



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

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

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

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

## **BOARD MEETING AGENDA**

**January 19, 2023**

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health, which was due to end on September 30, 2021 (Exec. Ord. N-08-21). However, the Legislature passed AB 361 which provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's previous Executive Orders. - In light of this – the January 19, 2023 meeting of the LGVSD Board will be held via Zoom electronic meeting\*. There will be NO physical location of the meeting. Due to the current circumstances, there may be limited opportunity to provide verbal comments during the meeting. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged, but not required, to submit comments in writing to the Board Secretary (tlerch@lgsd.org ) by 5:00 pm on Wednesday, January 18, 2023. In addition, Persons wishing to address the Board verbally must contact the Board Secretary, by email ([tlerch@lgsd.org](mailto:tlerch@lgsd.org) ) and provide their Name; Address; Tel. No.; and the Item they wish to address by the same date and time deadline for submission of written comments, as indicated above. Please keep in mind that any public comments must be limited to 3 minutes due to time constraints. Any written comments will be distributed to the LGVSD Board before the meeting.

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

### **REMOTE CONFERENCING ONLY**

**Join Zoom Meeting online at: <https://us02web.zoom.us/j/82409908125>**

**OR**

**By teleconference at: +16699009128 Meeting ID: Meeting ID: 824 0990 8125**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA ARE AVAILABLE FOR  
PUBLIC INSPECTION ON THE DISTRICT WEBSITE [WWW.LGVSD.ORG](http://WWW.LGVSD.ORG)**

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

Estimated  
Time

**OPEN SESSION:**

**4:00 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.

**4:05 PM**

**2. APPOINTMENT TO FILL THE VACANCY ON THE BOARD OF DIRECTORS PURSUANT TO GOV. CODE SEC. 1780/BOARD POLICY B-90 AND ADMINISTER OATH OF OFFICE**

Board to appoint Gary Robards to fill the vacancy on the Board of Directors.

**4:10 PM**

**3. CONSENT CALENDAR:**

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

- A. Approve Resolution 2023-2297 continuing Remote Meetings
- B. Approve the Board Minutes for January 5, 2023
- C. Approve the Warrant List for January 19, 2023
- D. Approve Board Compensation for December 2022
- E. Approve Clark attending the CSDA Virtual HR Book Camp on January 25-26, 2023
- F. Approve Hazen & Sawyer Contract Amendment 1 for Flow Monitoring for Collection System Hydraulic Model
- G. Approve Kennedy Jenks Contract Amendment 1 for Additional Compensation Management and Inspection Services for the STPURWE Project

Possible expenditure of funds: Yes, Item C through G.

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

**4:20 PM**

**4. INFORMATION ITEMS:**

**STAFF/CONSULTANT REPORTS:**

- 1. General Manager’s Report – verbal
- 2. Board Policy Review – B-160 Legal Counsel and O-20 Environmental Practices – written

**4:40 PM**

**5. BOARD PRESIDENT APPOINTMENTS FOR 2023**

Board President to appoint Board members to attend various meetings and/or committees.

- 5:10 PM 6. AWARD CONTRACT FOR SEWER SERVICE RATE CHARGE STUDY INCLUDING MARIN LAGOON AND CAPTAIN'S COVE**  
Board to review and approve the contract for Sewer Service Rate Charge Study including Marin Lagoon and Captain's Cove.
- 6:00 PM 7. BOARD MEMBER REPORTS:**
- 1. CLARK
    - a. NBWA Board Committee, 2023 Operations Control Center Ad Hoc Committee, 2023 Legal Services Ad Hoc committee, 2023 Human Resources Ad Hoc committee, Other Reports
  - 2. FORD
    - a. NBWRA, Marin Special Districts Association, 2023 Ad Hoc Engineering Committee re: STPURWE, 2023 Operations Control Center Ad Hoc Committee, 2023 Human Resources Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, Other Reports
  - 3. MURRAY
    - a. Marin LAFCO, 2023 Biosolids Ad Hoc Committee, CASA Energy Committee, Other Reports
  - 4. YEZMAN
    - a. Flood Zone 7, CSRMA, 2023 Ad Hoc Engineering Committee re: STPURWE, 2023 Legal Services Ad Hoc Committee, Marin Special Districts, 2023 Biosolids Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, Other Reports
- 6:10 PM 8. BOARD REQUESTS:**
- A. Board Meeting Attendance Requests – Verbal
  - B. Board Agenda Item Requests – Verbal
- 6:15 PM 9. VARIOUS INDUSTRY RELATED ARTICLES**
- 6:20 PM 10. ADJOURNMENT**

**FUTURE BOARD MEETING DATES: FEBRUARY 2 AND FEBRUARY 16, 2023.**

AGENDA APPROVED:	Megan Clark, President	Patrick Richardson, Legal Counsel
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**CERTIFICATION:** I, Teresa Lerch, Board Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before January 16, 2023 4:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held by Zoom January 19, 2023, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: January 13, 2023



Teresa L. Lerch  
Board Secretary

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

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

## AGENDA ITEM 1

**1/19/2023**

### **PUBLIC COMMENT**

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

**1/19/2023**

**APPOINTMENT TO FILL THE VACANCY ON THE BOARD OF DIRECTORS**

- Separate Item to be distributed at Board Meeting
- Separate Item to be distributed prior to Board Meeting
- Oath of Office
- Presentation

I, Gary Robards, do solemnly swear or affirm that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution for the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and I will well and faithfully discharge the duties upon which I am about to enter.

RESOLUTION NO. 2023-2297

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S ORDER, DATED MARCH 4, 2020, IN CONTINUING EXECUTIVE ORDERS, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT FOR THE PERIOD OF JANUARY 19, 2023 THROUGH FEBRUARY 17, 2023 PURSUANT TO BROWN ACT PROVISIONS**

**WHEREAS**, the LAS GALLINAS VALLEY SANITARY DISTRICT ("District") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

**WHEREAS**, all meetings of LAS GALLINAS VALLEY SANITARY DISTRICT's Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, the Board of Directors previously adopted a Resolution, Number 2022-2292 December 15, 2022, finding that the requisite conditions exist for the Board of Directors of the LAS GALLINAS VALLEY SANITARY DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

**WHEREAS**, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

**WHEREAS**, emergency conditions persist in the District, specifically, a State of Emergency has been proclaimed by Governor Gavin Newsom, dated March 4, 2020 and continuing; and

**WHEREAS**, effective, March 1, 2022, the Public Health Officer of The County of Marin (“Health Officer”), in keeping with Health Orders from the California Department of Public Health, strongly recommends that all individuals, regardless of vaccination status, continue to wear face coverings when indoors while in indoor public settings and businesses ; and

**WHEREAS**, evolving COVID-19 variants (following the highly infectious Omicron variant and BA.2 Omicron subvariant) may continue to pose a significant risk to the health and safety of attendees at an in-person meeting of the Board of Directors of the District; and

**WHEREAS**, the regular District Board room at 101 Lucas Valley Road, San Rafael, CA 94903 used to hold public meetings is small with no windows that open to the outside; and

**WHEREAS**, the Board of Directors does hereby find that, as noted by the Governor, the California Department of Public Health and the Marin County Public Health Officer, that a State of Emergency continues to exist in regard to the Covid-19 outbreak and its Delta and Omicron variants, has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California, the California Department of Public Health and the Public Health Officer of The County of Marin; and

**WHEREAS**, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the Board of Directors of LAS GALLINAS VALLEY SANITARY DISTRICT shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, the District will continue to:

1. Clearly advertise the means by which members of the public can observe a public meeting or offer comment during a meeting remotely, via either a call-in or internet-based option;
2. Provide the relevant remote access information to members of the public looking to attend a meeting of a local agency legislative body. This information includes, but is not limited



to: phone numbers, passwords, URLs, email addresses, etc., such that members of the public are able to attend the meeting remotely;

3. Ensure that the public remains able to connect to a meeting and offer public comment by the means previously advertised in the meeting notice or agenda; and

4. In the event that meetings are interrupted by technological or similar technical disruptions must first resolve those issues before taking any other action(s) on items on the meeting agenda.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF LAS GALLINAS VALLEY SANITARY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and due to the continuing Covid-19 pandemic and its Delta variant, which would present an imminent risk to the health and safety of the Board of Directors and members of the public at an in-person meeting due to the confined space in which the Board of Directors meeting are normally held.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020 and continuing through follow-up Executive Orders, the most recent being Executive Order N-5-22, issued February 28, 2022.

Section 4. Remote Teleconference Meetings. The General Manager and Staff of the LAS GALLINAS VALLEY SANITARY DISTRICT are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 17, 2023, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of LAS GALLINAS VALLEY SANITARY DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

\* \* \* \* \*

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a regular meeting thereof held on January 19, 2023 by the following vote of the members thereof:

AYES, and in the favor thereof, Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

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Teresa Lerch, Board Secretary

APPROVED:

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Megan Clark, Board President

**MEETING MINUTES OF JANUARY 5, 2023**

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON JANUARY 5, 2023 AT 4:00 PM BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

**BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford, Craig Murray, Crystal Yezman

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** Curtis Paxton, General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer;

**OTHERS PRESENT:** Patrick Richardson, District Counsel; Tim Holmes, Kenwood Energy; Sam Zantzinger, ForeFront Power; Shawn Koorn, HDR;

**ANNOUNCEMENT:** Vice President Yezman announced that the agenda had been posted as evidenced by the certification on file in accordance with the law

**1. PUBLIC COMMENT:** None.

**2. BOARD ELECTIONS**

Board discussed electing a President and Vice President.

**ACTION:**

Board nominated and approved (M/S Murray/Ford 4-0-0-0) Megan Clark to serve as President for 2023,

AYES: Clark, Ford, Murray and Yezman.

