



101 Lucas Valley Road, Suite 300  
San Rafael, CA 94903  
Tel.: 415-472-1734  
Fax: 415-499-7715  
www.LGVSD.org

**MANAGEMENT TEAM**  
Interim General Manager, Chris DeGabriele  
Plant Operations, Mel Liebmann  
Collections/Safety/Maintenance, Greg Pease  
Engineering, Michael P. Cortez  
Administrative Services, Dale McDonald

**DISTRICT BOARD**  
Megan Clark  
Ronald Ford  
Craig K. Murray  
Judy Schriebman  
Crystal J. Yezman

The Mission of the Las Gallinas Valley Sanitary District is to protect public health and the environment by providing effective wastewater collection, treatment, and recycling services.

## **BOARD MEETING AGENDA**

**June 2, 2022**

*On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health, which was due to end on September 30, 2021 (Exec. Ord. N-08-21). However, the Legislature passed AB 361 which provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's previous Executive Orders. - In light of this – the June 2, 2022 meeting of the LGVSD Board will be held via Zoom electronic meeting\*. There will be NO physical location of the meeting. Due to the current circumstances, there may be limited opportunity to provide verbal comments during the meeting. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged, but not required, to submit comments in writing to the Board Secretary (tlerch@lgsd.org) by 5:00 pm on Wednesday, June 1, 2022. In addition, Persons wishing to address the Board verbally must contact the Board Secretary, by email ([tlerch@lgsd.org](mailto:tlerch@lgsd.org)) and provide their Name; Address; Tel. No.; and the Item they wish to address by the same date and time deadline for submission of written comments, as indicated above. Please keep in mind that any public comments must be limited to 3 minutes due to time constraints. Any written comments will be distributed to the LGVSD Board before the meeting.*

*\*Prior to the meeting, participants should download the Zoom app at:  
<https://zoom.us/download>.*

### **REMOTE CONFERENCING ONLY**

**Join Zoom Meeting online at: <https://us02web.zoom.us/j/89443874300>**

**OR**

**By teleconference at: +16699009128 Meeting ID: 894 4387 4300**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA ARE AVAILABLE FOR  
PUBLIC INSPECTION ON THE DISTRICT WEBSITE WWW.LGVSD.ORG**

**NOTE: Final board action may be taken on any matter appearing on agenda**

Estimated  
Time

**CLOSED SESSION:**

- 4:00 PM 1A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code § 54956.5; Regarding real property located in San Rafael - APN Numbers 155-011-13, 155-011-14 and 155-011-32. Real Property Negotiator Is Chris DeGabriele, Interim General Manager.

**OPEN SESSION:**

- 4:30 PM 1. PUBLIC COMMENT**  
This portion of the meeting is reserved for persons desiring to address the Board on matters not on the agenda and within the jurisdiction of the Las Gallinas Valley Sanitary District. Presentations are generally limited to three minutes. All matters requiring a response will be referred to staff for reply in writing and/or placed on a future meeting agenda. Please contact the General Manager before the meeting.

- 4:35 PM 2. CONSENT CALENDAR:**  
These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.
- A. Approve the Board Minutes for May 16 and May 19, 2022
  - B. Approve the Warrant List for June 2, 2022
  - C. Approve Clark attending the Partnering on PFAS Webinar April 10
  - D. Approve Clark attending the WateReuse Annual Conference in SF September 11-13
  - E. Approve Murray attending Partnering for Impact Workshop in Berkeley June 15
  - F. Approve Schriebman attending PFAS Disposal Symposium Webinar May 23 and 24
  - G. Approve COLA Adjustments for Vehicle Allowance and Phone Reimbursement
  - H. Approve Resolution 2022-2257 approving Salary Pay Schedule Effective July 1, 2022
  - I. Approve Application of Allocation of Capacity for APN 164-270-07 – Talus Reserve Will Serve
  - J. Approve Resolution 2022-2258 Board Policies B-60 Board Member Compensation and F-60 Revenue

Possible expenditure of funds: Yes, Item B through H.

Staff recommendation: Adopt Consent Calendar – Items A through J.

- 4:45 PM**
- 3. BOARD MEMBER REPORTS:**
1. CLARK
    - a. NBWA Board Committee, 2022 Operations Control Center Ad Hoc Committee, Other Reports
  2. FORD
    - a. NBWRA, Gallinas Watershed Council, Marin Special Districts Association, 2022 Ad Hoc Engineering Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 Human Resources Ad Hoc Committee, Other Reports
  3. MURRAY
    - a. Marin LAFCO, CASA Energy Committee, Other Reports
  4. SCHRIEBMAN
    - a. JPA Local Task Force, Gallinas Watershed Council, 2022 Legal Services Ad Hoc committee, 2022 Biosolids Ad Hoc Committee, 2022 Human Resources Ad Hoc committee, Other Reports
  5. YEZMAN
    - a. Flood Zone 7, CSRMA, 2022 Ad Hoc Engineering Committee re: STPURWE Engineering Subcommittee, 2022 Legal Services Ad Hoc Committee, Marin Special Districts, 2022 Biosolids Ad Hoc committee, Other Reports

- 5:00 PM**
- 4. INFORMATION ITEMS:**
- STAFF/CONSULTANT REPORTS:
1. Interim General Manager’s Report – Verbal
  2. District Correspondence – Written
  3. Board Policies B-70 Electronic /Fax Communications and F-70 Investments – Written
  4. FutureSense Recommendations - Written

- 5:30 PM**
- 5. CONSIDER THE CANCELLATION OF THE JULY 7<sup>TH</sup> BOARD MEETING**
- Board to consider the cancellation of the July 7<sup>th</sup> Board meeting.

- 5:35 PM**
- 6. REVIEW OF DONATION POLICY APPLICATION FORM**
- Board to review the Donation Policy application form.

- 5:45 PM**
- 7. STPURWE CHANGE ORDER AUTHORIZATION FOR SECONDARY CLARIFIER #1 ADDITIONAL ROCK EXCAVATION**
- Board to review and approve the Change Order Authorization for the Secondary Clarifier #1 Additional Rock Excavation.

- 5:55 PM**
- 8. SECONDARY TREATMENT PLANT UPGRADE AND RECYCLED WATER EXPANSION CHANGE ORDER AUTHORIZATION FOR 10 INCH FIRE HYDRANT LINE EXTENSION**
- Board to review and approve the STPURWE change order authorization for the 10-inch Fire Hydrant Line Extension.

**6:05 PM 9. SECOND REVISED INTER-AGENCY AGREEMENT FOR RECYCLED WATER BETWEEN LGVSD AND NORTH MARIN WATER DISTRICT**  
 Board to review and approve the Second Revised Inter-Agency Agreement for Recycled Water between LGVSD and North Marin Water District (LGVSD-NMWD Recycled Water Agreement).

**6:15 PM 10. BOARD REQUESTS:**  
 A. Board Meeting Attendance Requests – Verbal  
 B. Board Agenda Item Requests – Verbal


**6:20 PM 11. VARIOUS INDUSTRY RELATED ARTICLES**

**6:25 PM 12. ADJOURNMENT**  
**FUTURE BOARD MEETING DATES: JUNE 6, JUNE 7 AND JUNE 14, 2022**

|                  |                                  |                            |
|------------------|----------------------------------|----------------------------|
| AGENDA APPROVED: | Judy Schriebman, Board President | David Byers, Legal Counsel |
|------------------|----------------------------------|----------------------------|

**CERTIFICATION:** I, Teresa Lerch, District Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before May 30, 2022, 4:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held June 2, 2022, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: May 26, 2022



Teresa L. Lerch  
 District Secretary

The Board of the Las Gallinas Valley Sanitary District meets regularly on the first and third Thursday of each month. The District may also schedule additional special meetings for the purpose of completing unfinished business and/or study session. Regular meetings are held at the District Office, 101 Lucas Valley Road, Suite 300, San Rafael, CA.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at (415) 472-1734 at least 24 hours prior to the meeting. Notification prior to the meeting will enable the District to make reasonable accommodation to help ensure accessibility to this meeting.

**6/2/2022**

**CLOSED SESSION**

- Separate Item to be distributed at Board Meeting
- Separate Item to be distributed prior to Board Meeting
- Verbal Report
- Presentation

AGENDA ITEM 1

**6/2/2022**

**PUBLIC COMMENT**

**This portion of the meeting is reserved for persons desiring to address the Board on matters not on the agenda and within the jurisdiction of the Las Gallinas Valley Sanitary District. Presentations are generally limited to three minutes. All matters requiring a response will be referred to staff for reply in writing and/or placed on a future meeting agenda. Please contact the General Manager before the meeting.**

**MEETING MINUTES OF MAY 16, 2021**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON MAY 16, 2022, AT 3:05 PM AND STAFF BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford, Craig Murray, Judy Schriebman and Crystal Yezman
- BOARD MEMBERS ABSENT:** None
- STAFF PRESENT:** Chris DeGabriele, Interim General Manager ; Teresa Lerch, District Secretary
- OTHERS PRESENT:** Patrick Richardson, District Counsel; Gary Phillips, Bob Murray and Associates;
- ANNOUNCEMENT:** President Schriebman that the agenda had been posted as evidenced by the certification on file in accordance with the law

1. **PUBLIC COMMENT:** None

2. **CLOSED SESSION:**

**ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON MAY 16, 2022 , AT 3:06 PM, BY ZOOM CONFERENCE AND AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch left the meeting at 3:06 pm.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION & GENERAL MANAGER:** pursuant to Government Code Section 54957.

**ADJOURNMENT:**

**ACTION:**

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on May 16, 2022, at 4:13 pm.

**REPORT ON CLOSED SESSION:** President Schriebman reported that there were no reportable actions in Closed Session.

**3. ADJOURNMENT:**

**ACTION:**

Board approved (M/S Murray/Ford 5-0-0-0) the adjournment of the meeting at 4:15 pm.

AYES: Clark, Ford, Murray, Schriebman and Yezman.

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for May 19, 2022 at 4:00 PM by Zoom meeting at the District office.

ATTEST:

\_\_\_\_\_  
Teresa Lerch, District Secretary

APPROVED:

\_\_\_\_\_  
Crystal J. Yezman, Board Vice-President

SEAL



## MEETING MINUTES OF MAY 19, 2022

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON MAY 19, 2022 AT 4:02 PM BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford, Craig Murray, Judy Schriebman and Crystal Yezman
- BOARD MEMBERS ABSENT:** None.
- STAFF PRESENT:** Chris DeGabriele, Interim General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Sahar Golshani, Environmental Services Director;
- OTHERS PRESENT:** Patrick Richardson, District Counsel
- ANNOUNCEMENT:** President Schriebman announced that the agenda had been posted as evidenced by the certification on file in accordance with the law
- 1. PUBLIC COMMENT:** None.

### 2. CONSENT CALENDAR:

These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.

- A. Approve Resolution 2022-2253 – Remote Meetings
- B. Approve the Board Minutes for April 21 and May 5, 2022
- C. Approve the Warrant List for May 19, 2022
- D. Approve Board Compensation for April 2022
- E. Approve Schriebman attending the Circular Economy Symposium Cal Recycle Webinar May 17
- F. Approve Murray attending the Circular Economy Symposium Cal Recycle Webinar May 17
- G. Approve Murray attending Utility Staff Recruitment and Retention RCAC Webinar May 24
- H. Approve Murray attending Public Notification Your Customers have the Right to Know Webinar
- I. Approve Yezman attending CASA Annual Conference August 10 -12
- J. Approve Resolution 2022-2254 Proposing an Election
- K. Approve Resolution 2022-2255 Board Policies B-50 Training/Seminars/Travel/Meals and F-50 Reserves

Items E, F, H and K were pulled for discussion. It was determined that E and F webinars were only 1 hour in length and will not be reimbursable.

### ACTION:

Board voted against (M/S Clark/Ford 3-2-0-0) approving item H.

- AYES: Clark, Ford, and Schriebman
- NOES: Murray and Yezman
- ABSENT: None.
- ABSTAIN: None.

**ACTION:**

Board approved (M/S Clark/Ford 5-0-0-0) the Consent Calendar items A through G and I through K with a small change in wording to item K (B-50-10).

- AYES: Clark, Ford, Murray, Schriebman and Yezman
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

**3. INFORMATION ITEMS:**

**STAFF / CONSULTANT REPORTS:**

1. Interim General Manager’s Report – DeGabriele reported.
2. Board Policies B-60 Board Member Compensation and F-60 Revenue. Discussion ensued.
3. Review of Preliminary Budgets discussed after Agenda Item 4.
4. Department Reports – Collections and Operations – Pease and Liebmann reported.

**4. RECONSIDER ENVIRONMENTAL COMPLIANCE MANAGER POSITION**

Board reviewed the Environmental Compliance Manager position. Discussion ensued.

**ACTION:**

Board approved (M/S Murray/Ford 5-0-0-0) authorizing staff to shift position authorization from vacant Environmental Compliance Manager position to a new Collection System Operator position in FY 2022/23 and eliminating the Environmental Compliance Manager position.

- AYES: Clark, Ford, Murray, Schriebman and Yezman
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

**3. INFORMATION ITEMS CONTINUED:**

**STAFF / CONSULTANT REPORTS:**

3. Review of Preliminary Budgets – McDonald reported. Discussion ensued.

**5. BOARD COMMITTEE ASSIGNMENTS**

Board reviewed the current committee assignments and Board president made the following changes:

| <b>Committee</b>  | <b>Chair/ Associate Member</b> | <b>Alternate Member</b> | <b>Today’s change</b>  |
|---|--------------------------------|-------------------------|------------------------|
| NBWA Board Committee  | Clark                          | Schriebman              | No change              |
| NBWA Tech Advisory Committee  | Open                           | Open                    | No change              |
| NBWA Conference Committee   | Clark                          |                         | <b>DISSOLVED</b>       |
| NBWRA   | Ford                           | Clark                   | No change              |
| JPA Local Task Force**  | Schriebman                     |                         | No change              |
| Gallinas Watershed Council/Miller Creek   | Schriebman                     | Ford                    | <b>Change in Chair</b> |
| Marin LAFCO**   | Murray                         |                         | No change              |
| CASA Energy Committee   | Murray                         |                         | No change              |
| Marin Special Districts Association   | Yezman/Ford                    |                         | No change              |
| CSRMA   | Yezman                         |                         | No change              |
| Flood Zone 7  | Yezman                         | Ford                    | No change              |
| 2022 Engineering Ad Hoc Committee regarding the Secondary Treatment Plant Upgrade | Ford/Yezman                    |                         | No change              |
| 2022 Operations Control Center Ad Hoc Committee                                   | Clark/Ford                     |                         | No change              |

|                                      |                   |  |                  |
|--------------------------------------|-------------------|--|------------------|
| 2022 Legal Services Ad Hoc Committee | Yezman/Schriebman |  | No change        |
| 2022 GM Recruitment Ad Hoc Committee | Yezman/Murray     |  | <b>DISSOLVED</b> |
| 2022 Biosolids Ad Hoc Committee      | Yezman/Schriebman |  | No change        |
| 2022 HR Ad Hoc Committee             | Ford/Schriebman   |  | No change        |

The Board considered adding three new Ad Hoc Committees – 2022 Electric Vehicle Research Ad Hoc Committee, 2022 Public Education Outreach Ad Hoc Committee and 2022 Diversity in the Workforce Ad Hoc Committee. Interim General Manager DeGabriele will meet with Directors Clark and Ford to help define the purpose and scope of each new Ad Hoc committee. This item will be brought back to the Board for further consideration.

**6. BOARD MEMBER REPORTS – TABLED UNTIL NEXT MEETING.**

Director Yezman mentioned that the Board should look into Surplus funding.

**7. BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – None.
- B. Board Agenda Item Requests – Clark would like designated funds for the Operations Control Center be a future agenda item.
- C. Board Secretary inquired of the Board’s availability for a Special Meeting Strategic Plan Workshop. The Board was polled and June 6 - 9 am to 3 pm was unanimously chosen.

**8. MISCELLANEOUS DISTRICT CORRESPONDENCE:**

No discussion.

**9. ADJOURNMENT:**

**ACTION:**

Board approved (M/S Murray/Yezman 5-0-0-0) the adjournment of the meeting at 6:59 p.m.

AYES: Clark, Ford, Murray, Schriebman and Yezman.

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for June 2, 2022 4 PM by Zoom Meeting at the District Office.

ATTEST:

\_\_\_\_\_  
Teresa Lerch, District Secretary

APPROVED:

\_\_\_\_\_  
Crystal J. Yezman, Board Vice-President  
SEAL

**Agenda Item** 2 B  
**Date** June 2, 2022

Las Gallinas Valley Sanitation District  
Warrant List 6/02/2022 DRAFT

|    | Date     | Num  | Vendor                     | Original Amount | Addition and Adjustment | Total Amount | Description for items  |
|----|----------|------|----------------------------|-----------------|-------------------------|--------------|--|
| 1  | 6/2/2022 | EFT1 | ADP Payroll                | 147,014.87      |                         | 147,014.87   | 5/20/2022 Payroll & Processing Charges                       |
| 2  | 6/2/2022 | N/A  | Aqua Engineering           | 41,416.17       |                         | 41,416.17    | STPURWE- Secondary Treatment Project- June 2021 & March 2022 |
| 3  | 6/2/2022 | N/A  | Aramark Uniform Service    | 190.43          | 347.50                  | 537.93       | Laundry Service Week Ending 5/16/2022 & 5/23/2022            |
| 4  | 6/2/2022 | N/A  | ArcSine Engineering        | 872.30          |                         | 872.30       | Construction Engineering Services, Marin Lagoon Pump Station |
| 5  | 6/2/2022 | EFT2 | Bank of Marin              | 47,335.64       |                         | 47,335.64    | Recycled Water Loan Payment- June                            |
| 6  | 6/2/2022 | N/A  | Bob Murray                 | 8,890.26        |                         | 8,890.26     | GM Recruitment   |
| 7  | 6/2/2022 | ACH  | Breakpoint Sales           | 282.32          |                         | 282.32       | Business Cards- McDonald & Lewis                             |
| 8  | 6/2/2022 | N/A  | Brown & Caldwell           | 0.00            | 6,338.26                | 6,338.26     | STPURWE- Engineering Services- April                         |
| 9  | 6/2/2022 | EFT  | CalPERS 457 Plan           | 7,464.46        |                         | 7,464.46     | EE's Contribution to Deferred Comp. Paydate 5/20/2022        |
| 10 | 6/2/2022 | EFT  | CalPERS CERBT-OPEB         | 11,630.00       |                         | 11,630.00    | Pre-Fund CERBT Payment -June                                 |
| 11 | 6/2/2022 | EFT  | CalPERS Retirement         | 0.00            |                         | 0.00         | EE & ER Payment to Retirement- Paydate 5/20/2022             |
| 12 | 6/2/2022 | N/A  | Caltest Environmental Labs | 4,534.29        |                         | 4,534.29     | Sample Testing   |
| 13 | 6/2/2022 | N/A  | Cintas                     | 48.90           |                         | 48.90        | Stock First Aid Kits   |
| 14 | 6/2/2022 | N/A  | Frank A. Olsen Company     | 4,552.17        |                         | 4,552.17     | Eccentric Cast Iron Plug Valve- Reclamation                  |
| 15 | 6/2/2022 | ACH  | Grainger                   | 437.20          |                         | 437.20       | Lubricant Oil  |
| 16 | 6/2/2022 | ACH  | HDR Engineering            | 825.00          |                         | 825.00       | Biosolids Compost Feasibility Study                          |
| 17 | 6/2/2022 | N/A  | Jefferson Security Systems | 90.00           |                         | 90.00        | Alarm Updates  |
| 18 | 6/2/2022 | ACH  | Kennedy Jenks              | 87,589.39       |                         | 87,589.39    | STPURWE- Construction Management & Inspection Services       |
| 19 | 6/2/2022 | ACH  | Marin Independent Journal  | 277.76          |                         | 277.76       | Public Notices on Ordinances & Bids                          |
| 20 | 6/2/2022 | ACH  | Murray, Craig              | 2,395.23        |                         | 2,395.23     | Dental Payment, CASA DC Policy Forum Reimbursement           |
| 21 | 6/2/2022 | N/A  | Operating Engineers        | 618.40          |                         | 618.40       | Union Dues- Paydate 5/20/22                                  |
| 22 | 6/2/2022 | ACH  | Orion Protection Services  | 318.50          |                         | 318.50       | Nightly Patrol at 300 Smith Ranch                            |
| 23 | 6/2/2022 | N/A  | Parkson Corporation        | 146.24          |                         | 146.24       | Chain Tensions for Headworks Bar Screens                     |
| 24 | 6/2/2022 | N/A  | Piazza Construction        | 14,695.03       |                         | 14,695.03    | On-Call Construction- Misc. Manhole Replacement              |
| 25 | 6/2/2022 | N/A  | Shape Incorporated         | 1,178.82        |                         | 1,178.82     | Sliding Bracket  |
| 26 | 6/2/2022 | N/A  | Unicorn Group              | 0.00            | 4,230.96                | 4,230.96     | Final costs for Spring issue of The Heron                    |
| 27 | 6/2/2022 | N/A  | Uline                      | 933.87          |                         | 933.87       | Message Center Sign  |
| 28 | 6/2/2022 | ACH  | Univar                     | 3,591.90        |                         | 3,591.90     | Sodium Hypochlorite  |
| 29 | 6/2/2022 | N/A  | Water Component & Building | 0.00            | 1,326.34                | 1,326.34     | Misc. items for the maintenance shop                         |

**Las Gallinas Valley Sanitation District  
Warrant List 6/02/2022 DRAFT**

|    | Date     | Num | Vendor          | Original Amount | Addition and Adjustment | Total Amount | Description for items |
|----|----------|-----|-----------------|-----------------|-------------------------|--------------|-----------------------|
| 30 | 6/2/2022 | ACH | WECO Industries | 1,219.51        |                         | 1,219.51     | Swivel Reels          |

**Las Gallinas Valley Sanitation District  
Warrant List 6/02/2022 DRAFT**

|  | Date | Num | Vendor | Original Amount | Addition and Adjustment | Total Amount | Description for items |
|--|------|-----|--------|-----------------|-------------------------|--------------|-----------------------|
|--|------|-----|--------|-----------------|-------------------------|--------------|-----------------------|

Do not change any formulas below this line.

**TOTAL** \$ 388,548.66 \$ 12,243.06 \$ 400,791.72

|      |   |                      |                      |  |
|------|---|----------------------|----------------------|--|
| EFT1 | EFT1 = Payroll (Amount Required)          | 147,014.87           | 147,014.87           |  |
| EFT2 | EFT2 = Bank of Marin loan payments        | 47,335.64            | 47,335.64            |  |
| PC   | Petty Cash Checking                       | 0.00                 | 0.00                 |  |
| >1   | Checks (Operating Account)                | 0.00                 | 0.00                 |  |
| N/A  | Checks - Not issued                       | 78,166.88            | 90,409.94            |  |
| EFT  | EFT = Vendor initiated "pulls" from LGVSD | 19,094.46            | 19,094.46            |  |
| ACH  | ACH = LGVSD initiated "push" to Vendor    | 96,936.81            | 96,936.81            |  |
|      | <b>Total</b>                              | <u>\$ 388,548.66</u> | <u>\$ 400,791.72</u> |  |

|           |
|-----------|
| Approval: |
| Finance   |
| GM        |
| Board     |

Difference: \$ \_\_\_\_\_

STPURWE Costs 129,005.56



**BOARD MEMBER CONFERENCE/  
MEETING/WEBINAR ATTENDANCE REQUEST**

Date: 5-12-22 Name: MEGAN CLARK

I would like to attend the CASA Meeting  
of PARTNERING ON PFAS WORKSHOP

To be held on the 27<sup>th</sup> day of APRIL from 10 (a.m.) p.m. to  
27<sup>th</sup> day of APRIL from 12:0 a.m. (p.m.)

Location of meeting: HOME

Actual meeting date(s): 4-29-22

Meeting Type: (In person/Webinar/Conference) WEBINAR

Purpose of Meeting: INFO

Meeting relevance to District: PFAS MONITORING INFO

Request assistance from Board Secretary to register for Conference:  YES  NO

Board Directors to make their own Hotel Reservations and book their own transportation including airfare, taxi and/or shuttles.

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): \$0

Date submitted to Board Secretary: 5-12-22

Board approval obtained on Date: 4-26-22

Please submit this form to the Board Secretary no later than 1 week prior to the Board Meeting.

AGENDA ITEM 20  
DATE June 2, 2022



## BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 5/12/22 Name: MEGAN CLARK

I would like to attend the WATER REUSE ANNUAL CONF. Meeting  
of CALIFORNIA

To be held on the 11<sup>th</sup> day of SEPT. from \_\_\_\_\_ a.m. / p.m. to  
13<sup>th</sup> day of day from \_\_\_\_\_ a.m. / p.m.

Location of meeting: S.F.

Actual meeting date(s): 9/11-13<sup>th</sup>/22

Meeting Type: (In person/Webinar/Conference) IN PERSON

Purpose of Meeting: INFO + SHARCOZING

Meeting relevance to District: RE. OUR WATER RECYCLING

Request assistance from Board Secretary to register for Conference:  YES  NO

Board Directors to make their own Hotel Reservations and book their own transportation including airfare, taxi and/or shuttles.

Frequency of Meeting: ONCE/ANNUALLY

Estimated Costs of Travel (if applicable): \$300-

Date submitted to Board Secretary: 5-12-22

Board approval obtained on Date: \_\_\_\_\_

Please submit this form to the Board Secretary no later than 1 week prior to the Board Meeting.



AGENDA ITEM 2E  
DATE June 2, 2022



**BOARD MEMBER CONFERENCE/  
MEETING/WEBINAR ATTENDANCE REQUEST**

Date: 6/15/22 Name: MURRAY, Craig K.

I would like to attend the rescheduled Partnering For Impact Meeting  
of CWEA/CASA

To be held on the 15th day of June from 9am a.m. /  
p.m. to 15th day of June from to 400pm a.m. / p.m.

Location of meeting: Brower Center, Berkeley

Actual meeting date(s): June 15, 2022

Meeting Type: (In person/Webinar/Conference) In Person

Purpose of Meeting: WW Challenges: Nutrient Removal, PFAS, Funding, SB 1383

Meeting relevance to District: Land Applied Biosolids

YES NO

Request assistance from Board Secretary to register for Conference:  N

Board Directors to make their own Hotel Reservations and book their own  
transportation including airfare, taxi and/or shuttles.

Frequency of Meeting: 1x

Estimated Costs of Travel (if applicable): BART/NTE \$10.+ Reg. Fee: \$125.

Date submitted to Board Secretary: 5/16/22

Board approval obtained on Date: \_\_\_\_\_

Please submit this form to the Board Secretary no later than 1 week prior to the  
Board Meeting.

**CWEA** **CASA**

# **PARTNERING FOR IMPACT**



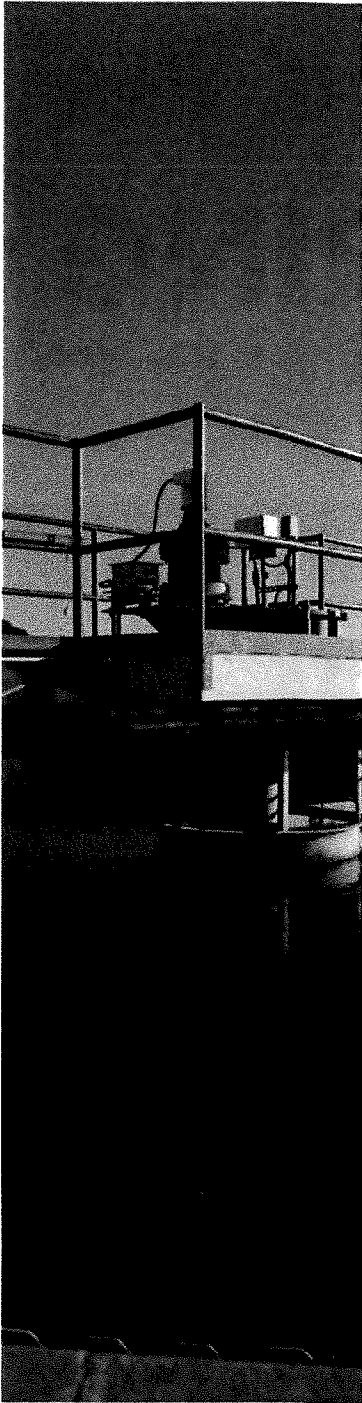
**TOGETHER  
WE CAN  
MAKE AN  
IMPACT**

*Michael Calabria, West Basin MWD*

**David Brower Center, Berkeley**  
**June 15, 2022 • 9:00 a.m. to 4:00 p.m.**

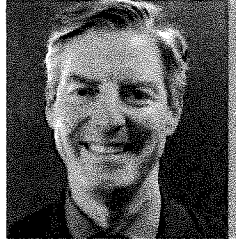
The California Department of Public Health strongly recommends individuals use a mask in indoor public settings and businesses.

[bit.ly/2022-pfi-june](https://bit.ly/2022-pfi-june)



Department of Water Resources

# Innovate Today to Prepare for Tomorrow



**Dave Jones**, Hazen & Sawyer  
Event Committee Lead  
Past Chair, CASA Associates Committee

This one-day event, co-hosted by CASA and CWEA, brings together wastewater leaders, project managers, researchers, manufacturers, and plant operators to work together on accelerating innovation within our sector. Let's seek to understand each other's needs, establish objectives that have a meaningful impact, and build partnerships to successfully meet project goals.

**Whether you're an industry leader, innovator, or passionate about solving today's wastewater challenges - you're invited to attend the discussion.**

Our panels will tee-up cutting-edge ideas and challenges. Then, you'll join fellow wastewater professionals at your table for an engaging, facilitated discussion. Share success stories from your agency or firm and hear what others are doing. Finally, we'll share those ideas as all attendees participate in a moderated discussion with the presenters.

