



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.

DISTRICT BOARD
Megan Clark
Rabi Elias
Craig K. Murray
Judy Schriebman
Crystal J. Yezman

DISTRICT ADMINISTRATION
Mike Prinz,
General Manager
Michael Cortez,
District Engineer
Mel Liebmann,
Plant Manager
Greg Pease,
Collection System/Safety Manager
Robert Ruiz,
Administrative Services Manager

BOARD MEETING AGENDA

July 17, 2019

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

Estimated
Time

3:00 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.

CLOSED SESSION:

3:05 PM

2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of Government Code § 54956.9: One potential case.

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – GENERAL MANAGER: pursuant to subdivision (b)(1) of Government Code Section 54957.

OPEN SESSION:

4:15 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.

-
- 4:20 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 June 20 and June 27, 2019
 - B. Approve the amended Warrant List for June 20, 2017 and the Warrant List for July 17, 2019
 - C. Approve Board Compensation for June, 2019
 - D. Approve Order of the Board that Publication of Ordinance 177 and 178 has occurred
- Possible expenditure of funds: Yes, Items B and C.
Staff recommendation: Adopt Consent Calendar – Items A through D.
- 4:35 PM **3. APPROVE RESOLUTION 2019-2173 PROJECT APPROVAL AND NOTICES OF EXEMPTION**
Board and Staff to review and discuss Resolution 2019-2173 and associated Notices of Exemption.
- 4:50 PM **4. APPROVE AWARD OF CONTRACT TO KENNEDY JENKS FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE SECONDARY TREATMENT PLANT UPGRADE AND RECYCLED WATER EXPANSION**
Board and staff to discuss awarding of Construction Management to Kennedy Jenks for the Secondary Treatment Plant Upgrade and Recycled Water Expansion.
- 5:05 PM **5. APPROVE AWARD OF CONTRACT TO KLEINFELDER FOR MATERIAL TESTING AND SPECIAL INSPECTION SERVICES FOR THE SEONDRARY TREATMENT PLANT UPGRADE AND RECYCLED WATER EXPANSION**
Board and staff to discuss awarding of contract to Kleinfelder for material testing and special inspection services for the Secondary Treatment Plant Upgrade and Recycled Water Expansion.
- 5:20 PM **6. APPROVE AWARD OF CONTRACT TO DAC & ASSOCIATES FOR GEOTECHNICAL ENGINEERING SUPPORT SERVICES DURING CONSTRUCTION FOR THE SECONDARY TREATMENT PLANT UPGRADE AND RECYCLED WATER EXPANSION**
Board and staff to discuss awarding of contract to DAC & Associates for geotechnical engineering support services during construction for the Secondary Treatment Plant Upgrade and Recycled Water Expansion.
- 5:35 PM **7. VOTING AT CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) CONFERENCE FOR CASA BOARD OF DIRECTOR CANDIDATES AND NEW DUES RESOLUTION**
Board to determine the CASA voting member representative and alternates and approve/disapprove the slate of four nominees for the open seats on the CASA Board of Directors and the Dues Resolution.

5:50 PM

8. INFORMATION ITEMS:

A. STAFF/CONSULTANT REPORTS:

- 1. General Manager Report – Verbal
- 2. Beechnut Court Easement Sewer Main Rehabilitation
- 3. Change Order 1 to Suez Water Technologies & Solutions for Z-Pak Ultrafiltration Water Treatment System
- 4. Marin County Civil Grand Jury Report Special District’s Transparency Update Report Dated June 13, 2019

6:05 PM

9. BOARD REPORTS:

- 1. LAFCO - Verbal
- 2. Gallinas Watershed Council / Miller Creek Watershed Council– Verbal
- 3. JPA Local Task Force on Solid and Hazardous Waste – Verbal
- 4. Flood Zone 7 - Verbal
- 5. NBWA – Verbal
- 6. NBWRA/North Bay Water – Verbal
- 7. Engineering Subcommittee – Verbal
- 8. Other Reports – Written – Special District Leadership Academy

6:20 PM

10. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – Verbal
- B. Board Agenda Item Requests – Verbal

6:25 PM

11. VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE

6:30 PM

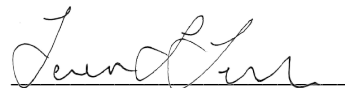
12. ADJOURNMENT

FUTURE BOARD MEETING DATES – AUGUST 1, AUGUST 15 AND AUGUST 28, 2019

AGENDA APPROVED:	Craig K. Murray, Board President	Pat Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, District Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before July 12, 2019 at 3:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held July 17, 2019 at the District Office, located at 300 Smith Ranch Road, San Rafael, CA.

DATED: July 12, 2019



Teresa L. Lerch
District Secretary

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

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.

MEETING MINUTES JUNE 20, 2019

1
2
3 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN
4 SESSION ON JUNE 20, 2019, AT 3:33 P.M., AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD,
5 SAN RAFAEL, CALIFORNIA.
6

7
8 **BOARD MEMBERS PRESENT:** M. Clark, R. Elias, C. Murray, J. Schriebman
9 and C. Yezman
10

11 **BOARD MEMBERS ABSENT:** None
12

13 **STAFF PRESENT:** Mike Prinz, General Manager, Robert Ruiz, District
14 Treasurer (also present for partial Closed Session),
15 Teresa Lerch, District Secretary; Mel Liebmann, Plant
16 Manager (also present for partial Closed Session), Greg
17 Pease, Collections and Safety Manager, (also present for
18 partial Closed Session),
19

20 **OTHERS PRESENT:** Dave Byers, District Counsel;
21

22 **ANNOUNCEMENT:** President Murray announced that the agenda had been
23 posted as evidenced by the certification on file in
24 accordance with the law.
25

26 **PUBLIC COMMENT:** None
27

28
29 **ADJOURNMENT:**
30

31 **ACTION:**
32

33 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO
34 CLOSED SESSION ON JUNE 6, 2019, AT 3:34 P.M., AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD,
35 SAN RAFAEL, CALIFORNIA.
36

37 Lerch, Prinz and Ruiz left the meeting at 3:34 pm.
38

39 **CLOSED SESSION:**
40

41 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – General Manager: pursuant to subdivision (b)(1)
42 of Government Code Section 54957.
43

44 **ADJOURNMENT:**
45

46 **ACTION:**

47 The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on
48 June 20, 2019 at 4:35 pm.
49

50 **STAFF PRESENT:** Mike Prinz, General Manager, Robert Ruiz, District
51 Treasurer Mike Cortez, District Engineer; Teresa Lerch,
52 District Secretary; Greg Pease, Collections and Safety
53 Manager
54

55 **OTHERS PRESENT:** None.
56

57 PUBLIC COMMENT: None.

58
59

60 REPORT ON CLOSED SESSION: President Murray reported that there were no reportable actions in
61 Closed Session.

62

63 PUBLIC HEARING FOR ORDINANCE NO. 177 AMENDING TITLE 2, CHAPTER 1 – SANITARY CODE
64 OF THE LAS GALLINAS VALLEY SANITARY DISTRICT PUBLIC HEARING – TO MAINTAIN PARITY
65 OF THE CAPITAL FACILITIES CHARGE

66

67 OPEN PUBLIC HEARING – President Murray opened the public hearing at 4:35 P.M.

68 REVIEW DISTRICT STAFF RECOMMENDATIONS – Board considered staff recommendations to amend
69 Title 2, Chapter 1 Sanitary Code of the Las Gallinas Valley Sanitary District. Prinz commented.

70 BOARD COMMENT – Discussion ensued.

71 PUBLIC COMMENT – None.

72 CLOSE THE PUBLIC HEARING – President Murray closed the Public Hearing at 4:37 P.M.

73 BOARD DETERMINATION AND ACTION

74

75 ACTION:

76 Board approved (M/Schriebman/Elias 5-0-0-0) to adopt Ordinance No. 177 Amending Title 2, Chapter 1
77 Sanitary Code of the Las Gallinas Valley Sanitary District consistent with Proposition 218.

78

79 AYES: Clark, Elias, Murray, Schriebman and Yezman

80 NOES: None.

81 ABSENT: None.

82 ABSTAIN: None.

83

84 PUBLIC HEARING – FOR ORDINANCE NO. 178 AN ORDINANCE MODIFYING CHAPTER 7 OF TITLE
85 1 TO THE SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT – TO PROVIDE
86 INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST
87 ACCOUNTING ACT FOR CONSTRUCTION PROJECTS

88

89 OPEN PUBLIC HEARING – President Murray opened the public hearing at 4:38 P.M.

90 REVIEW DISTRICT STAFF RECOMMENDATIONS – Board considered staff recommendations to
91 modifying Chapter 7 of Title 1 to the Sanitary Code of the Las Gallinas Valley Sanitary District. Prinz
92 commented.

93 PUBLIC COMMENT – None.

94 BOARD COMMENT – The Board discussed the proposed Ordinance.

95 CLOSE THE PUBLIC HEARING – President Murray closed the Public Hearing at 4:45 P.M.

96

97 ACTION:

98 Board approved (M/S Elias/Clark 5-0-0-0) Ordinance No. 178 Modifying Chapter 7 of Title 1 to the Sanitary
99 Code of the Las Gallinas Valley Sanitary District consistent with Proposition 218.

100

101 AYES: Clark, Elias, Greenfield, Murray and Schriebman.

102 NOES: None.

103 ABSENT: None.

104 ABSTAIN: None.

105

106 Cortez left at 4:46 pm.

107

108 ACTION:

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110 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO A
111 SECOND CLOSED SESSION ON JUNE 20, 2019, AT 4:46 P.M., AT THE DISTRICT OFFICE, 300 SMITH
112 RANCH ROAD, SAN RAFAEL, CALIFORNIA.

113 Lerch left the meeting at 4:46 pm.

114

115 **CLOSED SESSION:**

116

117 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code

118 § 54956.5; Two (2) items:

119 A) Regarding real property located at 79 Vendola Drive, San Rafael. Real Property Negotiator Is Mike
120 Prinz, General Manager. Seeking instruction/authority concerning price and/or terms of payment.

121 B) Regarding discussions between public agency and District re: potential of unidentified District parcel(s).
122 Real Property Negotiator is Mike Prinz, General Manager. To provide information to the Board regarding
123 initial general instructions/authority concerning price and/or terms of payment.

124

125 **ADJOURNMENT:**

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127 **ACTION:**

128 The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on
129 June 20, 2019 at 5:58 pm.

130

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

134

135 **CONSENT CALENDAR:**

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

138 A. Approve the Board Minutes for June 6, 2019

139 B. Approve the Warrant List for June 20, 2019

140

141 Items 4B was discussed.

142

143 **ACTION:**

144 Board approved (MS Schriebman/Yezman 5-0-0-0) the Consent Calendar items A and B.

145 AYES: Clark, Elias, Murray, Schriebman and Yezman.

146 NOES: None.

147 ABSENT: None.

148 ABSTAIN: None.

149

150 **INFORMATION ITEMS:**

151 **STAFF / CONSULTANT REPORTS:**

152 1. General Manager Report – Verbal – Prinz reported.

153 2. Du-All Safety Contract Proposal for July 1, 2019 – June 30, 2020 – Pease and Prinz reported. Discussion
154 ensued.

155

156 Byers left at 6:37 pm.

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158 Pease left at 6:42 pm.

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170 **BOARD REPORTS:**
171 1. LAFCO – Verbal – Murray reported
172 2. Gallinas Watershed Council / Miller Creek Watershed Council – Verbal – Schriebman reported.
173 3. JPA Local Task Force on Solid and Hazardous Waste – Verbal – no report.
174 4. Flood Zone 7– Verbal – no report.
175 5. NBWA
176 Board Committee – Verbal – Clark and Schriebman reported.
177 Executive Committee – Verbal – no report.
178 JTC – Verbal – no report.
179 6. NBWRA /North Bay Water – Verbal – no report.
180 7. Engineering Subcommittee – Verbal – no report.
181 8. Other Reports – Verbal – Clark reported on a tour of Pt. Isabel.

- 182
183 **BOARD REQUESTS:**
184 A. Board Meeting Attendance Requests – Murray requested to attend the CASA Conference in San
185 Diego August 21-23.
186 B. Board Agenda Item Requests – none.

187
188 **VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE:**
189 Discussion ensued.

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191 **ADJOURNMENT:**

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193 **ACTION:**
194 Board approved (M/S Schriebman/Elias 5-0-0-0) the adjournment of the meeting at 6:57 p.m.
195 AYES: Clark, Elias, Murray, Schriebman and Yezman.
196 NOES: None.
197 ABSENT: None
198 ABSTAIN: None.

199
200 The next Board Meeting is scheduled for June 27, 2019 at the District Office.
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204 **ATTEST:**

205 _____
206 Teresa Lerch, District Secretary

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208 **APPROVED:**

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210
211 _____
212 Craig K. Murray, Board President

SEAL

213

1 **SPECIAL MEETING MINUTES OF JUNE 27, 2019**

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3 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN
4 SESSION ON JUNE 27, 2019, AT 1:01 PM, AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD, SAN
5 RAFAEL, CALIFORNIA.
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7 **BOARD MEMBERS PRESENT:** M. Clark, R. Elias, C. Murray, J. Schriebman and
8 C. Yezman
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10 **BOARD MEMBERS ABSENT:** None.

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12 **STAFF PRESENT:** Mike Prinz, General Manager; Robert Ruiz, District
13 Treasurer; Teresa Lerch, Board Secretary; Mel Liebmann,
14 Plant Manager; Greg Pease, Collection and Safety
15 Manager,
16

17 **OTHERS PRESENT:** Chris Sliz, Regional Government Services
18

19 **ANNOUNCEMENT:** President Murray announced that the agenda had been
20 posted as evidenced by the certification on file in
21 accordance with the law.
22

23 **PUBLIC COMMENT:** None.
24

25 **CONSENT CALENDAR:**

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

- 28 A. Approve the Warrant list for June 27, 2019
29 B. Approve Conference request for Murray to attend the CASA Conference in San Diego
30 August 21-23
31 C. Approve EOA, Inc. FY 2018/19 Contract Amendment to Extend to December 31,2019
32 D. Approve EOA, Inc. Contract Proposal for July 1, 2019 to June 30, 2020
33 E. Approve SCADA Support Services Agreement FY 2019-20
34

35 Items A and C were discussed.
36

37 **ACTION:**

38 Board approved (M/S Schriebman/Elias 5-0-0-0) the Consent Calendar items A through E.
39

40 AYES: Clark, Elias, Murray and Schriebman and Yezman.
41 NOES: None.
42 ABSENT: None.
43 ABSTAIN: None.
44

45 **STRATEGIC PLAN WORKSHOP**

46 Board and staff participated in a Strategic Plan Workshop (the second of three workshops) with the
47 District's Consultant Chris Sliz. Discussion ensued.
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55 **ADJOURNMENT:**

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57 **ACTION:**

58 Board approved (M/S Elias/Clark 5-0-0-0) the adjournment of the meeting at 3:03 pm.

59 AYES: Clark, Elias, Murray, Schriebman and Yezman.

60 NOES: None

61 ABSENT: None

62 ABSTAIN: None

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64 The next Board Meeting is scheduled for Wednesday, July 17, 2019 at the District's office.

