



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

MANAGEMENT TEAM
 General Manager, Curtis Paxton
 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
 Gary E. Robards
 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

May 18, 2023

MATERIALS RELATED TO ITEMS ON THIS AGENDA ARE AVAILABLE FOR PUBLIC INSPECTION DURING NORMAL BUSINESS HOURS AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, SAN RAFAEL, OR ON THE DISTRICT WEBSITE WWW.LGVSD.ORG

Estimated Time

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 4 and May 8, 2023
- B. Approve the Warrant List for May 18, 2023
- C. Approve Board Compensation for April 2023
- D. Approve Murray attendance at CASA CWEA Partnering for Impact meeting June 6, 2023
- E. Approve Resolution 2023-2306 Harassment, Discrimination and Retaliation Prevention Policy

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

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

4:40 PM

3. INFORMATION ITEMS:

STAFF/CONSULTANT REPORTS:

- 1. General Manager’s Report – verbal
- 2. Collections/Safety/Maintenance Department Report – written
- 3. Administration Department Report – written
- 4. Quarterly Financial Report – written

- 5:40 PM** **4. CAPITAL RESERVES AND REPURPOSING OF BANK OF MARIN MONEY MARKET ACCOUNT**
Board to review Resolution 2023-2305 designating \$3,000,000 to be held in the Capital Reserve for the construction of the Operations and Control Center building and repurposing the Bank of Marin Business Money Market account for use as a restricted Recycled Water Capital Repair and Replacement Fund.

- 6:00 PM** **5. BOARD MEMBER REPORTS:**
 - 1. CLARK
 - a. NBWA Board Committee, 2023 Operations Control Center Ad Hoc Committee, Other Reports
 - 2. FORD
 - a. NBWRA, 2023 Operations Control Center Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, 2023 Fleet Management Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, Other Reports
 - 3. MURRAY
 - a. Marin LAFCO, 2023 Biosolids Ad Hoc Committee, CASA Energy Committee, 2023 Development Ad Hoc Committee, Other Reports
 - 4. ROBARDS
 - a. Gallinas Watershed Council/Miller Creek, 2023 Engineering Ad Hoc Committee re: STPURWE, 2023 McInnis Marsh Ad Hoc Committee, 2023 Development Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, Other Reports
 - 5. YEZMAN
 - a. Flood Zone 7, CSRMA, 2023 Ad Hoc Engineering Committee re: STPURWE, Marin Special Districts, 2023 Biosolids Ad Hoc Committee, Other Reports

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

- 6:15 PM** **7. VARIOUS INDUSTRY RELATED ARTICLES**

- 6:20 PM** **8. ADJOURNMENT**

FUTURE BOARD MEETINGS MAY 25 AND JUNE 1, 2023

AGENDA APPROVED:	Megan Clark, President	Patrick Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, Board Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before May 15, 2023 4:30 p.m., I posted the Agenda for the Board Meeting of said Board to be held on May 18, 2023, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: May 11, 2023



Teresa L. Lerch
Board 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.

AGENDA ITEM 1

5/18/2023

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 4, 2023

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION ON MAY 4, 2023 AT 4:32 PM 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 (arrived 4:45 pm)
Gary Robards and Crystal Yezman (arrived 5:03 pm)

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Curtis Paxton, General Manager; Dale McDonald, District Treasurer; Greg Pease, Collections/Maintenance/Safety Manager;

OTHERS PRESENT: Dave Byers, District Counsel; Lisa Charbonneau, LCW; Ray Goebel, EOA;

ANNOUNCEMENT: President Clark 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 the Board Minutes for April 20, 2023
- B. Approve the Warrant List for May 4, 2023
- C. Approve Clark attending CSDA Legislative Days Conference in Sacramento May 16 -17
- D. Approve Murray attending the IRWA Spring Educational Seminar April 14, 2023
- E. Approve Aqua Contract Amendment 10 for Bidding Construction Services for the TWAS Enclosure/Sludge Basin and Reception Pad Project
- F. Approve Contract with West Yost for Grant Support

Item F was pulled for discussion.

ACTION:

Board approved (M/S Robards/Ford (3-0-2-0) the Consent Calendar items A through F.

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

3. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. Board Policy B-180 Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure review with Lisa Charbonneau from Liebert Cassidy Whitmore. Board reviewed the final policy and Ms. Charbonneau answered questions from the Board and District Counsel. Item is to be moved to the next board consent calendar for approval as presented.

Murray arrived at 4:45 pm.

- 2. General Manager's Report – verbal
- 3. State Wide General Order for Sanitary Sewer Systems and Sewer System Management

Plan – Ray Goebel from EOA presented to the Board. Pease also provided answers to questions raised by the Board.

Yezman arrived at 5:03 pm.

4. Review Draft Proposition 218 Notice – McDonald presented. Board requested modifications to some language in the 218 Notice.

4. EXPAND LOW INCOME SEWER RATE ASSISTANCE TO MOBILE HOME OWNERS

Board reviewed Resolution 2023-2303 to expand the Low-Income Sewer Rate Assistance program to recognize mobile homeowner's as eligible households under the program.

ACTION:

Board approved (M/S Yezman/Robards (5-0-0-0) Resolution 2023-2303 expanding the expanding the Low-Income Sewer Rate Assistance Program (LISRAP) to recognize mobile homeowners as eligible households under LISRAP and to continue the program in fiscal year 2023-24 at a cost not to exceed \$25,000 in fiscal year 2023-24. Staff was given direction to investigate future expansion of the program.

AYES: Clark, Ford, Murray, Robards and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

5. BOARD MEMBER REPORTS

1. CLARK

- a. NBWA Board Committee – no report
- b. 2023 Operations Control Center Ad Hoc Committee – verbal report
- c. Other Reports–none

2. FORD -

- a. NBWRA – no report
- b. 2023 Operations Control Center Ad Hoc Committee – no report
- c. 2023 GM Evaluation Ad Hoc Committee – no report
- d. 2023 McInnis Marsh Ad Hoc Committee – no report
- e. 2023 Fleet Management Ad Hoc Committee – no report
- f. Other Reports – Ford reported on his meeting with the county regarding the Bay Trail.

3. MURRAY

- a. Marin LAFCO – no report
- b. CASA Energy Committee –verbal report
- c. 2023 Biosolids Ad Hoc Committee – no report
- d. 2023 Development Ad Hoc Committee – verbal report
- e. Other Reports – BCDC Working Group meeting – verbal report.

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek – verbal report
- b. 2023 Engineering Ad Hoc Committee re: STPURWE – no report
- c. 2023 McInnis Marsh Ad Hoc Committee – no report
- d. 2023 Development Ad Hoc Committee – no report
- e. 2023 GM Evaluation Ad Hoc Committee – verbal report
- f. Other Reports – none

5. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. Marin Special District Association – no report
- d. 2023 STPURWE Engineering Ad Hoc Committee – no report

- e. 2023 Biosolids Ad Hoc Committee – verbal report
- f. Other Reports– none

6. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – none.
- B. Board Agenda Item Requests – Ford requested EV be considered for the plant and Yezman requested Low Income threshold standards be researched.

6. MISCELLANEOUS DISTRICT CORRESPONDENCE:

Discussion ensued.

7. CLOSED SESSION WAS CANCELLED

8. ADJOURNMENT:

ACTION:

Board approved (M/S Ford/Murray 5-0-0-0) the adjournment of the meeting at 7:00 PM.

AYES: Clark, Ford, Murray, Robards and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for Monday, May 8 at 9:00 am in-person at the District Office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Craig K. Murray, Vice-President

MEETING MINUTES OF MAY 8, 2023

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION ON MAY 8, 2023 AT 9:00 AM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford (arrived at 9:02 am) , Craig Murray, Gary Robards and Crystal Yezman
- BOARD MEMBERS ABSENT:** None.
- STAFF PRESENT:** Curtis Paxton, General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer; Mel Liebmann, Plant Manager; Greg Pease, Collection/Maintenance/Safety Manager
- OTHERS PRESENT:** Patrick Richardson, District Counsel; Mark Hildebrand, Hildebrand Consulting
- ANNOUNCEMENT:** President Clark announced that the agenda had been posted as evidenced by the certification on file in accordance with the law.
- 1. PUBLIC COMMENT:** None.

2. RECEIVE 2023 SEWER RATE STUDY DRAFT REPORT

Mark Hildebrand presented the 2023 Sewer Rate Study Draft Report. McDonald shared information on the impact to elevated and high strength classifications. Discussion ensued.

ACTION:

Board received (M/S Yezman/Ford (5-0-0-0) the 2023 Sewer Rate Study Draft report, accepted the recommendations in the report, and authorized the General Manager to bring the final Sewer Rate Study back to the Board for approval under a future consent calendar.

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

3. RESOLUTION 2023-2304 SETTING TIME AND PLACE FOR PUBLIC HEARING ON SEWER SERVICE CHARGE RATES FOR FISCAL YEARS 2023 THROUGH 2027 AND AUTHORIZING MAILING OF PROPOSITION 218 NOTICE

Board reviewed Resolution 2023-2304 setting time and place for the public hearing on Sewer Service Charge rates and the Proposition 218 Notice.

ACTION:

Board approved (M/S Ford/Murray (5-0-0-0) Resolution 2023-2304 setting the time and place for the Public Hearing for the Sewer Service Charge rates for the fiscal years 2023 through 2027 (June 30, 2023) and authorizing mailing of the in the Notice to Property Owners (Proposition 218) with proposed rates as recommended in the 2023 Sewer Rate Study upon final review by District Counsel.

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

4. ADJOURNMENT:

ACTION:

Board approved (M/S Murray/Yezman 5-0-0-0) the adjournment of the meeting at 10:20 a.m.

AYES: Clark, Ford, Murray, Robards and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for Monday, May 18 at 4:30 PM in-person at the District Office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Craig K. Murray, Vice-President

Las Gallinas Valley Sanitation District
Warrant List 5/18/2023 DRAFT

Agenda Item 2B
Date May 18, 2023

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	5/18/2023	EFT1	ADP Payroll	2,035.75		2,035.75	5/19/2023 Payroll & Processing Charges
2	5/18/2023	ACH	A & P Moving	96.80		96.80	Document Storage -May
3	5/18/2023	ACH	Amatori, Pam	136.00		136.00	Caselle Pre-Live Training Reimbursement
4	5/18/2023	N/A	Aramark Uniform Service	841.46		841.46	Laundry Service w/e 4/27, 5/1 & 5/8
5	5/18/2023	N/A	Aries Industries	980.47		980.47	ITV Truck- Pathfinder Reel, Digital Footage Meter
6	5/18/2023	ACH	Asaro, Anthony	258.00		258.00	CEWA Annual Conference Reimbursement
7	5/18/2023	N/A	Banner Bank	18,344.02		18,344.02	STPURWE- Retention on Progress Payment # 50
8	5/18/2023	ACH	Bellecci & Associates	26,172.00		26,172.00	On-Call Engineering Inspections
9	5/18/2023	N/A	BHI Management Consulting	1,000.00		1,000.00	Strategic Planning Development
10	5/18/2023	ACH	Byers Law Office	7,100.00		7,100.00	Legal Services- April
11	5/18/2023	ACH	Cal-Steam	456.67		456.67	Misc. Supplies
12	5/18/2023	EFT	CalPERS 475 Plan	0.00		0.00	EE's Contribution to Deferred Comp.- Pay Period 4/17 - 4/30
13	5/18/2023	EFT	CalPERS Retirement	0.00		0.00	EE & ER Payment to Retirement- Pay Period 4/17 - 4/30
14	5/18/2023	N/A	Centricity GIS	3,712.50		3,712.50	AMS Services- April
15	5/18/2023	N/A	City National Bank Loan Center	34,135.20		34,135.20	Interest Payment - Loan Agreement #13-038
16	5/18/2023	ACH	Contractor Compliance & Monitoring	4,118.75		4,118.75	Labor Compliance- April
17	5/18/2023	ACH	Core Utilities	2,152.50		2,152.50	IT Services April
18	5/18/2023	N/A	Danadjjeva Hansen Architects	860.00		860.00	Consultation & Architectural Design Services- OCC Building
19	5/18/2023	ACH	Diego Truck Repair	269.36		269.36	Seat Cushion Replacement
20	5/18/2023	ACH	Downing Heating	3,610.50		3,610.50	Move & Replace Defective Blower Motor & Circuit Board
21	5/18/2023	ACH	Du-All Safety	4,728.00		4,728.00	Safety and Training for LGVSD- April
22	5/18/2023	N/A	Environmental Science Associates	2,830.00		2,830.00	Flood Protection Plan for Biosolids
23	5/18/2023	ACH	Fastenal	368.40		368.40	Misc. Supplies
24	5/18/2023	ACH	Ford, Ron	200.00		200.00	Health Reimbursement
25	5/18/2023	N/A	Freyer & Laureta	39,730.60		39,730.60	Design of Terra Linda Access Structure, Smith Ranch Pump Station Electrical Upgrades
26	5/18/2023	ACH	Grainger	1,848.31		1,848.31	Misc. Supplies
27	5/18/2023	ACH	Hach	194.25		194.25	Pipet Tips
28	5/18/2023	ACH	Hanford ARC	7,540.00		7,540.00	Lower Miller Creek- Weed Management & Irrigation Repairs
29	5/18/2023	N/A	Hazen and Sawyer	3,835.00		3,835.00	Flow Equalization Design Contract, Collection System Hydraulic Development, On-Call Engineering Services

Las Gallinas Valley Sanitation District Warrant List 5/18/2023 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	5/18/2023	N/A	Hildebrand Consulting	4,830.00		4,830.00	2032 Sewer Rate Study
31	5/18/2023	ACH	Huang, Irene	155.00		155.00	QSD & QSP Exam Reimbursement
32	5/18/2023	N/A	Itpipes	27,200.00		27,200.00	Cloud Setup Subscription & Software Support- Collections
33	5/18/2023	N/A	Jackson's Hardware	210.42		210.42	Misc. Supplies for Pest Control- (Wasps)
34	5/18/2023	N/A	Marin Water	4,761.88		4,761.88	Water Usage @ Pump Stations & Plant
35	5/18/2023	ACH	McDonald, Dale	750.76		750.76	Caselle Pre-Live Training Reimbursement
36	5/18/2023	N/A	Medical Center of Marin	242.00		242.00	Pre- Employment Physical- Operator Grade III
37	5/18/2023	ACH	Murray, Craig	125.00		125.00	Health Reimbursement
38	5/18/2023	N/A	Myers & Sons	348,536.31		348,536.31	STPURWE- Progress Payment # 50, Construction Changes Orders
39	5/18/2023	N/A	North Bay Gas	78.66		78.66	Welding Gases
40	5/18/2023	N/A	Operating Engineers	1,380.72		1,380.72	Union Dues - Paydate 5/5 & 5/19
41	5/18/2023	N/A	PG&E	13,548.51		13,548.51	Electricity @ Pump Station
42	5/18/2023	ACH	Polydyne	4,941.32		4,941.32	Clarifloc
43	5/18/2023	N/A	Rathlin Properties	9,319.00		9,319.00	Rent @ 101 Lucas Valley- June
44	5/18/2023	ACH	Retiree Augusto	148.68		148.68	Retiree Health -June
45	5/18/2023	ACH	Retiree Burgess	132.25		132.25	Retiree Health -June
46	5/18/2023	ACH	Retiree Cummins	132.25		132.25	Retiree Health -June
47	5/18/2023	ACH	Retiree Cutri	448.36		448.36	Retiree Health -June
48	5/18/2023	ACH	Retiree Emanuel	269.02		269.02	Retiree Health -June
49	5/18/2023	ACH	Retiree Gately	269.02		269.02	Retiree Health -June
50	5/18/2023	ACH	Retiree Guion	269.02		269.02	Retiree Health -June
51	5/18/2023	ACH	Retiree Kermoian	132.25		132.25	Retiree Health -June
52	5/18/2023	ACH	Retiree Mandler	132.25		132.25	Retiree Health -June
53	5/18/2023	ACH	Retiree McGuire	698.50		698.50	Retiree Health -June
54	5/18/2023	ACH	Retiree Memmott	185.29		185.29	Retiree Health -June
55	5/18/2023	ACH	Retiree Petrie	148.68		148.68	Retiree Health -June
56	5/18/2023	ACH	Retiree Pettey	132.25		132.25	Retiree Health -June
57	5/18/2023	ACH	Retiree Reetz	415.50		415.50	Retiree Health -June
58	5/18/2023	ACH	Retiree Reilly	132.25		132.25	Retiree Health -June

**Las Gallinas Valley Sanitation District
Warrant List 5/18/2023 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
59	5/18/2023	ACH	Retiree Vine	132.25		132.25	Retiree Health -June
60	5/18/2023	ACH	Retiree Wettstein	732.00		732.00	Retiree Health -June
61	5/18/2023	ACH	Retiree Williams	732.00		732.00	Retiree Health -June
62	5/18/2023	ACH	Robards, Gary	200.00		200.00	Health Reimbursement
63	5/18/2023	N/A	Roy's Sewer Service	1,700.00		1,700.00	Sewer Main Upstream from Open Pit Cleanout
64	5/18/2023	ACH	Satcom Global	165.44		165.44	Satelite Phone Service- May
65	5/18/2023	ACH	Schultz, Amy	136.00		136.00	Caselle Pre-Live Training Reimbursement
66	5/18/2023	N/A	Shamrock Building Materials	95.72		95.72	High Stength Epoxy
67	5/18/2023	N/A	Sonoma County Water Agency	53,083.00		53,083.00	Membership, Feasibility Studies-Sea Level Mitigation, Drought Contingency Plan & Joint Use
68	5/18/2023	N/A	United Site Services	694.43		694.43	Porta Potty Service- 4/29 - 5/26
69	5/18/2023	ACH	Univar	7,356.57		7,356.57	Sodium Hypochlorite
70	5/18/2023	N/A	Verizon Wireless	1,603.77		1,603.77	Cell Phones 4/27 - 5/26
71	5/18/2023	N/A	West Yost	19,205.00		19,205.00	Cybersecurity Baseline Assessment
72	5/18/2023	EFT	WEX Health	50.00		50.00	FSA Administration- April
73	5/18/2023	N/A	Woodland Center Auto Supply	114.75		114.75	Misc. Supplies
74	5/18/2023	ACH	Yezman, Crystal	200.00		200.00	Health Reimbursement

Do not change any formulas below this line.

TOTAL \$ 673,480.62 \$ - \$ 673,480.62

EFT1	EFT1 = Payroll (Amount Required)	2,035.75	2,035.75	
EFT2	EFT2 = Bank of Marin loan payments	0.00	0.00	
PC	Petty Cash Checking	0.00	0.00	
>1	Checks (Operating Account)	0.00	0.00	
N/A	Checks - Not issued	592,873.42	592,873.42	
EFT	EFT = Vendor initiated "pulls" from LGVSD	50.00	50.00	
ACH	ACH = LGVSD initiated "push" to Vendor	78,521.45	78,521.45	
	Total	<u>\$ 673,480.62</u>	<u>\$ 673,480.62</u>	

Approval:
Finance
GM
Board

Difference: \$ -

STPURWE Costs 366,880.33

Agenda Item 2C
Date May 18, 2023

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	4
Ron Ford	4
Craig Murray	6
Gary Robards	5
Crystal Yezman	<u>4</u>
Total	<u><u>23</u></u>

Meeting Date: 5/18/2023
Paydate: 5/19/2023



101 Lucas Valley Road, Suite 300, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MEGAN CLARK Month: APRIL 2023

Board Members shall be compensated for up to the legal limit of six (6) meetings per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4-6	REG	X	
4-20	REG	X	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4-7	NBWA	X	
4-26	AD HOC OCC	X	
4-26	work of board letter re. Judy		X
TOTAL		2	

Total Meetings for which I am Requesting Payment:
Max of six (6) per Health & Safety Code §4733 4

I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

Megan Clark 5-4-23
 Director Signature Date
[Signature] 5/5/23
 Administrative Services Manager Approved Date
[Signature] 5-4-23
 Board Secretary Received Date



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BOARD MEMBER ATTENDANCE FORM

Director's Name: Ron Ford Month: April 2023

Board Members shall be compensated for up to the legal limit of six (6) meetings per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
04/06		X	
04/20		X	
3/10	Travel Day - Atlanta Conf. OK'd by Board 4/20/23	X	
TOTAL		3	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
04/26	OCC Ad Hoc	X	
TOTAL		1	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	3 4
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I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

Ronald Ford
Director Signature

Administrative Services Manager Approved

Board Secretary Received

04/30/2023
Date

5/5/23
Date

5/2/23
Date



101 Lucas Valley Road, Suite 300, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MURRAY, Craig K. Month: April 2023

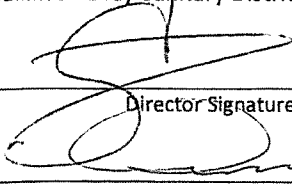
Board Members shall be compensated for up to the legal limit of six (6) meeting per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4/3/23	Development Ad Hoc Committee	X	
4/6/23	Board Meeting	X	
4/19/23	Development Ad Hoc Committee	X	
4/20/23	Board Meeting	X	
TOTAL		4/4	

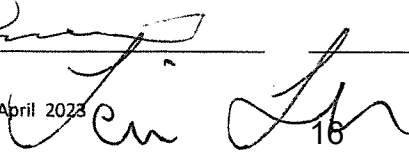
OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4/6/23	Marin LAFCo Board Meeting		X
4/9,13, 16/23	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 4/9 1.0 hr; 4/13 0.5 hr; 4/16 1.0 hr		XXX
4/13/23	EESI Investments in Clean Energy and Transportation Innovations in the Federal and Private Sectors, Briefing, Washington DC	X	
4/18/23	International Right of Way Association, Spring Educational Forum Oakland CA, Host San Francisco/Santa Rosa Chapter 2, Region 1 (CA, NV, AZ)	X	
4/27/23	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Testimony to CARB Meeting on the ACF Regulations	X	
TOTAL		3/7	

Total Meetings for which I am Requesting Payment: 6
 Max of six (6) per Health & Safety Code §4733 7/11

I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.


 Director Signature

Craig K. Murray
 April 27, 2023
 Date

 5/5/23
 4/27/23

BOARD MEMBER ATTENDANCE FORM

Director's Name: GARY ROBARDS Month: April 2023

Board Members shall be compensated for up to the legal limit of six (6) meetings per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4/6/23	Board Meeting	X	
4/20/23	Board Meeting	X	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
4/3/23	Development Ad Hoc	X	
4/5/23	Engineering Ad Hoc	X	
4/5/23	Gallinas Watershed	X	
4/21/23	Development Ad Hoc	X	
TOTAL			

[Handwritten mark: a star with an arrow pointing to it]

Total Meetings for which I am Requesting Payment: 6 5 PM
Max of six (6) per Health & Safety Code §4733

I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

[Signature]
Director Signature

5/11/23
Date

[Signature]
Administrative Services Manager/Approved

5/5/23
Date

[Signature]
Board Secretary Received

5/2/23
Date



101 Lucas Valley Road, Suite 300, San Rafael, CA 94903
 Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Yezman Month: April 2023

Board Members shall be compensated for up to the legal limit of six (6) meeting per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
04/06/2023	Regular Board Mtg	X	
04/20/2023	Regular Board Mtg	X	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
04/13/2023	Bio-solids Regulatory Working Group Meeting	X	
04/05/2023	Engineering Ad Hoc Meeting	X	
TOTAL		2	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	4
--	----------

I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

Director Signature

05/03/2023
 Date

Administrative Services Manager Approved

5/5/23
 Date

Board Secretary Received

5/3/23
 Date

AGENDA ITEM 20
DATE May 18, 2022



BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 4/27/23 Name: Murray, Craig K.

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

To be held on the 6th day of June from 9am a.m. / p.m.
to 6th day of June from to 400 pm a.m. / p.m.

Location of meeting: Berkeley CA

Actual meeting date(s): June 6, 2023

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

Purpose of Meeting: Wastewater Practices Review with practitioners,
academics and regulators

Meeting relevance to District: Biosolids, Nutrient Mgt., Data & Risk
Mgt.

Request assistance from Board Secretary to register for Conference: YES NO
 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): \$15.

Date submitted to Board Secretary: 4/27/23

Board approval obtained on Date: _____

Craig Murray

From: CWEA Education <education@cwea.org>
Sent: Thursday, April 27, 2023 11:35 AM
To: Craig Murray
Subject: 2024 Partnering for Impact Supports Faster Innovation in Wastewater

This email originated from outside of the City's email system. Do not open links or attachments from untrusted sources.

To view mobile version, click [here](#).



Partnering for Impact • June 6, 9:00 a.m. - 4:00 p.m. • David Brower Center

Dear Craig,

Partnering for Impact (PFI) is a one-day, highly-interactive gathering of wastewater thought-leaders, practitioners, academics, and regulators who strive to advance technology and innovation through partnerships.

We'll discuss innovations in liquid and solid stream processes, and explore ways our sector can speed-up the delivery of innovative projects.

We've structured the day with provocative topics, dynamic speakers, panel leaders, and roundtable sessions designed to collect your input through facilitated discussions.

PFI was developed by a team led by Rick Warner and **continues as a national movement alongside WEF and other innovative organizations.** In California, PFI is organized annually by CASA and CWEA, and sponsored by the firms and individuals who are active in CASA's Engineering and Research Committee.



We invite technology leaders from research universities and innovative State and Federal regulators who are looking to develop utility partnerships to move technology and innovation forward.

New event: enjoy a fun meet-up after Partnering for Impact to keep conversations going. We'll get together for a no-host **attendee happy hour at Jupiter in Berkeley** immediately following PFI24.

Sincerely,

DAVE RICHARDSON

Event Committee Lead

Woodard and Curran

[REGISTER](#)

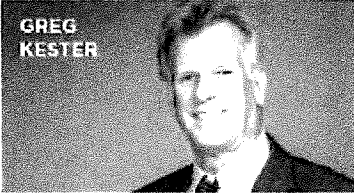
[BROCHURE](#)

[CWEA EVENTS](#)

DR. DAVID
SEDLAK



GREG
KESTER



JAIME
FERRO



TOPICS AND KEYNOTES

Opening Keynote Presentation
**Innovations in Pollutant Removal by
Natural Systems**

Dr. David Sedlak
UC Berkley

Morning Session
**Policies, Practices in Data
Management, and Partnerships**

Jamie Ferro, Moderator, West Yost

Afternoon Session Biosolids Solutions
**New Markets, New Money, and New
Methods**

Greg Kester, Moderator, CASA

Who should attend: utility execs,
engineers, regulators, project managers, tech
innovators, academics, researchers, plant
managers, young professionals, and students.