NOES: None.

ABSENT: None.

ABSTAIN: None.

**ACTION:**

Board nominated and approved (M/S Clark/Yezman 4-0-0-0) Craig Murray to serve as Vice-President for 2023.

AYES: Clark, Ford, Murray and Yezman.

NOES: None.

ABSENT: None.

ABSTAIN: None.

Yezman turned the meeting over to President Clark.

**3. 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 December 15, 2022
- B. Approve the Warrant List for January 5, 2023
- C. Approve Ford request to attend the WaterReuse Conference in Atlanta, March 5-8, 2023
- D. Approve Order of Publication for Ordinance 190
- E. Approve Resolution 2023-2294 B-150 Memberships and O-10 Capital Asset Accounting Controls

**ACTION:**

Board approved (M/S Ford/Murray 4-0-0-0) the Consent Calendar items A through E.

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

**4. INFORMATION ITEMS:**

STAFF / CONSULTANT REPORTS:

- 1. General Manager’s Report – Paxton reported.
- 2. Board Policy Review B-140 Board Meetings – Discussion ensued. This item to be continued. Staff to gather information regarding logistics of in person Board meeting locations and inform Board at the February Board meeting.

**5. PUBLIC HEARING FOR SOLAR PV SYSTEM UPGRADES**

Board considered the purposes of presenting certain findings, taking public comment, and approving Resolution 2023-2295 adopting the findings and approving an Energy Services Contract with FFP BTM Solar, LLC (D.B.A. ForeFront Power) for the implementation of certain energy related improvements to District facilities in accordance with California Government Code Section 4217.10 to 4217.18. and approving a Finance Agreement and related necessary loan documents with FFP BTM Solar, LLC (D.B.A. ForeFront Power) to fund the implementation of certain energy conservation improvements to District facilities in accordance with California Government Code Section 4217.10 to 4217.18.

**OPENED PUBLIC HEARING** – President Clark opened the public hearing at 4:43 p.m.  
No members of the Public attended.

**CLOSED PUBLIC HEARING** – President Clark closed the public hearing at 4:44 p.m.

**ACTION:**

Board approved (M/S Ford/Murray 4-0-0-0) Resolution 2023-2295 adopting the findings and approving an Energy Services Contract with FFP BTM Solar, LLC (D.B.A. ForeFront Power) for the implementation of certain energy related improvements to District facilities in accordance with California Government Code Section 4217.10 to 4217.18. and approving a Finance Agreement and related necessary loan documents with FFP BTM Solar, LLC (D.B.A. ForeFront Power) to fund the implementation of certain energy conservation improvements to District facilities in accordance with California Government Code Section 4217.10 to 4217.18.

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

**6. RECEIVE SEWER CAPITAL FACILITIES CHARGE STUDY AND CONSIDER AMENDING MISCELLANEOUS FEE SCHEDULE RESOLUTION 2023-2296**

Board considered the Sewer Capital Facilities Charge (CFC) Study Report from HDR, In. and reviewed Resolution 2023-2296 amending the Miscellaneous fee schedule connection fees imposed by the District.

**ACTION:**

Board received (M/S Ford/Murray 4-0-0-0) the Sewer Capital Facilities Charge (CFC) Study Report from HDR, Inc. and approved Resolution 2023-2296 amending the Miscellaneous fee schedule connection fees imposed by the District.

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

**7. BOARD MEMBER REPORTS**

1. CLARK

- a. NBWA Board Committee – no report
- b. 2022 Operations Control Center Ad Hoc Committee – no report
- c. 2022 Legal Services Ad Hoc Committee – no report
- d. 2022 Human Resources Ad Hoc Committee – no report
- e. Other Reports– none

2. FORD

- a. NBWRA – no report
- b. 2022 Engineering Ad Hoc Committee re: Secondary Treatment Plant Upgrade – no report
- c. 2022 Operations Control Center Ad Hoc Committee – no report
- d. 2022 Human Resources Ad Hoc Committee – no report
- e. Marin County Special Districts Association – no report
- f. 2022 McInnis Marsh Ad Hoc Committee – no report
- g. Other Reports –toured the LGVSD lab and perused the new sheet pilings for the levy system for flood control zone.

3. MURRAY

- a. Marin LAFCO – no report
- b. CASA Energy Committee –written
- c. 2022 Biosolids Ad Hoc Committee – no report
- d. Other Reports – none

4. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. Marin Special District Association – no report
- d. 2022 STPURWE Engineering Ad Hoc Committee– no report
- e. 2022 Legal Services Ad Hoc Committee – no report
- f. 2022 McInnis Marsh Ad Hoc Committee- no report
- g. 2022 Biosolids Ad Hoc Committee – no report
- h. Other Reports– received invitation to Marin County Biomass Coalition meeting

**8. BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – Clark would like to attend the CSDA HR Bootcamp webinars on January 25-26.
- B. Board Agenda Item Requests – none.

**9. MISCELLANEOUS DISTRICT CORRESPONDENCE:**

No discussion.

**10. ADJOURNMENT:**

**ACTION:**

Board approved (M/S Murray/Yezman 4-0-0-0) the adjournment of the meeting at 5:20 p.m.

AYES: Clark, Ford, Murray and Yezman.

NOES: None.

ABSENT: None

ABSTAIN: None.

The next Board Meeting is scheduled for January 12, 2023 11 am by Zoom Meeting at the District Office.

ATTEST:

\_\_\_\_\_  
Teresa Lerch, Board Secretary

APPROVED:

\_\_\_\_\_  
Craig K. Murray, Vice-President

Agenda Item 3c  
Date January 19, 2023

Las Gallinas Valley Sanitation District  
Warrant List 1/19/2023 DRAFT

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	1/19/2023	EFT1	ADP Payroll	154,454.38		154,454.38	1/13/2022 Payroll & Processing Charges
2	1/19/2023	ACH	A and P Moving	118.30		118.30	Document Storage - January
3	1/19/2023	ACH	Alliant Insurance Services	54,363.19		54,363.19	STPURWE- Builders Risk Insurance
4	1/19/2023	ACH	Amerine Systems	5,700.00		5,700.00	Center Pivot No. 1 Replacement Project- Dec
5	1/19/2023	N/A	Aramark Uniform Service	291.69		291.69	Uniform Laundry Service w/e 1/02
6	1/19/2023	N/A	ArcSine Engineering	18,247.60		18,247.60	SCADA Support
7	1/19/2023	N/A	Banner Bank Escrow	34,978.53		34,978.53	STPURWE- Retention # 46
8	1/19/2023	ACH	Bellecci & Associates	10,080.00		10,080.00	Inspection Services
9	1/19/2023	N/A	BullsEye Telecom	339.10		339.10	Monthly Trunk Lines Charge
10	1/19/2023	EFT	CalPERS 457	8,156.84		8,156.84	EE's Contribution to Deferred Comp. Paydate 1/13
11	1/19/2023	EFT	CalPERS Health	47,747.54		47,747.54	CalPERS Health- Active & Employer Retiree Share -Jan
12	1/19/2023	EFT	CalPERS Retirement	26,028.85		26,028.85	EE & ER Payment to Retirement- Paydate 1/13
13	1/19/2023	ACH	Contractor Compliance & Monitoring	5,298.25		5,298.25	Labor Compliance- Dec
14	1/19/2023	ACH	Core Utilities	2,290.00		2,290.00	IT Services- Dec
15	1/19/2023	N/A	CPM Construction	2,975.00		2,975.00	Scheduling & Estimating Services Consultation & Architectural Design Services OCC Building Design
16	1/19/2023	N/A	Danadjieva Hansen Architects	4,725.00		4,725.00	Design Services OCC Building Design
17	1/19/2023	ACH	DeGabriele, Chris	936.92		936.92	Consultation Services Related to Operations & Administration
18	1/19/2023	EFT	Direct Dental	1,424.87		1,424.87	Dental Payment
19	1/19/2023	ACH	Du-All Safety	4,728.00		4,728.00	Safety and Training for LGVSD- Dec
20	1/19/2023	ACH	EOA	18,463.25		18,463.25	Tech Support for Regulatory Permits
21	1/19/2023	ACH	Fastenal	49.28		49.28	Misc. Supplies
22	1/19/2023	ACH	Ford, Ron	200.00		200.00	Health Reimbursement
23	1/19/2023	ACH	Gardeners Guild	1,238.00		1,238.00	Landscape Maintenance - January
24	1/19/2023	N/A	Gladwell Government Services	1,650.00		1,650.00	Record Retention Consulting
25	1/19/2023	ACH	Grainger	470.78		470.78	Misc. Supplies
26	1/19/2023	N/A	GraphicSmith	253.70		253.70	Internet Site Design
27	1/19/2023	ACH	Hanford ARC	2,625.00		2,625.00	LMC Weed Management & Irrigation Maintenance
28	1/19/2023	N/A	Hansel Auto Group	591.80		591.80	Maintenance on Ford F-450
29	1/19/2023	N/A	IBank	159,345.36		159,345.36	STUPRWE - Interest Payment on Construction Loan