**Key state goals are greatly impacting the wastewater community:**

- Reducing carbon emissions to 80 percent below 1990 levels by 2050
- Reducing organic waste disposal at landfills, 75 percent below 2014 levels by 2025
- Addressing PFAS and nutrient water quality objectives

While our mission-critical responsibilities are to provide water and wastewater services, the tools we use must evolve to address new challenges and meet rising expectations for what we can accomplish.

We hope you find ideas and partners to help make your project a success story, so we can share it at next year's Partnering for Impact.

## Sponsor



Expect More. Experience Better.

## Partnering for Impact Supporters

- Mayda Bandy** AESC
- Margaret Laub** Anaergia
- Jeff Neemann** Black & Veatch
- Sarah Deslauriers** Carollo Engineers
- Michael Metts** Dudek
- Dave Jones** Hazen and Sawyer
- Marco Palilla** HDR Engineering
- Mia Lindsey** Jacobs
- Kathryn Gies** West Yost Associates
- David Richardson** Woodard & Curran

# Sessions & Speakers



## Accelerating the Scale-Up of Innovative Resource Recovery Systems

Dr. Craig Criddle, Professor, Stanford University, Civil and Environmental Engineering

## Pathways to Nutrient Removal Intensification - Panel Discussion

Overview of the Future: Intensification  
Rion Merlo, Hazen and Sawyer

### Small Agency Example

- Town of Windsor: **Dave Ernst**, Town of Windsor and **Sandeep Sathyamoorthy**, Black & Veatch

### Large Agency Examples

- Philadelphia Water: Nuvoda MOB technology - **Sean McKelvey**
- Denver Metro Water Recovery: Activated Sludge Densification Full-Scale Demo - **Blair Wisdom**

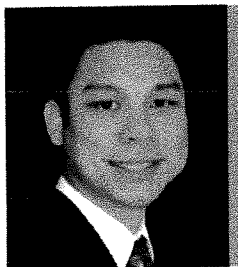
RION MERLO



SEAN MCKELVEY



BLAIR WISDOM



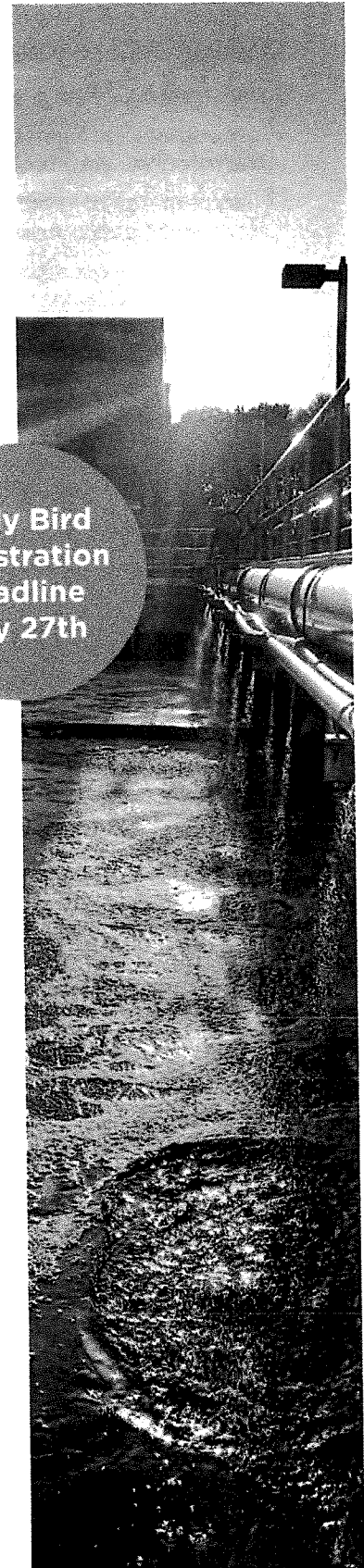
## Development of Successful, Innovative Pilot Projects including Funding

**Jimmy Dang**  
Engineering Manager  
Oro Loma Sanitary District

Jimmy manages the Engineering Department and Safety program for Oro Loma. His role involves administering the Capital and Renewal & Replacement programs for the treatment plant and collection system and remote site lift stations, overseeing the long-term engineering planning for the District, preparing design documents, managing construction and the Geographic Information System (GIS) and Asset Management programs, issuing permits for construction, repairs, and annexations, and reviewing plans and specifications.

He holds a B.S. in Civil Engineering from Cal Poly SLO and a Master's of Public Administration from CSU Dominguez Hills. He is a licensed Civil Engineer in the State of California and has over 17 years of experience in both the private and public sector.

Early Bird  
Registration  
Deadline  
May 27th



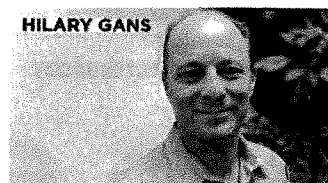
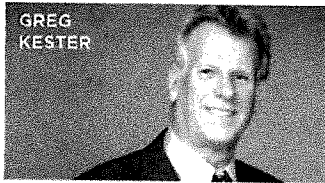
Charles Dayengel, Carmel WD

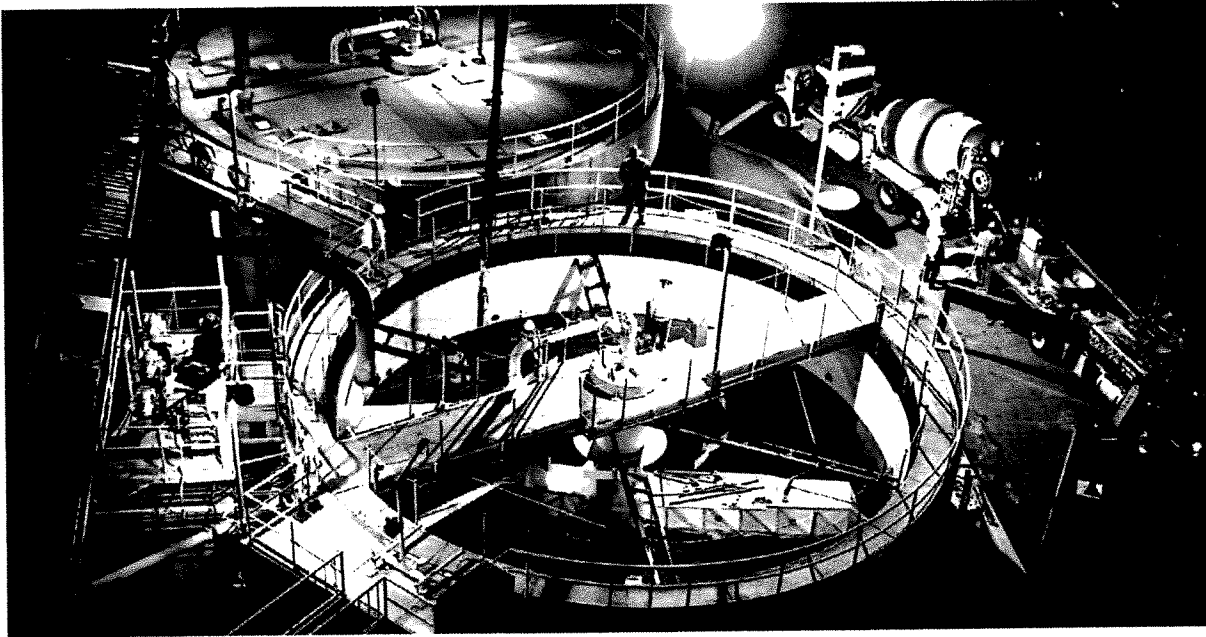
# Sessions & Speakers

## The SB 1383 Challenge - Panel Discussion

Greg Kester, CASA, moderator

- Innovative Partnerships Between Private and Public Sector  
**Darron Poulsen**, Victor Valley Wastewater Reclamation Authority
- Pretreatment of High Strength Organic (Food) Waste Streams  
**Margaret Laub**, Anaergia and **Hilary Gans** from RethinkWaste
- Facilitating Procurement Requirements to Enhance Composting  
**Robert Ford**, Synagro





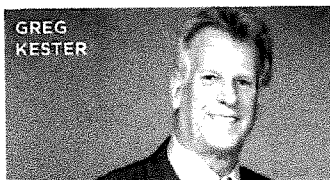
Brad Leidecker,  
Central San

# Sessions & Speakers

## The PFAS Challenge – Panel Discussion

Greg Kester, CASA, moderator

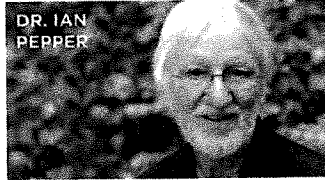
- Collaborative National Research to Evaluate Human Exposure to PFAS via Land Applied Biosolids – **Dr. Ian Pepper**, University of Arizona
- Innovative Technologies to Address PFAS in Biosolids – **Todd Williams**, Jacobs
- Results of State Investigative Order and Next Steps – **Wendy Linck**, State Water Resources Control Board



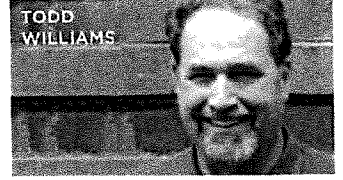
GREG  
KESTER



WENDY  
LINCK



DR. IAN  
PEPPER



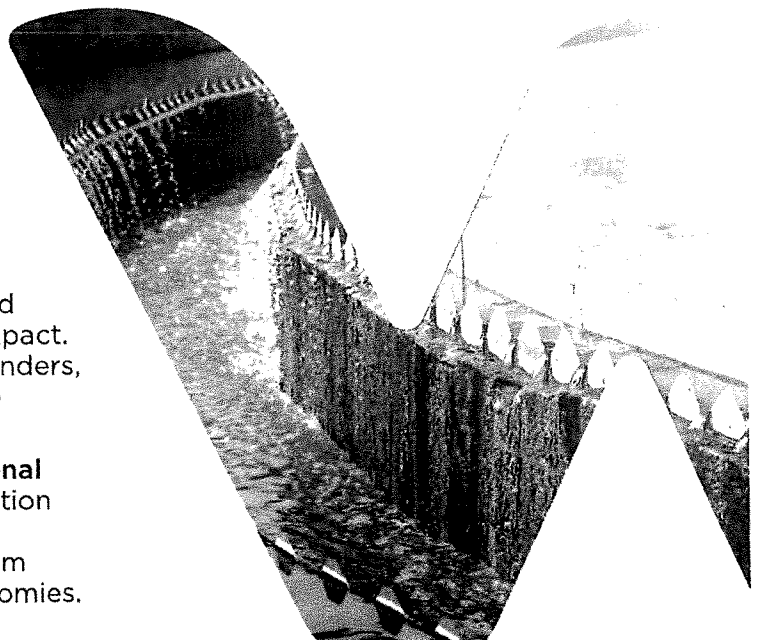
TODD  
WILLIAMS

# Partnering for Impact

*Elevating Innovation & Excellence*

The goal of Partnering for Impact (PFI) is to build stronger utility/university/industry collaborations in the water sector for innovation and find areas where our efforts can create a positive impact. Water agencies, cities, counties, utilities, research funders, and universities actively addressing water issues are increasingly recognizing the value of partnering.

In addition, we can work together to promote national leadership in the water sector. Intentional collaboration can help drive innovation, increase the adoption of solutions, and enhance both resilience and ecosystem health, all while considering the needs of local economies.



# REGISTRATION FORM

## PARTNERING FOR IMPACT

(PLEASE PRINT OR TYPE)

Register online: [events.cwea.org](http://events.cwea.org)

Includes lunch

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Agency/Company: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

MEMBERSHIP:  CWEA  WEF  CASA  CA-NV AWWA # \_\_\_\_\_

**Special Services:** Check here if you require special accommodations to fully participate and attach written description.

**Dietary Restrictions:** Indicate any dietary restrictions \_\_\_\_\_

Tell us a bit about you. Please select one response for each question.

| 1. WHAT IS YOUR CAREER STAGE?   |  |                                | 2. WHAT IS YOUR PRIMARY PRACTICE AREA?                               |   |  |                                |
|---|--|--------------------------------|--|---|--|--------------------------------|
| <input type="checkbox"/> Student  | <input type="checkbox"/> Job Seeker    |                                | <input type="checkbox"/> Collection Systems                          | <input type="checkbox"/> Electrical/Instrumentation |  |                                |
| <input type="checkbox"/> Entry-level  | <input type="checkbox"/> Journey-level |                                | <input type="checkbox"/> Engineering                                 | <input type="checkbox"/> Laboratory                 | <input type="checkbox"/> Plant Maintenance |                                |
| <input type="checkbox"/> Supervisor   | <input type="checkbox"/> Management    |                                | <input type="checkbox"/> Plant Operations                            | <input type="checkbox"/> Pretreatment               | <input type="checkbox"/> Public Outreach   |                                |
| <input type="checkbox"/> Executive  | <input type="checkbox"/> Retiree       | <input type="checkbox"/> Other | <input type="checkbox"/> Safety                                      | <input type="checkbox"/> Stormwater                 | <input type="checkbox"/> Utility Executive | <input type="checkbox"/> Other |
| 3. WHAT TYPE OF ORGANIZATION DO YOU WORK FOR?                                 |  |                                |  |   |  |                                |
| <input type="checkbox"/> Municipal - Large (400K+ customers)                  |  |                                | <input type="checkbox"/> Municipal - Medium (50K-400K customers)     |   |  |                                |
| <input type="checkbox"/> Municipal - Small (< 50K customers)                  |  |                                | <input type="checkbox"/> Non-municipal - Consulting Firm             |   |  |                                |
| <input type="checkbox"/> Non-municipal - Manufacturer or sales representative |  |                                | <input type="checkbox"/> Non-municipal - Regulator, State or Federal |   |  | <input type="checkbox"/> Other |

### REGISTRATION

|   |              |
|---|--------------|
| <input type="checkbox"/> <b>EARLY BIRD RATE (BEFORE MAY 27)</b>   | <b>\$125</b> |
| <input type="checkbox"/> <b>REGULAR RATE (AFTER MAY 27)</b>   | <b>\$175</b> |
| <input type="checkbox"/> <b>SUPPORTING REGISTRATION RATE</b><br>Supporting Registrants ensure the participation of emerging leaders, invited guests, and presenters highlighting breakthrough technologies for the water sector. Supporting registrants will receive recognition for their support at the event and in on-site signage. | <b>\$500</b> |
| <input type="checkbox"/> <b>STUDENT</b> Provide proof of college attendance w/minimum of 9 units.   | <b>\$0</b>   |
| <b>Fee Total \$</b>   |              |

For assistance contact **CWEA MEMBER SERVICES**  
510.382.7800 option 4 or [memberservices@cwea.org](mailto:memberservices@cwea.org)

**DAVID BROWER CENTER, 2150 Allston Way, Berkeley, CA 94704**  
Weekday parking is available in the Oxford Garage directly below us.  
Enter on Kittredge St. Staffed by a live attendant 10 a.m. - 7 p.m.  
Nearest BART station: Downtown Berkeley

#### REGISTRATION OPTIONS:

1. Register online at [events.cwea.org](http://events.cwea.org)
2. Fax to 510.382.7810
3. Mail registration form and payments to:  
**CWEA PFI22, 7677 Oakport Street,  
Suite 1030, Oakland, CA 94621-1935**

### PAYMENT INFORMATION

For payments by check or money order, make payable to: **CWEA PFI22**

For payments by credit card, please print clearly.

Credit card:  VISA  MASTERCARD  DISCOVER  AMEX Signature: \_\_\_\_\_

Credit card number: \_\_\_\_\_ Expiration date: \_\_\_\_\_

Name of account holder: \_\_\_\_\_ Billing zip code: \_\_\_\_\_

Full payment or purchase order is required to process registrations. If you have to cancel, written cancellation notice is required and must be received at least 15 days prior to the workshop date. A 25% service fee shall be retained on all cancellations. No refunds shall be given for cancellations made less than 15 days prior to the event. A written special service request is required 30 days in advance.

Register >

AGENDA ITEM 2 F  
DATE June 2, 2022



## BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 5/23/22 Name: Judy Schriebman

I would like to attend the PFAS Disposal Symposium of Cancer Free Economy Network, Sierra Club & Center for Health, Environment and Justice

To be held on the 23 & 24 day of May from 11 a.m. to 3 p.m.

Location of meeting: Virtual

Actual meeting date(s): May 23 and 24

Meeting Type: (In person/Webinar/Conference) Webinar

Purpose of Meeting: Education on PFAS Safe Disposal, if any/Harm via improper disposal/EJ

Meeting relevance to District: **Sludge from WWTPs are a source of passthrough PFAs from influent flows, which may impact our ability to use sludge beneficially as land application for certain uses**

Request assistance from Board Secretary to register for Conference:   **NO**

Board Directors to make their own Hotel Reservations and book their own transportation including airfare, taxi and/or shuttles.

Frequency of Meeting: One time

Estimated Costs of Travel (if applicable): N/A

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Date submitted to Board Secretary: May 23, 2022

Board approval obtained on Date: \_\_\_\_\_

Please submit this form to the Board Secretary no later than 1 week prior to the Board Meeting.

REVISED 05052022





Item Number 26

GM Review CD

# Agenda Summary Report

**To:** Board of Directors

**From:** Dale McDonald, Administrative Services Manager *M*  
(415) 526-1519 [dmcDonald@lgvsd.org](mailto:dmcDonald@lgvsd.org)

**Meeting Date:** June 2, 2022

**Re:** COLA Adjustments for Vehicle Allowance and Phone Reimbursement for Select Management Employee Agreements

**Item Type:** Consent X Action \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_

**Standard Contract:** Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

## STAFF RECOMMENDATION

That the Board confirm and approve a Cost-of-Living Adjustment ("COLA") increase of 2.75% for vehicle allowance and phone reimbursement included in management employment agreements.

## BACKGROUND

The Las Gallinas Valley Sanitary District Management Employment Agreements includes benefits that are to be increased each year based on Board approved COLA increases. Historically these are adjusted on July 1 and set at the same rate as the annual General Wage increase.

The District's General Wage COLA as of July 1, 2022 is 2.75%.

Two managers, McDonald and Cortez, receive a vehicle allowance while Liebmann and Pease are provided a District vehicle. All management, except for the Interim General Manager, have the benefit of obtaining reimbursement for a cell phone once every 3 years.

Confirming the annual COLA increase is good practice and maintains public transparency as to the full cost of benefits for its management team.

## PREVIOUS BOARD ACTION

On December 2, 2021, the Board approved Employment Agreements with its management team which includes a General Wage COLA of 2.75% effective July 1, 2022.

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

The fiscal year 2022-23 budget provides for the benefit increases in management contracts.

- Monthly vehicle allowance would increase from \$399.23 to \$410.21, for two employees.
- Cell phone reimbursement, once every 3 years, would increase from \$273.58 to \$281.10. Benefit is available for four management staff.



Item Number 24  
GM Review CO

# Agenda Summary Report

To: Board of Directors  
From: Dale McDonald, Administrative Services Manager *DM*  
(415) 526-1519 [dmcDonald@lqvsd.org](mailto:dmcDonald@lqvsd.org)  
Meeting Date: June 2, 2022  
Re: Resolution Approving Salary Pay Schedule Effective July 1, 2022  
Item Type: Consent  Action  Information  Other   
Standard Contract: Yes  No  (See attached) Not Applicable

### STAFF RECOMMENDATION

That the Board adopt the attached Resolution 2022-2257 approving a Salary Pay Schedule for all employees, effective July 1, 2022, per Memorandum of Understanding and Employment Agreement contract terms.

### BACKGROUND

As a result of a two-year successor Memorandum of Understanding ("MOU") agreement between Operating Engineers Local 3 ("OE3") and the Las Gallinas Valley Sanitary District, the parties agreed to salary adjustments effective July 1, 2021 and July 1, 2022.

Management and unrepresented employees entered into new Employment Agreements in December 2021 which included Cost-of-Living Adjustments ("COLA") for the following employees:

- Administrative Services Manager McDonald
- Collections System Safety Maintenance Manager Pease
- District Engineer Cortez
- Plant Manager Liebmann
- Administrative Financial Specialist Schultz

It is time to update the Salary Pay Schedule. The Pay Schedule must be adopted to meet California Code of Regulations, Subchapter 1, Employees' Retirement System Regulations section 570.5 (2 CCR § 570.5).

### PREVIOUS BOARD ACTION

On August 19, 2022, the Board adopted the MOU agreement between Las Gallinas Valley Sanitary District and Operating Engineers Local 3 which includes a 2.75% salary range increase for all represented classifications effective the first pay period that encompasses July 1, 2022.

On December 2, 2021, the Board approved Employment Agreements with its management and unrepresented employees which includes a 2.75% COLA effective July 1, 2022.

### ENVIRONMENTAL REVIEW

N/A

### FISCAL IMPACT

The fiscal year 2022-23 budget provides for the COLA pay increases.

**RESOLUTION NO. 2022-2257**

**A RESOLUTION ADOPTING THE SALARY PAY SCHEDULE FOR  
ALL EMPLOYEES OF THE DISTRICT**

**LAS GALLINAS VALLEY SANITARY DISTRICT**

**WHEREAS**, the Las Gallinas Valley Sanitary District (“District”) adopted the Salary Pay Schedule for all management and unrepresented employees on March 3, 2022; and

**WHEREAS**, the District has a Memorandum of Understanding with Operating Engineers Local 3 which includes a requirement to increase the salary ranges for all represented classifications by two and three quarters percent (2.75%) effective the first pay period that encompasses July 1, 2022; and

**WHEREAS**, the District has employment agreements with its remaining unrepresented and management employees which entitles them to a general wage increase of two and three quarters percent (2.75%) effective July 1, 2022, with the exception of the Interim General Manager whose salary remains unchanged; and

**WHEREAS**, the District has contracted with CalPERS to provide certain retirement benefits to its employees; and

**WHEREAS**, the governance of retirement benefits provided to public employees in the state of California is governed by California Government Code Title 2, Division 5, Part 3 Public Employees’ Retirement System; and

**WHEREAS**, the Board of Administration of the Public Employees’ Retirement System has promulgated regulations to implement requirements of the governing law; and

**WHEREAS**, the California Code of Regulations, Subchapter 1, Employees’ Retirement System Regulations section 570.5 (2 CCR § 570.5) states that

“(a) For purposes of determining the amount of “compensation earnable” pursuant to Government Code Sections 20630, 20636, and 20636.1, payrate shall be limited to the amount listed on a pay schedule that meets all of the following requirements:

- (1) Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meeting laws;
- (2) Identifies the position title for every employee position;
- (3) Shows the payrate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
- (4) Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;

(5) Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;

(6) Indicates an effective date and date of any revisions;

(7) Is retained by the employer and available for public inspection for not less than five years; and

(8) Does not reference another document in lieu of disclosing the payrate”.

**THEREFORE, BE IT RESOLVED** that the Board of Directors of the Las Gallinas Valley Sanitary District does hereby adopt the Pay Schedule effective the first pay period that encompasses July 1, 2022 for all employees, which is attached as Exhibit A and is included by reference, in accordance with the requirements of the California Code of Regulations, Subchapter 1, Employees’ Retirement System Regulations section 570.5 (2 CCR § 570.5).

\* \* \* \* \*

I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a regular meeting thereof held on June 2, 2022, by the following vote of the members thereof:

AYES, and in favor thereof, Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

\_\_\_\_\_  
Teresa L. Lerch, District Secretary  
Las Gallinas Valley Sanitary District

APPROVED:

(seal)

\_\_\_\_\_  
Judy Schriebman, Board President



**Las Gallinas Valley Sanitary District**  
Salary Pay Schedule as of July 1, 2022

**EXHIBIT A**

| Full Time Positions                           | Monthly Salary |        |        |        |        |                             |                             |                             |
|---|----------------|--------|--------|--------|--------|-----------------------------|-----------------------------|-----------------------------|
|   | Step 1         | Step 2 | Step 3 | Step 4 | Step 5 | Longevity 5% <sup>(2)</sup> | Longevity 3% <sup>(3)</sup> | Longevity 2% <sup>(4)</sup> |
| Administrative Assistant                      | 6,057          | 6,360  | 6,678  | 7,012  | 7,362  | 7,730                       | 7,962                       | N/A                         |
| Administrative/Financial Specialist           | 8,349          | 8,767  | 9,205  | 9,666  | 10,149 | N/A                         | N/A                         | N/A                         |
| Administrative Services Manager               | 14,734         | 15,470 | 16,244 | 17,056 | 17,909 | N/A                         | N/A                         | N/A                         |
| Assistant Engineer                            | 9,216          | 9,677  | 10,161 | 10,669 | 11,202 | 11,763                      | 12,115                      | N/A                         |
| Associate Engineer                            | 11,229         | 11,791 | 12,380 | 12,999 | 13,649 | 14,332                      | 14,761                      | N/A                         |
| Civil Engineering Technician                  | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | 9,419                       | 9,701                       | N/A                         |
| Collection System/Maintenance/Safety Manager  | 14,374         | 15,093 | 15,848 | 16,640 | 17,472 | 18,346                      | 18,896                      | 19,274                      |
| Collection System Operator <sup>(1)</sup>     | 5,765          | 6,053  | 6,356  | 6,674  | 7,007  | N/A                         | N/A                         | N/A                         |
| Collection System Operator I <sup>(1)</sup>   | 6,057          | 6,360  | 6,678  | 7,012  | 7,362  | N/A                         | N/A                         | N/A                         |
| Collection System Operator II                 | 6,364          | 6,682  | 7,016  | 7,367  | 7,735  | 8,122                       | 8,365                       | N/A                         |
| Collection System Operator III                | 6,853          | 7,195  | 7,555  | 7,933  | 8,330  | 8,746                       | 9,009                       | N/A                         |
| Collection System Operator Lead               | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | 9,419                       | 9,701                       | N/A                         |
| CMMS Technician                               | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | 9,419                       | 9,701                       | N/A                         |
| District Engineer                             | 15,102         | 15,857 | 16,650 | 17,482 | 18,357 | 19,274                      | 19,853                      | 20,250                      |
| District Secretary                            | 7,947          | 8,345  | 8,762  | 9,200  | 9,660  | 10,143                      | 10,447                      | N/A                         |
| Electrical Instrumentation Technician         | 7,947          | 8,345  | 8,762  | 9,200  | 9,660  | 10,143                      | 10,447                      | N/A                         |
| Environmental Services Director               | 10,173         | 10,682 | 11,216 | 11,777 | 12,365 | 12,984                      | 13,373                      | N/A                         |
| Laboratory Analyst-in-Training <sup>(1)</sup> | 7,024          | 7,375  | 7,744  | 8,131  | 8,538  | N/A                         | N/A                         | N/A                         |
| Laboratory Analyst I <sup>(1)</sup>           | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | N/A                         | N/A                         | N/A                         |
| Laboratory Analyst II                         | 8,146          | 8,553  | 8,981  | 9,430  | 9,901  | 10,396                      | 10,708                      | N/A                         |
| Laboratory Analyst III                        | 9,447          | 9,919  | 10,415 | 10,936 | 11,483 | 12,057                      | 12,418                      | N/A                         |
| Maintenance Supervisor                        | 10,688         | 11,222 | 11,784 | 12,373 | 12,991 | 13,641                      | 14,050                      | N/A                         |
| Plant Manager                                 | 14,734         | 15,470 | 16,244 | 17,056 | 17,909 | 18,804                      | 19,368                      | 19,756                      |
| Plant Operator-in-Training <sup>(1)</sup>     | 6,364          | 6,682  | 7,016  | 7,367  | 7,735  | N/A                         | N/A                         | N/A                         |
| Plant Operator I <sup>(1)</sup>               | 6,686          | 7,020  | 7,371  | 7,740  | 8,126  | N/A                         | N/A                         | N/A                         |
| Plant Operator II                             | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | 9,419                       | 9,701                       | N/A                         |
| Plant Operator III                            | 8,146          | 8,553  | 8,981  | 9,430  | 9,901  | 10,396                      | 10,708                      | N/A                         |
| Plant Operator Lead                           | 8,772          | 9,211  | 9,671  | 10,155 | 10,663 | 11,196                      | 11,532                      | N/A                         |
| Plant Operations Supervisor                   | 10,688         | 11,222 | 11,784 | 12,373 | 12,991 | 13,641                      | 14,050                      | N/A                         |
| Skilled Maintenance Worker I <sup>(1)</sup>   | 6,364          | 6,682  | 7,016  | 7,367  | 7,735  | N/A                         | N/A                         | N/A                         |
| Skilled Maintenance Worker II                 | 7,380          | 7,749  | 8,136  | 8,543  | 8,970  | 9,419                       | 9,701                       | N/A                         |
| General Manager <sup>(5)</sup>                | 22,399         |        |        |        |        |                             |                             |                             |

**How to Use this Pay Scale:** Steps 1 through 5 are the regular levels for all positions.

- (1) Represented employees in entry level classifications and unrepresented employees hired after 7/1/2016 are not eligible for longevity pay.
- (2) Longevity Pay equal to 5% of salary is given beginning on the 7th year of employment, longevity shown is for employees at top regular step 5.
- (3) Additional Longevity Pay equal to 3% of salary is given beginning on the 11th year of employment, longevity shown is for employees at top regular step 5.
- (4) Additional Longevity Pay equal to 2% of salary is given beginning on the 16th year of employment for management hired prior to 7/1/2016.
- (5) The General Manager position is a contract position with 3.25% COLA effective 7/1/21. The salary was established by the Board of Directors on 1/21/2021.

Resolution No. 2022-2257

Adopted \_\_\_\_\_



Item Number 21  
GM Review CD

# Agenda Summary Report

To: Board of Directors  
From: Michael P. Cortez, PE, District Engineer  
(415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
Meeting Date: June 2, 2022  
Re: Application of Allocation of Capacity for APN 164-270-07  
Talus Reserve  
Item Type: Consent  Action \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes  No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

## STAFF RECOMMENDATION

Board to approve the issuance of a Will Serve Letter for the Talus Reserve development located at 98 Erin Drive.

## BACKGROUND

Talus Reserve is seeking a Will Serve Letter for the approval of 29 single family residential homes and 5 accessory dwelling units on an undeveloped parcel along Erin and Ellen Drive. Based on the information provided, the connection fee is \$193,314.

