

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
June 22, 2018
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in special session on the above mentioned date with Directors Robert Swan, President, John Armstrong, Vice President, Spencer Edwards, Nancy Mora, and Janice Kwiatkowski, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 10:00 am.

Approve Order of Agenda

Motion

Director Armstrong moved, seconded by Director Edwards, and the motion passed unanimously to approve the agenda as written.

Non-Action Items

- A. Groveland Community Services District to be presented with Check from the Groveland Rotary Club of Community Funds Raised for Mary Laveroni Park Flood Restoration Project

Action Items to be Considered by the Board of Directors

- A. 2018 Sewer Rate Study
 - i. Consideration of Approval of Resolution 17-18, A Resolution Accepting the 2018 Sewer Rate Study

Motion

Director Swan moved, seconded by Director Kwiatkowski, and the motion passed unanimously to Adopt Resolution 17-18, a Resolution accepting the 2018 Sewer Rate Study with the modifications that were discussed during the meeting.

- ii. Approve Issuing the Notice of Public Hearing Regarding Proposed Sewer Rate Increases and Establishing Public Hearing Date for the Receipt of Comments and Protests on the Proposed Rate Increase

The Board directed staff to include the protest form as part of the notice.

Director Armstrong left the meeting at 12:06pm.

Adjournment

Motion

Director Swan moved, seconded by Director Mora, and the motion passed to adjourn the meeting at 12:21pm.

Ayes: Directors Mora, Kwiatkowski, Swan, and Edwards

Absent: Director Armstrong

APPROVED:

Robert Swan, President

ATTEST:

Jennifer Flores, Board Secretary

DRAFT

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
June 26, 2018
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in special session on the above mentioned date with Directors Robert Swan, President, John Armstrong, Vice President, Janice Kwiatkowski, Nancy Mora, and Spencer Edwards, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 10:00 am.

Approve Order of Agenda

Motion

Director Swan moved, seconded by Director Edwards, and the motion passed unanimously to approve the order of the agenda.

Action Items to be Considered by the Board of Directors

Conduct Board Orientation Program Overview

Discussion and Action Related to the Development of Norms for Board Member Conduct to Facilitate Effective Deliberations; and Protocol to Create the Structure and Process for Effective Board Meetings

Adjournment

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to adjourn the meeting at 12:35 pm.

APPROVED:

Robert Swan, President

ATTEST:

Jennifer Flores, Board Secretary

**REGULAR MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
July 9, 2018
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in regular session on the above mentioned date with Directors Robert Swan, President, John Armstrong, Vice President, Janice Kwiatkowski, Nancy Mora, and Spencer Edwards, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 10:00 am.

Approve Order of Agenda

General Manager Peter Kampa requested the Board to move the Fire Operations Report before the Consent Calendar.

Motion

Director Swan moved, seconded by Director Edwards, and the motion passed unanimously to approve the order of the agenda as amended.

Action Items to be Considered by the Board of Directors

Public Comment

None.

Fire Operations Report

Consent Calendar

- A. Approve Minutes from the June 11, 2018 Regular Meeting
- B. Receive and File June 2018 Payables
- C. Waive Reading of Ordinances and Resolutions Except by Title

Motion

Director Armstrong moved, seconded by Director Edwards, and the motion passed unanimously to approve the Consent Calendar as written.

Old Business

None.

Discussion and Action Items

The Board of Directors intends to consider each of the following items and may take action at this meeting. Public comment is allowed on each individual agenda item listed below, and such comment will be considered in advance of each Board action.

- A. Review of, and Development of Responses to the 2017- 2018 Tuolumne County Civil Grand Jury Final Report as it Relates to GCSD

F1. Public confidence and trust has been eroded by disrespectful behavior of Directors at Board meetings and negligent management practices.

Motion

Director Swan moved, seconded by Director Kwiatkowski, and the motion passed to remove the second sentence from the response.

Ayes: Directors Edwards, Swan, Kwiatkowski, and Mora

Noe: Director Armstrong

F3. Management has used District legal counsel communications to intimidate public individuals without full Board knowledge.

Motion

Director Swan moved, seconded by Armstrong, and the motion passed to modify the response as discussed.

Ayes: Directors Armstrong, Swan, and Mora

Nays: Director Kwiatkowski

Abstain: Director Edwards

Motion

Director Swan moved, seconded by Mora, and the motion passed unanimously to approve the response as drafted with modifications as discussed for purposes of making a final draft if there are no substantial changes required beyond what has been discussed then it will be on the consent calendar otherwise it will be up for discussion.

- B. Review of, and Development of Responses to the Draft First Responder and EMS Study Prepared by Tuolumne County

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to direct the general manager to file response.

- C. Review of the District's Organizational Chart, Major Responsibilities and State Certification Requirements for Critical Operations Positions
- D. Discussion and Action Related to the Addition of an Operations Superintendent Position, Establishing an Associated Salary Range and Potential Impacts to the Salary of Other Management Positions

Motion

Director Armstrong moved, seconded by Director Edwards, and the motion passed unanimously to proceed with the implementation of the addition of an Operations Superintendent position with the salary range and other impacts to be discussed.

- E. Adoption of a Resolution Establishing a Standard Form of Construction Contract for use in Maintenance and Construction Projects Meeting the Requirements for Informal Bidding in Accordance with the District's Informal Bidding Ordinance

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to approve the form of contract that was presented for informal bid purposes and also authorize the General Manager to enter into such contracts as long as it's within budgetary minutes.