**CA CALIFORNIA
WATER JOBS**



CW·EA

www.cwea.org | events.cwea.org | cert.cwea.org

This message category is **ENGINEERING & RESEARCH**

Registration Questions? Contact Member Services at
510-382-7800, ext 4 | memberservices@cwea.org

Please [click here](#) to manage your subscriptions or unsubscribe.

TOGETHER
WE CAN
MAKE AN
IMPACT



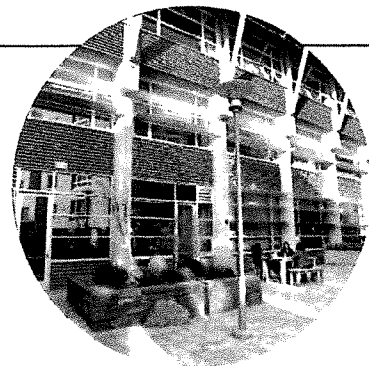
City of San José

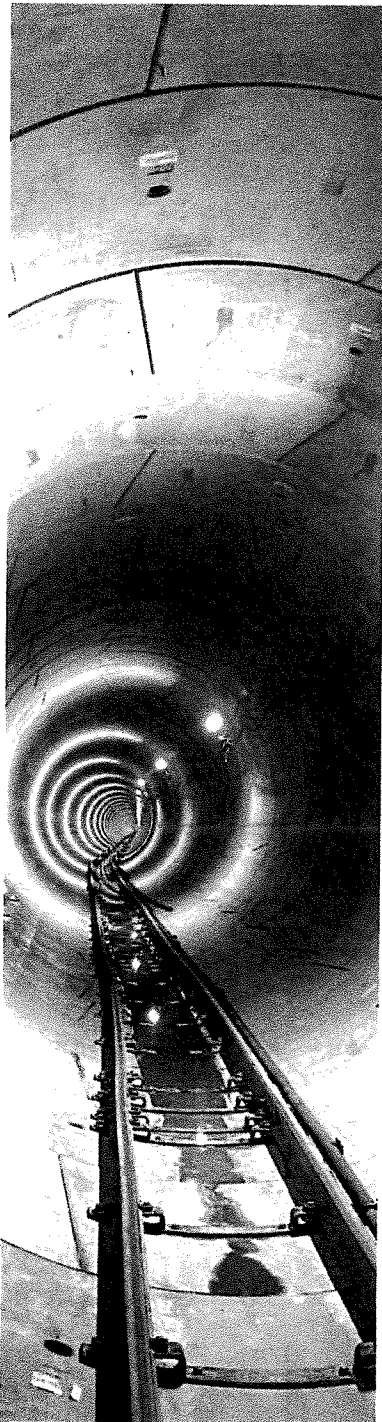
CASA PARTNERING **CWEA** FOR IMPACT

David Brower Center, Berkeley

June 6, 2023 • 9:00 a.m. to 4:15 p.m.

REGISTER >





Silicon Valley Clean Water

Harnessing the Power of Partnerships and Innovation to Address Tomorrow's Challenges



Dave Richardson, Woodard & Curran
Event Committee Lead
Chair, CASA Associates Committee

Dear CASA and CWEA Members,

Partnering for Impact (PFI) is a one-day, highly-interactive gathering of wastewater **thought-leaders, practitioners, academics, and regulators** who strive to advance technology and innovation through partnerships.

We'll discuss innovations in liquid and solid stream processes, and explore ways our sector can speed-up the delivery of innovative projects.

We've structured the day with provocative topics, dynamic speakers, panel leaders, and roundtable sessions designed to collect your input through facilitated discussions and sharing at your table with fellow attendees. Each participant will be furnished with take away notes and a closing keynote speaker will deliver a call-to-action for all of us.

PFI was developed by a team led by Rick Warner and continues as a national movement alongside WEF and other innovative organizations. In California, PFI is organized annually by CASA and CWEA, and sponsored by the firms and individuals who are active in CASA's Engineering and Research Committee. We would like to thank the volunteers and CWEA staff for all of their support.

We invite technology leaders from research universities and innovative State and Federal regulators who are looking to develop utility partnerships to move technology and innovation forward.

We cannot wait to see you and the innovation and partnership ideas you bring to the table with us!

Thank you to our supporters

Dave Richardson Woodard & Curran

Kathryn Gies West Yost Associates

Dave Jones Hazen & Sawyer

Michael Metts Dudek

Ligaya Kohagura Black & Veatch

Susan Dennis Jacobs

Layne Baroldi Synagro

James Dunbar Lystek

Sarah Deslauriers Carollo Engineers

Marco Palilla HDR Engineering

Brian Villacorta Coombs Hopkins Company

Jonathan Boitano Brown & Caldwell

Surendra Thakral AECOM

Vivian Housen V.W. Housen & Associates

William Tanner Tanner Pacific



Sessions & Speakers



Starting at 8:30 a.m. enjoy a light continental breakfast and networking.

Opening Keynote Presentation Innovations in Pollutant Removal by Natural Systems

David Sedlak
UC Berkley

Morning Session

Policies, Practices in Data Management, and Partnerships

Jamie Ferro, Moderator, West Yost

Technology and Risk Presentation

Sophie Hyldal Thorgaard, Consulate General of Denmark

Leveraging Data

Amos Branch (invited), Carollo

Sustainable Nutrient Management

Sandeep Sathyamoorthy, Black & Veatch

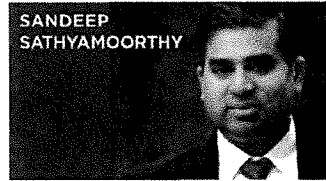
SOPHIE
HYLDA
THORGAARD



AMOS
BRANCH



SANDEEP
SATHYAMOORTHY



Then we'll move into

Rountable Discussions

Followed by

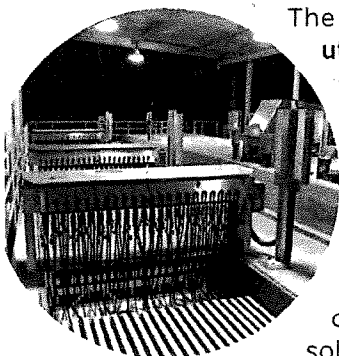
Lunch and Networking

Partnering for Impacting

Elevating Innovation & Excellence

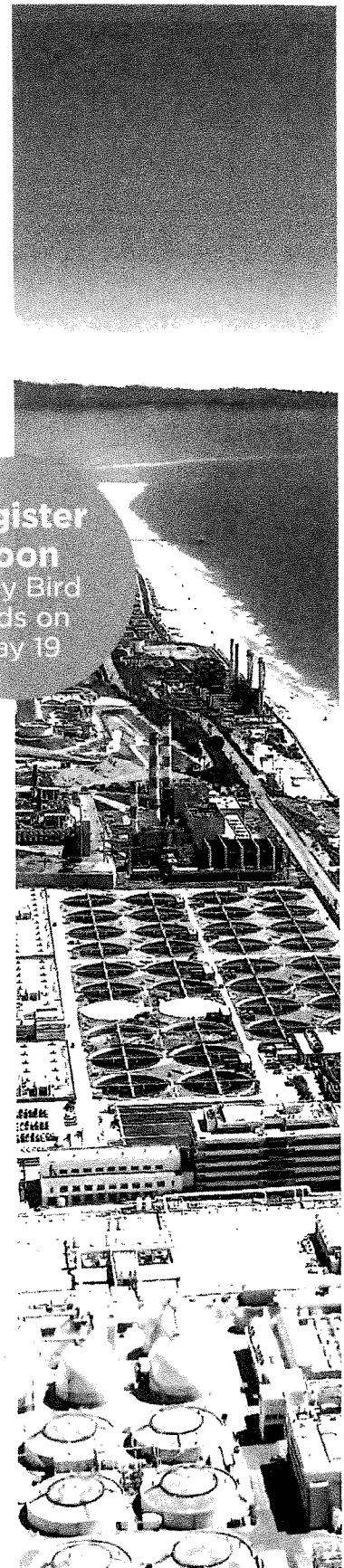
The goal of Partnering for Impact (PFI) is to build stronger utility/university/industry collaborations in the water sector for innovation and find areas where our efforts can create a positive impact. Water agencies, cities, counties, utilities, research funders, and universities actively addressing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



Paul Cockrell

Register
Soon
Early Bird
Ends on
May 19



Hyperion WRF, Playa del Rey

Sessions & Speakers

Afternoon Session

Biosolids Solutions: New Markets, New Money, and New Methods

Greg Kester, Moderator, CASA

Implementation of SB 1383 - Bringing Innovation to Biosolids and Organics Markets

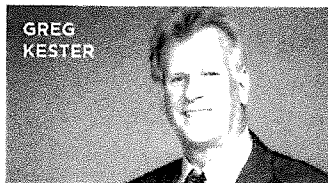
Speaker from Cal Recycle

Codigestion Challenges and Benefits

Speaker from Los Angeles County Sanitation Districts

Funding for Biosolids and Energy Projects

Jane Gray, Dudek



JANE GRAY



Partnering for Impact Wrap-up Translating Conference Ideas into a Call to Action

Wyatt Troxel
WTr Science Group, EnerVention

Don't miss it Attendee Happy Hour Meet-up

Jupiter
2181 Shattuck Avenue
Berkeley
4:30 p.m. No host bar.

Housed in an old livery stable from the 1890's, with interior inspired by the oldest bar in Berlin, Jupiter exudes charm & rare atmosphere. Steps off BART, in the heart of Downtown Berkeley, this brewhouse features two stories of seating, a heated beer garden, live music, delicious food and incredible local beer.

Description and photos by Visit Berkeley.



PFI REGISTRATION FORM

(PLEASE PRINT OR TYPE)



REGISTER ONLINE >

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"/> EARLY BIRD RATE (BEFORE MAY 19)	\$185
<input type="checkbox"/> REGULAR RATE (AFTER MAY 19)	\$235
<input type="checkbox"/> SUPPORTING REGISTRATION RATE 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.	\$500
<input type="checkbox"/> STUDENT Provide proof of college attendance w/minimum of 9 units.	\$0
Fee Total \$	

For assistance contact CWEA MEMBER SERVICES
510.382.7800 option 4 or 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
2. Fax to 510.382.7810
3. Mail registration form and payments to:
CWEA PF123, 7677 Oakport Street,
Suite 1030, Oakland, CA 94621-1935
Event Partners

PAYMENT INFORMATION

For payments by check or money order, make payable to: **CWEA PF123**

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.



Item Number 2E

GM Review CP

Agenda Summary Report

To: Board of Directors

From: Teri Lerch, Executive Assistant/Board Secretary
(415) 526-1510; tlerch@lgsd.org

Mtg. Date: May 18, 2023

Re: Approve Resolution 2023-2306 adopting revised Board Policy B-180
(Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure)

Item Type: Consent X Action Information Other .

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

STAFF RECOMMENDATION

Attached for approval is Resolution 2023-2306 updating Board Policy B-180 (Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure). Legal Counsel suggested changes are shown in highlight (strikeout format) and a final copy is also provided.

BACKGROUND

The Board has requested to review and update Board Policies.

PREVIOUS BOARD ACTION

On February 16, 2023, the Board reviewed updated Policy B-180 (Harassment Prevention Policy and Complaint Procedure) with staff and requested it come back to the Board for approval.

At the March 2, 2023, Board meeting, the Board had further questions about the policy revisions and requested that Labor and Employment Legal Counsel Morin Jacob (Liebert Cassidy Whitmore) attend a future meeting to clarify the updated changes to the policy.

On May 4, 2023, the Board and staff reviewed the final version of B-180 Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure with Lisa Charbonneau from Liebert Cassidy Whitmore.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

RESOLUTION NO. 2023-2306

A RESOLUTION APPROVING BOARD POLICY REVISION FOR B-180 (HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE)

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 February 16, March 2 and May 4, 2023 the Board reviewed and suggested changes to Board Policy B-180 (Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure; and

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy section: B-180 HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE. The previously approved Board Policy B-180 is 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 foregoing 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 May 18, 2023, by the following vote of the members thereof:

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

Teresa Lerch, Board Secretary

APPROVED:

Megan Clark, Board President

B-180 HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE

Purpose

Las Gallinas Valley Sanitary District (“District”) is committed to preventing harassment, discrimination and retaliation in the workplace.

The purpose of this Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure (“Policy”) is to establish a strong commitment to prohibit and prevent harassment and retaliation by and against the District's elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints of harassment, discrimination and retaliation. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment, discrimination and retaliation by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures, up to and including termination.

The District has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of state or federal law to violate this Policy. A single act by a District employee may constitute a violation of this Policy and provide sufficient grounds for the District to discipline the District employee.

This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.

The District expressly prohibits any retaliation against an employee because they filed or supported a complaint or because they participated in the investigation or complaint resolution process. Individuals found to have retaliated against an employee in violation of this Policy will be subject to appropriate sanctions or disciplinary actions, up to and including termination.

B-180-10 Covered Individuals and Scope of Policy.

This Policy covers the following individuals: applicants for employment at the District; District employees regardless of rank or title; elected or appointed officials of the District; interns; volunteers; and contractors (“covered individuals”).

This Policy applies to all terms and conditions of employment, internships, and volunteer opportunities, including, but not limited to, selection, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.

B-180-20 Definitions.

B-180-20-1 Protected Classification. This Policy prohibits harassment, discrimination or retaliation because of an individual's protected classification. "Protected Classification" includes race, religion or religious creed, color, sex (including gender, gender identity, gender expression, transgender identity, pregnancy, and breastfeeding), sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, marital status, age (40 or over), medical condition, genetic characteristics or information, military and veteran status, physical or mental disability, or any other basis protected by law.

Resolution No. 2023-2306	Date Approved: May 16, 2023
President of the Board	Last Reviewed: May 4, 2023

This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual’s protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

B-180-20-2 Protected Activity. This Policy prohibits harassment, discrimination and retaliation because of an individual’s protected activity.

Protected activity includes, but is not be limited to, the following activities: (1) making a request for an accommodation for a disability; (2) making a request for an accommodation for religious beliefs; (3) making a complaint under this Policy; (4) opposing violations of this Policy; or (5) participating in an investigation under this Policy.

B-180-20-3 Policy Coverage. This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual’s protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

This Policy expressly prohibits elected officials from harassing, discriminating against, or retaliating against applicants, officers, officials, employees, contractors, or members of the public for any of the reasons enumerated above.

B-180-20-4. Harassment. This Policy prohibits harassment of a covered individual because of the individual’s actual or perceived protected classification. Note that harassment is not limited to conduct that the District’s employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, persons providing services under contracts, or even members of the public. Harassment may include, but is not limited to, the following types of behavior:

Speech, such as epithets, derogatory, offensive or inappropriate comments, slurs, or stereotypical comments, or verbal propositions made on the basis of a protected classification. This includes, but is not limited to, comments, stories, and jokes about appearance, dress, physical features, gender identification, and race.

Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes, but is not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

Visual acts, such as derogatory, offensive or inappropriate, posters, cartoons, emails, pictures, or drawings related to a protected classification.

Unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

B-180-20-5 Discrimination. This Policy prohibits treating a covered individual differently and adversely because of the individual’s actual or perceived protected classification; because the individual associates with a person who is or is perceived to be a member of a protected classification; or because the individual participates in a protected activity as defined in this Policy.

B-180-20-6 Retaliation. Retaliation occurs when an employer takes adverse action against a covered individual because of the individual’s protected activity as defined in this Policy.

“Adverse action” may include, but is not limited to, the following actions: (1) disciplinary action; (2) counseling; (3) taking sides because an individual has reported harassment or discrimination; (4) spreading rumors about a complainant or about someone who supports or assists the complainant or who participates in the investigation; (5) shunning or avoiding an individual who reports harassment or discrimination; or (6) making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

B-180-30 Guidelines for Identifying Harassment. Harassment includes conduct that another individual who is a member of the protected classification would find unwelcome or unwanted. Harassment may include the following:

B-180-30-1 Harassment includes conduct which would be unwelcome or unwanted to an individual of the recipient’s same protected classification and which is taken because of the recipient’s protected classification.

B-180-30-2 Conduct that is not intended to harass. Conduct may violate this Policy if the conduct is directed at, or implicates a protected classification and the recipient finds the conduct to be offensive or inappropriate, even if its well-intentioned conduct (e.g., gifts, over-attention, endearing nicknames, hugs).

B-180-30-3 Conduct to which the recipient appears to have consented. The District does not recognize as a defense that the recipient appeared to have "consented" to the conduct at issue by failing to protest about the conduct. A recipient may not protest offensive or inappropriate conduct for many legitimate reasons, including the need to avoid being perceived as insubordinate or to avoid being ostracized or subjected to retaliation.

B-180-30-4 Conduct about which no employee has previously complained. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment or substantially similar conduct does not mean that the conduct is welcome, inoffensive, or appropriate. The fact that no one previously complained does not preclude anyone from complaining if the conduct is repeated.

B-180-30-5 Conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct.. Visual, verbal or physical conduct between two people who do not find such conduct offensive or inappropriate can constitute harassment of a third party witnesses such conduct or learns about the conduct later and finds the conduct to be offensive or inappropriate. Conduct can constitute harassment even if it is not explicitly or specifically directed at a particular individual.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

B-180-30-6 Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if the individual or an individual of the recipient's same protected classification would find it inappropriate or offensive (e.g., gifts, over attention, endearing nicknames, hugs).

B-180-40 Complaint Procedure. A covered individual who believes they have been subjected to harassment, discrimination or retaliation may make a complaint to any supervisor, manager, District Counsel, or the General Manager without regard to any chain of command.

Any supervisory or management employee who receives a harassment, discrimination or retaliation complaint should immediately notify the General Manager. Upon receiving notification of a complaint regarding discrimination, harassment or retaliation, the General Manager or their designee will complete and/or delegate the following steps:

B-180-40-3 Within 24 hours of submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, the District Counsel.

B-180-40-4 Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will usually include interviews with the following individuals: 1) the complainant; 2) the accused (i.e., the subject of the investigation); 3) witnesses to the conduct at issue in the complaint; and 4) other persons who have relevant knowledge concerning the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity of the investigation, including, but not limited to, refraining from actions that may intimidate potential witnesses.

The complainant and the accused have the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.

B-180-40-5 Review the factual information gathered during the investigation to determine whether the alleged conduct violated the Policy giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

B-180-40-6 Prepare a summary report of the determination as to whether the conduct violated this Policy and, if necessary, provide such report to the appointing authority (i.e., District Counsel or General Manager). If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.

B-180-40-7 If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

B-180-40-8 Take reasonable steps to protect the complainant from further harassment, discrimination or retaliation.

If the General Manager or District Counsel is the accused, or is a witness to the events at issue, an individual with higher authority will complete and/or delegate the steps enumerated above.

The District takes a proactive approach to potential violations of this Policy and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination or retaliation occurred or may be occurring, regardless of whether the recipient or third party reports a potential violation.

B-180-50 Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of alleged harassment, discrimination or retaliation, appropriate action shall be taken against the appropriate party where a violation of this Policy is found, including legal actions where appropriate.

B-180-40-1 Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment, discrimination or retaliation.

B-180-40-2 Action taken to remedy a harassment, discrimination or retaliation situation shall be done in a manner so as to prevent further violations.

B-180-40-3 Elected officials and employees complaining of harassment shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant, employee, elected official or contractor has reported harassment, or has participated in the complaint and investigation process described herein, is prohibited. This Policy protects those who make good faith reports of harassment, and those who associate with an individual who is involved in reporting harassment or who participates in the complaint or investigation process, from retaliation.

B-180-60 Confidentiality. The District will make every effort to assure the confidentiality of complaints made under this Policy to the greatest extent allowed by law. However, complete confidentiality may not be possible because of the District's need to investigate the complaint and provide the subject of the complaint their due process rights, which include providing the subject of the investigation a copy of the complaint after the initial investigatory interview, if requested.

The District expressly prohibits an employee who is interviewed during the course of an investigation from attempting to influence other employees, including employees who may have witnessed the underlying conduct at issue, while the investigation is open and ongoing.

An employee may discuss their interview with a designated representative from the employee's employee organization and/or the employee's legal representative. The District will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

B-180-70 Responsibilities.

B-180-70-10 Each non-supervisor or non-manager is responsible for the following:

1. Treating all individuals in the workplace or on District worksites with respect and consideration.
2. Modeling behavior that conforms to this Policy.
3. Participating in periodic trainings on personnel matters.
4. Cooperating with the District's investigations pursuant to this Policy by responding fully and truthfully and in a timely manner to all questions posed during the investigation.
5. Taking no actions to influence the complainant or any potential witness while the District's investigation is ongoing.
6. Reporting any act they believe in good faith constitutes harassment, discrimination or retaliation as defined in this Policy, to their immediate supervisor or manager, District Counsel, or the General Manager.

B-180-70-20 In addition to the responsibilities listed above, each manager and supervisor is responsible for the following:

1. Informing employees under their supervision of this Policy.
2. Taking all steps necessary to prevent harassment, discrimination and retaliation from occurring, including, but not limited to, monitoring the work environment and taking immediate and appropriate action to stop violations (e.g., removing inappropriate pictures or correcting inappropriate language).
3. Receiving and responding to complaints in a uniformly fair and serious manner.
4. Documenting the steps taken to resolve such complaints.
5. Following up with those who have complained to ensure that the offensive conduct about which they complained has stopped and that there have been no reprisals or retaliation or threats of reprisals or retaliation.
6. Informing those who complain about harassment and/or discrimination of their option to contact the Equal Employment Opportunity Commission or California Civil Rights Department and file a complaint about such activity.
7. Assisting and/or advising employees regarding this Policy.
8. Assisting in the investigation of complaints involving subordinate employee(s).
9. Where a complaint is substantiated, assisting in the development of a recommendation concerning an appropriate corrective or disciplinary action in accordance with these policies.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

- 10. Implementing appropriate corrective or disciplinary actions.
- 11. Reporting potential violations of this Policy to the District Counsel or the General Manager, regardless of whether an employee complained about such conduct.
- 12. Participating in periodic training and scheduling employees for training.

B-180-80 Right to File Report with Outside Administrative Agencies. An individual possesses the right to report workplace harassment, discrimination or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Civil Rights Department (CRD). These administrative agencies provide a complaint process as well as certain legal remedies where the applicable agency determined that a violation of the law occurred. The nearest EEOC and CRD offices are listed in the government section of the telephone book, or employees can check the posters that are located on District bulletin boards for EEOC and CRD office locations and telephone numbers.

Resolution No. 2023-2306	Date Approved: May 18, 2023
President of the Board	Last Reviewed: May 4, 2023

B-180 HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE

Purpose

Las Gallinas Valley Sanitary District (“District”) is committed to preventing harassment, discrimination and retaliation in the workplace.

The purpose of this Harassment, Discrimination, and Retaliation Prevention Policy and Complaint Procedure (“Policy”) is to establish a strong commitment to prohibit and prevent harassment and retaliation by and against the District’s elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints of harassment, discrimination and retaliation. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment, discrimination and retaliation by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures, up to and including termination.

~~This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.~~

~~The District expressly prohibits any retaliation against an employee because they filed or supported a complaint or because they participated in the investigation or complaint resolution process. Individuals found to have retaliated against an employee in violation of this Policy will be subject to appropriate sanctions or disciplinary actions, up to and including termination.~~

Policy

The District has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of state or federal law to violate this Policy. ~~Instead a~~ A single act by a District employee can ~~may constitute a violation of~~ violate this Policy and provide sufficient grounds for the District to discipline ~~the District employee, or other appropriate sanctions~~.

This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.

The District expressly prohibits any retaliation against an employee because they filed or supported a complaint or because they participated in the investigation or complaint resolution process. Individuals found to have retaliated against an employee in violation of this Policy will be subject to appropriate sanctions or disciplinary actions, up to and including termination.

~~Harassment against an applicant or employee by a supervisor, management, employee, elected official, co-worker, member of the public or contractor on the basis of race, religion, sex (including gender, gender identify, gender expression, transgender, pregnancy, and breastfeeding), national origin, ancestry, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other protected classification will not be tolerated.~~

Policy

~~This Policy applies to all terms and conditions of service as an elected District official and governs elected officials' conduct with each other, District employees, volunteers, interns, members of the public, and contractors.~~

~~Appropriate sanctions will be instituted for prohibited behavior as defined below.~~

~~Any retaliation against a person for filing a good faith complaint or participating in the complaint resolution process in good faith is prohibited. Individuals found to be retaliating in violation of this Policy will be subject to appropriate sanctions or disciplinary action, up to and including termination.~~

B-180-10 Covered Individuals and Scope of Policy.

This Policy covers the following individuals: applicants for employment at the District; District employees regardless of rank or title; elected or appointed officials of the District; interns; volunteers; and contractors ("covered individuals").

This Policy applies to all terms and conditions of employment, internships, and volunteer opportunities, including, but not limited to, selection, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.

B-180-40-20 Definitions.

B-180-40-20-1 Protected Classification. This ~~p~~Policy prohibits harassment, discrimination or retaliation because of an individual's protected classification. "Protected Classification" includes race, religion or religious creed, color, sex (including gender, gender ~~identify~~identity, gender expression, transgender identity, pregnancy, and breastfeeding), sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, citizenship status, marital status, ~~pregnancy~~, age (40 or over), medical condition, genetic characteristics or information, military and veteran status, ~~and~~ physical or mental disability, or any other basis protected by law.

This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual's protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

B-180-20-2 Protected Activity. This Policy prohibits harassment, discrimination and retaliation because of an individual's protected activity.

Protected activity includes, but is not be limited to, the following activities: (1) making a request for an accommodation for a disability; (2) making a request for an accommodation for religious beliefs; (3) making a complaint under this Policy; (4) opposing violations of this Policy; or (5) participating in an investigation under this Policy.

B-180-4020-2-3 Policy Coverage. This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual's protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

This Policy expressly prohibits elected officials from harassing, discriminating against, or retaliating against applicants, officers, officials, employees, contractors, or members of the public for any of the reasons enumerated above. because of: 1) an individual's protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.

B-180-4020-34. Harassment. This Policy prohibits harassment of a covered individual because of the individual's actual or perceived protected classification. Harassment may include, but is not limited to, the following types of behavior that is taken because of a person's protected classification. Note that harassment is not limited to conduct that the District's employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, persons providing services under contracts, or even members of the public. Harassment may include, but is not limited to, the following types of behavior:

Speech, such as epithets, derogatory, offensive or inappropriate comments, ~~or slurs, or stereotypical comments, or verbal and propositions made~~ on the basis of a protected classification. This ~~might include, but is not limited to, inappropriate comments, stories, and jokes about~~ appearance, including dress, ~~or physical features, or dress consistent with~~ gender identification, ~~or and race-oriented stories and jokes.~~

Physical Acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes, but is not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

Visual acts, such as derogatory, offensive, or inappropriate, posters, cartoons, emails, pictures, or drawings related to a protected classification.

Unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

B-180-20-5 Discrimination. This Policy prohibits treating a covered individual differently and adversely because of the individual's actual or perceived protected classification; because the individual associates with a person who is or is perceived to be a member of a protected classification; or because the individual participates in a protected activity as defined in this Policy.

B-180-20-6 Retaliation. Retaliation occurs when an employer takes adverse action against a covered individual because of the individual's protected activity as defined in this Policy.

"Adverse action" may include, but is not limited to, the following actions: (1) disciplinary action; (2) counseling; (3) taking sides because an individual has reported harassment or discrimination; (4) spreading rumors about a complainant or about someone who supports or assists the complainant or who participates in the investigation; (5) shunning or avoiding an individual who reports harassment or discrimination; or (6) making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

B-180-20-30 Guidelines for Identifying Harassment. Harassment includes conduct that another individual who is a member of the protected classification would find unwelcome or unwanted. Harassment may include the following:

To help clarify what constitutes harassment in violation of this Policy, use the following guidelines:

B-180-2030-1 Harassment includes ~~any conduction~~ conduct which would be "unwelcome or unwanted" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.

B-180-30-2 Conduct that is not intended to harass. Conduct may violate this Policy if the conduct is directed at, or implicates a protected classification and the recipient finds the conduct to be offensive or inappropriate, even if its well-intentioned conduct (e.g., gifts, over-attention, endearing nicknames, hugs).

B-180-2030-32 It is ~~no~~ Conduct to which the recipient appears to have consented can still constitute harassment. The District does not recognize as a defense that the recipient appeared eds to have voluntarily "consented" to the conduct at issue by failing to protest about the conduct. A recipient may not protest offensive or inappropriate conduct for many legitimate reasons, including the need to avoid being perceived as insubordinate or to avoid being ostracized or subjected to retaliation.

B-180-2030-43 Conduct about which no employee has previously complained ~~can still constitute harassment.~~ Simply because no one has complained about a joke, gesture, picture, physical contact, or comment or substantially similar conduct does not mean that the conduct is welcome, inoffensive, or appropriate. Harassment can evolve over time. The fact that no one is complaining now previously complained does not preclude anyone from complaining if the conduct is repeated in the future.

B-180-2030-54 Conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct, ~~can be harassment.~~ Even visual, verbal, or physical conduct between two elected officials who appear to welcome the conduct people who do not find such conduct offensive or inappropriate can constitute harassment of a third applicant, officer, official, employee, intern, volunteer, or contractor party witnesses such he observes the conduct or learns about the conduct later and finds the conduct to be offensive or inappropriate.

Conduct can constitute harassment even if it is not explicitly or specifically directed at a particular individual.

B-180-2030-65 Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates se a protected classification, and if an the individual or an individual of the recipient's same protected classification would find it inappropriate or offensive (e.g., gifts, over attention, endearing nicknames, hugs).

B-180-30 40 Complaint Process Procedure. ~~A n employee, job applicant, volunteer, intern, elected official, or contractor covered individual who believes he/she is they have been subjected to the victim of harassment, discrimination or retaliation may file a formal or informal make a complaint without fear of reprisal or embarrassment to any supervisor, manager, District Counsel, or the General Manager without regard to any chain of command.~~

~~**B-180-40-1** An informal complaint is made verbally to District Counsel or the General Manager, or with any supervisory employee.~~

~~**B-180-40-2** A formal complaint is made in writing. It is preferred that a written complaint be submitted to the District Counsel or the General Manager, but it may also be submitted to any supervisory employee.~~

~~Any supervisory or management employee who receives a harassment, discrimination, or retaliation complaint should immediately notify the General Manager. Upon receiving notification of a complaint regarding discrimination, harassment or retaliation, the General Manager or their designee will complete and/or delegate the following steps:~~

~~**B-180-30-1** An informal complaint is made verbally to District Counsel or the General Manager, or with any supervisory employee.~~

~~**B-180-30-2** A formal complaint is made in writing. It is preferred that a written complaint be submitted to the District Counsel or the General Manager, but it may also be submitted to any supervisory employee~~

~~**B-180-30-3** Any supervisor who receives a harassment complaint should notify the General Manager immediately. If the harassment complaint is made by or against the General Manager, the supervisor should notify District Counsel.~~

~~**B-180-3040-4 3** Within 24 hours of the submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, the District Counsel.~~

~~**B-180-3040-5 4** Upon receiving notification of a harassment complaint, the General Manager or District Counsel shall authorize Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will usually include interviews with the following individuals: 1) the complainant; 2) the accused (i.e., the subject of the investigation) harasser; 3) witnesses to the conduct at issue in the complaint; and 34) other persons who have relevant knowledge concerning~~

the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity of the investigation, including, but not limited to, refraining from actions that may intimidate potential witnesses.

~~B-180-30-6~~ The ~~person initiating the complaint~~ complainant and the ~~person accused of the alleged harassment~~ accused ~~has~~ have the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.

B-180-40-5 Review the factual information gathered during the investigation to determine whether the alleged conduct violated the Policy giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

B-180-40-6 Prepare a summary report of the determination as to whether the conduct violated this Policy and, if necessary, provide such report to the appointing authority (i.e., District Counsel or General Manager). If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.

B-180-40-7 If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.

B-180-40-8 Take reasonable steps to protect the complainant from further harassment, discrimination or retaliation.

If the General Manager or District Counsel is the accused, or is a witness to the events at issue, an individual with higher authority will complete and/or delegate the steps enumerated above.

The District takes a proactive approach to potential violations of this Policy and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination or retaliation occurred or may be occurring, regardless of whether the recipient or third party reports a potential violation.

B-180-40-50 Disciplinary Procedures and Sanctions. Upon conclusion of the investigation of ~~an~~ alleged harassment, discrimination or retaliation, appropriate action shall be taken against the ~~harasser~~ appropriate party where a violation of this Policy is found, including legal actions where appropriate.

B-180-40-1 Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment, discrimination or retaliation.

B-180-40-2 Action taken to remedy a harassment, discrimination or retaliation situation shall be done in a manner so as to prevent further violations.

B-180-40-3 Elected officials and employees complaining of harassment shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant, employee, elected official or contractor has reported harassment, or has participated in the complaint and investigation process described herein, is prohibited. ~~"Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment, or real or implied threats of intimidation to prevent an individual from reporting harassment. The following individuals are protected from retaliation:~~ This Policy protects those who make good faith reports of harassment, and those who associate with an individual who is involved in reporting harassment or who participates in the complaint or investigation process, from retaliation.

B-180-60 Confidentiality. The District will make every effort to assure the confidentiality of complaints made under this Policy to the greatest extent allowed by law. However, complete confidentiality may not be possible because of the District's need to investigate the complaint and provide the subject of the complaint their due process rights, which include providing the subject of the investigation a copy of the complaint after the initial investigatory interview, if requested.

The District expressly prohibits an employee who is interviewed during the course of an investigation from attempting to influence other employees, including employees who may have witnessed the underlying conduct at issue, while the investigation is open and ongoing.

An employee may discuss their interview with a designated representative from the employee's employee organization and/or the employee's legal representative. The District will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

B-180-70 Responsibilities.

B-180-70-10 Each non-supervisor or non-manager is responsible for the following:

1. Treating all individuals in the workplace or on District worksites with respect and consideration.
2. Modeling behavior that conforms to this Policy.
3. Participating in periodic trainings on personnel matters.

4. Cooperating with the District's investigations pursuant to this Policy by responding fully and truthfully and in a timely manner to all questions posed during the investigation.

5. Taking no actions to influence the complainant or any potential witness while the District's investigation is ongoing.

6. Reporting any act they believe in good faith constitutes harassment, discrimination or retaliation as defined in this Policy, to their immediate supervisor or manager, District Counsel, or the General Manager.

B-180-70-20 In addition to the responsibilities listed above, each manager and supervisor is responsible for the following:

1. Informing employees under their supervision of this Policy.

2. Taking all steps necessary to prevent harassment, discrimination and retaliation from occurring, including, but not limited to, monitoring the work environment and taking immediate and appropriate action to stop violations (e.g., removing inappropriate pictures or correcting inappropriate language).

3. Receiving and responding to complaints in a uniformly fair and serious manner.

4. Documenting the steps taken to resolve such complaints.

5. Following up with those who have complained to ensure that the offensive conduct about which they complained has stopped and that there have been no reprisals or retaliation or threats of reprisals or retaliation.

6. Informing those who complain about harassment and/or discrimination of their option to contact the EEOC or DFEHCRD and file a complaint about such activity.

7. Assisting and/or advising employees regarding this Policy.

8. Assisting in the investigation of complaints involving subordinate employee(s).

9. Where a complaint is substantiated, assisting in the development of a recommendation concerning an appropriate corrective or disciplinary action in accordance with these policies.

10. Implementing appropriate corrective or disciplinary actions.

11. Reporting potential violations of this Policy to the District Counsel or the General Manager, regardless of whether an employee complained about such conduct.

12. Participating in periodic training and scheduling employees for training.

B-180-5080- Right Option to File Report with Outside Administrative Agencies. An individual ~~possesses~~has the ~~option-right~~ to report workplace harassment, discrimination or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California ~~Department of Fair Employment and Housing (DFEH)~~Civil Rights Department (CRD). These administrative agencies ~~provide offer legal remedies and~~ a complaint process as well as certain legal remedies where the applicable agency determined that a violation of the law occurred. The nearest EEOC and DFEHCRD offices are listed in the government section of the telephone book, or employees can check the posters that are located on ~~employer-District~~ bulletin boards for EEOC and DFEHCRD office locations and telephone numbers.

5/18/2023

General Manager Report

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



SSO SPILL SUMMARY

- 1/31/2023 – North San Pedro Rd.
 - Category III (Did not make it to waters of the state) SSO
 - 46-gallon SSO (Captured and Returned to system).
 - Cause – Construction debris during Pipe Bursting Project

KEY MAINTENANCE PROJECTS

- Replace/repaired screen material on digester room vents louvers.
- Digester room MCC bucket stabs failed due to old age, pulled in new feeder wire from unused bucket.
- Removed crystals and debris from sludge lagoon supernatant pump #1. Pump was faulting.
- Venetia Harbor Pump Station - traced communication failures to bad phone line. Phone Company repaired.
- Replaced oil in all 32 biowheel gearboxes and added drain valves to helical gear boxes.
- Replaced 6 failed pipe expansion joints in the hypochlorite pump shed piping.
- Knights Electric repaired underground wiring that had failed at McInnis Pump Station.
- Volvo Generator repaired stripped threads on fuel filter housing, improperly wired coolant heater, and cleaned up fuel from tank overflowing.
- Replace failed air actuator on Membrane 4.
- Completed annual PM on Recycled Water plant blowers, air dryer, and air compressor.
- Replaced cracked schedule 40 PVC fitting on headworks main plant water supply. Rebuilt supply header with SS and schedule 80 PVC pipe and fittings.
- Annual PMs completed on both boilers by Bay City Boiler. A bad fuel control valve was found and replaced.
- Completed new pipe run of plant water to Polymer blend unit for sludge thickener to save potable water.
- Routine Preventative Maintenance Work Orders – Treatment Plant/Pump Stations/Reclamation
- (400) Fleet Maintenance Inspections

SAFETY ISSUES AND TRAINING

- Hazardous Waste – Records Review by Du-All
- Fall Protection – Training
- Annual Safety Facility Inspection – Du-All
- CUPA – Hazardous Waste Inspection – County of Marin
- Traffic Control/Flagger Training
- Bloodborne Pathogens/Emergency Response Training – Du-All

OTHER

- Collection System – Pump Station Maintenance (Routine)
- Collection System – “Hotspot” maintenance (Quarterly)

REQUESTS FOR PROPOSALS

- None

PERFORMANCE METRICS

Collection System Cleaning and CCTV Inspection

- Flushed/Rodded = 155,751 feet; Percent of District = 28.1%.
- CCTV Inspected = 2,364 feet; Percent of District = 0.42%
- Manhole inspections performed = 762
- USA Ticket Work Orders = 473

CNG Fueling Stations

- CNG Fueling Station
 - Plant Slow Fill = 0% Up Time
 - Smith Ranch Fast Fill = 100% Up Time.
- Smith Ranch Fuel Station
 - 14 Fill-ups
 - Total Diesel Gallon Equivalent (DGE) = 350 DGE
 - Average MPG = 3.0 MPG/3 month miles driven = 1,058 or 15.8 miles/day

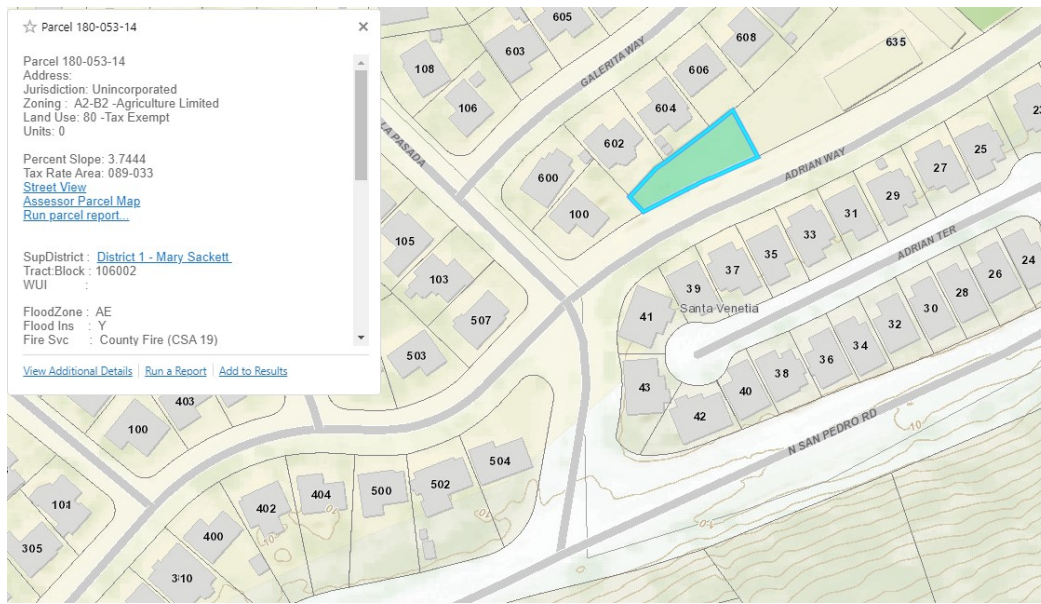
Pump Station Highlight – Adrian Pump Station (10hp Duplex Pump Station)

Location: Adrian Way (Next to Park)

Parcel 180-053-14

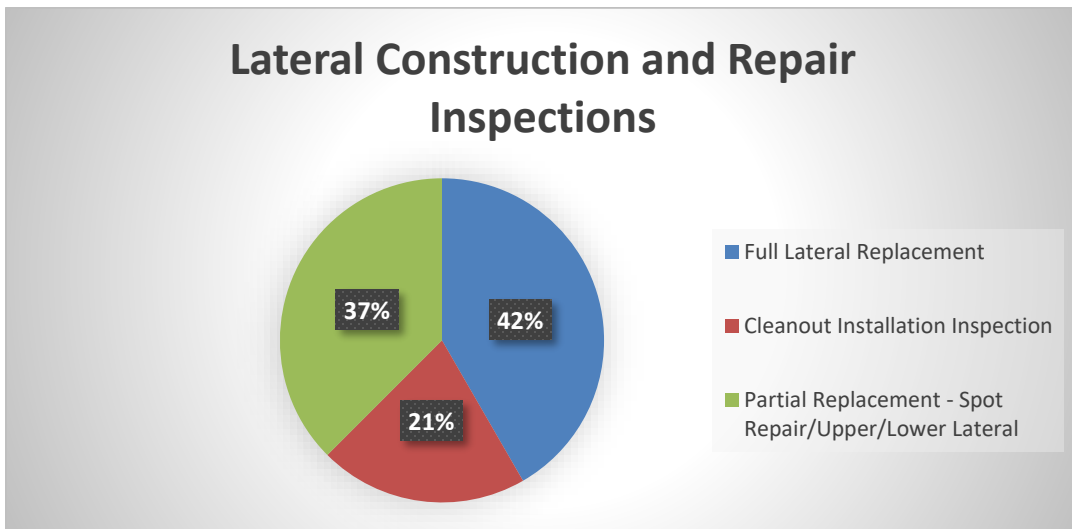
Date Constructed: 1966

Expansions: 1990



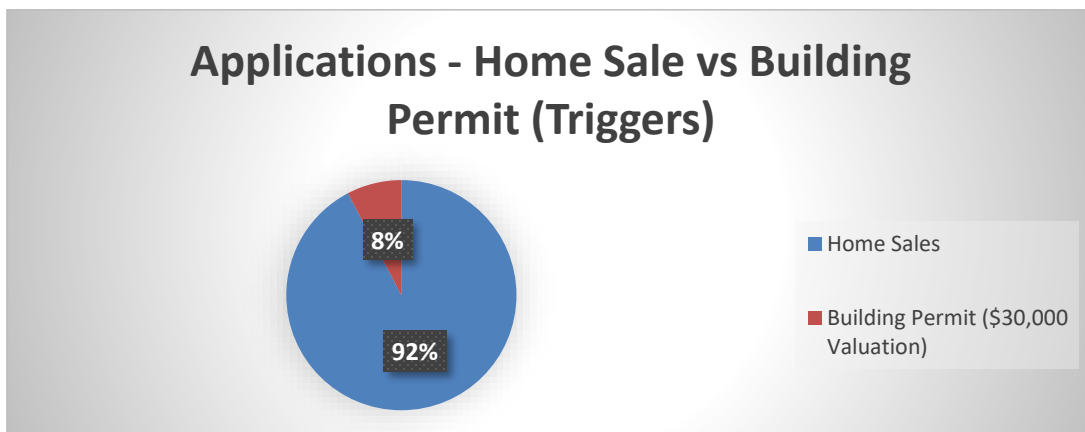
Lateral Construction and Repair Inspections

- Applications received = 28
- Full Replacement Inspections Performed = 10 Full Replacements
- Cleanout Installation Inspections Performed = 5 Cleanout Installations
- Spot Repairs/Upper/Lower Replacements Performed = 11 partial replacements or spot repairs



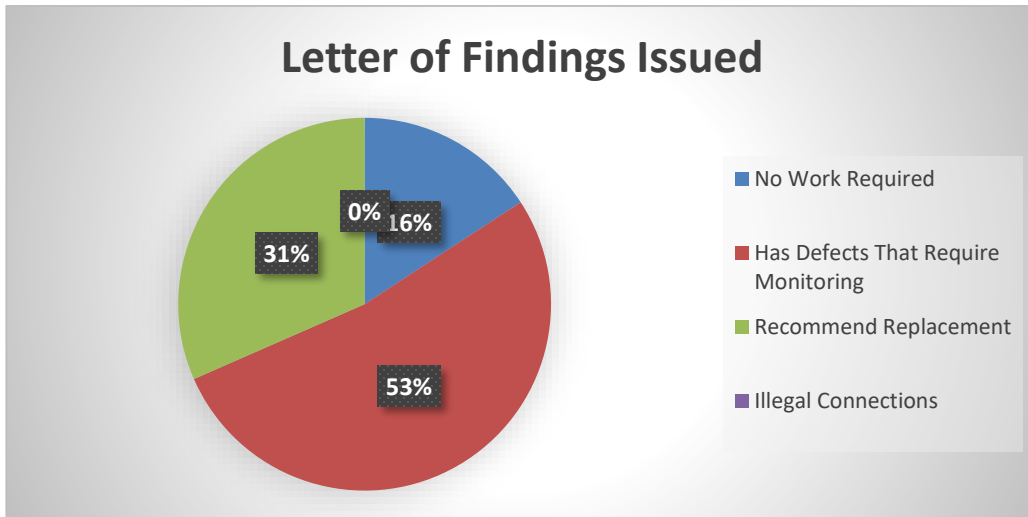
Sewer Lateral Ordinance No. 180 - Number of Applications Processed

- Home Sale Applicants = 24 received
- Building Permit (\$30,000 valuation) Applicants = 2 received



Sewer Lateral Ordinance No. 180 - Letter of Findings

- Home Sale Letter of Findings Issued = 19; 6 - recommend replacement, 10 - have defects that require monitoring, 3 - no work or monitoring required, 0 – Illegal connection






Item Number _____ 3.3 _____

GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors
 From: Dale McDonald, Administrative Services Manager 
 (415) 526-1519 dmcDonald@lqvsd.org
 Meeting Date: May 18, 2023
 Re: Department Report – Administration
 Item Type: Consent _____ Action _____ Information X Other _____
 Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Informational only.

BACKGROUND

Department Reports are given to the Board at regular intervals, usually quarterly. This is an opportunity for the Managers to report to the Board actions taken within their respective Departments. The previous Administration Department Report was given to the Board on February 2, 2023.

This Administration Department Report is for the period January 1, 2023 to March 31, 2023.

- Administration Department Report
- Pending Agenda Item Requests – Status Report

The Quarterly Financial Report is being presented immediately after the Department report and will cover the financial position of the District over the same period.

PREVIOUS BOARD ACTION

None.

ENVIRONMENTAL REVIEW

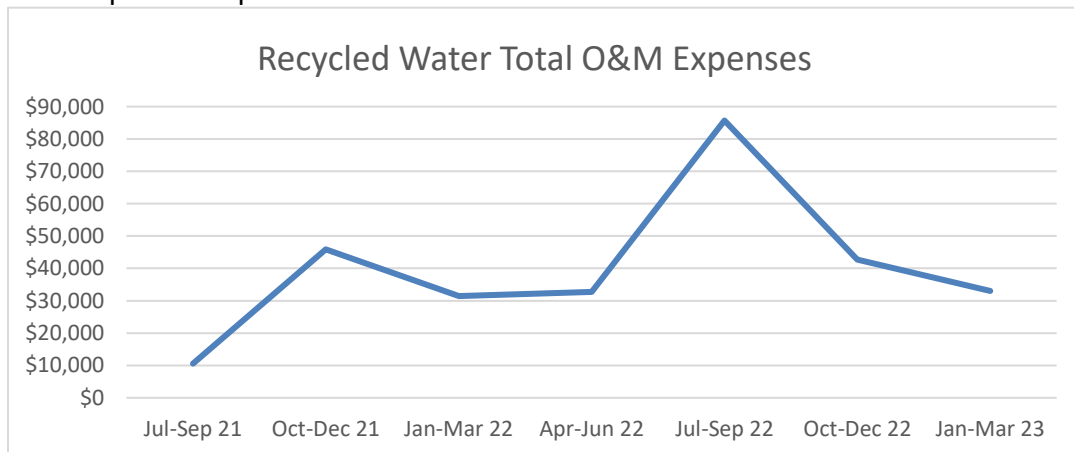
N/A

FISCAL IMPACT

None.

FINANCE

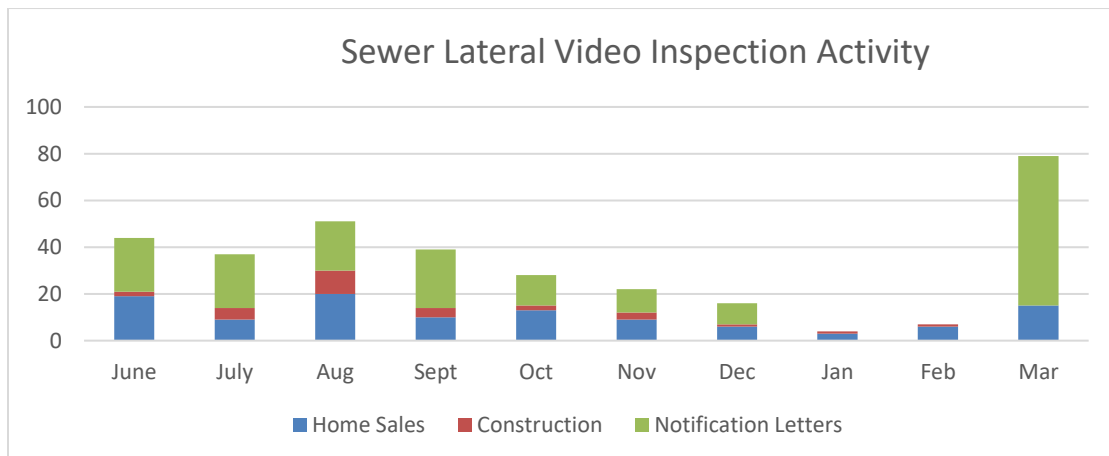
- Caselle Accounting Chart of Account developed and mapped to current QuickBooks accounts. Trial Balance submitted in preparation for staff training at the end of April.
- Annual Comprehensive Financial Report (ACFR) for fiscal year 2021-22 completed. Audited financials provided to the State, County auditor, Bank of Marin, and other financial institutions as required. ACFR submitted to the Government Finance Officers Association’s Certificate of Achievement for Excellence in Financial Reporting Program.
- Annual Financial Transaction Report (FTR) submitted to the State Controller’s Office.
- Mid-Year Budget review completed and budget process for fiscal year 2023-24 begun.
- Sewer Use Charge Cost for Service and Rate Study begun with Hildebrand Consulting.
- Capital Improvement Program (CIP) updated by management as part of the rate study analysis and in preparation for the 2023-24 CIP budget.
- Reviewed three commercial accounts who requested a review of their 2022-23 Sewer Service Charge assessments on the property tax roll. The increases were attributable to increased water use as businesses came out of COVID-19.
- Attended Contempo Marin Homeowners Association meeting on March 18 to discuss how Sewer Service Charges are calculated for mobile homes and their clubhouse.
- Quarterly recycled water use through March 31 decreased from the prior quarter. This is normal as recycled water use is lower during winter months. Recoverable recycled water Operation & Maintenance (O&M) costs are collected quarterly from Marin Water (MMWD) and North Marin Water District (NMWD). Billing is pending but is anticipated to be \$32,975 for this quarter. Recycled water use anticipated to increase in the April-June quarter.



ADMINISTRATION

- Statement of Facts sent to State of California by January 31 (*Gov Code 53051*).
- Employee earnings summary and other end-of-year reporting completed.