Also included with the project is the sewer main extension on Erin Drive and Ellen Dr. As a condition of approval, the developer has committed on upsizing approximately 200 LF of an existing 6-inch sewer to 8-inch along Erin Drive to the point of connection. Staff reviewed and approved the sanitary sewer construction in September 2021. In addition, all major sewer improvements will be inspected by a District-hired inspector.

The Will Serve Letter is contingent upon satisfaction of the conditional requirement to address any corrective actions in the sanitary sewer improvement components of the project before the District signs off final inspection for the City of San Rafael Building Department.

Potential Access Issues to Impacted Sewer Facilities: Adequate vehicle access to the new manholes will be provided within street right-of-way. For sewers outside of the proposed street right-of-way, a sanitary sewer easement at least 10-ft wide with no permanent structures within easement area will be provided.

Additional Flow Contribution: (The District Ordinance refers to one Equivalent Dwelling Unit (EDU) as a Single-Family Dwelling Unit that includes up to 20 PFUs. Assuming 200 gallons per day (gpd) per EDU, the flow contribution per PFU is approximately 10 gpd.)

The estimated additional flow from the project is approximately 0.045 MGD, which is within the available capacity in the Marinwood Trunk Sewer based on the hydraulic analysis by Hazen &



Sawyer in March 2022. The analysis showed that there exists a surcharge condition along a trunk sewer upstream of the development; however, the analysis also showed that the development should not worsen the current surcharging. This upstream trunk sewer will be included in a future District flow monitoring plan as part of the overall collection system hydraulic analysis.

**PREVIOUS BOARD ACTION(S)**

N/A

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

Connection Fee Revenue of \$193,314.



Figure 1. Location Map



101 Lucas Valley Road, Suite 300  
 San Rafael, CA 94903  
 Tel.: 415-472-1734  
 Fax: 415-499-7715  
 www.LGVSD.org

**MANAGEMENT TEAM**  
 Interim General Manager, Chris DeGabriele  
 Plant Operations, Mel Liebmann  
 Collections/Safety/Maintenance, Greg Pease  
 Engineering, Michael P. Cortez  
 Administrative Services, Dale McDonald

**DISTRICT BOARD**  
 Megan Clark  
 Ronald Ford  
 Craig K. Murray  
 Judy Schriebman  
 Crystal J. Yezman

Date: June 2, 2022

Property Owner(s): Lucas Valley – Talus, LLC

Property Owner Address: 2000 Crow Canyon Place, Suite 350  
 San Ramon, CA 94583

Applicant: Robert Parish

Project Name: Talus Reserve

Project Address: 98 Erin Drive  
 San Rafael, CA 94903

Project APN: APN 164-270-07

**Re: Will-Serve Letter**

You have requested a **Will-Serve Letter** from the Las Gallinas Valley Sanitary District (“LGVSD”) at the June 2, 2022 Board Meeting.

Subject to the terms and conditions in this letter, LGVSD will serve the project consisting of 29 Single Family Residential Units and five (5) Accessory Dwelling Units. This letter may be used to submit to another local agency to satisfy a condition for either tentative subdivision map approval or any other permit approval. **This letter is contingent upon satisfaction of the conditional requirement to address any corrective actions in the sanitary sewer improvement components of the project before the District signing off on the final inspection form for the City of San Rafael Building Department.**

The standard terms and conditions of approval are as follows:

| Initial | Item | Condition of Approval  |
|---------|------|--|
|         | 1    | You pay for the facility capacity fee (new connection fee) in accordance with LGVSD ordinances and policies. Please note payment date obligation and amount obligation.                                  |
|         | 2    | You agree to abide by all conditions of approval of the Board of Directors and District staff.   |
|         | 3    | This Will Serve approval terminates three (3) years from the Board meeting date unless all building permits have been issued for the project.  |
|         | 4    | Field inspection <b>during</b> construction is required for this project. Applicant shall accommodate and coordinate with District hired third-party inspector for inspections.                          |
|         | 5    | After the lateral inspection is completed and the connection verified, the project will be added to the sewer user charge and will receive a charge for this service annually.                           |
|         | 6    | Prior to the connection of any sewer lateral, you must contact the District for the appropriate lateral inspection permit. A lateral tie-in inspection is required before any lateral can be backfilled. |
|         | 7    | Applicant shall reimburse the District for all plan review, field verification before and after construction, and inspection fees accrued associated with this project.                                  |



A complete summary of the project specific conditions of approval is included in the Board Meeting minutes.

The Connection Fee approved by the Board is as follows:

|  |                      |
|--|----------------------|
| Connection Fee for 29 Single Family Homes at \$6,666/unit: | \$ 193,314.00        |
| Connection Fee for 5 ADUs:                                 | \$ 0.00              |
| <i>Total Connection Fee:</i>                               | <i>\$ 193,314.00</i> |
| Application Fee:   | \$ 500.00 (paid)     |
| Engineering Review and Inspection Fees:                    | \$ TBD               |
| Total Fee:   | \$ 193,814.00        |
| <b>Outstanding Balance:</b>                                | <b>\$ 193,314.00</b> |

The proposed dwelling units and/or PFU shall be subjected to field verification upon project completion. The connection fee may be adjusted for actual number of dwelling units and/or additional plumbing fixture units.

The District ordinance provides for payment of the Connection Fee over a two-year period according to the following:

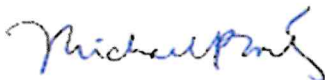
1. 10% of the Connection Fee is due within thirty days of Board approval of final plans and specifications;
2. 40% of the Connection Fee is due within one year, June 2, 2023; or upon the date of building permit issuance, whichever occurs first;
3. 50% of the Connection Fee is due within two years, June 2, 2024; or upon the date of building permit issuance, whichever occurs first;

Please remit **\$193,314** and make the check payable to Las Gallinas Valley Sanitary District. Please note if payment schedule as above is not followed, you risk losing your allocation.

By issuing this **Will-Serve Letter**, LGVSD is not incurring any liability of any nature, including but not limited to mandate, damages or injunctive relief. LGVSD is making no representation to the applicant nor waiving any rights it has under any applicable State or Federal law. In the event there is any court imposed moratorium on LGVSD, a connection to the District system may not occur. In the event any government agency imposes a moratorium on LGVSD, a connection to the District system may not occur. In the event there is not sufficient capacity, a connection to the District system may not occur.

If connection has not been made within three years, the allocation will be terminated without prejudice. Upon request, you will receive a refund of 90% of the above fees and you will be able to re-apply for an allocation at the fee rate then prevailing. Please sign and date the original of this letter and return it to the District office within 10 days. The copy is for your records.

Sincerely,



Michael P. Cortez, PE District Engineer

AGREED:

\_\_\_\_\_  
Project Applicant

Date: \_\_\_\_\_

Cc: Dale McDonald, Administrative Services Manager



Item Number 25  
GM Review CD

# Agenda Summary Report

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**To:** Board of Directors  
**From:** Teri Lerch, District Secretary  
 (415) 526-1510; tlerch@lgvsd.org  
**Mtg. Date:** May 19, 2022  
**Re:** Approve Resolution 2022-2258 adopting revised Board Policies B-60 Board Member Compensation and F-60 Revenue  
**Item Type:** Consent X Action \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_  
**Standard Contract:** Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

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### STAFF RECOMMENDATION

Attached for approval is Resolution 2022-2258 updating policies B-60 Board Member Compensation and F-60 Revenue. Board suggested changes are shown in highlight (strikeout format) and clean copies are also provided.

### BACKGROUND

The Board has requested to review and update Board Policies.

### PREVIOUS BOARD ACTION

On May 19, 2022, Board reviewed B-60 Board Member Compensation and F-60 Revenue with staff and requested it come back with suggested revisions for approval.

### ENVIRONMENTAL REVIEW

N/A

### FISCAL IMPACT

N/A

**RESOLUTION NO. 2022-2258**

**A RESOLUTION APPROVING BOARD POLICY REVISIONS FOR B-60 BOARD MEMBER COMPENSATION AND F-60 REVENUE**

**THE LAS GALLINAS VALLEY SANITARY DISTRICT**

**WHEREAS**, the Board of Directors (“Board”) has determined that a comprehensive list of Policies and Procedures for the Board is in the best interest of the District; and

**WHEREAS**, the Board has compiled a comprehensive list of Policies and Procedures to serve as the rules and regulations of the Board; and

**WHEREAS**, the Board did adopt such comprehensive list of Policies and Procedures on July 9, 2009; and

**WHEREAS**, such policies may need to be updated from time to time; and

**WHEREAS**, on May 19, 2022, the Board reviewed and suggested changes on Board policies B-60 Board Member Compensation and F-60 Revenue;

**NOW THEREFORE**, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy sections: B-60 BOARD MEMBER COMPENSATION and F-60 REVENUE. The previously approved Board Policies B-60 and F-60 are hereby revoked and declared null and void.

If any policy or portion of a policy contained within the Policies and Procedures is in conflict with rules, regulations, or legislation having authority over the Las Gallinas Valley Sanitary District, said rules, regulations or legislation shall prevail.

The Policies and Procedures shall remain in effect until amended by at least a majority vote of the Board of Directors.

\* \* \* \* \*

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 2<sup>nd</sup> day of June 2022, by the following vote of the members thereof:

- AYES, and in favor thereof Members:
- NOES, Members:
- ABSENT, Members:
- ABSTAIN, Members:

\_\_\_\_\_  
Teresa Lerch, District Secretary

APPROVED:

\_\_\_\_\_  
Judy Schriebman, President of Board of Directors  
Resolution No. 2022-2258

**B-60 BOARD MEMBER COMPENSATION**

**Purpose**

This policy establishes compensation for Board Members to attend meetings.

**B-60-10 Limit on Meetings.** Board Members shall be compensated for up to the legal limit of six meetings per month and one meeting per day. Compensation shall apply to both Regular and Special Board meetings, Board committee meetings, meetings for organizations related to District business. The meetings must be a direct benefit to the District. Please refer to the list of meeting below that are considered to be additional compensable meetings. To qualify for compensation for meetings of organizations related to District business, Board approval is required. Board members requesting attendance at meetings, including meetings of organizations related to District business, training, conference and/or seminars, shall submit their request to the entire Board at least five business days prior to the meeting. If an unexpected opportunity occurs for a meeting that will benefit the District, the Board Member may request an RQPA (Request for Prior Authorization) from the Board at the next Board meeting by written request.

**B-60-11 Compensable Meeting Activities.** Meetings that are considered compensable include the following:

- Webinars, online trainings, and tours of facilities that are at least 1 ½ hours in length and pertain to District Business.
- Multiple party conference calls convened by LGVSD subcommittees that are at
- Ad Hoc meetings that are over an hour in length.
- One-on-one meetings between LGVSD committee members with any other outside agency or committee via face-to-face interaction virtual or telephone which are at least 1 hour long, pertain to District Business and are not for logistical purposes only
- Tours of District facilities with public officials external to the District that are at least an hour long.
- Other meetings falling outside of the above listed meeting descriptions shall be brought to the Board for determination of compensability prior to any Board member’s attendance at such meetings.

**B-60-20 Compensation Rate.** Board Member’s meeting stipend shall be set at the maximum allowable under Senate Bill 1559 effective January 1, 2001. Furthermore, the aforementioned new meeting stipend should be considered for increased annually the maximum allowable under Senate Bill 1559 on the first day of January in each succeeding year thereafter.

**B-60-30 Compensation for Training, Seminars, Conference, etc.** See B-50-10/20.

|                                 |                             |
|---------------------------------|-----------------------------|
| <b>Resolution No. 2022-2258</b> | Date Approved: June 2, 2022 |
| President of the Board          | Last Reviewed: June 2, 2022 |

**B-60-40 Tally Sheets.** To receive compensation, Directors should provide a monthly meeting tally sheet (available from the District Secretary) within five days after the end of the month.

**B-60-50 Reimbursement for Expenses.** Board Members shall be compensated for all reasonable and legitimate expenses incurred in attending meetings or taking trips on behalf of the District that have been authorized by the Board. Expense reports shall be submitted within 30 days of attendance at the meeting. Any disputes shall be settled by majority vote of the Board.

**B-60-51 Reimbursement for Miscellaneous Expenses.** Board Members may submit receipts for up to \$1600 per calendar year for miscellaneous actual and necessary expenses to conduct District Business unrelated to meeting, conference or training attendance. This allowance is anticipated to include information technology related items, office related equipment and furniture, consumable office supplies, and other expenses necessary for Board Members to conduct District Business. An additional allowance specified by the Board for mobile computer devices specifically for the purpose of accessing electronic Board Agenda Packets and other District business may be authorized every four years. This allowance does not include food or travel related costs, which are addressed in section B-60-50. Per Section B-50-20 and Government Code Section 53232.2, all costs shall be usual and reasonable.

**B-60-60 Prevailing District Mileage Rate.** Reimbursement for travel by private car shall be at the prevailing IRS mileage rate.

|                                 |                             |
|---------------------------------|-----------------------------|
| <b>Resolution No. 2022-2258</b> | Date Approved: June 2, 2022 |
| President of the Board          | Last Reviewed: June 2, 2022 |

**F-60 REVENUE**

**Purpose**

This policy establishes how the District will set fees and ensure their collection to fund operations.

**F-60-10 Setting of Fee and Charge Amounts.** Fees and charges shall be set to recover the current operational needs of the District, including the financing of capital improvements in accordance with the Capital Improvement Program.

**F-60-20 Collection of Fees and Charges.** The District shall strive to collect all fees and charges imposed, and shall actively pursue and settle delinquent accounts.

**F-60-30 Review of Fees.** The District shall review fees and charges annually to ensure they are set at appropriate amounts.

**F-60-40 Revenue Forecasting.** The District shall estimate revenues conservatively, through an objective, analytical process. The District shall regularly report on forecasted vs. actual revenues, and provide explanation for significant variances.

**F-60-50 Use of one-time and unpredictable revenues.** One-time revenues shall be used to support one-time expenditures or increase fund balance. Unpredictable revenues shall not be used to support ongoing operational expenses for a period longer than the revenue can reasonably be expected to support them.

|                                 |                             |
|---------------------------------|-----------------------------|
| <b>Resolution No. 2022-2258</b> | Date Approved: June 2, 2022 |
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- Multiple party conference calls convened by LGVSD subcommittees that are at least 2 hours in length that pertain to District Business
- ~~Non-public LGVSD subcommittee meetings such as~~ AD Hoc meetings that are over an hour in length.
- One-on-one meetings between LGVSD committee members with any other outside agency or committee via face-to-face ~~interaction or telephone~~, virtual or ~~telephone~~ which are at least 1 hour long, pertain to District Business and are not for logistical purposes only
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|                                 |  |
|---------------------------------|--|
| <b>Resolution No. 2020-2202</b> | <b>Date Approved: October 15, 2020</b>                           |
| <b>President of the Board</b>   | <b>Supersedes: Resolution 2019-2178</b><br><b>Last Reviewed:</b> |

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**B-60-60 Prevailing District Mileage Rate.** Reimbursement for travel by private car shall be at the prevailing IRS mileage rate.

|                                 |  |
|---------------------------------|--|
| <b>Resolution No. 2020-2202</b> | <b>Date Approved: October 15, 2020</b>                           |
| <b>President of the Board</b>   | <b>Supersedes: Resolution 2019-2178</b><br><b>Last Reviewed:</b> |



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**Purpose**

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|                                 |  |
|---------------------------------|--|
| <b>Resolution No. 2017-2084</b> | <b>Date Approved: February 23, 2017</b>                  |
| <b>President of the Board</b>   | <b>Supersedes: July 9, 2009</b><br><b>Last Reviewed:</b> |

6/2/2022

## **BOARD MEMBER REPORTS**

### **CLARK**

NBWA Board Committee, Operations Control Center Ad Hoc Committee , Other Reports

### **FORD**

NBWRA, Gallinas Watershed Council/Miller Creek Watershed Council, Marin Special Districts Association, 2022 Engineering Ad Hoc Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 HR Ad Hoc Committee, Other Reports

### **MURRAY**

Marin LAFCO, CASA Energy Committee, Other Reports

### **SCHRIEBMAN**

JPA Local Task Force, Gallinas Watershed Council, 2022 Legal Services Ad Hoc Committee, 2022 HR Ad Hoc Committee, 2022 Biosolids Ad Hoc Committee, Other Reports

### **YEZMAN**

Flood Zone 7, CSRMA, Marin Special Districts Association, 2022 Ad Hoc Engineering Sub-Committee re: STPURWE, 2022 Legal Services Ad Hoc Committee, 2022 Biosolids Ad Hoc Committee, Other Reports

Agenda Item 3.3  
Date June 2, 2022

RCAC Utility Staff Recruitment & Retention

May 24, 2022

Craig K. Murray

Moderator:



**Kimberly Bennett**  
Sacramento, CA  
[kbennett@rcac.org](mailto:kbennett@rcac.org)



## Rural Community Assistance Partnership

**RCAP National Office**  
1701 K St. NW, Suite 700  
Washington, D.C. 20006  
[www.rcac.org](http://www.rcac.org)

**Western RCAP**  
Rural Community Assistance  
Corporation  
[www.rcac.org](http://www.rcac.org)

**Midwestern RCAP**  
Midwest Assistance Program  
[www.map-inc.org](http://www.map-inc.org)

**Southern RCAP**  
Communities Unlimited  
[www.communitiesu.org](http://www.communitiesu.org)

**Great Lakes RCAP**  
Great Lakes Community  
Action Partnership  
[www.glcac.org](http://www.glcac.org)

**Southeastern RCAP**  
Southeast Rural Community  
Assistance Project  
[www.sercap.org](http://www.sercap.org)

**Northeastern RCAP**  
RCAP Solutions  
[www.rcapsolutions.org](http://www.rcapsolutions.org)

**RCAP Solutions**

**RCAC**  
[www.rcac.org](http://www.rcac.org)

**COMMUNITIES Unlimited**

**SERCAP, INC.**

### RCAC Programs

- Affordable housing**
- Community facilities**
- Water and wastewater infrastructure financing (Loan Fund)**
- Classroom and online training**
- On-site technical assistance**
- Median Household Income (MHI) surveys**

RCAC: Has Loan Fund for small projects that may help with projects that don't qualify State, Fed. Lots of Technical Assistance. Started in Affordable Housing. If your Median Household Income (MHI) is high can see if you can qualify as Disadvantaged Community.

## Where To Find Answers...

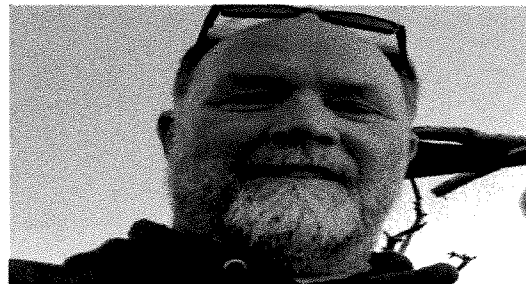
|  |   |
|--|---|
| <b>Zoe Wu, Water Resource Control Engineer</b>     | <ul style="list-style-type: none"><li>• <a href="mailto:Chi-Tang.Wu@waterboards.ca.gov">Chi-Tang.Wu@waterboards.ca.gov</a></li><li>• 916/319-8263</li></ul>   |
| <b>Division of Drinking Water District offices</b> | <ul style="list-style-type: none"><li>• <a href="https://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/ddw_districtofficesmap.pdf">https://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/ddw_districtofficesmap.pdf</a></li></ul> |
| <b>Your Local Primacy Agency (LPA)</b>             | <ul style="list-style-type: none"><li>• <a href="https://www.waterboards.ca.gov/drinking_water/programs/documents/lpa_map_013017.pdf">https://www.waterboards.ca.gov/drinking_water/programs/documents/lpa_map_013017.pdf</a></li></ul>                             |
| <b>SWRCB Drinking Water Program web site:</b>      | <ul style="list-style-type: none"><li>• <a href="http://www.waterboards.ca.gov/drinking_water/certific/drinkingwater/TMF.shtml">http://www.waterboards.ca.gov/drinking_water/certific/drinkingwater/TMF.shtml</a></li></ul>   |



John Hamner, Trainer today.

## Your Trainer Today

John Hamner  
Rural Development Specialist:  
Environmental  
(707) 277-0420  
[JHamner@rcac.org](mailto:JHamner@rcac.org)



Hiring Trainers. Big Claim to fame: Helping people Grade I, II, III as Water Operators.

## Topics Covered Today

- Advertising & resources available to hire good staff
- Interviewing and hiring staff
- Budgeting to acquire/retain good staff
- Using evaluations for retention longevity
- Free for all!



Opening Statements. Start Networking for hiring. Close to 90 water systems with population of 60k+. Hiring Committee w/pre-prepared questions. One of big problems is getting and keeping good staff.

: Notes RCAC Utility Staff Recruitment 5 24 22

Problem is that didn't put money in and those that get advanced certifications. Benefits is getting more important. 30,60,90 day eval on new (call them "temporary" so you don't have to worry about getting sued) employees should be annual review for all employees.

### Why do public water systems lose staff?

- Retirement
- Looked for and found a better job
- Advancement of their (your?) career
- Headhunters
- Passing away
- What did I forget?



Gray Tsunami turned into a Gray Wave, not a big exodus but retirements at a much slower pace. Retirements are big loss area. Look around and even if not talking about it they may be retiring soon. Eg Lake County Special Districts and Clearlake Oaks hire from each other. Staff getting HeadHunted from others. Head Hunters can steal your really good employees. Poll: Accounting/Office Staff/Billing (not Operators) is the hardest to find. They need to get along with co-workers. 75k systems only 1200 WW Certified Operators in CA. Poll (48%) showing Lead Operator is most difficult to fill. What did we lose: Mgt. with 20 years of Knowledge and it is a challenge to step into that role. Eg Middleton Mgr. there for 18 years, Hamner (\$86/year) there 7.5 years and now the resource as he left that people calling. But now only wanted to pay \$70k/year and by lowering expectation just much less. Q/A: Kim – how to get into business. Hamner: get in as Temp. Help, then get certified as WW Operator, someday become Lead and then Mgt. Acctg., AP/AR: know your systems.

### Could loss of an employee happen in your organization?

- Anybody over 60 at your place?
- Anybody seem unhappy?
- Anybody there who is overqualified or over skilled?
- How could we convince them to stay?



RCAC experience overqualified eg that Mark is doing excellent job. IT Dept. at RCAC and both individuals left to work for others paid better. If don't have money difficult to get them to stay and may just have to adjust and advertise for replacement. Replacement: Advertising; Who is audience if use local newspapers (not younger people); Online local paper; American WWA; American Water Works Association Career Center; California Rural Water Association; Chat: FB Ads, Craigslist, LinkedIn. Have heard Operators getting jobs off of Craigslist. BC Water Jobs (common); Keep John and Kim's email address to hire or want a job.

# Let the fun begin

- Resumes and cover letters
- Applications only
- Interview questions
- Select who will be interviewing
- In person or online interviews
- Selecting the applicant for you
- Notifying others with “sorry” letter



Questions done by someone else. Eg City of Lakeport and he remembered all the questions and checked with City of Lakeport and shared them with public water systems across the lake. If they are willing to share interview questions with you. ID who will be doing the Interviews. Eg for Operators. Raters with rating sheets. Discussion of panelists after interviewee. Problem with In Person is people are not showing up with surges. Once made selection, really recommend sending I am sorry letter. Tell them if you hear from us couple days, you are the one or will be receiving a letter in a couple of weeks. Kim: some HR Depts. Have a scanner that look for bots or key words to be selected.

## Who is your ideal candidate?

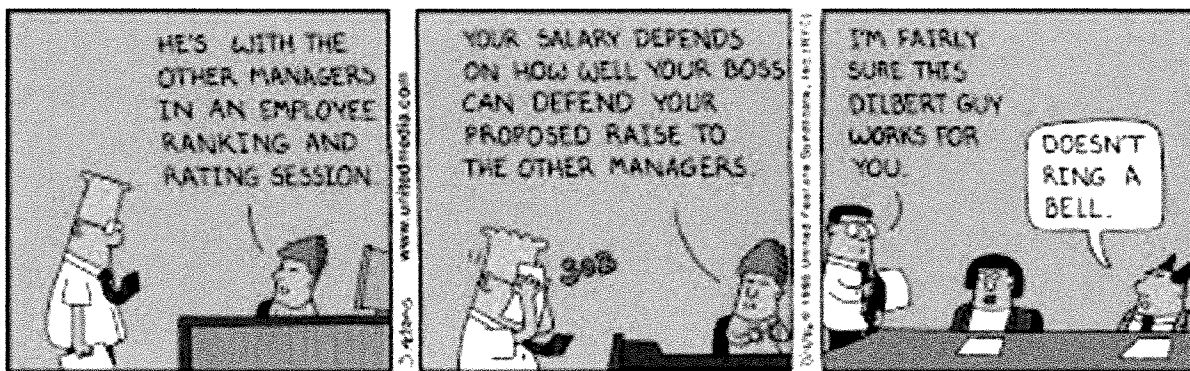
- Do you really know someone based on pieces of paper and a half hour interview?
- Is a background check in order?
- Checks and balances (probationary period)
- Have a discussion 30/60/90 days in regardless



Background check with private investigators 2-3 months to complete or check references, check their driving Record (have a DUI or DUIs) are they responsible to drive your vehicles, don't have to give a reason if probationary period release. eg Monday mornings still reeking of alcohol from the weekend and that is not acceptable, or other items not acceptable such as late. Q/A: Cannot ask in job interview: Are you married, where do you go to church. Lots of employers check social media and if pictures with you or others with Bong in your hand, you will not be hired. Google people or social media so make sure nothing there you would not want an employer or future employer want to see.

Where to do Interview (hearing issues, Board Room – where to sit with masks off – maskless interviews); recommend Team interviews not a single person interviewing. How do you rank – Numbering systems 1 to 5. Nailed it is a #5. Online : Zoom. (Look at Zoom Bloopers: Hilarious). Lighting is vey important. Soften the lighting. Hamner has bald head and reflection. Camera Angle, Audio, background. Want to be professional. Interviewing in person: Provide: Masks, hand sanitizer, distance, etc. Ask them if comfortable wearing a mask. If can't understand interviewee due to mask? Choose a distance, interviewees come in with mask, then mask off w/distance to do interviews. Tell them what you are doing, writing and not to be bothered by it. Thank them for their time, explain next steps. Q: Legal to ask about covid shots? NO, legal. Say we require our staff to be vaccinatated. Or they may call after job interview and saw not interested if have to be vaccinated. Should be on job application. Hamner: couple quit, others look for job when moved to mandate vaccinations, then it was no longer required. It was a mess. Litiguous: Keep rankings, writings. They didn't hire me because I am a blank. Make an Offer: Contact applicant, background check, tour, list of tasks and what is expected, reach consensus to avoid problems later. W4, insurance, retirement complete paperwork; supply work clothes, keys or other necessary goods (ie they are sitting in parking lot to work when you get there). ? how to set salaries. Poll. Eg PG&E & Salaries are usually two biggest expenses. Questions to are you willing to be on call? Yes as long as it doesn't interfere with. NO employee does need to be on call and ready.

## Evaluations, take care of the people that take care of you



Document, document, document. Union. Have another person with you other than employee just in case.

Working with 2 Alphas and a Beta and she did not want to hear the evaluation. Even if it is something you don't enjoy doing. One example had to do 30, 60 day Employee Improvement Plan and third one put them on Performance Improvement Plan. Hamner was on right track, employee was fired for embezzlement. Eg Employee with PTSD from Fires, then quit. Progressive discipline, adverse action and then a Skelly if a government employee. Assertive person, real butt head. Need to deal with it and how employee treats people. Use eval to build on good stuff, consider 2 positive, 1 negative.

## Using evaluations for retention longevity

7

- Who wants to do evaluations? (I DO NOT!)
- Many people have trouble receiving constructive criticism
- Or, if there are really strong issues, confrontation
- Deal with it early, or it will become a long-term issue!



## Using evaluations for retention longevity

- ✍ Document the evaluation
- ✍ Find a check list
- Discuss line by line with the employee
- Have them sign upon completion



Reason have them sign it and gives them some buy in. Problem child: you (management now) evaluate yourself and we will review it. Q: You need to be very specific about what the issues you see with the employee and give them a plan of action of how to correct these specific issues. Eg Middletown employee came back 6 years later, Manager and Board not there. Keep your evaluations. Eg She was written up due to shopping on company computer and multiple times getting a virus. Eg been told by many directos to rate everyone "standard" so that if they're below standard, it's easier to terminate them.

## Using evaluations for retention longevity

- Keep evaluations on file (for a long time)
- If they are not secure, check them periodically
- What may be a minor issue this year, may be big next year
- This is your paper trail





# Evaluations



Hamner: Problem with my Problem Child is she intimidated everyone and made for an unpleasant work environment.

## How to retain excellent Staff

- Good coin helps ✍
- Medical (minimum), dental, and vision
- Retirement (403B, CalPERS, something, anything!)
- What about the environment?



Hard to leave CalPERS. Dental and vision minimal costs. Ask if this is a friendly and comfortable environment to work. Eg: Jobs v. Career. Don't see need why you need raises each year. Board asked Staff evaluation of GM, and then GM would recommend for employees. Eval on GM and ask if GM would stick around. One Board Member, She would say No to any raises. For few years no pay raises for anyone. Some Board Members probably agree that Staff should get COLA and no. Staff then wanting GM to get cell phone away.

## DEPARTMENT BUDGET TEMPLATE

|  | 20XX Budget   | 20XX Budget   | % Change |
|--|---------------|---------------|----------|
| Total Income   | \$ 515,000.00 | \$ 214,800.00 | -58.29%  |
| Total Expenses   | \$ 515,000.00 | \$ 206,000.00 | -60%     |
| NET Income   | \$ -          | \$ 8,800.00   | 4019.0%  |
| <b>EXPENSES</b>  |               |               |          |
| <b>General &amp; Admin</b>   |               |               |          |
| Wages & Salaries   | \$ 275,000.00 | \$ 205,000.00 | -25.45%  |
| Engineering/Consultant   | \$ 50,000.00  |               | -100.00% |
| Chemicals  | \$ 50,000.00  |               | -100.00% |
| Testing  | \$ 41,000.00  |               | -100.00% |
| Utilities  | \$ 29,000.00  |               | -100.00% |
| Telephone  | \$ 1,000.00   |               | -100.00% |
| Repairs/Maintenance  | \$ 80,000.00  |               | -100.00% |
| Equipment  | \$ 69,000.00  |               | -100.00% |
| Capital Replacement  | \$ 40,000.00  |               | -100.00% |
| <div style="display: flex; justify-content: space-between;"> <span>Department Budget</span> <span></span> </div> |               |               |          |



Prop. 218 process to help determine if should be adjusting your rates. Eg Problem Women in Water Utility Industry will struggle, \$49k/year for 3 years with no raises. Some day she will move on and they will be in world of hurt to hire someone at norm.