Information Items

- A. Update Regarding the March 22, 2018 Flash Flood Restoration Project
- B. Presentation Regarding the Status of the Water System Improvements Planning Project
- C. Establish a Date for the Next Board Protocol Development Workshop
- D. Staff Reports
 - i. General Manager's Report
 - iii. Operations and Maintenance
 - iv. Admin/Finance
- F. Director Comments

Adjournment

Motion

Director Armstrong moved, seconded by Director Swan, and the motion passed unanimously to adjourn the meeting at 2:04 pm.

APPROVED:

Robert Swan, President

ATTEST:

Jennifer Flores, Board Secretary

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
July 18, 2018
6:00 p.m.**

The Board of Directors of Groveland Community Services District met in special session on the above mentioned date with Directors Robert Swan, President, Janice Kwiatkowski, Nancy Mora, and Spencer Edwards, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 6:00 pm at the Groveland Community Hall.

Absent: Director Armstrong

Approve Order of Agenda

Motion

Director Edwards moved, seconded by Director Kwiatkowski, and the motion passed to approve the order of the agenda.

Ayes: Directors Edwards, Kwiatkowski, Mora, and Swan

Absent: Director Armstrong

Conduct Town Hall Meeting Regarding Proposed Sewer Rate Increase

- 1. Board Introduction**
- 2. Staff Presentation of Proposed Sewer Rate Increase**
- 3. Questions from Members of the Public**
- 4. Close of Town Hall Meeting**

Adjournment

Motion

Director Swan moved, seconded by Director Edwards, and the motion passed to adjourn the meeting at 8:20 pm.

Ayes: Directors Edwards, Kwiatkowski, Mora, and Swan

Absent: Director Armstrong

APPROVED:

ATTEST:

Robert Swan, President

Jennifer Flores, Board Secretary

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
August 2, 2018
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in special session on the above mentioned date with Directors Robert Swan, President, John Armstrong, Vice President, Janice Kwiatkowski, Nancy Mora, and Spencer Edwards, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 10:00 am.

Approve Order of Agenda

Motion

Director Armstrong moved, seconded by Director Edwards, and the motion passed unanimously to approve the order of the agenda.

Action Items to be Considered by the Board of Directors

Adoption of a Resolution of the Board of Directors of the Groveland Community Services District (The "District") Authorizing the Interfund Borrowing and Transfer of \$250,000.00 from the Fire Fund of the District to the Park Fund of the District, Authorizing and Directing Execution of a Promissory Note and an Inter-Fund Transfer Agreement, and Providing for Other Matters Properly Relating Thereto

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to approve Resolution 19-18, with a loan amount of \$150,000 from the Fire Fund of the District to the Park Fund of the District, authorizing and directing execution of a promissory note and an inter-fund transfer agreement, and providing for other matters properly relating hereto.

Adoption of a Resolution of the Board of Directors of the Groveland Community Services District Approving an Agreement with Moyle Construction, Inc. for Completion of the Mary Laveroni Park Flood Restoration Project

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to Adopt Resolution 20-18, a resolution approving an agreement with Moyle Construction, Inc. for the completion of the Mary Laveroni Park Flood Restoration Project.

Discussion and Action Related to the Development of Norms for Board Member Conduct to Facilitate Effective Deliberations; and Protocol to Create the Structure and Process for Effective Board Meetings

Adjournment

Motion

Director Swan moved, seconded by Director Armstrong, and the motion passed unanimously to adjourn the meeting at 1:03 pm.

APPROVED:

Robert Swan, President

ATTEST:

Jennifer Flores, Board Secretary

DRAFT

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY SERVICES DISTRICT
GROVELAND, CALIFORNIA
August 6, 2018
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in special session on the above mentioned date with Directors Robert Swan, President, Spencer Edwards, Nancy Mora, and Janice Kwiatkowski, being present. Also present was Admin Office Manager/District Secretary Jennifer Flores and General Manager Pete Kampa.

Call to Order

Director Swan called the meeting to order at 10:00 am.

Absent: Director Armstrong

Approve Order of Agenda

Motion

Director Edwards moved, seconded by Director Mora, and the motion passed to approve the order of the agenda.

Ayes: Directors Edwards, Mora, Kwiatkowski, and Swan

Absent: Director Armstrong

Action Items to be Considered by the Board of Directors

Delinquent Account Balances to be Placed on Tuolumne County Tax Rolls

A. Public Hearing for the Placement of Delinquent Charges for FY 2017-18 on Property Tax Rolls

No public present.

B. Consider for Adoption Resolution 18-18 Regarding Collection of Delinquent Charges

Motion

Director Edwards moved, seconded by Director Kwiatkowski and the motion passed to approve Resolution 18-18, a Resolution of the Board of Directors Regarding Collection of Delinquent Charges.

Ayes: Directors Edwards, Swan, Mora, and Kwiatkowski

Absent: Director Armstrong

Adjournment

Motion

Director Swan moved, seconded by Director Edwards, and the motion passed to adjourn the meeting at 10:05 am.

Ayes: Directors Edwards, Swan, Mora, and Kwiatkowski

Absent: Director Armstrong

APPROVED:

Robert Swan, President

ATTEST:

Jennifer Flores, Board Secretary

AGENDA SUBMITTAL

TO: GCSD Board of Directors

FROM: Peter Kampa, General Manager

DATE: August 13, 2018

SUBJECT: Item 3H. Approve Final Draft Response to 2017-2018 Tuolumne County Civil Grand Jury Report as it Relates to GCSD

SUMMARY

On July 9, 2018 the Board reviewed the prepared draft response to the 2017-2018 Tuolumne County Civil Grand Jury Report as it related to GCSD. The Board methodically reviewed each finding and proposed response and developed recommended changes.

The draft letter has been revised to include the Board's comments/revisions and is included for consideration.