- Board member vacancy announced and new Board member appointed.
- Pooled Liability, Property Program, and Alliant Crime Insurance Program renewals submitted to CSRMA.
- Marin County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) meetings attended on February 7 and March 7. Process continues to update our District Profile and Capability Assessment which will be included in the MJHMP.
- Alternative Work Schedules policy created. Implementation began on April 3 with plant operations staff.
- Nine Resolutions of the Board drafted, approved, and processed including review of the remaining District Board Policies. Policy B-180, Harassment Policy, is being considered by the Board on May 4.
- A total of eight regular and special Board meetings were held during this 3-month period.
- Low-Income Sewer Rate Assistance Program (LISRAP) applications continue to trickle in. A total of 18 applications have been received and 13 approved. There are 4 pending LISRAP including those waiting for supporting documents.
- Sewer Lateral Inspection Program activity has decreased slightly over the last three months. Administration support was provided on 26 inspection applications between January 1 and March 31. Of these, 24 were triggered by home sales and 2 were initiated by construction permits. There were 64 notification letters mailed to property owners who have pulled building construction permits with the City of San Rafael or the County advising them of their requirement to have their sewer inspected. The City missed sending notices in January and February which resulted in the spike of letters in March.



- Sewer Lateral Replacement Program continues to provide an option to homeowners interested in payment assistance for their sewer lateral replacement. A total of 118 properties are participating in the program as of March 31, 3 applications are pending. There were 3 applications processed this quarter, the same amount as last quarter.

HUMAN RESOURCES

- Collection System Operator hired on February 6. The Collection team is now fully staffed.
- Plant Operator position became vacant on February 17. Recruitment began this quarter.
- Vacant Laboratory Analyst position filled on February 21.
- Electrical Instrumentation Technician (EIT) position remains unfilled. A third recruitment effort is underway with interviews to be scheduled in early May.
- CPS HR Consulting continues to provide Human Resource support to the District.
 - a. Weekly meetings held with Cheri Fairchild, CPS HR Project Coordinator, to discuss ongoing HR issues.
 - b. Feedback to management provided on specific HR issues.
 - c. Personnel Evaluation forms reviewed, and draft recommendations formed.
- Employee ADP Homepage updated. Monthly wellness programs announcements are now spotlighted on the ADP Homepage for employees to see when they login.
- Labor Management Committee (LMC) met on January 25, February 2, and March 8. Bargaining sessions began on March 16.

SOLID WASTE and SB 1383 ORGANIC RECYCLING

- Zero Waste Marin (ZWM) Board meeting was held on March 16 and was attended by staff to stay abreast of issues related to SB 1383 enforcement. The new Executive Director decided that ZWM will focus on the core member agencies for now and that the issues raised by special districts on enforcement can come back to the board at a later date.

CONTRACTS / REQUEST FOR PROPOSALS

Contracts executed between January 1 and March 31 listed below:

<u>Vendor</u>	<u>Dept.</u>	<u>Description</u>	<u>Date of Agreement</u>	<u>Term End Date</u>	<u>Contract Amount</u>
Hildebrand Consulting	100	Sewer User Charge cost for Service Rate Study	1/23/2023	8/1/2023	\$29,900
Cal Microturbine	275	Microturbine Service Agreement	2/6/2023	2/9/2028	\$46,685
Ridgeline Municipal Strategies	100	2017 Bond Compliance Reporting	11/18/2022	6/30/2024	\$8,000

Departments: -100 Admin, -125 Engineering, -200 Collections, -275 Maintenance, -300 Pump Stations, -400 Lab, -500 Reclamation, -600 Plant, -650 Recycled Water



PENDING AGENDA ITEM REQUESTS STATUS REPORT

#	Item Description	Date	Responsible	Status / Notes
1	Grant Funding - Report on opportunities for grants	12/16/2021	Mike	West Yost to provide services
2	Public Use of Reclamation Area	1/6/2022	Dale	Revise Ordinance
3	Integrated Master Plan Heat Map - Report Update	2/17/2022	Mike	Provide w/Engr's Report
4	Cybersecurity Policy - Status report requested 3/2/23	4/7/2022	Mel	Contract awarded, ongoing
6	Report on Flow Monitoring Hydraulic Study to Board	6/2/2022	Mike	Update Board
7	Electrical Vehicle Study	6/16/2022	Curtis	Develop Scope of Work
8	Enforcement of SB 1383 – status report requested	11/3/2022	Dale	Written report pending
9	Garbage Franchise Fee – current 5%, compare w/nearby	11/17/2022	Dale	Discuss w/ R3 for 2024
10	Local Hazard Mitigation Plan - direct engage. w/FEMA	12/1/2022	Dale	Focus on Marin Joint Plan
12	CalPERS OPEB - informational report requested	12/15/2022	Dale	Bartel Associates to present
13	Diversity, Equity, Inclusion Policy	3/2/2023	Dale	Bring question to Board
14	Emergency Preparedness Workshop	3/2/2023	Greg	Develop
13	Environmental Preferable Purchasing Policy		Dale	Develop
14	Real Property Administration - Property Acquisition		Mike	Develop




Item Number 3.4

GM Review CP

Agenda Summary Report

To: Board of Directors

From: Dale McDonald, Administrative Services Manager 
 (415) 526-1519 dmcDonald@lqvsd.org

Meeting Date: May 18, 2023

Re: Quarterly Treasurer’s & Financial Reports as of March 31, 2023

Item Type: Consent _____ Action _____ Information X Other _____

Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Information only

BACKGROUND

Board Policy F-20-10, Financial Reporting, and Board Policy F-70-120, Investment Reporting, require that a quarterly report be submitted to the Board. It is prudent and beneficial to present these reports to the Board at the same time.

TREASURER’S INVESTMENT REPORT

Pursuant to the State of California Government Code Section 56300, the District’s investment policy adopted on July 21, 2022, and industry best practices, staff prepares a quarterly report on the District’s cash position, investments, and liquidity.

As specified in California Government Code Section 53646(e), if all funds are placed in Local Agency Investment Fund (LAIF), FDIC-insured accounts and/or in a county investment pool, the reporting elements may be replaced by copies of the latest statements from such institutions.

The attached Treasurer’s Report presents the District’s bank and investment account balances as of March 31, 2023. Total investments of \$23,902,778 are held in the Local Agency Investment Fund (LAIF) and in two restricted debt service accounts, which reflect a decrease of \$1,249,300 during the previous twelve-month period.

Included with the Treasurer’s Report is the LAIF remittance advice from the State Controller’s Office which includes a report on earnings ratio, interest rate, and current market value. The LAIF report for the quarter ending March 31, 2023 shows the interest rate of 2.74%, up from 2.07% in December, with quarterly interest earned of \$171,176.

The District is required to maintain cash in debt reserve funds, equal to one year’s debt service for the State Revolving Fund and for the loans from Bank of Marin. The Quarterly Account Summary for the Bank of Marin Certificates of Deposit are included with this Treasurer’s Report.

The District’s investments comply with its investment policy and the District has sufficient funds available to meet its obligations for the next six months.



QUARTERLY FINANCIAL REPORT

District staff is required to provide a quarterly summary report that compares actual revenues and expenditures to budgeted amounts, including relevant information on debt proceeds and debt service payments.

Cash Balance

The District has \$27,754,190 of cash and investments on hand as of March 31, 2023; a decrease of \$3.9M from March 31, 2022 was primarily due to construction expenditures related to the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) Project.

The operating account balance fluctuates based on operating needs and it is not uncommon for the balance to change over the prior quarter or year. The primary funding source for the project this quarter was from the Marin Municipal Water District (MMWD) annual proportional debt service and quarterly buy-in payments held in the Capital Reserve Bank of Marin Money Market account 3983. Of the cash on hand, the District has designated portions of it for the following uses:

- Accumulation of cash for the Private Sewer Lateral Assistance program of \$394,015.
- Special assessment funds for operation and maintenance of the pump stations at Marin Lagoon and Captains Cove of \$9,961 and \$2,472, respectively.
- Connection fees of \$710,582 which are available only to fund capacity related projects.
- Debt service restricted reserve funds of \$907,969 as required by loan covenants.

There is \$16.6M remaining after the designations noted above. The District has encumbered \$10.3M for capital projects and services as of March 31, 2023. This leaves \$6.3M in unrestricted funds as of March 31.

Profit & Loss Budget vs. Actual Financial Statement

Attached are the quarterly financial statements as of March 31, 2023, with highlights explaining significant variances and analysis below.

Revenue

- Sewer Service Charge Assessment (#9007) is right on target. The April Teeter Advance from Marin County of \$6,456,480 was received April 14.
- Property Tax (#9001) is anticipated to be \$80K below budget. The April Teeter Advance from Marin County of \$454,927 was received April 14. The average Marin County home value is down 4.1% over the past year and this is reflected in the property taxes received.
- Miscellaneous Income (#9773) includes the settlement payment for the remaining warranty value on the older Sharp solar panels.
- MMWD Buy-In & Bond Share (#9981) will be lower as the revenue from the anticipated cost sharing reconciliation between LGVSD and MMWD, which is to occur after the completion of the STPURWE project, will not occur before June 30.
- Interest - LAIF (#9209) earned is higher due to rising interest rates and the higher than anticipated unspent capital project carryover funds held in LAIF.



Expenditures

- Contract Personnel (#1005) – As previously reported, Operational Technical Services provided an Electrical Instrumentation Technician mid-2022 and a Laboratory Analyst through December 2022 while recruitment to fill the vacant positions was undertaken.
- Chemical costs are continuing to increase, both from the rise in price and the volume of use over the winter storms. Both Hypochlorite (#2107) and Bisulfite (#2110) are already over budget. The unit price for hypochlorite will increase 97% next fiscal year and bisulfite will increase 25%.
- Personnel & HR Services (#2321) is under budget as HR consulting expenses are lower than in prior years. Expenses will rise slightly as the GM evaluation is undertaken.
- Other Outside Services (#2326) budget included bio-wheels maintenance support. The delay in completing the STPURWE project has resulted in a delay in recognizing outside maintenance as an operating cost.
- Other Consultants (#2360) costs are over budget because of two mid-year consulting contracts with West Yost, one for cyber engineering and training for \$50K and the second for a cyber baseline assessment of the wastewater treatment plant and collection system for \$50K.
- SCADA Engineering Support (#2354) is higher than anticipated as additional ArcSine Engineering support has been required at the treatment plant.
- Utility Power (#2535) costs will continue to be high until the new solar power system installation is complete. Net Energy Metering (NEM) True-Up Charges pending as of March 31, 2023 are \$77,095, the total of which will be billed in August 2023.
- Fuel costs for diesel (#2502) and vehicle gas (#2504) are rising with inflation.

Total Operating & Maintenance expenses through March 31, 2023 of the fiscal year is \$12,117,982 which comprises 75.8% of the annual budget.

Debt Proceeds and Service:

All debt service payments are being paid according to schedule and \$4,152,677 has been paid towards debt service through March 31, 2023. The 2005 Certificate of Participation interest payment of \$34,135.20 and State Revolving Fund Loan of \$285,464.45 will be paid by June 30.

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

See above.

**Las Gallinas Valley Sanitary District
Treasurer's Report - Operating and Investment Accounts
March 31, 2023**

I. Account Summary: Bank and Investment Accounts Accounts Summary	March		Change from Previous Year
	2023	2022	
Summary of Bank and Investment Accounts			
OPERATIONS:			
Bank of Marin			
Operating Accounts	1,940,070	3,250,998	(1,310,928)
Liquid Savings	226,068	225,677	392
Private Sewer Lateral Rehab	394,015	386,168	7,847
Surcharge-Marín Lagoon	9,961	84,687	(74,726)
Surcharge-Captains Cove	2,472	17,285	(14,814)
Connection Fee	710,582	768,094	(57,511)
Capital Project Reserve Fund Money Market 3983	23	3,692,874	(3,692,850)
Petty cash	335	431	(96)
Investment Accounts			
Debt Service Reserve-Recycled Water	604,897	601,916	2,981
Debt Service Reserve-SRF Loan	303,072	301,578	1,493
 Local Agency Investment Fund	 <u>22,994,810</u>	 <u>21,749,984</u>	 <u>1,244,826</u>
Cash and Investments	<u>\$ 27,186,304</u>	<u>\$ 31,079,691</u>	<u>\$ (3,893,386)</u>
 IBANK ISRF AGREEMENT:	 567,760	 567,760	 -
 RESTRICTED 2017 BOND			
US Bank Bond & Cost of Issuance Funds	<u>\$ 126</u>	<u>\$ 123</u>	<u>\$ 3</u>
TOTAL CASH AND INVESTMENTS	<u>\$ 27,754,190</u>	<u>\$ 31,647,573</u>	<u>\$ (3,893,383)</u>

II. Account Activity for Bank of Marin Accounts

Bank of Marin operating account activity is for paying regular operating expenses of the District. Funds are transferred from the Liquid Savings to the Operating account as needed.

Statement of Compliance:

The investments accounts are invested in compliance with the District's investment policy, adopted at the July 21, 2022 Board meeting and California Government Code Section 53600. In addition, the District does have the financial ability to meet its cash flow requirements for the next six months.

Prepared by: 
Dale McDonald, Administrative Services Manager

Approved by: 
Curtis Paxton, General Manager



MALIA M. COHEN

California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name LAS GALINAS VLY SANITARY DIST

Account Number xx-xx-005

As of 04/14/2023, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 03/31/2023.

Earnings Ratio		.00007493902135155
Interest Rate		2.74%
Dollar Day Total	\$	2,284,197,853.26
Quarter End Principal Balance	\$	22,994,809.65
Quarterly Interest Earned	\$	171,175.55



Bank of Marin

PO Box 2039
Novato, CA 94948-2039

00008301 BOMB1110040123055812 01 0000

LAS GALLINAS VALLEY SANITARY DISTRICT
"BANK OF MARIN DEBT RESERVE"
101 LUCAS VALLEY RD SUITE 300
SAN RAFAEL CA 94903-1795

Account Number: xxx-xxx679
Statement Period: 12/31/22 - 03/31/23
Page: 1 of 1

Customer Service Information

Branch: 415-472-2265
Touch Tone Banking: 800-654-5111

Lost or Stolen Card:
24 hours 7 days per week 866-626-6004

Written Inquiries:
5800 NORTHGATE MALL, SUITE #51
SAN RAFAEL CA 94903

Visit us Online: www.bankofmarin.com

Account Summary for PUBLIC FUNDS JMBO CDxxxx-xxx679

Total Current Balance \$604,896.76
Total Interest Year To Date \$752.71

Transaction Detail

Date	Description	Deposits	Withdrawals	Balance
12/31	Beginning Balance			\$604,144.05
01/31	Interest	752.71		604,896.76
03/31	Ending Balance			\$604,896.76

Deposit Number	0000-000001	Original Deposit Amount	\$569,178.89
Principal	\$571,431.58	Original Deposit Date	08/01/12
Current Balance	\$604,896.76	Last Maturity Date	08/01/20
Total Interest Year To Date	\$752.71	Current Term	60 Months, renewable
Current Rate	0.494%	Next Maturity Date	08/01/25






Bank of Marin


PO Box 2039
Novato, CA 94948-2039


00008304 BOMB1110040123055812 01 0000
LAS GALLINAS VALLEY SANITARY DISTRICT
101 LUCAS VALLEY RD SUITE 300
SAN RAFAEL CA 94903-1795

Account Number: xxxx-xxx073
Statement Period: 12/31/22 - 03/31/23
Page: 1 of 1

Customer Service Information

 **Branch:** 415-472-2265
Touch Tone Banking: 800-654-5111

 **Lost or Stolen Card:**
24 hours 7 days per week 866-626-6004

 **Written Inquiries:**
5800 NORTHGATE MALL, SUITE #51
SAN RAFAEL CA 94903

 **Visit us Online:** www.bankofmarin.com

Account Summary for PUBLIC FUNDS JMBO CDxxxx-xxx073

Total Current Balance \$303,071.85
Total Interest Year To Date \$377.13

Transaction Detail

Date	Description	Deposits	Withdrawals	Balance
12/31	Beginning Balance			\$302,694.72
01/29	Interest	377.13		303,071.85
03/31	Ending Balance			\$303,071.85

Deposit Number	0000-000001	Original Deposit Amount	\$286,304.76
Principal	\$286,304.76	Original Deposit Date	07/30/13
Current Balance	\$303,071.85	Last Maturity Date	07/30/20
Total Interest Year To Date	\$377.13	Current Term	60 Months, renewable
Current Rate	0.494%	Next Maturity Date	07/30/25



Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual July 2022 through March 2023

Ordinary Revenue/Expense	Jul '22 - Mar 23	Budget	\$ Over Budget	% of Budget
Revenue				
9011 · Sewer Service Charge				
9007 · Special Assessment - Current	8,877,665.65	15,930,508.00	-7,052,842.35	55.73%
9770 · Sewer Service Charge Direct Bil	961,060.73	980,000.00	-18,939.27	98.07%
9771 · Sewer Service Chrg Reimbrsmt PY	-45,287.20			
Total 9011 · Sewer Service Charge	9,793,439.18	16,910,508.00	-7,117,068.82	57.91%
9880 · Recycled Water	117,785.76	172,000.00	-54,214.24	68.48%
9022 · Permits and Inspection Fees	25,500.00	71,745.00	-46,245.00	35.54%
9024 · Application Fees	5,750.00	3,775.00	1,975.00	152.32%
9101 · Private Sewer Lateral Program				
9102 · PSL Levy Principal	49,722.52	79,300.00	-29,577.48	62.7%
9105 · PSL Direct Pay Off	5,388.90			
9101 · Private Sewer Lateral Program - Other	0.00	0.00	0.00	0.0%
Total 9101 · Private Sewer Lateral Program	55,111.42	79,300.00	-24,188.58	69.5%
9773 · Miscellaneous Income	97,684.19	1,250.00	96,434.19	7,814.74%
9000 · Property Tax Revenue				
9001 · Property Tax - Current Secured	633,562.57	1,239,692.00	-606,129.43	51.11%
9002 · Property Tax - Current Unsecure	20,100.51	20,000.00	100.51	100.5%
9004 · Prior Secured Redemption	101.80	400.00	-298.20	25.45%
9006 · Prior Unsecured	1,135.94	2,000.00	-864.06	56.8%
Total 9000 · Property Tax Revenue	654,900.82	1,262,092.00	-607,191.18	51.89%
9040 · Supp. Assmnts - Property Tax				
9041 · Current Supplemental Assmnts	26,786.83	27,695.00	-908.17	96.72%
Total 9040 · Supp. Assmnts - Property Tax	26,786.83	27,695.00	-908.17	96.72%
9046 · ERAF	306,032.19	584,867.00	-278,834.81	52.33%
9280 · HOPTR	2,140.09	4,453.00	-2,312.91	48.06%
9021 · Franchise Revenue	121,806.05	169,776.00	-47,969.95	71.75%
9010 · Federal and State Grants	0.00	5,000.00	-5,000.00	0.0%
9015 · Donations (received)	3,500.00			
9023 · Connection Fees CapX	319,611.00	1,740,572.00	-1,420,961.00	18.36%
9881 · MMWD Buy-in & Bond Share CapX	361,843.34	619,633.00	-257,789.66	58.4%
9100 · Reimbursements				
9104 · Passthru (Expense 2355)	28,151.00	25,000.00	3,151.00	112.6%
Total 9100 · Reimbursements	28,151.00	25,000.00	3,151.00	112.6%
9200 · Interest Income				
9208 · Interest on IBank ISRF	1,578.04			
9210 · Bank Interest	2,577.41	2,240.00	337.41	115.06%
9206 · Interest Connection Fees CapX	990.02	964.00	26.02	102.7%
9204 · Interest on Bond Funds	3.10	7.00	-3.90	44.29%
9209 · Interest - LAIF	185,460.47	63,600.00	121,860.47	291.61%
9201 · Interest on Reserves	3,494.26	4,500.00	-1,005.74	77.65%
9211 · Interest PSL Program				
9212 · PSL Investment Interest	416.17	400.00	16.17	104.04%

Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual

July 2022 through March 2023

	Jul '22 - Mar 23	Budget	\$ Over Budget	% of Budget
Total 9211 · Interest PSL Program	416.17	400.00	16.17	104.04%
Total 9200 · Interest Income	194,519.47	71,711.00	122,808.47	271.26%
Total Revenue	12,114,561.34	21,749,377.00	-9,634,815.66	55.7%
Expense				
1001 · Employee Costs				
1001.1 · Salaries				
1003 · Regular Staff Salaries	2,527,533.76	4,071,400.00	-1,543,866.24	62.08%
1008 · Overtime	77,704.94	132,600.00	-54,895.06	58.6%
1011 · Doubletime	14,861.32	33,100.00	-18,238.68	44.9%
1010 · Stand By (pre-2008 Sick Pay)	64,188.90	92,500.00	-28,311.10	69.39%
1014 · Emergency Response Stipend	40,637.80	46,900.00	-6,262.20	86.65%
1015 · Certification Stipends	82,540.51	84,000.00	-1,459.49	98.26%
1016 · Longevity Pay	73,574.49	71,200.00	2,374.49	103.34%
1005 · Contract Personnel	47,692.50	5,200.00	42,492.50	917.16%
1036 · Director's Compensation	46,496.80	80,600.00	-34,103.20	57.69%
Total 1001.1 · Salaries	2,975,231.02	4,617,500.00	-1,642,268.98	64.43%
1001.2 · Employee Benefits				
1901 · COVID Leave	27,429.53	1,000.00	26,429.53	2,742.95%
1009 · Vacation/Sick Accrual	0.00	64,000.00	-64,000.00	0.0%
1037 · Directors Health Benefits	8,418.55	9,700.00	-1,281.45	86.79%
1404 · Social Security Expense	200,945.60	287,100.00	-86,154.40	69.99%
1502 · Group Life Insurance	8,585.73	8,700.00	-114.27	98.69%
1506 · Pension Expense				
1507 · PERS	618,173.88	787,500.00	-169,326.12	78.5%
Total 1506 · Pension Expense	618,173.88	787,500.00	-169,326.12	78.5%
1509 · Health Insurance				
1509.1 · Health Insurance-Actives	395,586.63	509,200.00	-113,613.37	77.69%
1509.3 · Health Insurance-Admin Fee	1,712.34	1,700.00	12.34	100.73%
1509.2 · Health Insurance-Retirees	79,178.23	112,900.00	-33,721.77	70.13%
1509.4 · Health Insurance-OPEB Pre-fund	116,300.00	163,200.00	-46,900.00	71.26%
Total 1509 · Health Insurance	592,777.20	787,000.00	-194,222.80	75.32%
1510 · Dental Insurance	33,489.44	16,500.00	16,989.44	202.97%
1514 · Vision Services	2,838.16	3,300.00	-461.84	86.01%
1516 · Long Term Disability	23,994.33	34,100.00	-10,105.67	70.37%
2006 · Auto Allowance	7,005.21	16,800.00	-9,794.79	41.7%
Total 1001.2 · Employee Benefits	1,523,657.63	2,015,700.00	-492,042.37	75.59%
1006 · Payroll Processing Fees	18,488.90	24,900.00	-6,411.10	74.25%
Total 1001 · Employee Costs	4,517,377.55	6,658,100.00	-2,140,722.45	67.85%
2059 · Insurance				
1701 · Workers Comp Insurance	138,848.00	72,900.00	65,948.00	190.46%
2060 · Fire, General Casualty & Liab	267,222.49	230,000.00	37,222.49	116.18%
2061 · Fidelity Bond	1,100.00	1,100.00	0.00	100.0%
Total 2059 · Insurance	407,170.49	304,000.00	103,170.49	133.94%
2080 · Repairs and Maintenance				

Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual

July 2022 through March 2023

	Jul '22 - Mar 23	Budget	\$ Over Budget	% of Budget
2083 · Vehicle Parts & Repairs	32,629.47	31,600.00	1,029.47	103.26%
2096 · Building Maintenance	20,168.26	96,300.00	-76,131.74	20.94%
2097 · Grounds Maintenance	35,935.65	109,300.00	-73,364.35	32.88%
2538 · Power Generation Maint.& Rep	16,316.64	32,800.00	-16,483.36	49.75%
2365 · Equipment Maint	59,435.49	81,500.00	-22,064.51	72.93%
2366 · Equipment Repair	167,901.22	174,900.00	-6,998.78	96.0%
2367 · Capital Replacement	103,017.96	322,400.00	-219,382.04	31.95%
Total 2080 · Repairs and Maintenance	435,404.69	848,800.00	-413,395.31	51.3%
2331 · Reclamation Expenses				
2332 · General - Reclamation expenses	0.00	9,500.00	-9,500.00	0.0%
2333 · Pasture Disk	98,452.90	123,900.00	-25,447.10	79.46%
2334 · Sludge Inject	102,650.00	102,700.00	-50.00	99.95%
2335 · Marsh Pond Vegetation Removal	0.00	60,000.00	-60,000.00	0.0%
Total 2331 · Reclamation Expenses	201,102.90	296,100.00	-94,997.10	67.92%
2101 · Chemicals and Lab Supplies				
2107 · Hypochlorite	212,087.88	206,900.00	5,187.88	102.51%
2110 · Bisulfite	128,443.33	85,400.00	43,043.33	150.4%
2109 · Miscellaneous Chemicals	36,549.89	73,100.00	-36,550.11	50.0%
2115 · Laboratory Supplies	29,590.97	23,900.00	5,690.97	123.81%
Total 2101 · Chemicals and Lab Supplies	406,672.07	389,300.00	17,372.07	104.46%
2111 · Pollution Prevention				
2119 · Pollution Prevention Contract	10,846.26	11,700.00	-853.74	92.7%
2111 · Pollution Prevention - Other	0.00	4,900.00	-4,900.00	0.0%
Total 2111 · Pollution Prevention	10,846.26	16,600.00	-5,753.74	65.34%
2117 · Lab Contract Services	40,052.40	54,400.00	-14,347.60	73.63%
2249 · Small Tools	10,467.70	24,600.00	-14,132.30	42.55%
2320 · Outside Services				
2321 · Personnel & HR Services	28,731.74	160,600.00	-131,868.26	17.89%
2322 · General	15,574.82	22,000.00	-6,425.18	70.8%
2323 · Labor Relations	16,392.34	16,400.00	-7.66	99.95%
2324 · Janitorial	16,739.94	22,500.00	-5,760.06	74.4%
2326 · Other Outside Services	13,194.28	111,700.00	-98,505.72	11.81%
2327 · Uniform Maintenance	11,385.46	13,600.00	-2,214.54	83.72%
2360 · Other Consultants	191,266.71	198,700.00	-7,433.29	96.26%
Total 2320 · Outside Services	293,285.29	545,500.00	-252,214.71	53.76%
2330 · Damage Claims	0.00	20,000.00	-20,000.00	0.0%
2356 · Engineering				
2354 · SCADA Engineering Support	55,777.99	67,200.00	-11,422.01	83.0%
2355 · Passthru	28,241.00	1,200.00	27,041.00	2,353.42%
2357 · Environmental	85,507.00	186,400.00	-100,893.00	45.87%
2358 · General Small Projects	24,271.00	14,700.00	9,571.00	165.11%
2359 · Feasibility Studies	0.00	91,600.00	-91,600.00	0.0%
Total 2356 · Engineering	193,796.99	361,100.00	-167,303.01	53.67%
2362 · General Operating Supplies	13,062.45	61,400.00	-48,337.55	21.27%

Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual July 2022 through March 2023

	<u>Jul '22 - Mar 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
2530 · Utilities				
2533 · Internet Services	7,484.45	7,800.00	-315.55	95.95%
2534 · Contract Telephone	31,146.39	49,600.00	-18,453.61	62.8%
2535 · Utility Power	483,744.69	476,100.00	7,644.69	101.61%
2536 · Water	36,853.82	33,900.00	2,953.82	108.71%
Total 2530 · Utilities	<u>559,229.35</u>	<u>567,400.00</u>	<u>-8,170.65</u>	<u>98.56%</u>
2501 · Fuels				
2502 · Diesel	12,265.42	14,400.00	-2,134.58	85.18%
2503 · Propane	6,167.39	8,500.00	-2,332.61	72.56%
2504 · Vehicle Gas	15,246.58	12,700.00	2,546.58	120.05%
2505 · Vehicle Natural Gas	1,005.07	4,200.00	-3,194.93	23.93%
2506 · Oil (vehicle and drum product)	3,123.49	3,200.00	-76.51	97.61%
Total 2501 · Fuels	<u>37,807.95</u>	<u>43,000.00</u>	<u>-5,192.05</u>	<u>87.93%</u>
2389 · Misc Safety Exp - Lgvsd only	48,133.70	49,000.00	-866.30	98.23%
2397 · Safety Contractor Services	42,552.00	57,400.00	-14,848.00	74.13%
2801 · Lateral Rehab Assistance Prog	58,045.00	59,800.00	-1,755.00	97.07%
2802 · Low-Income Sewer Rate Ast Prog	1,344.00	50,000.00	-48,656.00	2.69%
2400 · General and Administrative				
2499 · COVID-19 Expenses	0.00	1,700.00	-1,700.00	0.0%
2129 · Election Expenses	250.00	25,000.00	-24,750.00	1.0%
2133 · Office Supplies & Expense	45,073.37	42,800.00	2,273.37	105.31%
2134 · Meeting Supplies & Expen	3,326.37	2,100.00	1,226.37	158.4%
2135 · Bank Charges	0.00	200.00	-200.00	0.0%
2137 · Donations to non-profits	9,000.00	10,000.00	-1,000.00	90.0%
2221 · Publications & Legal Ads	10,423.66	12,800.00	-2,376.34	81.44%
2223 · Public Education	39,305.47	74,700.00	-35,394.53	52.62%
2246 · Rents & Leases - Office & Equip	114,447.79	192,700.00	-78,252.21	59.39%
2264 · Taxes, Other	1,397.00	1,900.00	-503.00	73.53%
2272 · Memberships	49,167.60	69,100.00	-19,932.40	71.15%
2363 · Permits and Fees	57,074.31	119,300.00	-62,225.69	47.84%
2364 · Penalties and Fines	66,384.70			
2477 · Conferences	46,109.86	52,600.00	-6,490.14	87.66%
2479 · Mileage & Travel	130.79	4,600.00	-4,469.21	2.84%
2713 · Legal				
2714 · Legal MPFA	500.00			
2713 · Legal - Other	66,430.25	186,600.00	-120,169.75	35.6%
Total 2713 · Legal	<u>66,930.25</u>	<u>186,600.00</u>	<u>-119,669.75</u>	<u>35.87%</u>
2716 · Computer Software & Services	85,410.97	97,600.00	-12,189.03	87.51%
2717 · Audit	22,710.00	27,200.00	-4,490.00	83.49%
2718 · Financial Services	26,669.00	35,400.00	-8,731.00	75.34%
9778 · User Chg / Collection Fee Exp.	22,077.36	36,900.00	-14,822.64	59.83%
9786 · Employee Recognition	6,699.85	5,600.00	1,099.85	119.64%
9787 · Employee Education & Training	13,465.42	49,400.00	-35,934.58	27.26%
9999 · Miscellaneous expense	2,900.01	4,200.00	-1,299.99	69.05%

Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual July 2022 through March 2023

	Jul '22 - Mar 23	Budget	\$ Over Budget	% of Budget
Total 2400 · General and Administrative	688,953.78	1,052,400.00	-363,446.22	65.47%
9800 · Debt Service				
9810 · Principal Payments				
9811 · 2004 COP/Refunded Principal	630,000.00	630,000.00	0.00	100.0%
9812 · IBank Principal	359,654.11	359,654.00	0.11	100.0%
9813 · State Revolving Fund Loan Princ	0.00	218,699.00	-218,699.00	0.0%
9814 · 2011Bank of Marin Loan Principal	197,626.21	237,888.00	-40,261.79	83.08%
9815 · 2012Bank of Marin Loan Principa	39,064.29	39,064.00	0.29	100.0%
9816 · 2017 Revenue Bonds Principal	1,110,000.00	1,110,000.00	0.00	100.0%
Total 9810 · Principal Payments	2,336,344.61	2,595,305.00	-258,960.39	90.02%
9820 · Interest Payments				
9821 · 2004 COP/Refunded Interest	44,530.20	78,665.00	-34,134.80	56.61%
9822 · IBank Loan Interest	324,085.54	324,086.00	-0.46	100.0%
9823 · State Revolving Fund Loan Inter	0.00	66,765.00	-66,765.00	0.0%
9824 · 2011Bank of Marin Loan Interest	79,608.29	94,794.00	-15,185.71	83.98%
9825 · 2012Bank of Marin Loan Interest	160.56	160.00	0.56	100.35%
9826 · 2017 Revenue Bonds Interest	1,335,000.00	1,335,000.00	0.00	100.0%
Total 9820 · Interest Payments	1,783,384.59	1,899,470.00	-116,085.41	93.89%
9830 · Loan Annual Fees - IBank	32,948.03	32,948.00	0.03	100.0%
Total 9800 · Debt Service	4,152,677.23	4,527,723.00	-375,045.77	91.72%
Total Expense	12,117,981.80	15,986,623.00	-3,868,641.20	75.8%



Item Number 4
GM Review CP

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcDonald@lqvsd.org
Meeting Date: May 18, 2023
Re: Capital Reserves and Repurposing of Bank of Marin Money Market Account
Item Type: Consent Action X Information Other .
Standard Contract: Yes No (See attached) Not Applicable X .

STAFF RECOMMENDATION

Board to adopt Resolution 2023-2305 designating \$3,000,000 be held in the Capital Reserve for the construction of the Operations and Control Center building and repurposing the Bank of Marin Business Money Market account for use as a restricted Recycled Water Capital Repair and Replacement Fund.

BACKGROUND

Board Policy F-50 establishes the reserve policy of the District. One of the reserves is the Capital Reserve with the purpose to provide capital for major capital projects that span two or more years. Only the Board can authorize the use of reserves.

Operations Control Center

On June 16, 2022, the Board adopted the 2022-23 fiscal year budget which included \$3,000,000 in undesignated funds to be used for the Operations and Control Center (OCC) building construction and soft costs. The funds are currently held in the State of California Local Area Investment Fund (LAIF). The 5-year Capital Improvement Plan (CIP) projected two more years of cash funding, \$3,000,000 in each of the subsequent fiscal years 2023-24 and 2024-25. As it was the intent of the Board to hold these funds for use in the construction of the OCC building, it is prudent to designate the OCC funds budgeted to date to be held in the Capital Reserve fund.

Secondary Treatment Plant Upgrade and Recycled Water Expansion Project

As part of the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project funding analysis completed on August 1, 2018, future year collections from Marin Municipal Water District (MMWD) were designated to be used for the project. The quarterly MMWD Buy-In payments to the District and MMWD’s share of Debt Service payments received for the semi-annual revenue bond payments have been deposited into the Bank of Marin (BoM) Business Money Market Account #3983 for this purpose. These funds have been used to cover STPURWE project expenditures since February 2022.

The most recent transfer from the BoM MMWD account was made on March 31, 2023 to partially reimburse the general operating account for a payment made to Myers and Sons. The balance in the account was reduced to zero. This is by design as the funds allocated for use towards the STPURWE project were always meant to be drawn down toward the end of the project.



The STPURWE project was anticipated to be complete by October 2022 and, as such, no additional funding to the Capital Reserve was included in the 2022-23 budget. However, as the project continued into 2023, and MMWD Buy-In and Debt Service payments were received, it was prudent to identify and hold these funds in the Capital Reserve account as originally directed by the Board when the project was approved.

Budget allocations to the STPURWE LGVSD Bond Reserve have occurred annually since fiscal year 2018-19. The balance held in LAIF as of March 31, 2023 is \$1,116,575. The entire amount will be transferred to the general operating account upon Board approval to reimburse project payments not covered by the BoM MMWD reserves. After this transfer, there will be no STPURWE reserves held in Capital Reserves.

Below is a summary of the activity in the Capital Reserves through the first 9 months of 2022-23 and the projected balance at the end of the year. The ending balance is dependent on Board support for designating \$3,000,000 toward the OCC construction project and approval of the LGVSD Bond Reserve transfer.

	2021-22 Actual	2022-23 Adopted Budget	2022-23 9-Month Actuals	2022-23 Projected End of Year
Capital Reserves (STPURWE, OCC, and other CIP)				
Beginning Balance	\$ 3,425,644	\$ 899,969	\$ 899,969	\$ 899,969
Plus: Undesignated	229,727	336,464	336,464	336,464
Plus: OCC Designated Reserve	-	-	-	3,000,000
Plus: STPURWE LGVSD Bond Reserve ⁽¹⁾	222,915	-	-	225,715
Plus: STPURWE MMWD Buy-In ⁽²⁾	154,911	-	132,306	159,196
Plus: 2017 Bond MMWD Debt Service Share ⁽³⁾	256,720	-	256,427	256,427
Plus: Corr. to incld. PY BoM MMWD Reserves ⁽⁴⁾	-	-	2,968,141	2,968,141
Less: Authorized Use of Funds	(3,389,949)	(800,000)	(1,079,590)	(2,196,165)
Ending Balance	\$ 899,969	\$ 436,433	\$ 3,513,717	\$ 5,649,747
<i>Purpose: To provide capital for major capital projects.</i>			<i>Target: \$ 4,000,000</i>	

(1) Excess funds over debt payments put aside for project.

(2) MMWD quarterly buy-in payments down to \$26,890 beginning August 2023 - Held in Bank of Marin (BoM) Bus Money Market (BMM) #3983

(3) MMWD semi-annual Revenue Bond payments toward project - Held in Bank of Marin (BoM) Bus Money Market (BMM) #3983

(4) Bank of Marin (BoM) contributions from prior year MMWD buy-ins not included in Capital Reserve balance, corrected as of 12/31/22.

Authorized use of funds towards STPURWE project to draw down BoM MMWD account and LAIF held Capital Reserves in Spring 2023.

Marin Municipal Water District Agreement

The MMWD Agreement for Purchase and Sale of Recycled Water, dated March 23, 2017, outlines the terms between the District and MMWD with regards to recycled water and the facilities owned by the District. Article F, Item 5 of the agreement requires that a Recycled Water Capital Repair and Replacement Fund (RWCRRF) be maintained by the District. Both the District and MMWD are required to pay into the RWCRRF, funded by multiplying the total recycled water O&M costs incurred by the District by 10%, and deposited annually into the RWCRRF.

Staff is recommending that the Bank of Marin Business Money Market Account #3983 be repurposed to serve as the restricted RWCRRF.



PREVIOUS BOARD ACTION

On June 14, 2018, the Board approved the 2018-19 budget which identified funding for the STPURWE project, including the MMWD Buy-In and MMWD Debt Service Share allocations.

On June 16, 2022, the Board approved the 2022-23 budget which included undesignated funding to the Capital Reserves and authorized expenditures for the STPURWE project.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

No material impact as expenditure of funds for the STPURWE project has already been completed. The transfer of funds and repurposing of the BoM Business Money Market Account #3983 are merely administrative actions to identify capital reserves for the OCC, prepare for the completion of the STPURWE project, and establish a Recycled Water Capital Repair and Replacement Fund.

Attachment:

1. Resolution 2023-2305 designating \$3,000,000 be held in the Capital Reserve for the construction of the Operations and Control Center building and repurposing the Bank of Marin Business Money Market account for use as a restricted Recycled Water Capital Repair and Replacement Fund.

RESOLUTION NO. 2023-2305

**A RESOLUTION OF THE BOARD OF DIRECTORS
DESIGNATING \$3,000,000 TO THE CAPITAL RESERVES
FOR OPERATING CONTROL CENTER CONSTRUCTION COSTS AND
AUTHORIZING \$2,196,165 IN USE OF FUNDS FOR THE SECONDARY
TREATMENT PLANT UPGRADE AND RECYLED WATER EXPANSION PROJECT
AND ESTABLISHING A RECYCLED WATER CAPITAL
REPAIR AND REPLACEMENT FUND**

WHEREAS, Las Gallinas Valley Sanitary District (“District”) is authorized by the Sanitary District Act of 1923 (Health & Safety Code §6400 et seq.) to provide public services and facilities related to the acquisition, construction, replacement, maintenance and operation of wastewater collection facilities within the District’s service area; and

WHEREAS, the District is empowered to establish reserves for operational and capital needs in accordance with Board Policy F-50; and

WHEREAS, the Board of Directors is required to identify reserves to be utilized and for what purpose, and authorize the General Manager to transfer reserve funds to the respective operational or capital funds; and

WHEREAS, on June 16, 2022, the Board adopted the 2022-23 fiscal year budget by Resolution No. 2022-61, which included \$3,000,000 in undesignated funds to be used for the Operations and Control Center (“OCC”) building construction and soft costs; and

WHEREAS, it was the intent of the Board to hold these funds for use in the construction of the OCC building; and

WHEREAS, on June 14, 2018, the Board approved the 2018-19 budget by Resolution No. 2018-2128 which identified funding for the Secondary Treatment Plant Upgrade and Recycled Water Expansion (“STPURWE”) project, including the allocation of Marin Municipal Water District (“MMWD”) Buy-In and Debt Service payments to the Capital Reserves for use towards the project; and

WHEREAS, all MMWD funds held in Capital Reserves have been used for the STPURWE project; and

WHEREAS, the STPURWE project is nearing completion and there is no need to designate additional Capital Reserves for this project other than what has been received through March 31, 2023; and

WHEREAS, the District and MMWD entered into a Purchase and Sale of Recycled Water agreement dated March 23, 2017, requiring that a Recycled Water

Capital Repair and Replacement Fund (RWCRRF) be established and maintained by the District; and

WHEREAS, the District no longer needs to deposit MMWD Buy-In and Debt Service payments into the District’s Bank of Marin (“BoM”) Business Money Market Account #3983.

NOW, THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, hereby designates \$3,000,000 to be transferred to the District’s Capital Reserve fund for the purpose of constructing an Operating Control Center.

BE IT FURTHER RESOLVED, that the remaining \$1,116,575 in Capital Reserves designated for the STPURWE project be transferred to the general operating account to reimburse project payments not covered by the BoM MMWD reserves.

BE IT FURTHER RESOLVED, that the General Manager or designee is authorized to establish a Recycled Water Capital Repair and Replacement Fund utilizing the BoM Business Money Market Account #3983.

* * * * *

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 18th day of May, 2023, by the following vote of the members thereof:

AYES, and in favor thereof, Members:

NOES, Members:

ABSTAIN, Members:

ABSENT, Members:

Teresa L. Lerch, Board Secretary

Approved:

(seal)

Megan Clark, Board President

5/18/2023

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, 2023 Operations Control Center Ad Hoc Committee, Other Reports

FORD

NBWRA, 2023 Operations Control Center Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, 2023 Fleet Management Ad Hoc Committee, Other Reports

MURRAY

Marin LAFCO, CASA Energy Committee, 2023 Biosolids Ad Hoc Committee, 2023 Development Ad Hoc Committee, Other Reports

ROBARDS

Gallinas Watershed Council/Miller Creek, 2023 Engineering Ad Hoc Committee re: STPURWE, 2023 McInnis Marsh Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, 2023 Development Ad Hoc Committee, Other Reports

YEZMAN

Flood Zone 7, CSRMA, Marin Special Districts Association, 2023 Ad Hoc Engineering Sub-Committee re: STPURWE, 2022 Biosolids Ad Hoc Committee, Other Reports



ITEM	LEAD
Welcome/Roll Call	Jackie Zipkin (Chair), Greg Kester and Sarah Deslauriers (CASA)
Review/Approval of Agenda	All

PRIORITY ISSUES/ACTION ITEMS

	ITEM	LEAD	NOTES
1.	CARB Advanced Clean Vehicle Regulations	Sarah Greg Steve David	Proposed Regulations provide no flexibility for SB 1383 vehicles or in Milestone Group 3 of draft high priority fleet regulations), met with CARB Chair Randolph and CalEPA (w/ SWRCB, CalRecycle, CARB mobile, CARB climate), revised changes released March 23 , Comments submitted Apr 7, Board resolution released April 24 and revised April 26, testified April 27 – wastewater/CASA and SB 1383 acknowledged!
2.	SB 1383: Organic Waste CH₄ Reductions	Greg Sarah	CalRecycle outreach to Counties, Article 2 applicant based on theoretical facility declined
3.	EPA Renewable Fuel Standard RINs	Greg	EPA released a proposed set rule Nov 30, members testified Jan 10, CASA submitted comments Feb 10 supporting RIN values for sludge-vs food waste-derived biogas, adoption by June 2023
4.	CARB Low Carbon Fuel Standard	Greg	Feb 22 workshop held on potential changes to LCFS, comments submitted Mar 15, community meetings May 31 and June 1
5.	Methane Review/Monitoring at WRRFs	Sarah	Princeton study claims “WRRF methane emissions could be double/triple what was previously thought”, scheduling meeting with researchers at Princeton and tracking UC Riverside research
6.	Criteria Pollutants & Toxics Emissions Reporting & Hot Spots Program	Sarah David	Wastewater sector can report BAU through 2028, met with CARB to kick off formal process, Air Toxics Subgroup meeting monthly – next meeting: May 10 th
7.	Adaptation Update	Sarah	Sea Level Rise Action Plan – OPC met April 24 , CCC to consider NOAA call to not include H++ scenario in SLR Guidance for Critical Infrastructure, ongoing updates to matrix summarizing Regional Water Board permit requirements for climate change, alliance of regional collaboratives for climate adaptation

STATE LEGISLATIVE & BUDGET UPDATE

	ITEM	LEAD	STATUS
1.	State Legislation	Jessica	2023 CA legislation introduced by Feb 17, ACE bill list
2.	Governor’s Budget	Jessica	2023-24 Governor’s proposed budget, >\$25 billion shortfall

INFORMATIONAL ITEMS

	ITEM	LEAD	NOTES
1.	AB 32 Scoping Plan Update : Carbon Neutrality by 2045	Sarah	Connect w/ CNRA on Natural & Working Lands GHG model updates (to include carbon sequestration on croplands)
2.	Carbon Sequestration Meta-Analysis	Sarah	Final report by Q1 2023, c-sequestration potential summary
3.	BACT for Large Emergency Diesel Engines: BAAQMD, SMAQMD, SJVAPCD, SCAQMD	David	BAAQMD, SMAQMD, and SJVAPCD adopted Tier 4; SCAQMD to adopt Tier 4 w/ source test provisions
4.	Potential Amendments to Diesel Engine Off-Road Standards	Sarah	CARB Tier 5 rulemaking (including CO ₂ standards), proposal 2024, implement to begin 2028, Workshop Dec 14

UPCOMING CONFERENCES/EVENTS

NAME	DATE/LOCATION
BACWA Annual Meeting	May 5, Berkeley
CASA RWG Meeting In-person	May 11, OCSan
CVCWA Annual Meeting	May 11, Sacramento
WEF/IWA RBC, WEF Odors & Air Pollutants	May 16-19, Charlotte
CASA/CWEA Partnering for Impact	June 6, Berkeley

NEXT MEETING: May 25th, 8:30-10:30 am

Air Quality, Climate Change, & Energy (ACE) Workgroup Meeting

May 4, 2023 (8:30 – 10:30 am)

Zoom Link – See Meeting Appointment



1

Priority Issues/
Action Items



2

1. CARB Advanced Clean Fleet (ACF) Regulations

■ Proposed changes to ACF regulations released March 23rd

Public Fleets Regulation

State/local government agency, not a low population county, w/ 11 or more vehicles in fleet:

- January 1, 2024, 50% of vehicle purchases in each calendar year must be ZEVs; and
- January 1, 2027, 100% of vehicle purchases in each calendar year must be ZEVs.

State/local government agency, in low population county, or 10 or fewer vehicles in fleet:

- January 1, 2027, 100% of vehicle purchases in each calendar year must be ZEVs.

Improved exemptions!

High Priority Fleets

Can opt into this regulation, allows extended time to transition medium- and heavy-duty fleet vehicles; however, still does NOT provide flexibility for SB 1383 implementation

- Only allows trucks that are fueled by CNG as of January 1, 2024, to continue being fueled with CNG
- Does not provide time for sector to demonstrate biogas-to-hydrogen use in zero-emission technologies

■ Comments and redlines submitted April 7th



3

1. CARB Advanced Clean Fleet (ACF) Regulations

■ Prep for CARB's Public Hearing April 27th to adopt Regulations

- Drafted resolution language for consideration by Board Chair, met with Chair Randolph staff (April 13th)
- Sent letter to Governor's office and CalEPA on unintended consequences of ACF (April 24th)
- Board posted a Resolution April 24th – last page, last paragraph acknowledged need for coordination with state agencies on SB 1383 but did not reference CASA/wastewater role
- Reached out to Board Member Gideon Kracov
- Day before hearing Board revised their Resolution to acknowledge CASA and explicitly prioritize SB 1383 objectives (April 26th)
- Public Hearing to adopt regulation, April 27th – **THANK YOU** to David Rothbart, Steve Jepsen, Greg Kester, Noelle Mattock, Jim Leach, Curtis Paxton, Craig Murray, Marissa Flores-Acosta, Don Nguyen, Randa Abushaban, Alison Torres, Heidi Oriol for testifying!
- And **THANK YOU** to the Subgroup for the support in letter writing/review and input over these past two years!!