## Budget basics

- The annual budget is estimated on last year expenses
- ✍ It should increase slightly each year (costs go up!)
- ✍ As the budget goes up, the rates need to be adjusted
- ✍ Five years of budget review, five years rate adjustment



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## Budget basics

- ✍ The politician cannot argue some costs (electrical etc.)
- ✍ The politician may argue about salaries going up
- "You can't expect a COLA each year, I never got one!"
- Managements job to convince politicians otherwise



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Management job : fight for your staff, get adjustments. Politicians: You don't deserve an annual COLA.

No raises, what else can offer: Offer Discretionary Leave, flex schedule, paid day off/month, coffee machine in office,cookies; depends on my board, I will have to run it by them.

## Politics basic

- ✍ Board of Directors, City Counsel, Board of Supervisors...
- Most are not "water people" in the industry
- Many are more concerned about their customers than their staff
- "We'll never raise the rates as long as I'm on the board"



Private systems: Wineries; Breweries. Many Board Members are Volunteers and care more for customers and never will raise rates and therefore no raises for employees. Board Member bragging I have been on this board for 13 years and never raised rates. Never performed a Salary Survey. Problem with two board members on board for 20 years and down at the office everyday telling the GM what to do each day – not cool.

**Which would you not allow under any circumstances?**

- A. Staffer late regularly
- B. Calls in "sick" once or twice a month
- C. Bringing their child to work to homeschool
- D. Flexible hours, flexible days
- E. All of the above



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Other items of fiscal importance (costs to employer): Work clothes, taking vehicles home, medical benefits for others, dental/vision, retirement.

**RCAC staff...**

- [jhamner@rcac.org](mailto:jhamner@rcac.org)
- [kbennett@rcac.org](mailto:kbennett@rcac.org)

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**6/2/2022**

**Interim General Manager Report**

- Separate Item to be distributed at Board Meeting
- Separate Item to be distributed prior to Board Meeting
- Verbal Report
- Presentation



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## San Francisco Bay Regional Water Quality Control Board

### NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT ON

#### **LAS GALLINAS VALLEY SANITARY DISTRICT ENROLLMENT UNDER GENERAL WASTE DISCHARGE REQUIREMENTS FOR THE DISCHARGE OF BIOSOLIDS TO LAND FOR USE AS A SOIL AMENDMENT IN AGRICULTURAL ACTIVITIES, ORDER NO. 2004-0012-DWQ**

**NOTICE IS HEREBY GIVEN THAT** the San Francisco Bay Regional Water Quality Control Board (Water Board) will accept written comments on the draft Notice of Applicability for Las Gallinas Valley Sanitary District (Discharger) enrollment under the General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities, Order No. 2004-0012-DWQ (General Order).

Enrollment will conditionally authorize the land application of biosolids, generated from the Discharger's wastewater treatment plant at 300 Smith Ranch Road, San Rafael, in Marin County, to agricultural areas on District property. Through this project, the Discharger will shift from disposing biosolids on nine acres to beneficially using biosolids by land applying on up to 304 acres as a soil amendment for agricultural production. The Discharger plans to apply 200 dry metric tons of biosolids annually.

Due to the land application site's proximity to the San Francisco Bay and tidal marshland, shallow groundwater, and potential for surface water impacts from runoff and flooding on the land application parcels, additional conditions are listed in the draft Notice of Applicability. Conditions include additional characterization and monitoring, development of a flood protection plan, and a limited land application period, as well as participation in a research project *Unregulated Organic Chemicals in Biosolids: Prioritization, Fate and Risk Evaluation for Land Applications*, EPA Grant Number R840245.

The draft Notice of Applicability and associated draft Monitoring and Reporting Program are available for review at:

[https://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/](https://www.waterboards.ca.gov/sanfranciscobay/public_notices/)

Attachments 2 and 3 of the draft Notice of Applicability are available upon request. To request the attachments, please contact Rashid Kaveh (see below).

**SUBMISSION OF WRITTEN COMMENTS.** Persons interested in the draft Notice of Applicability are encouraged to submit comments electronically. To be considered, comment letters must be received by **5:00 p.m. on June 10, 2022**. Submit comments to

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JIM McGRATH, CHAIR | THOMAS MUMLEY, INTERIM EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay)

Rashid Kaveh, by email to [Rashid.Kaveh@waterboards.ca.gov](mailto:Rashid.Kaveh@waterboards.ca.gov); or by mail or hand delivery to:

San Francisco Bay Regional Water Board, Attention: Rashid Kaveh  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Please use the subject line: **“Comment Letter – Las Gallinas Biosolids”**

Please direct questions about this notice to Rashid Kaveh (email above).

Date: May 20, 2022



Item Number 4.3  
GM Review CD

# Agenda Summary Report

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**To:** Board of Directors  
**From:** Teri Lerch, District Secretary  
 (415) 526-1510; tlerch@lgvsd.org  
**Mtg. Date:** June 2, 2022  
**Re:** Board Policy Review of B-70 Electronic/Fax Communication and  
 F-70 Investments  
**Item Type:** Consent  Action  Information  Other   
**Standard Contract:** Yes  No  (See attached) Not Applicable

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## STAFF RECOMMENDATION

Attached for information and Board review are current Board Policies B-70 Electronic/Fax Communication and F-70 Investments.

For clarity, original policies B-70 and F-70 are included with Draft policies B-70 and F-70 with suggested changes shown in red. Staff will receive comments on the subject policies at the meeting and through June 6<sup>th</sup>.

Comments received will be incorporated or addressed prior to bringing back these policies to the Board for approval at the next Board meeting.

The Board has requested to review and update Board Policy.

## PREVIOUS BOARD ACTION

None

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

N/A

**B-70 ELECTRONIC/FAX COMMUNICATION**

**Purpose**

This policy establishes the proper procedures for communication with Board Members.

**B-70-10 Primary Communication.** Routine communication between the District Office and Board Members at home shall be by fax, e-mail or other effective means. The Board has determined that these methods of primary communication are less costly and faster than mail.

**B-70-20 Fax Machines.** The District shall provide fax machines and necessary fax supplies to Board Members without fax machines. The District shall retain ownership of the fax machines, which shall be returned when a Board Member leaves office.

|                                 |                             |
|---------------------------------|-----------------------------|
| <b>Resolution No. 2009-1872</b> | Date Approved: July 9, 2009 |
| President of the Board          | Supersedes:                 |



**B-70 ELECTRONIC COMMUNICATION TO AND FROM THE BOARD**

**Purpose**

This policy establishes the proper procedures for communication with Board Members.

**B-70-10 Primary Communication.** Routine communication between the District Office and Board Members at home shall be by telephone and e-mail, ~~fax or other agreed or other effective means. The Board has determined that these methods of primary communication are less costly and faster than mail.~~

**B-70-20 Provision for Communications.** The District may provide Board Members appropriate and necessary equipment and/or services to allow for reasonable communications with the District. The District shall retain ownership of necessary equipment provided by the District, such as ~~fax machines-tablet PC's and laptops~~, which shall be returned when a Board Member leaves office.

**B-70-30 Brown Act Compliance.** Electronic communication including email messages sent to a quorum of the District Board are subject to the Brown Act and should be of an informational nature only and should not solicit feedback or encourage separate communication amongst a quorum. Recipients of said e-mails, shall not "reply-all" to e-mails with any correspondence which would otherwise require public notice requirements.

**B-70-40 Use of Private Email.** Board Members are provided with email addresses and shall not use home or business email accounts for any communication pertaining to District business. District issued email shall be used for all communication regarding district business, and only for such communication. Any email messages pertaining to District business on private or business email accounts are subject to Brown Act Compliance. This includes, but is not limited to, (1) ensuring that Board Members cooperate with the District for Public Records Act requests related to the email account, (2) retaining emails for the time period required by the District's records retention policy and (3) promptly transferring a copy of the email to a District email account.

**B-70-50 Text Messages on Personal Devices.** Board Members should avoid transmitting or receiving text messages pertaining to District business on private devices except for scheduling and coordination of meetings. Any text messages pertaining to District business on personal devices must be treated the same as emails containing District business on private email or business accounts.

|                               |  |
|-------------------------------|--|
| <b>Resolution No. 2022-</b>   | <b>Date Approved:</b>                                    |
| <b>President of the Board</b> | <b>Supersedes: July 9, 2009</b><br><b>Last Reviewed:</b> |

## F-70 INVESTMENTS

### Purpose

This policy establishes who controls investments, the acceptability of various types of investments, criteria for judging investments, and provisions for Board oversight.

**F-70-10 Premise.** The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code (CGC) §53600.6 and §53630.1); and,

Government Code Sections 5921 and 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,

The treasurer or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (CGC §53646(a)).

For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of the District to invest funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds.

**F-70-20 Scope.** This investment policy applies to all financial assets of the District. These funds are accounted for in the Annual Audited Financial Statements.

**F-70-30 Prudence.** The standard of prudence to be used by investment officials shall be the prudent investor standard (CGC §53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security credit risk or market price changes, provided deviations for expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

**F-70-40 Objectives.** As specified in CGC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of the investment activities, in priority order, shall be:

**Safety:** Safety of principal is the foremost objective of the investment program. Investments of Las Gallinas Valley Sanitary District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

**Liquidity:** The investment portfolio will remain sufficiently liquid to enable Las Gallinas Valley Sanitary District to meet all operating requirements, which might be reasonably anticipated.

**Return on Investments:** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

**F-70-50 Delegation of Authority.** Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the General Manager and District Treasurer. Written procedures for the operation of the investment program consistent with this investment policy shall be established. Procedures should include references to safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements, and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the General Manager and District Treasurer. The General Manager shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. Under the provisions of California Government Code §53600.3, the General Manager and District Treasurer are trustees and/or fiduciaries, subject to the prudent investor standard.

**F-70-60 Ethics and Conflicts of Interest.** Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**F-70-70 Authorized Financial Institutions and Dealers.** The General Manager and District Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the District shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the District Treasurer, or other appropriate District officer, shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the District's account with the firm has reviewed the District's Investment Policy and that the firm understands the policy and intends to

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present investment recommendations and transactions to the District that are appropriate under the terms and conditions of the Investment Policy.

**F-70-80 Authorized and Suitable Investments.** The District is empowered by California Government Code §53601, et seq., to invest in the following:

- A. Bonds issued by the District.
- B. U.S. Treasury Bills, Notes & Bonds.
- C. Registered state warrants or treasury notes or bonds issued by the State of California.
- D. Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County Treasurers, other local agencies or Joint Powers Agencies.
- E. Obligations issued by agencies or instrumentalities of the U.S. Government.
- F. Bankers acceptances with a term not to exceed 270 days. Not more than 40% of surplus funds can be invested in bankers acceptances and no more than 30% of surplus funds can be invested in the bankers acceptances of any single commercial bank.
- G. Prime commercial paper of U.S. corporations with assets greater than \$500 million, with a term not to exceed 180 days and the highest ranking issued by Moody's Investors Service (Moody's) or Standard & Poor's Corporation (S&P). Commercial paper cannot exceed 15% of total surplus funds, provided that, if the average maturity of all commercial paper does not exceed 31 days, up to 30% of surplus funds can be invested in commercial paper.
- H. Negotiable certificates of deposit issued by federally or state chartered banks or associations. Not more than 30% of surplus funds can be invested in certificates of deposit.
- I. Repurchase/reverse repurchase agreements of any securities authorized by this Section. Securities purchased under these agreements shall be no less than 102% of market value. (See special limits in CGC §53601.i.)
- J. Medium term notes (not to exceed 5 years) of U.S. corporations rated A or better by Moodys or S&P. Not more than 30% of surplus funds can be invested in medium term notes.
- K. Shares of beneficial interest issued by diversified management companies (money market mutual funds) investing in the securities and obligations authorized by this Section. Such funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than 15% of surplus funds can be invested in money market mutual funds.

- L. Funds held under the terms of a trust indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.
- M. Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.
- N. Any mortgage pass-through security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a nationally recognized rating service. Not more than 30% of surplus funds may be invested in this category of securities.
- O. Any other investment security authorized under the provisions of CGC §5922 and §53601. (Also, see CGC §53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. CGC §53601 is included by reference in this investment policy.)

**F-70-90 Collateralization.** All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under CGC §53601(i)(2).

**F-70-100 Safekeeping and Custody.** All security transactions entered into by the District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the District by book entry, physical delivery or by third party custodial agreement as required by CGC §53601.

**F-70-110 Diversification.** It is the policy of the District to diversify its investment portfolio by security type and institution. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer, or a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

- P. Portfolio maturities shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.
- Q. Maturities selected shall provide for stability of income and liquidity.
- R. Disbursement and payroll dates shall be covered through maturities investments, marketable U.S. Treasury Bills or other cash equivalent instruments, such as money market mutual funds.

**F-70-120 Reporting.** In accordance with CGC §53646(b)(1), the District Treasurer, or other appropriate District officer, shall submit to each member of the Board a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments,

the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for the District by third party contracted managers. The report will also include the source of the portfolio valuation. As specified in CGC §53646 (e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that: (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy; and, (2) The District will meet its expenditure obligations for the next six months as required by CGC §53646(b)(2) and (3), respectively. The Treasurer, or other appropriate District officer, shall maintain a complete and timely record of all investment transactions.

**F-70-130 Investment Policy Review.** Staff may annually present this Investment Policy to the Board for review. Any modifications shall be considered at a public meeting and approved by the Board.

**F-70-140 Prohibited Investments.** Under the provisions of CGC §53601.6 and §53631.5 the District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools, or any investment that may result in a zero interest accrual if held to maturity.

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>Resolution No. 2017-2084</b> | Date Approved: February 23, 2017 |
| President of the Board          | Supersedes: July 9, 2009         |

F-70 INVESTMENTS

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|                          |  |
|--------------------------|--|
| Resolution No. 2017-2084 | Date Approved February 23, 2017          |
| President of the Board   | Supersedes July 9, 2009<br>Last Reviewed |

on individual securities do not exceed the income generated from the remainder of the portfolio.

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**F-70-50 Delegation of Authority.** Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the General Manager and District Treasurer. Written procedures for the operation of the investment program consistent with this investment policy shall be established. Procedures should include references to safekeeping, (PSA) Public Securities Association repurchase agreements, wire transfer agreements, collateral/depository agreements, and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the General Manager and District Treasurer. The General Manager shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. Under the provisions of California Government Code §53600.3, the General Manager and District Treasurer are trustees and/or fiduciaries, subject to the prudent investor standard.

**F-70-60 Ethics and Conflicts of Interest.** Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**F-70-70 Authorized Financial Institutions and Dealers.** The General Manager and District Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the District shall select only broker/dealers who are licensed and in good standing with the California Department of

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| <u>Resolution No. 2017-2084</u> | <u>Date Approved February 23, 2017</u>                 |
| <u>President of the Board</u>   | <u>Supersedes July 9, 2009</u><br><u>Last Reviewed</u> |



Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the District Treasurer, or other appropriate District officer, shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the District’s account with the firm has reviewed the District’s Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the District that are appropriate under the terms and conditions of the Investment Policy.

**F-70-80 Authorized and Suitable Investments.** The District is empowered by California Government Code §53601, et seq., to invest in the following:

- A. Bonds issued by the District.
- B. U.S. Treasury Bills, Notes & Bonds, ~~or certificates of indebtedness.~~
- C. Registered state warrants or treasury notes or bonds issued by the State of California.
- D. ~~Registered treasury notes or bonds of any of the other 49 states, in addition to California.~~
- ~~D.E.~~ \_\_\_\_\_ Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County Treasurers, other local agencies or Joint Powers Agencies.
- ~~E.F.~~ \_\_\_\_\_ Obligations issued by agencies or instrumentalities of the U.S. Government.
- ~~F.G.~~ \_\_\_\_\_ Bankers acceptances with a term not to exceed ~~270~~180 days. Not more than 40% of surplus funds can be invested in bankers acceptances and no more than 30% of surplus funds can be invested in the bankers acceptances of any single commercial bank.
- ~~G.H.~~ \_\_\_\_\_ Prime commercial paper of U.S. corporations with assets greater than \$500 million, with a term not to exceed ~~180~~270 days and the highest ranking issued by Moody’s Investors Service (Moody’s) or Standard & Poor’s Corporation (S&P). Eligible Commercial paper investments cannot exceed 15%-25% of total surplus funds, provided that, if the average maturity of all commercial paper does not exceed 31 days, up to 30% of surplus funds can be invested in commercial paper. Local agencies may purchase no more than 10% of the outstanding commercial paper of any single issues.
- ~~H.I.~~ \_\_\_\_\_ Negotiable certificates of deposit issued by federally or state chartered banks or associations. Not more than 30% of surplus funds can be invested in certificates of deposit.

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|                                 | <b>Last Reviewed:</b>                   |

I.J. Repurchase/reverse repurchase agreements of any securities authorized by this Section. Securities purchased under these agreements shall be no less than 102% of market value. (See special limits in CGC §53601.i.)

J.K. Medium term notes (not to exceed 5 years) of U.S. corporations rated A or better by Moodys or S&P. Not more than 30% of surplus funds can be invested in medium term notes.

K.L. Shares of beneficial interest issued by diversified management companies (money market mutual funds) investing in the securities and obligations authorized by this Section. Such funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than ~~15%~~20% of surplus funds can be invested in money market mutual funds. (See requirements in CGC §53601.i.)

L.M. Funds held under the terms of a trust indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.

M.N. Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.

O. Any mortgage pass-through security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a nationally recognized rating service. Not more than ~~30%~~20% of surplus funds may be invested in this category of securities.

P. Shares of beneficial interest issued by a joint power authority organized pursuant to section CGC 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (g), inclusive.

N-Q. US Dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter- American Development Bank.

Q-R. Any other investment security authorized under the provisions of CGC §5922 and §53601. (Also, see CGC §53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. CGC §53601 is included by reference in this investment policy.)

**F-70-90 Collateralization.** All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The

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percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under CGC §53601(i)~~(2)~~.

**F-70-100 Safekeeping and Custody.** All security transactions entered into by the District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the District by book entry, physical delivery or by third party custodial agreement as required by CGC §53601.

**F-70-110 Diversification.** It is the policy of the District to diversify its investment portfolio by security type and institution. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer, or a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

~~P.S.~~      Portfolio maturities shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.

~~Q.T.~~      Maturities selected shall provide for stability of income and liquidity.

~~R.U.~~      Disbursement and payroll dates shall be covered through maturities investments, marketable U.S. Treasury Bills or other cash equivalent instruments, such as money market mutual funds.

**F-70-120 Reporting.** In accordance with CGC §53646(b)(1), the District Treasurer, or other appropriate District officer, shall submit to each member of the Board a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for the District by third party contracted managers. The report will also include the source of the portfolio valuation. As specified in CGC §53646 (e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that: (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy; and, (2) The District will meet its expenditure obligations for the next six months as required by CGC §53646(b)(2) and (3), respectively. The Treasurer, or other appropriate District officer, shall maintain a complete and timely record of all investment transactions.

**F-70-130 Investment Policy Review.** Staff may annually present this Investment Policy to the Board for review. Any modifications shall be considered at a public meeting and ~~e~~be approved by the Board.

**F-70-140 Prohibited Investments.** Under the provisions of CGC §53601.6 ~~and §53631.5~~ the District shall not invest any funds covered by this Investment Policy in inverse floaters, range

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notes, interest-only strips derived from mortgage pools, or any investment that may result in a zero interest accrual if held to maturity.

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| <b>Resolution No. 2017-2084</b> | Date Approved: February 23, 2017           |
| President of the Board          | Supersedes: July 9, 2009<br>Last Reviewed: |



Item Number 4.4  
GM Review CD

# Agenda Summary Report

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To: Board of Directors  
From: Chris DeGabriele, Interim General Manager  
(415) 526-1511; cdegabriele@lgvsd.org  
Mtg. Date: June 2, 2022  
Re: FutureSense Report Recommendations – Update  
Item Type: Consent  Action  Information  Other   
Standard Contract: Yes  No  (See attached) Not Applicable

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## STAFF RECOMMENDATION

Receive updated report on status of FutureSense November 2, 2021 Employee Cultural Assessment Report Recommendations.

## BACKGROUND

FutureSense conducted an Employee Cultural Assessment in October 2021 to update understanding of the LGVSD organizational climate. This was a comprehensive review including interviews of management, staff and the Board of Directors. An electronic survey was also utilized to assess the culture and communication practices at LGVSD. The purpose of this agenda item is to inform the Board of Directors on status of recommendations included in the November 2, 2021 FutureSense Employee Cultural Assessment Report.

## PREVIOUS BOARD ACTION

On June 21, 2021 the Board approved awarding a contract to FutureSense to conduct an updated employee cultural assessment. Directors Clark and Murray were appointed to an Ad Hoc committee to work with FutureSense while the report was developed. A special Board meeting was held on November 10, 2021 where consultant Jim Finkelstein from FutureSense presented the report findings and recommendations.

The Board received an informational report on response to FutureSense Recommendations at the April 21, 2022 meeting and had several comments and questions, which are addressed in this update.

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

None at this time. Cost of recommendations implemented from the report will be included in the annual LGVSD Operational Budget.

# FUTURE SENSE EMPLOYEE CULTURAL ASSESSMENT REPORT RECOMMENDATIONS

In order to continue to support this evolving culture and in order to foster a positive culture, the following is strongly recommended:

## RECOMMENDATIONS

### Recommendation 1 – Leadership/Management Training

This cultural assessment also considered the extent to which supervisors, managers and leaders exhibit "managerial intelligence" or behave as coaches, communicators, collaborators, mentors and/or staff "champions". Consider conducting leadership/management training for all current managers and supervisors that will foster a positive work environment. This training should be done annually ensuring that managers are leading in the same manner and have the tools to be phenomenal leaders. Training should include but not be limited to the following: performance management; crucial conversations; developing and supporting staff; understanding a union environment; servant leadership; and communication. Here are some topic examples for leadership/management training curriculum:

- Communication skills
- Performance management
- Team building
- Conflict resolution
- Problem solving
- Decision making
- Delegation
- Time management
- Project management
- Change management

**Response:** Leadership/Management Training is always needed and if possible, staff should attend the same or similar training for consistency in approach, nomenclature and information exchange. Annual training may be too frequent, but certainly it can be undertaken periodically or on a rotating basis.

Currently the Administrative Services Manager is enrolled in the Regional Government Services Leadership Academy. Additionally, all supervisory and management personnel received training in 2019. In 2018 all staff received communication training through an RGS trainer based on the Zengler-Miller/City of Santa Rosa Front Line Leadership programs.

County of Marin currently has a Leadership Academy in conjunction with Dominican University that may be appropriate for managers and also has a Supervision Bootcamp which is likely more appropriate for front line supervisors. The Interim GM will endeavor to find out more about the County of Marin and other training programs and promote same to staff as appropriate.

**Managers from other Marin County Wastewater Treatment Plants were queried on training used at their agencies and it varied from relatively inexpensive available webinars (DKF Solutions.com; Liebert Cassidy Whitmore) to the pricey in person 2 weeklong Water/Wastewater Leadership Center in North Carolina (see attached). I also reached out to the County of Sonoma who hope to offer in person leadership/management training again in late summer. My attempts to get information from the County of Marin have gone unanswered.**

### **Recommendation 2 – Management Coaching**

It is recommended that the GM, Managers and Supervisors have an executive coach available to discuss employee concerns, focus on their leadership skills and simply be a resource.

**Response:** This is a good idea. The Board can make it available through RGS, CPS/HR, FutureSense or some other consultant avenue on an as needed basis as recommended by the Board and/or called upon by the new GM and Managers.

### **Recommendation 3 – 360 Management Reviews**

360 Management Reviews should be conducted (semi-annually) for GM and Managers/Supervisors. This is key to ensure the continued success of the organization and would allow the Board to get feedback from the staff on the performance of all managers on a regular basis. This will allow the Board to look for accomplishments, as well as see gaps in performance as they arise and address them before they escalate.

**Response:** 360 Degree reviews are a good idea and I believe informally practiced now at the LGVSD department head level. I would suggest some brief training for the Board to implement initially for the GM performance review. Prior to implementing formally at the Department Head level, some dialogue and disclosure on process with Department Heads is necessary. Semi-annual reviews are too frequent.

### **Recommendation 4 – Board Newsletter**

As recommended in the past, the Board can work to manage downward communication to the staff and management by putting together a Board newsletter to staff (via email). This would allow the staff and management to regularly hear from the Board about organizational changes and updates, to include the continued support the functions of the organization.

**Response:** Staff is now receiving The Heron Newsletter in the mail at their home address and in the GM dialogue with Finkelstein this is the appropriate format for a newsletter. Staff will continue to request feedback via conversation at the periodic All Hands meetings with the GM.

Since March 17, 2022, the Interim General Manager has begun distributing highlights from the Board of Directors meetings to inform staff of Board deliberations and decisions.

### **Recommendation 5 – Organizational Scorecard**

As recommended in the past, utilizing the Organizational Scorecard to demonstrate the organizational health of LGVSD including all department updates and advancements to ensure that organizational functions are working properly. This should also follow the consent agenda for the Board needs. This might also include a check ensuring that annual reviews are being conducted, staff are being recognized and significant strides are being made to invest in the current LGVSD talent, supporting the "new" progressive culture. It is imperative that this be updated quarterly.

**Response:** Continue utilizing the online employee climate survey annually every six months to track LGVSD scores vs. industry benchmarks for Career Development, Work Engagement, Relationship Management, Compensation, Benefits, and Work Environment.

A list of employee anniversary and promotion dates is reviewed by the GM ensuring timely performance reviews. Quarterly updates are too frequent.

**In follow-up with FutureSense, a six-month frequency for update was determined to be acceptable and the Interim General Manager has requested FutureSense to embark on an update now.**

### **Recommendation 6 – Board and GM Educational Retreat**

As LGVSD continues to foster this positive environment it is recommended that the Board and GM attend an educational retreat in order to best define the role of the board versus the GM. This educational retreat should include communication styles, ownership areas, set board position metrics and create a deeper understanding of governance versus operations . This should be a facilitated discussion and should augment conversations that have already occurred.

**Response:** This recommendation is likely specific to the prior GM relationship with the Board. An annual retreat to update the Strategic Plan is a good time to check in on Board/GM communication, but I don't believe a retreat per Recommendation 6 is needed at this time.

### **Recommendation 7 – Revaluation of HR Support**

Throughout the discovery process it was apparent that staff still feels a lack of support from HR. It is recommended that a dedicated HR professional (either outsourced or internal) that has experience in the public sector be hired to support the team outside of what exists today . In the absence of a strong HR individual, LGVSD should prepare for a notable uptick in the following if HR support is not addressed:

- Disgruntled employees, controversies, complaints, allegations and investigations
- Communication breakdowns
- Increased employee turnover
- Overlooked training and employee development needs.

**Response:** This recommendation has been fully implemented with the engagement of CPS/HR for outside human resources services. An **annual six-month** update from CPS/HR is suggested to provide feedback for the Board and to maintain a dialogue with the Human Resources consultant.

### **Recommendation 8 – Developing from Within**

For interested staff, consider offering additional professional developmental and training opportunities to support staff growth and advancement. Managers should be trained to see the potential in staff and with HR be able to outline career paths for each staff member. This will greatly improve overall employee engagement and lengthen tenure.

**Response:** A good recommendation and management staff can query employees via employee performance reviews as to training/development interests which may meet needs for advancement. It's noted that promotional opportunities may arise infrequently within small entities such as LGVSD, so this also needs to be communicated to employees.



### **Recommendation 9 – Hiring from Within**

Consider posting all open positions internally for the first month to ensure that all employees know of new opportunities and their candidacy is taken seriously. The HR staff can manage this process and work with the GM to understand and evaluate the areas that may be understaffed.

**Response:** All current employees should be encouraged to apply for open positions, and it is desirable to hire from within. However, LGVSD is a small agency and positions should be posted both internally and externally to find the best candidates to meet District needs. Internal candidates often don't interview well, and it would be beneficial to offer training for employees on how to prepare and interview for advancement.

### **Recommendation 10 – Talent Management Strategy / Succession Planning**

As the LGVSD continues to evolve, it is important that an overall Talent Management Strategy be created along with a Succession Plan for LGVSD to be nimble and prepared in the future. This will ensure that as staff move on, there are consistent ways and means for the organization to function. This will also increase employee engagement and opportunities for development.

**Response:** Another good idea and something the Interim GM can pursue aided by the Administrative Services Manager. Once established, said Succession Plan should be updated annually.



# About

## Training That Benefits You and Your Utility

Participants will enhance their management skills and further develop their leadership style. The *Leadership Center* class will:

- Increase self-awareness of personal leadership styles
- Learn how to better adapt in order to build, lead, and motivate high performing teams
- Apply communication and collaboration best practices for engaging authentically with a range of stakeholders
- Recognize the value and organizational impact of diversity, equity & inclusion efforts and demonstrate inclusive leadership behaviors
- Increase ability to manage effectively amidst continuous change and to initiate change in organizations
- Utilize practical tools and frameworks to enhance individual leadership skills, implement organizational vision strategies, and drive strategic initiatives

## Who Should Attend?

The Leadership Center's [curriculum](#) is designed for current and up-and-coming public and private water and wastewater utility leaders including CEOs, General Managers, Senior Managers, and upper-level management

## Curriculum Focuses on Important Leadership Skills

The *Center's* exceptional executive leadership curriculum focuses on:

- Leading Teams
- Ideas and Innovated Organizations
- Working with Communities
- Inclusive Leadership
- Collaboration through Critical Conversations
- Strategic Change in an Uncertain Environment
- Foundations of Leadership
- Effective Communication
- Problem Solving & Decision Making
- Negotiations
- Power, Politics & Influence
- Leading Change and Creating Personal Change

## 2023 Dates TBA

Dates Coming Soon



Item Number 5  
GM Review CD

# Agenda Summary Report

To: Board of Directors  
From: Teri Lerch, District Secretary  
(415) 526-1510; tlerch@lgvsd.org  
Mtg. Date: June 2, 2022  
Re: Consider the Cancellation of the July 7 Board Meeting  
Item Type: Consent            Action   X   Information            Other           .  
Standard Contract: Yes            No            (See attached) Not Applicable   X  .