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ATTEST:

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Teresa Lerch, Board Secretary

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APPROVED:

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Craig K. Murray, Board President

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Las Gallinas Valley Sanitary District
Warrant List
06-20-19 (AMENDED)

Agenda Item 2B
Date July 17, 2019

	Date	Num	Vendor	Amount	Description for items > \$1000
1	6/20/2019	EFT1	ADP, Inc.	101,922.57	Payroll and processing fees for paydate 06/7/19
2	6/20/2019	ACH	A and P Moving Inc	84.70	
3	6/20/2019	16098	Allmax Software Support	1,275.30	Antero CMMS Annual Support
4	6/20/2019	16099	Aquadyne Associates	11,990.45	Spare parts for Abel Pump Technology; scump pumps #2,#3
5	6/20/2019	16100	ArcSine Engineering	31,728.66	Annual SCADA support services
6	6/20/2019	16101	Aries Industries, Inc.	919.40	
7	6/20/2019	EFT2	Bank of Marin	19,612.19	COP Loan
8	6/20/2019	EFT2	Bank of Marin	27,723.45	COP Loan
9	6/20/2019	16102	Banner Bank	22,882.72	STPURWE retention #2
10	6/20/2019	ACH	Bellecci & Associates, Inc.	21,673.00	CM & Inspection Services for: Sewer Main Rehab, Quail Hill CIPP, Marinwood TS Hwy 101 undercrossing
11	6/20/2019	16103	Brenntag Pacific, Inc.	4,180.72	sodium bicarbonate; citric acid
12	6/20/2019	ACH	Brown and Caldwell	664.78	
13	6/20/2019	ACH	Buck's Saw Service, Inc	650.79	
14	6/20/2019	ACH	Byers Law Office	5,025.00	Legal services May 2019
15	6/20/2019	ACH	CalPERS Fiscal Services Division	11,630.00	OPEB
16	6/20/2019	EFT	Calif. Public Employees Retirement System	15,166.73	Pension contribution employee and employer for 6/7/19 paydate
17	6/20/2019	EFT	CalPERS Supplemental Income 457 Plan	4,081.42	Employee salary deferrals for 6/07/19 paydate
18	6/20/2019	16104	Comet Building Maintenance, Inc.	1,677.93	Janitorial services
19	6/20/2019	ACH	Contractor Compliance and Monitoring, Inc	2,022.23	Labor compliance
20	6/20/2019	ACH	Core Utilities, Inc.	2,250.00	IT services May 2019
21	6/20/2019	ACH	Custom Tractor Service	2,657.50	Mowing reclamation
22	6/20/2019	ACH	Data Instincts	1,760.00	Prop 218 and Spring Newsletter
23	6/20/2019	EFT	Direct Dental Administrators, LLC	1,142.80	Dental claims May
24	6/20/2019	EFT	Discovery Benefits	50.00	
25	6/20/2019	ACH	Downing Heating & Air Conditioning, Inc.	1,046.28	Repairs to Admin bldg A/C
26	6/20/2019	ACH	Du-All Safety, LLC	2,408.00	Monthly safety agreement
27	6/20/2019	16105	Durkin Signs & Graphics	1,384.20	Signs requested by Engineering dept
28	6/20/2019	ACH	Edelstein, Daniel	6,654.00	Environmental services
29	6/20/2019	ACH	EOA, Inc.	10,591.91	Regulatory permit consulting services
30	6/20/2019	16106	Frank A. Olsen Co.	21.92	
31	6/20/2019	ACH	Gardeners' Guild	1,090.00	Landscape maintenance
32	6/20/2019	ACH	Golshani, Sahar	530.98	
33	6/20/2019	ACH	Grainger	153.59	
34	6/20/2019	16107	Graphicsmith LLC	79.20	
35	6/20/2019	ACH	Hanford ARC	6,283.38	Lower Miller Creek year 1 revegetation maintenance (May 2019)
36	6/20/2019	16108	Herb's Pool Service, Inc.	87.15	
37	6/20/2019	16109	Jackson's Hardware, Inc.	8.65	
38	6/20/2019	ACH	Lamassu Utility Services, Inc.	9,125.77	

Las Gallinas Valley Sanitary District
Warrant List
06-20-19 (AMENDED)

	Date	Num	Vendor	Amount	Description for items > \$1000
39	6/20/2019	16110	Marin Ace	508.64	
40	6/20/2019	16111	Marin County Parks	11,000.00	Reimbursement for Marin Fence and Golf Cart Rental
41	6/20/2019	16112	Marin Independent Journal	292.24	
42	6/20/2019	16113	Medical Center of Marin	226.00	
43	6/20/2019	16114	MWH Constructors, Inc.	84,060.32	STPURWE construction mgmt
44	6/20/2019	16115	Myers & Sons Construction, LP	434,771.76	STPURWE progress #2
45	6/20/2019	16116	North Bay Petroleum	2,338.38	Fuel
46	6/20/2019	ACH	Nute Engineering	5,920.25	Plant Improvements project
47	6/20/2019	16117	Operating Engineers Local No. 3	797.58	
48	6/20/2019	16118	Pacific Gas & Electric - 0580531718-6	3,506.39	Power for the Plant
49	6/20/2019	16119	Pacific Gas & Electric - 1991349158-5	6,639.90	Pump Stations power
50	6/20/2019	16120	ParcelQuest	2,750.00	Annual subscription
51	6/20/2019	ACH	Regional Government Services Authority	1,425.00	Organization Analysis consulting agreement
52	6/20/2019	16121	Roy's Sewer Service	3,750.00	Descanso Force Main Tie-In Bypass Pump Station - Transfer sewage
53	6/20/2019	16122	Southern Counties Lubricants	178.54	
54	6/20/2019	16123	Synectic Technologies	15,559.80	New phone system installation
55	6/20/2019	ACH	Thatcher Company of California, Inc.	5,538.55	Ferric Chloride 4,000 gallons
56	6/20/2019	16124	TPx Communications	642.87	
57	6/20/2019	16125	Traffic Management Products, Inc.	3,747.98	Signs along public road
57	6/20/2019	ACH	Unison Solutions, Inc.	1,477.65	BERS BioCNG Compressor Maintenance Kit
58	6/20/2019	ACH	Univar USA Inc.	3,516.02	Sodium hypochlorite
59	6/20/2019	ACH	US Bank (bond fees)	1,600.00	Bond admin fees
60	6/20/2019	16126	Verizon Wireless	674.23	
61	6/20/2019	16127	Water Components & Building Supply	102.01	
62	6/20/2019	ACH	WECO Industries	599.59	
			TOTAL	\$ 923,861.07	
63	6/7/2019	16097	Toyota Marin	31,563.62	GM District vehicle
			AMENDED TOTAL	\$ 955,424.69	

FINANCE APPROVAL	
GM APPROVAL	
BOARD APPROVAL	

Las Gallinas Valley Sanitary District
Warrant List
07-17-19

	Date	Num	Vendor	Amount	Description for items > \$1000
1	7/17/2019	EFT1	ADP, Inc.	110,945.60	Payroll and processing fees for paydate 07/05/19
2	7/17/2019	16145	Accountemps	3,255.23	Clerical help in admin.
3	7/17/2019	16146	All Star Rents	50.04	
4	7/17/2019	16147	AQUA Engineering, Inc	42,316.25	Secondary Plant Upgrades (inv 17605 4/30/19)
5	7/17/2019	16148	ArcSine Engineering	2,494.58	Marin Lagoon Pump Station (inv 13381 through 3/31/19)
6	7/17/2019	16149	Aries Industries, Inc.	658.42	
7	7/17/2019	EFT2	Bank of Marin	47,335.64	Principal and Interest
8	7/17/2019	16150	Brown and Caldwell	2,112.61	Secondary Plant Upgrades; (through 5/23/19 inv 11346071)
9	7/17/2019	16151	Buck's Saw Service, Inc	258.74	
10	7/17/2019	16152	Cal Infrastructure and Economic Dev Bank	448,134.46	Capitalized Fees
11	7/17/2019	EFT	Calif. Public Employees Retirement System	16,082.47	Pension contribution employee and employer for 7/05/19 paydate
12	7/17/2019	ACH	CalPERS CERBT - OPEB	11,630.00	OPEB
13	7/17/2019	EFT	CalPERS Supplemental Income 457 Plan	4,081.42	Employee salary deferrals for 7/05/19 paydate
14	7/17/2019	ACH	Caltest Analytical Laboratory	3,512.15	Samples 4/25/19-5/30/19
15	7/17/2019	16153	Challenge Rooter	5,500.00	Lateral Rehab Assistance Prog
16	7/17/2019	16154	Comet Building Maintenance, Inc.	1,556.36	Outside Services
17	7/17/2019	ACH	CSRMA / Property Premium	41,318.00	Prepaid Insurance
18	7/17/2019	ACH	CSRMA / Workers Comp Program	65,033.00	Prepaid Insurance
19	7/17/2019	ACH	Custom Tractor Service	40,495.50	Biosolids Removal and Surface Injunctio
20	7/17/2019	16155	CWEA -CA Water Environment Assoc	490.00	
21	7/17/2019	ACH	Data Instincts	1,060.00	Provide Public Info and Awareness Svcs & Guidance to LGVSD during 2019
22	7/17/2019	16156	Degnan, Maureen	1,000.00	302 Las Flores Ave-Lateral Assist Program
23	7/17/2019	ACH	Diego Truck Repair, Inc.	771.86	
24	7/17/2019	EFT	Direct Dental Administrators, LLC	152.84	
25	7/17/2019	EFT	Discovery Benefits	1,808.32	FSA CLAIMS
26	7/17/2019	ACH	Downing Heating & Air Conditioning, Inc.	1,088.00	Quarterly maintenance for HVAC
27	7/17/2019	ACH	EOA, Inc.	18,091.49	Technical support for regulatory permits (MAY 2019)
28	7/17/2019	ACH	Gardeners' Guild	1,090.00	Monthly yard care
29	7/17/2019	16157	Goldstar Products	706.89	
30	7/17/2019	ACH	Grainger	46.11	
31	7/17/2019	16158	GraphicSmiths LLC	79.20	
32	7/17/2019	ACH	Gregory Equipment, Inc.	161,119.05	Plant Improvements 2018 construction contract (Progress #3 to 6/30/19)
33	7/17/2019	16159	IEDA, Inc.	7,392.00	Labor relations consulting for 07/01/19-12/31/19
34	7/17/2019	16160	Jackson's Hardware, Inc.	381.20	
35	7/17/2019	16161	K.J. Woods Construction, Inc.	64,732.66	Sewer Main Rehab 2018 (Ret #1)
36	7/17/2019	16162	KYOCERA	1,064.44	Office Supplies
37	7/17/2019	16163	Liebert Cassidy Whitmore	2,318.00	General
38	7/17/2019	16164	Marin Ace	218.08	
39	7/17/2019	16165	Marin County Parks	101,223.17	Mclnnis Marsh Restoration
40	7/17/2019	16166	Marin County Tax Collector	10,674.74	LAFCO Charges Fiscal year 2019/20
41	7/17/2019	16167	Marin Fence Company	987.00	

Las Gallinas Valley Sanitary District
Warrant List
07-17-19

	Date	Num	Vendor	Amount	Description for items > \$1000
42	7/17/2019	16168	Marin Independent Journal	520.55	
43	7/17/2019	16169	Marin Municipal Water District	882.55	
44	7/17/2019	16170	MARIN/SONOMA MOSQUITO & VECTOR CON	2,705.04	Application of Mosquito Control
45	7/17/2019	16171	Nerviani's Backflow Testing & Repair	705.80	
46	7/17/2019	ACH	Orion Protection Services Group, Inc.	318.50	
47	7/17/2019	16173	Pacific Gas & Electric - 1991349158-5	6,793.40	Plant & Pump Station Power
48	7/17/2019	16174	Rachel Z Kamman, PE	4,392.10	Lower Miller Creek Permitting
49	7/17/2019	ACH	Redwood Security Systems	186.00	
50	7/17/2019	16175	Roto Rooter Plumbers	1,025.00	Professional Center Pkwy; cleaned storm drain; vactor 2hr emergency work
51	7/17/2019	16176	San Rafael City High School District	647.50	
52	7/17/2019	16177	Sewer Master	4,000.00	302 Las Flores Ave-Lateral Assist Program
53	7/17/2019	16178	Shape Incorporated	6,666.44	Pump Replacement Captains Cove
54	7/17/2019	16179	Southern Counties Lubricants	1,010.05	Fuel
55	7/17/2019	16180	Synectic Technologies	708.06	
56	7/17/2019	ACH	Univar USA Inc.	3,407.54	Sodium Hypochlorite (6/24/19)
57	7/17/2019	ACH	Universal Coatings, Inc.	4,987.50	Roof Replacement (retention #1)
58	7/17/2019	EFT	US Bank Equip Finance	1,455.15	quarterly copier lease agreement (6/30/19)
59	7/17/2019	16181	Verizon Wireless	654.39	
60	7/17/2019	16182	Water Components & Building Supply	2,524.57	ARV Maintenance / Repairs
61	7/17/2019	EFT	CalPERS Unfunded Liability	202,189.00	Unfunded amount paid once per year for employees
62	7/17/2019	16172	OE-3 -Union Dues	413.56	
63	7/17/2019	EFT	VSP VISION CARE	979.95	
TOTAL				<u>\$ 1,470,438.17</u>	

Agenda Item 2C
Date July 17, 2019
Jun-19

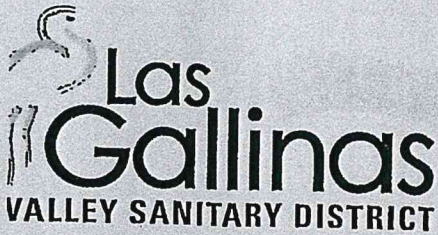
Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	4
Rabi Elias	4
Craig Murray	6
Judy Schriebman	4
Crystal Yezman	<u>4</u>
Total	<u><u>22</u></u>

Meeting Date:
Paydate

7/17/2019
7/5/2019





300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE
FORM**

JUNE 2019

Director's Name: MEGAN CLARK Month: 6-27-19

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
6-6	REG	X	
6-20	REG	X	
6-27	SPECIAL-STRATEGIC PLAN	X	
TOTAL		3	

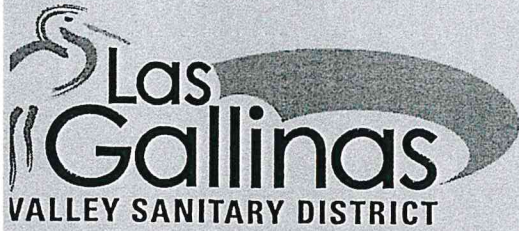
OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6-7	NBWA	X	
6-28	TOUR OF RECLAMATION		X
TOTAL		1	

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
Signature
[Signature]
Approved By/ Date

6-27-19
Date
6/27-19
Pay Date



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Rabi Elias Month: June 2019

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
6/6/19	Bd Meeting	✓	
6/20/19	Bd Meeting	✓	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6/10/19	Engineering Committee Mtg	✓	
6/27/19	strategic plan mtg	✓	
6/24/19	Ethics certification	✓	✓
TOTAL		3	

Revised

Total Meetings for which I am Requesting Payment: 54
 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.

Rabi Elias
 Signature
[Signature]
 Approved By/ Date

6/20/19
 Date
7-1-19
 Pay Date



300 Smith Ranch Road, San Rafael, CA 94903
 Office: 415-472-1734 Fax: 415-499-7715
BOARD MEMBER ATTENDANCE FORM

Director's Name: MURRAY, Craig K. Month: June 2019

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
6/6/19	Board Meeting	X	
6/20/19	Board Meeting	X	
6/27/19	Special Board Meeting	X	
TOTAL		3/3	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6/3/19	Civic Center Arms Association Annual Board Meeting		X
6/5/19	Consolidation Community Meeting. Murray Park Sewer Maintenance District (MPSMD) Consolidation to Ross Valley Sanitary District. LAFCo, RVSD, Co. of Marin. Central Marin Police Authority Bldg.		X
6/7/19	Implicit Bias/Race Equity Workshop. Learn tools & practice strategies to reduce the impact of bias in our day to day work. Government Alliance of Race and Equity (GARE), City of Richmond.		X
6/9/19	Travel Day	X	
6/10-15/19	Technology Tour of Danish National WWTPs and Systems	X	XXX
6/15/19	Travel Day	X	
6/2,3,23,30/19	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 6/2: 2.0 hours; 6/3: 0.5 hour; 6/23: 0.5 Hours		XXX
6/5,19,26/19	LAFCo Chair, Vice Chair, Interim EO Coordination Meeting		XXX
6/21/19	General Manager Coordinating Meeting		X
6/23/19	Mandated Sexual Harassment Training for Supervisors (California AB 1825) Training, Target Solutions		X
6/27/19	CASA Air Quality, Climate Change, & Energy (ACE) Workgroup Meeting	X	X
TOTAL			



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415-472-1734 Fax: 415-499-7715

BOARD MEMBER ATTENDANCE FORM

	6/18

Total Meetings for which I am Requesting Payment/Approved: Board Members maximum of six (6) per Health & Safety Code §4733	6/21
--	------

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

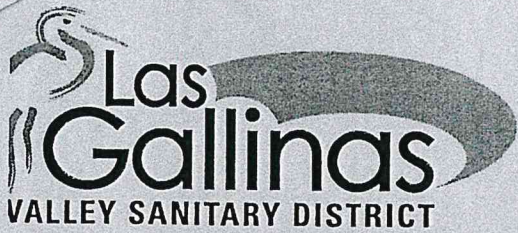

 Approved By/ Date

 July 1, 2019 Amended July 11, 2019

 Date

 7-12-19

 Pay Date



300 Smith Ranch Road, San Rafael, CA 94903
 Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE
 FORM**

Director's Name: JUDY SCHRIEBMAN Month: June 2019

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.

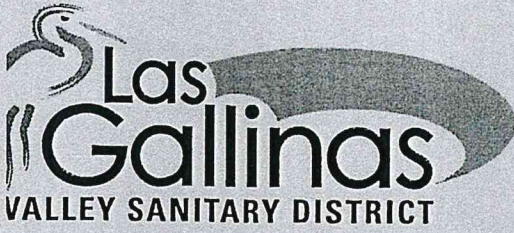
REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6/6	Reg mtg	✓	
6/20	Reg mtg	✓	
6/27	Strat plan mtg	✓	
TOTAL		3	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6/5	GWC mtg	✓	
6/7	NBWA Bd mtg		✓
6/10	1 on 1 w/GM		✓
6/12	SR 2040 mtg		✓
TOTAL		1	

Total Meetings for which I am Requesting Payment: 4
 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.

Judy Schriebman Signature Date: 6-27-2019
[Signature] Approved By/ Date Pay Date: 7-1-19



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Crystal Yezman Month: June 2019

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
6/6/19	Regular Board Mtg.	✓	
6/20/19	Regular Board Mtg.	✓	
6/27/19	Special Board Mtg	✓	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6/10/19	CGVSD Engineering Subcommittee	✓	
TOTAL			

Total Meetings for which I am Requesting Payment: 4
 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.

Crystal Yezman
 Signature
Robert D. King
 Approved by/ Date

6/20/19
 Date
7-1-19
 Pay Date

Agenda Item 2D
Date July 17, 2019



ORDER REGARDING PUBLICATION

The Board of Directors finds that Ordinance 177 and Ordinance 178, unanimously passed by the Board, was published in the Marin Independent Journal on June 26, 2019 as required by the California Health and Safety Code and have been available for inspection at the District's offices and on its website. This Order constitutes conclusive evidence of compliance with requirements for publication and posting of this ordinance. This Order shall be posted at the following locations and are available for inspection at the District's offices

The Order shall be posted in the following locations in the District, as follows:

1. Las Gallinas Valley Sanitary District Treatment Plant
300 Smith Ranch Road
San Rafael, California 94903
2. Las Gallinas Valley Sanitary District Web Site
www.lgvsd.org

Executed on this 17th Day of July 2019, at San Rafael, Marin County, California.