Las Gallinas Valley Sanitation District Warrant List 1/19/2023 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	1/19/2023	N/A	IEDA	8,196.17		8,196.17	Labor Relations Consulting- 1/1 - 6/30/2023
31	1/19/2023	N/A	Jackson's Hardware	28.89		28.89	Misc. Supplies
32	1/19/2023	N/A	Jefferson Security	255.00		255.00	Alarm Service - Jan through March
33	1/19/2023	ACH	Kemira Water Solutions	12,742.05		12,742.05	Ferric Chloride
34	1/19/2023	ACH	Kenwood Energy	1,343.75		1,343.75	Solar PV System Upgrades Assistance
35	1/19/2023	ACH	Kleinfelder	8,161.63		8,161.63	STPURWE- Construction Observation & Materials Testing Services
36	1/19/2023	ACH	Linscott Engineering Contractors	1,461.00		1,461.00	Chlorine Junction Box Modifications
37	1/19/2023	N/A	Marin Ace	228.64		228.64	Misc. Supplies
38	1/19/2023	ACH	Marin Independent Journal	1,620.86		1,620.86	Misc. Newspaper Publications
39	1/19/2023	N/A	Marin Water	9,152.37		9,152.37	Water Usage @ Pump Stations & Plant
40	1/19/2023	N/A	McMaster -Carr	136.81		136.81	Fuses, Cotter Pins
41	1/19/2023	ACH	McNeal, Jill	300.00		300.00	Boot Allowance
42	1/19/2023	N/A	McPhail Fuel Company	2,243.12		2,243.12	Propane
43	1/19/2023	ACH	Murray, Craig	125.00		125.00	Health Reimbursement
44	1/19/2023	N/A	Myers & Sons Construction	664,592.08		664,592.08	STPURWE- Construction Change Orders
45	1/19/2023	N/A	Northbay Gas	538.32		538.32	Welding Supplies
46	1/19/2023	N/A	North Valley Labor Compliance Services	150.00		150.00	Labor Compliance - Hanford
47	1/19/2023	N/A	Operating Engineers	658.98		658.98	Union Dues Paydate 1/13
48	1/19/2023	ACH	Operational Technical Services	2,152.00		2,152.00	Temporary Lab Analyst
49	1/19/2023	N/A	PG&E	223.57		223.57	Electricity on Solar Account - 11/28-12/26
50	1/19/2023	N/A	PG&E	33,415.33		33,415.33	Electricity @ Plant - 11/28-12/26
51	1/19/2023	N/A	Rathlin Properties	9,319.00		9,319.00	Rent for Feb - 101 Lucas Valley
52	1/19/2023	ACH	RelaDyne	1,396.55		1,396.55	Diesel & Unleaded Fuel
53	1/19/2023	ACH	Retiree Augusto	148.68		148.68	Retiree Health -Feb
54	1/19/2023	ACH	Retiree Burgess	132.25		132.25	Retiree Health -Feb
55	1/19/2023	ACH	Retiree Cummins	132.25		132.25	Retiree Health -Feb
56	1/19/2023	ACH	Retiree Cutri	448.36		448.36	Retiree Health -Feb
57	1/19/2023	ACH	Retiree Emanuel	269.02		269.02	Retiree Health -Feb
58	1/19/2023	ACH	Retiree Gately	269.02		269.02	Retiree Health -Feb



Las Gallinas Valley Sanitation District Warrant List 1/19/2023 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
59	1/19/2023	ACH	Retiree Guion	269.02		269.02	Retiree Health -Feb
60	1/19/2023	ACH	Retiree Kermoian	132.25		132.25	Retiree Health -Feb
61	1/19/2023	ACH	Retiree Mandler	132.25		132.25	Retiree Health -Feb
62	1/19/2023	ACH	Retiree McGuire	698.50		698.50	Retiree Health -Feb
63	1/19/2023	ACH	Retiree Memmott	185.29		185.29	Retiree Health -Feb
64	1/19/2023	ACH	Retiree Petrie	148.68		148.68	Retiree Health -Feb
65	1/19/2023	ACH	Retiree Pettey	132.25		132.25	Retiree Health -Feb
66	1/19/2023	ACH	Retiree Reetz	415.50		415.50	Retiree Health -Feb
67	1/19/2023	ACH	Retiree Reilly	132.25		132.25	Retiree Health -Feb
68	1/19/2023	ACH	Retiree Vine	132.25		132.25	Retiree Health -Feb
69	1/19/2023	ACH	Retiree Wettstein	732.00		732.00	Retiree Health -Feb
70	1/19/2023	ACH	Retiree Williams	732.00		732.00	Retiree Health -Feb
71	1/19/2023	N/A	Shamrock Building Materials	25.00		25.00	Pallet Charge Out
72	1/19/2023	N/A	SMART	4,471.15		4,471.15	License Fee 1/1/2023 to 12/31/2023, for Property near Milepost 21.92 for 30" Sanitary Sewer.
73	1/19/2023	ACH	Univar	34,525.27		34,525.27	Sodium Hypochlorite & Bisulfite
74	1/19/2023	N/A	Verizon Wireless	1,557.09		1,557.09	Cell Phone Service
75	1/19/2023	N/A	Vision Service Plan	498.57		498.57	Vision Payment- Jan
76	1/19/2023	N/A	Wallace, George	112.00		112.00	Low-Income Sewer Rate Assistance Program
77	1/19/2023	N/A	Water Components & Building Supply	300.89		300.89	Filled Sand Bags
78	1/19/2023	N/A	West Yost	3,182.00		3,182.00	Consequence-Driven Cyber-Informed Training
79	1/19/2023	EFT	WEX Health	490.97		490.97	FSA Admin Services & Payments
80	1/19/2023	ACH	Yezman, Crystal	447.89		447.89	Health Reimbursement, Office Supplies

**Las Gallinas Valley Sanitation District  
Warrant List 1/19/2023 DRAFT**

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

Do not change any formulas below this line.

TOTAL \$ 1,377,065.00 \$ - \$ 1,377,065.00

EFT1	EFT1 = Payroll (Amount Required)	154,454.38		154,454.38	Approval:
EFT2	EFT2 = Bank of Marin loan payments	0.00		0.00	
PC	Petty Cash Checking	0.00		0.00	Finance
>1	Checks (Operating Account)	0.00		0.00	
N/A	Checks - Not issued	962,682.76		962,682.76	GM
EFT	EFT = Vendor initiated "pulls" from LGVSD	83,849.07		83,849.07	
ACH	ACH = LGVSD initiated "push" to Vendor	176,078.79		176,078.79	Board
	<b>Total</b>	<b>\$ 1,377,065.00</b>		<b>\$ 1,377,065.00</b>	

Difference: \$ -

STPURWE Costs 886,801.36

Agenda Item 3D  
Date January 19, 2023

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	4
Ron Ford	3
Craig Murray	4
Crystal Yezman	<u>3</u>
<b>Total</b>	<u><u>14</u></u>

Meeting Date: 1/19/2023  
Paydate: 1/27/2023



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

Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE FORM**

Director's Name: MEGAN CLARK Month: DEC, 2022

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
1 <sup>ST</sup>	Reg	X	
15 <sup>th</sup>	Reg	X	
<b>TOTAL</b>		<b>2</b>	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2 <sup>nd</sup>	NBWA	X	
12 <sup>th</sup>	AD HOC OCC	X	
<b>TOTAL</b>		<b>2</b>	

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

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  
Director Signature

1-12-23  
Date

[Signature]  
Administrative Services Manager Approved

1/13/23  
Date

[Signature]  
Board Secretary Received

1/12/23  
Date



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

Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE FORM**

Director's Name: RON FORD Month: 12/2022

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

Date	REGULAR and SPECIAL MEETINGS Description of meeting	CHARGING DISTRICT	
		Yes	No
12/01	REG. BOARD	✓	
12/15	REG. BOARD	✓	
12/12	O.C.C. AD HOC	✓	
<b>TOTAL</b>			

Date	OTHER MEETINGS Description of meeting	CHARGING DISTRICT	
		Yes	No
12/07	PLANT TOUR		✓
12/19	LAB TOUR		✓
<b>TOTAL</b>			

**Total Meetings for which I am Requesting Payment:**  
**Max of six (6) per Health & Safety Code §4733** 3 (12)

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.

Ron Ford  
 Director Signature

12/28/2022  
 Date

[Signature]  
 Administrative Services Manager Approved

1/13/23  
 Date

[Signature]  
 Board Secretary Received

12/29/22  
 Date



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

Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE FORM**

Director's Name: MURRAY, Craig K. Month: December 2022

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
12/1/22	Board Meeting	X	
12/15/22	Board Meeting	X	
<b>TOTAL</b>		2/2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/2/22	Climate Summit Recap, COP 27 Updates, Environmental and Energy Study Institute, Washington DC	X	
12/4,11/22	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 12/4 0.5 hour; 12/18 1.5 hours		XX
12/8/22	LAFCo Regular Meeting		X
12/9/22	Coffee Meeting – LGVSD Board Candidate Jim Walsh		X
12/12/22	County Planning Commission Meeting – Housing Element		X
12/13/22	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting (In Person)	X	
12/15/22	Public Hearing Testify-- State of CA, CA Air Resources Board (CARB), CASA ACE on Advanced Clean Fleet (ACF) Regulations		X
12/21/22	Water Surveillance Office Hours – CASA/G.Kester and CA Dept Public Health		X
12/21/22	Plan for the Best Community Engagement Strategy 2023 - PublicInput		X
<b>TOTAL</b>		2/10	






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

Office: 415.472.1734 Fax: 415.499.7715

**BOARD MEMBER ATTENDANCE FORM**

<b>Total Meetings for which I am Requesting Payment:</b>	<b>4/12</b>
<b>Max of six (6) per Health &amp; Safety Code §4733</b>	

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.