ATTACHMENT:

- Final Draft Response to 2017-2018 Tuolumne County Civil Grand Jury Report as it Relates to GCSD

RECOMMENDED ACTION

Approve Final Draft Response to 2017-2018 Tuolumne County Civil Grand Jury Report as it Relates to GCSD



G.C.S.D, Services - 209 / 962-7161
Fax - 209 / 962-4943
Fire Department - 209 / 962-7891
www.gcsd.org

water • fire protection • parks • wastewater collection & treatment

18966 Ferretti Road P.O. Box 350 Groveland, CA 95321-0350

August 13, 2018

The Honorable Kate Powell Segerstrom
Superior Court Judge of Tuolumne County
60 North Washington Street
Sonora, CA 95370

Dear Judge Powell Segerstrom;

We have received and reviewed the 2017/18 Grand Jury Report. In accordance with California Penal Code §933(c), included herein please find our comments on the Report's findings and recommendations pertaining to matters under the control of the governing body of the Groveland Community Services District. In addition, as requested by the Grand Jury, please find our Board's responses to the Report's recommendations pertaining to the Groveland CSD, numbered 1-10.

In addition, it is important that the District correct two inaccurate statements made by the Grand Jury in the background of the Report:

1. At page 118, the Report states that the District is regulated by the Department of Water Resources; when in fact the District's water and sewer services are permitted through the State Water Resources Control Board (SWRCB). The SWRCB provides regulatory oversight and enforcement under the federal Clean Water Act, Safe Drinking Water Act, Surface Water Treatment Rule and other related laws.
2. At page 120, the Report inaccurately states that the District has received state grants for planning and upgrade of the aging infrastructure. The District has received planning grants, but has not yet received grants for improvements. The Report inaccurately states that the District has received 100% grant funding for "implementing" improvements in Groveland and Big Oak Flat, and infers that through the addition of improvements in Pine Mountain Lake, that the grant qualifications of the District have changed from Severely Disadvantaged to Disadvantaged, thereby reducing available grants and requiring rate increases. This statement is misleading and incorrect. SWRCB grant guidelines provide 100% grants for planning activities in Disadvantaged Communities; which is the designation of the GCSd due to the median household income of customers in the District's entire service area, not a portion thereof. As a Disadvantaged Community, the District qualifies for up to 75% grant funding for Implementation (Construction) projects. The District has not yet received a grant commitment for implementation dollars, nor has the amount of available implementation grant dollars changed. The proposed sewer rate increase is only partially based on the need to fund an estimated 25% grant match.

Comments on Findings:

F1. Public confidence and trust has been eroded by disrespectful behavior of Directors at Board meetings and negligent management practices.

District Comments: We agree that there were occasions of disrespectful behavior of Directors at past Board meetings. We disagree that the management practices identified in the report were negligent, however there is indication that past management may not have consistently implemented Board policy.

F2. Management practices created work conditions that resulted in the loss of highly qualified, experienced and certified employees.

District Comments: The qualifications of employees and their job performance is confidential information contained in the District records, so it is not possible for the Grand Jury's investigation to have included review of personnel records; therefore these conclusions must have been drawn on hearsay.

F3. Management has used District legal counsel communications to intimidate public individuals without full Board knowledge.

District Comments: We agree that District legal counsel communications were distributed to a public member without full Board knowledge. We disagree with the finding that management used legal counsel to intimidate a public member.

F4. Inadequate staffing levels have increased environmental and safety risks for GCSD.

District Comments: We disagree with the finding that the District was or is inadequately staffed. Lacking state certification, experience in the public utility field, and not having utility management expertise; the Grand Jury is simply not qualified to understand the intricacies of operation and maintenance of a water and wastewater system. Every utility is different in the age and condition of infrastructure, mechanical complexity of the system, construction standards used, amount of money invested in infrastructure and equipment, etc. All of these factors, coupled with ever changing state permit requirements, come into play in determining adequate staffing levels.

In addition, there are no established industry standard staffing levels against which the Grand Jury can measure and make the determination that the District is understaffed.

We also disagree with the finding that District safety or environmental risks were increased, for any reason. In fact, there had been over one year without a workplace injury until March 2018, when an employee was bitten by a dog during its rescue from the wastewater pond. In addition, there has been no enforcement action by the Regional Water Quality Control Board, the enforcement entity for (wastewater) environmental compliance, since _____, and that action was due to sewer spills caused by grease and a defective sewer pipe, not due to a shortage of employees. There have also been no legal actions or liability claims filed against the District due to environmental or safety issues.

Lastly, District staff was able to keep service going during the March 22, 2018 150 year storm event that flooded Groveland and wreaked havoc throughout parts of Tuolumne County, surely a testament that contradicts the Grand Jury's finding.

F5. Employees have used District equipment for personal use in violation of policy.

District Comments: We disagree with the finding that employees violated policy by using District equipment for personal purposes. There have been no reports of such activity submitted to the District by employees or the public. There is no record of disciplinary action in recent years related to personal use of District equipment. Department managers report that personal use of District equipment is not allowed or tolerated.

F6. Policy and procedures were not followed for purchasing vehicles in 2017.

District Comments: We disagree with the finding that the District did not follow policy in its purchase of vehicles in 2017. District policy requires at Section 408.2 Purchasing of Materials, Supplies and Equipment Not Related to New Construction:

B. When procuring materials, supplies and equipment costing over Three Thousand Dollars (\$3,000.00) the purchase shall be based, wherever possible, on at least three (3) bids/quotes. The bid/quote shall be awarded to the lowest responsible bidder. **Three bids were received for each of the two vehicles purchased in 2017, and the purchase was made from the lowest bidder.**

District policy further requires, at Section 408.4 Approval Limits for Purchase Orders (Revised 5/03/2012)

The General Manager has signing authority for all budgeted items and any unbudgeted items up to Ten Thousand Dollars (\$10,000). All unbudgeted items over Ten Thousand Dollars (\$10,000) must be approved by the Board of Directors. **Both vehicles purchased in 2017 were contained within the approved budget, and therefore the General Manager was authorized to approve a purchase order for their acquisition.**

F7. Union pay negotiations between management and union workers were conducted by relatives.