Craig K. Murray
Board President

Marin Independent Journal

4000 Civic Center Drive, Suite 301
San Rafael, CA 94903
415-382-7335
legals@marinij.com

2074259

LAS GALLINAS VALLEY SANITARY
300 SMITH RANCH ROAD
SAN RAFAEL, CA 94903

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Marin**

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer of the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation, printed and published daily in the County of Marin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under date of FEBRUARY 7, 1955, CASE NUMBER 25566; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/26/2019

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated this 26th day of June, 2019.

Donna Lazarus

Signature

PROOF OF PUBLICATION

Legal No. **0006359925**

**BOARD OF DIRECTORS OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT**

**ORDINANCE 177
AN ORDINANCE AMENDING TITLE 2,
CHAPTER 1,
SANITARY CODE OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT**

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, does ordain as follows:

Section 1. Title 2, Chapter 1, Section 907, of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ARTICLE IX. PERMITS AND FEES
Section 907. Capital Facilities Charge.
A) Applicants desiring connection to the wastewater facilities of the District shall pay a capital facilities charge of \$6,224 per Equivalent Sewer Unit ("E.S.U.") to the District prior to connection.

5) Additions or alterations of existing structures (other than high-flow or high-strength) shall be charged a sewer connection fee (sometimes referred to as Capital Facilities Charge) and be subject to additional conditions of connection in accordance with the following:

(a) No Connection fee shall be charged where the addition or alteration will not cause the existing structure to exceed twenty (20) Plumbing Fixture Units (PFUs). In the event the addition or alteration causes the existing structure to exceed twenty (20) Plumbing Fixture Units (PFUs), a Connection fee charge of Three Hundred Eleven Dollars (\$311) per Plumbing Fixture Unit (PFU) added shall be charged.

D) Adjustment. To maintain parity of the Capital Facilities Charge in current-dollar values, the charge will be reviewed periodically. Any adjustments, if necessary, shall be passed by ordinance as follows:
2) The base ENR Index, as of the adoption of this Ordinance, is 12,051 (July 2018).

Section 2. Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted on the District's front gate bulletin board, the District's website, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

Section 3. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on June 20, 2019, by the following vote of members thereof:
AYES: Clark, Elias, Murray, Schriebman and Yezman.
NOES: None
ABSENT: None
ABSTAIN: None

/s/ Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:
/s/ Craig K. Murray, Board President
(seal)
No. 856 June 26, 2019

Marin Independent Journal

4000 Civic Center Drive, Suite 301
San Rafael, CA 94903
415-382-7335
legals@marinij.com

2074259

LAS GALLINAS VALLEY SANITARY
300 SMITH RANCH ROAD
SAN RAFAEL, CA 94903

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA County of Marin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer of the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation, printed and published daily in the County of Marin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under date of FEBRUARY 7, 1955, CASE NUMBER 25566; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/26/2019

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated this 26th day of June, 2019.

Donna Lazarus

Signature

PROOF OF PUBLICATION

Legal No. **0006359935**

BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

ORDINANCE 178 AN ORDINANCE AMENDING TITLE 1, CHAPTER 7, SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, does ordain as follows:

Section 1. Title 1, Chapter 7, Section 205, of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ARTICLE 2. PURPOSE AND SCOPE
Section 205. If all bids are in excess of two hundred thousand dollars (\$200,000), the District may, by a resolution of a four-fifths vote, award the contract at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the District was reasonable.

Section 2. Attachment 1 of Title 1, Chapter 7 of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ATTACHMENT 1

The table below shows the CUCCAC amounts for the three Tiers referenced in Ordinance 2019-178, as of June 2019. The General Manager will update the Tier amounts after the CUCCAC approves adjustments.

Table 1 CUCCAC	
Tier 1	Less than \$60,000
Tier 2	Between \$60,000 to \$200,000
Tier 3	Greater than \$200,000

Section 3. Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted on the District's front gate bulletin board, the District's website, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

Section 4. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on June 20, 2019, by the following vote of members thereof:

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

/s/ Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:
/s/ Craig K. Murray, Board President
No. 857 June 26, 2019



Agenda Summary Report

To: Mike Prinz, General Manager *MDP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Approve Resolution 2019-2173 Project Approval and Notices of Exemption
Item Type: Consent X Discussion _____ Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X

BACKGROUND:

Las Gallinas Valley Sanitary District (District) is the lead agency for the following projects, which will be addressed with the on-call contract:

1. Trunk Sewer Manholes MH M000.5 and MH M000.03 Repair. The project consists of raising the frame and cover of two manholes located within the sanitary sewer easement in the Lands of Silveira (APN 155-011-12) adjacent to the District wastewater treatment plant. The purpose is to stop inflow from entering the manholes when the field is flooded.
2. St Vincents Storm Pump Station Headwall Repair. The project provides for the reconstruction of an existing headwall for the discharge force main of a storm pump station located in the District's Reclamation area (APN 155-011-15) near Miller Creek. The purpose is to prevent further erosion on the existing levee and restore the full width of the levee access road at this location.

Pursuant to Guideline 15062 of CEQA, the District may file a Notice(s) of Exemption application with the County Clerk of Marin after approval of the project(s). This procedure will be utilized for potentially environmentally sensitive projects that warrant filing of Notice of Exemption.

The two (2) projects are exempt from CEQA pursuant to CEQA Guideline 15302 as depicted in the Notice(s) of Exemption applications attached and as summarized below.

Section	Guideline
15302	Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity.

Documents attached include:

1. Resolution No. 2019-2173
2. Trunk Sewer Manholes MH M000.5 and MH M000.03 Repair Notice of Exemption application
3. St Vincents Storm Pump Station Headwall Repair Notice of Exemption application

PREVIOUS BOARD ACTION:

Board approved the On-Call Contract for Construction Projects to Piazza Construction on June 6, 2019.



ENVIRONMENTAL REVIEW:

WRA, Inc. to conduct pre-construction biological inspection within 7 to 14 days prior to the start of construction.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Board to approve Resolution No. 2019-2173, directing staff to file the California Environmental Quality Act (CEQA) Notice(s) of Exemption application with the County Clerk of Marin.

RESOLUTION No. 2019-2173

A RESOLUTION APPROVING PROJECTS AT MULTIPLE SITES AND MAKING DETERMINATIONS AND AUTHORIZING THE FILING OF A NOTICE OF EXEMPTION FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the California Environmental Quality Act ("CEQA") requires a public agency to approve or to determine to carry out a project subject to CEQA before filing a Notice of Exemption; and

WHEREAS, the Las Gallinas Valley Sanitary District Board of Directors, by this Resolution, approves the Project(s) described below.

NOW, THEREFORE, BE IT RESOLVED by the Las Gallinas Valley Sanitary District Board of Directors, which finds and determines as follows:

1. Approves the Project(s) described as follows:
 - a. Project Title: Trunk Sewer Manholes MH M000.5 and MH M000.03 Repair
 - b. Project Title: St Vincents Storm Pump Station Headwall Repair
2. Finds that the Project(s) is (are) exempt from CEQA pursuant to the Notice(s) of Exemption attached and incorporated herein by this reference.
3. Finds that no Project(s) is (are) subject to CEQA Guideline 15300.2.
4. Directs staff to file the Notice(s) of Exemption pursuant to 15062 of the CEQA Guidelines.

* * * * *

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 July 17, 2019, by the following vote of the members thereof:

AYES, and in the favor thereof, Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

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

APPROVED:

(seal)

Craig K. Murray, Board President

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Marin
3501 Civic Center Drive, Suite 234
San Rafael, CA 94903

From: (Public Agency): Las Gallinas Valley Sanitary District
300 Smith Ranch Road
San Rafael, CA 94903

(Address)

Project Title: Trunk Sewer Manholes MH M000.5 and MH M000.03 Repair

Project Applicant: Las Gallinas Valley Sanitary District

Project Location - Specific:

Lands of Silveira (APN 155-011-12) adjacent to LGVSD wastewater treatment plant

Project Location - City: San Rafael Project Location - County: Marin

Description of Nature, Purpose and Beneficiaries of Project:

The project consists of raising the frame and cover of two manholes located within the sanitary sewer easement in the Lands of Silveira (APN 155-011-12) adjacent to the District wastewater treatment plant. The purpose is to stop inflow from entering the manholes when the field is flooded.

Name of Public Agency Approving Project: Las Gallinas Valley Sanitary District

Name of Person or Agency Carrying Out Project: Las Gallinas Valley Sanitary District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 2 (Section 15302)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Class 2 (Section 15302) consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity.

Lead Agency
Contact Person: Michael P. Cortez Area Code/Telephone/Extension: (415) 472-1734

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: District Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Marin

3501 Civic Center Drive, Suite 234
San Rafael, CA 94903

From: (Public Agency): Las Gallinas Valley Sanitary District
300 Smith Ranch Road

San Rafael, CA 94903

(Address)

Project Title: St Vincents Storm Pump Station Headwall Repair

Project Applicant: Las Gallinas Valley Sanitary District

Project Location - Specific:

LGVSD Reclamation Area (APN 155-011-15) near Miller Creek

Project Location - City: San Rafael Project Location - County: Marin

Description of Nature, Purpose and Beneficiaries of Project:

The project provides for the reconstruction of an existing headwall for the discharge force main of a storm pump station located in the District's Reclamation area (APN 155-011-15) near Miller Creek. The purpose is to prevent further erosion on the existing levee and restore the full width of the levee access road at this location.

Name of Public Agency Approving Project: Las Gallinas Valley Sanitary District

Name of Person or Agency Carrying Out Project: Las Gallinas Valley Sanitary District

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 2 (Section 15302)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Class 2 (Section 15302) consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity.

Lead Agency

Contact Person: Michael P. Cortez Area Code/Telephone/Extension: (415) 472-1734

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: District Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



Agenda Summary Report

To: Mike Prinz, General Manager *MDP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Approve Award of Contract to Kennedy Jenks for
 Construction Management and Inspection Services for the
 Secondary Treatment Plant Upgrade and Recycled Water Expansion
Item Type: Consent X Discussion _____ Information _____ Other _____
Standard Contract: Yes X No _____ (See attached) Not Applicable _____

BACKGROUND:

In response to the Request for Proposals (RFP) for Construction Management and Inspection Services for the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project, the District received proposals from Consolidated CM, GHD, and Kennedy Jenks by the submittal deadline of June 14, 2019. After reviewing the consultants' proposals and conducting in-person interviews with GHD and Kennedy Jenks on June 26 and June 27, staff determined that Kennedy Jenks best meets the District requirements. Highlights of Kennedy Jenks' proposal and interview include the following:

- Extensive level of construction status and design research done prior to the interview.
- Very strong corporate support and interest in the project.
- Good understanding of environmental requirements.
- Proven engineering design and CM experience in the Bay Area.
- Prior working experience with current project participants (MWHC, Myers & Sons Construction, Brown & Caldwell, and ArcSine).
- Pre-proposal outreach to all project consultants, PG&E, MMWD, and NMWD.
- Prior working experience and established relationship with MWHC, which is anticipated to facilitate a smoother transition.
- Strong Resident Engineer presence and team engagement during the interview.

Staff presented their recommendation to the Ad Hoc Engineering Subcommittee on July 1, 2019. The Engineering Subcommittee concurred with the recommendation to award the contract to Kennedy Jenks.

If the Board approves the contract award to Kennedy Jenks, staff anticipates an overlap of services between Kennedy Jenks and MWHC of up to 20 business days. Such an overlap will facilitate a transfer of detailed construction status information from MWHC to Kennedy Jenks. Prior to completion of the information transfer, the District would supply a notice of termination to MWHC pursuant to Paragraph 19 of the District's contract with MWHC, which states:

Without limitation to such rights or remedies as DISTRICT shall otherwise have by law, DISTRICT shall also have the right to terminate this Agreement for any reason upon seven (7) days' written notice to CONSULTANT. This Agreement may also be terminated by either party



upon seven (7) days' written notice should the other party fail substantially to perform in accordance with this agreement through no fault of the other or if the project is stopped by conditions beyond the control of the DISTRICT.

In addition to terminating this Agreement if CONSULTANT materially breaches any of the terms of this Agreement, DISTRICT'S remedies shall include, but not be limited to:

- Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by CONSULTANT pursuant to this Agreement;*
- Retain a different consultant to complete the work described in Exhibit A not finished by CONSULTANT; and/or*
- This description of DISTRICT's remedies does not otherwise limit DISTRICT's remedies at law or equity.*

In order to reduce cost to the District, Staff will request MWHC and Kennedy Jenks to take reasonable steps to lessen the transition duration wherever possible.

PREVIOUS BOARD ACTION(S):

1. On November 15, 2018, District Board awarded a contract to MWHC in the amount of \$5,132,767 for CM and inspection services for the STPURWE project.
2. On May 16, 2019, District Board authorized staff to reissue an RFP for CM and inspection services for the STPURWE project.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

Time and expense, value of services not to exceed \$3,715,820.

STAFF RECOMMENDATION(S):

Board to award a contract to Kennedy Jenks for Construction Management and Inspection Services for the Secondary Treatment Upgrade and Recycled Water Expansion project, terminate contract with MWHC for Construction Management and Inspection Services, and authorize the General Manager to execute both the contract and notice of termination.



Item Number 5

Agenda Summary Report

To: Mike Prinz, General Manager *MPD*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Approve Award of Contract to Kleinfelder for
 Material Testing and Special Inspection Services for the
 Secondary Treatment Plant Upgrade and Recycled Water Expansion
Item Type: Consent X Discussion _____ Information _____ Other _____
Standard Contract: Yes X No _____ (See attached) Not Applicable _____

BACKGROUND:

The Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project requires geotechnical engineering, materials testing, and special inspection services for the project's entire 3-year duration. District Staff initially excluded these services from the current construction management (CM) contract with MWHC with an intent of awarding them as separate contracts later. The reissuance of an RFP for CM and inspection services further delayed awarding the contracts. This agenda item is for materials testing and special inspection services only.

In response to District Staff's request, Kleinfelder has submitted a proposal for Materials Testing and Special Inspection Services for the entire STPURWE project in the amount of \$221,247. The scope of services includes compaction testing, materials testing, and special inspection services for code compliance and quality control as required by the specifications. Staff did not solicit proposals from other consultants because Kleinfelder is currently MWHC's subconsultant for such services for the caisson installation only (currently in progress), which enabled Kleinfelder gain thorough knowledge of the overall project material testing and special inspection requirements by this stage of construction. In addition, the contract is on an on-call-time-and-expense basis. Staff feels that the fee estimate is reasonable and is consistent with average industry rates.

As required in the RFP for RFP for CM and inspection services, this contract will be managed and monitored jointly by District Staff and the construction manager.

PREVIOUS BOARD ACTION:

Award of MWHC Construction Management and Inspection Services contract on November 15, 2018, which included Kleinfelder as a subconsultant for caisson work.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

Time and expense, value of services not to exceed \$221,247.



STAFF RECOMMENDATION:

Board to approve Award of Contract to Kleinfelder for Material Testing and Special Inspection Services for the Secondary Treatment Plant Upgrade and Recycled Water Expansion project.



June 28, 2019
Revised July 8, 2019
Proposal No.: MW190223.001P

Michael P. Cortez, PE
District Engineer
300 Smith Ranch Road
San Rafael, CA 94903

SUBJECT: Proposal for Construction Observation & Materials Testing Services

**PROJECT: Las Gallinas Valley Sanitary District
Secondary Treatment Plant Upgrade and Recycled Water Expansion
300 Smith Ranch Road
San Rafael, California 94903**

Dear Mr. Cortez:

As requested, and in addition to those services currently being provided by and between Kleinfelder and MWH Global/Stantec the following proposal provides for supplemental professional services in connection with the referenced project. The purpose of these services are intended to provide Las Gallinas Valley Sanitary District (or your representative) and your design professionals with field data and information to assess project conformance with the approved project plans and specifications. The following proposal presents our understanding of the project, the scope of services we anticipate providing, an estimate of our fees, authorization, and our limitations.

PROJECT UNDERSTANDING

We understand that the project will consist of Construction Observation & Materials Testing Services during construction of the Secondary Treatment Plant Upgrade and Recycled Water Expansion project. The planned construction consists of facility upgrades to include the construction of new Aeration Basin, a Primary Pump Station, Electrical Building, Anoxic/Aeration Basin, two Secondary Clarifiers and associated ancillary structures and their site utility installations. The project falls under the authority of the Las Gallinas Valley Sanitary District and has an anticipated construction duration of thirty-five (35) months based upon preliminary construction schedules presented by representatives of the Las Gallinas Valley Sanitary District.

Our understanding of the project and fee estimate established for the services requested has been based on our experience with similar projects and our general review of the following documents:

- Project Bid Set drawings titled "Las Gallinas Valley Sanitary District, Secondary Treatment Plant Upgrade and Recycled Water Expansion Volume 4A and 4B", prepared by Aqua Engineering, dated July 2018.
- Preliminary Construction Schedule prepared by Las Gallinas Valley Sanitary District, dated December 15, 2018.

SCOPE OF SERVICES

The estimated durations, quantities and services should be considered approximate and also subject to change based on the contractor's actual methodology and work schedule. Kleinfelder will use the Hayward office as our base with supplemental technicians from our regional offices appropriately certified and approved by the jurisdictional authority to perform inspection services on each element of work being observed, tested, or inspected.

