Intention will preliminarily approve the Engineer's report and set a time and place for the Public Hearing, which is scheduled for May 24, 2023.

A motion was made by Director Washington and seconded by Director Webb to adopt Resolution No. 2023-4 declaring Rosamond Community Services Districts intention to levy and collect assessments for the Landscaping and Lighting Assessment District No.2 for Fiscal Year 2023/2024.

Motion passed by the following 4/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Absent (Left meeting at 7:15 PM)
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye

PRESENTATIONS

PR 1. Water Reclamation Plant Project Update.

Chief Water Reclamation Plant Operator Ryan Becker provided a construction and staff activities update.

DIRECTOR REPORTS/COMMENTS/FUTURE AGENDA ITEMS

Director Washington reported attending a drinking water advisory meeting. There will be new operator requirements for certifications for recycled water. He also reported attending RMAC meeting last month and commented on the information provided regarding the half-scale replica of the Vietnam Memorial Wall. Director Washington also thanked the community members who attended tonight's board meeting.

Director Webb also thanked the community members for attending tonight's board meeting. He also supports District efforts to facilitate meetings with members of the community to gather information and ideas for community improvements.

VP Stewart thanked the members of the community for attending tonight's board meeting.

GENERAL COUNSEL UPDATE

John Komar, Esq
No report

GENERAL MANAGER UPDATE

GM Kim Domingo reported on the following items:

1. 20th Street Property – No update.
2. Diamond Street Property – coordinating with lead and asbestos testing.

3. Hydrostor – Willow Rock Energy Storage Center Project Update –
The project timeline has been delayed by approximately 6 months. Expected start of construction has shifted from Jan 2024 to June 2024. Expected Commercial Operation is now June 2028.
4. Conservation Program – Currently, water restrictions are governed Under Ordinance 2018-1. Our website has a lot of valuable information and resources on indoor and outdoor water conservation.
5. Rosamond HS Water Connection – No further update. We are investigating whether the project can be done sooner but the school has work to do on their water system prior to turning on the service.
6. The FEMA grant Letter of Interest was submitted earlier today. The project was downsized to half of the originally intended amount per the advice of the State Office of Emergency Services’ consultant.
7. A brief overview of services provided by Waste Management was discussed.
 - SB1383, effective 1/1/2022, requires organic waste collection in the green cans
 - Currently, Rosamond residents are serviced through Waste Management under a Franchise Agreement transferred from Benz Sanitation, who collects one can, does not separate, and disposes in Mojave at 400 Silver Queen Road.
 - Multiple can collection is “coming” according to our discussion with Kern County.

DIRECTOR OF ADMINISTRATION UPDATE

Dir of Administration Sherri Timm reviewed the shutoff timeline and reported a continued overall decrease in accounts receivables by 38%.
A large part of the reduction is due to the outreach efforts by the front office staff. The staff continues to offer payment Arrangement assistance and have set up 9 arrangements so far this month.

PUBLIC WORKS UPDATE

John Houghton reviewed the Public Works Field Operations report.

ADJOURNMENT

A motion to adjourn at 7:33 PM was made by Director Webb and seconded by Director Washington.

Motion passed by the following 3/0 roll call vote:

Director Greg Washington	Aye
Director Alfred Wallis	Absent (Left meeting at 7:15 PM)
Director Rick Webb	Aye
Vice President Ben Stewart	Aye
President Byron Glennan	Aye (Left the meeting at 7:20 PM)

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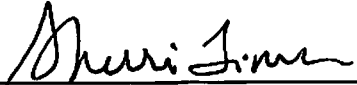
Requirements Regarding Disabled Access: In accordance with Government Code §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the RCSD Board Secretary at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Please contact the Board Secretary by telephone at (661) 256-3411, Email: stimm@rosamondcsd.com or in writing at the Rosamond Community Services District, Attn: Board Secretary 3179 35th Street West, Rosamond, CA 93560.

Pursuant to Government Code Section 54957.5, any writing that: (1) is a public record; (2) relates to an agenda item for an open session of a regular meeting of the Board of Directors; and (3) is distributed less than 72 hours prior to that meeting, will be made available for public inspection at the time the writing is distributed to the Board of Directors. Any such writing will be available for public inspection at the District offices located at 3179 35th Street West, Rosamond, CA 93560. In addition, any such writing may also be posted on the District's web site.

Respectfully Submitted:



Rosamond CSD Board of Directors



Board Secretary