4

1. CARB Advanced Clean Fleet (ACF) Regulations

■ Next Steps

- Follow up with Board
- Support coordination across state agencies on regulation implementation



5

2. SB 1383: Organic Waste Methane Emissions Reduction



- 40% methane reduction by 2030 (relative to 2013 levels)
- Organic waste diversion from landfills
(includes biosolids, digestate, and sludges)
 - 50% by 2020 (relative to 2014 levels)
 - 75% by 2025 (relative to 2014 levels)
- Implementation
 - State to enforce jurisdictions Jan 1, 2022 (local entities enter agreements)
 - Local jurisdictions to start enforcement Jan 1, 2024
 - Compliance by Jan 1, 2025
- CalRecycle outreach regarding county ordinances
- Article 2 applicant not approved – H Cycle, theoretically produces a low-carbon hydrogen using thermal conversion technology



6

3. EPA Renewable Fuel Standard: RINs

- Misinterpretation since 2017
- RFS Renewable Identification Number (RIN) values for sludge-based biogas (D3, cellulosic) vs food waste-based biogas (D5, advanced biomass fuel)
- Proposed Set Rule released for public comment Nov 30th – reflects “Plan B” apportioning RINs based on feedstock
 - Allows specifying operational parameters for sewage sludge digestion
 - Volume awarded a D3 RIN to be subtracted from the total volume of biogas produced – the difference assumed to be produced from the added organic waste and awarded D5 RIN
 - eRINs – RIN credit awarded to vehicle manufacturer vs biogas producer
- Comments submitted February 10th
- Planned adoption by June 2023



7

4. CARB Low Carbon Fuel Standard

- Designed to reduce fossil fuel dependence:
 - Decrease carbon intensity of CA’s transportation fuel pool
 - Provide increasing range of low-carbon and renewable alternatives
- July 2022 to present day workshops discussed potential changes with recommendations to promote biogas-to-hydrogen pathways
- Feedback on Feb 22nd Workshop, comments submitted March 15th
- Low Carbon Fuel Standard Virtual Community Meetings to provide overview of LCFS program and receive input on potential future LCFS changes
 - Session 1: May 31, 2023, 6 to 8 PM
 - Session 2: June 1, 2023, 6 to 8 PM

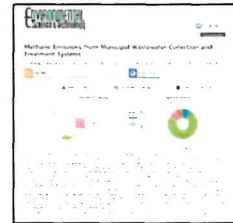


8

5. Methane Review/Monitoring at WRRFs

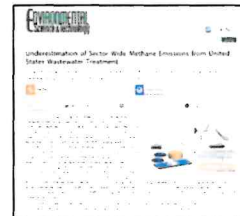
1. Methane Emissions from Municipal Wastewater Collection and Treatment Systems

Cuihong Song, Jun-Jie Zhu, John L. Willis, Daniel P. Moore, Mark A. Zondlo, and Zhiyong Jason Ren
[doi: 10.1021/acs.est.2c04388](https://doi.org/10.1021/acs.est.2c04388)
 Published: February 3rd, 2023



2. Underestimation of Sector-Wide Methane Emissions from United States Wastewater Treatment

Daniel P. Moore, Nathan P. Li, Lars P. Wendt, Sierra R. Castaneda, Mark M. Falinski, Jun-Jie Zhu, Cuihong Song, Zhiyong Jason Ren, and Mark A. Zondlo
[doi: 10.1021/acs.est.2c05373](https://doi.org/10.1021/acs.est.2c05373)
 Published: February 27th, 2023



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5. Methane Review/Monitoring at WRRFs

- Princeton studies led by Mark Zondlo and Z. Jason Ren
- Conclusions:
 - Continuous, long-term monitoring campaigns needed to characterize variations in methane emissions from sewers and WRRFs
 - Findings suggest IPCC-based estimates underestimate CH₄ emissions across all sizes of WWTPs, especially those with AD
 - Further investigation is needed for sector-wide emission inventories considering variability
 - Specific Treatment Processes
 - Geographic Diversity
 - Seasonal and Diurnal Dependencies
- Let us know if you've been contacted by UC–Riverside (Francesca Hopkins) to research your emissions – they are partners with Princeton

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6. Criteria Pollutants & Toxics Reporting and Air Toxics “Hot Spots” Program Updates

- AB 617 gives CARB authority to “harmonize” air monitoring, reporting, & emission reductions from stationary sources
- AB 2588 Hot Spots compound list is >1,700 compounds (from >500)
 - Unknown toxicity levels
 - Unknown emission factors
 - Many are not relevant to WWTPs
- Phased compliance allows WWTPs to:
 - Report business-as-usual through 2028 (reporting begins 2029 for 2028 data)
 - Perform “two-step process” for determining shortlist of compounds
 - Scanning air space of unit processes to determine detectable compounds
 - Determining the sampling and analysis methods to quantify emissions (Mimic 1990 Pooled Emissions Estimation Program, PEEP, but broader in scope)

11

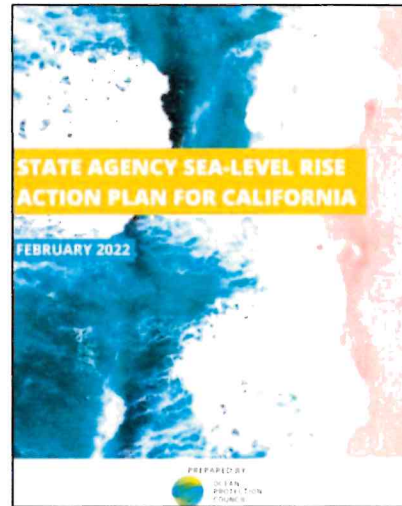
6. Next steps

- **Held Kickoff meeting with CARB April 25th** to answer foundational questions and review approach to Step 1 (desktop exercise, narrow scan step to be performed at a single WWTP in Bay Area, Central Valley, South Coast)
- **Continue coordinating meetings with air districts** to discuss Step 1 and field test participants
- **Refining list of 100+ agencies** exceeding regulatory thresholds:
 - >10 MGD, covered primaries
 - >5 MGD, uncovered primaries
- **Administrative tasks**
 - Governing structure – CASA to serve as Fiscal Agent, Executive Committee
 - Working to improve estimated budget and contributions by flow
- **Preliminary actions led by Subgroup** (next meeting May 10th)

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7. Adaptation: OPC Sea Level Rise Action Plan (FY 2021/22 – 2024/25)

- Released Feb 2022 by SLR Leadership Team (finalized in August 2022)
- ~80 State Actions categorized by SLR Principle
 - 1. Best Available Science
 - 2. Partnerships
 - 3. Communications
 - 4. Local Support
 - 5. Alignment
 - 6. Resilience Projects
 - 7. Equity & Social Justice
- Next round of updates in spring 2023
- OPC Meetings
 - April 24
 - August 15
 - December 12



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7. Adaptation: OPC Sea Level Rise Action Plan (FY 2021/22 – 2024/25)

- April 24th Meeting
- Sea-level rise taskforce focused on developing scenarios of sea-level rise (peer review by technical experts)
- Approved Funding
 - \$1 million to create a technical assistance program to support sea-level rise adaptation planning
 - \$310,00 to expand the California Coastal Adaptation Planning Inventory
 - \$540,000 to implement OPC's Equity Plan
 - \$5.4 million to accelerate kelp research and restoration
 - \$450,000 to establish a statewide groundfish sampling program
 - \$450,000 to develop offshore wind environmental monitoring guidance

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7. Adaptation: CA Coastal Commission Sea Level Rise

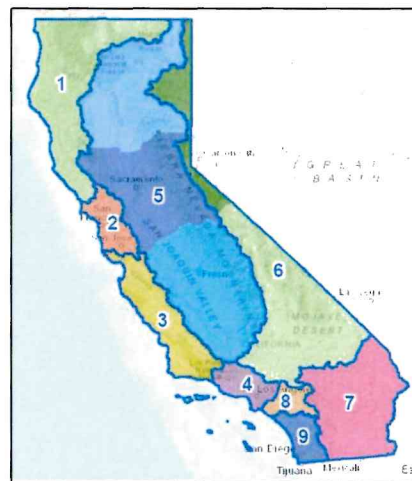
- Coastal Commission Local Government Sea Level Rise Working Group to discuss options for further development and implementation of sea level rise adaptation options, including via Local Coastal Program updates.
- Statewide SLR planning guidance to be updated – CCC to consider NOAA’s recommendation, not to consider the H++ scenario
- Sustainability Principles Draft document out for review by April 24th
 - While planning for adaptation to new conditions is essential, so are actions to proactively reduce GHG emissions
 - Set of guiding principles and next implementation steps for taking action to reduce GHG emissions through land use policy and permitting decisions



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7. CA Adaptation: Varying Approaches to Resilience Planning across Regional Water Boards

- NPDES/WDR permit renewals requiring climate change vulnerability assessments, action plans, resilience plans, disaster preparedness plans, etc...of varying scopes depending on the Regional Water Board
- Some are more prescript than others
- Please be aware of your region’s approach (working with Region 3)
- New matrix to be shared by March 31st!



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7. Adaptation: Alliance of Regional Collaboratives for Climate Adaptation

- North Coast Resource Partnership (NCRP)
- Capital Region Climate Readiness Collaborative (CRCRC)
- Sierra Climate Adaptation & Mitigation Partnership (Sierra CAMP)
- Bay Area Climate Adaptation Network (BayCAN)
- Central Coast Climate Collaborative (4C)
- Inland Southern California Climate Collaborative (ISC3)
- Los Angeles Regional Collaborative for Climate Action and Sustainability (LARC)
- San Diego Regional Climate Collaborative (SDRCC)



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2023 Outlook:

State Legislation Update

(subgroup to meet in May again and as bills evolve to provide guidance to State Leg Committee)

Governor's budget

(deficit leading to cuts relative to last year)



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Assembly Bills in Review

- AB 43 (Holden D) GHG emissions: building materials: embodied C trading system
- AB 241 (Reyes D) Clean Transportation Program
- AB 324 (Pacheco D) Gas corporations: renewable gas procurement
- ~~AB 530 (Boerner Horvath D) Methane emissions (use of LCA for assessing landfills, use of biogas)~~
- AB 573 (Garcia D) Organic waste (OW): meeting recovered OW product procurement targets
- AB 673 (Bennett D) Hydrogen-fueling stations: preference
- AB 678 (Alvarez D) Biomethane procurement targets or goals: core transport agents
- AB 849 (Garcia D) Community emissions reduction programs
- AB 985 (Arambula D) Air pollution: mobile and stationary sources
- AB 1012 (Quirk Silva D) CARB: mobile source regulations: life cycle analysis
- AB 1216 (Muratsuchi D) WWTPs: monitoring of air pollutants
- ~~AB 1374 (Alvarez D) GHG Reduction Fund: investment plan~~
- AB 1375 (Dixon R) Coastal protection
- ~~AB 1401 (Garcia D) LCFS regulations: alternative diesel fuel regulations~~
- AB 1548 (Hart D) GHG Reduction Fund: grant program: recycling infrastructure projects
- AB 1550 (Bennett D) Green hydrogen
- AB 1594 (Garcia D) Medium- and heavy-duty ZEV: public agency utilities
- AB 1628 (McKinnor D) Microfiber filtration (if amended)
- ~~AB 1660 — Exemption for PFAS in Cosmetics~~
- AB 1705 (McKinnor D) Solid waste facilities: state policy goals
- AB 1711 (Carrillo, Juan D) Energy: hydrogen: Clean Energy Equity Act

Watch
Spot
Support
Oppose
Disapprove



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Senate Bills in Review

- SB 12 (Stern D) California Global Warming Solutions Act of 2006: emissions limit
- SB 414 (Allen D) Climate change: applications using hydrogen: assessment
- ~~SB 488 (Alvarado Gil D) RPS Program: bioenergy projects: community choice aggregators~~
- SB 493 (Min D) Air pollution: alternative vehicles and electric and hydrogen infrastructure
- SB 501 (Newman D) Hydrogen refueling stations: reliability and service quality plan
- SB 663 (Archuleta D) RPS Program: renewable hydrogen
- SB 709 (Allen D) GHG Reduction Fund: investment plan
- SB 781 (Stern D) Methane emissions: low-methane natural gas

Watch
Spot
Support
Oppose



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Informational Items



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1. AB 32 Scoping Plan Update: Carbon Neutrality

- **CARB Target:** Carbon neutrality by 2045
- Scoping Plan outlines programs to be implemented
 - Natural and Working Lands (AB 284 / SB 27)
 - Building Decarbonization
 - Electricity Decarbonization (SB 100)
 - Transportation Sector (EO N-79-20)
 - Short-Lived Climate Pollutants (SB 1383 regulations)
 - Environmental Justice (manage GHG and local air pollutants)

Natural and Working Lands Climate Smart Strategy targets increased C-sequestration and improved soil health

- Modeling to be updated in 2023 to address limitations (replacing synthetic fertilizer and soil amendments to croplands)



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2. Carbon Sequestration Meta-Analysis

Systematic Reviews & Data Extraction

- Virginia Tech to understand C-sequestration potential from land-applied biosolids
- Review of published and unpublished data
- Promote biosolids research, identify gaps, and inform/harmonize future collection methods

Status of Report Summarizing Findings

- **Report release in 2023**
- Expecting high level overview and evidence of c-sequestration via biosolids land application

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3. BACT, Large Emergency Diesel Engines $\geq 1,000$ bhp

- **Air District Activities**
 - BAAQMD – effective January 1, 2020
 - Sacramento Metro AQMD – effective June 4, 2021
 - San Joaquin Valley APCD – effective April 29, 2022
 - South Coast AQMD – approved September 2, 2022
 - BACT scientific review committee and public review process underway
 - Compliant engines are tested by their manufacturers, SCAP would like to see testing requirements for compliant engines matching that for certified engines to avoid unnecessary testing requirements onsite
 - Side note: SCAQMD advises operators not to use backup generators when the power is NOT out (for example, during the September 2022 heat wave)
- CARB interest in replacing existing backup generators by 2037
- SCAQMD to incentivize (\$) demonstration of new technology

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4. Potential Amendments to Diesel Engine Off-Road Emission Standards

- “Tier 5 Rulemaking”
 - Reduce NO_x (up to 90%) and PM (up to 75%) compared to Tier 4 standards
 - Stringent exhaust standards for all power categories, including those that do not utilize exhaust aftertreatment (i.e., DPFs and SCRs)
 - First-time CO₂ standards
- Proposal to Board expected by 2024
- Implementation to begin in 2028
- CARB has funded research projects to assess feasibility of lower NO_x, PM, and CO₂ emission standards, as well as representative useful-life periods



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Conferences/Events

- **BACWA Annual Meeting**
May 5th, Berkeley
- **CASA RWG Meeting**
May 11th, OCSan
- **CVCWA Annual Meeting**
May 11th, Sacramento
- **WEF/IWA RBC concurrent with WEF Odors & Air Pollutants**
May 16th – 19th, Charlotte
- **CASA/CWEA Partnering for Impact**
June 6th, Berkeley



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Upcoming Meetings

- May 25th
- June 22nd

Thank you!



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CASA ACE Committee Bill Tracker 5/3/2023

AB 43

(Holden D) Greenhouse gas emissions: building materials: embodied carbon trading system.

Current Text: Amended: 3/30/2023 [html](#) [pdf](#)

Introduced: 12/5/2022

Last Amend: 3/30/2023

Status: 4/19/2023-In committee: Set, first hearing. Referred to suspense file.

Location: 4/19/2023-A. APPR. SUSPENSE FILE

Summary: Current law requires the State Air Resources Board, by July 1, 2023, to develop a comprehensive strategy for the state's cement sector to achieve net-zero emissions of greenhouse gases associated with cement used within the state as soon as possible, but no later than December 31, 2045. Current law, effective January 1, 2023, requires the state board, by July 1, 2025, to develop, in consultation with specified stakeholders, a framework for measuring and then reducing the average carbon intensity of the materials used in the construction of new buildings, including those for residential uses. This bill would require the state board to establish an embodied carbon trading system, as defined, and would make it applicable to building materials providers, developers, architectural and engineering firms, and construction companies. The bill would require the state board to integrate the embodied carbon trading system into the framework on or before December 31, 2026, and to implement the system on and after January 1, 2029. The bill would require the state board to adopt rules and regulations for the credit allocation method, the anticipated carbon price in the scheme, and trading periods, and would make a violation of a rule, regulation, order, emission limitation, emissions reduction measure, or other measure adopted by the state board pursuant to these and other requirements of the bill an emission of an air contaminant for the purposes of the penalty provisions of the California Global Warming Solutions Act of 2006.

Position	Assigned	Group
Watch	Jessica	ACE, SLC

AB 241

(Reyes D) Clean Transportation Program: Air Quality Improvement Program: funding.

Current Text: Amended: 3/23/2023 [html](#) [pdf](#)

Introduced: 1/13/2023

Last Amend: 3/23/2023

Status: 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Current law establishes the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Current law requires the commission to give preference to those projects that maximize the goals of the program based on specified criteria and to fund specified eligible projects, including, among others, alternative and renewable fuel projects to develop and improve alternative and renewable low-carbon fuels. Current law creates the Alternative and Renewable Fuel and Vehicle Technology Fund, to be administered by the commission, and requires the moneys in the fund, upon appropriation by the Legislature, to be expended by the commission to implement the program. This bill would expand the purpose of the program to include developing and deploying innovative technologies that transform California's fuel and vehicle types to help reduce criteria air pollutants and air toxics. The bill would no longer require the commission to provide certain project preferences.

Position	Assigned	Group
Watch	Jessica	ACE

AB 324

(Pacheco D) Gas corporations: renewable gas procurement.

Current Text: Amended: 3/27/2023 [html](#) [pdf](#)

Introduced: 1/30/2023

Last Amend: 3/27/2023

Status: 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Would require the Public Utilities Commission to open a new proceeding, or a new phase of an existing proceeding, to consider establishing procurement goals for renewable hydrogen, as defined, and consider requiring each gas corporation and core transport agent to annually procure a proportionate share of renewable hydrogen to meet those goals. The bill would require the commission to make specified findings before establishing renewable hydrogen procurement targets or goals.

Position	Assigned	Group

[AB 573](#)**(Garcia D) Organic waste: meeting recovered organic waste product procurement targets.****Current Text:** Amended: 3/16/2023 [html](#) [pdf](#)**Introduced:** 2/8/2023**Last Amend:** 3/16/2023**Status:** 4/26/2023-In committee: Hearing postponed by committee.**Location:** 4/10/2023-A. APPR.**Calendar:** 5/3/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

Summary: Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. This bill would require the department's regulations to allow a local jurisdiction, until December 1, 2039, in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided.

Position	Assigned	Group
Support in concept	Jessica	ACE

[AB 673](#)**(Bennett D) Hydrogen-fueling stations: preference.****Current Text:** Amended: 3/13/2023 [html](#) [pdf](#)**Introduced:** 2/13/2023**Last Amend:** 3/13/2023**Status:** 4/26/2023-In committee: Hearing postponed by committee.**Location:** 4/10/2023-A. APPR.

Summary: Would, except for the Clean Transportation Program and moneys allocated from the Alternative and Renewable Fuel and Vehicle Technology Fund, require the State Energy Resources Conservation Development Commission, when considering providing funding for projects for the construction and operation of hydrogen-fueling medium- and heavy-duty stations, to evaluate whether the project needs to also include access for light-duty vehicles. In this evaluation, the bill would require the commission to consider safety, regional light-duty vehicle hydrogen fueling needs, and the station fueling capacity.

Position	Assigned	Group
Watch	Spencer	ACE

[AB 678](#)**(Alvarez D) Biomethane procurement targets or goals: core transport agents.****Current Text:** Amended: 3/27/2023 [html](#) [pdf](#)**Introduced:** 2/13/2023**Last Amend:** 3/27/2023**Status:** 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 24). Re-referred to Com. on APPR.**Location:** 4/25/2023-A. APPR.

Summary: Current law requires the Public Utilities Commission to require each gas corporation to provide bundled basic gas service to all core customers in its service territory unless the customer chooses or contracts to have natural gas purchased and supplied by another entity. Current law requires the commission, in consultation with the State Air Resources Board, to consider adopting specific biomethane procurement targets or goals for each gas corporation, as specified. This bill would revise that latter requirement to instead require the commission to consider adopting specific biomethane procurement targets or goals for each gas corporation and core transport agent, as defined.

Position	Assigned	Group
Support	Jessica	ACE

[AB 849](#)**(Garcia D) Community emissions reduction programs.****Current Text:** Amended: 3/29/2023 [html](#) [pdf](#)**Introduced:** 2/14/2023**Last Amend:** 3/29/2023**Status:** 4/19/2023-In committee: Set, first hearing. Referred to suspense file.

Location: 4/19/2023-A. APPR. SUSPENSE FILE

Summary: Current law requires the State Air Resources Board to prepare, and to update at least once every 5 years, a statewide strategy to reduce emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden. Current law requires the state board to include in the statewide strategy, among other components, an assessment and identification of communities with high cumulative exposure burdens for toxic air contaminants and criteria air pollutants, prioritizing disadvantaged communities and sensitive receptor locations based on specified factors. Current law requires the state board, based on the assessment and identification of communities with high cumulative exposure burdens, to select locations around the state for preparation of community emissions reduction programs. Current law requires an air district encompassing any location selected by the state board to adopt, in consultation with the state board, within one year of the state board's selection, a community emissions reduction program to achieve emissions reductions for the location selected using cost-effective measures, as specified. Current law also requires an air district to submit the community emissions reduction program to the state board for review and approval as prescribed. Current law requires the air district and the state board to implement and enforce the measures in the community emissions reduction program consistent with their respective authority. This bill would additionally require the air district, in adopting a community emissions reduction program, to consult with other relevant state agencies. By imposing additional duties on air districts, this bill would impose a state-mandated local program.

Position	Assigned	Group
Watch	Jessica	ACE

AB 985 (Arambula D) San Joaquin Valley Unified Air Pollution Control District: emission reduction credit system.

Current Text: Amended: 4/10/2023 [html](#) [pdf](#)

Introduced: 2/15/2023

Last Amend: 4/10/2023

Status: 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Current law requires the board of every air district to establish by regulation a system by which all reductions in the emission of air contaminants that are to be used to offset certain future increases in the emission of air contaminants be banked prior to use to offset future increases in emissions, except as specified. Current law requires the State Air Resources Board to develop and adopt a methodology for use by air districts to calculate the value of credits issued for emission reductions from stationary, mobile, indirect, and areawide sources when those credits are used interchangeably, consistent with certain requirements. Current law also requires the state board to periodically update the methodology as it applies to future transactions, if necessary. Current law provides for the establishment of the San Joaquin Valley Unified Air Pollution Control District vested with the authority to regulate air emissions from stationary sources located in the San Joaquin Valley Air Basin. This bill would require the district to revise the regulation establishing its emission reduction credit system to require existing and future emission reduction credits to expire after a specified time period. The bill would provide that this revision of the emission reduction credit system is subject to disapproval by the state board within 60 days after adoption by the district.

Position	Assigned	Group
Refer to ACE Committee	Jessica	ACE

AB 1012 (Quirk-Silva D) State Air Resources Board: mobile source regulations: lifecycle analysis.

Current Text: Amended: 4/26/2023 [html](#) [pdf](#)

Introduced: 2/15/2023

Last Amend: 4/26/2023

Status: 4/27/2023-Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants. This bill would require the state board, if it proposes a regulation to regulate an on-road mobile source, to prepare a lifecycle analysis, as defined, of any technology required by the regulation, and in its discretion, any incumbent technology.

Position	Assigned	Group
Support	Jessica	ACE

AB 1216 (Muratsuchi D) Wastewater treatment plants: monitoring of air pollutants.

Current Text: Amended: 4/26/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 4/26/2023

Status: 4/27/2023-Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Would require, on or before January 1, 2025, the owner or operator of a wastewater treatment facility that is located within 1,500 feet of a residential area and has an original design capacity of 425,000,000 gallons or more per day to develop, install, operate, and maintain a wastewater treatment-related fence-line monitoring system in accordance with guidance developed by the appropriate air quality management district. The bill would require the wastewater treatment-related fence-line monitoring system to include equipment capable of measuring pollutants of concern, including hydrogen sulfide, nitrogen oxides, and volatile organic compounds emitted to the atmosphere from wastewater treatment or reclamation processes that the appropriate district deems appropriate for monitoring. The bill would also require the owner or operator of a wastewater treatment facility to collect real-time data from the wastewater treatment-related fence-line monitoring system, to maintain records of that data, and to transmit the data to the appropriate air quality management district in accordance with the district's guidance. In addition, the bill would require, to the extent feasible, the data generated by these systems to be provided to the public as quickly as possible in a publicly accessible format.

Position	Assigned	Group
Oppose	Jessica	ACE, SLC

AB 1375 (Dixon R) Coastal protection.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 2/18/2023-From printer. May be heard in committee March 20.

Location: 2/17/2023-A. PRINT

Summary: The California Coastal Act of 1976 provides for the protection of California's coast and requires any person wishing to perform or undertake any development in the coastal zone, as defined, to obtain a coastal development permit, except as specified. This bill would state the intent of the Legislature to enact subsequent legislation related to coastal protection.

Position	Assigned	Group
Watch Spot Bill	Jessica	ACE

AB 1548 (Hart D) Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects.

Current Text: Amended: 4/20/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 4/20/2023

Status: 4/24/2023-Re-referred to Com. on APPR.

Location: 4/17/2023-A. APPR.

Summary: Current law requires the Department of Resources Recycling and Recovery, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a grant program to provide financial assistance to promote the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or to process organic and other recyclable materials into new value-added products. Current law requires the program to provide eligible financial assistance for certain activities, including recyclable material manufacturing. Current law specifies eligible infrastructure projects for purposes of the program. Current law requires the department to consider if and how the project may benefit disadvantaged communities in awarding a grant for organics composting or organics in-vessel digestion. This bill would expand the scope of the grant program to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or baling equipment for use at publicly owned facilities. The bill would authorize eligible infrastructure projects for the grant program to include projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public.

Position	Assigned	Group
Watch	Jessica	ACE

AB 1550 (Bennett D) Green hydrogen.

Current Text: Amended: 4/18/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 4/18/2023

Status: 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Would require, on and after January 1, 2045, that all hydrogen produced and used in California for the generation of electricity or fueling of vehicles be green hydrogen, as defined, in furtherance of the state's policy to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045. Because a violation of a state board regulation implementing this requirement would be a crime, the bill would impose a state-mandated local program.

Position	Assigned	Group
Disapprove	Spencer	ACE

AB 1594 (Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.

Current Text: Amended: 3/13/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 3/13/2023

Status: 4/25/2023-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles by a public agency utility to ensure that those vehicles can support a public agency utility's ability to maintain reliable water and electric services, respond to disasters in an emergency capacity, and provide mutual aid assistance statewide and nationwide, among other requirements.

Position	Assigned	Group
Support in concept	Jessica	ACE

AB 1628 (McKinnor D) Microfiber filtration.

Current Text: Amended: 3/22/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 3/22/2023

Status: 4/19/2023-In committee: Set, first hearing. Referred to suspense file.

Location: 4/19/2023-A. APPR. SUSPENSE FILE

Summary: Would require, on and after January 1, 2029, that all new washing machines offered for sale in California for residential, commercial, or state use contain a microfiber filtration system, as defined, with a mesh size not greater than 100 micrometers.

Position	Assigned	Group
Support, if amended	Jessica	ACE, SLC

AB 1705 (McKinnor D) Solid waste facilities: state policy goals.

Current Text: Amended: 3/21/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 3/21/2023

Status: 4/26/2023-In committee: Hearing postponed by committee.

Location: 4/10/2023-A. APPR.

Calendar: 5/3/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

Summary: Current law prohibits a person from establishing or expanding a solid waste facility in a county after a countywide or regional agency integrated waste management plan has been approved unless the solid waste facility is, among other things, a disposal facility, a transformation facility, or an EMSW conversion facility that meets specific criteria. Current law defines an "EMSW conversion facility" as a facility where municipal solid waste conversion that meets specific requirements takes place and defines "transformation" as incineration, pyrolysis, distillation, or biological conversion, excluding composting, gasification, EMSW conversion, or biomass conversion. Current law authorizes the Department of Resources Recycling and Recovery, by regulation, to specify classifications of solid waste facilities that are exempt from these and other facility regulations if the department makes specific findings, including that the nature of the solid wastes poses no significant threat to the public health, the public safety, or the environment. This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility in the state until the Department of Resources Recycling and Recovery has determined that the state has achieved the above-described solid waste and organic waste policy goals of the state for 3 consecutive years.

Position	Assigned	Group
Watch	Jessica	ACE, SLC

AB 1711 (Carrillo, Juan D) Energy: hydrogen: Clean Energy Equity Act.

Current Text: Amended: 4/10/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 4/10/2023

Status: 4/25/2023-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2023-A. APPR.

Summary: Would enact the Clean Energy Equity Act and would require the State Energy Resources Conservation and Development Commission to equitably allocate moneys appropriated by the Legislature for hydrogen-fueling infrastructure to specifically prioritize rural communities and low-income communities. The bill would require the commission and the State Air Resources Board, except as provided, to jointly review and submit a report to the Legislature on the progress toward establishing hydrogen-fueling infrastructure that is equally accessible to all communities, especially rural communities and low-income communities.

Position	Assigned	Group
Watch	Spencer	ACE

SB 12 (Stern D) California Global Warming Solutions Act of 2006: emissions limit.

Current Text: Introduced: 12/5/2022 [html](#) [pdf](#)

Introduced: 12/5/2022

Status: 5/2/2023-May 8 hearing postponed by committee.

Location: 3/15/2023-S. APPR.

Summary: Under the California Global Warming Solutions Act of 2006, the State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by no later than December 31, 2030. Under the act, a violation of a rule, regulation, order, emission limitation, emission reduction measure, or other measure adopted by the state board under the act is a crime. This bill instead would require the state board to ensure that statewide greenhouse gas emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.

Position	Assigned	Group
Watch	Jessica	ACE

SB 414 (Allen D) Climate change: applications using hydrogen: assessment.

Current Text: Amended: 4/27/2023 [html](#) [pdf](#)

Introduced: 2/9/2023

Last Amend: 4/27/2023

Status: 4/27/2023-Read second time and amended. Re-referred to Com. on APPR.