CONSTRUCTION OBSERVATION AND MATERIALS ENGINEERING TESTING PROGRAM

Based on our review of the project plans, specifications, Geotechnical provisions, and requirements of the 2016 California Building Code (CBC), we anticipate the following Professional services:

- *Installation of Site Utilities and General Grading (Periodic)*
- *Compaction Testing of Site Subgrade Soils and Aggregate Base Materials for Building Pad, Roadway, and Areas of Exterior Concrete Flatwork (Periodic)*
- *Reinforced Concrete Placement Inspections and Sampling for Structures (Periodic/Continuous)*
- *Structural Steel Shop Fabrication (Periodic and Continuous)**
- *Structural Steel Field Welding (Periodic and Continuous)*
- *Non-Shrink (HS) Grout Placement Inspection & Sampling (Periodic)*
- *Structural Masonry Grout Placement Inspection and Sampling (Periodic & Continuous)*
- *Post-Installed Anchor Observation & Testing (Periodic)*
- *Post Installed Epoxy Dowel Observation & Testing (Periodic)*
- *Laboratory Support Services (Materials Testing-Concrete, Asphalt, Soils, Aggregates, Masonry and HS Grout)*

**Assumes work to be performed by an approved fabricator (AISC) in accordance with CBC Section(s) 1704 2.5.2, and which is acceptable to the oversight jurisdiction. Reduction in Special Inspection oversight fees result from fabrication performed by these approved facilities. Where fabrication is performed by a non-accredited fabrication facility, an increase in inspection oversight will be required per applicable jurisdictional code requirements resulting in possible increases in Special Inspection fees.*

STATEMENT OF RESPONSIBLE GEOTECHNICAL ROLE

Kleinfelder will not be taking on the responsibility role of the Geotechnical Engineer of record. Unless otherwise requested, where work is provided in connection with any geotechnical site construction, Kleinfelder will provide our services in a reporting role only. No opinions or recommendations will be made other than reporting general conformance with applicable approved project documents and geotechnical reporting guidelines.

PROJECT MANAGEMENT & REPORTS

- **Project Management**

Our Project Manager (PM) will review the daily field reports during construction. Items found in noncompliance with the project requirements will be brought to the attention of the general contractor's construction superintendent; and if not resolved, designated design professionals, and your responsible representative.

- **Reports**

Our certified field staff will prepare daily field reports detailing work items observed with a copy provided to the owner; their authorized representatives; and to the general contractor superintendent onsite prior to leaving the site. Upon completion of the project, we will provide a final summary report to document the observation and testing services conducted.

- **Health and Safety Plan**

Prior to the start of field activities, Kleinfelder will prepare a site-specific Health and Safety Plan (HASP). The HASP provides guidelines for personal protection equipment and safety procedures to be used by Kleinfelder staff during field operations. The HASP will be specific to Kleinfelder's field activities during construction and should not be relied upon by others, as their onsite activities will greatly differ from Kleinfelder's scope of services.

It should be noted our services will not include: (1) supervision, direction, or acceptance of the contractor's work; (2) interpretation or modification of the project plans or specifications; (3) submittal of test results or reports to any regulatory agency (unless specifically requested by the Client in writing); or (4) job site safety.

STATEMENT OF PROPOSAL REVISIONS / UPDATE

Proposed Construction Observation & Materials Testing Services fees presented in Kleinfelder's (*Revised MWH Constructors, Inc*) proposal dated March 21, 2019 has been updated to include the listed modifications below which are reflected in the revised scope and cost presented in the attached fee estimate of services.

- ✓ *Per the general prevailing wage determination made by the Director of Industrial Relations (DIR) pursuant to California labor code part 7, chapter 1, article 2, sections 1770, 1773 and 1773.1 increase in prevailing wage (Group 2) labor allowance rates will become retroactive August 1, 2019;*
- ✓ *Request by LGVSD to provide expanded Inspection scope to include PW Group 2, Special Inspections in connection with site structural concrete and masonry reinforcement Pre-Placement inspections.*
- ✓ Supplemental ancillary bridge toll allowances

ESTIMATED FEES

Based on the scope of services currently being provided as well supplemental services requested, we have developed a tentative budget estimate of **\$221,246.68**. Should the construction schedule require a lesser or greater amount of service than that estimated herein, the cost for construction

testing services would vary accordingly. A detailed summary of our estimated fees is presented in **Attachment A**, for your review.

We propose our services be compensated on a time-and-expense basis based on 2-hour minimum for our inspectors, with one-hour increments thereafter. It should be noted that the fee rates shown in **Attachment A** are inclusive of labor costs and standard equipment charges. Mileage charges will be invoiced at a rate of \$0.58 per mile. All services will be invoiced on a portal-to-portal basis from our Bay Area offices. For estimation purposes, we have assumed our Hayward office. Services requested and not listed in this proposal may be provided and will be charged in accordance with our current 2019 Fee Schedule.

While we are diligent in our review of the project schedule and plans, it may be possible for deviations to occur once the project has begun. The actual cost of our services will depend largely on the contractor's efficiency and actual schedule and progress, as well as impact of weather and work stoppages, all of which are beyond our control. Our total fees may also fluctuate depending on the quality and performance of the construction materials used in addition to the contractor's approach and scheduling of construction sequences, work force, and jurisdictional requirements and events, which occur during the course of the project that cannot always be predicted in advance.

We will attempt to coordinate our services with the contractor's site superintendent to efficiently service the project. It should be noted that the fees above do not anticipate overtime work on the project. If overtime is required, the rates associated with overtime work are at 1.5 times the listed hourly rates in our Fee Schedule. Overtime for our services is defined as work on the project by a single person in excess of 8 hours per day and all time on weekends and/or night shifts and/or holidays. Overtime work can significantly impact our testing and inspection budget for the project and has not been anticipated due to the nature of the services proposed.

Proficient contractor performance and scheduling minimizes additional testing and inspection time, consequently resulting in lower total fees. In the event conditions arise which are beyond our control, were unknown at the time this proposal was prepared, unanticipated based on the available information, or differ significantly from the assumptions shown below, we may need to revise our scope of work and estimated fees in order to complete the project. Should this occur, we will contact you for authorization before exceeding the project budget.

PREVAILING WAGE PROJECT

The California Prevailing Wage Law requires payment of a local "prevailing wage" to workers on publicly funded projects. This includes projects "paid for in whole or in part out of public funds" and has been expanded to include various types of payments, credits and monetary equivalents provided by the State or public entity. The Prevailing Wage Law extends to geotechnical engineering consultants, their soils/material testing and building inspection personnel. Services subject to prevailing wage are typically non-professional field services and are applicable during design as well as construction. This law significantly increases employee wages for qualified activities on publicly funded projects. It is our understanding that our services for this project will be comprised of a combination of both prevailing wage and non-prevailing wage services.

In general, project management and administrative tasks and offsite fabrication inspection services, and travel are not subject to prevailing wage. Whereas onsite inspections, sampling and

testing services are subject to prevailing wage Law. The pricing in our detailed estimate fee table of this proposal, reflects where these different rates shall apply.

DISPATCH COORDINATION

Kleinfelder's central dispatch for the Bay Area Region may be reached at (925) 225-4575 or ajames@kleinfelder.com between the hours of 7:00 AM and 3:00 PM. Please provide 24-hours' notice for us to coordinate requested site visits. For weekend and/or night work, please provide as much notice as possible so that we may accommodate your project scheduling needs.

LIMITATIONS

Our work will be performed in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the services are provided. Our conclusions, opinions, and recommendations will be based on a limited number of observations and data. It is possible that conditions could vary between or beyond the data evaluated. Kleinfelder makes no guarantee or warranty, express or implied, regarding the services, communication (oral or written), report, opinion, or instrument of service provided.

This proposal was prepared specifically for the client and its designated representatives and may not be provided to others without Kleinfelder's express permission. This proposal will remain valid for 30 days unless a longer period is specifically requested. If a signed agreement is not received by that time, we may need to review the proposal scope, assumptions, and associated fees for performance of our services and issue a revised proposal.

The fees presented in this proposal are based on prompt payment for services presented in Kleinfelder's standard invoicing format. Additional charges will be applied for specialized invoicing and/or if backup documentation is needed. These special services will be charged on a time and expense basis. Late fees will be charged if payment is not received in accordance with terms contained in our contract.

The safety of our employees is of paramount concern to Kleinfelder. You will be notified if the location of your project represents a potential safety concern to our employees. Unsafe conditions for field work will require a modification of our estimated scope of work and associated fees. We will advise you of the additional costs necessary to mitigate these unanticipated conditions, if applicable.

Kleinfelder is committed to providing quality service to our clients, commensurate with their wants, needs, and desired level of risk. If a portion of this proposal does not meet your needs, or if those needs have changed, Kleinfelder will consider appropriate modifications, subject to the standards of care to which we adhere as professionals.

AUTHORIZATION

Acceptance of this proposal will indicate that you have reviewed the scope of services and determined that more services than are being proposed at this time are not needed or wanted at this time. Any exceptions should be noted.

Kleinfelder is committed to providing quality service to its clients commensurate with their wants, needs and desired level of risk. If a portion of this proposal does not meet your needs, or if those

needs have changed, Kleinfelder will consider appropriate modifications, subject to the standards of care to which we adhere as professionals. Modifications such as changes in scope, methodology, scheduling, and contract terms may result in changes to the risks assumed by the client, as well as adjustments to our fees.

If this proposal meets your agreement, please send us a purchase order for our review and signature. If this proposal does not meet your needs, or if those needs have changed, Kleinfelder is prepared to consider appropriate modifications, subject to the standards of care to which we adhere as professionals. Modifications such as, but not limited to, changes in scope, methodology, and scheduling, may result in changes to the risks assumed by the Client as well as adjustments to our fees.

CLOSURE

We appreciate the opportunity to present our proposal for Special Inspection services for this project. If you have questions regarding this proposal, our services, and fees or if additional information is required, please contact me at (925) 225-4581 or jnicolini@kleinfelder.com

Sincerely,

KLEINFELDER, INC.

Aaron Bocchi
Assistant Project Manager

John Nicolini
Principal Materials Engineer
Project Manager

Attachments: Table 1 – Fee Estimate



Agenda Summary Report

To: Mike Prinz, General Manager *MDP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Approve Award of Contract to DAC & Associates for Geotechnical Engineering Support Services During Construction for the Secondary Treatment Upgrade and Recycled Water Expansion
Item Type: Consent X Discussion _____ Information _____ Other _____
Standard Contract: Yes X No _____ (See attached) Not Applicable _____

BACKGROUND:

The Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project requires geotechnical engineering, materials testing, and special inspection services for the project’s entire 3-year duration. District Staff initially excluded these services from the current construction management (CM) contract with MWHC with an intent of awarding them as separate contracts later. The reissuance of an RFP for CM and inspection services further delayed awarding the contracts. This agenda item is for geotechnical engineering services only.

In response to District Staff’s request, DAC & Associates has submitted a proposal for Geotechnical Engineering Support Services During Construction in the amount of \$271,760. DAC’s proposal also includes assuming the remainder of Kleinfelder’s current scope of services as a subconsultant for caisson work with MWHC with remaining geotechnical inspection budget of approximately \$175,000, which is covered under the DAC proposal. Kleinfelder’s contract with MWHC for caisson work requires direct supervision by MWHC’s construction manager. As such, Staff, MWHC, and Kleinfelder mutually agreed that it would be best for the project to have DAC assume full geotechnical inspection responsibilities of the caisson work due to their anticipated role as the geotechnical engineer of record (EOR). (Note that materials testing will be provided by Kleinfelder.)

Staff requested proposals for a similar scope from Miller Pacific and Kleinfelder; however, both consultants could not commit to a role as full geotechnical EOR that the District requires. As a subconsultant to Aqua Engineering during the design phase who performed geotechnical investigations, and then developed the foundation design criteria for all components of the project, DAC & Associates has substantial project knowledge and will accept the role of geotechnical EOR.

As required in the RFP for CM and inspection services, this contract will be managed and monitored jointly by District Staff and the construction manager.

PREVIOUS BOARD ACTION:

Award of MWHC Construction Management and Inspection Services contract on November 15, 2018, which included Kleinfelder as a subconsultant for caisson work.



ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

Time and expense, value of services not to exceed \$271,760.

STAFF RECOMMENDATION:

Board to approve Award of Contract to DAC & Associates for Geotechnical Engineering Support Services During Construction for the Secondary Treatment Upgrade and Recycled Water Expansion project.



Item Number 7

Agenda Summary Report

To: Mike Prinz, General Manager *md*
 From: Teri Lerch, District Secretary *TL*
 Mtg. Date: July 17, 2019
 Re: Voting at California Association of Sanitation Agencies (CASA) Conference for Board of Director Candidates and New Dues Resolution
 Item Type: Consent Discussion Information Other
 Standard Contract: Yes No (See attached) Not Applicable

BACKGROUND:

The District received notification from CASA that the District will be asked to approve a slate of four Board of Director Candidates as well as a new dues Resolution at the upcoming CASA 64th Annual Conference. The CASA official ballot requires the signature of the District's CASA voting member representative. Director Clark is the current Agency Representative.

PREVIOUS BOARD ACTION:

In June 2018, CASA notified the District that it is required to designate an official voting representative and two alternates who are authorized to exercise the District's voting rights. At the June 14, 2018 Board meeting, the Board appointed Megan Clark as the CASA voting member who shall exercise the voting rights and other privileges on behalf of LGVSD. Chris DeGabriele was the first Alternate and Russ Greenfield was the second Alternate. Teri Lerch (Board Secretary) will receive official communications from and/or send official communications to CASA by electronic transmission (i.e.- email) .

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Board to determine the CASA voting member representative and the two Alternates and approve/disapprove the slate of four nominees for the open seats on the CASA Board of Directors and the Dues Resolution for FY 2020.

Teresa Lerch

From: casa@memberclicks-mail.net on behalf of Cheryl MacKelvie <casa@memberclicks-mail.net>
Sent: Monday, July 8, 2019 8:00 AM
To: Teresa Lerch
Subject: CASA: Time to Vote!
Attachments: President's memo and dues reso[1].pdf; Ballot for Slate of Directors Aug 2019.pdf



Your Agency - One Vote

You are receiving this notification because you have been designated as an authorized voter for your agency and will cast your vote for CASA's Board of Directors at the annual conference. Each agency is allowed one vote only. Attached please find the President's memo regarding the upcoming Board of Directors election and the 2019 Dues Resolution. The election results will be announced at the CASA annual conference in San Diego on August 23. Ballots must be turned in by 5:00 pm on Thursday, August 22 to the CASA registration desk.

If you are not the correct person to be receiving this ballot please contact me (cmackelvie@casaweb.org or 916-446-0388) and I will update your agency's information.

Thank you,

Cheryl MacKelvie | Executive Assistant, Meetings and Membership

California Association of Sanitation Agencies

This email was sent to ter.lerch@igsd.org by cmackelvie@casaweb.org

Call: 1-800-Association of Sanitation Agencies • 1225 8th Street, Suite 595, Sacramento, California 95811, United States • [916.446.0388](tel:9164460388)

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CALIFORNIA ASSOCIATION of SANITATION AGENCIES

1225 8th Street, Suite 595 • Sacramento, CA 95814 • TEL: (916) 446-0388 • www.casaweb.org

July 2, 2019

TO: CASA Member Agencies
FROM: Traci Minamide, President
SUBJECT: **CASA ANNUAL BUSINESS MEETING—AUGUST 22-23, 2019,
Manchester Grand Hyatt, San Diego, CA**

CASA Members,

CASA will hold its annual business meeting on August 22-23, 2019 during the Annual Conference at the Manchester Grand Hyatt in San Diego. The agenda for the meeting is as follows:

Election of the Directors for FY 2019-20

The membership will be asked to approve a slate of four nominees for the open seats on the Board of Directors. The Directors will serve three year terms. The slate was recommended by the Nominating Committee and approved by the Board of Directors. The nominees are:

- Jason Dow, General Manager, Central Marin Sanitation Agency
- Jim Herberg, General Manager, Orange County Sanitation District
- Traci Minamide, Chief Operations Officer, City of Los Angeles Sanitation
- Tony Trembley, Director, City of Camarillo/Camarillo Sanitary District

Brief biographies of the nominees are attached.

The Board consists of 13 Directors, 12 elected by the members and one Associate Director appointed by the President. If elected, the four Directors will join eight incumbents. In addition to the elected Directors, the President will appoint a new Associates Director, Brian Danley of Anchor Engineering, to a one-year term.

The election will take place by written ballot at the conference. Agency representatives attending the meeting may cast their votes up until 5:00 p.m. on Thursday, August 22, 2019.

The Board of Directors will then elect a President, Vice President and Secretary-Treasurer for one-year terms.

Approval of the Dues Resolution

The dues resolution carries forward the dues from the current year with no increases. The members will be asked to approve the dues resolution during the Annual Business Meeting.

In addition to the action items, at the conference members will receive for their information the FY 2020 Budget, approved by the Board on June 13, 2019, and the year-end FY 2019 Treasurer's Report.

During my term as your President, CASA launched a major nonflushables campaign, involving both legislation and related communications and awareness efforts. We led the coalition that successfully defeated legislation to prohibit ocean discharges (SB 332-Hertzberg). Thanks to

the efforts of our membership committee, 100% of CASA agency members renewed this year and 10 new members joined us. I was also fortunate to lead the process for recruiting and selecting CASA's next Executive Director. Following an open process, the Board was pleased to select Adam Link to assume the role in January upon Bobbi Larson's retirement. Adam and Bobbi will be working together over the next several months on an organizational structure and staffing proposal to ensure that CASA continues to provide excellent service to its members.

I look forward to seeing you in San Diego to learn how we can all stay "ahead of the curve."

