

RESOLUTION NO. 2022-2277

A RESOLUTION APPROVING BOARD POLICY REVISIONS FOR B-90 APPOINTMENT IN EVENT OF VACANCY AND F-90 PURCHASING, INCLUDING RETAINING CONSULTANTS

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 August 18, 2022, the Board reviewed and suggested changes on Board policies B-90 Appointment in Event of Vacancy and F-90 Purchasing, including Retaining Consultants;

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy sections: B-90 APPOINTMENT IN EVENT OF VACANCY AND F-90 PURCHASING, INCLUDING RETAINING CONSULTANTS. The previously approved Board Policies B-90 and F-90 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.

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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 1st day of September 2022, by the following vote of the members thereof:

AYES, and in favor thereof Members: Clark, Ford, Murray, Schwidome, Yerman
NOES, Members: None.
ABSENT, Members: None.
ABSTAIN, Members: None.



Teresa Lerch, District Secretary

APPROVED:

Judy Schriebman

Judy Schriebman, President of Board of Directors



B-90 APPOINTMENT IN EVENT OF VACANCY

Purpose

This policy determines when a Board vacancy occurs and sets forth procedures to fill the vacancy.

B-90-10 How a Vacancy Occurs. A vacancy on the Board is deemed to exist when a Board Member resigns, is impeached, dies or fails to discharge the duties of office for three consecutive months.

B-90-20 Applications. After a vacancy exists, the Board shall request applications from the public and announce a schedule for the application period after consultation with the Marin County Registrar of Voters. A date when applicants will be interviewed by the Board in open public session will be established.

B-90-30 Resumes. Applicants shall complete a District form and attach a resume and submit it to the Secretary of the Board within the specified application period.

B-90-40 Interviews. The Board shall interview all applicants who meet the residency criteria to serve on the Board of Directors. The order of the interviews by the Board shall be determined by draw.

B-90-50 Majority Vote. The appointment to fill the vacancy shall be by majority vote.

B-90-60 Election. If the vacancy is not filled by appointment, within 60 days of being notified of the vacancy or the effective date of the vacancy, whichever is later, the Board may call for an election.

B-90-70 Board of Supervisors. If the Board fails to fill the vacancy by appointment and does not call an election within 60 days of the vacancy occurring, the District shall turn the matter over to the Marin County Board of Supervisors for a decision on an appointment or the calling of an election to fill the vacancy.

Resolution No. 2022-2277	Date Approved: September 1, 2022
President of the Board	Last Reviewed: September 1, 2022

F-90 PURCHASING, INCLUDING RETAINING CONSULTANTS**Purpose**

This policy establishes procedures for preparing and approving purchase orders; and preparing, reviewing, and approving contracts. It also covers legal requirements, petty cash, limits on General Manager purchases, the required "paper trail," conformance with received orders, and consultant arrangements.

F-90-10 Vendors for Small Items. To purchase small items -- such as office supplies, auto parts, and other miscellaneous items costing less than \$2,000-- the General Manager will set policies for selecting vendors. District accounts are awarded to firms at management discretion that support local businesses, enable the purchase of green and/or recycled products, as well as provide for competitive prices, discounts, service levels, and convenience.

F-90-15 Petty Cash. A Petty Cash fund shall be maintained in the District office having a balance-on-hand maximum of \$500.00. Petty cash may be advanced to District staff upon their request for the purpose of procuring item(s) or service(s) appropriately relating to District business. After said item(s) or service(s) have been obtained, a receipt for same shall be submitted to the Administrative Assistant or Administrative/Financial Specialist and any remaining advanced funds shall be returned. The maximum petty cash advance shall be \$100.00. No personal checks shall be cashed in the petty cash fund. The petty cash fund shall be included in the District's annual independent accounting audit.

F-90-20 Out-of-Pocket Expenses. Whenever employees of the District incur "out-of-pocket" expenses for item(s) or service(s) appropriately relating to District business as verified by valid receipts, said expenses shall be reimbursed upon request from the District's petty cash fund or by check if needed. In instances when a receipt is not obtainable, the requested reimbursement shall be approved by the Administrative Services Manager prior to remuneration.

F-90-30 Quotations. To purchase items costing more than \$2,000, written quotations will be solicited from vendors and received by email, fax, or mail. District Staff may approve purchase orders up to the amount of their purchasing authority per F-90-40. For purchases between \$5,000 and \$15,000 three quotes will be obtained, unless the item is on the District's approved Summary of Specified Equipment List or replacement equipment is from a manufacturer's authorized dealer. In cases where the General Manager determines that certain products may provide a better service life, durability, meet a specific need or provide greater efficiency than other products he/she has the authority to order that product or engage the service without multiple quotes. The General Manager also has the authority to utilize specific maintenance and repair vendors as he/she deems appropriate or necessary.