Location: 4/26/2023-S. APPR.

Summary: Current law requires the State Air Resources Board, by June 1, 2024, to prepare and post an evaluation on its internet website related to the use of hydrogen in the state. This bill would, on or before December 31, 2025, require the State Air Resources Board, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and the Public Utilities Commission (PUC), upon appropriation by the Legislature, to complete an assessment of the use of hydrogen in certain applications, as specified. The bill would require the assessment to incorporate the findings of, and not duplicate, the above-described evaluation. The bill would require the state board, the Energy Commission, and the PUC to consider the findings in the assessment in their plans, rulemakings, reports, or other process related to the planning, implementation, or regulation of hydrogen production, distribution, storage, or usage in the state.

Position	Assigned	Group
Watch	Jessica	ACE

SB 493 (Min D) Air pollution: alternative vehicles and electric and hydrogen infrastructure.

Current Text: Amended: 4/24/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amend: 4/24/2023

Status: 5/1/2023-May 1 hearing: Placed on APPR suspense file.

Location: 5/1/2023-S. APPR. SUSPENSE FILE

Summary: Current law requires the State Energy Resources Conservation and Development Commission, in consultation with the State Air Resources Board and the Public Utilities Commission (PUC), to prepare a statewide assessment of fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at

levels necessary for the state to meet the goals and requirements of Executive Order No. N-79-20 and any state board regulatory action that requires or allows zero-emission vehicles in the heavy-duty vehicle and off-road sectors. Current law also requires the Energy Commission, working with the state board and the PUC, to prepare a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5,000,000 zero-emission vehicles on California roads by 2030, and of reducing emissions of greenhouse gases to 40% below 1990 levels by 2030. This bill would require the assessment of the fuel cell electric vehicle fueling infrastructure and fuel production to additionally include an assessment of storage and transport facilities, and the assessment of the electric vehicle charging infrastructure to additionally include electric system infrastructure and electric generation. The bill would expand the scope of the latter assessment to include the electric vehicle charging infrastructure, electric system infrastructure, and electric generation needed for the state to meet the goals of Executive Order No. N-79-20 and any state board regulatory action that requires or allows zero-emission vehicles in the heavy-duty vehicle and off-road sectors. The bill would require both assessments to identify any barriers to the deployment of hydrogen infrastructure and any barriers to the deployment of electric infrastructure, respectively, for medium- and heavy-duty fleets and recommendations for addressing those barriers.

Position	Assigned	Group
Watch	Spencer	ACE

SB 501 (Newman D) Retail hydrogen refueling stations: reliability and service quality plan.

Current Text: Amended: 4/19/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amend: 4/19/2023

Status: 5/1/2023-May 1 hearing: Placed on APPR suspense file.

Location: 5/1/2023-S. APPR. SUSPENSE FILE

Summary: Would require a retail hydrogen refueling station operator to maintain a publicly available online customer feedback portal, and prominently display the internet website address for the feedback portal at the operator's retail hydrogen refueling station in a place clearly visible to a customer during refueling. The bill would disqualify a retail hydrogen refueling station operator from receiving a publicly funded grant if the operator fails to comply. The bill would require the energy commission to convene a public workshop process to develop mechanisms to improve consumer access to information about the status of a retail hydrogen refueling station's ability to meet refueling demands and recommend ways a consumer can provide feedback on service concerns at a retail hydrogen refueling station.

Position	Assigned	Group
Watch	Jessica	ACE

SB 663 (Archuleta D) California Renewables Portfolio Standard Program: renewable hydrogen.

Current Text: Amended: 4/27/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 4/27/2023

Status: 5/2/2023-Set for hearing May 8.

Location: 4/26/2023-S. APPR.

Calendar: 5/8/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

Summary: Current law establishes the California Renewables Portfolio Standard Program, which requires the Public Utilities Commission to implement annual procurement targets for the procurement of eligible renewable energy resources, which is defined as an electrical generating facility that meets the definition of "renewable electrical generation facility" subject to certain conditions, for all retail sellers, as defined, and requires local publicly owned electric utilities to adopt and implement a renewable energy resources procurement plan to achieve the targets and goals of the program. This bill would include a facility that uses renewable hydrogen, as defined, meeting certain requirements, including a requirement that sellers and purchasers of renewable hydrogen comply with a system for tracking and verifying the use of renewable hydrogen, as a renewable electrical generation facility for purposes of the California Renewables Portfolio Standard Program.

Position	Assigned	Group
Watch	Jessica	ACE

SB 674 (Gonzalez D) Air pollution: refineries: community air monitoring systems: fence-line monitoring systems.

Current Text: Amended: 4/10/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 4/10/2023

Status: 5/2/2023-Set for hearing May 8.

Location: 4/19/2023-S. APPR.

Calendar: 5/8/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

Summary: Current law requires a refinery-related community air monitoring system to be installed near each petroleum refinery that meets certain requirements. Current law requires the owner or operator of a petroleum refinery to develop, install, operate, and maintain a fence-line monitoring system in accordance with guidance developed by the appropriate air quality management district or air pollution control district. Current law requires the air districts and the owners or operators of refineries to collect real-time data from those monitoring systems, to maintain records of that data, and, to the extent feasible, provide to the public those data in a publicly accessible format. This bill would extend the above requirements to refineries engaging in other types of refining processes, including those using noncrude oil feedstock, and to auxiliary facilities. The bill would require the refinery-related community air monitoring system and the fence-line monitoring system to be installed on or before January 1, 2026, and after a 30-day public comment period and those systems to be updated, as specified. The bill would require the appropriate air district to establish pollutants for the monitoring systems to monitor and would include certain pollutants identified by the Office of Environmental Health Hazard Assessment. The bill would authorize the air district to exclude a pollutant for monitoring at those monitoring systems, as provided. The bill would require air districts, on a 5-year basis, to review the list of pollutants being measured and would authorize the air districts to revise the list, as provided. The bill would require the air districts and the owners and operators of refineries to maintain records of the data collected from those systems for at least 5 years and would require the owners and operators to post online, and to notify the public of the availability of, quarterly reports containing certain information. The bill would require owners and operators of refineries to notify the air district and the public, as provided, as quickly as possible of any exceedances of the lowest available one-hour average reference exposure levels set by the office or the United States Environmental Protection Agency.

Position	Assigned	Group
Watch	Jessica	ACE

SB 709 (Allen D) Low-Carbon Fuel Standard regulations: biogas derived from livestock manure.

Current Text: Amended: 3/30/2023 [html](#) [pdf](#)

Introduced: 2/16/2023

Last Amend: 3/30/2023

Status: 5/1/2023-May 1 hearing: Placed on APPR suspense file.

Location: 5/1/2023-S. APPR. SUSPENSE FILE

Summary: Current law requires the State Air Resources Board to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state to achieve, among other things, a reduction in methane emissions to 40% below 2013 levels by 2030. Current law requires the state board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations consistent with the strategy, as specified. Current law requires those regulations to be implemented on or after January 1, 2024, if the state board, in consultation with the department, makes certain determinations. Current law requires the state board to provide guidance on credits generated pursuant to the Low-Carbon Fuel Standard regulations, and the market-based compliance mechanism, adopted pursuant to the act from the methane reduction protocols described in the comprehensive strategy for short-lived climate pollutants. Existing law requires the state board to ensure that projects developed before the implementation of the regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations receive credit under the Low-Carbon Fuel Standard regulations and the market-based compliance mechanism for at least 10 years. Existing law also makes projects eligible for an extension of credits after the first 10 years, as specified. This bill would eliminate the requirement that the state board ensure those projects receive credit for at least 10 years and would eliminate the requirement for those projects to be eligible for an extension of credits after the first 10 years.

Position	Assigned	Group
Support	Jessica	ACE

SB 781 (Stern D) Methane emissions: natural gas producing low methane emissions.

Current Text: Amended: 5/1/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amend: 5/1/2023

Status: 5/1/2023-Read second time and amended. Re-referred to Com. on APPR.

Location: 4/24/2023-S. APPR.

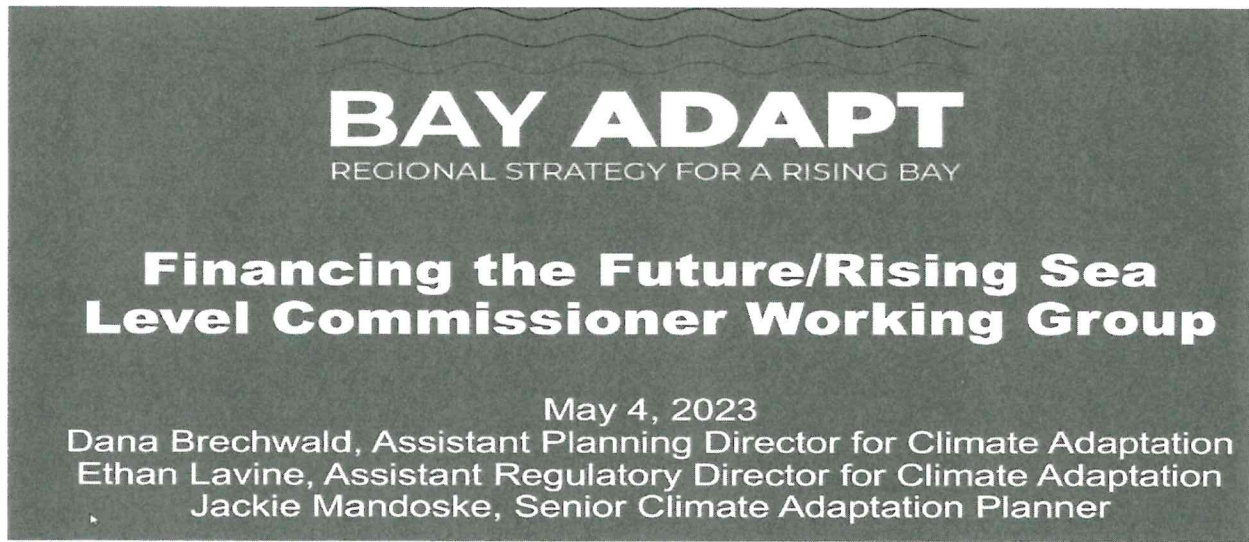
Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. This bill would additionally require state agencies to prioritize strategies to reduce methane emissions, including emissions from imported natural gas, where feasible and cost effective. The bill

would require the state board, no later than December 31, 2024, to establish a certification standard for natural gas producing low methane emissions.

	Position	Assigned	Group
Total Measures: 25 Total Tracking Forms: 25	Watch	Jessica	ACE

San Francisco Bay Conservation & Development Commission (BCDC)
Financing the Future Working Group and Rising Sea Level Commissioner Working Group Meeting
May 4, 2023 10:30-12 Noon
Craig K. Murray

Commissioners: Barry Nelson (online); Tommy Williams (online); Zack Wasserman (Exec. Dir.); Larry Goldzband; Gunther; Ecklund; Showwalter; Ahn (online) and Gioia @ 11:13.



ED Wasserman: Bay Adapt Joint Platform to help move more quickly and established Commissioners and Staff, charter is McAtteer-Petris. Goldzband: SB 272 Laird Bill on way to Gov desk. First BCDC and then will adapt to bill with new BCDC plan. To Staff (Jessica Fain) how to move forward with jurisdictions. Jessica: Etan previously shoreline regulatory manager and now Asst. Regulatory Director for Climate Adaptation. Fain: First Mtg. Bay Adapt, Regional Strategy for a Rising Bay, October 2021 document is the platform.

BCDC Strategic Plan



- 1** Lead regional **planning efforts** that result in successful and equitable adaptation, restoration, development, and public access projects for the Bay Area in light of rising sea levels.
- 2** Improve BCDC's **regulatory and planning functions** to create a more unified and consistent regional-scale approach to managing the Bay and its shoreline in light of the uncertain future caused by rising sea levels.
 - Goal 2.1 Determine whether and how BCDC's regulatory and planning authority and jurisdiction should be expanded to foster larger scale adaptation efforts.

Fain: to Commissioners should BCDC jurisdiction be expanded.

BCDC's Climate Policies

AB 2094 Section 66646.2 (2008)

The San Francisco Bay Conservation and Development Commission, in coordination with local governments, regional councils of government, and other agencies and interested parties, **may develop regional strategies, as needed, for addressing the impacts of, and adapting to, the effects of sea level rise** and other impacts of global climate change on the San Francisco Bay and affected shoreline areas.

Bay Plan Climate Change Policies Policy 6 (2011)

The Commission...should **formulate a regional sea level rise adaptation strategy** for protecting critical developed shoreline areas and natural ecosystems, enhancing the resilience of Bay and shoreline systems and increasing their adaptive capacity.

Adaptation Needs

What is the regional estimate to fund adaptation?

\$110 billion

Estimated cost of sea level rise adaptation through 2050 (in Year of Expenditure dollars)

- \$52 billion: Estimated cost for known or planned projects
- \$54 billion: Estimated placeholder cost for areas with adaptation needs
- \$3 billion: Estimated additional sediment management needs¹

The estimate includes:

- Assumed "protect in place" adaptation for all vulnerable shoreline, including low density areas and agricultural land
- Assumed areas vulnerable to up to 4.9 feet of total water level are protected



The estimate does not include:

- Alternative approaches that do not protect in place, which could change the cost estimate for adaptation in some shoreline segments
- Building code or other local policy adjustments
- Riverine and groundwater adaptations
- Adaptation plans made by utilities

¹Estimate developed by BCDC and SFEI analysis.

Fain: Working with MTC and ABAG on ideas on how regional needs to change and get funding into hands of jurisdictions.
Challenges: Jurisdiction 100' band; Policies; Legal.

BCDC Challenges

- Jurisdiction**
 - Shoreline band will migrate inland as seas rise
 - Larger scale adaptation will need to occur beyond the 100 ft shoreline band
 - How does BCDC meet the challenge of naturally-occurring larger jurisdiction?
- Legal Authority**
 - Future regional adaptation will require larger efforts than BCDC's current authority
 - BCDC considers only impacts to public access/consistency with priority uses within shoreline band
 - BCDC cannot require multi-parcel or multi-jurisdictional adaptation planning or permitting
 - Governance authority around funding is yet to be determined
- Policy**
 - There are more facets of adaptation that have not been discussed by BCDC than have been discussed by BCDC



Shoreline band: impacts to access and priority use areas really only areas considered. Money received and distributed is fragmented. This group is group on left: BCDC SLR working group. Commissioner Gioia heads up two groups.

Leadership Groups

BCDC Commission

BCDC Rising Sea Level Working Group

Local Electeds Task Force

Bay Adapt Implementation Group

Shoreline Plan Advisory Group

Elected Level

Leadership Level

Expertise Level



Use Transcription (Closed Captioning) has been enabled. Who can see this transcript? Recording on

Regional

- BayCAN Bay Adapt (1) - Jul 2019
- CHARG Forward Forum - Oct 2019
- State of the Estuary - Oct 2019
- BayCAN Bay Adapt (2) - Feb 2020
- CHARG Steering Committee - Feb 2020
- BCDC Commission (1) - Mar 2020
- Bay Planning Coalition Summit - Jun 2020
- BCDC Commission (2) - Aug 2020
- BARC (1) - Sep 2020
- Environmental Groups - Nov 2020
- SFEP Implementation Committee - Nov 2020
- MYN Apocalyptic Resilience Youth Conference - Nov 2020
- BCDC Commission (3) - Nov 2020
- NorCal Resilience Network Meeting - Nov 2020
- Business Focus Group - Jan 2021
- BayCAN Local Government Focus Group - Jan 2021
- Education Working Group - Feb 2021
- Environment Focus Group - Feb 2021
- BCDC Commission (4) - Mar 2021
- San Francisco Water Board - Mar 2021
- BPC Waterfront Sustainability Group - Mar 2021
- BARC Executive Director/Deputy Director Meeting - May 2021

State/National

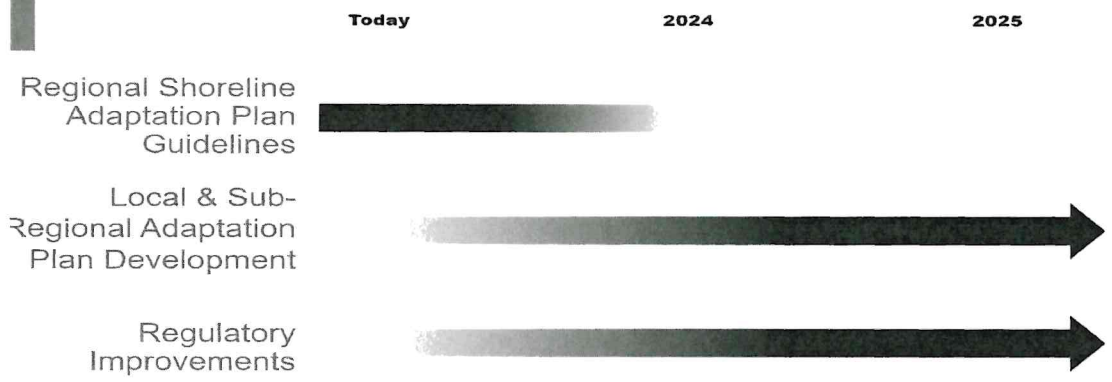
- BIPOC Climate Leaders - Nov 2020
- ULI National Resilience Summit - Dec 2020
- RAE Summit - Oct 2020
- UCI Conference - Mar 2021

Map of the Bay Area with callouts:

- Sonoma County Planning Directors - Dec 2020
- Marin SLR Executive Steering Committee - May 2020
- Marin County Planning Director's Meeting - Jan 2021
- Marin County Bay Wave Steering Committee - Jan 2021
- Marin County Council of Mayors and Councilmembers - Jan 2021
- Jan 2021 - Napa Flood Control District
- Feb 2021 - Community Focus Group
- Feb 2021 - Diablo Water District
- Oct 2020 - Contra Costa Planning Director's Meeting
- Nov 2020 - Alameda County Planning Director's Meeting
- Dec 2020 - ACCMA
- Dec 2020 - Alameda County Mayor's Office
- Jan 2021 - Hayward Area Shoreline Planning Agency Board
- Nov 2020 - Cities Association of Santa Clara County
- Jan 2021 - SCCAPO
- San Mateo LAFCo - Sep 2020
- County Planning Director's Meeting - Nov 2020
- San Mateo SLR District Board - Jan 2021
- Community Focus Group (1) - Jan 2021
- Community Focus Group (2) - Jan 2021
- Community Focus Group (3) - Jan 2021
- Community Focus Group (4) - Jan 2021
- SPUR Waterfront Committee - Jul 2020
- SLR Coordinating Committee - Dec 2020
- Port of San Francisco - Apr 2021

BAY ADAPT REGIONAL STRATEGY

Implementing Bay Adapt



Guidelines to be completed by end of 2024. Local Gov. doing shore adaptation plans, efforts now. Ethan to use guidelines to how to implement regional plans in the bay area. Jackie to introduce regional shoreline adaptation plan.

What can the Regional Shoreline Adaptation Plan achieve?

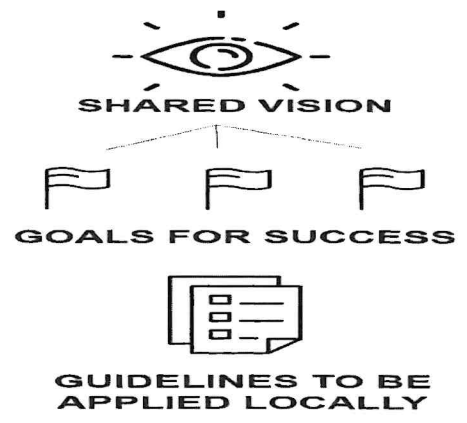
- Adaptation that coordinates with neighboring jurisdictions
- Priority resources to frontline communities
- Long-term health of wetlands
- Strategy for adaptation implementation based on risk
- Common standards and methods for applying science
- Funding pipeline that reduces burdens on local jurisdictions
- Tracking and evaluation towards collective vision of progress

Developing the Regional Guidelines: 2 main parts: 1. Guidelines – shared vision with joint adaptation plan. Will ID specific goals, and metrics for real outcomes and guidelines will help locals to apply locally.

Shoreline Pla

Developing the Regional Guidelines

- Topic areas to be included:**
- Environmental Justice communities
 - Contaminated Sites
 - Habitat
 - New and Redevelopment
 - Transit
 - Critical Infrastructure
 - Multi-jurisdictional planning
 - Others as needed



Laird Bill SB272. It will align with. If Laird bill does pass then BCDC will have ability to require these plans.

Regulatory Improvements are based in **Bay Adapt**



bayadapt.org/joint-platform-projects/#action-7

BAY ADAPT
REGIONAL STRATEGY FOR A RISING BAY

ABOUT | JOINT PLATFORM | ENDORSEMENTS | LEARN MORE

Getting adaptation projects approved and built can be challenging.

Permitting and construction should accelerate, not hold back, resilient shoreline adaptation projects that value ecosystems and people, align with the region's vision and funding priorities, and apply innovative approaches. Measures to smooth and speed regulatory approvals for multi-benefit projects are important. Other measures can help facilitate place-based collaboration around project development and remove logistical challenges to construction.

Explore Actions and Tasks:

- **ACTION 7. Refine and improve regulatory processes.**
 - Task 7.1: Accelerate permitting for equitable, multi-benefit projects.
 - Task 7.2: Assess environmental regulations and policies that slow down progress on projects.
- **ACTION 8. Fund and facilitate faster adaptation projects.**
 - Task 8.1: Incentivize projects that meet regional guidelines
 - Task 8.2: Encourage collaboration among people doing projects in the same places.
 - Task 8.3: Facilitate faster construction of nature-based projects

ACTION 7: Refine and accelerate regulatory approvals processes.

Goals:

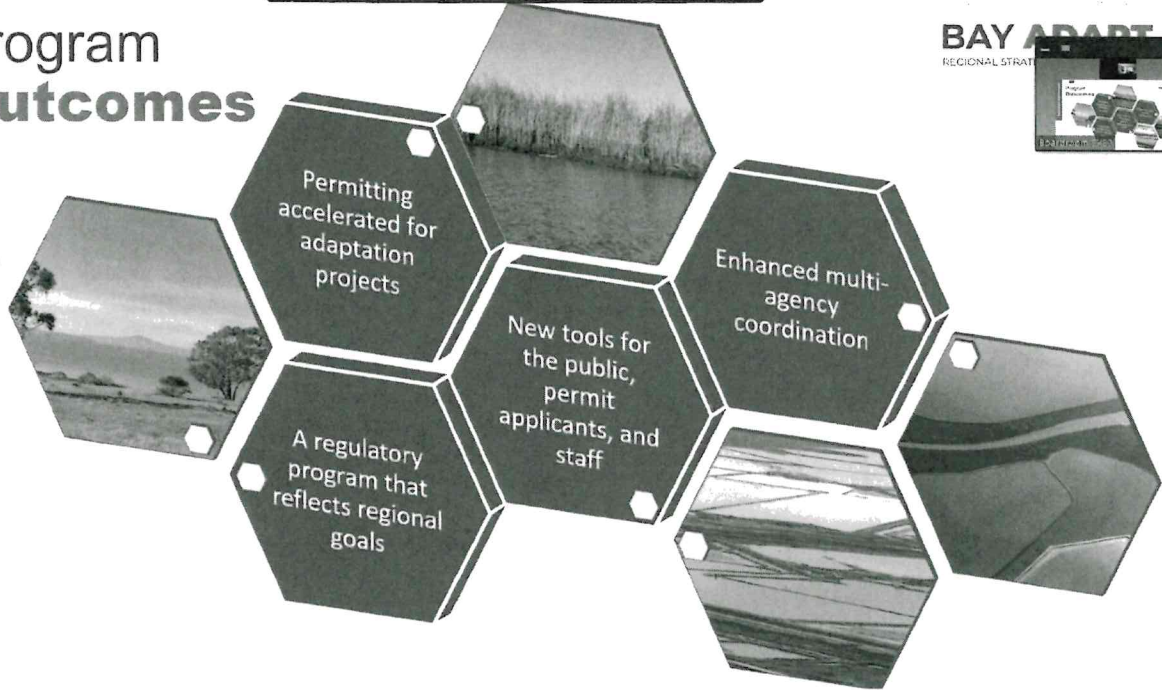
- > Less time and fewer resources spent on permitting adaptation projects so they can be constructed ahead of sea level rise.
- > Updated laws, regulations, and policies that reflect the changing shoreline.

Connecting **Other Efforts**



Closely integrate regulatory and long range planning. BCDC to implement Racial Equity Plan. Update BCDC Website to improve guidance to applicants. CNRA cutting red tape is providing examples. BRIT m

Program Outcomes



ember of and help organize work. Deeper dive on regulatory improvements soon and helping tools for applicants. We are here to help you on policy, jurisdiction and authority.

Today's Questions

- How does the working group want to lead this effort?
- What parts of what we discussed today are you most excited about and most concerned about?
- How should the working group start to consider questions about authority and jurisdiction?
- What guidance can you give staff at the beginning of this journey?



Jackie Mandoske on today's questions. Commissioner input:



this is longer than individuals term.