Nominees for the CASA Board of Directors FY 2020

Tony Trembley, Director



Tony Trembley is a long-time community leader in Camarillo. He has devoted countless hours over 30 years in serving the community as a leader in local hospitals, Camarillo Hospice, the Chamber of Commerce, Boy Scouts and youth sports. As an Eagle Scout, Tony takes seriously his obligation to help others.

As an attorney in Ventura County since 1983, Tony has provided general counsel legal assistance to many local government agencies. He is an experienced problem solver with the ability to help parties engage, resolve disputes, move projects forward and achieve results. Tony has represented many Ventura County special districts and school districts.

His current longtime clients include the Pleasant Valley Recreation & Park District and the United Water Conservation District. Tony has also previously advised the Pleasant Valley and Oxnard Union High School Districts on a variety of issues. His extensive experience includes environmental, water, recreation and park, and public education issues, together with intergovernmental relations. His experience provides him with a unique perspective into making local government work better.

Tony received his undergraduate education at Trinity College, Dublin, Ireland, and the University of California, Davis. Here, he attained his B.A. in Political Science – Public Service, with highest honors. Tony also earned his J.D. from UC Davis in 1983.

Jason Dow, General Manager



Jason Dow was appointed general manager of the Central Marin Sanitation Agency (CMSA) in 2002. He began his career with CMSA in June 1993 as a University of California, Berkeley, College of Engineering intern and was then hired permanently as an engineering technician in December of 1993. Jason graduated from University of California, Berkeley in with his Bachelor of Science in civil engineering and received his Masters-of-Science in environmental engineering from San Francisco State. He is a California registered civil engineer.

Jim Herberg, General Manager



James (Jim) Herberg is the General Manager for the Orange County Sanitation District. Mr. Herberg has been with OCSD since 1995. Prior to becoming the Orange County Sanitation District's General Manager, he was the District's Director of Engineering and Assistant General Manager. Among his achievements, is the successful management of the District's \$2.7 billion capital improvement program including \$554 million in secondary treatment upgrades, which were completed in September 2012-on time and on budget.

Jim is a registered Civil Engineer in the State of California and is a board-certified Environmental Engineer by the American Academy of Environmental Engineers. He holds a Bachelor's Degree in Civil Engineering from the University of Oklahoma, and a Master's Degree in Civil Engineering from Long Beach State. He completed the Senior Executives in State and Local Government Program at Harvard University in 2002.

Traci Minamide, Chief Operations Officer



Traci is the chief operating officer for the City of Los Angeles, LA Sanitation. In this capacity, she assists the director by maintaining bureau-wide oversight of operational activities in a program that consists of three core services: wastewater collection and treatment, solids resources, and watershed protection (stormwater). Her main area of focus is in wastewater treatment, water recycling, and biosolids management where over 450 million gallons per day are collected and treated. Traci has been with the city for 25 years and has previously served with the city's Department of Water and Power and the Irvine Ranch Water District. She has served in many capacities including water planning, industrial pretreatment, environmental regulations, and wastewater treatment.

Traci holds a Bachelor of Science in civil engineering from California State Polytechnic University at Pomona and a Master of Science in environmental engineering from Loyola Marymount University. She is also a licensed professional civil engineer in the State of California and a board-certified environmental engineer.



OFFICIAL BALLOT

The voting members of the California Association of Sanitation Agencies (CASA) are requested to cast their votes on the following important action:

Board of Directors FY 2020

The Nominating Committee and the Board of Directors recommend election of the following slate of Directors to the four available Board seats:

- Tony Trembley, Director, City of Camarillo/Camarillo Sanitary District
Jason Dow, General Manager, Central Marin Sanitation Agency
Jim Herberg, General Manager, Orange County Sanitation District
Traci Minamide, Chief Operations Officer, City of Los Angeles Sanitation

Please check one:

- ___ Approve the slate of Directors
___ Do not approve the slate of Directors

Please mark this Official Ballot for approval or disapproval and then print the voting agency name and your name and sign your name and date below where indicated.

In order to be counted, this original completed, signed and dated Official Ballot must be returned to the CASA registration desk at the Manchester Grand Hyatt by 5:00 p.m. on Thursday, August 22, 2019. Materially incomplete or illegible ballots will not be counted.

Date: _____

Print name of CASA Member Agency

Signature of CASA Member Agency representative

Print name of representative

7/17/2019

General Manager Report

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



Item Number 8A2

Agenda Summary Report

To: Mike Prinz, General Manager *MP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Beechnut Court Easement Sewer Main Rehabilitation
Item Type: Consent _____ Discussion _____ Information X Other _____
Standard Contract: Yes X No _____ (See attached) Not Applicable _____

BACKGROUND:

During the rehabilitation of a sewer main located in the backyard easement at Beechnut Ct as part of the Sewer Main Rehabilitation 2018 project, District Staff discovered a section of 6-inch sewer not shown in current record drawings. District Staff deferred the rehabilitation until summer 2019 due to wet weather conditions and because the contractor's (KJ Woods) change order proposal was more than twice its unit bid price per lineal foot.

In May 2019, District Staff solicited quotes to finish the rehabilitation using the Uniform Public Construction Cost Accounting Act (UPCCAA) procedures. Tier 1 of the UPCCAA bid limit allows for public work projects under \$60,000 to be performed by negotiated contract or by purchase order.

Gopher-It Trenchless submitted the lowest bid in the amount of \$44,500. The other bidder was EPS Inc. The scope of work consists of the following:

- Pipe burst approximately 135 LF of existing 6" pipe with 6" SDR 17 HDPE pipe.
- Install new rodding inlet at the end of the sewer line.
- Reconnect one lower lateral.
- Replace approximately 50 SF of concrete slab that appears to have been damaged during construction of the Sewer Main Rehabilitation 2018 project.

The District approved a contract with Gopher-It on June 13, 2019 under the General Manager's signature authority and the work is scheduled to start the week of July 8, 2019.

PREVIOUS BOARD ACTION:

N/A

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

\$44,500

STAFF RECOMMENDATION:

For information only.



Item Number 8A3

Agenda Summary Report

To: Mike Prinz, General Manager *MP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: July 17, 2019
Re: Change Order 1 to Suez Water Technologies & Solutions for Z-Pak Ultrafiltration Water Treatment System
Item Type: Consent Discussion Information Other
Standard Contract: Yes No (See attached) Not Applicable

BACKGROUND:

The contract with Suez Water Technologies & Solutions (Suez) for the Z-Pak Ultrafiltration Water Treatment System (membrane) pre-purchased by the District in March 2017 for the Secondary Treatment Plant Upgrade and Recycled Water Expansion Project (STPURWE) project was \$1,554,760. Rejection of all bids for the original STPURWE Project Call for Bids has caused a delay in the procurement of the Suez equipment. The Suez contract did not include an escalation factor in the event of delay; however, prior to rebidding the project, the District and Suez have agreed on an escalation cost adjustment of 1.6% based on the Consumer Price Index (CPI) for San Francisco Area and other factors. Change Order 1 in the amount of approximately \$25,170 covers the escalation cost as of the actual placing of an order by Myers and Sons with Suez for the membrane filtration equipment.

PREVIOUS BOARD ACTION:

Board adopted Resolution 2017-2083 for the Pre-Purchase of GE 1500-600 Z-PAK Ultrafiltration Water Treatment System on February 7, 2017.

Board rejected prior STPURWE bids on March 28, 2018 and rebid on July 26, 2018.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

Approximately \$25,170

STAFF RECOMMENDATION:

For information only.



Item Number 8A4

Agenda Summary Report

To: LGVSD Board
From: Mike Prinz, General Manager
Mtg. Date: July 17, 2019
Re: Marin County Civil Grand Jury Special Districts Transparency Update Report Dated June 13, 2019
Item Type: Consent _____ Discussion _____ Information X Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X _____

BACKGROUND:

The Marin County Civil Grand Jury intermittently publishes transparency update reports summarizing its findings with respect to special district transparency. The most recent report was made available to the public on June 20, 2019.

Information from the LGVSD website regarding Board member compensation was mentioned in the report. See attached.

PREVIOUS BOARD ACTION:

N/A

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

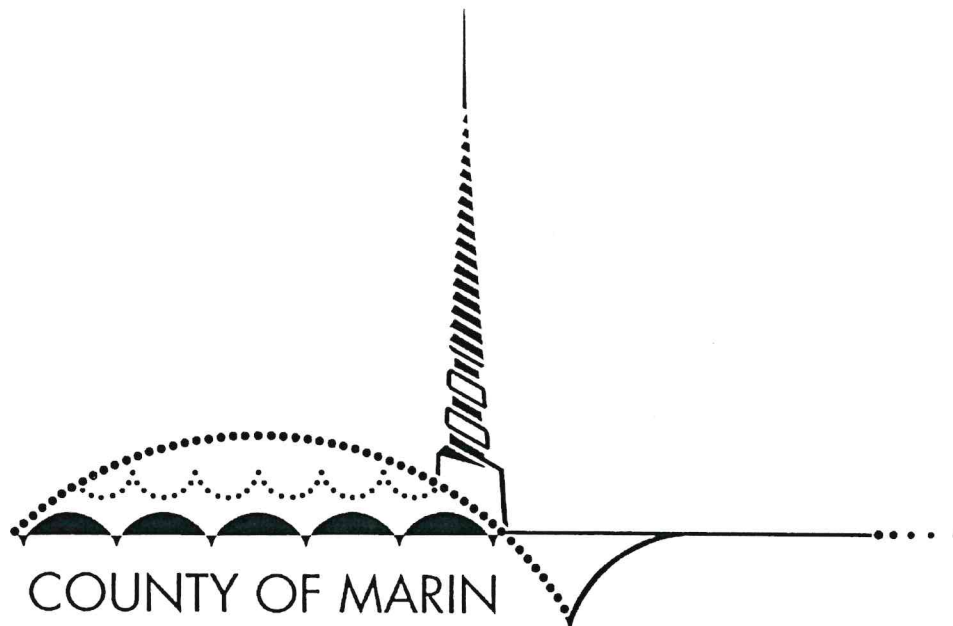
Information only. No action is recommended at this time.

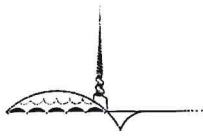
2018–2019 MARIN COUNTY CIVIL GRAND JURY

Special Districts Transparency Update

Report Date: June 13, 2019

Public Release Date: June 20, 2019





Special Districts Transparency Update

SUMMARY

Every year, Marin taxpayers spend hundreds of millions of dollars on special districts, but most taxpayers know little about these districts, including what they are. According to the Marin County Department of Finance's list, 133 special districts operate in Marin but there are other districts that may not be included on the list.¹ The operational details about them are uncertain and obscure.

A special district is a discrete local entity that delivers a limited number of public services in a specific geographic area. Special districts are separate and distinct from the cities and counties where they are located, but they have many of the same powers. The Marin Municipal Water District, the Muir Beach Community Service District, and the Sleepy Hollow Fire Protection District are examples of different types of special districts.

The 2013-2014 Marin County Civil Grand Jury tried to learn more about Marin's special districts, but was surprised to discover that a complete list of all special districts did not exist and information about them was hard to find.² Therefore, it recommended that the County of Marin add a page to its website listing all the special districts in the county with their contact information.

In 2016, the 2015-2016 Grand Jury followed up on the 2014 report.³ It issued a report entitled *Web Transparency Report Card*, that found that "The County of Marin does not currently publish a definitive list of all its dependent special districts and JPAs (Joint Powers Authority)." As a result, it recommended that:

-
- All agencies should update their websites to include the annual compensation of its directors, officers and employees.
 - The Board of Supervisors should create a comprehensive 'digital' directory with links to all County of Marin's dependent special districts and JPAs.

In its August 15, 2014, response to the above recommendations, the Board of Supervisors agreed to publish such a list,⁴ but to date, neither of these recommendations have been fully implemented. Marin Local Agency Formation Commission (LAFCO) has a partial list. The County Clerk's Office has a different partial list as mandated by State law. Some of its entries have not been updated since the 1960s. The Marin County Department of Finance has yet

¹ "Marin County Local Governmental Agencies (2019)." *The County of Marin*. Accessed on 28 May 2019

² "WHAT ARE SPECIAL DISTRICTS AND WHY DO THEY MATTER?" *2013-2014 Marin County Civil Grand Jury*. 20 May 2014.

³ "2015-16 Web Transparency Report Card: Bringing Marin County's Local Governments to Light." *2015-2016 Marin County Civil Grand Jury*. 10 Mar. 2016.

⁴ "Board of Supervisors Response to Web Transparency Report." *The County of Marin*. Accessed on 28 May 2019.

another partial list composed primarily of districts that have a financial relationship with the County. The California Secretary of State publishes yet another list covering the entire state.

To insure transparency and accountability, the Grand Jury recommends that the Marin County Board of Supervisors implement the 2015-2016's recommendations by December 31, 2019. The items that should be included on the list are provided in the discussion section below.

BACKGROUND

In the 1880s, the first special district in California was created by a group of Stanislaus County farmers to oversee the collection of runoff water from the Sierras, which they needed to irrigate their valley farms. The Wright Act of 1887 formalized their action and empowered them to form the Turlock Irrigation District.

After the 1906 earthquake, community leaders in Marin County began promoting the suburbanization of the county. Marin was marked as a "mecca for the homemaker, where suburban life in a beautiful wooded and flowered countryside may be combined with the business of the metropolis".⁵

The opening of the Golden Gate Bridge in 1937 and the post-World War II development boom, propelled Marin's population surge; in the 1950s it soared from 88,000 to 149,000. Services such as water, sanitation, and fire protection were needed, and special districts were formed since they provided a fast and efficient way to deliver those services.

APPROACH

The Grand Jury:

- Reviewed and examined prior Grand Jury reports on special districts and responses to them.
- Researched special districts in California.
- Met with Marin County leaders.

⁵"WHAT ARE SPECIAL DISTRICTS AND WHY DO THEY MATTER?" 2013-2014 Marin County Civil Grand Jury. 20 May 2014.

DISCUSSION

A lack of transparency results in distrust and a deep sense of insecurity

Dalai Lama

Although the purpose and size of special districts varies, most were created to: (1) provide services in areas that may not lie within a local government's jurisdiction, (2) provide regional services that are beyond the authority and capacity of a single local government, or (3) to fill a gap in services between other governmental agencies.

Although several definitions of special districts exist, the two main types are dependent and independent. Dependent special districts are governed by another governmental body such as a county or municipality, which support districts administratively and financially. County Service Areas (CSA) in Marin are dependent special districts that manage the county's parks and recreation areas, lighting, streets, and first responders.

In contrast, independent special districts have their own governing boards that are elected directly by the voters. Examples of independent special districts include the Novato Fire Protection District and the Las Gallinas Valley Sanitary District.

Despite their structural and geographical differences, special districts have many of the same powers as local governments. They can enter into contracts, assume debt, levy taxes, fees, and assessments, and pass ordinances related to their services. They can also sue, be sued, and charge for their services.

In its report entitled *Marin Web Transparency Report Card*, the 2015-2016 Marin County Grand Jury stated:

“Marin residents are likely unaware of all the various agencies that serve them. Their property tax bills list the charges assessed by these local agencies: county, city, school, joint powers authorities, rail districts, special districts, and assessment districts.

Increasing transparency for a local agency makes it easier to understand where tax dollars go. Residents should be able to easily find the description of services provided, the names and contact information of board members and management, the budget, agendas and minutes of meetings, and other information. Today, the most common source of information is the Internet. Compared with other information sources (i.e., phone calls or emails), online searching is often faster, more detailed, always accessible and anonymous.”⁶

Currently, taxpayers in Marin cannot easily access information about special districts. Often, the scant information available is not detailed or clear. Questions on how much board members are compensated may be available, but how total compensation is calculated is not revealed.

For example, the Las Gallinas Sanitary District (LGVSD) is an independent special district which provides sanitation services to 36,000 customers in northern San Rafael. Its board of directors consists of five members elected at large to serve four-year terms that are staggered. The 2018 election was contested, and a newcomer won over an incumbent. Most elections are

⁶ “2015-16 Web Transparency Report Card: Bringing Marin County's Local Governments to Light.” 2015-2016 Marin County Civil Grand Jury. 10 Mar. 2016.

not contested, or if they are, incumbents usually prevail. Directors have been in office for as long as 18 years.

Directors are paid \$252.70 per meeting up to a maximum of six meetings per month. They are also paid \$200 a month towards medical insurance. All of this information is available on the LGVSD website.⁷

Another example is the Central Marin Sanitation Agency (CMSA). It more than doubled its daily stipend for its directors in 2018 although the board members are limited to four board meetings a month. Additionally, they could be compensated for other meetings that they attend on behalf of CMSA.

A third example, the Marin Municipal Water District (MMWD), which serves central and southern Marin, has five board members who are elected for four-year terms. Often, the elections are uncontested. Even in contested elections, the incumbents tend to prevail and serve for multiple terms. The board is scheduled to meet the first and third Tuesday each month, but unlike other agencies, their meetings are not televised.

According to its website (marinwater.org), the MMWD board:

Establishes policy on the district's mission, goals, and operations. It represents the general public in deciding issues related to water supply. The board also has the authority to adopt ordinances that have the force of law within the district.

Reviews staff recommendations and decides which policies should be implemented in light of the district's mission and goals. The board also monitors the implementation of its policies. The board appoints a general manager to supervise all district operations.