District Comments: We agree with the findings.

Comments and Response to Recommendations:

R1. Develop and enforce standards of orderly conduct by Board members during meetings. (F1)

District Comments: The Board is in the process of developing standards of conduct and protocol for effective Board meetings.

District Response: The recommendation has not yet been implemented, but the District has conducted three Board workshops thus far to develop Board Norms and Protocol; a process that will be completed by December 31, 2018. Protocol developed in the first three Board workshops have been implemented.

R2. Periodically train employees in the problem resolution process outlined under section 710 of the GCSD employee handbook. (F2)

District Comments: None

District Response: The recommendation has not yet been implemented, but the policy will be reviewed and implemented by July 30, 2018

R3. Offer exit interviews with Board members to all departing employees. (F2)

District Comments: The General Manager is responsible for the appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors. Exit interviews should be conducted by the General Manager, trained Human Resources staff, or a neutral outside Human Resources consultant. Board involvement in this process would result in Board overreach into the day to day operations of the District, which is not the role of the Board of Directors.

District Response: The recommendation will not be implemented because it is not reasonable to involve Board members in personnel matters that are specifically delegated to the General Manager at Section 61051 of the Government Code. By December 31, 2018, the District will include in its employee relations system or separate employee retention program a policy detailing that employee exit interviews are to be conducted and establishing the appropriate method therefore.

R4. Inform all Board members of legal communication before action is taken. (F3)

District Comments: Not all communications between District management and its legal counsel are appropriate for distribution to the Board; for example those related to personnel matters, (non-board related) or harassment claims filed by staff. In addition, if the Grand Jury's expectation was that the Board would receive such legal communications and give related direction or approvals to management prior to action; such direction would rarely be timely as it would need to occur on a Board agenda. Attorney communication is typically confidential which would be reviewed in closed session. However, there are no provisions in law to conduct a closed session to review a memo related to alleged harassment by a member of the public.

District Response: The recommendation will not be implemented because it is not reasonable to involve all Board members in legal communications before actions are taken by management. The District will implement a policy by December 31, 2018 requiring that legal communications, appropriate for distribution to the Board, be made available to all Board members within a reasonable timeframe following its preparation.

R5. Delegate responsible staff for training and proper disposal of Hazmat according to the new Board policy currently in the process of development. (F4)

District Comments: A Board policy regarding the handling of hazardous materials is not necessary as it is a requirement of law and a responsibility of management. The Board's budgeting and employee development practices will continue to support proper handling of hazmat.

District Response: The recommendation has been implemented through management direction for specific hazmat training, and implementation of an Asbestos Cement Pipe handling and disposal protocol in accordance with OSHA and DIR standards.

R6. Create a "whistle blower" program that protects the confidentiality of employees and the public. (F4)

District Comments: Current District policies provide the framework for maintaining the confidentiality of employees when reporting concerns.

District Response: The recommendation has not yet been implemented, and the District will adopt a specific policy regarding reporting and handling of safety, operational and administrative concerns. Currently, the District annually posts California Labor Law Posters which include information regarding the state's "Whistleblower Protection Act" and how employees can report illegal acts. This poster is posted throughout the District's different departments and employees are made aware of where they are located.

R7. Adequately staff operations to meet the requirements for routine inspections and preventative maintenance. (F4)

District Comments: The intent, staffing plan and policies of the Board support adequate staffing for routine inspections and preventative maintenance, which is currently being conducted by the District. The District believes strongly that investments in infrastructure and a skilled, motivated workforce with a solid work ethic is the best means to achieve a balance between cost efficiency and effective maintenance. Management has been directed to develop staffing plans adequate to achieve routine maintenance and inspections in accordance with industry standards.

District Response: The recommendation has been implemented and the adoption of the 2018/19 fiscal year budget and sewer rate increase proposal supports this effort. The Board's July 9, 2018 agenda contains consideration for increased staffing.

R8. Hold employees accountable for violating policies regarding unauthorized equipment use. (F5)

District Comments: None

District Response: The recommendation has been implemented and will be reinforced through management memoranda.

R9. Hold managers and employees accountable for violations of District purchasing policies. (F6)

District Comments: The General Manager will be held responsible for implementing the Board's purchasing policies. The General Manager will hold department managers responsible for their role in purchasing.

District Response: The recommendation has been implemented and will be reinforced through management memoranda.

R10. Train GCSB Board members on their conflict of interest policy documented in the Policy Manual of the Board of Directors. (F7)

District Comments: Board members currently receive harassment and ethics training, which includes conflict of interest training, upon entering office and every two years thereafter.

District Response: The recommendation has been implemented and the District's conflict of interest policy updated by December 31, 2018. A Board Orientation program outline was approved by the Board in June 2018, and will be completed and implemented by November 30, 2018. The Board orientation program includes annual training on the District Conflict of Interest policy.

If you have any questions, concerns or comments related to this response, please do not hesitate to contact me.

Sincerely,

Robert Swan
President

AGENDA SUBMITTAL

TO: GCSD Board of Directors

FROM: Peter Kampa, General Manager

DATE: August 13, 2018

SUBJECT: Item 3I. Adoption of a Resolution Approving Agreement with Njirich Construction, Inc. for the Completion of the Wastewater Sludge Drying Bed Construction Project

SUMMARY

The Board of Directors adopted Resolution 10-18 approving a 2017/18 budget amendment which included the proposed construction of a concrete slab for a sludge drying bed at the Wastewater Plant. The Project as initially budgeted at \$60,000.