 Craig K. Murray	December 16, 2022
Director Signature	Date
 Administrative Services Manager Approved	1/13/23 Date
 Board Secretary Received	12/16/22 Date



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

**BOARD MEMBER ATTENDANCE FORM**

Director's Name: Yezman Month: DEC 2022

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
12/01/2022	Regular Board Mtg	X	
12/15/2022	Regular Board Mtg	X	
<b>TOTAL</b>		<b>2</b>	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/08/22	CASA Regulatory Working Group – Biosolids Mtg	X	
<b>TOTAL</b>		<b>1</b>	

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

Director Signature

01/09/23  
 Date

Administrative Services Manager Approved

1/13/23  
 Date

Board Secretary Received

1/11/23  
 Date





### BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: 1-12-23 Name: MEGAN CLARK

I would like to attend the VIRTUAL HR BOOT CAMP Meeting  
of CSDA

To be held on the 25 day of JAN. from 9:00 a.m./ p.m. to  
26 day of JAN. from 9:00 a.m. / p.m.

Location of meeting: VIRTUAL

Actual meeting date(s): JAN. 25-26, 2023

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

Purpose of Meeting: HR policies

Meeting relevance to District: INFO.

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

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): Ø

Date submitted to Board Secretary: 1-12-23

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

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



Item Number \_\_\_\_\_ 3F \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

---

**To:** Board of Directors  
**From:** Michael P. Cortez, PE, District Engineer  
 (415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
**Mtg. Date:** January 19, 2023  
**Re:** Approve Hazen & Sawyer Contract Amendment 1 for Flow Monitoring for  
 Collection System Hydraulic Model  
**Item Type:** Consent  Action  Information  Other   
**Standard Contract:** Yes  No  (See attached) Not Applicable

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## STAFF RECOMMENDATION

Board to approve Contract Amendment 1 with Hazen & Sawyer (Hazen) for Flow Monitoring for the Collection System Hydraulic Model in the amount of \$83,307.

## BACKGROUND

The recent wet weather forecast due to atmospheric river phenomenon has provided an opportunity for Hazen & Sawyer to collect inflow and infiltration (I/I) data that would be very useful in finetuning the collection system hydraulic model. Based on initial findings of the model, Hazen has recently identified one rain gauge and 10 strategic manhole locations to establish wet weather baseline infiltration and changes in inflow patterns during rain events. As such, Hazen has submitted a proposal with ADS Environmental Services as a subconsultant in the amount of \$83,307 for a flow monitoring duration of up to two (2) months. District staff reviewed the scope of work and fee estimate and deemed the proposal reasonable.

## PREVIOUS BOARD ACTION

On July 7, 2022, the Board authorized the Interim General Manager to execute a contract with Hazen for the Collection System Hydraulic Model Development in the amount of \$169,400.

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

\$83,307, funding source will be through budget reallocation from other FY 2022-2023 CIP projects.

January 10, 2023

Frank Qiao, PE  
Hazen and Sawyer  
4011 Westchase Blvd.  
Suite 500  
Raleigh, NC 27607

ADS Environmental Services  
3447 Investment Blvd.  
Unit 5  
Hayward, CA 94545

Project Reference:  
SanRafael.HS.TFM.CA23

Frank,

We are pleased to provide this quotation as requested for the San Rafael, CA Sewer Flow Monitoring Project located in Marin County.

Below you will find the requested Project Description, Pricing, Scope of Work, Terms and Conditions and Technology Descriptions.

This proposal is valid for sixty (60) days and is subject to all ADS standard terms and conditions for professional services for your review and signature.

We look forward to working with you on this and future projects. If you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely,



Neil Volk  
Business Development Manager  
619-843-2648  
[nvolk@idexcorp.com](mailto:nvolk@idexcorp.com)

Cc: Sean Winder, Project Manager

## Project Description

**Approach:** ADS proposes implementation of well-proven technology by a certified project team employing ISO 9001 processes to successfully perform the following flow monitoring requirements.

**Project:** Temporary Flow Monitoring  
**Type:** Turn-Key Services  
**Monitoring Locations:** 10 AV flow and 1 rain gauge  
**Project Duration:** 2-months  
**Equipment:** ADS Triton+ Flow Meter with Peak Combo Sensor and RainAlert Rain Gauge  
**Traffic Control:** Basic – ADS Standard  
**Prevailing Wage:** Not required  
**Requested Start Date:** January 2023

## Proposal Pricing

The following **Pricing Table** includes all work as outlined in the **Scope of Work (SOW)**, detailed below. Acceptance of this proposal for the purchase of ADS services constitutes your and/or your company’s agreement to ADS’ Standard Terms and Conditions of Sale found at: <https://www.adsenv.com/ads-services-terms-and-conditions/>.

ITEM	ITEM DESCRIPTION	COST
1	Mobilization: Equipment Prep, Mobilization of Crews & Equipment, Site Investigations, Installation and Activation of Monitors.	
2	Monitoring: Flow Monitoring, Data Collection, Data Review to Create Work Orders, As-Needed Monitor Maintenance; PRISM set up.	
3	Finalization: Data Review/Editing/Finalization, Creation of Final Report.	
<b>Total Project Cost</b>		<b>\$69,559</b>

### **Pricing Assumptions:**

- Quotation Validity: **60-days**.
- No MBE/WBE or prevailing wage requirements.
- Any applicable Federal, state, or local taxes are not included.
- ADS standard Health & Safety procedures and documentation are sufficient.
- No modifications to the selected monitoring sites are necessary for installation.
- Monitoring period extensions: Notify ADS prior to the end of the monitoring period.

Hazen Markup (5%)	\$3,478
Hazen Coordination & Analysis:	\$10,270
<b>Total Contract Amendment Amount:</b>	<b>\$83,307</b>

## Scope of Work

ADS Corp d/b/a ADS Environmental Services ( "ADS") will provide temporary flow monitoring services to Hazen and Sawyer ("Client") in the City of San Rafael, CA ("City") as set forth below:

### **Phase I – Mobilization**

- 1) **Kick-off Meeting**. Phase I will begin with a kick-off meeting between representatives of ADS and Client. The purpose of the kick-off meeting is to discuss project scope, establish lines of communication, set milestones, and set the project schedule. (Email, phone or video conference).
- 2) **Site Locations**. ADS will work with Client to identify and verify the locations of the monitoring installations.
- 3) **Site Investigation**. Once the installation sites are provided to ADS, ADS field crew(s) will perform site investigations. ADS will utilize a 2-person field crew for fieldwork and comply with all Federal, State and Local standards for confined-space entry. The proposed flow monitoring locations will be located, inspected, and verified for hydraulic suitability. Any site concerns will be communicated to the Project Team to determine if the monitoring locations should be moved to an alternate location. ADS will also check for debris in the manhole that could impact data quality. Final site locations to be approved by Client.
- 4) **Site Reports**. A site report will be generated upon completion of the site investigations. The site report will include a sketch of the general location, physical characteristics and diameters of the proposed monitoring location, manhole depth, flow measurements, site photos, and other comments pertinent to the location such as any special traffic or safety issues.
- 5) **Equipment Prep**. Prior to monitor installation, all equipment is tested and must pass all functionality tests by the ADS contract manufacturer for new equipment, or by a certified ADS electronic technician for used equipment.
- 6) **Equipment**. ADS will utilize the ADS® *Triton+* flow monitor during the course of this project. A typical monitor installation will include a sensor mounted at the invert of the pipe that includes in the same housing a Doppler velocity measurement, an ultrasonic depth measurement, and a redundant depth measurement via pressure transducer. As determined in the site investigations, some sites will have an additional sensor mounted in the crown of the pipe that measures either depth, or depth & velocity.
- 7) **Monitor Activation**. Once installed, the monitor will be activated and set to take readings of at least 15-minute intervals. ADS field crews will take confirmations of manual depth readings with a ruler, and velocity readings with a portable, instantaneous velocity meter, in order to confirm the monitor is collecting accurate data based on the actual existing hydraulic conditions at each location.
- 8) **Standard Traffic Control**. ADS provides *basic traffic control* including 2-person certified field crew, cones and signs. This is only suitable for low-traffic, single lane roads.

### **Phase II – Monitoring**

- 1) **Flow Monitoring**. Once the monitors are installed and verified to be in working order, ADS will monitor the flows for the study's monitoring period. This initial monitoring period may be extended based on mutual consent and written agreement of additional work and price for such additional work.
- 2) **Data Collection and Equipment Maintenance**. The raw data will be collected and wirelessly uploaded on a daily basis to the ADS PRISM data platform, where it will be reviewed by ADS Data Analysts at least twice a week, who will be guided on a daily basis by the PRISM Auto Review™ Machine Learning system, and the analysts will create work orders to perform site maintenance and

site confirmations as necessary. Authorized Client & other City personnel will be given access to PRISM for viewing and exporting of data, graphs and reports.

ADS is an ISO 9001 certified company and has proprietary internal quality procedures for all fieldwork, data analysis and project management.

- 3) **Demobilization**. Once authorized, crews will schedule and remove the flow monitors.

### **Phase III – Finalization**

- 1) **Data Analysis**. Upon completion of the monitoring period, a trained ADS Data Analyst will analyze, edit and finalize the data. The data analyst will directly calculate flow using the continuity equation from recorded depth and average velocity data. Flow quantities as determined by the continuity equation will be plotted. The analyst will also utilize scatter plots (depths vs. velocity readings) and review system balancing to verify monitor accuracy.
- 2) **Data Delivery and Final Report**. ADS will prepare and upload to PRISM a Final Report in .PDF format of the flow data in tabular, hydrograph, and scattergraph format, and the data can also be exported from PRISM as a CSV file or Excel file.

NOTE: ADS's Flow monitors are capable of providing high accuracy, precise (repeatable) flow data. However, under some complex hydraulic conditions such as frequent backwater, surcharging, reverse flows, and complex bends in the flow path leading to/from the associated manhole monitor location, data accuracy may be diminished. It is understood that data quality may be compromised in locations immediately upstream of pump stations or other locations where the above listed hydraulic conditions can sometimes be persistent.