Annually, the MMWD board reviews and approves a staff report showing the compensation paid to each director. Each director is paid \$200 per day of service. For the 2017-2018 fiscal year, four MMWD directors received over \$30,000 each — \$38,352, \$32,316, \$39,889, and \$32,520, while one director received \$7,549. The four directors who were paid over \$30,000 received medical/dental benefits valued at amounts between \$20,609 and \$22,257 which explains the vast difference in pay.⁸

While some of this information may be available from the special districts' websites, it may be difficult to find because the information may not be provided in a consistent manner. Furthermore, people may not know the questions to ask or the areas to search.

To promote greater transparency, the 2015-16 Grand Jury recommended in part:

- The Marin County Board of Supervisors should create a comprehensive online "digital directory" with links to all County of Marin's dependent special districts and JPAs.⁹

⁷ "Board of Directors." *Las Gallinas Valley Sanitary District*. Accessed on May 31, 2019

⁸ "Staff Report: Annual Report on Board Compensation." *Marin Municipal Water District*. 7 Aug. 2018. pp. 81-82

⁹ "2015-16 Web Transparency Report Card: Bringing Marin County's Local Governments to Light." *2015-2016 Marin County Civil Grand Jury*. 10 Mar. 2016.

Since the purpose of the directory/list would be to provide a central location to identify all special districts and JPAs in Marin, the following information should be included to provide an overview of the organization:

Recommended Elements for Special District List

1. Official name,
2. Street address,
3. Telephone number,
4. Web site address,
5. Purpose,
6. Geographic area served,
7. Total budget and source of funds,
8. Number of board members,
9. Board member names,
10. Length of terms and duration of each member's service,
11. If elected, was the last election contested or uncontested?
12. Complete compensation components and amounts (including salary, insurance, stipends, in kind goods, conference fees and other benefits, and reimbursements),
13. How board member compensation is calculated,
14. JPA members if applicable,
15. Board meetings recorded/televised?
16. If yes, how and where published?
17. Independent or dependent?
18. Month and year this record was last updated.

FINDINGS

- F1. A complete list of special districts, JPAs and CSAs in Marin County is not available. Inconsistent partial lists are published by Marin LAFCO, the County Clerk, the County Finance Office, and the California State Controller; therefore, the public is unable to find critical information from one source.
- F2. Without a full list, it is difficult to determine how many special districts exist and how much taxpayer money is expended by them.
- F3. Information about total board compensation, including salaries, benefits, and allowances, and how it is calculated is not consistently reported and made easily available for comparison among all special districts.

RECOMMENDATIONS

- R1. The Marin County Board of Supervisors should create and publish a comprehensive online "digital directory" of all the County of Marin's dependent and independent special districts, CSAs and JPAs, with links to their websites, no later than December 31, 2019.
- R2. The Board of Supervisors, the County Director of Finance, and the County Clerk should determine how the list will be compiled, who will be responsible for maintaining it, what formats it will have, and how it will be published.
- R3. The list should contain the data items delineated above in the Recommended Elements for the Special District List section of this report.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- County of Marin Board of Supervisors

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda and open meeting requirements of the Brown Act.

From the following individuals:

- County of Marin, County Clerk

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

7/17/2019 BOARD REPORTS

Agenda Item 9.1

LAFCO

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

Agenda Item 9.2

Gallinas Watershed Council/Miller Creek Watershed Council

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

Agenda Item 9.3

JPA Local Task Force on Solid and Hazardous Waste

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

Agenda Item 9.4

Flood Zone 7

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

Agenda Item 9.5

NBWA

- a) Board Committee
- b) Executive Committee
- c) JTC

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

Agenda Item 9.6

NBWRA/North Bay Water

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

Agenda Item 9.7

Engineering Subcommittee

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

7/17/2019 BOARD REPORTS

Agenda Item 9.8

Other Reports – Written – Special Leadership Academy Conference

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

Agenda Item 9.87
Date July 17, 2019

Report to the LGVSD board from Rabi Elias.

Re, Special District Leadership Academy Conference.

Located in Napa, July 7-9, 2019

It was educational and what to do and not to do on many activities of the Board.

The session that I picked and of interest to me timing wise which we are working on it presently is “How your Board Can Set Clear Direction and Build Your District’s Future around Its Core Priorities”.

It was presented by Martin Rauch from Rauch Communication Consultants Inc.

He talked about the Manager and the Board coming to an understanding about setting direction, strategic goals and strategic planning to move towards a desired future.

Following are the key steps for a strategic planning process:

- 1- Develop a process, who, where and how.
- 2- Reaffirm or update mission, vision and values.
- 3- Develop shared understanding of challenges and opportunities.
- 4- Develop goals and objectives needed to resolve challenges and achieve the mission.
- 5- Staff reality checks and develop implementation plan.
- 6- Set performance measures and link to resources.
- 7- Implement and monitor.

The rest of the presentation addresses the details with examples how to go about doing each step.

We are in the process of revising our strategic plan, it is a tedious process and very involved. Using above guide lines and the rest of the presentation will help us to achieve a complete strategic plan.



**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. and
returning on _____ day of _____ from _____ a.m. / p.m.

Actual meeting date(s): _____

Purpose of Meeting: _____

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): _____

**Please submit to the District Administrative Assistant, no later than 2:00 p.m. on the
Friday prior to the Board Meeting.**

For Office Use Only

Request was Approved Not Approved at the Board Meeting held on _____.

7-17-2019

BOARD AGENDA ITEM REQUESTS

Agenda Item 10B

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

Agenda Item 11
Date July 17, 2019

2018 Master Lecturer

Art K. Umble, PhD, PE, BCEE, WEF Fellow

This prestigious lecture is given each year by a selected researcher alternating each year between an academic and a practitioner. Dr. Umble was selected this year for his significant contributions to the water sector from the practitioner's viewpoint. He has chosen to speak about the contributions of the water sector in the current and fascinating topic of the circular economy.

Abstract: The Emerging Circular Economy – Can We Make a Relevant Contribution?

Significant dialogue has been occurring in the past decade around the development of value propositions from converting waste streams into value streams. This discourse has been useful in expanding our collective awareness regarding the challenges we face in providing the resources necessary to meet the global demands for water, energy, food and products to sustainably support expanding populations and industrialization in an equitable fashion. The facts at the macro scales are jarring indeed and bold calls to action have gone out. Nevertheless, many of us in the developed world remain somewhat removed from any direct connection with the implications of these realities. Part of this “disconnect” could be the realization (or belief) that the impact the individual has on macro-scale systems is perceived as miniscule and therefore inconsequential. Perhaps the circular economy concept can change that perception.

The circular economy concept has been evolving for decades. Research shows that awareness for reducing waste and purging wastes from our environment began in the 1960s and built the framework for landmark legislation that improved quality of land, air and water environments. In the decades following, enthusiasm grew around waste reduction, extending the useful longevity of products, and for developing technology to recycle and remanufacture wastes into beneficial products. But in recent years, circular economy has experienced challenges to its validity, with stakeholders seeking broader evidence for its value proposition. Furthermore, few public policy initiatives have surfaced to codify legislation supporting the expansion of the circular economy. Though the

challenges may be justified, it diminishes our enthusiasm for local, or micro-level programmatic initiatives. Organizations such as WEF, IWA, WRF and others recognize that these challenges are mostly about our knowledge gaps in the meaning of a circular economy for today's society and in the identification of its targets and associated metrics . In response, these organizations are actively engaged with policy initiatives such as the "Utility of the Future", exploring new life cycle assessment and "Triple Bottom Line" methods for analysis, and investing in new research to address these gaps. But will these efforts be enough?

Clearly, the circular economy concept is complex because its elements are tightly interconnected. Material flows of inputs and outputs are non-linear, often spread across geographical boundaries, making them extremely difficult to trace and model. Projected outcomes are rarely observable in the timeframes we demand, making input investments difficult to justify. Socioeconomic pressure too often remains the linchpin for decision-making resulting in missed opportunities for creative, innovative, sustaining solutions. The circular economy "operates", in many ways, analogous to a well-developed ecological system in nature. Its elements are highly interconnected, its material flows integrated through a hierarchy of symbiotic support, it evolves over long periods of time, and is constantly re-creating itself to further its resilience to micro and macro-scaled perturbations.

Perhaps the time has come for us to take a hard look at the contributions to the micro-level circular economy from the water sector, and pattern these after natural ecological systems. How can the interconnectedness and robustness of natural system ecologies inform us on the gaps in our understanding of circular economy of the water sector? What would be the outcome if we moved more to utilizing the fundamentals of "biomimicry" in our wastewater treatment schemes and handling the byproducts of these treated wastes? If we push for more engagement with the ecology model in our local-level circular economy, can envision the aggregate of multiple local-scale economies connecting us more directly to the macro-scale challenges so that our contribution is meaningful? Can research inform us in this regard and to what extent? Or is it all just a big waste of time?

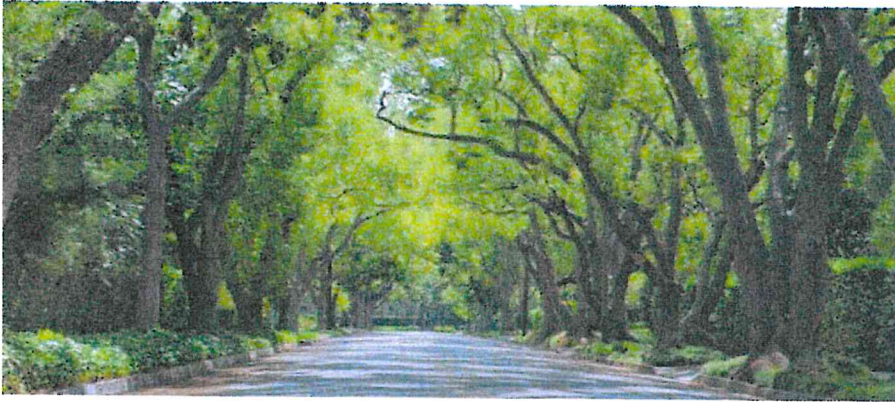
head shot of Art Umble

Speaker Biography

Dr. Umble leads the Global Wastewater Practice for Stantec Consulting, focusing on municipal and industrial wastewater treatment technologies, with an emphasis on converting waste streams to value streams. He provides technical analysis and support to design teams for new and rehabilitated wastewater treatment plants, with a focus on nutrient removal and recovery facilities, process optimization for treatment capacity and energy management, wet weather treatment, solids processing and disposal facilities, disinfection systems, reuse and emerging contaminant removal technology. In addition to consulting, Dr. Umble's experience includes university teaching and managing a publicly owned water and wastewater utility.

Dr. Umble is a national leader in initiatives involving the promotion of environmental sustainable systems, from watershed planning to pollution prevention. He serves in numerous state and national forums and stakeholder work groups related to emerging treatment technologies, sustainability in treatment and environmental regulation. He serves on numerous steering committees for the Water Environment Federation including the Leaders Innovation Forum for Technology (LIFT), and serves as Community of Practice Director for Resource Recovery for the WEF. He is also engaged in research by serving as on the Research Advisory Council for the Water Research Foundation (WRF), provides peer review for several academic journals and collaborative research projects, and serves on several university Boards for curriculum development in environmental engineering.

Dr. Umble has a B.S. Civil Engineering from Kansas State University, and a Ph.D. Civil Engineering from the University of Notre Dame.



Charitable support by a public agency can be acceptable if there is a valid public purpose and benefit — for example, a donation to the local Tree Foundation in return for an agreement to replace street trees that the agency must remove due to disease or old age.

August 1, 2013 | [Everyday Ethics for Local Officials](#)

Using Public Resources for Gifts and Charitable Purposes

This column is a service of the Institute for Local Government (ILG), whose mission is to promote good government at the local level. For more information and to access ILG's resources on public service ethics, visit www.ca-ilg.org/trust.

Seek Professional Advice

Although the Institute for Local Government endeavors to help local officials understand laws that apply to public service, its informational

materials are not legal advice. In addition, attorneys can and do disagree on the best interpretation of the complex rules related to public service ethics. Officials are encouraged to consult an attorney or the Fair Political Practices Commission for advice on specific situations.

QUESTION

Our agency recently adopted a very austere budget, which resulted in eliminating popular services and programs. Our agency's chief executive has been quoted as saying that in the current economic environment the agency can fund only its essential functions.

A local blogger has argued that the agency "wastes" resources on nonessential and possibly unlawful activities and this "waste" should be addressed before programs are eliminated. To document this assertion, she has requested records related to:

- Gifts to individuals;
- Gifts and/or contributions to nonprofit organizations;
- Travel expenses; and
- Credit card usage.

She apparently also has her eye on other forms of charitable fundraising. Her theory is that if the staff has time for such activity, they must not have enough "real work" to do. (She already has run a post criticizing firefighters for participating in a "Fill the Boot" campaign for a local

charity.) She has asked for copies of all emails that refer to charitable fundraising on agency time and/or using agency facilities.

As part of her crusade to restore the cut programs, she has promised to involve our district attorney, who recently announced a greater focus on public integrity issues (including the misuse of public resources). Our agency is generally quite careful, but there are a few items in the records that could be embarrassing.

What's done is done, of course. But what spending guidelines might local agencies consider to reduce the likelihood of heartburn when these types of records requests arrive?

*The “**Everyday Ethics**” column in the October issue of Western City addressed travel, expense reimbursement and credit card use. This column addresses gifts and charitable contribution/fundraising expense issues in response to this question.*

ANSWER

In these difficult economic times many agencies are finding their spending decisions under increasing scrutiny. In fact, one study showed that budgetary challenges are driving greater transparency in local agency information and decision-making.¹



Careful stewardship of public dollars, however, is not a new concept. In his first inaugural address, Thomas Jefferson equated “good government” with a “wise and frugal government” that, among other things, does not “take from the mouth of labor the bread it has earned.”²

Jefferson’s observation is one of the key reasons that decisions on how to use public resources are especially sensitive. Most taxpayers understandably believe a dollar that goes to the agency is a dollar they don’t get to spend. Public dollars are a quintessential example of “other people’s money.”

This article addresses the gifts and charitable contribution and/or fundraising issues raised by the question above. The next “Everyday Ethics for Local Officials” article will address travel, expense reimbursement and credit-card use.

GIFT-GIVING ISSUES FOR PUBLIC AGENCIES

Public-sector norms can differ significantly from those in the private sector. It is common for business people to extend hospitality and make gifts and charitable contributions to generate goodwill for the company.

In the public sector, California’s Constitution specifically prohibits “gifts” of public resources, often referred to as the ban on “gifts of public funds.”³ It also applies to gifts from either an agency or its officials to private citizens or organizations.

Because this ban is in the state Constitution, it applies to all public agencies except charter cities. However, the charters of many charter cities also prohibit gifts.

How does one know if a goodwill activity or gesture that might be perceived as a gift is OK? The test is whether a valid public purpose justifies the use of public resources in the manner proposed.⁴

Note that special districts have an additional burden when it comes to expenditures. Not only must they demonstrate that the contribution serves a valid public purpose, but they must also demonstrate that the expenditure falls within the specifically enumerated powers of that particular type of district.⁵

Another legal requirement to be aware of is the prohibition against using public resources for personal or political purposes.⁶ Public resources include public money, of course. Public resources also include anything paid for with public money, including equipment, supplies, staff time and public agency facilities.⁷

USE OF PUBLIC RESOURCES IN GENERAL

A wise public servant makes sure that any use of public agency money, supplies, facilities, equipment or staff time occurs in accordance with the agency's adopted policies, including requirements related to disposing of

surplus agency property.⁸ Such policies can include findings on the benefits of the allowed uses of public resources (for example, the benefits of being a member of certain civic organizations or picking up the tab at meals if that is the best way to get time with certain individuals to discuss agency business).⁹

CHARITABLE DONATIONS

The prohibition against gifts of public funds has implications for charitable giving by public agencies.¹⁰ As stingy as it may seem, a public official should not assume it is appropriate for public agencies to contribute to charitable organizations.

When might public agency support for charitable organizations be appropriate? These examples illustrate some circumstances:

1. When the charity provides a service that complements or enhances a service that the public agency also provides;
2. When there is an identifiable secondary benefit to the public agency;
or
3. When the charity provides a service the public agency could provide but chooses not to.

It is a good practice to include findings in the minutes about the benefits to the agency associated with providing resources to a charity. (See table below for example analyses.)

EXAMPLES OF WAYS TO DOCUMENT BENEFITS ASSOCIATED WITH CHARITABLE SUPPORT

Relationship To Public Agency Programs	Example	Nature of Benefit(s)
1. Complementary service	Donation to the Tree Foundation in return for agreement to replace street trees that agency removes because of disease or old age	Tree Foundation has specialized knowledge about trees suitable for area. Tree Foundation shares goal of populating area with more tree, thereby saving energy and enhancing property values for residents. Other grants received by the Tree Foundation mean the agency and those it serves save money on replacing trees.
2. Demonstrable benefit	Boys and Girls Clubs' after- school programs	Such programs reduce the need for law enforcement activities in the area. Programs promote public safety and law-abiding youth in a positive, cost-effective manner.
3. Service the agency could provide but does not	Homeless shelter and associated placement programs	Such programs help end the cycle of homelessness. Reducing homelessness is one of the agency's housing element goals.

As always, concluding that an expenditure may be legal is only the first step of the analysis — just because something is “legal” does not mean that it is the best use of resources in light of all competing demands on the agency’s treasury.

Making donations to charitable causes that are far away from the jurisdiction (for example, to help the victims of a hurricane in a distant state) also presents special challenges. Because of the distance, it can be more difficult to justify the contribution as creating benefits to the jurisdiction’s residents.¹¹ Some agencies cite promoting a culture of mutual aid and reciprocation as the anticipated benefit.