Engineering plans and specifications were prepared for the work, and the project was advertised for bid on May 30, 2018 and bids were opened on June 12, 2018. Njirich construction has been determined as the lowest responsive bidder for the project.

The District's Informal Bidding Ordinance delegates to the General Manager the authority to award contracts to the lowest bidder on Informal Bid Projects. The General Manager has approved award of the contract to Njirich Construction pending Board ratification.

ATTACHMENT:

- Draft Resolution approving agreement with Njirich Construction for the Sludge Drying Concrete Slab Project.
- Njirich bid for the work

RECOMMENDED ACTION

Adopt the Resolution Approving Agreement with Njirich Construction, Inc. for the Completion of the Wastewater Sludge Drying Bed Construction Project

RESOLUTION 26-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT APPROVING AGREEMENT WITH NJIRICH & SONS, INC. FOR INSTALLATION OF NEW CONCRETE SLUDGE DRYING PAD

WHEREAS, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

WHEREAS, the District has ceased using the Sewer Treatment Plant's sludge drying beds for liquid sludge as the drain systems have failed on all beds; and

WHEREAS, the District has been drying dewatered sludge on the asphalt surface between the District's drying beds and this asphalt slab is undersized and has begun to deteriorate and will soon be unusable for sludge drying; and

WHEREAS, the District engineer was tasked to design a drying pad system that will comply with state regulations as well as meeting the District's needs; and

WHEREAS, the District engineer in cooperation with staff designed new sludge drying bed system; and

WHEREAS, the District approved and issued a Notice Inviting Bids dated May 30, 2018 for the Sludge Drying Bed Improvements, in accordance with its Informal Bid Ordinance 1-06; and

WHEREAS, Informal Bids for the above referenced project were publicly opened and read on June 12, 2018 and three bids were received; and

WHEREAS, District staff has reviewed the bids received and have determined that Njirich & Sons, Inc. has delivered the lowest responsive bid; a bid summary is attached hereto as Exhibit A; and

WHEREAS, the District has the authority to reject any and all bids, or to award the contract to the lowest responsive bidder; and

WHEREAS, the that Njirich & Sons, Inc. bid dated June 12, 2018 is included herein for reference and are to be included in the contract documents as detailed in the project specifications.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES HEREBY approve as follows:

1. The Board of Directors ratifies and approves the General Manager's award of the project contract to the lowest bidder, and to execute the construction contract with Njirich & Sons, Inc. in the amount of \$82,699.00.
2. The General Manager is authorized to negotiate Construction Change Orders (CCO) in an amount not to exceed a 10% increase in the original bid and contract amount.
3. The General Manager is authorized to negotiate deductive (cost) change orders that result in a comparable work product.
4. The General Manager is authorized to negotiate a construction start date and issue the Notice to Proceed to the Contractor in accordance with the Project Plans and Specifications.
5. The General Manager is authorized to approve and process Contractor progress payments within the cost limitations stated herein, in accordance with the Project Plans and Specifications.
6. The General Manager is authorized to file the Project Notice of Completion in accordance with the Plans and Specifications.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on August 13, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jennifer Flores, Secretary

Robert Swan, President - Board of Directors

CERTIFICATE OF SECRETARY

I, Jennifer Flores, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Special Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on August 13, 2018.

DATED: _____

NJIRICH & SONS, INC
GENERAL ENGINEERING CONTRACTOR-A

LICENSE # 573731

19970 KELLY DRIVE, SONORA, CA. 95370
PHONE (209)-533-2268* FAX (209)-533-9076

Contract: 06122018

June 12, 2018

New Concrete Drying Pad

Attention: Brian Logue

Customer: Groveland Community Service District

Project Address: 18966 Ferriti Road, Groveland, CA 95321-0350

Agreement: We here by propose to supply manpower, material and equipment necessary to excavate and install items below.

Evaluation: To Install new concrete sludge drying bed per civil plans 7/06/2018 C-01 thru C-03.

ITEM DESCRIPTION	PRICE
1. Equipment Mobilization.	\$ 2,145.00
2. Demolition of walls and existing concrete.	\$10,700.00
3. Install New Concrete Sludge Drying Bed.	\$50,154.00
4. Install CMU Wall.	\$15,500.00
5. Install New Gate.	\$4,200.00

CONDITIONS & EXCLUSIONS

Total \$82,699.00

1. Terms of payment, net upon completion.
2. Only one move-in is included for work listed above.
3. Work to commence on mutually agreeable start date.
4. Work to commence and continue unobstructed until complete.
5. Contract is based on estimated number of hours and quantities to complete project. If owner adjust quantities then price will adjust accordingly.
6. Construction access may distort & expose soil on original ground area. Contractor will mechanically finish grade disturbed area. If additional cleanup is requested by owner then additional charges will be added accordingly.
7. Estimate is based on being able to use GCSD yard for fill dirt as needed. Approx. 50cy.

THE FOLLOWING ARE SPECIFICALLY EXCLUDED

Engineering, Permit, Fees, Inspections, Surveying, Construction Staking, Removal or Relocation of existing Utilities, Erosion Control Temporary or Permanent, SWPP Plan, NOI, Drilling & Blasting, Hydraulic or Pneumatic Rock Breakers, Cracking or Splitting Agents, Import of Soil, Export of Soil, Excavation of Unsuitable Materials, De-Watering, Drying or Stabilization of Onsite Soils, Removal of Hazardous, Contaminated Materials.

**This Contract, when accepted by Purchaser, constitutes
A binding contract between the parties hereto**

OWNER

Sign/Accepted _____
Owner/Firm

CONTRACTOR

Njirich & Sons Inc.