### STAFF RECOMMENDATION

Board approve cancelling the July 7 Board meeting.

### BACKGROUND

The District Board meetings are regularly scheduled on the first and third Thursdays of each month. Occasionally, Special meetings are scheduled and/or Board meetings need to be cancelled to accommodate scheduling conflicts. In June, there are three Special meetings which include the new GM Recruitment and Strategic Plan Workshop.

Staff would like Board to consider the cancellation of the July 7<sup>th</sup> Board meeting. The Interim General Manager has a pre-scheduled vacation the first two weeks of July and the cancellation of the July 7<sup>th</sup> Board meeting would allow staff to work on upcoming projects.

### PREVIOUS BOARD ACTION

N/A

### ENVIRONMENTAL REVIEW

N/A

### FISCAL IMPACT

None.



Item Number 6  
GM Review LD

# Agenda Summary Report

To: Board of Directors  
From: Dale McDonald, Administrative Services Manager *DM*  
(415) 526-1519 [dmcDonald@lgvsd.org](mailto:dmcDonald@lgvsd.org)  
Meeting Date: June 2, 2022  
Re: Review of Donation Policy Application Form

Item Type: Consent \_\_\_\_\_ Action X Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X

### STAFF RECOMMENDATION

Board to review and provide feedback on the attached Request for Donation Application form to be used with the Donation Policy program.

### BACKGROUND

From time to time the District receives requests from various organizations for financial contributions. A Donation Policy was developed and adopted which defines how the District may contribute funds to community groups that provide benefit the District.

District staff has developed the application form that will be used for the program. Staff was asked to bring program documents to the Board for review and feedback before publishing.

### PREVIOUS BOARD ACTION

On October 21, 2021, the Board adopted a Donation Policy to establish a formal procedure for allocating funds to community groups that request contributions from the District for educational or nonprofit programs and events.

### ENVIRONMENTAL REVIEW

N/A

### FISCAL IMPACT

N/A

### Attachments:

- a. Draft Donation Application Form
- b. Board Donation Policy F-140 (for reference)



LGVSD Tracking No. \_\_\_\_\_

# LAS GALLINAS VALLEY SANITARY DISTRICT Request for Donation

*Donations must serve a public purpose. The gift of public funds, such as any expenditure which benefits an individual or small class of individuals only, with no benefit to all of the residents of the District is prohibited by the Constitution of the State of California, Article XVI, Section 6.*

### Applicant Information

|                              |  |                                  |    |
|------------------------------|--|----------------------------------|----|
| Date:                        |  | Project / Program / Event Title: |    |
| Applicant Organization Name: |  |                                  |    |
| Address:                     |  |                                  |    |
| Contact Person / Title:      |  |                                  |    |
| Contact Phone Number:        |  | Email:                           |    |
| Organization Federal Tax ID: |  | Amount of Request:               | \$ |

### Brief Project or Program Description

( Attach written request for donation on applicant's letterhead )

### Certification

I certify, under penalty of law that all information provided herein is true. I am aware that submission of this application and supporting documents are subject to approval by the Las Gallinas Valley Sanitary District and that not all applications will be approved.

\_\_\_\_\_  
Applicant Signature (Board Chair / Director or Designee)

\_\_\_\_\_  
Date

Please send you completed application and attachments to:

- 1) MAIL: Las Gallinas Valley Sanitary District, Attn: Request for Donation
- 2) OR, DELIVER IN-PERSON: 101 Lucas Valley Road, Suite 300, San Rafael, CA 94903
- 3) OR, E-MAIL: [info@lgvsd.org](mailto:info@lgvsd.org) with "Request for Donation" in the "Subject" line.

Ensure you include:

- 4) This application form, and
- 5) Written request on applicant's letterhead describing how the donation will benefit the residents of the District, and
- 6) Detailed project or program budget, and
- 7) Current organization budget and latest financial statement.

101 Lucas Valley Rd Ste 300, San Rafael CA 94903 Phone: 415-472-1734 / Fax: 415-785-4347 Web: [www.lgvsd.org](http://www.lgvsd.org)

### Eligibility Information

Funding contributions will be considered only for educational or non-profit groups with projects, programs and events that serve to benefit the public and meet the mission of the District to protect the public health and our environment, by providing effective wastewater collection, treatment, and recycling services.

Additional factors to be considered when determining whether to fund a contribution:

- When the educational or non-profit provides a service that complements or enhances one the District provides itself;
- When there is an identifiable secondary benefit to the District; or
- When the educational or non-profit provides a service the District could provide but chooses not to.

Eligible applicants must be hosted by a group that can show the donation benefits the residents of the District. Eligible groups include:

- A. School Groups: Activities or educational programs offered by school groups that represent schools whose boundaries are partially or wholly within the District's limits.
- B. Community and Non-profit Groups recognized as a legal entity organized and operated for a collective, public or social benefit: Events and programs hosted by a non-profit, or by a group sponsored by a non-profit.

Ineligible activities: Political, religious, fundraising for undefined activities, and personal expenditures are not eligible for funding.

### Responsibilities of Donation Recipients

Each recipient is held accountable for using the donation in compliance with the request and any additional terms placed on the donation by the Las Gallinas Valley Sanitary District. In addition, each recipient must:

- Institute adequate controls over project funds to ensure that all funds are properly accounted for.
- Present invoices to the District on request.
- Ensure that the District is kept properly advised of significant factors affecting the successful outcome of the project or program and any significant deviation from the proposed scope, starting date or completion date of the project or program.
- Recipient of the donation must provide a written report to the District Board within 6 months of the event or program end-date. The report must include final audit of funds received and expended. Late, partial, or non-submitted reports for past events will be considered by the District Board when considering donation requests.

District donated moneys not spent for the purposes intended by the Las Gallinas Sanitary District in approving the donation must be returned to the District within 30 days of termination of the proposed project or program.

*See Board Donation Policy F-140 adopted by Resolution No. 2021-2228 for additional details on the program.*

| <b>*** Staff Use Only ***</b>               |             |
|---|-------------|
| Eligible Applicant?                         | YES__ NO__  |
| Is this the first request this fiscal year? | YES__ NO__  |
| Is request under the annual cap of \$12,500 | YES__ NO__  |
| Preliminary inquiry required?               | YES__ NO__  |
| Date Scheduled for Presentation to Board    |             |
| Donation Approved / Denied                  | DATE: _____ |
| If approved, date check issued:             | DATE: _____ |

## F-140 DONATION POLICY

### Purpose

This policy establishes a formal procedure for allocating funds to non-profit community groups requesting contributions from the District.

Donations must serve a public purpose. The gift of public funds, such as any expenditure which benefits an individual or small class of individuals only, with no benefit to all of the residents of the District is prohibited by the Constitution of the State of California, Article XVI, Section 6.

### Eligibility

Funding contributions will be considered only for educational or non-profit groups with projects, programs and events that serve to benefit the public and meet the mission of the District to protect the public health and our environment, by providing effective wastewater collection, treatment, and recycling services.

Additional factors to be considered when determining whether to fund a contribution:

- When the educational or non-profit provides a service that complements or enhances one the District provides itself.
- When there is an identifiable secondary benefit to the District; or
- When the educational or non-profit provides a service the District could provide but chooses not to.

Eligible applicants must be hosted by a group that can show the donation benefits the residents of the District. Eligible groups include:

A. School Groups: Activities or educational programs offered by school groups that represent schools whose boundaries are partially or wholly within the District's limits.

B. Community and Non-profit Groups: Events and programs hosted by a non-profit, or by a group sponsored by a non-profit, recognized as a legal entity organized and operated for a collective, public or social benefit.

Ineligible activities: Political, religious, fundraising for undefined activities, and personal expenditures are not eligible for funding.

Reporting: Recipient of the donation must provide a written report to the District Board within 6 months of the event or program end-date. Late, partial, or non-submitted reports for past events will be considered by the District Board when considering future donation requests.

|                                 |                                 |
|---------------------------------|---------------------------------|
| <b>Resolution No. 2021-2228</b> | Date Approved: October 21, 2021 |
| President of the Board          | Supersedes:                     |

**Procedure**

The procedure for requesting and receiving a contribution is as follows:

- A. The District Board allocates funding for this program through the annual budget process which will set the annual maximum funding limit of the program.
- B. All applicants must submit a written request. Multiple requests may be submitted in a single fiscal year (July 1- June 30), so long as the total of such requests does not exceed the maximum funding cap. Non-profits, or groups partnered with a non-profit, must provide a Federal Tax ID number along with their current budget and latest financial statement.
- C. Requests that are consistent with the eligibility requirements will be brought to the District Board as the Board Schedule and Board Agenda permit. The Board shall make findings that establishes the benefit to the District and the community it serves.
- E. Requests are considered on a first-come-first-served basis.
- F. The District Board has established a contribution cap of \$12,500 to any single applicant in a fiscal year. However, upon review of the submitted application and supporting materials it is within the Board's discretion to allow a greater contribution amount per fiscal year, where the Board finds and determines that an applicant provides either 1) a service that complements or enhances any services provided by the District, or 2) the applicant provides a demonstrable secondary benefit to the District and the community it serves, or 3) the applicant provides a service the District could provide but chooses not to do so.

**Management of the Program**

The General Manager shall oversee the program and has the authority to delegate management of the program to the Administrative Services Manager. Development of program materials, forms, and waivers required by the program are to be coordinated by staff of the District. Reporting requirements of the program are to be established by the General Manager. All financial reporting requirements and waivers required by the program will comply with applicable federal, state, and local laws.

District staff will perform a review of eligibility requirements for each application and perform preliminary inquiries as needed so that the District Board has enough details on the request to make an informed decision regarding the application.

|                                 |                                 |
|---------------------------------|---------------------------------|
| <b>Resolution No. 2021-2228</b> | Date Approved: October 21, 2021 |
| President of the Board          | Supersedes:                     |





Item Number 7  
GM Review CD

# Agenda Summary Report

To: Board of Directors  
From: Michael P. Cortez, PE, District Engineer  
(415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
Meeting Date: June 2, 2022  
Re: STPURWE Change Order Authorization for  
Secondary Clarifier #1 Additional Rock Excavation  
Item Type: Consent \_\_\_\_\_ Action X Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes X No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

## STAFF RECOMMENDATION

Board authorizes the Interim General Manager to execute a Contract Change Order (CCO) for Secondary Clarifier #1 Additional Rock Excavation in the amount of \$465,049.

## BACKGROUND

The extent of rock excavation and disposal required for the construction of Secondary Clarifier #1 and associated yard piping have exceeded the scope outlined in the initial change order approved by the Board for the clarifier relocation. In addition, the contractor has claimed costs for pipe material adjustment and escalation because yard piping plans were incomplete at the time of initial change order negotiations. As such, the contractor has submitted a combined claim of \$930,098 over the approved change order amount of \$909,777, which District staff rejected due to inconsistencies with pricing data and quantity of work. After multiple negotiations, both parties have agreed to settle at half of the claimed amount at \$465,049 in order to avoid lengthy and complicated arbitration process. Staff feels the settlement amount justifiable based on submitted backup documentation reviewed by the construction manager, Kennedy Jenks. The agreed amount brings the total final cost of Secondary Clarifier #1 relocation to \$1,374,826.

As part of the change order settlement, staff has opted to keep the excavated rock materials onsite in lieu of offsite disposal. The rocks, when crushed to appropriate gradation, can be used to cap existing levees in the reclamation area and raise low lying areas within the plant as part of the District's future long-term sea level rise mitigation plan.

District staff reviewed details of the change order settlement with the Engineering Subcommittee on May 13, 2022. The subcommittee granted staff's request in recommending the settlement amount for Board approval.

## PREVIOUS BOARD ACTION(S)

1. Award of contract to Myers & Sons Construction, LLC for construction of Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project on November 15, 2018.

- On October 1, 2020, the Board approved Contract Change Order #37 for the relocation of Secondary Clarifier #1 from the existing secondary clarifier site to its current site (see site map below).

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

A capital expenditure of \$465,049, which will be funded from the remaining contingency of the STPURWE project.

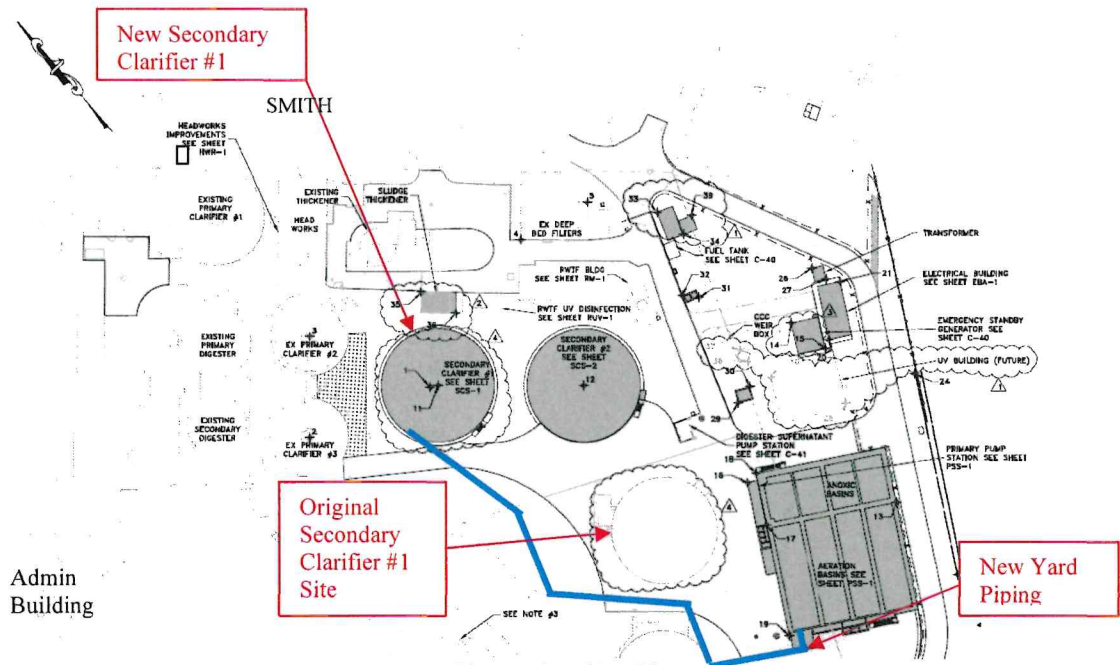


Figure 1 – Site Plan

Additional  
Rock  
Excavation



Figure 2 – Secondary Clarifier #1



Figure 3 – Yard Piping



Item Number 8  
GM Review CD

# Agenda Summary Report

To: Board of Directors  
From: Michael P. Cortez, PE, District Engineer  
(415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
Meeting Date: June 2, 2022  
Re: STPURWE Change Order Authorization for  
10" Fire Hydrant Line Extension  
Item Type: Consent  Action  Information  Other   
Standard Contract: Yes  No  (See attached) Not Applicable

## STAFF RECOMMENDATION

Board authorizes the Interim General Manager to execute a Contract Change Order in the amount of \$331,842 for the 10" Fire Hydrant Line Extension for the Secondary Treatment Plant Upgrade & Recycled Water Expansion (STPURWE) project.

## BACKGROUND

It was found during installation of miscellaneous yard piping that the integrity of some segments of the existing plantwide 1.5" and 2.5"-diameter potable water distribution system installed in the mid-1950s and 1980s have degraded due to age and substandard fittings. Staff has evaluated options and determined that it would be more cost effective to bypass these sections by extending the newly installed 8" hydrant line approximately 450 LF, which will provide the following benefits:

1. Avoid saw-cutting new AC paving along the perimeter road during installation of the future 8" fire hydrant line for the Operations Control Center (OCC).
2. Immediate relief to the existing potable water supply lines for the Administration Building, Lab, Recycled Water Facility, and other plant facilities, including the Reclamation Area. Most of the original potable water lines are undersized and have never been upgraded after addition of new facilities.
3. Add a second fire hydrant for the plant before completion of the OCC, which will be installed near the existing Lab and Recycled Water Facility. City of San Rafael Fire Department requires a total of 6 fire hydrants along the plant perimeter road as a permit condition for the proposed OCC. DHA and Oberkamper prepared the design of the fire hydrant line and have obtained the necessary permits from MMWD and Fire Department.
4. A potable water line that meets code requirements for separation from storm drainage, untreated, secondary treated sewage, and disinfected tertiary recycled water lines.

District staff have reviewed the cost estimate with the project design and construction management team and deemed the change order proposal reasonable. In addition, this change order is within the estimated amount of \$300,000 (+/- 20%) discussed with the Engineering Subcommittee on May 13, 2022.



Construction Budget Summary (As reported to Engineering Subcommittee on 5/23/2022):

|                                      |                                     |
|--------------------------------------|-------------------------------------|
| • Original Contract Value:           | \$48,622,939                        |
| • Contract Change Orders (9%):       | + \$4,969,482                       |
| • Revised Contract Value:            | <u>\$53,592,421</u>                 |
| • Outstanding Claims:                | \$1,498,736 (Placeholder, MSC Est.) |
| • Outstanding PCOs:                  | + <u>\$1,872,566</u> (Placeholder)  |
| • Outstanding Claims + PCOs          | \$3,371,302 (Placeholder)           |
| • Project Contingency (18%):         | \$8,800,000                         |
| • CCO plus Outstanding Claims & PCO: | - <u>\$8,340,784</u>                |
| • Contingency Remaining:             | \$459,216                           |

**PREVIOUS BOARD ACTION(S)**

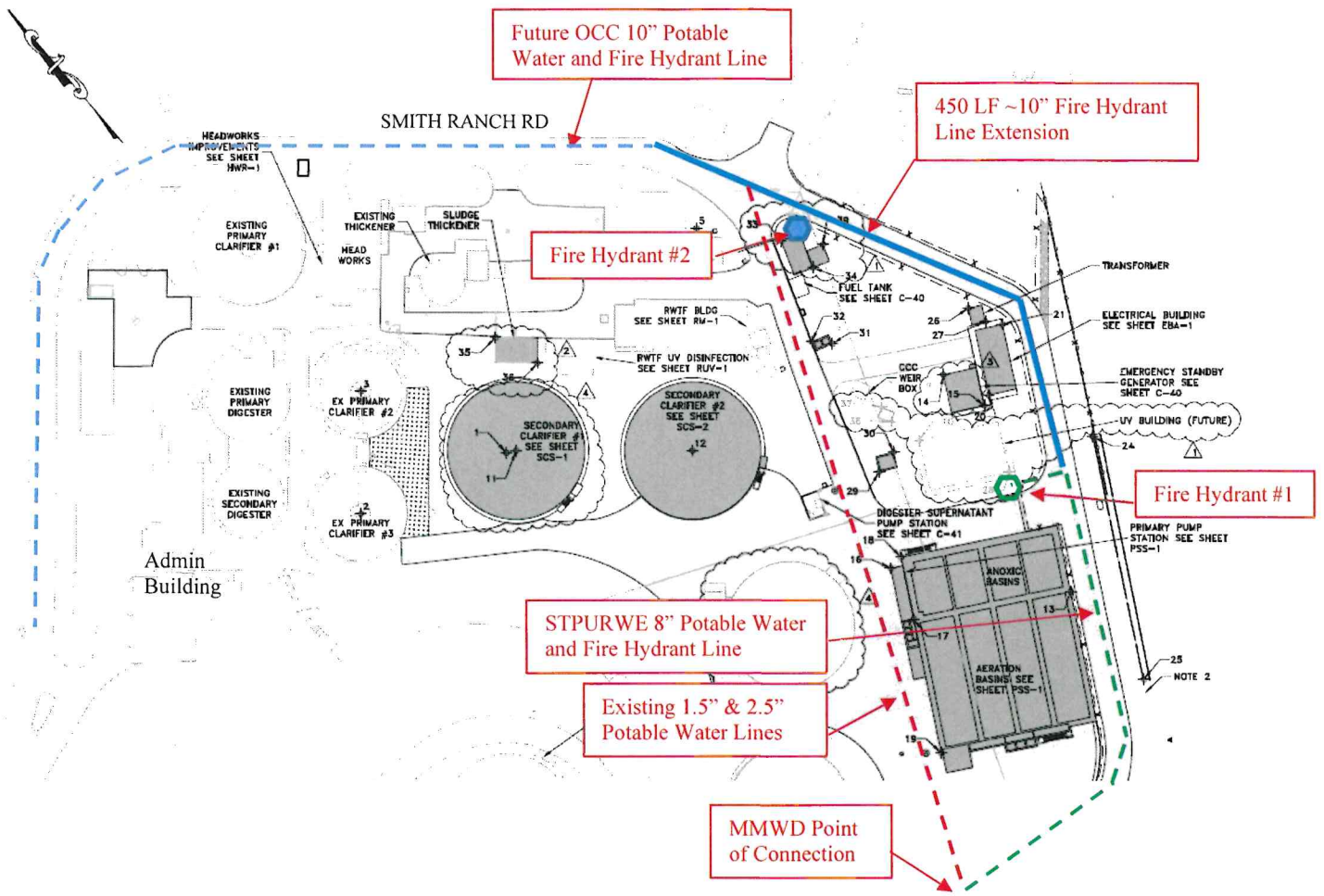
Award of contract to Myers & Sons Construction, LLC for construction of Secondary Treatment Plant Upgrade and Recycled Water Expansion project on November 15, 2018.

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

A capital expenditure of up to \$331,842, which will be funded out of the remaining contingency of the STPURWE project budget.





Item Number 9  
GM Review LD

# Agenda Summary Report

To: Board of Directors  
From: Michael P. Cortez, PE, District Engineer  
(415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
Meeting Date: June 2, 2022  
Re: Second Revised Inter-Agency Agreement for Recycled Water Between LGVSD and North Marin Water District  
Item Type: Consent \_\_\_\_\_ Action X Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes X No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

## STAFF RECOMMENDATION

Board authorizes the Interim General Manager to execute the Second Revised Inter-Agency Agreement for Recycled Water Between Las Gallinas Valley Sanitary District and North Marin Water District (LGVSD-NMWD Recycled Water Agreement).

## BACKGROUND

On April 8, 2022, District staff received a request from NMWD to update the LGVSD-NMWD Recycled Water Agreement signed in May 2011. District has reviewed NMWD’s proposed revisions as shown on Attachment 1 and concurs that an update is warranted because of the following:

1. The recycled water expansion component of the on-going STPURWE project is substantially complete and capacity obligations with NMWD need to be specified in the revised agreement for consistency with contractual obligations with Marin Municipal Water District (MMWD) based on the upgraded capacity of the Recycled Water Facility (RWF).
2. The flowmeter for NMWD has been relocated near the new recycled water distribution pump station, which is an integral part of the RWF. In addition, the current flow meter calibration requirement should be revised.
3. The original agreement contains provisions that are no longer applicable, such as the American Reinvestment Recovery Act grant funding allocation and special conditions during construction of the original facility.
4. Provides an opportunity to clarify on how both agencies would fund the Recycled Water Capital Replacement and Expansion Fund provision in the original agreement.
5. NMWD has indicated that it sent a formal request to update the original agreement in 2016 but LGVSD overlooked the request.

A summary of significant revisions to the 2011 agreement is as follows:





- 1) Term & Renewal, Page 2 – NMWD has proposed a new term of 30 years, which is the same as the LGVSD-MMWD agreement; the original term was for 20 years. Automatic renewal and extension at 1-year increment did not change from the original agreement.
- 2) Annual Delivery Quantity, Page 3, Paragraph 2:
  - i. The LGVSD commitment is reduced from 220 to 204 acre-feet per year, which should not be an issue when combined with allocation of 600 acre-feet to MMWD per LGVSD-MMWD Recycled Water Agreement.
  - ii. A firm maximum day capacity of 0.7 MGD is added to memorialize the LGVSD commitment outlined in NBWRA and USBR grant documents, which should be doable per design of the expanded Recycled Water Facility.
  - iii. District staff deleted NMWD's suggestion to specify a peak hour delivery rate of 1,460 GPM (~2.1 MGD) because the average dry weather flow to the treatment plant is only 2.85 MGD.
- 3) District legal counsel has reviewed the proposed agreement revisions and their edits are included in Attachment 1.

#### **PREVIOUS BOARD ACTION(S)**

1. On January 2011, the Board approved the Inter-Agency Agreement for Recycled Water Between LGVSD and NMWD.
2. On April 19, 2011, the Board approved proposed revision requested by NMWD to the Inter-Agency Agreement for Recycled Water between LGVSD and NMWD.

#### **ENVIRONMENTAL REVIEW**

N/A

#### **FISCAL IMPACT**

N/A

**ATTACHMENT 1**

Draft  
SECOND REVISED  
INTER AGENCY AGREEMENT  
FOR RECYCLED WATER  
BETWEEN  
LAS GALLINAS VALLEY SANITARY DISTRICT  
AND  
NORTH MARIN WATER DISTRICT

~~MAY 2011~~October 2016APRIL 2022  
REVISION 12

\\t:\gm\agreements\recycled water\nmwd lqvsd second revised ia 04\_4\_22 draft with exhibits.doc\gm\agreements\recycled water\nmwd lqvsd second revised 04\_4\_22 draft.doc  
T:\GM\Agreements\Recycled Water\NMWD-LGVSD-2016 draft.doc  
Last printed 5/23/2022~~4/8/2022~~~~4/8/2022~~~~9/22/2016~~~~9/13/2016~~

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Exhibit A                      Point of Connection Detail

Exhibit B                      User Connection Schedule

Exhibit C                      Producer's Schedule of Sampling and Analysis

1 INTER AGENCY AGREEMENT  
2 FOR RECYCLED WATER  
3 BETWEEN  
4 LAS GALLINAS VALLEY SANITARY DISTRICT  
5 AND  
6 NORTH MARIN WATER DISTRICT  
7

8 This Agreement is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_,  
9 ~~2011~~2022~~16~~, (the "Effective Date") between the Las Gallinas Valley Sanitary District (referred to  
10 as "Producer") and the North Marin Water District herein (hereinafter referred to as  
11 "Distributor"). Producer and Distributor may be referred to herein individually as a "Party" or  
12 collectively as the "Parties."

13 RECITALS

- 14 A. Producer and Distributor are actively involved in local and regional efforts to develop  
15 recycled water supplies and promote recycled water use.
- 16 B. Producer and Distributor recognize that sustainable water resource management  
17 requires integration of water supply and wastewater discharge limitations.
- 18 C. Provisions of this agreement are consistent with conditions established pursuant to  
19 the Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS)  
20 for the North San Pablo Bay Restoration and Reuse Project (Project) also known as  
21 the North Bay Water Recycling Program as published in the Code of Federal  
22 Register (CFR) Volume 75, Number 108 dated June 7, 2010.
- 23 D. Included within said Project are facilities to treat such recycled water at the  
24 Producer's wastewater treatment site, hereinafter referred to as the Recycled Water  
25 Treatment Facility (the "RWTF").
- 26 E. The RWTF and recycled water distribution system will be permitted by the State of  
27 California San Francisco Bay Regional Water Quality Control Board to treat and  
28 distribute and use treated effluent as recycled water.
- 29 F. Recycled water to be delivered by Producer to Distributor will be disinfected tertiary  
30 recycled water, in accordance with the provisions of Title 22 of the California Code of  
31 Regulations and applicable requirements of the ~~California Department of Public~~  
32 ~~Health~~State Water Resources Control Board
- 33 G. Distributor has developed a recycled water master plan for future long-term  
34 distribution of recycled water in the Novato area of Marin County, California.
- 35 H. Distributor wishes to acquire from Producer the quantity of recycled water which it  
36 can sell to End Users (as defined in Article B2).
- 37 I. City of Novato, Novato Unified School District playing fields and residential common  
38 area landscaping at Hamilton Field in South Novato will be the ~~initial~~ End Users of  
39 recycled water and other end users may be served in the vicinity of the recycled  
40 water pipeline to be constructed from the RWTF to Hamilton Field wherein said  
41 projected ~~future~~ use of recycled water in the Distributor's Service Area is reflected in  
42 the Distributor's Urban Water Management Plan.

1 **AGREEMENT PROVISIONS**

2 For and in consideration of the foregoing recitals and of the mutual promise and covenants  
3 herein contained, the Parties hereto agree as follows:

4 **ARTICLE A. INTRODUCTORY PROVISIONS**

5 **1 Definitions**

6 When used in this Agreement, the following terms shall have the meanings  
7 hereinafter set forth:

- 8 a. "End User" shall mean the ultimate user of recycled water.
- 9 b. "Fiscal Year" shall mean each 12-month period during the term of this  
10 Agreement commencing July 1 of one year and terminating June 30 of the  
11 next succeeding year, both dates inclusive.
- 12 c. "Operation and Maintenance Costs" shall mean the actual cost of: labor  
13 (including general and administrative overhead plus tools and supplies  
14 normally applied), equipment and vehicle charges, consumables (such as  
15 chemicals and electrical power), and spare parts and/or replaced  
16 components necessary to reliably treat and deliver recycled water to the End  
17 Users pursuant to this agreement. Operation and Maintenance Costs shall  
18 not include costs for major capital replacement or process changes.
- 19 d. "Point of Connection" shall mean a recycled water connection between  
20 Producer's RWTF and Distributor's distribution system. See Exhibit "A"  
21 attached hereto and incorporated herein by this reference.
- 22 e. "RWTF" shall mean the Recycled Water Treatment and Pumping Facilities  
23 required to deliver recycled water from the Producer to the "Point of  
24 Connection."
- 25 f. "Distribution" system shall mean the recycled water transmission/distribution  
26 pipelines and storage facilities.