Individual decisions (for example, by elected officials or staff) to use public money to support a particular charitable or civic organization can also be subject to question. The least risky approach is to have the agency’s governing body make such a decision so the requisite findings on the benefit to the agency and the community it serves can be made.

Such a process can also be more transparent in terms of giving public notice that such support is under consideration, and it provides an opportunity for the community to weigh in on the wisdom of using public resources for such purposes. This type of approach also reduces the possible perception that decisions are made to curry political favor.¹²

Of course, just because something is allowed under legal standards doesn't mean that it is the best use of scarce public resources. This is where the "front page test" is a good guide — particularly with the understanding that bloggers and members of the media usually put themselves in the role of questioning public agency actions. The key question for any use of public money is whether it is the best use. This is particularly so when an agency is finding it necessary to discontinue programs and services valued by the public and that perhaps are more central to the agency's mission.

FUNDRAISING ON AGENCY TIME

Staff time is also a public resource. Accordingly, it can be wise for local agencies to have policies governing under what circumstances staff may fundraise for charitable purposes while at work. Such policies can minimize criticism and legal questions related to whether employees are using public agency time and other resources for personal purposes (in other words, using their time on the job to raise funds for their personal causes).

These types of policies can also avoid tension between employees who fundraise and those who are the objects of those fundraising solicitations. The latter may feel their relationships with colleagues will be damaged if they don't open their wallets.¹³ Fundraising ethics suggests that no one should ever be pressured to give (for example, supervisors should avoid soliciting those they supervise because of the power differential) and that such efforts should not occur during working hours.

Fundraising solicitations to those outside the agency present other issues. Those who do business with the agency (or want to do business with the agency) may feel pressured to contribute to maintain positive relations. These solicitations also can look like “pay to play” to the public and media.¹⁴

Solicitations for fundraisers connected with religious organizations can present issues around the separation of church and state.¹⁵ Using public resources to support such fundraisers can subject an agency to criticism that it is endorsing a particular religion.¹⁶

Finally, if such fundraising is allowed under specified circumstances, safeguards and controls must be in place to ensure that any funds raised through such efforts go to the cause identified in the solicitation.

In a similar vein, some agencies prohibit groups from engaging in charitable fundraising during governing body meetings. Groups are allowed to speak during public comments at the meetings, but are not allowed to sell goods or collect donations in the meeting chambers.

CONCLUSION

Missteps, criticism and embarrassment can be minimized when everyone participating in a public agency’s process of allocating resources and making spending decisions is sensitive to the reality that every public dollar is the community’s money. Orientations of newly elected officials and new

employees provide one opportunity to sensitize public officials and staff to this issue and acquaint them with relevant agency policies on what is and is not allowed. Emphasizing the special stewardship the agency has over public resources as part of internal communications and the overall agency culture is another helpful strategy.

ACKNOWLEDGEMENTS

The Institute for Local Government (ILG) thanks attorney John Bakker, with the law firm of Meyers Nave, for providing peer review of this “Everyday Ethics” column. In addition, ILG gratefully acknowledges the generous financial support of Meyers Nave for production of the “Everyday Ethics” column.

FOOTNOTES:

[1] Emily Jarvis, Transparency Report Card – Did your state make the grade? April 9, 2013, available at <http://www.govloop.com/profiles/blogs/report-cards-are-in-did-you-state-s-transparency-make-the-grade?elq=41580263bf4f4745991fe0b09631d2aa&elqCampaignId=2920> (quoting Phineas Baxandall, senior analyst for tax and budget at the US Public Interest Group that annually grades each state on transparency:

“Tight budgets are actually a spur towards greater transparency in that public officials want to show that they are taking these tradeoffs seriously. They want to show the money is accounted for. One of the things we asked states was how much does this really cost them and we continue to be surprised how little it costs,” said Baxandall.

[2] Thomas Jefferson, First Inaugural Address, 1801 available at <http://www.bartleby.com/124/pres16.html>. The full quote is:

Let us, then, with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter—with all these blessings, *what more is necessary to make us a happy and a prosperous people?*

Still one thing more, fellow-citizens—a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities. (emphasis added)

[3] See Cal. Const. art. XVI, § 6 (“nor shall it [the Legislature] have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individuals, municipal or other corporation whatever;...”). See also *Albright v. City of South San Francisco*, 44 Cal. App. 3d 866, 870, 118 Cal. Rptr. 901, 902 (1975) (making the connection between council member expenses and the prohibitions against a gift of public funds). Although the prohibition is directed to the Legislature, the courts’ theory is that, since general law cities, counties and special districts derive much of their authority from the Legislature, such local agencies also do not have the power to make gifts of public funds.

[4] *City and County of San Francisco v. Patterson*, 202 Cal. App. 3d 95, 103-04, 248 Cal. Rptr. 290, 295 (1988). See also McQuillin, *Municipal Corporations*, § 39.25 (3d ed.) (all expenditures must be for a public purpose).

[5] See for example, California State Auditor, “Metropolitan Water District of Southern California: Its Administrative Controls Need to Be Improved

to Ensure an Appropriate Level of Checks and Balances Over Public Resources,” (Report #2003-136, June 2004), at 15-18, available at www.bsa.ca.gov/pdfs/reports/2003-136.pdf.

[6] Cal. Gov’t Code § 8314. See Cal. Penal Code § 424.

[7] Cal. Gov’t Code § 8314(b)(3).

[8] See *Roseville v. Tulley*, 55 Cal. App. 2d 601, 608-09, 131 P. 2d 395, 400 (1942) (finding that judicial second-guessing of a city’s determination of what constitutes a public purpose would be an unwarranted intrusion into the legislative function of a city council).

[9] David Fonseca, West Hollywood Patch, No Charges Filed Against Duran for Meals Expenses, April 15, 2013 available at <http://westhollywood.patch.com/articles/no-charges-filed-against-duran-for-meals-expenses>.

[10] See generally McQuillin, *Municipal Corporations*, § 39.32 (3d ed.) (“Appropriations to charitable or nonprofit associations, without consideration [something in return], cannot be made.”)

[11] See 64 Cal. Op. Att’y Gen. 478 (1981) (noting that grants to other agencies must serve the interests or purposes of the residents of the granting agency).

[12] “Here’s \$50,000 – Spend it Well,” *Sacramento Bee*, November 23, 2003, page B1, B6 (The president of the local taxpayers’ association suggested that individual officeholder accounts are “a thin line” and observed that the expense are “almost like they’re buying votes”).

[13] *See for example*, What’s the etiquette for sharing kids’ fundraiser appeals at work? Linda Ann Nickerson Oct 6, 2011 12:08 PM EDT <http://shine.yahoo.com/etiquette-sharing-kids-fundraiser-appeals-160800552.html>

[14] “Mayor Works Around the Rules,” *San Jose Mercury News Editorial*, March 21, 2004.

[15] City Attorneys’ Dep’t League of California Cities, *The California Municipal Law Handbook* § 1.63 (Ann H. Davis ed., Cal CEB 2012).

[16] Ed Fletcher, Chili Cook-off Lands City Officials in Hot Water, March 12, available at www.sacbee.com/2013/03/12/5254712/roseville-chili-cook-off-lands.html (a national organization took a city to task when an employee sent an email to neighborhood organizations promoting attendance at a fundraiser for a religiously affiliated organization in which city officials were participating, but which was not sponsored by the city. A local law professor noted a problem arises when employees are picking which event to endorse or support, noting that it’s advisable to avoid speaking as the government endorsing a religion).

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Special districts still too murky, grand jury says

Districts

THE COUNTY

By Matthew Pera

mpera@marinij.com @MatthewRPera on Twitter

A new report by the Marin County Civil Grand Jury calls on county officials to publicize details about Marin's many small government agencies so taxpayers have the ability to hold them accountable.

Countywide, there are more than 130 so-called special districts, which are public agencies that deliver services including water, recreation, sanitation, policing and firefighting to specified geographic areas.

Information about those districts — including basic details, such as what they are called, whom they serve and how to contact them — is often difficult to find, says the report, which was released Thursday.

“Operational details about them are uncertain and obscure,” it says. The Marin County Civil Grand Jury routinely reports on special districts, often urging county officials to facilitate greater transparency from the agencies. It has repeatedly pressed for a comprehensive list of all Marin districts accessible through the county's website.

But according to the latest report, a complete inventory has yet to be published, despite the Board of Supervisors agreeing to create one in response to a 2014 grand jury recommendation.

“Without a full list,” the grand jury says, “it is difficult to determine how many special districts exist and how much taxpayer money is expended by them.”

State law requires public agencies when they are formed to file information with the state secretary and the clerk of the county where they operate. That information includes the name and mailing address for each agency, in addition to the names of directors. When any changes are made, agencies are required to notify the state and county within 10 days.

But the roster of public agencies maintained by the Marin County clerk's office shows that many districts don't routinely file change notices. Information about some districts hasn't been updated since the 1960s.

Shelly Scott, the county clerk, said she does her part by refreshing the roster when Marin's agencies file notices with her office. But she's not responsible for ensuring the information about each agency is current, or that each district is on the list.

“I don't keep track of all the agencies,” she said. “They're required to report to me.”

The grand jury report asks the county Board of Supervisors to create an accurate and complete public agencies directory before the end of the year and identify county staff responsible for updating it.

It recommends including in that database the names of board members for each special district and how much they are paid. It also suggest providing information such as the pur-

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Special districts still too murky, grand jury says

Districts

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pose, total budget and source of funds for each district. The recommendations are aimed at promoting “transparency and accountability,” the report says. That information is crucial for watchdog groups like the Coalition of Sensible Taxpayers, said Paul Premo, a board member for the organization. It can be tough in some cases, he said, to track down

details about many districts — especially financial figures, including how much directors and administrators are being paid. When the public doesn’t have easy access to that information, the agencies are able to “fly under the radar,” he said.

Transparency, Premo said, allows Marin residents to “monitor and perhaps challenge the efficiency of these governments.”

Officials warming to on-air meetings

Meetings

MARIN MUNICIPAL WATER DISTRICT

Chastened board edges to video, livestreaming

By Will Houston

whouston@marinij.com @Will_S_Houston on Twitter

Marin Municipal Water District directors this week took steps to record its meetings in response to repeated criticism about lack of transparency.

Board president Larry Bragman said the board's decision on Monday to direct staff to bring a proposal before the board to videotape and livestream its meetings reflects its commitment to accountability.

"MMWD's mission to protect the Mt. Tam watershed and provide the purest water possible depends on its ability to effectively communicate with the public," Bragman said. "Public participation is the bedrock of local democracy and this will be a transformational step which will benefit both MMWD and the public it serves."

The district staff is set to begin discussions with the San Rafael-based nonprofit organization Community Media Center of Marin on providing the video services. MMWD is considering livestreaming its meetings with four cameras, including closed captioning and archiving on YouTube. A delayed broadcast of the meeting also would air on the Marin TV government channel.

The estimated cost would be about \$54,000 the first year and about \$22,000 the second year, according to district staff. Board director Jack Gibson said he would support livestreaming both the board's regular and special committee meetings.

"If you just did board meetings you really would not have a complete picture of all the

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Officials warming to on-air meetings

Meetings

FROM PAGE 1

things we're doing," Gibson said.

Members of the Coalition of Sensible Taxpayers watchdog group, known as COST, called the board's decision welcome, but long overdue. At the board's recent rate hike meetings, COST members videotaped the proceedings.

COST president Mimi Willard attributed the district's recent approval of the "highly unpopular" and "illegal" fee increase to its "opaque" meetings.

"If the video plan is approved, this is a victory for COST's efforts on behalf of ratepayers, though the bigger battle lies ahead as our attorney asks the courts to overturn parts of the latest fee plan/process that we believe violated the law," Willard said.

Ben Horenstein, the water district general manager, said if the board decides to livestream its meetings, it would be one of the few special districts to do so.

"There aren't very many that do this in Marin," Horenstein said.

Of nearby water agencies, only three — Santa Clara Valley Water District, San Francisco Public Utilities Commission and the Zone 7 Water Agency — livestream video of meetings, according to district staff. Others only post videos on YouTube after the fact or just post audio as the district does currently. Some don't post video or audio recordings at all.

Gibson noted that MMWD has one of the larger budgets of local special districts and that it therefore makes sense to videotape the meetings.

The lack of videotaped meetings has been a consistent point of criticism, revived in past few months during the board's meetings on its rate and fee hikes. Even a former district board member, Mill Valley resident Richard Harris Jr., criticized the board for not livestreaming meetings in a recent Independent Journal commentary in which he called for a "strong dose of transparency."

COST board member Paul Premo said the morning board meetings make it especially difficult for ratepayers to attend. And without video of the meeting, Premo said it's difficult for the public to hold board members accountable for their decisions. He also noted how board members Armando Quintero and Larry Russell sometimes don't physically attend the meetings, opting instead to phone in.

"With both of those directors terms up for election in 2020, their constituents and constituent representatives, will be well-served by the overdue videos of upcoming board meetings," Premo said.

"If the video plan is approved, this is a victory for COST's efforts on behalf of ratepayers."

— *Mimi Willard, Coalition of Sensible Taxpayers*

BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

ORDINANCE 177 AN ORDINANCE AMENDING TITLE 2, CHAPTER 1, SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, does ordain as follows:

Section 1. Title 2, Chapter 1, Section 907, of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ARTICLE IX. PERMITS AND FEES Section 907. Capital Facilities Charge. A) Applicants desiring connection to the wastewater facilities of the District shall pay a capital facilities charge of \$6,224 per Equivalent Sewer Unit ("E.S.U.") to the District prior to connection.

5) Additions or alterations of existing structures (other than high-flow or high-strength) shall be charged a sewer connection fee (sometimes referred to as Capital Facilities Charge) and be subject to additional conditions of connection in accordance with the following:

(a) No Connection fee shall be charged where the addition or alteration will not cause the existing structure to exceed twenty (20) Plumbing Fixture Units (PFUs). In the event the addition or alteration causes the existing structure to exceed twenty (20) Plumbing Fixture Units (PFUs), a Connection fee charge of Three Hundred Eleven Dollars (\$311) per Plumbing Fixture Unit (PFU) added shall be charged.

D) Adjustment. To maintain parity of the Capital Facilities Charge in current-dollar values, the charge will be reviewed periodically. Any adjustments, if necessary, shall be passed by ordinance as follows: 2) The base ENR Index, as of the adoption of this Ordinance, is 12,051 (July 2018).

Section 2. Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted on the District's front gate bulletin board, the District's website, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

Section 3. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on June 20, 2019, by the following vote of members thereof: AYES: Clark, Elias, Murray, Schriebman and Yezman. NOES: None ABSENT: None ABSTAIN: None

/s/ Teresa Lerch, District Secretary Las Gallinas Valley Sanitary District APPROVED: /s/ Craig K. Murray, Board President (seal) No. 856 June 26, 2019

.....Friday noon

Legal Notice BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

ORDINANCE 178 AN ORDINANCE AMENDING TITLE 1, CHAPTER 7, SANITARY CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, does ordain as follows:

Section 1. Title 1, Chapter 7, Section 205, of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ARTICLE 2. PURPOSE AND SCOPE Section 205. If all bids are in excess of two hundred thousand dollars (\$200,000), the District may, by a resolution of a four-fifths vote, award the contract at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the District was reasonable.

Section 2. Attachment 1 of Title 1, Chapter 7 of the Ordinance Code of the Las Gallinas Valley Sanitary District, is amended to read as follows:

ATTACHMENT 1 The table below shows the CUCCAC amounts for the three Tiers referenced in Ordinance 2019-178, as of June 2019. The General Manager will update the Tier amounts after the CUCCAC approves adjustments.

Table 1 CUCCAC Tier 1 Less than \$60,000 Tier 2 Between \$60,000 to \$200,000 Tier 3 Greater than \$200,000

Section 3. Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted on the District's front gate bulletin board, the District's website, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

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I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on June 20, 2019, by the following vote of members thereof: AYES: Clark, Elias, Murray, Schriebman and Yezman. NOES: None ABSENT: None ABSTAIN: None

/s/ Teresa Lerch, District Secretary Las Gallinas Valley Sanitary District APPROVED: /s/ Craig K. Murray, Board President No. 857 June 26, 2019

Vertical text on the left margin: M, B, N, T, 1, M, CC, Pr, At, A, 2, es, cc, ce, ne, je, m, re, de, he, ca, if, m, NC, a, Ro, b, ab, Sai, 3.a, be, suc, hea, ent, tion, DA, An, Jud, Jan, Cot, MA, By, No.

Vertical text on the right margin: Leg, ST, PLEA, infor, Nanc, last s, 2014, from, any o, from, state, infor, regar, attor, Date, MICI, Albe, abia, Mar, msp, One, P.O., Mac, Tele, Fac, Attc, NO., ORD, FOR, CAS, SUP, COU, TO, 1, F, Eshl, deci, Pres, Jasc, to Pl, Jaso, 2, TI, este, cour, caus, nam, jecti, mus, reas, day, hea, cau, If n, may, NO, a, D, Roc, b, ab, Sar, 3.a, be, su, he, en, tic, D/, St, Ju, Ja, Ci

Public agencies given slack on fee

Fee

MARIN MUNICIPAL WATER DISTRICT

School districts, other entities get years to pay new surcharge

By Will Houston

whouston@marinij.com @Will_S_Houston on Twitter

To ease the financial hit of its new fee on school districts, cities and other public agencies, Marin's largest water district will now allow agencies to enter into payment plans.

The decision by the Marin Municipal Water District's board of directors will allow public agencies to defer payment of its new capital maintenance fee by up to four years and pay it back over a period of five years with interest.