Owner

Print _____

Contractor/Authorized Agent

RESOLUTION 28-18

RESOLUTION ACCEPTING AN EXCLUSIVE SEWER EASEMENT GRANT DEED FROM JAMES BROWN, APN 094-090-042

WHEREAS, property owner James Brown (Owner) has requested the District abandon its interest in a Public Utility Easement between parcels 090-070-037 and 094-090-042 for the purpose of the installation of a septic system later line to allow for the construction of a new home; and

WHEREAS, future public sewer installation plans in the area of the above mentioned property require access for public sewer installation, operation and maintenance in the future in the same location as the Public Utility Easement; and

WHEREAS, the other utilities have agreed to abandon their interest in the Public Utility Easement in the subject location, and the County of Tuolumne will issue a building permit if the District will abandon its interest; and

WHEREAS, the Owner has agreed to develop and dedicate to the District a 15 foot wide exclusive sewer easement in the name of the District in approximately the same location as the PUE to be abandoned, a location acceptable to the District; and

WHEREAS, The District will issue an encroachment permit allowing the installation of the septic lateral pipe across the newly created easement, which shall exist until such time as public sewer is installed, the owner connect to the new sewer as required by the District and the encroachment permit terminated by the District; and

WHEREAS, the District must accept the easement by grant deed approved by the Board, to which shall be attached a Certificate of the Secretary of the Board certifying the fact that said resolution was duly adopted by the Board of Directors of the District at a meeting called and held pursuant to the Brown Act on a specified date by the specified vote, and certifying to the fact that said resolution is valid and in full force and effect and has not been revised by the Board of the District since the date of its adoption.

WHEREAS, this resolution and the attached Certificate of Secretary shall be recorded with the Grant Deed in the Office of the County Recorder in Tuolumne County.

WHEREAS, no compensation is to be paid by the District for said easement.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES HEREBY approve as follows:

1. The District will issue an encroachment permit allowing the installation of the septic lateral pipe across the newly created easement, which shall exist until such time as public sewer is installed.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on August 13, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jennifer Flores, Secretary

Robert Swan, President - Board of Directors

CERTIFICATE OF SECRETARY

I, Jennifer Flores, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on August 13, 2018.

DATED: _____

Upon recording send copy to:

Groveland Community Services District
Post Office Box 350
Groveland, CA 95321

EASEMENT GRANT

The undersigned, XXXX, Grantor, for A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do hereby grant to the GROVELAND COMMUNITY SERVICES DISTRICT, a community services district of the State of California, Grantee, an easement to lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of, and remove sewer lines and appurtenances thereof with the right of ingress and egress to and from the same through that certain parcel of land owned by Grantor, situate in the Unincorporated area of the County of Tuolumne, State of California, more particularly described as follows:

See Exhibit "A" attached.

Grantor reserves the right to fully use and enjoy the said easement strip provided, however, that Grantor shall not construct or maintain the whole or any part of any permanent structure on the strip which would impair or interfere with the present or prospective exercise of any of the rights herein granted.

The provisions hereof shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

[Signature]
JAMES E BROWN
[Signature]
JACOB K ADKINSON

7/24/18
Date

7/24/18
Date

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On 7/24/18 before me, Alejandro Diaz a Notary Public in

and for said County and State, personally appeared James E Brown &

Jacob K Adkinson

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

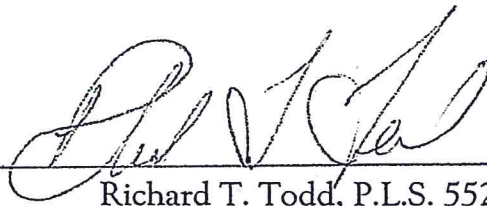
[Signature]
Alejandro Diaz



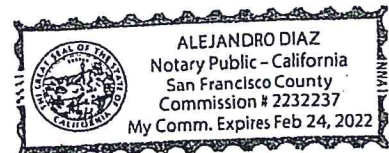
TODD LAND SURVEYING
P.O. Box 10
Soulsbyville, California 95372

EXHIBIT A
BROWN to G.C.S.D.

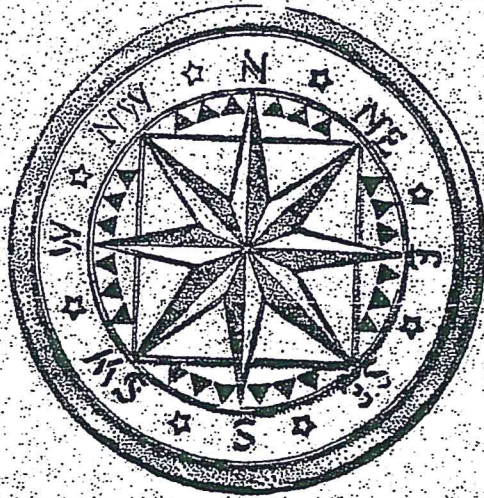
An Easement for sewer purposes 15 feet in width lying Southerly of,
Parallel to, and within the Northerly Boundary of lot 288, Pine Mountain
Lake Unit No. 8, as shown on that Subdivision Map recorded in March,
1970, in Volume 5 of Subdivisions at Page 87, Records of Tuolumne
County, California.