F-90-35 Uniform Public Construction Cost Accounting Act (UPCCAA). Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code. Projects less than \$60,000 may be performed by staff of the Agency, by force account with a contractor, by negotiated contract, or by use of a purchase order. (District Code Title 1 Chapter 7).

F-90-40 Purchasing Authority. The purchasing authority listed below shall apply except as authorized by separate Board action for specific construction projects.

Position	Authority
Board of Directors	No Limit
General Manager	<ul style="list-style-type: none"> • Construction and consultant contracts up to \$60,000 • Purchase Orders up to \$60,000 • Budgeted informally bid construction contracts between \$60,001 and \$200,000. (Per UPCCAA)
Plant Manager	Purchases up to \$10,000.
District Engineer	Purchases and budgeted informally bid construction contracts up to \$20,000.
Collection System/Maintenance/Safety Manager	Purchases up to \$10,000.
Administrative Services Manager	Purchases up to \$10,000.
District Secretary	Purchases up to \$5,000
Administrative/Financial Specialist	Purchases up to \$5,000
Assistant/Associate Engineer	Purchases up to \$5,000
Environmental Services Supervisor	Purchases up to \$7,500
Plant Operations and Maintenance Supervisors	Purchases up to \$7,500
Skilled Maintenance Worker I/II	Purchases up to \$1,000
Administrative Assistant	Purchases up to \$1,000

Formal construction bid contracts in excess of \$60,000 must come to the Board for approval prior to execution.

For purchases in excess of \$15,000, staff will inform the Board of Directors regarding the item as soon as administratively feasible.

F-90-50 Expense Authorization in the Absence of the General Manager. In the absence of the General Manager, two (2) managers may sign the purchase order for amounts in excess of \$15,000. The General Manager will approve the purchase order prior to payment.

F-90-60 Purchase Orders. Purchases over \$3,000 require a purchase order to be issued prior to ordering.

F-90-70 Disbursements. The District requires that all disbursements be properly approved and authorized. To ensure that internal control is maintained over cash disbursements the following procedures will be performed:

- Disbursements, whether by check or electronic transfer, shall be included on a Warrant List for Board approval.
- Disbursements made by check shall require two signatures.
 - Generally checks drawn from the Operating bank account will be signed by the General Manager and a Board Member. The General Manager may delegate his signing of the checks to the Administrative Services Manager.
 - Where either a Board Member or the General Manager is not available:
 - The Administrative Services Manager may sign in place of the General Manager; or

- Two Board Members may sign in place of the General Manager; or
 - The General Manager and the Administrative Services Manager may sign in lieu of a Board Member signing.
 - If such a situation occurs, the paid invoice and related support documents will be submitted with the Warrant list for approval by the Board at the next Board meeting.
- Checks drawn from the Petty Cash Checking account may be signed by two of the following: the General Manager, the Administrative Services Manager, or the Administrative/Financial Specialist.

F-90-75 Intergovernmental Agreements. Agreements between two or more government agencies or non-governmental organizations (NGOs) regardless of purchase amount must be approved by the Board.

F-90-80 Contract Execution. Regardless of expenditures and expense authorization levels, and unless otherwise authorized by the District Board, the Board (in the form of its President) and/or the General Manager shall remain the sole entities authorized to execute formal contracts on behalf of the District. Contracts shall include but not be limited to: Agreements with other governmental entities or NGOs; professional services agreements; construction, maintenance services, equipment procurement, and material supply contracts; and amendments thereof.

F-90-90 Consultants. Consultants will be retained whenever in the judgment of the General Manager that there are not sufficient resources or expertise to accomplish a task.

- Prospective consultants shall be selected from experienced, competent and reliable firms or individuals to provide the necessary resource.
- For consulting expenditures below \$60,000, consultants may be selected sole-source on the basis of their qualifications and ability.
- For consulting procurements exceeding \$60,000, a competitive process may be followed with emphasis on professional capability, availability to complete the task as well as cost. Professional Services Contracts over \$60,000 shall be submitted to the Board for approval. However in the case where the Board deems it more prudent and in the best interest of continuity of services, a consultant contract may be awarded without a competitive process.
- Regular reports of consultant's progress shall be reviewed by the General Manager and reported to the Board.

F-90-95 Vehicles. Fleet vehicles should be purchased through cooperative purchasing agreements or statewide contract. The Vehicle & Equipment Replacement Fund will be used to fund replacement vehicles and related equipment. The Board shall authorize the purchase of vehicles as part of the budget process or by separate Board action if not budgeted.

F-90-100 Internal Audit. The General Manager is responsible to ensure that purchases and trade agreements adhere to District policy and sound business practices. The General Manager will ensure that files and records of purchase orders and other financial documentation are maintained to provide adequate control and administration, which is subject to audit and Board review.

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President of the Board	Last Reviewed September 1, 2022