The move is part of a larger effort by the district to help agencies, especially school districts, reduce their water bills and lessen the impact of the new fee, which will cost some agencies tens of thousands of dollars per year.

"I am concerned about the hit to the schools," director Cynthia Koehler said prior to the board vote Thursday. "I do feel they are differently positioned than other water consumers."

The water district's new "capital maintenance fee" is set to take effect in July. The fee, which was approved in late May, levies a

FEE >> PAGE4



Marin Municipal Water District engineer Lucy Croy checks a Ross reservoir in March. The system's new maintenance fee takes effect in July.

JEREMY PORTJE — MARIN INDEPENDENT JOURNAL

Public agencies given slack on fee

Fee

FROM PAGE 1

fixed charge based on ratepayers' water meter size. Fee revenue will be used to pay for repairs and replacement of aging pipes, tanks, pumps and treatment plants as well as fire preparedness. The fee is meant to shift the district from bonds to cash to pay for these projects.

Along with the payment delay, water district officials plan to begin aiding school districts, cities and other agencies to reduce their water meter sizes where feasible, plug leaks, install "smart" meters and promote ways to conserve water.

Impacts to schools

The vast majority of MMWD ratepayers have 5/8-inch and 1-inch meters and will pay either \$164 or \$409 annually. School districts and other agencies in MMWD's service area, however, face larger annual charges because they have several meter connections.

School districts' ability to absorb the new fee was a repeated point of concern when MMWD was considering the new fee and was the impetus for the board's decision on Thursday. School districts in MMWD's service area face \$180,000 in capital maintenance charges collectively with one school district paying up to \$42,000 in fee charges, according to district staff.

Mary Jane Burke, Marin County's superintendent of schools, described the board's decision as a "wonderful example of public agencies working together to save tax dollars and our precious water resources."

"Our schools are so grateful to the MMWD for its flexibility and feel fortunate that the district has agreed to collaborate with our schools to evaluate the current water meter infrastructure and address inefficiencies prior to implementing the new Capital Maintenance Fee," Burke said in a statement Friday. "For example, over the years eight turf fields were installed to replace grass, yet the water meters were not downsized to account for the reduction in water usage. This is an area where the MMWD will assist the district in determining the most appropriate meter size which will result in a lower fee."

Board director Jack Gibson and others had expressed a desire to exempt school districts entirely from having to pay the new fee, but state law under Proposition 218 does not allow for it, according to Ben Horenstein, the district's general manager. In the meantime, Gibson said he's had informal talks with state legislators about potential changes to allow such an exemption.

"I would characterize the response I got as enthusiastic," Gibson said.

Questions remain as to whether the Legislature could make such a change since the law was passed through a ballot initiative.

Under MMWD's new fee deferment program, public agencies can defer their fee payment by two years and request an additional two years if they can demonstrate a need. The agencies will then enter a five-year repayment plan and repay the owed amount with interest equal to the water district's Local Agency Investment Fund rate — which was about 2.5% as of May 2019 — plus 1%.

In a related action, the MMWD board also directed its staff on Thursday to track the collection and spending of the capital maintenance fee separately from other funds to ensure transparency.

‘Special treatment’

Not everyone supported the change. Even though the fee deferment plan would apply to his city, Larkspur councilman and local attorney Kevin Haroff told the board he opposes the carveout for public agencies, describing it as “special treatment” that other ratepayers won’t get.

“There is no basis here for making a discriminatory decision that benefits one set of customers over another,” Haroff told the board.

Greg Knell, president of the San Rafael Board of Education, said he opposes the fee, which he said “crowds” residents’ property tax bills and thus makes it more difficult for school districts to convince voters to fund property taxes to fund schools. The fee will be collected on ratepayers water bills for two years before being placed on property tax bills.

Knell, who ran for the MMWD board last year, said the deferment program would be more attractive if schools didn’t have to make interest payments, especially because of the impacts the new fee will have on school budgets.

“By them just adding (the fee) without a vote (by the electorate), this makes our job that much more difficult,” Knell said. “I understand what they are doing because we haven’t budgeted this rate increase. School districts by law have to have a balanced budget.”

An attorney representing the Coalition of Sensible Taxpayers watchdog group, or COST, alleged the deferment program would violate Proposition 218. In a letter to the board, attorney Walter McNeill argued the district has a “legal obligation to provide uniform non-discriminatory water rates” for all customers “whether public agencies or private parties.”

COST has threatened to sue the water district, claiming the fee is an illegal tax. Knell said he would support the lawsuit if it has a chance to overturn the fee.

MMWD’s legal counsel Mary Casey disagreed with McNeill’s letter, stating the change complies with Proposition 218 does not alter the amount owed by the public agencies.

“It simply allows a specific class of ratepayer, namely local public agencies, a payment plan given their budgetary constraints,” Casey said.

The district already offers a payment plan option for late bill payments as well as rate reductions for lowincome and medically disabled ratepayers. Customers who have larger meter sizes solely for fire sprinklers or water pressure issues, for example, can also apply for a lower fee amount.

Larry Minikes, a member of MMWD’s citizen advisory panel, supported the board’s change, saying, “I don’t see where not doing this is benefit to anyone.”

Fire chiefs’ concerns

In a letter to the district this month, the Marin County Fire Chiefs Association outlined its concerns about fee potentially discouraging people from installing fire sprinklers in their homes. New housing

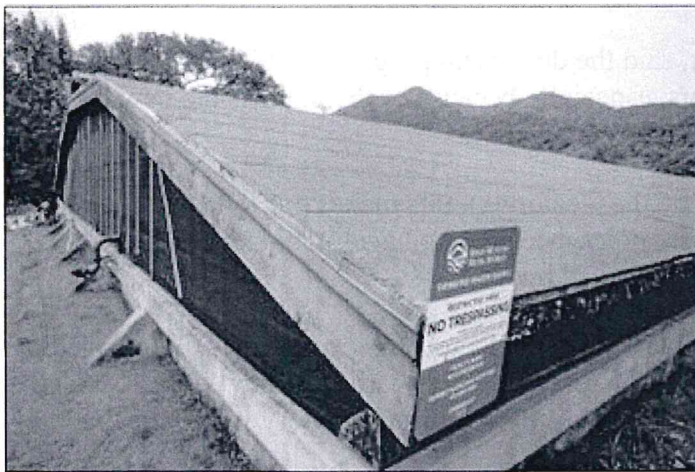
development or significant rebuilds of property can require fire sprinklers to be installed, which could require property owners to install larger meter sizes.

Novato fire Chief Bill Tyler serves as president of the chiefs association. He said he hopes to discuss the matter further once the district has had a chance to review the letter.

“We would like to see partnering with the water district to help lower barriers for people to be able to install residential fire sprinklers, whether it’s required by law or whether it’s done on a voluntary basis,” Tyler said.

Horenstein said the district’s fee reduction program already addresses the concerns in the fire chiefs’ letter.

“We appreciate the strong working relationship we have built with Marin’s fire agencies and we will continue to work closely with them moving forward,” Horenstein said in a statement.



The Marin Municipal Water District’s equipment includes a Ross reservoir built in 1927. The district approved a “capital maintenance fee” in May to fund infrastructure repairs.

JEREMY PORTJE — MARIN INDEPENDENT JOURNAL

Marin Independent Journal

Accountability question an important one

Editorial

The 2018-19 Marin County Grand Jury did the right thing in following up one of its predecessor's recommendations on the need for greater public awareness and accountability among Marin's varied special districts.

The grand jury found, for instance, that the county, which had previously promised in 2016 it would build a public database of Marin's special districts, had yet to do so. It has only been five years, during which time the county likely could have hired a team of interns from Dominican University to complete the task.

It appears, county supervisors and staff didn't consider the task a priority.

The grand jury's report addresses a flaw in the civil grand jury process, where each year a new panel of civic-minded citizens is formed and, not surprisingly, has its own agenda. But there is value in regularly reviewing a previous grand jury's findings and seeing if its recommendations had been followed — or ignored.

All too often, agencies' official responses to grand jury reports are so vague they deserve to be called out for publicly glossing over important recommendations and findings.

A follow-up report by a succeeding grand jury helps hold them accountable.

In Marin, grand juries have regularly done just that. They might make their own findings, sometimes differing from an earlier grand jury, but they also track whether public agencies have taken the grand jury's advice.

The grand jury's report also emphasizes the importance of special districts, most of which are run under the public radar, often figuring that if the public doesn't care about how they are spending their dollars, there is little need for the public know.

That equation, in some agencies, has helped lead to rising pay and pensions, perks and significant salaries for elected directors and issues the public should be told about being dispatched with little notice.

Meanwhile, they are spending thousands and sometimes, millions, of taxpayers' dollars.

The grand jury's attention should lead some of the elected or appointed directors of these agencies to at least ask themselves whether their body is doing as much as it should in making taxpayers aware of what they do and how much and where they are spending those dollars. They should be asking that question before, not after, they make important or costly decisions.

All too often, they don't. Sadly, too many directors take the empty seats in their board rooms as a sign of how much the public cares about the issues they are discussing and deciding. They don't seem to ask themselves what they are doing to inform and involve the public.

For instance, Marin City residents probably didn't know that their community services district had not performed an annual budget audit — a minimum accountability measure — for many years before November's contest for three board seats.

The new grand jury report specifically points out Las Gallinas Valley Sanitary District's five-member board, whose members are paid \$252.70 per meeting for up to six meetings per month and receive \$200 per month toward medical insurance.

This board, which gets little public attention despite its important responsibility and sizable budget, gets paid better than many council members or school board trustees across the county.

The grand jury also points out the Marin Municipal Water District, whose members are paid \$200 per day of service and are entitled to medical and dental benefits. For four of the five directors, their pay during 2017-18 topped \$30,000, including ratepayer-paid medical and dental benefits of more than \$20,000.

In making its case for a complete public database of local special districts, the grand jury disclosed its finding that the county clerk's office, the county Department of Finance, the Marin Local Agency Formation Commission — a state-required agency — and the state, all had differing listings of Marin's special districts.

The grand jury is asking for a public, up-to-date listing that includes the name of the district, its purpose, a phone number and website address, budget information, the names of board members and their tenure, complete compensation and when and where they meet and whether meetings are televised.

That doesn't seem like a monumental task. But will it ever be done? Or, is another grand jury going to bird-dog the matter until it does.

Beach ratings for water quality marred by spills

Beach

MARIN

County earns high marks despite flow from sewage

By Will Houston

whouston@marinij.com @Will_S_Houston on Twitter

Despite a large number of sewage spills, Marin County beaches received mostly high marks for water quality in recent report.

The ratings are part of the annual “Beach Report Card” by environmental organization Heal the Bay, grades beaches throughout the West Coast based on levels of bacterial contamination in the water.

Marin officials who monitor the beaches said the 2018-2019 grades are favorable overall, but there are still areas that experience contamination.

“In the context of other beaches throughout the state, Marin is really good, but we’re keeping an eye on it and post advisories if we need to,” said Lorene Jackson, project manager for the Marin County environmental health division.

A standout statistic in the Heal the Bay report showed Marin County had nearly 362,000 gallons of sewage spill in 41 incidents between April 2018 and March 2019. About 248,000 gallons reached water.

This is the third highest of number of spills and fourth highest volume of spills of all 17 coastal counties in the state, according to the report. The 41 spills were almost double the average number of spills for all coastal counties. Los Angeles County topped the list at 96 spills. Sonoma County had the highest volume with more than 2.8 million gallons of sewage leaking in 45 spills.

State records show the Sanitary District No. 1 of Marin reported the largest spill volume, about 232,000 gallons, between April 2018 and the end of March 2019.

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Chris Fisher of Marin County Environmental Health Services takes a water sample from the bay at China Camp State Park in San Rafael on Tuesday. Samples, collected at several Marin beaches are sent to a lab to test for contamination.

ALAN DEP — MARIN INDEPENDENT JOURNAL



A sign at Stinson Beach lets beachgoers know it is one of the Marin beaches tested regularly for water quality.

ALAN DEP — MARIN INDEPENDENT JOURNAL

Beach ratings for water quality marred by spills

Beach

FROM PAGE 1

About 127,000 gallons are assumed to have reached surface water.

The next highest was nearly 57,000 gallons spilled in Sausalito, and 54,000 gallons reached water, state data show.

In the months since the end of March, from April to July 2, another 14,700 gallons were reported to be spilled in Marin, and about 2,500 gallons made it to the water. The largest volume of about 11,036 gallons was reported by the San Rafael Sanitation District.

Greenwood Cove and Blackie's beaches along the Tiburon peninsula have been closed to the public since mid-May, when 670 gallons of raw sewage was released from a broken Sewage Agency of Southern Marin pipe. The sewage entered a drain pipe and is assumed to have entered into Richardson Bay. Two months later, water test results still show high levels of bacterial contamination, which is puzzling sanitary and environmental officials.

"The sanitary district said the pipe has been repaired, but for some reason the samples aren't coming in clean," Jackson said. "Those aren't normal background levels."

The county and the agency are in discussions about conducting more detailed tests to determine the source of the continued contamination.

Mark Grushayev, wastewater treatment director for the Sewage Agency of Southern Marin, said the 30-year-old force main pipe that broke was made of plastic and was designed to last 100 years or more. Upon inspection, they found a rock had broken through the pipe, possibly because of seismic activity, Grushayev said.

"It's unusual. It's very unusual," Grushayev said of the break.

As to what causes the number of sewage spills, Grushayev said it could be a variety of causes such as aging infrastructure or private lateral lines.

Marin beaches thrived in the summer months of 2018, with Heal the Bay noting their "excellent" grades: 22 beaches received A grades and the remaining two got Bs.

Compared to Southern California, Marin County does not have large storm drains and sewage outfall pipes, which limit exposure to bacterial contamination, Jackson said. The county environmental health division tests water quality at 27 beaches for fecal coliform, E. coli and Enterococcus bacteria, which alone don't cause issues.

"They just are an indicator that there could be a problem," Jackson said.

But in wet weather, runoff carrying sewage, animal waste, agricultural waste and storm water caused five beaches — China Camp, McNears, Schoonmaker, Bolinas and a section of Baker — to receive failing grades in the Heal the Bay report.

Jackson noted that the county tests water quality from April through October because that's the period the state has funded the tests. The wettest months of the year occur outside this monitoring window, so the wet weather grades in the report are based on instances from the spring through early fall, when rain can be minimal.

Bolinas Beach had only one day of water quality data when it rained in those months in 2018-2019. Jackson suspects this is why the beach received a failing wet weather grade. Health officials advise people to avoid going into beach waters for three days after rainfall.

China Camp and McNears beaches scored the lowest among all Marin beaches. The county has issued an advisory to the public to avoid the sites for the past three weeks because of the bacteria levels. Jackson said officials are unsure what is causing the contamination.

Freshwater sites are not included in the report, but they are a continual problem in Marin. The Inkwells on San Geronimo Creek are a classic swimming spot, but have a sign almost year round warning people of the bacterial contamination, Jackson said. Leakage from nearby septic tanks, runoff from pasture land and other human causes are believed to cause the contamination in San Geronimo and the Lagunitas Creek watershed.

The Heal the Bay report is online at bit.ly/2YuEbvz.

Marin Independent Journal

Reporting on sewage spills must be better

Editorial

Marin County beaches fared pretty well, according to the annual report card compiled by Heal the Bay.

But our local beaches were not without some problems, mostly caused by sewage spills reported by local sanitation agencies.

The term “reported” needs to be detailed.

While the local sewerage agencies followed state and federal law in reporting spills to governmental agencies, the public wouldn’t necessarily know much about them. In this case, it has taken Heal the Bay, a statewide environmental organization, to dig them out of bureaucracies’ files.

For instance, Heal the Bay’s report card details 41 sewage spills between April 2018 and March 2019 and reports that 248,000 gallons reached waterways.

Marin had the third-highest number of spills among 17 coastal counties.

That’s not something to brag about, especially in a county that boasts both its local environmental protection and an environmental consciousness.

The remedy starts with greater public awareness, which Heal the Bay’s report card provides. That awareness should prompt officials running local sewer districts to take measures to prevent future spills.

Sewer systems are not supposed to spill. They were built and are maintained to protect the environment.

But Marin’s sewer systems, according to Heal the Bay, are far from failsafe.

The Ross Valley Sanitary District reported the largest spill volume at 232,000 gallons, with more than half of that reaching waterways.

Sewerage agencies in Sausalito, San Rafael and Southern Marin also reported sizable spills.

Southern Marin’s spill in mid- May resulted in the beaches along Greenwood Cove and Blackie’s Pasture being closed.

That spill, according to officials, was caused by a rock that had broken through a thick plastic pipe, possibly the result of seismic activity.

But many of Marin’s spills are caused by aging pipelines, from water mains to laterals serving homes and businesses. Many sewer districts are playing catchup in fixing or replacing these pipes.

That needs to be their top priority.

The improving water quality of the San Francisco Bay is a reflection of the effectiveness of the 1972 federal Clean Water Act that required local sewerage agencies to upgrade their treatment and disposal of sewage. The state Regional Water Quality Control Board has the responsibility for fulfilling that measure. But the work is not done.

Improving local sewer systems must also promote public awareness of the need and importance of making diligent progress in making such upgrades and repairs. Public awareness about spills that take place is part of that.

Unfortunately, all too often, officials figure they fulfilled their obligation by reporting spills to a state bureaucracy or at a public meeting. Too many believe — wrongly — that the number of their constituents who care amounts to the number of people from the general public who attend their meetings. Typically, that means no one.

Thanks to Heal the Bay for being a watchdog and making public awareness a priority in keeping our bays and beaches clean.