Richard T. Todd, P.L.S. 5522



B.O.B.: CALIFORNIA LAMBERT GRID
ZONE III per SUBS 4/62 & 5/87



SCALE: 1" = 60'

15' wide sewer easement
Per Inst. N2 2004025808

Sub 4
56 P.M. 60

Parcel 288
4/15/25
Parcel 288
4/15/25

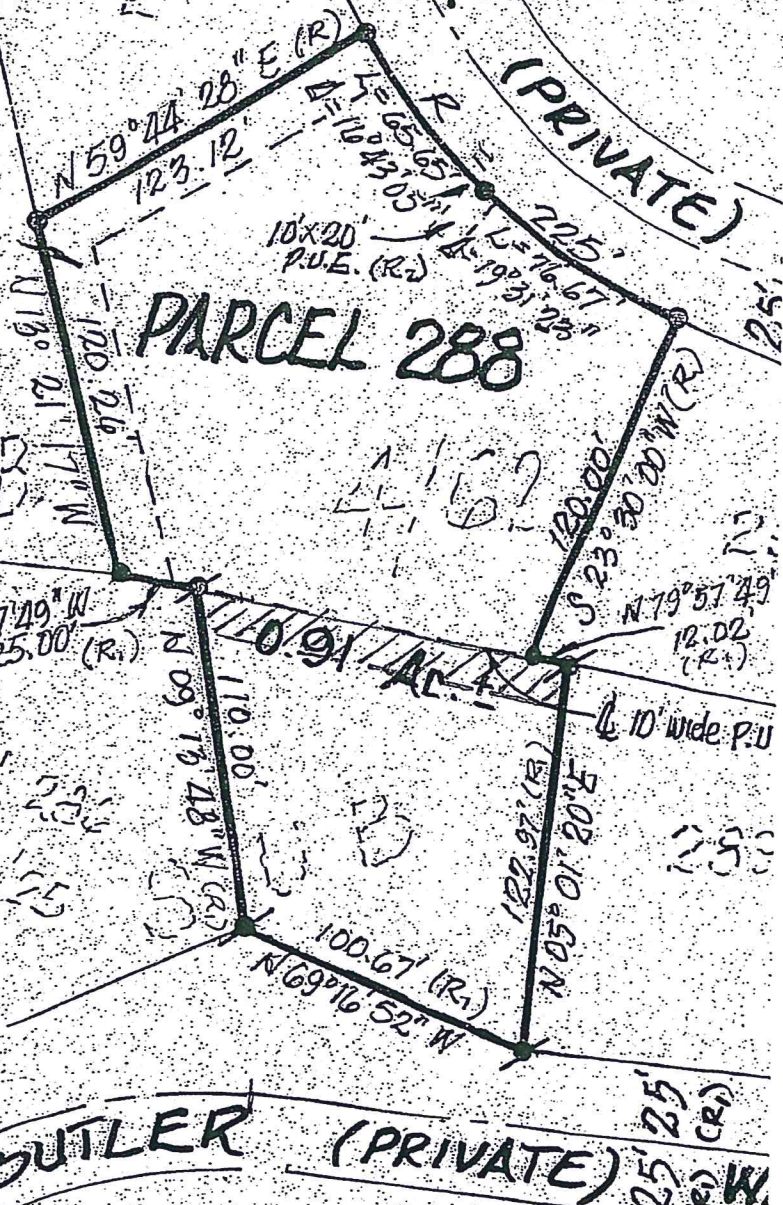
BUTLER (PRIVATE)

PARCEL 288

BUTLER (PRIVATE)

NOTES

All dimensions are record only per Sub 4/62, or as noted. A general easement for road maintenance extends 5 ft back of the front lot line to the all-ditch on all roads.



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant from

James E. Brown & Jacob R. Adkison to Groveland Community Services District,

a Governmental Agency, is hereby accepted on _____ by the undersigned duly
authorized Officer of Groveland Community Services District.

By: _____

Dated: _____

Upon recording send copy to:

Groveland Community Services District
Post Office Box 350
Groveland, CA 95321

EASEMENT GRANT

The undersigned, XXXX, Grantor, for A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do hereby grant to the GROVELAND COMMUNITY SERVICES DISTRICT, a community services district of the State of California, Grantee, an easement to lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of, and remove sewer lines and appurtenances thereof with the right of ingress and egress to and from the same through that certain parcel of land owned by Grantor, situate in the Unincorporated area of the County of Tuolumne, State of California, more particularly described as follows:

See Exhibit "A" attached.

Grantor reserves the right to fully use and enjoy the said easement strip provided, however, that Grantor shall not construct or maintain the whole or any part of any permanent structure on the strip which would impair or interfere with the present or prospective exercise of any of the rights herein granted.

The provisions hereof shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

[Signature]
JAMES E BROWN
[Signature]
JACOB K ADKINSON

7/24/18
Date
7/24/18
Date

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On 7/24/18 before me, Alejandro Diaz a Notary Public in

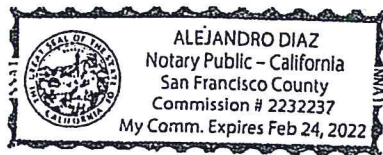
and for said County and State, personally appeared James E Brown & Jacob K Adkinson

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

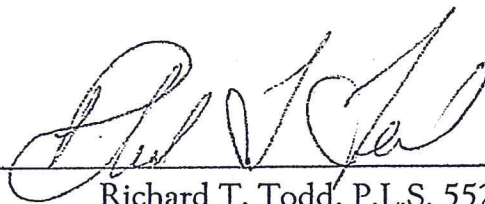
Alejandro Diaz



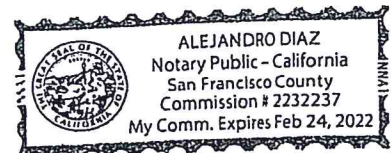
TODD LAND SURVEYING
P.O. Box 10
Soulsbyville, California 95372

EXHIBIT A
BROWN to G.C.S.D.