### **Client/City Responsibilities:**

- 1) If required, provide traffic control services at locations requiring more than the ADS standard (2-person crew, 18 cones, 3 signs, 1 vehicle mounted arrow board).
- 2) As required, pay for all local licenses, and any certified traffic plans and/or permits.
- 3) Access to the site of work with sufficient area for placement of personnel and equipment, including all right-of-way and ramps, if required.
- 4) If sewer line is dirty and full of debris, ensure that selected sites have been jet cleaned to minimize hydraulic deficiencies or select an alternate location.
- 5) Provide any known information concerning bypasses, overflows, base flows, critical surcharge areas, and maintenance habits.

**PROFESSIONAL OR TECHNICAL SERVICES AGREEMENT AND TERMS AND CONDITIONS**

Now therefore, the Parties, agreeing to be legally bound, hereby agree as follow to the ADS LLC TERMS AND CONDITIONS PROFESSIONAL OR TECHNICAL SERVICES AGREEMENT in accordance with the Exhibits attached to and incorporated herein to this Agreement.

Link to Terms and Conditions: <https://www.adsenv.com/ads-services-terms-and-conditions/>

**SIGNATURE**

<b>Client Name:</b>	<b>ADS LLC</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Printed Name/Title:</b>	<b>Printed Name/Title:</b>
<b>Date:</b>	<b>Date:</b>

**Questions Concerning Proposal Contact:**

**Neil Volk**  
**Business Development Manager**  
[nvolk@idexcorp.com](mailto:nvolk@idexcorp.com)  
**619-843-2648**



Item Number \_\_\_\_\_ 3G \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

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**To:** Board of Directors  
**From:** Michael P. Cortez, PE, District Engineer  
 (415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
**Mtg. Date:** January 19, 2023  
**Re:** Approve Kennedy Jenks Contract Amendment 1 for Additional Construction Management and Inspection Services for the STPURWE Project  
**Item Type:** Consent  Action \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_  
**Standard Contract:** Yes  No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

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## STAFF RECOMMENDATION

Board to approve Contract Amendment 1 with Kennedy Jenks (KJ) for additional construction management (CM) and inspection services for the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project in the amount of \$259,063.

## BACKGROUND

The STPURWE project has a forecast completion date of end of February 2023, which is 14 months past the original estimated completion date of December 2021 due to major project delays, such as PG&E power undergrounding and Secondary Clarifier #1 relocation. KJ was able to provide services within the original budget of \$3,715,820 through October 2022. However, KJ indicated that a budget amendment in the amount of \$259,063 is necessary to cover services through project acceptance. District staff reviewed the scope of work and fee estimate and deemed the proposal reasonable.

## PREVIOUS BOARD ACTION

On July 17, 2019, the Board awarded a contract to KJ for CM and Inspection Services for the STPURWE project, terminated contract with MWHC for CM and Inspection Services, and authorized the General Manager to execute both the contract and Notice of Termination.

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

\$259,063, funding source will be through budget reallocation from other FY 2022-2023 CIP projects.



9 January 2023

Mike Cortez  
District Engineer  
Las Gallinas Valley Sanitary District  
300 Smith Ranch Road  
San Rafael, CA 94903

Subject: Job Number No. 12600-07 and 16650-02  
CM / Inspection Services – Secondary Treatment Upgrade and Recycled Water Expansion Project  
K/J Project Number 1998013\*00  
District Purchase Order No. 19614

Dear Mr. Cortez:

Due to the time extension of the Las Gallinas Valley Sanitary District Secondary Treatment Upgrade and Recycled Water Expansion Project Kennedy/Jenks Consultants (Kennedy/Jenks) is currently over the original budget for the construction management / inspection services on the project by \$38,263.

The original project duration showed a completion date of December 2021. Kennedy Jenks was able to incorporate the original fee of \$3,715,820 beyond the December 2021 date through October 2022. The current construction completion date is anticipated to be at the end of February 2023. For budgeting purposes the average monthly invoicing rate has been approximately \$92,895.50. As such, Kennedy/Jenks is respectfully requesting a budget amendment of \$259,063 to cover the current overage of -\$38,263 and to capture the proposed costs through March 3, 2023. This is approximately 6% of the original contract value.

Please do not hesitate to contact me with any questions on the Budget Amendment request for Construction Management / Inspection Services for the Las Gallinas Valley Sanitary District Secondary Treatment Upgrade and Recycled Water Expansion Project.

Very truly yours,

KENNEDY/JENKS CONSULTANT



Tom Gorman  
Senior Construction Manager / Project Manager

Las Gallinas VSD  
Secondary Treatment Plant Upgrade

K/J Fee Proposal - Budget Amended Request

1/6/23

Construction Management Services		2022													Total Hours	Total Price	
Project Staffing Plan		Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec				
Months	Billing Rate	20	19	21	22	22	20	22	22	20	22	19	20				
Work Days Per Month																	
<b>K/J Team Staffing</b>																	
Construction Manager	Tom Gorman	\$ 240	0	0	0	0	0	0	0	0	0	0	0	35	35	70	\$ 16,800
PM/QA	Ron Esmilla	\$ 250	0	0	0	0	0	0	0	0	0	0	0	1	1	2	\$ 500
Resident Engineer	Justin Harrison	\$ 210	0	0	0	0	0	0	0	0	0	0	0	88	70	158	\$ 33,180
Inspector	Marcell Argumedo	\$ 195	0	0	0	0	0	0	0	0	0	0	0	155	202	357	\$ 69,615
EI&C Inspector	Phil Saunders	\$ 195	0	0	0	0	0	0	0	0	0	0	0	6	5	11	\$ 2,145
Doc Management	Araceli Aquilar	\$ 95	0	0	0	0	0	0	0	0	0	0	0	4.5	4	8.5	\$ 808
<b>Total K/J Team Staff</b>																	<b>\$ 123,048</b>
Subconsultants and expenses (Notes 1-8)			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000	\$2,000		\$ 4,000
Total by Year																<b>606.5</b>	<b>\$ 127,048</b>

Construction Management Services		2023													Total Hours	Total Price	
Project Staffing Plan		Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec				
Months	Billing Rate	20	19	21	22	22	20	22	22	20	22	19	20				
Work Days Per Month																	
<b>K/J Team Staffing</b>																	
Construction Manager	Tom Gorman	\$ 245	35	35	35	0	0	0	0	0	0	0	0	0	0	105	\$ 25,725
PM/QA	Ron Esmilla	\$ 255	1	1	1	0	0	0	0	0	0	0	0	0	0	3	\$ 765
Resident Engineer	Justin Harrison	\$ 215	65	65	65	0	0	0	0	0	0	0	0	0	0	195	\$ 41,925
Inspector	Marcell Argumedo	\$ 200	120	120	24	0	0	0	0	0	0	0	0	0	0	264	\$ 52,800
EI&C Inspector	Phil Saunders	\$ 200	5	5	5	0	0	0	0	0	0	0	0	0	0	15	\$ 3,000
Doc Management	Araceli Aquilar	\$ 100	4	4	10	0	0	0	0	0	0	0	0	0	0	18	\$ 1,800
<b>Total K/J Team Staff</b>																	<b>\$ 126,015</b>
Subconsultants and expenses (Notes 1-8)			\$2,000	\$2,000	\$2,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$ 6,000
Total by Year																<b>600</b>	<b>\$ 132,015</b>

Total Recommended Budget \$ 259,063

Notes:

- 1) Materials testing and special inspection will be provided by consultants retained by the owner. KJ will provide management.
- 2) Inspection hourly rates are based on prevailing wage.
- 3) KJ subconsultants are The Tiburon Group (Scheduling support).
- 4) Expenses cover living cost for Inspectors Argumedo and Sanders and project vehicle cost for Gorman and Harrison.
- 5) Continue to use EADOC's electronic document management system. Note, the final costs for the usage and final document archives are not known or captured in this budget amendment.
- 6) District has retained EOR Aqua Engineering and will retain other consultants as necessary to perform standard ESDC functions.
- 7) Field office trailer will be provided by District. KJ will provide field office trailer equipment including copier/scanner/printer.

**1/19/2023**

**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 \_\_\_\_\_ 4.2 \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

**To:** Board of Directors  
**From:** Teri Lerch, Executive Assistant/Board Secretary  
 (415) 526-1510; tlerch@lgvsd.org  
**Mtg. Date:** January 19, 2023  
**Re:** Board Policy Review of B-160 Legal Counsel and O-20 Environmental Practices  
**Item Type:** Consent \_\_\_\_\_ Action \_\_\_\_\_ Information X Other \_\_\_\_\_.  
**Standard Contract:** Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

## STAFF RECOMMENDATION

Attached for information and Board review are current Board Policies B-160 Legal Counsel and O-20 Environmental Practices.

There was only one change suggested by Legal Counsel for Draft Policy B-160 and O-20 with suggested change highlighted in yellow and deletions/additions shown in red. Staff will receive comments on the subject policies at the meeting and through January 25, 2023.

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

The Board has requested to review and update Board Policy.

## PREVIOUS BOARD ACTION

None

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

N/A

**B-160 LEGAL COUNSEL**

**Purpose**

This policy establishes the process to select and hire a Legal Counsel for the District, and sets forth the duties of the Legal Counsel.

**B-160-10 Method.** The Board by resolution shall employ by contract or other appropriate means an attorney to serve as Legal Counsel for the District.