Remind what have accomplished and always in midst of accomplishing new goals, we tend to get to mired in the present. Regional Plan and Sub Regional Plan. Thought Regional Plan is emergent from what is already happening. You talking about guidelines, incentives to locals to meet but how do you look at what is emerging and how to pull together. le Everyone assuming protection of freeway, airports protection because I live inside the levee. I see things coming up from bottom. From political jurisdictions not operational landscape units. See a very valuable regional guidance, two cities with boundary and think

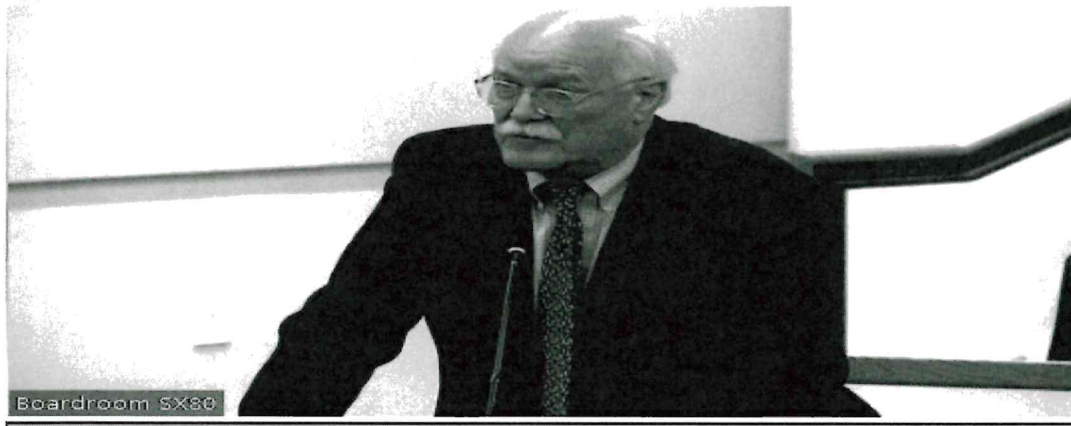
jointly with your neighbor because you are facing a joint problem. Fain: Haven't made decision of OLU and Sub Regional Plans bec. No governing body for an OLU. Integrate Regional and Sub Regional plans, lot of good stuff happening now, how not just to create busy work for people to create, adapt plans but look at good things, be mindful and good things happening in region. Jackie: Funding and Financing Mechanism. How to use good practices going forward: 40 person advisory group including planners (Bay Adapt is not to hold back early movers), not leaving places behind because they don't have the resources as others. Helping Frame not short term but iterative long term, Implications of decisions made today and for the future. Fain: Bay Adapt Wheel Slide shown. Commissioner: this is really a mid-century issue and some with heads in the sand. I want you staff to tell me Commissioner of where we are at. Wasserman: Show real projects done, not strategies to beam forward 5 years. Something like the regional transportation plan w/5 years from now 90% of projects we need to protect the bay, SLR and buildings and addressing the regional interaction. Commissioner Nelson: Enough Gaps, suggest to staff to provide pdf, 2 page sheet, to show all moving parts and how one piece relates to the whole. Regulatory Program to Ethan: How Planning and Regulatory work together and what need on BCDC team. Assuming applicant comes for shoreline project but local jurisdiction hasn't completed an adaptation plan, no progress being made on plan; what to do if two jurisdictions next to each other to meet up well, borders are the weak parts of shoreline protection systems seen in Katrina. Ethan Lavine: Don't have answer today. Project look at its resilience and adaptive capacity. Shoreline Plan will local at larger projects and what is desirable in operational landscape units. Have some priorities in stretches of the shoreline. Fain: Bay Plan is at core of Planning and Regulatory sides. Think amendment to Bay Plan to codify so Bay Plan could be more directly applied in a regulatory process.



(Commissioner Jonh Gioia entered mtg at 11:18am.)

Commissioner Pat Showwalter: Want to be connective tissue, on Mountain View City Council. ON Council, year before passed SLR plan and want to be implemented and are 14 projects and whopping bill of \$122M . We weren't creative used 100 year Corp of Engineer Plan and added SLR to it. We wanted as many nature based solutions as possible and we have adjacent salt ponds so able to do that. How will this program build on existing system and have ID existing blimps in system to overcome. Permitting is one thing, need easement, r/w, cost sharing agreements. Most agencies used to State agencies but not very skilled with federal agencies. Tool kit needed on how to make federal agreements. Telling the story: artists, writers and historians. Great academic institutions in bay area. Art – funding much better for environmental problems explained in art. Goldzman commissioner Response: What happens if existing plan and 272 gets approved. By end of next year guidelines: what should be in plan, how to look at, local elected task force to look at, not a lot of mystery to it. Mtn View SLR Plan in 2012 and 2022. Bet EJ, Nature based solutions not thought about the same way. Guidelines need to be very transparent so no surprises. Need locals to tell us what is missing. Not all will have same application (Fain: Integration). Where City is located as part of OLU and adaptation possibility based on venue. Make sure we don't cause, know there will be disruption but want to make sure it is positive disruption. NOT regulations but guidelines. Gioia: Late because on Air District Board Meeting. To Jessica: When amend Bay Plan, criteria can be mandatory within our shoreline

jurisdiction. Question how our regulatory authority can apply outside our jurisdiction. Fain: Policies and policies for projects based on McAtee-Petris Act. Gioia: We don't have specific authority to require specific to SLR. Ethan: look at resiliency via maximum public access. Site project just outside shoreline band and therefore authority doesn't exist. Ethan really doesn't happen much. Gioia: expect more from smart developers. Wasserman: This is premature. Dev. Guidelines with locals, private developers and other parties in communities. We will find things we cannot do. Therefore have to amend plan itself and then go to legislature. Need necessary regional cooperation to be successful in our operation. Culture eats strategy everyday day of the week. We have culture at BCDC that has to change, fill in the bay to protect the bay, it has already changed. Nature of what BCDC changed and it will have to change. Gioia: BCDC planning side: Collective leaders in bay area on this issue. Some level need a regional discussion (MTC is impt.) on how to implement (BAFA Bay Area Housing Finance Authority exploring Bond to raise money for housing in bay area and resiliency in housing, Gioia will look into if funding in Bond measure for SLR). Bay Adapt is great but not enough, it will take decades to implement. Takes a long time to get cities and counties to agree to do it. Not soon enough and will incur costs in projects. Fain: MTC/ABAG Housing and Transportation Bond. This topic come up on a resilience lens. Really good question and topic to bring up. Public Comment: Lee Greenberg: Own 2 pieces of waterfront property, help to cut green tape: 5000 cu yd fill from previous owner and stockpiled, not spread, like to spread but bc dc not spread but remove for other infill 21 Pierce Lane , Benicia, need help site visit. leeegreenbergusa@yahoo.com.; Gita Dev, Sierra Club Loma Prieta: Peninsula chapter for SLR, large private developments need 100' setback respect, Biotech Labs in areas and concern liquefaction and no guarantee utilities be available, worldwide pandemic, support One Shoreline Approach. Mr. Warner Chabot:



Rising Seas in next 30 years is a fire alarm for officials in local, regional and state, and enormous change needed in finance. \$110B cost is being proposed in next 30 years and compete with Housing and Transportation Bonds. Allocate enough staff time to go to each County to present to each City so have capability of cost, threat identification. Need Measure AA on steroids to go to Fed. With \$30B projects in New York, Louisiana. Commission needs to make sure to allocated enough time to make these necessary presentations. Pat Eklund: Marin has "Bay Wave" but don't think City staff have knowledge of 272. Local jurisdiction receipt of property taxes: Novato 7c/\$1; San Anselmo: 21c/\$1. Original property tax sharing agreements. Novato: \$1.6M deficit. Walked with Councilmember in Belvedere and property goes into the Bay and engagement on that level. Develop Templates: State or Local to implement what is pertinent to their jurisdiction. RTP: Focus on public infrastructure. Also dealing with private and Audubon or Sierra Club that bought that property and impt. To work through SLR. Belvedere piers into the bay, maybe permit before bc dc formed. Campaign to locals and people that live along the shoreline. Wasserman: Working group from SLR concerns and moved to habitat, EJ, finance and infrastructure groups. Port of SF and Exploratorium raising funds. Ongoing challenge because we ain't got enough to expand BCDC resources. Reconvene in about 2 months and see how 272 goes.

12:05pm # # #



**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: _____
YES NO

Request assistance from Board Secretary to register for Conference:

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.

5/18/2023

BOARD AGENDA ITEM REQUESTS

Agenda Item 6B

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

Agenda Item 7
 Date May 18, 2023

CALIFORNIA

Rule to phase out big diesel trucks

BY SOPHIE AUSTIN

THE ASSOCIATED PRESS

SACRAMENTO >> New big rigs and buses that run on diesel would not be sold in California starting in 2036, according to new rules approved by state regulators Friday to wean the state off fossil fuels and combat climate change.

The rule would tackle pollution from heavy trucks used to transport goods through ports and require companies to disclose their use of these so-called drayage trucks by 2024.

The rule cannot be implemented without approval by the U.S. Environmental Protection Agency. But it's related to standards the Biden administration already approved last month to phase out diesel-powered box trucks, semitrailers and large passenger pick-ups. If the EPA approves California's rule, other states could later adopt the same standards.

Democratic Gov. Gavin Newsom touted Friday's move as a chance to show "the world what real climate action looks like."

"We're one step closer to achieving healthier neighborhoods and cleaner air for all Californians," he said in a statement.

The state continues to approve ambitious emissions standards as part of its broader goal of achieving carbon neutrality, meaning it would remove as many carbon emissions as it releases, by 2045. Air regulators previously voted to require that all new cars, pickup trucks and SUVs be electric or hydrogen by 2035. And they have banned the sale of new products run by small gas-powered engines, including leaf blowers, lawn mowers and portable generators.

The truck emissions vote follows the California Air Resources Board's approval Thursday of a rule phasing out decades-old diesel locomotives and a transition to more zero-emission technology to power trains that transport food, lumber, oil and other products.

But some in the trucking industry are concerned the rule will ultimately increase prices for goods that are trucked.

The American Trucking Associations called the rule “unrealistic.” The group is worried about how expensive a drastic shift to zero-emission vehicles will be and says vehicle-charging infrastructure is not equipped for the transition.

“As it becomes clear that California’s rhetoric is not being matched by technology, we hope the Board will reverse course and allow trucking companies the freedom to choose the clean technologies that work best for their operations,” the group said in a statement.

Emissions from trucks have already gone down drastically in recent decades, it said.

More than 100 models of zero-emission trucks are available in North America, state regulators say. On top of that, more than 100 others are being produced.

Friday’s rule, combined with previous electric truck regulations approved by the state, would mean more than 1.6 million zero-emission medium- and heavy-duty trucks would operate in the state by 2048.

Nationwide, the transportation sector contributes the largest share of greenhouse gas emissions annually, according to the EPA, with medium- and heavy-duty trucks contributing nearly a quarter of those emissions.

Heavy-duty vehicles make up about 3% of vehicles on the road in California, but they generate more than half of nitrogen oxides and fine particle diesel pollution, according to the California Air Resources Board. That’s because these trucks have diesel engines that, while more powerful, produce more pollution than gasoline engines. They also travel many more miles than passenger vehicles.

California has lots of these trucks on the road because it has two of the busiest ports in the world at Los Angeles and Long Beach.

Long Beach resident Theral Golden said the truck emissions rule is overdue but he wants officials to go further by downsizing the ports.

“We need additional relief,” Golden said.

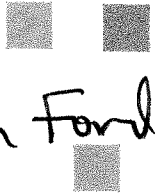
Of the top 10 most ozone-polluted cities in the U.S., six are in California, according to the American Lung Association’s State of the Air report.

“You can’t overstate the importance of the actions taken in California today from a public health perspective,” said Will Barrett, national senior director for clean air advocacy for the American Lung Association.

Sam Wilson, an analyst with the Union of Concerned Scientists, said in a statement the technology is available to start transitioning toward electric trucks.

“We need this standard to accelerate the necessary phase-out of fossil-fueled trucks that are fouling our air,” Wilson said.

News Release from Volvo
From Ron Ford



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Volvo leads the booming market for electric trucks

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■ Press release

Volvo leads the booming market for electric trucks

2023-02-23

Last year, the number of heavy electric trucks on the roads in Europe and the United States grew faster than ever before. Volvo Trucks have now sold more than 4 300 electric trucks globally in more than 38 countries. In Europe, Volvo Trucks is the market leader with a 32% share of the market for heavy electric trucks, and in North America, nearly half of all heavy electric trucks registered in 2022 were Volvo trucks.



Volvo Trucks has sold more than 4300 electric trucks in more than 38 countries around the world.

In 2022 the market for heavy (≥ 16 tonnes) electric trucks in Europe, grew by 200% to 1,041 trucks, and Volvo Trucks holds the highest share of this market.

"We are determined to lead the electric truck transformation and our market leading position in 2022, not only in Europe, but also in North America and other markets, is proof that we are doing just that. Although, the market for electric trucks is still small, but the trend is clear: many of our customers are now starting their own shift to electric. We intend to be the catalyst for this transition and aim for 50% of our global sales of new trucks to be electric in 2030," says Roger Alm, President of Volvo Trucks.

Since Volvo Trucks started production of fully electric trucks in 2019, the company has sold more than 4 300 electric trucks in more than 38 countries around the world. Volvo currently offers the industry's broadest product line-up with six products in series production, catering to a very wide variety of transports in and between cities.

"We now have a product portfolio that can cover most types of transportation for all kinds of customers. Looking at the goods flow patterns, it's possible to electrify nearly half of all transports with our line-up of electric trucks," comments Roger Alm. "We see it as our mission to support our customers in making that happen.

Note that:

All references to "Europe" mean the European Union including Norway and Switzerland.

- The Volvo market share and overall growth data referenced for heavy (≥ 16 tonnes) electric trucks Europe includes content supplied by IHS Markit.
- North America means USA and Canada. The Volvo Trucks market share position for North America is based on intelligence supplied by Volvo Trucks North America.
- The statement; "it's possible to electrify nearly half of all transports", refers to Eurostat statistics "Road Freight Transport by distance" showing that close to half of all goods transported on road in Europe travelled a distance of less than 300 km.

LINK to high resolution images



For further information, please contact:

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Email: jan.strandhede@volvo.com

Volvo Trucks supplies complete transport solutions for discerning professional customers with its full range of medium- and heavy-duty trucks. Customer support is provided via a global network of dealers with 2,300 service points in about 130 countries. Volvo trucks are assembled in 12 countries across the globe. In 2022 approximately 145,000 Volvo trucks were delivered worldwide. Volvo Trucks is part of the Volvo Group, one of the world's leading manufacturers of trucks, buses, construction equipment and marine and industrial engines. The group also provides complete

solutions for financing and service. Volvo Trucks' work is based on the core values of quality, safety and environmental care.

About

Volvo Trucks

Quality

Safety

Environmental care

Corporate Social Responsibility

Emergency Response Guide

Trucks & Services

New Trucks



Used Trucks

Our Services

Agreements & Warranty

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LONG LEGAL FIGHT

MMWD settles lawsuit over fee

Plaintiffs wanted charge tied to actual water use

BY WILL HOUSTON

WHOUSTON@MARINIJ.COM

A nearly four-year legal battle challenging a controversial water fee is set to end after a settlement agreement was announced this week.

The agreement between Marin Municipal Water District and Coalition of Sensible Taxpayers, known as COST, would end a dispute over how the district charges fixed fees to customers. Unlike water rates, the fees are charged based on the size of a customer's water meter and not by the amount of water they use.

Under the settlement, the district has agreed to tie its fee calculations more closely to district ratepayers' water use, which was the coalition's intention when filing the lawsuit in 2019. Additionally, the district also agreed to pay \$1.5 million in attorneys' fees to COST within 30 days of the lawsuit's dismissal. The district plans to pay the attorneys' fees using its liability claim reserve funds.

"We see this as a win for ratepayers and for COST as an advocate of fairness in local taxes and fees," COST president Mimi Willard wrote in a statement. "Disposing of the lawsuit also allows MMWD to focus on improving the condition of its finances and water supply."

"In general, it took us a while to get to where we are but overall I think we did fine and I'm satisfied with the outcome of the lawsuit," said Larry Russell, a member of the Marin Municipal Water District Board of Directors. "There is a lot of work ahead for the district as you can imagine and the settlement allows us to put this matter behind us and focus on our priorities."

The settlement will take effect if the district Board of Directors adopts its proposed fee and water rate changes at its May 16 meeting.

Under the agreement, the district would be able to continue to charge ratepayers a “capital maintenance fee” that it adopted in 2019.

The fee was adopted to pay for millions of dollars worth of backlogged repairs to its aging pipes, tanks, treatment plants and other facilities, as well as for fire prevention projects. The intent was to pay for these projects using cash rather than by incurring debt and interest charges.

The capital maintenance fee, as well as the district’s “watershed maintenance fee” and “base service charge” fee, are all fixed fees charged based on the size of a ratepayer’s water meter. The district charges higher fees to customers with larger meters because of the potential demand on the water system posed by the meters.

Most ratepayers pay a capital maintenance fee of about \$180 per year, a base service charge of about \$268 and a watershed maintenance fee of about \$72 per year.

COST sued the district in 2019 in Marin County Superior Court a few months after the agency adopted the new capital maintenance fee.

The group stated the fee and other fixed fees should be charged based on actual water use, similar to water rates. The lawsuit alleged that charging the fee based on water meter size violated state Proposition 218, the voter-approved measure that requires water charges to be based on the cost of service.

The district has based its fixed fee charges largely on national recommendations set by the American Water Works Association nonprofit organization on the relative capacity of different water meter sizes.

Under the new rate and fee plan set for adoption on May 16, the district now plans to incorporate aggregated Marin-specific water use data between the various water meter classes when calculating the fixed fee amounts. The fee charges will not be based on the individual water usage by a customer.

Additionally, the settlement agreement would limit annual fee increases to 5% from now through the 2026-2027 fiscal year.

The agency will also eliminate its watershed maintenance fee and replace it with a volumetric water charge. The new fee will charge ratepayers 61 cents for every 748 gallons, or 100 cubic feet of water, that is used.

Through the proposed fee changes, revenue from fixed fees would only make up 29% of the district's total revenue during the next two years compared to about 43% currently.

"This is fairer to everyone, and especially those who don't use much water or happen to have larger meters that they don't really need," Willard wrote.

Under the settlement, the district maintains that the fee structure it passed in 2019 was legal and complied with Proposition 218.

"I am very appreciative of the collaborative spirit of COST's approach to working with Marin Water to reach the terms of this settlement," district General Manager Ben Horenstein wrote in a statement.

MARIN MUNICIPAL

Big rate increases to pay for water supply projects



BY WILL HOUSTON

WHOUSTON@MARINIJ.COM

Marin Municipal Water District has released a plan to spend millions of dollars collected under a proposed rate hike to pay for new water supply projects in the next two years.

☞ The agency, which serves 191,000 residents in central and southern Marin, is considering substantial rate increases to pay for new water supply projects, repair aging facilities and recover financial reserves lost during the recent two-year drought.

The median residential customer would face a 20% cost increase on their bimonthly bills under the plan.

The district Board of Directors is set to vote on the rate proposal at its 6:30 p.m. May 16 meeting, which will be held in person and via teleconference at the district's headquarters in Corte Madera. The new rates would take effect on July 1.

Overall, the district plans to increase its expenses on capital projects, such as maintenance and new water supply projects, by 40%, from \$18.8 million in the current fiscal year to \$26.3 million in the 2023-2024 fiscal year, which begins July 1.

"This is a historic investment that this agency is making in our infrastructure that I don't know we have seen in a very, very long time — probably decades," board member Jed Smith said during an informational hearing on the proposed budget on Tuesday.

"The tasks that you guys are taking on are significant and I think our community should be proud that we're making these bold steps to help ensure that we have a safe water supply and infrastructure to meet everybody's needs," he said.

The agency plans to invest nearly \$12 million over the next two years to begin work on a variety of water supply projects. Over the next four years, it plans to invest a total of \$24.7 million.

The first projects would make upgrades to two existing reservoirs to allow the district to draw water more efficiently and quickly.

At the same time, the district plans to invest in early planning and exploration of more expensive, longer-term projects in its recently adopted water supply roadmap. These projects include expansion of reservoir capacity, a potential brackish water desalination plant on the Petaluma River, expanding the district's recycled water system and a regional groundwater bank in Sonoma County, among other options.

The district plans to spend \$4 million in the next two years on a project to connect its Soulajule Reservoir to the electric grid. The reservoir is the district's third-largest and makes up about 13% of the district's storage capacity. Despite its size, the reservoir is often only drawn on during water shortages because it is not connected to the electrical grid, making it cumbersome and more expensive to pump water out of it.

"Right now we currently have to rent a generator and bring in fuel to operate and utilize Soulajule Reservoir," district engineering manager Elysha Irish told the board on Tuesday.

The project is estimated to cost \$7.2 million in total and be completed in two to four years.

"We are exploring grant funding to help us with this cost," Irish told the board.

The timing of the project depends on when Pacific Gas & Electric Co. is able to complete an analysis of the proposal, including potential options for solar power, Irish said. The district plans to hire an electrical engineer and begin a formal environmental analysis after the preferred project is selected.

The district plans to spend another \$2.2 million during the next two years on a project to permanently connect Phoenix Lake to Bon Tempe Lake. Phoenix Lake is the district's second-oldest and second-smallest reservoir, making up only about a half-percent of the district's reservoir storage capacity.

Similar to Soulajule Reservoir, Phoenix Lake is only tapped during times of water shortage. The lake is not connected to the water distribution systems or other reservoirs. Any time the district wants to draw on the lake, it requires the district to undergo a four-week effort to set up temporary pipelines and a pump station to connect it to the nearby Bon Tempe Treatment Plant.

The proposed \$5.2 million effort would create a permanent pipeline connection from Phoenix Lake to Bon Tempe Lake, located about a mile to the west. With the pipeline and pump station installed, the district would also be able to extract water from Phoenix Lake more frequently, allowing it to draw on the reservoir multiple times as it refills after rains.

Previous estimates by district staff showed about 200 to 250 acre-feet of water can currently be drawn from the 411-acre-foot reservoir. The upgrades could allow it to obtain an additional 300 to 600 acre-feet, depending on the options, according to district staff.

Three pipeline routes are currently being evaluated. The project will require a new raw water pump station, a larger barge pump station on Phoenix Lake and the installation of 4,000 feet of 12- to 18-inch diameter pipe.

“We plan to be in construction on this project in the next fiscal year,” Irish told the board.

The largest investment in new water supply options will go toward exploring the longer-term, more complex water supply projects. The district proposes investing \$5.8 million during the next two years and a total of \$12.3 million over the next four years toward these projects.

More information about the district’s proposed rate and fee changes can be found at marinwater.org/2023RateSetting.

5/10/23 from Director Ford

Lightning eMotors Announces Buy America Certification for Lightning ZEV3™ Passenger Van

February 1, 2023

Lightning eMotors Announces Buy America Certification for Lightning ZEV3™ Passenger Van

- *Certification ensures 70% of vehicle production costs or more comes from components and subcomponents produced in the U.S.*
- *The Buy America designation*

LOVELAND, Colo., Feb 1, 2023 – Lightning eMotors (NYSE: ZEV), a leading provider of zero-emission, medium-duty commercial vehicles and electric vehicle technology for fleets, announced today that its Class 3 Lightning ZEV3™ all-electric passenger van is Buy America certified. This certification, along with Lightning’s recently announced Altoona Testing certification, makes the Lightning ZEV3 fully eligible for funding through the \$4 billion Federal Transit Administration Low- and No-Emissions grant program, and positions Lightning’s products for other incentives such as the Federal Aviation Administration’s zero emission airport shuttle program (Buy American).

The availability of these funds will allow fleets to transition to electric vehicles more quickly, helping organizations and companies to lower their carbon footprint. To access this funding, which includes \$1 billion in 2023, zero- or low-emission transit vehicles must be both Buy America certified and pass Altoona Testing to be eligible for purchase or lease using these FTA funds.

“We believe it is important that our high-quality electric vehicles support American jobs. We purposely look for US-based component and subcomponent manufacturers and suppliers and are thrilled to be Buy American Act certified in formal recognition of our largely American supply chain,” said Lightning eMotors’ VP of Procurement, Chelsea Ramm. “Additionally, our larger, Class 4 Lightning ZEV4™ passenger models have also passed our internal Buy America audit and we look forward to earning certification through independent verification on this model as well”, added Ms. Ramm.

Both the Lightning ZEV3 two- and three-battery passenger vans achieved Buy America Certification, which requires the cost of the components and subcomponents produced in the U.S. to be more than 70% of the total cost to manufacture the vehicle.

“Achieving Buy America and Altoona testing certification makes the ZEV3 fully eligible for currently available FTA grants and many state-level EV fleet grants, helping existing customers further expand their EV operations and new customers begin their EV transition,” said Lightning eMotors’ VP of Marketing Nick Bettis. “Lightning stands out as a commercial EV manufacturer having earned both these certifications and is now uniquely positioned to help transit fleet operators take advantage of FTA funding now and over the next four years.”



Lightning's ZEV3 electric passenger van exceeds the Federal Transit Administration's requirements for certification as US-built (photo: Lightning eMotors)

Currently in use within fleets across North America for micro-transit and shuttle services, the Lightning ZEV3 passenger van is equipped with a state-of-the-art, all-electric drivetrain that delivers leading efficiency for its weight class, while providing a quiet, smooth and familiar driving experience. The van is powered by thermally managed batteries, offering the best range, efficiency and lifetime of any batteries in the market. Lightning's ZEV3 passenger van boasts an up to 200 miles of range and comes standard with both Level 2 AC charging and DC Fast Charge capabilities. The first Lightning ZEV3 was deployed in 2018. To date, over Lightning ZEV3 vans have been fielded accumulating over million real world miles.

"Buy America certification is yet another tool Lightning offers its customers to make the transition to electric vehicles both seamless and beneficial to their business," said Bettis. "Lightning offers a complete package, from purchasing to fleet management, and we are proud to support our customers throughout the entire EV ecosystem."

About Lightning eMotors

Lightning eMotors (NYSE: ZEV) has been providing specialized and sustainable fleet solutions since 2009, deploying complete zero-emission-vehicle (ZEV) solutions for commercial fleets since 2018. In that time, we have deployed a variety of vehicle classes and applications including but not limited to Class 3 cargo and passenger vans, ambulances, Class 4 and 5 cargo vans and shuttle buses, Class 4 Type A school buses, Class 6 work trucks, Class 7 city buses, and motor coaches. The Lightning eMotors team designs, engineers, customizes, and manufactures zero-emission vehicles to support the wide array of fleet customer needs with a full suite of control software, telematics, analytics, and charging solutions to simplify the buying and ownership experience and maximize uptime and energy efficiency. To learn more, visit our website at <https://lightningemotors.com>.

Forward-Looking Statements

Except for historical information herein, matters set forth in this press release are forward-looking within the meaning of the "safe harbor" provisions of the Private Securities Litigation Reform Act of 1995, including statements about the commercial and technology progress and future financial performance of Lightning eMotors, Inc. These forward-looking statements are identified by the use of words such as "anticipate," "believe," "continue," "could," "estimate," "expect," "expand," "enable," "might," "potential," "should," "would" among others. Forward-looking statements in this press release are subject to certain risks and uncertainties inherent in the company's business that could cause actual results or outcomes to vary, including, but not limited to, risks related to Lightning eMotors' operations and business and financial performance; the ability of Lightning eMotors to execute on its business strategy and grow demand for its products and revenue; potential increases in costs or shortage of raw materials; market acceptance of new product offerings; and other risks more fully described in Lightning eMotors' filings with the Securities and Exchange Commission from time to time. You should not put undue reliance on any forward-looking statements. Forward-looking statements should not be read as a guarantee of future performance or results and will not necessarily be accurate indications of the times at, or by, which such performance or results will be achieved, if at all. Lightning eMotors undertakes no obligation to update any forward-looking statements, except as required by law.

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