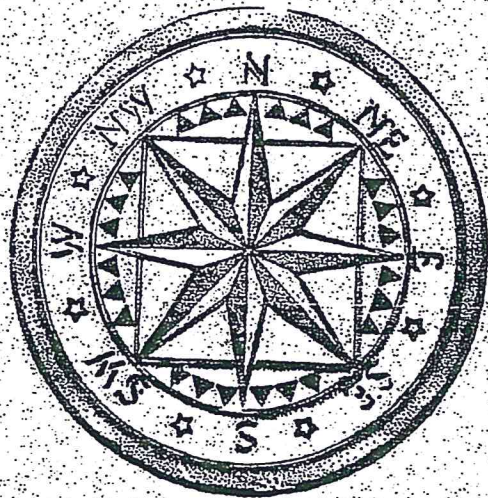
An Easement for sewer purposes 15 feet in width lying Southerly of,
Parallel to, and within the Northerly Boundary of lot 288, Pine Mountain
Lake Unit No. 8, as shown on that Subdivision Map recorded in March,
1970, in Volume 5 of Subdivisions at Page 87, Records of Tuolumne
County, California.



Richard T. Todd, P.L.S. 5522



B.O.B.: CALIFORNIA LAMBERT GRID
ZONE III per SUBS 4/62 & 5/87



SCALE: 1" = 60'

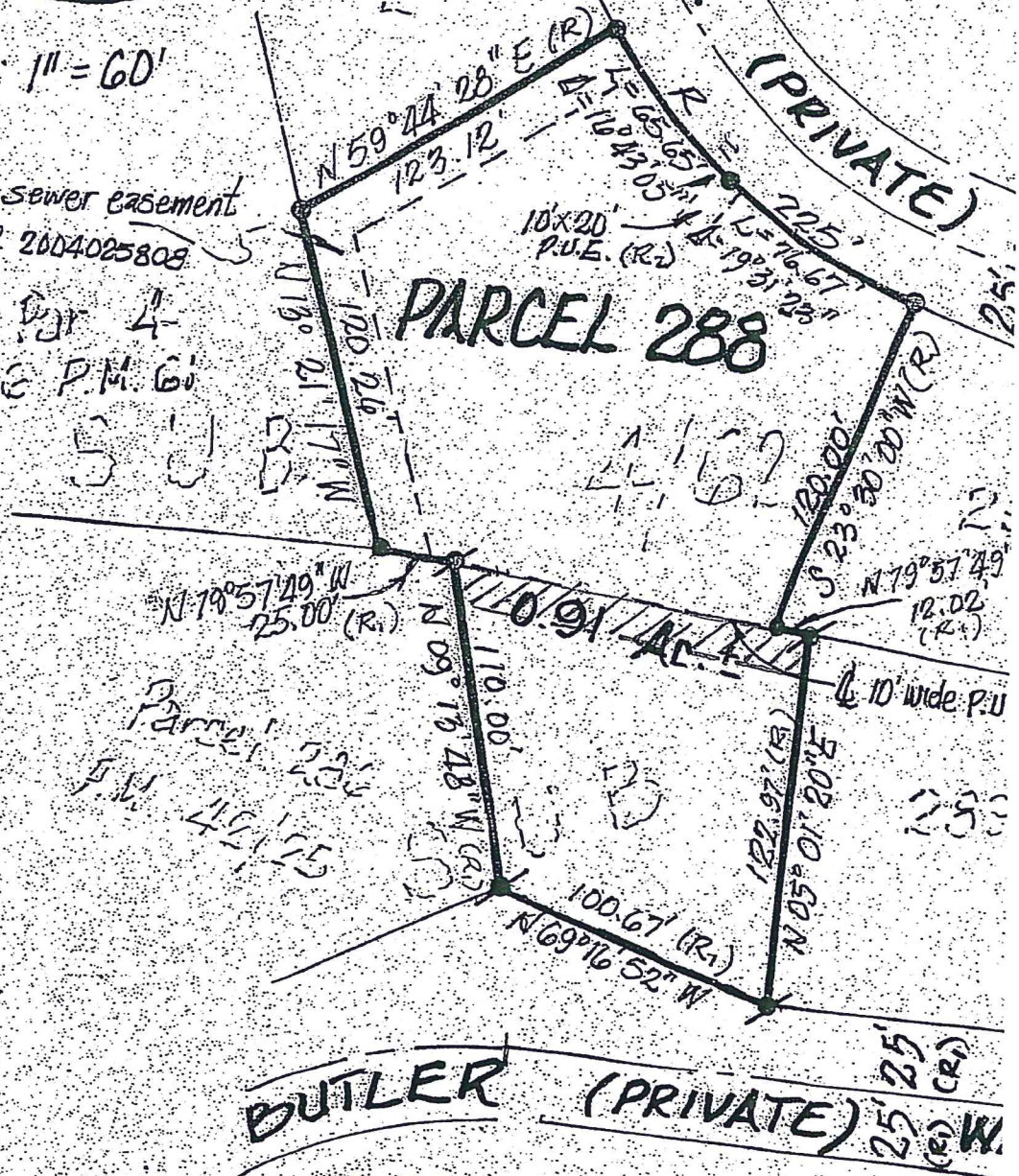
15' wide sewer easement
Per inst. No 2004025803

Sub 4-
SE P.M. 60

SUB

BUTLER (PRIVATE)

PARCEL 288



BUTLER (PRIVATE)

NOTES

All dimensions are record only per Sub 4/62, or as noted. A general easement for road maintenance extends 5 ft back of the front of lots to the edge of all road

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant from

James E. Brown & Jacob R. Adkison to Groveland Community Services District,

a Governmental Agency, is hereby accepted on _____ by the undersigned duly authorized Officer of Groveland Community Services District.

By: _____

Dated: _____