**B-160-20 Selection Process.** The process to select a Legal Counsel shall include, but not be limited to, the following: (1) issuance by the Board of a Request for Proposals, (2) appointment by the President of an ad hoc Board committee, which may include the President, to review the proposals in cooperation with the General Manager, (3) selection by the committee of leading candidates to be interviewed by the Board in closed personnel session, (4) background check of the leading candidate or candidates, and (5) selection of a Legal Counsel by the Board in open session. A fee schedule and other conditions of employment, including provisions for evaluation and termination, shall be negotiated between the Board and the legal counsel in closed personnel session and approved by the Board in open session.

**B-160-30 Annual Review.** The Board or a designated committee of the Board ~~shall~~may conduct an annual performance review of the Legal Counsel. The method will be determined by the Board or delegated by the Board to a committee.

**B-160-40 Adviser.** The Legal Counsel shall advise the Board and General Manager concerning their respective legal responsibilities for full compliance with all laws pertaining to the governing, administering, and operating of the District. The Legal Counsel shall review and comment on all appropriate matters that come before the Board and that may also involve the General Manager

**B-160-50 Duties.** Specific duties of the Legal Counsel shall include, but not be limited to, preparing and reviewing contracts, leases, deeds, agreements, and other legal documents; handling legal aspects of land and right-of-way actions; preparing and processing petitions and other documents involved in annexations; handling legislative matters of interest to or affecting the District; making all necessary preparations for Board elections and reviewing election procedures and returns; bringing to the Board's attention matters of interest or concern; advising the Board on labor-law requirements; performing other tasks as ordered by the Board.

**B-160-60 Attendance.** The Legal Counsel will attend all meetings of the Board, as required. All action items requiring the attention of Legal Counsel shall be agendaized early in meetings to allow for Counsel's release from the meeting.

**B-160-70 Relationship to General Manager.** The Legal Counsel shall advise the General Manager on appropriate legal matters and shall perform other duties as requested by the General Manager.

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

## O-20 ENVIRONMENTAL PRACTICES

### Purpose

This is a general environmental policy and covers such issues as determining legal environmental requirements, method of preparing environmental documentation, General Manager and Board responsibilities, public input, the District Strategic Plan, and response to public mandates (ESA, air quality, hazardous waste, ocean disposal, etc.).

**O-20-10 Conformance.** Las Gallinas Valley Sanitary District will conform with all the requirements of the California Environmental Quality Act. Green Business certification will be sought for the District when possible.

**O-20-20 Responsible.** The General Manager and legal Counsel will be responsible for determining when provisions of CEQA or other environmental regulations must be implemented.

**O-20-30 Description of CEQA.** The California Environmental Quality Act of 1970 (CEQA) as amended ensures that consideration is given to the environmental effects of projects that are subject to CEQA. An EIR, or environmental impact report, is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways either to mitigate or avoid the effects. It is an information document which, when fully prepared in accordance with CEQA and these guidelines, will inform public decision makers and the general public of the significant environmental effects of projects proposed to be carried out or approved. While CEQA requires that major consideration be given to preventing EIR damage, it is recognized that public agencies have obligations to balance other public objectives including economic and social factors in determining whether and how a project should be approved. The District retains its existing authority to balance environmental objectives with economic and social objectives and to weigh the various long-term and short-term costs and benefits of a project in making the decision to approve or disapprove it.

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



Item Number 5

GM Review CP

# Agenda Summary Report

**To:** Board of Directors  
**From:** Teri Lerch, Executive Assistant/Board Secretary  
 (415) 526-1510; tlerch@lgvsd.org  
**Mtg. Date:** January 19, 2023  
**Re:** Board President Appointments for 2023  
**Item Type:** Consent \_\_\_\_\_ Action X Information \_\_\_\_\_ Other \_\_\_\_\_  
**Standard Contract:** Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

## STAFF RECOMMENDATION

Committee/meeting assignments are a matter of the Board President’s determination.

## BACKGROUND

Every year the Board President appoints Board Members to attend various meeting and/or committees.

## PREVIOUS BOARD ACTION

The committee assignments as of October 20, 2022 were as follows:

Committee	Chair/ Associate Member	Alternate Member
NBWA Board Committee	Clark	Schriebman
NBWRA	Ford	Clark
JPA Local Task Force**	Schriebman	
Gallinas Watershed Council/Miller Creek	Schriebman	
Marin LAFCO**	Murray	
CASA Energy Committee	Murray	
Marin Special Districts Association	Yezman/Ford	
CSRMA	Yezman	
Flood Zone 7	Yezman	Ford
2022 Engineering Ad Hoc Committee regarding the Secondary Treatment Plant Upgrade	Ford/Yezman	
2022 Operations Control Center Ad Hoc Committee	Clark/Ford	
2022 Legal Services Ad Hoc Committee	Yezman/Clark	
2022 Biosolids Ad Hoc Committee	Yezman/Murray	
2022 HR Ad Hoc Committee	Ford/Clark	
2022 McInnis Marsh Ad Hoc Committee	Yezman/Ford	

\*\*Appointments made by JPA Local Task Force and Marin LAFCO not LGVSD



The following committee/meeting assignments are available for 2023:

Committee	Chair/ Associate Member	Alternate Member
NBWA Board Committee		
NBWRA		
JPA Local Task Force**		
Gallinas Watershed Council/Miller Creek		
Marin LAFCO**		
CASA Energy Committee		
Marin Special Districts Association		
CSRMA		
Flood Zone 7		
2023 Engineering Ad Hoc Committee regarding the Secondary Treatment Plant Upgrade		
2023 Operations Control Center Ad Hoc Committee		
2023 Legal Services Ad Hoc Committee		
2023 Biosolids Ad Hoc Committee		
2023 HR Ad Hoc Committee		
2023 McInnis Marsh Ad Hoc Committee		
2023 Fleet Management Ad Hoc Committee		

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

N/A






Item Number 6

GM Review CP

# Agenda Summary Report

To: Board of Directors  
 From: Dale McDonald, Administrative Services Manager   
 (415) 526-1519 [dmcdonald@lqvsd.org](mailto:dmcdonald@lqvsd.org)  
 Meeting Date: January 19, 2023  
 Re: Award of Sewer User Charge Cost for Service and Rate Study

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

## STAFF RECOMMENDATION

Board to approve awarding the contract for the sewer rate study to Hildebrand Consulting.

## BACKGROUND

The Las Gallinas Valley Sanitary District requested proposals from qualified consultants to conduct a sewer user charge cost of service and rate study. The study will assess and evaluate the District’s existing rate structure and rate policies, review current methodology, and make recommendations for potential alternative methods if needed. The broader objective of the study will provide the necessary information and analysis to the Board for it to set rates and a rate structure to adequately fund the operating, capital costs and debt service associated with the collection, treatment, and disposal of wastewater for the next four fiscal years.

The study will include an equitable review of the sewer service surcharges imposed on the two communities of Captain’s Cove and Marin Lagoon due to the disproportionate number of pump stations in these two areas.

The previous sewer user charge rate study was awarded on March 20, 2020 and provided rate guidance for fiscal years 2020-21 through 2022-23. The last review of surcharges imposed for Captain’s Cove and Marin Lagoon was completed in 2009 as part of the budget process.

Proposition 218 requires that any increase in assessments shall be supported by a detailed engineer’s report prepared by a registered professional engineer certified by the State of California (*California Constitution Article XIII D, Section 4(b)*). If a rate study is not completed, the District will be unable to increase its sewer user charge.

Staff solicited proposals from the following consultants and posted RFP to the following sites:

### Direct Solicitation to Consultants

- Bartle Wells Associates
- HDR Engineering, Inc.
- Hildebrand Consulting, LLC.

### Posting of RFP Online

- CSDA RFP Clearing House [www.csda.net](http://www.csda.net)
- CSMFO RFP Resource Center [www.csmfo.org](http://www.csmfo.org)
- LGVSD website [www.lqvsd.org](http://www.lqvsd.org)



Responses were received from Bartle Wells, HDR, and Hildebrand. Staff reviewed the proposals. The proposals were evaluated based on the following criteria:

Project Approach	10%
Experience	30%
Qualifications	30%
Schedule	5%
Budget/Cost	25%
<b>Total</b>	<b>100%</b>

All the respondents met the experience and qualifications criteria through the assigned staff and past experience in preparing water and wastewater rate studies for various agencies in California. Two proposals were similar in cost, ranging from \$29,900 to \$33,975 plus travel and miscellaneous expenses. The third proposal, adjusted to exclude connection fee analysis proposed, was \$44,560.

Based on our analysis and review of the project approach, along with the other criteria, staff agreed that Hildebrand Consulting’s approach fit the District’s requirements the best.

Tentative Project Schedule

- Execute Professional Services Agreement      January 23, 2023
- Consultant to begin project      January 24, 2023
- Rate Structure Workshop with Board      Late Feb to early March
- Draft report presented to staff      April 3, 2023
- Draft report presented to the Board      April 20, 2023
- Complete mailing of Prop 218 Notice      May 1, 2023
- Final rate study approved by the Board      June 1, 2023
- Prop 218 Public Hearing on sewer user charge      June 15, 2023

The award of contract is within the General Manager’s purchasing authority, but staff felt it prudent to maintain public transparency and adhere to past practice by having the Board consider approval of awarding contracts that involving the establishment of Proposition 218 related utility rates.

**PREVIOUS BOARD ACTION**

None.

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

The cost is estimated to be \$29,900.