27 **2. Term and Renewal**

28 This Agreement shall commence on the Effective Date and be in force for  
29 ~~twenty-three (2030)~~ years. Following the original ~~twenty-three (2030)~~ year  
30 Agreement term, the Agreement term shall be automatically renewed and  
31 extended for consecutive one (1) year terms, unless terminated in accordance  
32 with the provisions of Article E herein.

33  
34 **3. Previous Agreement Terminated**

35 The First Revised This Inter-Agency Agreement for Recycled Water between  
36 Las Gallinas Valley Sanitary District and North Marin Water District dated  
37 April 19, 2011 is terminated as of the effective date of this agreement.

1 **ARTICLE B. RECYCLED WATER SERVICE PROVISIONS**

2 **1. Recycled Water Delivery Limitations**

- 3 a. Distributor understands and acknowledges that Producer is charged with the  
4 responsibility to operate its sewerage systems in a manner which it  
5 reasonably determines to be most beneficial to the users thereof. The rights  
6 of Distributor to recycled water under this Agreement pertain only to the  
7 recycled water which actually is produced at the RWTF. Nothing contained  
8 herein shall be construed to qualify in any manner Producer's right to  
9 operate the RWTF at such rates of flow as Producer reasonably determines  
10 to be appropriate so as to comply with Producer's NPDES permit.
- 11 b. Nothing herein shall be construed to commit any portion of the recycled  
12 water from the RWTF beyond that which will be delivered by Distributor to its  
13 customers for reasonable beneficial uses. Producer shall provide to  
14 Distributor at least 30 days advance written notice of any non-emergency  
15 planned reduction that would reduce the availability of recycled water to  
16 Distributor. Distributor shall have ample opportunity to meet and confer with  
17 the Producer on the issue of reduced availability of recycled water.
- 18 c. Any circumstances beyond Producer's control which cause an unplanned  
19 reduction in the recycled water available for distribution from the RWTF may,  
20 at the discretion of Producer, result in a temporary decrease in recycled  
21 water available to Distributor under this Agreement. The reduced availability  
22 of recycled water will continue in effect until such time as the RWTF has  
23 been restored to normal operations, provided the Producer must use its  
24 reasonable best efforts to restore the RWTF to normal operations as soon  
25 as possible. Producer shall ~~inform notice~~ Distributor ~~on a weekly~~  
26 ~~frequency~~ pursuant to Article B.4.c regarding such unplanned reduction and  
27 status of restoration of the RWTF to normal operation.
- 28 d. The Parties acknowledge that in unusual conditions, an emergency diversion  
29 of recycled water by Producer may be necessary, and such diversion shall  
30 be made to an effluent storage pond or wet weather basin, treatment plant or  
31 other authorized location to receive such diversion by the Regional Water  
32 Quality Control Board and shall not be deemed a violation of this Agreement.

33 **2. Recycled Water Delivery Quantities**

- 34 a. Subject to the provisions herein, Producer agrees to make available to  
35 Distributor each Fiscal Year during the term hereof, recycled water produced  
36 at the RWTF in the anticipated ~~minimum~~ annual delivery quantity of ~~220-204~~  
37 acre feet per year (the "Annual Delivery Quantity") with a firm maximum day  
38 capacity of 0.7 MGD and peak hour delivery rate of 1,460 GPM at the  
39 minimum stated operating pressure in Article B.4.a and pursuant to the User  
40 Connection Schedule (Exhibit CB).
- 41 b. Annually, Producer and Distributor shall meet and confer in good faith to  
42 mutually determine any adjustments to the Annual Delivery Quantity  
43 Quantity and anticipated production schedule for each month for the ensuing  
44 Fiscal Year and to project minimum Annual Delivery Quantities for the next  
45 ensuing three Fiscal Years. The purpose of this determination is to provide  
46 the Producer with information necessary to plan production at the RWTF

or other circumstances, which

including staffing, chemical purchases, maintenance and coordination of operations at the RWTF.

to include but not limited to reduced wastewater supply to the RWTF brought on by

at the discretion of the Producer, a reduction of the

c. Producer and Distributor acknowledge that circumstances such as drought may require additional Annual Delivery Quantities or a prolonged schedule of operation at the RWTF and agree to use reasonable best efforts to meet such additional requirements.

an adjustment of the

d. Distributor shall make reasonable efforts to provide back-up source(s) of water for the distribution system that will provide a reliable flow of water to End Users in the event that circumstances beyond Producer's control cause a reduction or temporary loss of flow of recycled water from Producer.

3. Metering and Measurement of Flows

a. Producer will measure all recycled water delivered to Distributor at the point of connection. This point of connection delivery (master) metering will be in addition to any retail (customer) metering conducted by the Distributor and/or End Users (collectively, the "Customer Metering"). The Master Metering shall govern billings to Distributor and shall also be used for reporting Distributor's recycled water usage to regulatory agencies. Where either Distributor or Producer acts as End Users, they shall also report usage by metering.

field verify

by comparing against baseline reading

LGVSD EDITS IN RED

b. The Producer shall field test the accuracy of the Master Metering not less frequently than annually and provide the Distributor with a report of such test. The Distributor shall have the right at any time and at its expense to make additional tests of the Master Metering. If the Master Metering is found to be reading 2 percent or more fast or slow, it shall immediately be recalibrated, repaired or replaced by the Producer to bring it within 2 percent accuracy.

c. Title to and risk of loss and responsibility for the handling and control of all recycled water which meets the quality criteria shall pass from the Producer to the Distributor at the point of connection. The Producer and Distributor agree to exercise due diligence in inspecting their various pipelines and appurtenances and take steps to guard against unreasonable loss of recycled water. Should unreasonable loss of recycled water occur, the parties shall meet in good faith to determine a fair allocation of the cost thereof.

4. Recycled Water Quality and Pressure

a. All recycled water to be delivered by Producer to Distributor pursuant to the terms of this Agreement will be of such quality that the same may be used for all purposes from time to time allowed for disinfected tertiary recycled water. The recycled water to be delivered to Distributor at the Point of Connection pursuant to this Agreement shall range have a minimum in pressure from XX to of 80 pounds per square inch (psig) and conform to the quality requirements set forth in the then current disinfected tertiary recycled water quality and monitoring regulations specified in Title 22, Division 4, Chapter 3: Wastewater Reclamation Criteria (California Code of Regulations), as further regulated by the State of California Regional Water Quality Control Board, the California Department of Public Health and all



1 other federal, state and local agencies having jurisdiction over recycled  
2 water quality.

3 b. The Parties recognize that factors beyond the control of Producer could  
4 cause operational difficulties at the RWTF resulting in the temporary  
5 production of recycled water which does not meet the current requirements  
6 referenced in the previous subparagraph for the intended uses of the End  
7 Users. In such cases, Producer shall temporarily suspend deliveries of  
8 recycled water to Distributor from Producer's facilities. Producer shall use its  
9 best efforts to reestablish the production of recycled water of a suitable  
10 quality and pressure as soon as reasonably possible and shall reestablish  
11 Distributor's supply of such water accordingly.

12 c. Producer shall immediately notify Distributor if recycled water from the  
13 RWTF does not meet the currently applicable regulatory requirements and  
14 its deliveries of recycled water will be suspended. Such notice shall be  
15 given to Distributor, via control system alarm, e-mail (info@nmwd.com) or  
16 telephone (415) 897-4133 with a follow-up written confirmation on the same  
17 day automatic notice is given, or on the next business day if automatic notice  
18 is not given during normal business hours. Said notice shall contain the date  
19 and time delivery was interrupted and the date and time delivery resumed or  
20 is scheduled to resume.

21 d. From time to time, it may be necessary for the parties to develop, agree  
22 upon and implement detailed operating criteria and procedures. Distributor  
23 agrees to provide real time recycled water storage level data to facilitate  
24 such operating criteria for the RWTF.

## 25 5. Recycled Water Limitations of Use

26 Distributor agrees to provide the recycled water it receives hereunder only for  
27 the use of those End Users who have obtained the appropriate permits to use  
28 recycled water. Distributor shall be responsible for establishing the required  
29 Administrative Procedures and End User Rules and Regulations, for issuing  
30 permits to End Users, and for providing regulatory oversight of End User sites.

## 31 6. Permits

32 This Agreement is based on the necessary permitting requirements under the  
33 ~~current San Francisco Regional Water Quality Control Board Order 96-011~~  
34 ~~General Water Reuse Requirements for Wastewater and Water Agencies,~~  
35 ~~future State General Order WQ 2016-0068-DDW Water Reclamation~~  
36 ~~Requirments for Recycled Water Use and the Department of Public Health State~~  
37 ~~Water Resources Control Board~~ Title 22 water reuse criteria relating to the use  
38 of recycled water and the development and construction of a recycled water  
39 production and distribution system. Each of the Parties undertakes and agrees,  
40 severally and jointly as appropriate, to file any and all applications and  
41 Engineering Reports, and undertake such proceedings as may be necessary to  
42 enable each Party to carry out the undertaking contemplated herein, and to  
43 pursue each application and proceedings in good faith and due diligence.  
44 Distributor will act as lead agency in obtaining, complying with and maintaining  
45 the permits that are applicable to the construction and initial permitting of the  
46 distribution system. Producer will act as lead agency in obtaining, complying  
47 with, and maintaining the permits that are applicable to the operation of the

1 RWTF. However, both Producer and Distributor agree to cooperate in obtaining  
2 and complying with permits necessary to carryout the provisions of this  
3 agreement and are responsible, where applicable to their role as Producer or  
4 Distributor, to comply with the requirements set forth in these permits.

5  
6 **ARTICLE C. RECYCLED WATER FACILITIES**

7 **1. Initial Construction**

8 a) The Parties have worked together to develop planning, permitting and  
9 preliminary engineering design for a RWTF and distribution system to serve  
10 the City of Novato, Novato Unified School District playing fields and  
11 residential common area landscaping at Hamilton Field as the ~~first~~ End User.

12 **2. Master Plan**

13 a) The Distributor has prepared and approved a ~~focused master plan~~ 2006  
14 Recycled Water Implementation Plan (the "Master Implementation Plan") for  
15 contemplated expanded distribution and/or treatment facilities for the  
16 distribution of recycled water in the service area of Distributor (the  
17 "Expanded Facilities"). The ~~focused Master Implementation Plan~~ was  
18 prepared by Nute Engineering and promotes the use of recycled water  
19 throughout the service area of Distributor, and is consistent with Distributor's  
20 overall water supply planning.

21 ~~Arrangements between the parties relating to permitting, design and~~  
22 ~~construction of Expanded Facilities beyond that contemplated herein shall~~  
23 ~~be addressed in one or more future agreements.~~

24 **3. Construction of Facilities**

25 a) Each party shall be solely responsible for obtaining all permits, contracts,  
26 approvals, easements, land rights, or other permission or consent necessary  
27 to proceed with its recycled water facilities, as ~~contemplated~~ described by  
28 this Agreement.

29 b) Recycled water delivered to Distributor pursuant to this Agreement shall be  
30 provided by Producer from the RWTF facility. ~~Initial e~~Construction of the  
31 RWTF shall be administered, managed and financed by the Producer with a  
32 California State Water Resources Control Board State Revolving Fund low  
33 interest loan, bank loan and/or grant funding.

34 ~~Initial e~~Construction of Recycled Water distribution facilities shall be  
35 administered, managed and financed by the Distributor with a California  
36 State Water Resources Control Board State Revolving Fund Low Interest  
37 Loan, bank loan and/or grant funding. Repayment of any said loan financing  
38 shall be pursuant to Distributor Water Connection Fees paid by Distributor  
39 customers.

40 ~~e) Initial Construction Costs (including engineering support, construction~~  
41 ~~management and administration) for the RWTF are estimated to be~~  
42 ~~\$4,899,025 pursuant to the Phase 3 Engineering and Economic/Financial~~  
43 ~~Analysis Report for the Project by Camp Dresser McKee (CDM, June 2008)~~  
44 ~~with revised project summary costs (CDM, November 2009 costs) or 48% of~~  
45 ~~the total Initial Construction Costs, and allocated to the Producer.~~

1 Initial Construction Costs for the Recycled Water distribution facilities are  
2 estimated to be \$5,385,900 pursuant to the revised CDM, November 2009  
3 costs, or 52% of the total initial construction costs and allocated to the  
4 Distributor.

5 d) Federal Funding Grant Allocation

6 — The Producer has entered into an agreement with Sonoma County Water  
7 Agency (SCWA) on behalf of Producer and Distributor for up to 25% federal  
8 grant funding for the Expanded Facilities, also known as the “Novato South  
9 Service Area Recycled Water” projects as defined by the North San Pablo  
10 Bay Restoration and Reuse Project — EIR/EIS (ESA 2010). Federal grant  
11 funds are anticipated from the American Reinvestment and Recovery Act  
12 (ARRA) and Title XVI Grants awarded by the U.S. Bureau of Reclamation  
13 (USBR). Until such a time that Distributor is a direct recipient of ARRA or  
14 Title XVI grant funds from SCWA, Distributor agrees to abide by all the terms  
15 and conditions of said agreement between Producer and SCWA, attached  
16 hereto as Exhibit D.

17 i. Allocation of ARRA Grant Funds

18 — It is anticipated that of the \$7,328,000 ARRA grant funds eligible for payment  
19 to SCWA by USBR, \$1,425,500 is to be allocated by SCWA to Producer for  
20 the Expanded Facilities Novato South Service Area Recycled Water. The  
21 aforementioned ARRA grant fund allocation is based on the Expanded  
22 Facilities Novato South Service Area project total cost estimate of  
23 \$8,729,300, 39% allocated for Distributor’s storage and pipeline  
24 components, expected to include 3.4 miles of pipeline, and 61% allocated for  
25 Producer’s treatment and pumping components. It is agreed that the ARRA  
26 grant funds will be shared proportionately between the Producer and  
27 Distributor using the above-stated percentages after accounting for the grant  
28 administration expenses.

29 — The anticipated total ARRA grant funds available to Producer at this time is  
30 16.3% of the above mentioned Expanded Facilities Novato South Service  
31 Area project total cost estimate of \$8,729,300. Should additional ARRA  
32 funds become available through the NBWRA Program, the Producer and  
33 Distributor will share in those funds until each has reached a 25% federal  
34 funding match.ii. Allocation of Title XVI Funds

35 — Notwithstanding the allocation methodology provided above for the ARRA  
36 grant allocation, any future Title XVI grant funding allocation will be based  
37 upon the amounts identified in Exhibit C of the North Bay Water Reuse  
38 Authority Second Amended Memorandum of Understanding (Exhibit D). It is  
39 further anticipated that any future grant application and funding  
40 disbursement will be structured so that SCWA distributes grant funds directly  
41 to Distributor as a Member Agency of NBWRA and Recipient under a future  
42 Agreement for Grant Facilitation Services for North San Pablo Bay  
43 Restoration and Reuse Project.

44 c) State and Federal Funding Grant Allocation

45 It is also further understood that should State of California or Title XVI federal  
46 grant funds become available that can reimburse the Producer up to 25%  
47 federal grant funding of the Initial Construction Costs pursuant to Article

1 ~~C.3.c)~~, that the Distributor will support the Producer in securing those funds.  
2 Furthermore, the Producer will support the Distributor in obtaining State of  
3 California or Title XVI federal grant funds to reach its 25% share federal grant  
4 funding of the Initial Construction Costs pursuant to Article C.3.c), including  
5 the balance of pipeline work in the Novato South Service Area distribution  
6 system.

7  
8 ~~ee) State and Federal Funding Grant Allocation~~

9 ~~— Allocation of any grant funding from the State of California for the expanded~~  
10 ~~facilities shall be shared proportionately between the Producer and~~  
11 ~~Distributor using the percentages stated in Article C. Section 3.d)i.~~

12  
13 ~~fd)~~ Expansion of the RWTF and Expanded Distribution Facilities ~~will~~ may be  
14 undertaken from time to time at the discretion of the ~~as subject to any other~~  
15 ~~future agreements executed between~~ Producer and Distributor respectively.

16 Planned capital improvements or replacements projects to the RWTF shall  
17 be coordinated with Distributor sufficiently in advance to ensure adequate  
18 funds are available to carry out said projects

19 **4. Ownership, Operation and Maintenance of Facilities**

20 Distributor shall own, operate and maintain at no cost to Producer, all of its  
21 distribution facilities from the Point of Connection up to the End User meter.

22 Producer shall own, operate and maintain at no cost to Distributor all of the  
23 RWTF up to the designated Point of Connections. Distributor shall pay for  
24 recycled water pursuant to Article D. Payment Provisions. At Distributor's  
25 request or as necessary to comply with permit conditions of state or federal law,  
26 Producer may assist with the maintenance and emergency repair of Distributor's  
27 distribution facilities. Distributor shall reimburse Producer for reasonable and  
28 necessary expenses incurred in carrying out such maintenance or repair. At  
29 Producer's request or as necessary to comply with permit conditions of state or  
30 federal law, Distributor may assist with the maintenance and emergency repair  
31 of Producer's ~~distribution RWTF~~ facilities. Producer shall reimburse Distributor  
32 for reasonable and necessary expenses incurred in carrying out such  
33 maintenance or repair.

34 Producer agrees to provide the Distributor the uninterrupted right of ingress to  
35 and egress from the recycled water pipeline route on Producer's property and  
36 the right at all times to enter in, over and upon and to use said recycled water  
37 pipeline route and every part thereof for all purposes connected with the laying  
38 down, constructing, reconstructing, replacing, removing, repairing, maintaining,  
39 operating and using said distribution facilities.

40 Producer agrees not to do anything which may interfere with Distributor's full  
41 rights for the purposes noted above including without limitation the following:  
42 placing or permitting to be placed on said recycled water pipeline route any  
43 building or structure (including without limitation new fences not approved by  
44 Distributor) or deck(s), tree(s), large shrub(s), or rock(s) weighing more than 50  
45 pounds;

1 Subject to the foregoing provisions, Producer may excavate or change the  
2 grade of the surface of said recycled water pipeline route way for the Producer's  
3 continued operation and maintenance of the existing wastewater facility  
4 operations, provided that before making any such change, Producer shall notify  
5 Distributor of the proposed change and enable Distributor the opportunity to  
6 raise or lower distribution facilities as solely determined by Distributor if  
7 Distributor determines in its sole discretion that the change of the grade  
8 necessitates that any Distributor facilities be raised or lowered.

9 Producer may cultivate and landscape the surface of said recycled water  
10 pipeline route and may construct a roadway thereon provided that such actions  
11 do not in any way conflict with or violate any of the preceding limitations.

12 Producer reserves the right to change the location of said recycled water  
13 pipeline route on Producer's property to a new location agreeable to Distributor,  
14 provided that the full expense of relocating the recycled water pipeline and  
15 appurtenant facilities to the new location shall be funded from the Recycled  
16 Water Capital Replacement and Expansion Fund.

17 Distributor shall be under no obligation to install or maintain a roadway or  
18 pavement or other surfacing upon the recycled water pipeline route except such  
19 as may be convenient for its own purposes. (Any surface changes, such as  
20 paving, need to be approved by Producer.)

## 21 5. Monitoring

22 Producer's responsibility for management and monitoring the recycled water  
23 delivered hereunder shall be limited only to recycled water production at the  
24 RWTF and shall cease upon delivery to Distributor at the Point of Connection.  
25 Operation, management, maintenance, permitting and monitoring of facilities  
26 under the control of the Distributor shall be the sole responsibility of Distributor.  
27 Distributor agrees to accept Producer's reporting responsibility for conformance  
28 to all monitoring, reporting, and any other requirements assigned to the  
29 "recycled water agency" in Title 22 of the California Code of Regulations, all  
30 applicable regulations of the State of California Regional Water Quality Control  
31 Board and the ~~California Department of Health Services and Order 96-014~~  
32 ~~(General Water Reuse Requirements for Municipal Wastewater and Water~~  
33 ~~Agencies) and future State General Order WQ 2016-0068-DDW Water~~  
34 ~~Reclamation Requirements for Recycled Water Use.~~

## 35 6. Reporting

36 As a condition of, and to provide assistance sufficient to enable Distributor to  
37 carry out this reporting responsibility undertaken by Distributor, Producer shall  
38 provide Distributor with the following reporting information:

- 39 a) Quarterly (or annual, at Distributor's option) recycled water production and  
40 monitoring records certified by Producer to meet quality pursuant to Exhibit  
41 ~~B-C~~ within 30 days of the close of each fiscal quarter (or Calendar Year, as  
42 the case may be) to the extent permissible by law.
- 43 b) Adequate notifications of Producer inspections, start-ups, shutdowns and  
44 disconnections, or violations, if any.

1 **ARTICLE D. PAYMENT PROVISIONS**

2 **1. Recycled Water Pricing Policy**

3 The Parties agree that the rates charged by Producer to Distributor shall be in  
4 the amount required to reimburse Producer's actual RWTF Operation and  
5 Maintenance Costs. Rates charged by Distributor to End Users shall cover  
6 Producer's actual RWTF Operation and Maintenance Costs and Distributor's  
7 actual Operation and Maintenance Costs of the distribution facilities, ~~plus an~~  
8 ~~amount for maintenance and replacement.~~ Any payments to the Distributor by  
9 the End User in excess of actual costs (marginal payments) shall be deposited  
10 in a Recycled Water Capital Replacement and Expansion Fund.

11 **2. Recycled Water Rate Review**

12 Producer shall charge for the delivery of recycled water in accordance with the  
13 rate schedule for recycled water service as such rate schedule is established by  
14 the Producer and approved by Producer's governing board. Producer shall  
15 review and establish said rate schedule based on the the above policy of  
16 reimbursing Producer's RWTF actual Operation and Maintenance Costs every  
17 Fiscal Year.~~Producer shall charge for the delivery of recycled water in~~  
18 ~~accordance with the rate schedule for recycled water service as such rate~~  
19 ~~schedule is established by the producer and approved by Producer's governing~~  
20 ~~board. Producer shall review and establish said rate schedule based on the~~  
21 ~~above-described policy of reimbursing Producer's RWTF actual Operation and~~  
22 ~~Maintenance Costs every Fiscal Year. Distributor shall be given ample~~  
23 ~~opportunity to meet and confer upon the intended application of the pricing~~  
24 ~~policy and Producer's RWTF Operation and Maintenance Costs to ensure~~  
25 ~~compatibility with the intent of this Agreement.~~ proposed recycled water rates  
26 with Producer prior to final determination of Producer's shall be given ample  
27 opportunity to meet and confer upon the Distributors Operation and  
28 Maintenance Cost of the distribution facilities prior to final determination of  
29 Producer's recycled water rates, to ensure compatibility with the intent of this  
30 Agreement.~~recycled water rates, to ensure compatibility with the intent of this~~  
31 ~~Agreement.~~

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32 Notwithstanding any other provisions of this agreement, the cost of planned  
33 capital improvements or replacement projects to the RWTF shall not be included  
34 in Producer's recycled water rates but shall instead be reimbursed from the  
35 Recycled Water Capital Replacement and Expansion Fund 30 days after receipt  
36 of invoice subject to compliance with Article D, Section 6.~~Notwithstanding any~~  
37 ~~other provision of this Agreement, the cost of planned capital improvements or~~  
38 ~~replacement projects to the RWTF shall not be included in Producer's recycled~~  
39 ~~water rates but shall instead be reimbursed from the Recycled Water Capital~~  
40 ~~Replacement and Expansion Fund 30 days after receipt of invoice.~~

1           **3. Billings**

2           Distributor agrees to make quarterly (or annual, at Producer's option) payments  
3           for the total amount of recycled water delivered pursuant to Article B.3 in each  
4           fiscal quarter (or Fiscal Year, as the case may be) ~~at the rates set~~ RWTF for the  
5           Operation and Maintenance Costs according to the procedures herein.

6           **4. Obligation to Pay for Available Water**

7           Distributor is obligated to pay Producer for the Annual Delivery Quantity of  
8           recycled water for each Fiscal Year, assuming such quantity of recycled water is  
9           made available to it by Producer. Producer shall bill Distributor at the close of  
10          each quarter (or each Fiscal Year) for the actual quantity of recycled water  
11          taken by Distributor pursuant to Article B.3 during that quarter (or Fiscal Year).

12          **5. Time and Method of Payment**

13          Payments shall be made by Distributor in response to, and within 30 days of,  
14          billing by Producer.

15          **6. Recycled Water Capital Replacement and Expansion Fund**

16          ~~Notwithstanding any other provision of this Agreement, the cost of repair,~~  
17          ~~replacement or expansion planned capital improvements or replacement~~  
18          ~~projects to the RWTF to meet the delivery obligations to the Distributor shall not~~  
19          ~~be included in Producer's recycled water rates but shall instead be reimbursed~~  
20          ~~from the Las Gallinas Recycled Water Capital Replacement and Expansion~~  
21          ~~Fund ("LGRW Fund") 30 days after receipt of invoice. The cost of repair,~~  
22          ~~replacement or expansion capital improvement projects to the recycled water~~  
23          ~~distribution system that is used to distribute Las Gallinas RWTF water~~  
24          ~~(Distribution Facilities) shall be reimbursed from the North Marin Recycled~~  
25          ~~Water South Service Area Capital Replacement and Expansion Fund ("NMRW-~~  
26          ~~South Fund").~~

27          ~~Both the LGRW Fund and NMRW-South Fund Recycled Water Capital~~  
28          ~~Replacement and Expansion Fund will be maintained by the Distributor and~~  
29          ~~is are intended to assist funding repair and replacement of existing facilities at~~  
30          ~~the end of their useful life or expanding/improving the facilities as mutually~~  
31          ~~agreed by both Parties. Following the end of each fiscal year, Distributor shall~~  
32          ~~deposit the appropriate portion (as defined in the next paragraph) of new~~  
33          ~~revenue (if any) into the respective funds. For purposes of this Agreement, new~~  
34          ~~revenue shall be equal to the total rate revenues collected from retail customers~~  
35          ~~of recycled water delivered to Distributor from the RWTF less the Distributor's~~  
36          ~~direct and indirect operating expenses associated with purchasing and~~  
37          ~~delivering recycled water to those customers. The allocation of the Distributor's~~  
38          ~~direct and indirect operating costs shall be done equitably and transparently as~~  
39          ~~part of the annual reporting.~~

40          As referenced above, the portion of net revenue to be deposited in the LGRW  
41          Fund shall be based on the relative value of that year's depreciation expense for  
42          the RWTF (accounting solely for the portion of the facilities capacity designated  
43          to serve the Distributor as opposed to any other recycled water distributions  
44          systems) as compared to that year's depreciation expense of North Marin's  
45          Distribution Facilities used to deliver Las Gallinas Recycled Water. The  
46          remaining net revenue shall be deposited in the NMRW Fund. As part of the

1 annual reconciliation process, each Party shall provide their annual depreciation  
2 expense, as referenced above, and provide details for the basis of the value  
3 upon request.

4 ~~—Distributor shall provide annual reports of the fund to the Producer, including a~~  
5 ~~summary of the prior year's net revenue calculation and the basis of any~~  
6 ~~applicable deposit to the LGRW Fund and NMRW Fund. Any expenditure from~~  
7 ~~either the fund shall be jointly approved in advance by both the Producer and~~  
8 ~~Distributor, based on pro-rata allocation of initial facilities asset value among the~~  
9 ~~Distributor and Producer (both Novato Sanitary District and Las Gallinas Valley~~  
10 ~~Sanitary District).~~

## 11 **ARTICLE E. TERMINATION**

### 12 **1. General**

13 This Agreement may be terminated upon the occurrence of the events  
14 described in the following paragraphs.

### 15 ~~**2. Failure to Initiate Initial Construction**~~

16 ~~—If the initial construction is not initiated by the second anniversary of the~~  
17 ~~Effective Date of this Agreement (the "Plan Date"), then either Party may elect~~  
18 ~~to terminate this Agreement by serving a written notice (the "Termination~~  
19 ~~Notice") on the other Party within 180 days following the Plan Date. In the event~~  
20 ~~of such termination:~~

21 ~~a) This Agreement shall be deemed terminated as of the last day of the Fiscal~~  
22 ~~Year during which the Termination Notice was given.~~

### 23 ~~**32. Non-Renewal**~~

24 Following the expiration of the original ~~20~~30-year term of this Agreement, either  
25 Party may serve upon the other no later than 30 days prior to the next occurring  
26 anniversary of the Effective Date a notice of intent to terminate this Agreement.  
27 Such termination shall become effective upon said next occurring anniversary of  
28 the Effective Date.

### 29 ~~**43. Cause**~~

30 This Agreement may be terminated by either Party at any time for good cause  
31 upon 60-days' written notice to the other Party. However, if the good cause is  
32 the breach of the other Party, this Agreement may not be terminated under this  
33 section unless such breach is not cured by the breaching Party during such 60-  
34 day period. Notwithstanding the foregoing, if a cure of any such breach by any  
35 Party hereto cannot practicably be affected within such 60-day period, and the  
36 breaching Party, upon receiving such written notice, promptly initiates efforts to  
37 cure such failure within such 60-day period, and diligently pursues such cure,  
38 this Agreement may not be terminated under this section.

### 39 ~~**54. Failure to Approve Annual Funding**~~

40 The Parties acknowledge that each Party undergoes an annual budgeting  
41 process and that neither Party is obligated to expend additional funds or to  
42 construct additional facilities in any given year unless the applicable Party's  
43 governing board has budgeted money for that purpose. Notwithstanding the  
44 foregoing, failure to budget such funds may constitute good cause for  
45 termination of this Agreement under paragraph ~~4~~3 above.



1 **65. Decision by Distributor to Cease Distributing Recycled Water**

2 This Agreement shall be terminated in the event that Distributor determines that  
3 it no longer intends to be a purveyor of recycled water within its service area.  
4 Such termination shall be effective at the end of the Fiscal Year following the  
5 Fiscal Year in which notice of Distributor's desire to terminate this Agreement  
6 pursuant to this Paragraph is furnished to Producer.