Attachment

- Hildebrand Consulting Proposal for 2023 Sewer User Charge Cost for Service Rate Study



# Las Gallinas Valley Sanitary District

Proposal for 2023 Sewer User Charge  
Cost for Service Rate Study

January 4, 2023





Dale McDonald  
Administrative Services Manager  
Las Gallinas Valley Sanitary District  
101 Lucas Valley Rd. Suite 300  
San Rafael, CA 94903

January 4, 2023

Subject: Proposal for the Las Gallinas Valley Sanitary District 2023 Sewer User Charge Cost for Service Rate Study

Dear Mr. McDonald,

Hildebrand Consulting, LLC. is pleased to submit this proposal to conduct a Sewer User Charge Cost for Service Rate Study for Las Gallinas Valley Sanitary District (LGVSD). The study described herein includes the technical and financial analysis for preparing a financial plan and rate structure evaluation. The financial plan will identify annual sewer User Charge revenue needs with consideration of operating and maintenance costs, debt service obligations, and capital program needs, with consideration given to all facets of the District's financial health.

While Hildebrand Consulting has unsuccessfully bid on District opportunities in the past, we remain confident that we can provide the District with the highest quality and most responsive service. We are located within 20 minutes of District offices and we are currently working with (or have recently completed work for) numerous regional utilities, including North Marin Water District, Ross Valley Sanitary District, Fairfield Suisun Sanitary District, Sewage Agency of Southern Marin (SASM), Tamalpais Community Services District, Marin Municipal Water District, the City of Mill Valley, along with many others. Our work with NMWD is particularly relevant to LGVSD as we work to independently refine the allocation of recycled water costs between the two agencies (as well Novato San). We will bring a fresh perspective in assessing the District's existing rate structure. While we do not believe in making change for the sake of change, we do think that a new perspective is invaluable. Our local experience will help provide context when assessing options such as how to charge accessory dwelling units.

We understand the potential concern of losing efficiencies by changing consultants. Our response to this concern is simple: any extra effort will be borne by our firm, not by the District (as evidenced by our cost proposal).

As a local, independent consultant with 21 years of utility rate-setting experience in California, Mark Hildebrand is uniquely positioned to add value to LGVSD. Hildebrand Consulting offers the distinctive value proposition of being \*directly\* engaged in all facets of the project and providing our services at significantly more affordable rates than larger consultancies. I encourage you to call the references provided in this proposal or call any of your peers at any of the agencies I have worked for.

Please let me know if you have any questions regarding this proposal. I appreciate the opportunity to be of service to LGVSD for this study.

Sincerely,

Mark Hildebrand, Owner  
Hildebrand Consulting, LLC.  
3378 Guido St. Oakland CA 94602  
[mhildebrand@hildco.com](mailto:mhildebrand@hildco.com)  
510.316.0621 (m)

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# 1. PROJECT APPROACH

The following describes our understanding of LGVSD, our understanding of the project, our general approach to rate studies, and our proposed work plan.

## District Understanding

LGVSD provides wastewater collection, treatment and disposal services in the northern San Rafael area. The District serves over 32,000 customers and manages over 100 miles of collection lines. As a multi-faceted public utility, LGVSD also generates solar energy, operates a garbage franchise, and oversees a water reclamation project which provides the public with wildlife and recreational benefits. The LGVSD service area is challenged by a low topography, bayside location, and sensitive receiving bodies which limit the ability to discharge during the summer. As a result, during the summer about two thirds of the District's treated effluent is recycled in collaboration with Marin Municipal Water District (MMWD) and North Marin Water District (NMWD). Hildebrand Consulting is playing an active role as an independent consultant in refining those cost allocations between LGVSD and NMWD. The remainder of treated effluent is utilized at LGVSD's irrigation pastures. These discharge limitations are costs that may be borne by sewer customers and not recycled water customers (whose use of the recycled water can be seen as a service rendered).

LGVSD previously initiated a major capital program to upgrade its treatment plant in order to address aging infrastructure, changes in wastewater content, and new regulations. In addition, the District plans to expand the existing LGVSD Recycled Water Treatment Facility. The expansion has created operational efficiencies and also allows the District to serve the present and future residents.

## Project Understanding

LGVSD's last comprehensive rate study was conducted in 2021. Generally speaking, residential customers (and motels) are charged a flat rate per dwelling unit. Non-residential rates are charged based on average winter and summer water usage as well as a strength factor (depending on the type of commercial operation).

The purpose of this rate study (Study) is to update the District's financial plan and evaluate the structure of the existing sewer user charges. The Study will assess both the sufficiency of all charges and make recommendations with respect to their structure and applicable District financial policies. The broader purpose of the 10-year financial plan is to provide the necessary information and analysis to the District's Board of Directors for it to set rates that adequately fund the operating, capital costs and debt service associated with the collection, treatment and disposal of wastewater for the next four years (fiscal year 2023/24 through FY 2026/27).

While we will explore potential alternative rate structures with District staff and the Board, we typically avoid "change for the sake of change". We will review the application of accessory-dwelling units to the residential use codes, application of eligible dwelling units to multi-family units, the application of the strength factor for various rate classifications, and the volumetric basis for converting non-residential users into Equivalent Dwelling Units for purposes of calculating the sewer user charge. We believe that a fresh perspective on the District's rate structure will be valuable in either validating the current methodology or finding opportunities to better meet the District's objectives. LGVSD's RFP specifically calls for the consultant to "assess and evaluate" the current rate structure. A truly independent evaluation of the rate structure is best performed by a third-party consultant, and ideally a regional consultant with decades of experience with California's Proposition 218 (including multiple expert witness engagements). At a minimum, the cost-of-service allocation will be updated to reflect changes in cost, such as the current capital improvements to NPDES permit standards. We will interview staff to better understand how these

new assets (as well as planned system expansion) are being used and how those costs should be reflected in the updated rates.

In addition, the study will include a review of the sewer service surcharges imposed on Captain's Cove and Marin Lagoon to ensure that their rates equitably reflect the cost of the disproportionate number of pump stations needed to serve those areas.

## **LEGAL ENVIRONMENT FOR RATE SETTING**

The legal landscape for utility rate setting in California has changed significantly over the past several years. While it has been over 27 years since Proposition 218 was passed by California voters in 1996, it really has been court interpretations of Prop 218 over the past 10 years that have dramatically altered the standards for rate setting. Truly understanding the myriad of court decisions is a nuanced endeavor, therefore it's important to receive guidance from consultants that have (a) California-based experience, (b) an understanding of regional rate-setting practices and inter-agency dynamics; and (c) experience with nationally accepted industry standards.

A rate study by Hildebrand Consulting will unequivocally and clearly demonstrate the basis for all recommended rates, which is the cornerstone for both legal defensibility and public acceptance. Advancing all of the District's policy objectives while simultaneously fully complying with the law is not always easy to achieve, but Hildebrand Consulting will help the District understand all of the available options (within the constraints of the law) and achieve the best possible outcome.

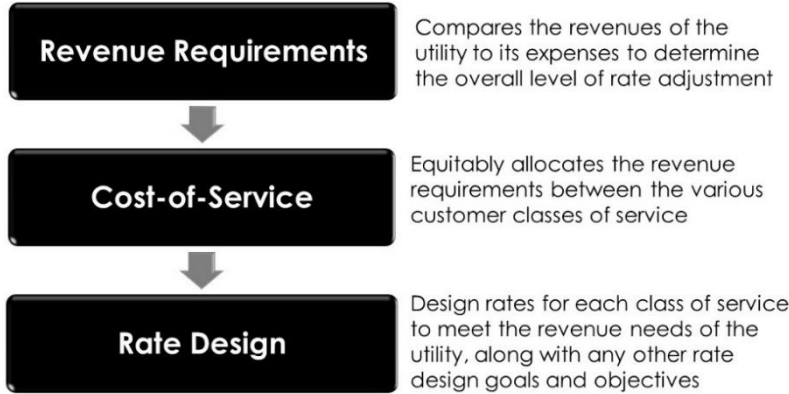
## **ADMINISTRATIVE RECORD**

Hildebrand Consulting emphasizes the importance of a clear and concise yet comprehensive Administrative Record (i.e., final report). Some consultancies produce cookie-cutter reports that include a lot of undigested data. We believe that true transparency (and, hence, legal defensibility) is achieved when the Administrative Record is (1) organized as an easy reference document, (2) is clear enough to be understood by a layman, and (3) is comprehensive without including superfluous information. Mark Hildebrand has been producing thorough and defensible Administrative Records since well before case law made it the "new standard."

In reviewing the 2021 sewer rate study, we find that the District's rate structure appears to be generally consistent with industry standards. That being said, we noticed that the report is clearly a "plug and chug" update to the 2018 report (by the same firm) and that the content of the report was not tailored to document the specific context and decisions for that study. We see many opportunities to update the underlying assumptions, clarify the allocation of costs, and better describe the capital improvement plan. Furthermore, the information in the report could be organized more clearly to make it more accessible to the public and more useful for District staff.

## **GENERAL APPROACH TO SEWER USER CHARGE STUDY**

Hildebrand Consulting proposes to develop a long-term financial plan for the wastewater enterprise that will yield a 4-year rate schedule that will generate sufficient revenue to address the operating costs and capital spending needs of the sewer utility. We will also review, revise and update the current cost-of-service basis to ensure that the District's rates are equitable and in compliance with Proposition 218 and other applicable law.



The following proposes a scope of work that is based on our understanding of the District’s needs and our scope of services for similar studies. Hildebrand Consulting will prepare a new 10-year financial plan which will yield recommendations for a 4-year rate schedule. The financial plan will identify annual wastewater rate revenue needs with consideration of operating and maintenance

costs, debt service obligations, and capital program needs, with consideration of non-rate revenues, financial reserves, and financial reserve policies. In addition, the study will review the basis for the District’s current cost of service and rate calculations.

The study will include a comprehensive review of the District’s enterprise fund historical statements of revenue and expense, current year budgets, customer counts and classes, historical usage data, capital improvement plans, and any other information deemed necessary.