7 In the event of termination pursuant to this Section, the Producer and Distributor  
8 agree to meet and consider arrangements to insure water service is maintained  
9 as necessary to customers historically receiving recycled water.

10 **76. Impasse over Rates**

11 If following mediation as provided for herein, Distributor is unwilling to accept a  
12 new ~~annual rate set~~planned cost for recycled water by Producer then this  
13 Agreement shall be deemed terminated at the end of the Fiscal Year for which  
14 such impasse is reached. If Producer, following mediation as provided for  
15 herein, declares an impasse due to Distributor setting rates that do not recover  
16 costs necessary to adequately fund recycled water production, then this  
17 Agreement shall be terminated at the end of the Fiscal Year for which such  
18 impasse is reached.

19 **87. Buyout Upon Termination**

20 If this Agreement is terminated in accordance with the provisions of Paragraphs  
21 2, 3, 4, 5, 6 or 7-6 of this Article, then Producer shall have the option to  
22 purchase from Distributor those portions of the Distribution Facilities (along with  
23 any appurtenances necessary to distribute recycled water in Producer's service  
24 area) that have been constructed or are then under construction from  
25 Distributor, including easements and any associated real estate required for  
26 their use or maintenance. Producer may exercise this option on the following  
27 terms:

- 28 a. Producer shall give written notice of its intent to purchase said facilities  
29 within 180 days following the effective date of the termination.
- 30 b. The purchase price for Distributor's facilities shall be negotiated in good  
31 faith. Upon request, Distributor shall furnish appropriate accounting data  
32 and information to Producer to establish the purchase price.
- 33 c. Distributor shall assign to Producer all water delivery contracts with End  
34 Users using the Distribution Facilities along with any applicable consulting  
35 or construction contracts.

36 **ARTICLE F. GENERAL PROVISIONS**

37 **1. Good Faith**

38 This Agreement is the result of good faith negotiations entered into by the  
39 Parties willingly, with due diligence, and with full advice of legal counsel, and it  
40 is the intent of the Parties that all aspects of performance of this Agreement will  
41 be undertaken in the same manner. The Parties acknowledge and agree that it  
42 is not possible to anticipate every issue, situation or problem that might arise or  
43 be encountered during the term of this Agreement. As to any issue, situation, or  
44 problem not expressly provided for in this Agreement, each Party agrees to  
45 refrain from doing anything (1) to injure the right of each other Party to receive

1 the benefits of this Agreement, or (2) to frustrate the purpose for which this  
2 Agreement was executed. Each Party further agrees that in the event any such  
3 unanticipated issue, situation or problem arises, they will meet and confer in  
4 furtherance of the implied covenant of good faith and fair dealing in order to find  
5 a mutually acceptable solution.

6 **2. Amendments**

7 This Agreement may be amended at any time by mutual written agreement of  
8 the Parties. The Parties agree that in the event of action by an outside  
9 governmental body producing a prospective change in the volume or use of  
10 recycled water by Distributor's customers, the Parties will make such  
11 amendments to this Agreement as the circumstance may reasonably and  
12 equitably require.

13 **3. Notices**

14 All notices or other writings in this Agreement to be given by either Party to the  
15 other, shall be deemed to have been given or when made in writing and either  
16 (i) delivered personally, or (ii) sent by facsimile transmission to the Fax numbers  
17 set forth below with the original deposited in the U.S. mail, postage pre-paid,  
18 first class, addressed as set forth below, or (iii) deposited in the United States  
19 mail, registered, or certified, postage prepaid, and addressed as follows:

20 To Distributor

21 General Manager  
22 North Marin Water District  
23 P.O. Box 146  
24 Novato, CA 94948-0146  
25 Phone: (415) 897-4133  
26 ~~FAX: (415) 892-8043878-2049~~

27  
28 To Producer

29 General Manager  
30 Las Gallinas Valley Sanitary District  
31 300 Smith Ranch Road  
32 San Rafael, CA 94903  
33 Phone: (415) 472-1734  
34 ~~FAX: (415) 499-7715~~

35 The address of either Party may be changed upon written notice given by such  
36 Party as above provided. Notices shall also be deemed given when delivered  
37 by personal delivery, with a confirmation copy by first class mail.

38 **4. Severability**

39 If any one or more of the covenants or agreements set forth in this Agreement  
40 on the part of Producer or Distributor, or either of them, to be performed should  
41 be contrary to any provision of law or contrary to the policy of law to such extent  
42 as to be unenforceable in any court of competent jurisdiction, then such  
43 covenant or covenants, agreement or agreements, shall be null and void and  
44 shall be deemed severable from the remaining covenants and agreements and  
45 shall not affect the validity of this Agreement.

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**5. Paragraph Headings**

Paragraph headings in this Agreement are for convenience only and are not to be construed as part of this Agreement or any way limiting or amplifying the provisions here.

**6. Successors and Assigns**

Subject to the provisions of the succeeding Paragraph hereof, this Agreement and all the terms, covenants, agreements, and conditions herein contained shall inure to the benefit of and be binding upon the successors and assigns of the Parties hereto.

**7. Assignment**

No assignment or transfer by Distributor of this Agreement or any part hereof, or of any rights hereunder or interest herein of Distributor, shall be valid unless approved by Producer, which approval shall not be unreasonably withheld.

No assignment or transfer by Producer of this Agreement or any part hereof, or of any rights hereunder or interest herein of Producer, shall be valid unless approved by Distributor, which approval shall not be unreasonably withheld.

**8. Remedies**

Notwithstanding any other language in the Agreement, the Parties agree that neither Producer nor Distributor shall be liable for monetary damages for a breach of this Agreement, a tort relating to the Agreement or any other Cause of Action. The Parties also agree that no third party is a beneficiary of this Agreement such that any third party would have standing to seek either a monetary or nonmonetary remedy regarding this Agreement. The Parties may seek injunctive relief or mandamus relief under this Agreement to the extent such a remedy exists.

**9. Indemnification**

Producer shall save Distributor, its officers, agents and employees, free and harmless from any and all cost liability, damages or health-related claims arising out of any act or omission to act, including any negligent act, by Producer, its officers, agents or employees arising out of the Producer's performance of its obligation under this Agreement. Distributor shall save Producer, its officers, agents and employees, free and harmless from any and all cost liability, damages or health-related claims arising out of any act or omission to act, including any negligent act, by Distributor, its officers, agents or employees arising out of the Distributor's performance of its obligation under this Agreement.

**10. Dispute Resolution**

Any controversies between the Parties regarding the construction or application of this Agreement, and claims arising out of this Agreement or its break, shall be submitted to mediation within 30 days of the written request of a Party after the service of that request on the other Party. The Parties may agree on one mediator. If they cannot agree on one mediator, the Party demanding mediation shall request that the Presiding Judge of the Superior Court of Marin County appoint a mediator. The mediation meeting shall not exceed one day (eight hours), unless the Parties agree to extend said time. The cost of the mediator

1 shall be borne by the Parties equally. Mediation under this section is a condition  
2 precedent to filing an action in any court.

3 The Parties shall make good faith efforts to resolve all claims and disputes  
4 related to this Agreement at the lowest possible cost. Unless the Parties agree  
5 upon an alternative forum of dispute resolution, any litigation concerning claims  
6 and disputes related to this Agreement shall be filed in and timely prosecuted to  
7 conclusion in the Superior Court in and for Marin County, and each party hereby  
8 waives its right to move to change venue.

9 **11. Governing Law**

10 This Agreement shall be governed, construed and enforced in accordance with  
11 the laws of the State of California.

12 **12. Further Assurances**

13 Each of the Parties agrees to execute, and deliver to the other parties, such  
14 documents and instruments, and take such actions, as may reasonably be  
15 required to effectuate the terms and conditions of this Agreement; provided,  
16 however, such covenant shall not have the effect of increasing the obligations of  
17 any Party pursuant to this Agreement or require any representations and  
18 warranties by any Party in addition to those of such party set forth herein.

19 **13. Waiver**

20 No waiver of any right or obligation of any of the parties shall be effective unless  
21 in writing, specifying such waiver, executed by the party against whom such  
22 waiver is sought to be enforced. A waiver by any of the parties of any of its  
23 rights under this Agreement on any occasion shall not be a bar to the exercise  
24 of the same right on any subsequent occasion or of any other right at any time.

25 **14. Presumptions**

26 Because all of the parties have participated in preparing this Agreement, there  
27 shall be no presumption against any party on the ground that such party was  
28 responsible for preparing this Agreement or any part hereof.

29 **15. Counterparts**

30 This Agreement may be executed in two or more counterparts, each of which  
31 shall be deemed an original, but all of which shall constitute one and the same  
32 instrument.

33 **16. Entire Agreement**

34 This Agreement constitutes the entire agreement between the parties regarding  
35 the subject matter hereof and thereof, and supersedes all prior or  
36 contemporaneous negotiations, understandings or agreements of the parties,  
37 whether written or oral, with respect to such subject matter.

38 **17. Insurance**

39 Each Party shall be responsible for requiring all contractors that it retains for the  
40 construction and construction-related tasks related to this Agreement to provide  
41 insurance in the amounts and with the coverages consistent with its policies and  
42 practice for projects involving similar construction costs and risks. Each Party  
43 shall be responsible for obtaining from each such contractor a certificate of  
44 insurance evidencing such coverage, and policy endorsements adding both

1  
2  
3  
4  
5  
6

Parties, and their respective directors, officers, employees, agents, and authorized volunteers as additional insureds to the contractor's Commercial General Liability and Comprehensive Automobile Liability insurance policies, which shall be provided to both Parties prior to the commencement of the construction and/or construction-related tasks.

1 IN WITNESS WHEREOF, Producer and Distributor have caused this Agreement to be  
2 executed by their respective duly authorized officers effective as of the day and year first herein  
3 written below.

4

**LAS GALLINAS VALLEY SANITARY  
DISTRICT**

**NORTH MARIN WATER DISTRICT**

By: \_\_\_\_\_  
Board President

By \_\_\_\_\_  
Board President

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attest: \_\_\_\_\_  
Board Secretary

Attest: \_\_\_\_\_  
Board Secretary

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
Las Gallinas Valley Sanitary District  
Attorney

\_\_\_\_\_  
North Marin Water District Attorney

5

6

1 EXHIBITS:

2 Exhibit A Point of Connection Detail

3 Exhibit ~~BC~~ ~~Producer's Schedule of Sampling and Analysis~~ User Connection Schedule

4 Exhibit ~~CB~~ ~~User Connection Schedule~~ Producer's Schedule of Sampling and Analysis

5

**TO BE REVISED TO SHOW  
UPDATED POINT OF DELIVERY  
AND FLOW METER LOCATION**

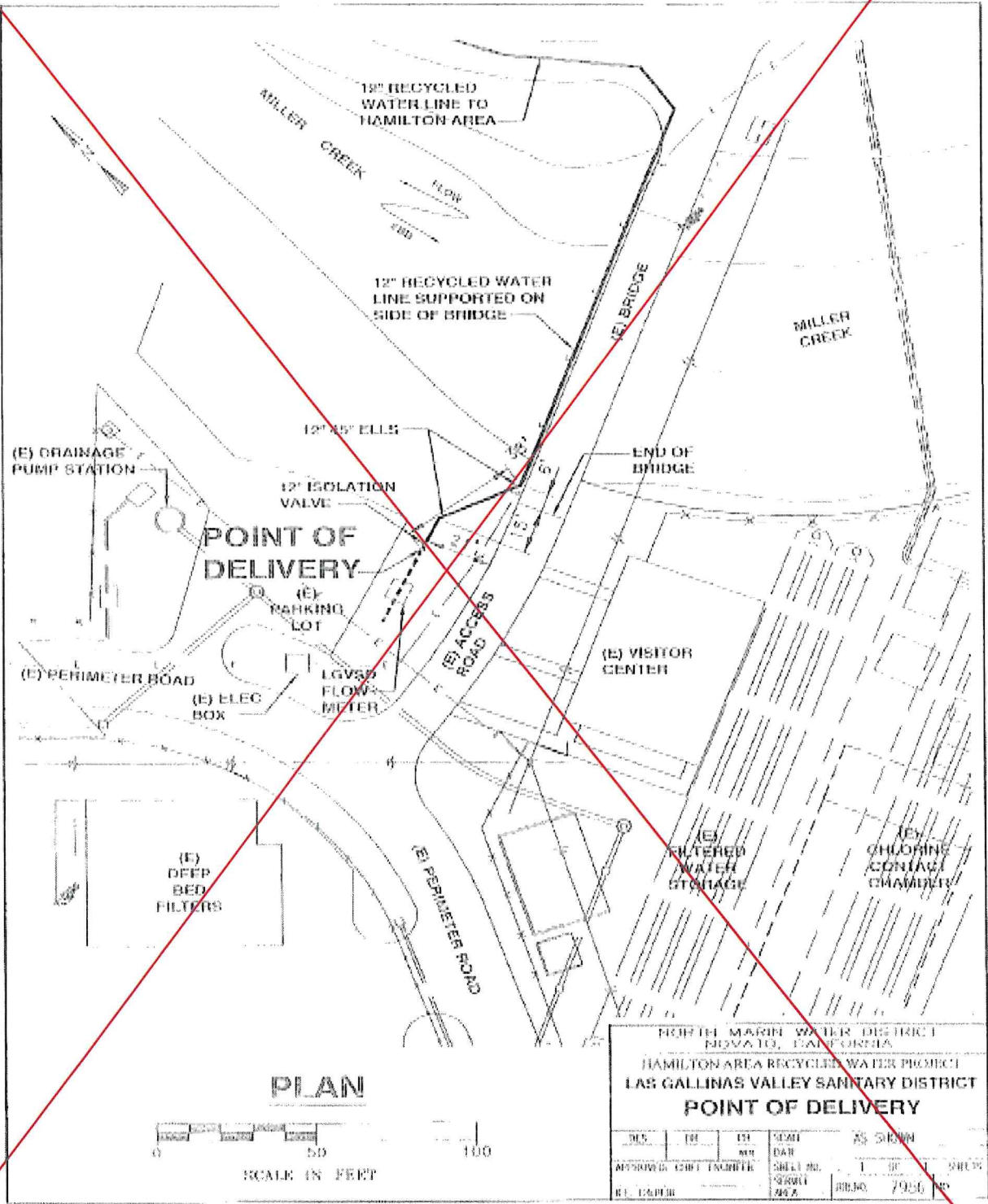


EXHIBIT A





EXHIBIT BC

PRODUCER'S SCHEDULE OF SAMPLING & ANALYSIS<sup>1</sup>

| Constituent (units)         | Limit       | Type of sample  | Frequency                                |
|-----------------------------|-------------|---|--|
| Flow Rate (gallons/day)     | 700,000     | Observation   | Daily                                    |
| Total Coliform (MPN/100 ml) | 2.2 median  | Grab (7 days)   | Daily                                    |
|                             | 23 maximum  | Grab (not to exceed in more than 1 sample in a 30-day period) | Daily                                    |
| Turbidity (NTU)             |             |   |  |
|                             | 0.2 maximum | No more than 5% of the time in a 24 hr period                 | Continuous                               |
|                             | 0.5 maximum | At any time   | Continuous                               |
| Dissolved Oxygen (mg/l)     | 1.0 minimum | Grab  | 3/week                                   |
| Dissolved Sulfide (mg/l)    | 0.1 maximum | Grab  | 3/week<br>(only if D.O. $\leq$ 1.0 mg/l) |

<sup>1</sup> Or as required under the applicable RWQCB order.



**BOARD MEMBER  
MEETING ATTENDANCE REQUEST**

Date: \_\_\_\_\_ Name: \_\_\_\_\_

I would like to attend the \_\_\_\_\_ Meeting  
of \_\_\_\_\_

To be held on the \_\_\_\_\_ day of \_\_\_\_\_ from \_\_\_\_\_ a.m. / p.m. to  
\_\_\_\_\_ day of \_\_\_\_\_ from \_\_\_\_\_ a.m. / p.m.

Location of meeting: \_\_\_\_\_

Actual meeting date(s): \_\_\_\_\_

Meeting Type: (In person/Webinar/Conference) \_\_\_\_\_

Purpose of Meeting: \_\_\_\_\_

\_\_\_\_\_

Meeting relevance to District: \_\_\_\_\_

Request assistance from Board Secretary to register for Conference: YES NO

Frequency of Meeting: \_\_\_\_\_

Estimated Costs of Travel (if applicable): \_\_\_\_\_

\_\_\_\_\_

Date submitted to Board Secretary: \_\_\_\_\_

Board approval obtained on Date: \_\_\_\_\_

Please submit this form to the Board Secretary no later than 1 week prior to the Board Meeting.

**6/2/2022**

**BOARD AGENDA ITEM REQUESTS**

**Agenda Item 10B**

- Separate Item to be distributed at Board Meeting
- Separate Item to be distributed prior to Board Meeting
- Verbal Report
- Presentation

**Teresa Lerch**

---

**From:** Mark Millan <millan@datainstincts.com>  
**Sent:** Wednesday, May 18, 2022 5:07 AM  
**To:** Undisclosed Recipients  
**Subject:** Ramping up water reuse PD 5/18/22

## **Ramping up water reuse**

NORTH BAY » Agencies seeking \$83 million to expand operations to help offset already strained supplies of drinking water due to drought

GUY KOVNER, Press Democrat, 5/18/22

Petaluma, one of the driest corners of Sonoma County during the past two years of drought, is making a multimillion-dollar advance into recycled water.

Operator of a wastewater treatment plant that serves about 65,000 people and treats about 5 million gallons of effluent a day, Petaluma is seeking grants for four projects with a total cost of \$42 million.

Six other North Bay agencies — including Sonoma Water and the Sonoma Valley County Sanitation District — are proposing a dozen projects totaling \$41.2 million, bringing the total to \$83.2 million, as Gov. Gavin Newsom is backing water reuse as an antidote to drought.

The projects are meant to help offset already strained supplies of North Bay drinking water as California braces for longer and more severe periods of water scarcity amid the escalating climate crisis.

Through expanded treatment, new pipelines and storage facilities, the 16 projects are expected to deliver 5,364 acre feet of water per year — enough to offset potable

Billy Dixon, engineering technician with Sonoma Water, closes a valve April 29 at the new recycled water reservoirs supplies for about 32,000 people.

An acre foot is 326,000 gallons, about half the size of an Olympic swimming pool and enough for more than two households for a year.

“First and foremost is drought resistance,” said Christopher Bolt, Petaluma’s public works and utilities director.

“In the face of climate change we want to make sure we can meet the community’s needs.”

Water recycling — transforming sewage through intensive treatment into water safe for irrigation of landscapes, pastures, playgrounds and crops that are eaten raw — is a high priority throughout California in the third year of a drought that experts say could last another decade.

“Recycled water is a sustainable, nearly drought-proof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade,” said the 2020 California Water Resilience Portfolio, a response to Newsom’s order calling for recommendations “to enable water security for all Californians.”

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago.

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge.

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

Petaluma's Ellis Creek Water Reclamation Facility commits all treated water to irrigation of parks, schools, commercial properties, golf courses and farms during dry summer months, averting it from discharge into the nearby Petaluma River. In wet months, however, a substantial amount goes into the river, which is a tidal slough from San Pablo Bay.

"We're looking to expand and grow the water recycling system," Bolt said. "We have a vision of zero discharge into the river year-round."

Expansion of the distribution system and developing more storage capacity would reduce the wintertime discharge, he said.

Petaluma's rainfall to date for this year and 2021 is well below or only an inch above the level for the other 18 communities in The Press Democrat's weather log.

Sonoma County Supervisor David Rabbitt, a Petaluma resident, is an avid booster of recycled water.

"My mantra is you gotta use water twice," he said. "In an ideal world we would avoid using potable water for irrigation."

Purple pipes that carry recycled water should go under every street in newly developed areas, along with power, sewer and regular water lines, Rabbitt said.

Rabbitt has served since 2013 as chair of the North Bay Water Reuse Authority, a collaboration of 11 agencies in portions of Sonoma, Napa and Marin counties dedicated to ending discharge of treated wastewater into San Pablo Bay, largely by diverting it to urban and agricultural irrigation.

The authority's 350-square-mile territory faces "long-term challenges in providing reliable water supplies" with limited surface and groundwater sources and some groundwater basins "showing harmful effects on water levels and quality," its website says.

"A warming climate will likely further stress water supplies, and recycled water is a sustainable resource that can help augment regional water supplies," it says.

The authority's first round of projects, started in 2012 and completed in 2020 at a cost of \$104 million, is providing 3,800 acre feet per year for urban and agricultural irrigation along with 46 miles of new pipeline.

Sonoma Valley County Sanitation District's projects included a fifth reservoir holding about 35 million gallons of recycled water and starting work on a 3.5-mile pipeline to carry up to 1,700 acre feet per year for habitat restoration at the Napa-Sonoma Marshes Wildlife Area on San Pablo Bay and along the Napa River.

Petaluma did not participate in the water reuse authority's first round of projects, but has a fistful of major projects awaiting funding under the second round.

The projects, costing a total of \$42 million, would yield a projected 2,575 acre feet of recycled water a year — enough to offset potable supplies for about 15,000 people.

Boosting the Ellis Creek facility's treatment capacity would cost \$9 million, while extension of the urban and agricultural

recycled water pipelines would cost \$33 million.

For Bolt, who came to Petaluma in September from Jackson County, west of Ann Arbor in southern Michigan, drought is a new experience.

Due to climate change and frequent precipitation, surface and groundwater levels have been rising in that area, with wet basements and routine flooding of streams and roadways, he said.

Bolt said he is impressed by water conservation efforts in Sonoma County, and in the regional authority as a “great example of how agencies can work together to solve pressing problems for the good of all concerned.”

The drought makes recycled water “even more appealing,” Rabbitt said. “It’s an easy sell because it makes more sense.”

Rabbitt said he was proud to have convinced Petaluma to join the North Bay regional authority “after they said no initially.”

Grant Davis, general manager of Sonoma Water, said the three-county authority is “a model for maximizing the benefits of limited water resources in the west.”

Projects can be designed to “meet the needs of entire watersheds,” he said, noting that federal and state funding agencies have policies that promote regional partnerships over independent jurisdictions.

California is developing regulations for direct potable use of recycled water, a system that puts it into public water supplies rather than limiting it to irrigation and injection into groundwater.

Orange County’s pioneering \$481 million groundwater injection system, in operation since 2008, produces 100 million gallons of recycled, potable water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen peroxide.

Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents.

Davis and Rabbitt are not ready to advocate for direct potable use, also known as “toilet to tap,” a description some water experts find disagreeable.

Drinking recycled water “understandably triggers a gag reflex in some consumers — but it shouldn’t,” Amanda Little, a Vanderbilt University professor of journalism and science writing, wrote as a Bloomberg columnist.

“Recycled wastewater is quickly becoming the single most important element of a droughtproof water supply in the climate-change era, and it happens to be as pure and delicious as anything you might buy bottled from the Swiss Alps,” she said.

Rabbitt once tasted recycled water at a conference on water. “It was fine,” he said.

“Never say never,” Davis said.

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**News Update**

**Water districts fortify fire defense**

**MARIN COUNTY**

Facilities secured so supply will still flow if power lines are down

**By Will Houston**

[whouston@marinij.com](mailto:whouston@marinij.com)

Marin County's two main water suppliers are working to fortify their treatment plants, pumps, water tanks and other facilities in anticipation of a potentially dangerous fire season following two years of severe drought.

In addition to clearing fuel breaks, trimming tree canopies and removing brush and vegetation, the Marin Municipal Water District and North Marin Water District have secured new generators and other tools to ensure that water keeps flowing in disasters.

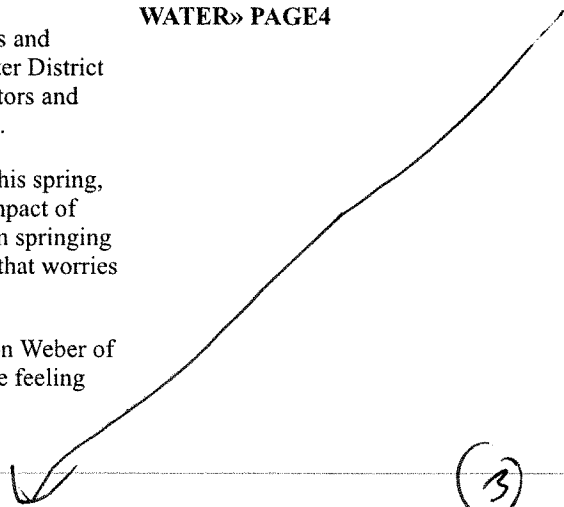
Despite the significant rainfall in late 2021 and showers this spring, fire officials say the rain was not enough to reverse the impact of drought in the past decade. Grass fires have already begun springing up, but it is the increasing number of dead or dying trees that worries fire officials.

"We are in a significant chronic drought," said Chief Jason Weber of the Marin County Fire Department. "Our heavier fuels are feeling that stress."

We've seen redwood trees dying that historically have done OK here. Pines and firs are nearing the end of their life."

The Marin Municipal Water District, which serves 191,000 residents, is particularly vulnerable to wildfire given that its reservoirs and supply systems stretch across 22,000 acres of the fire-prone Mount Tamalpais watershed. Nearly 80 years have passed since the mountain had its last major blaze, allowing vegetation and trees on the mountain to build up and encroach new areas

**WATER» PAGE4**



3

**Water**

**FROM PAGE 1**

through the decades. The wildfire risk has been exacerbated through diseases such as sudden oak death, the proliferation of highly flammable invasive brush and more extreme weather patterns, all of which have been worsened by climate change.

A major fire could threaten the district's ability to pump water, whether by knocking out power lines or damaging its storage tanks, treatment plants and pump stations. The district has more than 190 facilities scattered throughout the watershed that require fire prevention work such as trimming trees and clearing defensible space.

In 2019, the district adopted an updated plan to invest \$13.5 million over five years toward fire prevention projects. The projects include clearing thousands of acres of fuel breaks and vegetation; regularly using prescribed burns for the first time in more than 15 years; addressing diseased woodlands, controlling the encroachment of Douglas fir trees into grasslands and oak woodlands; and reestablishing native plants while clearing out invasive species.

A new tool acquired through an \$800,000 state grant will allow the district to create digital maps to predict how its vegetation clearing and limb cutting work would affect wildfire behavior. A recent assessment of the Potrero Meadow forest land located northwest of Mt. Tamalpais found that fire prevention measures such as cutting tree limbs would reduce maximum flame heights from 20 feet to about 4 feet and reduce the rate of spread from up to 22 feet per minute to 4 feet per minute.

operating at full capacity, treating up to 35 million gallons per day, during Pacific Gas and Electric Co. power shutoffs and other outages.

Previously, the district used portable generators that did not provide as much power. The permanent generators are set to be operable by June 30 with full project completion expected in September, according to Darren Machado, a district official.

The district has purchased another 22 portable generators that can be deployed at pump stations and other sites to keep the transmission system running.

The North Marin Water District, which serves about 64,000 residents in Novato and several West Marin communities, has also been clearing out trees and other plants around the 60 water tanks, treatment plants and pump stations in recent months.

The district also has secured an additional five portable generators, for a total of nine, that it can deploy at its pump stations in case of a power outage, said Robert Clark, a district supervisor.

One of the main concerns is the potential for fires heating the ground to the point that it could melt some of the plastic pipes in the Novato area, Clark said.

The district is no stranger to the destruction wildfires can wreak. The 1995 Mount Vision fire took out two major storage tanks along with more than 40 homes. Both tanks have been rebuilt with larger concrete replacements.

The Woodward wildfire in the Point Reyes National Seashore in 2020 came close to burning down other facilities serving West Marin, Clark said.





(2)

“We’re not trying to stop wildfire, we’re trying to influence the behavior of fire area,” Shaun Horne, the utility’s water resources manager, told the district board on Tuesday.

Horne said the district plans to use the tool to model other areas of the watershed to guide projects.

The district is also set to complete the installation of three permanent generators at its largest treatment site, the San Geronimo Treatment Plant in Woodacre. The project, which has an estimated cost of \$5.3 million, will allow the plant to continue

(4)

“That’s a really big concern about infrastructure being lost,” Clark said. “It takes a long time to replace.”

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Thursday, 05/19/2022 Page .A01

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**Teresa Lerch**

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**From:** Mark Millan <millan@datainstincts.com>  
**Sent:** Monday, May 23, 2022 9:59 AM  
**To:** Undisclosed Recipients  
**Subject:** More severe droughts are looming. Could Santa Rosa's pioneering water recycling program help ... PD 5/23/22

## **More severe droughts are looming. Could Santa Rosa's pioneering water recycling program help stave off disaster?**

GUY KOVNER, PRESS DEMOCRAT 5/23/22

Homes and businesses across central Sonoma County generated more than 5 billion gallons of wastewater last year, enough to fill more than 7,500 Olympic-sized swimming pools. That sewage flowed into Santa Rosa's regional treatment plant south of Sebastopol, where it was cleaned up and nearly all of it put to a second use.

About 4 billion gallons of recycled water was pumped north from the Llano Road treatment plant in a 41-mile pipeline and up a steep slope into The Geysers geothermal fields southeast of Cloverdale. There it was injected into the ground to generate enough clean, renewable energy for about 100,000 North Bay households.

The system also sent 788 million gallons of recycled water to 61 farms covering 6,400 acres that produce milk, hay, grapes and vegetables, along with 386 million gallons for urban irrigation in Rohnert Park and Santa Rosa, the two largest cities in the wastewater system.

Every drop of the recycled irrigation water — safe for everything short of human consumption and sanitized to a degree that eliminates the COVID virus — replaces a drop of potable water from sources sure to be strained as California moves into its third year of worrisome drought.

But the state's water future is daunting, and could pose a fundamental challenge to Santa Rosa's recycling system, which was born out of controversy in the 1980s and is now hailed by state regulators as a win-win that safeguards local waterways — the Laguna de Santa Rosa and Russian River — previously used for discharge.

For water-stressed parts of California, where winter snowpack and rains are proving increasingly scarce or unreliable, recycled water is likely to prove a key source not just for irrigation but household and commercial use.

The warning signs are already apparent: State water regulators on Tuesday signaled plans to reduce or suspend diversions along the Russian River and its tributaries in Sonoma and Mendocino counties as early as June. The moves would likely affect fewer than the 1,800 water rights frozen last year in the face of dangerously low reservoir levels.

Long-range climate forecasts call for even more severe and persistent droughts, making existing surface and groundwater supplies more tenuous, while California's latest long-term water strategy calls making greater use of recycled water.

"Recycled water is a sustainable, nearly drought-proof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade," the 2020 California Water Resilience Portfolio said.

The 141-page document was issued in response to Gov. Gavin Newsom's executive order in 2019 calling for recommendations "to enable water security for all Californians."

It also called for streamlining regulations to expand use of nonpotable recycled water while “protecting food safety and the environment.”

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre-feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge. An acre-foot is 326,000 gallons, enough for more than two households for a year.

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago. Santa Rosa’s 5 billion gallon production equals 15,344 acre-feet — enough to sustain 35,750 local households annually, or an average of more than 92,000 people.

## **Obstacles to tapping recycled water**

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

But there are major constraints on how the modern system of sewage plants can respond, starting at Santa Rosa’s Laguna Treatment Plant, located about 2 miles southwest of the city limits.

It receives an average of 16.4 million gallons of wastewater a day from more than 225,000 residents and 6,500 businesses in Santa Rosa, Rohnert Park, Cotati, Sebastopol and parts of Sonoma County outside cities.

The water goes through a three-step, 15-hour treatment process that includes removal of solids, clarification and filtration through a 4-foot bed of granular coal. Finally, the water is disinfected with ultraviolet light, deactivating potentially disease-causing bacteria and viruses, used instead of chlorination.

Recycled water that receives tertiary treatment is deemed safe for irrigation of landscapes, pastures, playground and crops that are eaten raw.

The city says it recycles 98% of the wastewater flowing into the plant, and there’s obviously no desirable way to boost the flow. Successful conservation measures in recent decades have, in fact, reduced the total amount of water used by Californians — and the nation as a whole.

Those savings reduce the amount of water available for recycling, local officials noted.

Californians could further reduce urban water use by 30% to 48% by steps such as replacing inefficient appliances and installing low-water use landscaping, according to a Pacific Institute report last month.

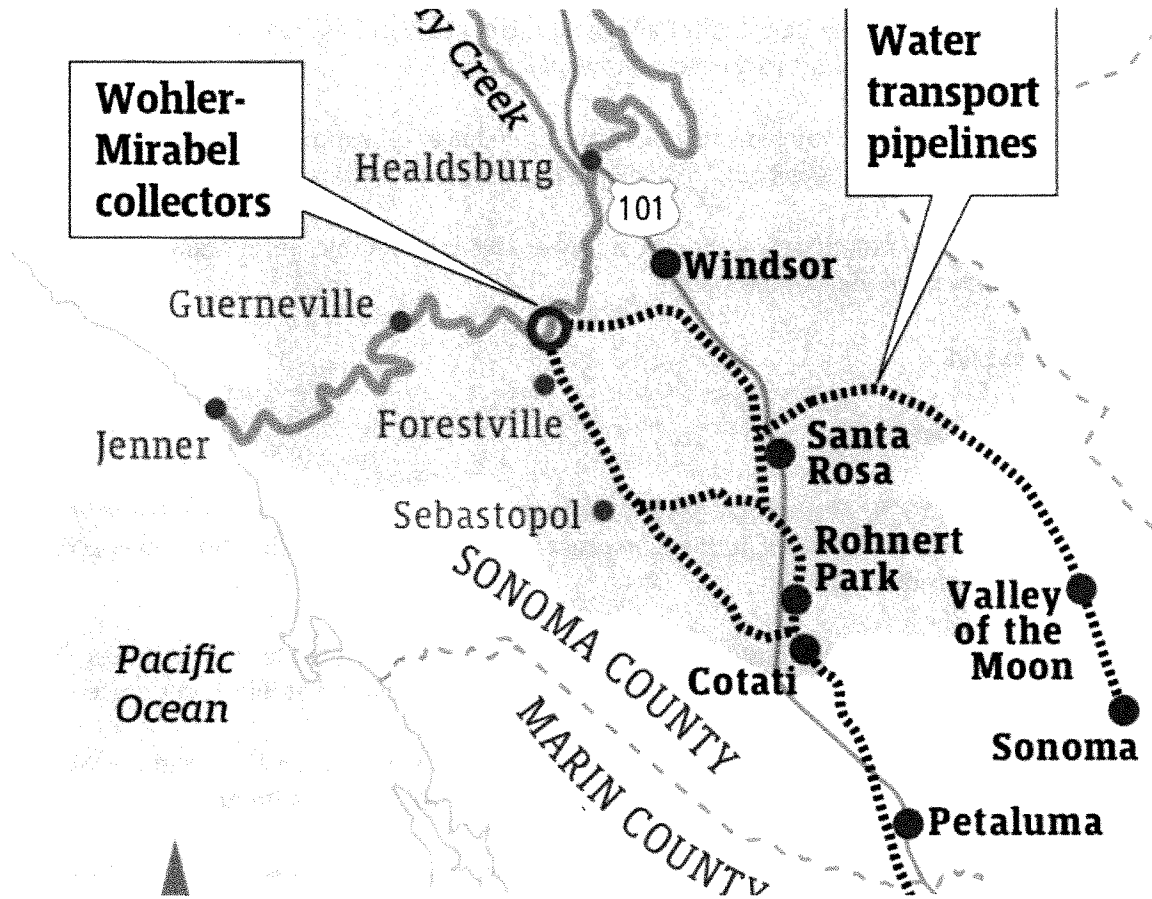
The major constraint for more local water recycling is Santa Rosa’s collaboration with Houston-based Calpine Corp., the nation’s largest geothermal power producer, which operates 13 power plants at The Geysers, straddling the Sonoma-Lake county line in the Mayacamas Mountains.

Steam wells, some deeper than 2 miles, tap superheated steam from water in contact with hot, porous and permeable rock. At the surface, steam runs through pipes to the power plants, spinning turbines that generate 725 megawatts of green energy around the clock.

Under a contract with Calpine that runs until 2037, Santa Rosa is required to provide 90% of the targeted 4.6 billion gallons of recycled water a year or pay penalties.

Reduced deliveries are allowed for natural catastrophes, such as wildfire and earthquake damage, but current drought conditions would not trigger that provision because there is enough water to fulfill the contract, said Jennifer Burke, director of Santa Rosa Water.

“The Geysers provides a critically important piece of our wastewater treatment system,” she said. “We need it to dispose of our wastewater.”



Even if the city could curtail water delivery to The Geysers, it is prohibited from spraying more recycled water on farmland than the crops require, Burke said.

Calpine has so far shown no interest in renegotiating the contract, she said.

### **Officials ponder recycling costs, options**

Santa Rosa’s last look at the prospects for expanding water recycling said it did not pencil out — “not cost effective for the foreseeable future,” according to the city’s 2020 Urban Water Management Plan.

Burke said it would cost tens to hundreds of millions of dollars to install the necessary pipes, painted purple to distinguish them from ordinary potable water pipes.

Even at its current historically low level for this time of year, 2,700-acre Lake Sonoma west of Cloverdale, the North Bay’s largest reservoir, holds a two- to three-year supply of water, she said. It has helped the region support growth while withstanding several droughts over the past four decades.

But city and county officials and water authorities are not downplaying the prospect of running low on drinking water around the North Bay, which has no connections to the state and federal water systems. Rainwater runoff into the Russian River watershed, along with groundwater, constitute the main supplies.

“We’re always looking at our options,” Burke said, noting that conservation, surface water, groundwater and recycled water are in play. “We’re planning for the future with additional dry years,” she said.

There are opportunities for expanded water recycling in the county’s northern reaches, including Healdsburg, Cloverdale, Dry Creek Valley and Alexander Valley, said Grant Davis, general manager of Sonoma Water, the dominant water wholesaler and a key player in recycling efforts over the past two decades.

“As (potable) water becomes more constrained, you have to look further, you have to be more innovative,” he said. “You need to work hard to make these projects pencil out,” including the prospect of tapping ratepayers for support.

Adding a fourth step to the wastewater treatment process to transform sewage into potable water is an option, Davis and Burke said, noting that it is already happening in the state.

“Everything is on the table.” Burke said.

### **Southern California program leads way**

Orange County’s \$481 million Groundwater Replenishment System, in operation since 2008, produces 100 million gallons of recycled water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen peroxide.

Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents — a system known as indirect potable water reuse.

Billed as the world’s largest potable water purification facility, Orange County’s system uses one-third of the energy required to desalinate seawater and half the energy needed to import water from Northern California.

No agency is currently allowed to produce recycled water for direct potable use, but the Water Resources Control Board is required by law to develop regulations for direct potable use — putting it into public water supplies — by the end of 2023.

The regulations will provide options to California communities “working to diversify their water supply portfolios in the face of recurring drought and climate change,” Rebecca Greenwood, a water board engineering geologist, said in an email.

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### **News Update**



**707.836.0300**

You received this email because your address has been entered into a distribution list of individuals who are interested in updates regarding recycled water.

**Newsom threatens to restrict water**

**DROUGHT**

**By Paul Rogers and Will Houston**

*Bay Area News Group*

Gov. Gavin Newsom warned major water agencies Monday to show better water conservation results or face mandatory statewide water restrictions as California heads into its third summer of severe drought.

The threat is a sign of Newsom’s growing impatience with the state’s lagging conservation efforts, and came as he convened a meeting in Sacramento of the state’s largest water agencies, and told their leaders that not enough is being done to reduce urban water use.

Calling recent increases in water use a “black eye,” according to one source in attendance, Newsom said the state will closely monitor water use over the next 60 days.

Newsom also told water agencies to submit water use data more frequently to the state and to step up outreach and education efforts to communicate the urgency of the crisis to the public.

“He was very stern, very deliberate,” said Rick Callender, chief executive of the Santa Clara Valley Water District. “He wants to see more results. It was a cometo- Jesus moment.”

**WATER» PAGE2**



Gov. Gavin Newsom visits the parched bed of Lake Mendocino last year. Newsom’s call for a voluntary 15% cut in urban water use has not succeeded.

CALIFORNIA DEPARTMENT OF WATER RESOURCES

**Water**

**FROM PAGE 1**

Callender said that most water agency leaders were receptive.

“For the most part everyone is getting there,” he said. “Everyone is going there. They want to find ways for additional conservation. We have to.”

Last July, Newsom declared a drought emergency and asked Californians to cut urban water use 15% compared to 2020 levels. But in March, the most recent month for which data is available, residents instead cranked up the taps, increasing urban water use a staggering 18.9% statewide compared to March 2020, following the driest January, February and March in the state’s recorded history.

Overall, Newsom’s calls for water conservation have been largely ignored, though not in Marin County.

Marin’s two largest municipal water suppliers have on average exceeded Newsom’s conservation target since July.

The Marin Municipal Water District, which serves 191,000 residents in central and southern Marin, has cut back water use by an average of 24% per month compared to 2020, according to district communications manager Adriane Mertens.

Last year, the district faced the possibility of depleting its main reservoir supplies by mid-2022 following two dry winters. The district was preparing to build a \$100 million emergency pipeline across the Richmond Bridge to pump in Sacramento Valley water before heavy downpours in the last three months of the year averted the crisis.

The North Marin Water District reported the 60,000 Novato residents it serves had cut back by an average of 21% per month since July,

3

Water District to cut back by 20% and the North Marin Water District to conserve by 24%.

Under Brown’s plan, cities and water districts that did not hit their goal were issued fines. Statewide water use fell 24.5%.

But it led to complaints from some agencies, particularly in Southern California, who asked Newsom to leave drought rules to local control.

Most of the state’s major reservoirs are at low or record- low levels for this time of year. On Monday, Shasta Lake, the state’s largest, near Redding, was just 40% full. No significant rain or snow is expected until October or November, if then.

Newsom supported plans by Poseidon, a private company, to build a \$1.4 billion desalination plant in Orange County. But two weeks ago, the California Coastal Commission — including all four of the governor’s appointees — voted unanimously to deny it a permit, saying it would increase water rates for low-income people and could harm microscopic ocean life.

Newsom also supports plans to build new off-stream reservoirs, such as the proposed \$4 billion Sites Reservoir in Colusa County. But in his revised May budget, he did not devote any of the state’s surplus this year to funding them.

There is no guarantee next winter will end the drought. California has been in a drought in seven of the past 10 years, exacerbated by climate change which increases temperatures and wildfire risk.

Although agriculture accounts for 80% of the water that people use in California, many urban systems rely on their own local reservoirs and local groundwater supplies for some or all of their water. On Monday, the 10 reservoirs operated by the Santa Clara Valley Water District, which serves 2 million people in Santa Clara County, for example, were just 23% full.



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according to Tony Williams, the district general manager. The district has been mandating a collective 20% water use reduction in Novato since early 2021.

Cumulatively, from July through March, residents, businesses and government agencies reduced urban water use statewide by just 3.7% compared to the same time period in 2020, according to the State Water Resources Control Board, with lower rates of conservation in Southern California than Northern California.

“Every water agency across the state needs to take more aggressive actions to communicate about the drought emergency and implement conservation measures,” Newsom said. “Californians made significant changes since the last drought but we have seen an uptick in water use, especially as we enter the summer months. We all have to be more thoughtful about how to make every drop count.”

Currently, 95% of the state is in a severe drought, and 59% is in an extreme drought, according to the U.S. Drought Monitor, a weekly report issued by the federal government and the University of Nebraska.

Amid other crises like the COVID pandemic, wildfires, inflation and Russia’s attack on Ukraine, Newsom has struggled to get the public to make the drought a top-tier concern.

For the past nine months, he has allowed local water agencies largely set their own conservation targets. Some have set vigorous targets with enforcement. Many have not. Conservation costs them millions in lost water sales.

Former Gov. Jerry Brown tried a similar voluntary approach at first during California’s last drought from 2012 to 2016.

When it failed to produce significant water savings, Brown issued mandatory statewide water restrictions, with different targets based on per-capita use. San Francisco, which has thousands of apartments without yards, uses less water per capita than Sacramento or Palm Springs, so was given more moderate savings target than those areas.

At the time, the state required the Marin Municipal

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In recent weeks, some major water agencies have begun to take more steps. Earlier this month, the Los Angeles Department of Water and Power announced it will allow customers to water lawns just twice a week — and for 8 minutes. The East Bay Municipal Utility District put in place three-day-a-week watering rules, along with an 8% water surcharge, and policies that by this summer will result in the names of its biggest water users being made public.

The Santa Clara Valley Water District will vote Tuesday on a plan to hire “water cops” to write tickets of up to \$500 for people who are wasting water.

Meanwhile, in another signal of the worsening drought playing out across California and the West, the state water board is set to vote Tuesday to ban all watering of lawns at office parks and industrial sites with potable water with fines up to \$500 for offenders.



A kayaker visits Lake Oroville last summer amid declining water levels from the drought.

ETHAN SWOPE — THE ASSOCIATED PRESS

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## Northgate plan revisions sought

### SAN RAFAEL MALL

Design board concerned about density, parking, overall layout

By Adrian Rodriguez

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The planners of the Northgate mall redevelopment in San Rafael have been sent back to the drawing board over concerns of density, parking and overall site layout.

The Design Review Board voted 4-0 Tuesday to continue its public hearing on the mixed-use project that proposes 1,320 new residences on the 45-acre site in Terra Linda. The board said it had a laundry list of concerns that was too lengthy for one meeting.

Board members Stewart Summers and Donald Blayney were absent from the meeting.

Board member Larry Paul credited the developers, Merlone Geier Partners, a real estate investment firm in San Francisco, with working diligently with the community and city on its plans.

"I think we have potential for a great project here," Paul said.

However, he said, "It's a very huge, complex project. I don't feel very uncomfortable with just going through with tonight and

### NORTHGATE» PAGE 2



A rendering of the proposed redevelopment of the Northgate mall in San Rafael.

PROVIDED BY MERLONE GEIER PARTNERS

### Northgate

#### FROM PAGE 1

making a decision."

Merlone Geier Partners bought the mall in 2017. The company is proposing two project phases: the construction of 907 residences starting in 2025, followed by 413 homes beginning in 2040. Overall, the project aims to mix transit-oriented housing with community space, retail and restaurants.

The project received mixed reviews from the community, with housing and sustainability advocates cheering the plan. Critics, mostly neighbors of the site, said some buildings were too tall for the residential neighborhood and worried about traffic and noise.

The board members shared concerns over the look and feel of the project, but said traffic, noise and other impacts were under the purview of the Planning Commission and the City Council.

A major concern was the way the site was laid out and how parking and residential components were densely concentrated.

The board felt uncomfortable with a proposal to build a seven-story apartment building on Las Gallinas Avenue. A shorter building was originally planned with fewer apartments, but the change was made to accommodate the addition of 85 for-sale townhomes on the southern end while still keeping the overall number of planned residences.

The board said some residences could be moved to the northern end of the site, where there were no planned buildings and only parking spaces. They said that could help spread the density and also help create a better entry point.



be bigger and the adjacent parking should be moved to the perimeter.

Board member Jeff Kent said the proposed dog park should be moved to a different area of the site, and that more park features for children should be added.

The applicants had designed the retail area with apartments above using brick and other materials with a variety of architectural styles to give it an organic downtown feel that gave it the appearance that it was developed over time, rather than all at once, they said.

The board didn't like the use of brick and wanted to have a separate discussion to be able to comment on each building one by one.

The proposed multiuse path should also wrap around the entire site, and more attention needed to be made to connectivity, perhaps with some sort of transit hub, the board said.

The board also asked for a shadow study, a lighting plan, a more detailed landscaping plan and for more cohesive architecture that was more pedestrian friendly, among other requests.

Tricia Stevens, the city's project planner, said staff will meet with the applicants to digest the comments and decide when they can return with revisions. Meanwhile, the state-mandated environmental impact review has begun, she said.

After the meeting, Stephen Logan, a vice president at Merlone Geier, said the firm is committed to collaborating with the community and the city on the design process.

"The redevelopment of Northgate is a delicate balance between the creation of new housing, public gathering areas and successful retail spaces," he said. "The feedback from the Design Review Board is an important step in the process and we will determine what potential changes are feasible from an economic and design-related standpoint."



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Merlone Geier has donated a 2-acre section of the lot to San Rafael-based EAH Housing to develop 96 affordable apartments with onsite resident support services, including summer and after-school programs and adult programs.

Sarah Rege, the board chair, called the affordable housing design “unfortunate” from a “social equity standpoint,” considering the quality of thought and design put into the townhomes. The for-sale townhomes were modeled after the nearby Eichler homes to blend in with the community.

Board members were glad to see that the developer expanded the central “town square” feature to 50,000 square feet, but said that it could

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The developers have set an event at the mall from 6 to 8 p.m. Wednesday to solicit more community feedback. More information is at [futurenorthgatemall.com](http://futurenorthgatemall.com).

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DICK SPOTSWOOD

The danger of infection during the pandemic prompted local governments to take innovative steps. Most governing boards operated via Zoom or similar livestreaming providers allowing agency board members to participate from remote locations as could the interested public.

It was a desperate but necessary temporary solution to a hopefully once-in-a-lifetime dilemma: how to remain safe while allowing public participation.

Its downside quickly became obvious. With remote attendance, the literal and perceived distance between governing board members, municipal staff and the citizenry became even more distant.

Given the need for emergency measures, remote attendance was the correct option. With the pandemic winding down, most governing boards are again meeting in person. Those temporary measures should soon be jettisoned.

This isn't to throw the baby out with the bathwater. There is plentiful evidence of the benefits of recording public meetings and livestreaming them on the internet for citizens who wish to see their elected officials doing the people's business in public. Teleconferencing isn't done to allow electrode officials to skip their basic duty to show up in person.

Now California's Legislature is up to another "under the radar" effort to please a handful of elected insiders. These are the officials who find it more convenient to attend board meetings from their home, luxury vacation spots or the site of distant employment.

The two proposed laws are Assembly bills 1944 and 2449, both of which are designed to facilitate teleconferencing and remote attendance by board members at governmental meetings. Both are bad news.

AB 2449, introduced by Los Angeles County Democrat Blanca Rubio, essentially codifies that "the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body ... in connection with any meeting or proceeding authorized by law."

AB 1944, whose lead author is Santa Clara County Democrat Alex Lee, modifies the Ralph M. Brown Act, Golden State's good government open meeting law. It reads, "upon a determination by a majority vote of the legislative body, a member to be exempt from identifying the address of the member's teleconference location in the notice and agenda or having the location be accessible to the public, if the member elects to teleconference from a location that is not a public place."

Currently, the law requires the disclosure of where remote members are sitting by their computers. They must disclose the address of that location, post an agenda on the site's door and allow the public in, even if the address is a Las Vegas casino. This has been particularly awkward for some directors who regularly work far away from Marin. AB 1944 abolishes those requirements.

The most glaring examples of elected officials not appearing in person are at Marin Municipal Water District board and committee meetings. It's understandable that they are busy, but that reality may mean being an elected official is not right for them. If these directors can't perform their duties in person they should resign or, at the least, forgo running for reelection.

Only with the public and decision-makers sitting together at the same time and same place do we have full transparency. Their insider-to-insider winks, body language, whispering and quirks are available for all to see. Likewise, board members being in the same room with the public gives elected officials the full impact of a chamber filled with unhappy constituents.

The best result is that AB 1944 is defeated and AB 2449 radically amended. The change should prohibit teleconferencing by governmental agencies. The sole exception should be if, by majority vote, the board's majority makes a finding that the potential remote board member has a temporary personal emergency preventing them from being present in person. *Columnist Dick Spotswood of Mill Valley writes on local issues Sundays and Wednesdays. Email him at [spotswood@comcast.net](mailto:spotswood@comcast.net).*



Dick Spotswood

## Readers' Forum

### Frayed freedoms come inside our American homes

Not a day goes by that I don't think about our country, our democracy and how fragile it is. I wake up seeing the American flag in my mind, a wall of freedom that is starting to fray.

I've never worried much about our country, our United States of America. It has always been a place of envy, a place where people want to come to because of the opportunities and freedoms it offers. I clutch my American passport because I know how valuable it is to me to be able to have it. How safe I've felt.

But the 9/11 attack changed everything. No more walking to a departure gate at the airport with friends or relatives. Farewells are done outside of checkpoints. We must show picture IDs that match boarding passes, X-ray machines and other roadblocks before you can pass into the go lane.

I remember going to Wall Street to observe the stock exchange from the observation deck. I was fixated. Since 9/11, the public is no longer permitted inside the stock exchange. It is bordered by concrete barriers and guarded by police officers.

Recently, I received my mailin ballot and I thought about states putting restrictions on voting rights to make it more difficult to vote than in past elections. I never worried about our election process being safe and fair, but I do now.

Then, there is the Roe v. Wade leaked draft opinion. That's a personal issue. It is one thing to have checkpoints, to protect important buildings, but when checkpoints and barriers come into the privacy of my home and I am told I no longer have permission to lock the door to it, the American flag frays a little more.

— Susan Curran, San Rafael

### Public servants deserve thanks from all of us



Recently, public servants have dedicated themselves to keeping our country running while simultaneously dealing with the challenges of a global pandemic. Medical professionals, postal workers, teachers, firefighters, law enforcement officers, public transport workers and many more have risked their own health to serve the American people.

We should take time to say thank you to public servants for the important work they do.

— Peter Bauer, San Rafael

### Measure A should not benefit private landowners

According to Marin County Board of Supervisors records, the Marin Agricultural Land Trust has not submitted any application for conservation easements with Measure A funds since May of 2018. Prior to 2018, it was applying for an easement, on average, about every four months. Since it became part of Measure A for parks and open space in 2012, MALT has doubled its buying power. This

regressive tax aided MALT in purchasing 12 easements for \$30 million.

Measure A needs to be rewritten to remove MALT from the renewal of the parks and open space measure. MALT has cleverly hidden its name from any of the "Yes on Measure A" literature, even though it is one of the larger contributors to the campaign.

MALT stands to receive 10% of Measure A tax funds for agricultural easements during the next nine years if Measure A passes in the June 7 election.

Why are we spending public dollars on a tax that everyone has to pay to line the pockets of land-owning ranchers?

Vote no on Measure A and require the Board of Supervisors to remove MALT, the nonprofit, from the process of using public funds for private landowners. — Jocelyn Knight, Corte Madera

### League of Women Voters endorses Measure A

The Marin County Parks and Open Space Department manages 34 open space preserves and 39 parks — almost 18,000 acres of land. For the last nine years, funds from the Measure A sales tax have enabled Marin County Parks to protect and improve the vitality of Marin's open spaces and parks.

Renewing Measure A — which has funded much of this work — is on the June ballot. The Marin League of Women Voters has studied the issues and we vigorously support a yes vote on A.

Be it through specific projectbased activities or longer-term maintenance-oriented efforts, Marinites have come to enjoy upgraded hiking and walking trails, renovated park facilities with clean bathrooms, reduced park entrance fees and library park passes. Measure A has funded the clearance of invasive species and fire fuel hazards.

All of this, and much more, is what is at stake if Measure A does not pass. We cannot let the programs and projects we count on to be lost.

The League of Women Voters of Marin County, as well as many other organizations and community leaders you respect, ask for your yes vote on Measure A. — Ann Wakeley, Marin League of Women Voters president

**Veteran MMWD director won't seek re-election**

**CYNTHIA KOEHLER**

**By Will Houston**

*whouston@marinij.com*

After nearly two decades as a Marin Municipal Water District director, Cynthia Koehler has announced she will not seek reelection in November.

Koehler, a longtime environmental attorney, has been on the district's board since 2005 and represents Mill Valley, Sausalito and other areas west of Highway 101 in southern Marin.

Koehler said she decided not to seek reelection because of upcoming opportunities and projects in her nonprofit organization, the WaterNow Alliance. She is a co-founder and executive director.

"They haven't quite come together yet, but there is enough happening that it just seems like the right time to be pursuing those," Koehler said. Her departure will offer a rare open seat on a board with a history of long-tenured members. Both Koehler and Larry Russell have held their seats since 2005, while Jack Gibson been on the board for nearly 28 consecutive years.

The last seat to open was in 2020 after Gov. Gavin Newsom appointed Armando Quintero, who had been on the district board for 11 years, as state parks director. Voters selected Monty Schmitt, a watershed scientist, to replace him. The election also will come after the district nearly faced a crisis of depleting its local reservoir supplies after two dry winters. It is exploring whether to add new sources of supply.

With projections showing its seven reservoirs were at risk of going dry by mid-2022, the district was preparing to build a \$100 million pipeline across the Richmond-San Rafael Bridge to pump

in Sacramento Valley water. Rains in late 2021 averted the crisis by nearly refilling the district's seven reservoirs.

Brian Sobel, a political analyst in Petaluma, said a crisis always draws more interest to a political office, especially for a water supplier that has comparatively more public scrutiny than other special districts.

"That's what drives people to come out of the woodwork at times like this," Sobel said. "If we've got plenty of water and it's raining every day, nobody thinks it's a glamorous position."

Candidates are not able to file paperwork with the county elections office until July 18, but at least one person, Ranjiv Khush of San Anselmo, has announced an intent to run for the board. Khush said he plans to challenge incumbent Larry Bragman for the Division 3 seat representing much of Ross Valley.

In her final six months on the board, Koehler will continue to participate in the district's study of potential new water supplies. The study is considering a range of options including groundwater banking, desalination, raising existing dams, continued turf replacement and recycled water.

**KOEHLER » PAGE 4**

**Koehler**

**FROM PAGE 3**

Koehler said the district was well prepared for the last drought by having plans in place to build the pipeline, by having built up funding reserves and having increased the amount of water it receives from the Sonoma Water agency, which supplies 25% of the district's water.

"So I would say during this whole time we have preparing for drought, building resilience both on the supply and on the demand end," Koehler said. "I would say compared to a lot of districts, our performance was extraordinary especially since we didn't have to turn to putting emergency rates in place."

Koehler has been a strong proponent of increasing the district's conservation and efficiency programs, including recycled water, increasing turf replacement rebates and other measures.

Her nonprofit group promotes increased conservation and reuse projects such as turf replacement, ecosystem restoration, rainwater harvesting and stormwater and wastewater reuse. "Efficiency is a form of supply," Koehler said. "Across California, across the West, reuse and efficiency — that is all supply. That's your cheapest, most affordable, most climateresilient form of supply."

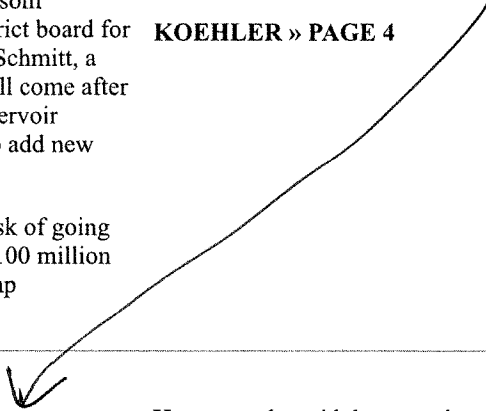
However, she said there needs to be an understanding of how the new water would be used.

The district has evolved during her nearly 18 years on the board, Koehler said, especially on water use. The district had been considering expanding its supply, including a proposal for a desalination plant, after projections showed its water demand would overtake its supply.

Water demand at the time was projected to rise to 12 billion gallons per year by the mid-2020s, up from the 10 billion gallons at the time. Investments to replace aging pipes, expansion of recycled water, the creation of a new district water efficiency division and advancements in more water-efficient appliances worked to reduce the annual water demand to 8 billion gallons per year, Koehler said.

As the only woman on the board for most of her tenure, Koehler said diversifying the district workforce has been important to her.

"I think having a woman in leadership has helped to elevate the issues, has helped leadership to be more mindful in recruiting and retaining women, to making space for women to be elevated in the district," Koehler said.



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Koehler said she and her nonprofit group are not against adding new sources of water supply. Last year, Koehler voted in favor of proceeding with the Richmond-San Rafael Bridge pipeline.

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