## PROPOSED WORK PLAN

### Task 1. Study Kickoff

Immediately upon contract execution, we will submit a data request to the District. We will review all data in detail, including the previous rate study, applicable planning documents, the capital improvement plan, financial data, billing data, budgets and inter-agency service agreements. We will develop a strong understanding of any specific regulatory requirements facing LGVSD, any existing financial requirements (such as bond covenants), any other contractual requirements, and operational/capital improvement drivers. Shortly after receiving most of the required data, we will conduct a Project Kickoff Meeting with staff to:

- ✓ Discuss key issues, roles and responsibilities.
- ✓ Confirm study objectives and further explore project drivers such as revenue stability.
- ✓ Confirm data requirements and discuss the data already received.
- ✓ Finalize the project schedule, including key milestone dates and deliverables.

Follow-up calls or visits with staff will be made to ensure full understanding of all data received.

<b>Task 1 Meeting:</b>	Kick-Off Meeting
<b>Task 1 Deliverable:</b>	Data request list

### Task 2. Financial Plan

In this task, Hildebrand Consulting will use a revenue sufficiency and financial planning model to develop a financial management plan for LGVSD. The model will be used to develop a 10-year financial management plan and be used to develop recommendations for a 4-year rate schedule (starting in FY 2023/24).



Our financial planning model will be tailored to directly load LGVSD’s multi-year budget (for seamless updates) and project annual revenue and fee adjustments requirements. The financial plan will consider projected changes to operating expenses, alternative spending levels, operating reserves targets, debt service coverage ratios and other financial policies/goals that affect the revenue requirements of the funds. These cost considerations will include the cost of implementing Integrated Wastewater Master Plan (IWMP), current capital costs to meet NPDES requirements and future capital costs identified in the IWMP. The study will also consider historical operating expenses, growth projections and other trends that paint a complete financial picture and provide for informed decision-making.

Our model’s dashboard clearly displays key scenarios and assumptions in a format that is easy to understand. This function, coupled with our ability to make real-time changes to the model, is particularly useful when engaging in interactive planning meetings.

Our team will work directly with District staff to understand the drivers for the Financial Plan and consider:

- a. The District’s ability to fund necessary improvements to treatment facilities and the collection system.
- b. The rate impacts from the increases in costs to meet new wastewater regulations, including NPDES and WDR permit requirements.
- c. Changes to services levels that may occur as a result of changes to capital and operating expenditures.
- d. Changes in costs due to the implementation of the new IWMP and associated organizational changes.

Closely related to this analysis is the examination of cash reserve policies. Adequate reserves are fundamental to achieving financial stability and can help in the avoidance of sudden or disruptive fee adjustments in the face of changes to operating or capital needs. We will forecast LGVSD’s fund balances and incorporate these balances and alternative reserve policies into the interactive planning process and the conversations we will have regarding financial sustainability. We will review the District’s current reserve funding policies and we will make recommendations regarding the adequacy of those reserve policies.

Our financial planning model provides a valuable capital planning tool which we will use to review LGVSD’s capital improvement program and evaluate the impacts of alternative projects, costs, timing, and funding sources. We will examine the District’s use of debt financing for capital improvements and assess the impact of current levels of debt financing, as well as building a financing scenario to support the District in maintaining a proper balance for debt coverage and rate stabilization over the study period. We will discuss and consider a mechanism for automatically adjusting wastewater rates to reflect the effects of inflation.

We anticipate that we will (1) build the financial model, (2) review the model during a preliminary review workshop, (3) revise the financial plan, and (4) finalize the planning scenarios during a Rate Structure Workshop (see Task 3).

<b>Task 2 Meeting:</b>	Financial Planning Workshop
<b>Task 2 Deliverable:</b>	Presentation materials

### Task 3. Cost of Service, Rate Design & Survey

Hildebrand Consulting will review the basis for the District’s current cost of service and rate structure to ensure compliance with Proposition 218 and applicable law. We will review the current rate structure with the intention of updating it to reflect current revenue needs and may recommend rate structure changes, if warranted, to better align the rates with cost-of-service requirements. The review will seek to either validate the District’s current practices or make adjustments to better meet the District’s objectives or meet legal requirements given ever-

changing legal environment associated with calculating and supporting wastewater rate structures. Specifically, we will carefully examine the assumptions behind:

- a. The basis for creating specific customer classes.
- b. Sewer volumes by customer class.
- c. EDU (equivalent dwelling unit) assignments to customer classes.
- d. Wastewater strength classifications and quantification.
- e. The allocation of costs, specifically any shifts in cost allocation that may have been created by recent or planned capital spending.
- f. We will also assess the cost of providing service to accessory dwelling units (ADUs) and consider whether a separate designation should be developed for use when calculating sewer service charges.
- g. The sewer service surcharge rates for Captain's Cove and Marin Lagoon which required supplemental pumping due to their location.

We will ensure that the rate methodology is consistent with industry practice, and we will work with District staff and the Board to assess whether introducing new methodologies, such as volumetric pricing, may be appropriate and feasible. The cost-of-service effort will involve a detailed review of the District's billing data and customer water usage data. In addition to allowing us to measure customer behaviors, this detailed review of data invariably provides our clients with invaluable insights and corrections to customer billing data (which rarely gets the opportunity to be reviewed or corrected).

Our observations and recommendations will be presented during the Rate Structure Workshop and will be documented in the final report. Prior to this workshop, we will conduct a survey of regional sewer user charges. The survey will provide context to our rate adjustment discussion and will later be important during Board presentations.

<b>Task 3 Meeting:</b>	Rate Structure Workshop
<b>Task 3 Deliverable:</b>	Presentation materials

#### Task 4. Project Deliverables

Draft recommendations on the financial plan, wastewater user charges will be documented in an administrative draft report including all underlying assumptions, proposed financial strategy, rate calculations, and policy recommendations. The administrative draft report is intended for staff and legal review. The administrative draft report will be discussed with staff and legal counsel, as necessary. Comments received will be considered in the development of a complete draft rate study report.

We will prepare a preliminary report for staff, an administrative draft for review by the Board of Directors (which shall incorporate Board and staff comments up to that point), and a final report (incorporating any final Board and staff changes). The report will include:

- a. A brief physical description of the District's wastewater system
- b. Service area description, including development characteristics
- c. Explanation of the District's role within the regional agreements with wholesale providers, including forecasted cost obligations
- d. A forecast of the necessary capital improvement program needs and drivers (including regulatory requirements)

- e. The proposed financial strategy and financial policy recommendations
- f. A transparent explanation of the basis for cost allocation to the respective enterprises
- g. A clear explanation of the cost-basis for the proposed user rates
- h. A 4-year schedule of proposed rates
- i. Assumptions and data behind the recommendations, including comprehensive tables and reference data provided as schedules to the report

**Task 4 Meetings:** Conference calls as needed to discuss the draft deliverables

- Task 4 Deliverables:**
- Administrative Draft Review (for staff review)
  - Draft Final Report (for Board review)
  - Final Report (including 5 hard copies)

### Task 5. Presentations, Prop 218 Notification & Outreach

Hildebrand Consulting will present draft and final study recommendations to the Board to consider the proposed financial strategy, the associated sewer user charges. This task assumes three Board Meetings (the RFP asks for two meetings): the first towards the beginning of the project to discuss policy direction and implications (thank you for proposing this meeting, we find early meetings with the Board to be invaluable), the second towards the end of the project to make recommendations, and the third meeting will be the Proposition 218 Public Hearing at the conclusion of the project.

Hildebrand Consulting “connects” with the Board and the public by developing presentations and reports that are accessible, transparent, simple and intuitive. We have found that this emphasis on clear and transparent communication results in not just answering the questions of the public but oftentimes actually winning over their enthusiastic support. We are confident that our approach will address the District’s need for stakeholder engagement. We are prepared to participate in outreach meetings as needed in order to present the draft recommendations to stakeholder groups for input prior to presentation to the Board of Directors.

We are prepared to work with LGVSD staff to prepare the required public hearing notice in compliance with Proposition 218. We will develop language for the notification letter for Prop 218 notice, which will need to be mailed by District staff at least 45 days prior to a public hearing (District staff will need to work with a printing service to finalize formatting and printing).

**Worth repeating...**

*“Mr. Hildebrand’s presentation was the best explanation of water rates I’ve heard, and I’ve been doing this for a long time.”*

-Bill Hicks, Board Member

Casitas Municipal Water District

**Task 5 Meetings:** Two (2) Board Meetings

**Task 5 Deliverable:** Proposition 218 notification letter

## 2. STATEMENT OF EXPERIENCE

**Mark Hildebrand** is the sole proprietor of Hildebrand Consulting and brings over 18 years of experience as a consultant to municipal utilities and provides a broad range of financial, utility rate, and management consulting services. He has performed hundreds of studies covering a diverse range of cost allocation issues, financial planning, business case evaluations, and litigation avoidance to more than 50 clients. The following are some sample project descriptions that Mr. Hildebrand has performed in the recent past. These descriptions are followed by a more comprehensive matrix of related projects completed by Mr. Hildebrand.

### **North Marin Water District (current)**

Julie Blue, Auditor Controller      415.761.8950      [jblue@nmwd.com](mailto:jblue@nmwd.com)

Mr. Hildebrand has completed numerous studies for NVWD, including a comprehensive water rate study for the Novato Water service area (the first rate study to be outsourced by the District), which is relevant to LGVSD due to the inter-agency agreement that exists between NMWD and LGVSD. Part of the study involved calculating the anticipated recycled water revenue that will be shared between the two agencies in accordance with an existing agreement (which is open to some interpretation) and in anticipation of a more detailed agreement. We believe that our insight into this topic will be beneficial to LGVSD.

### **Sanitation Agency of Southern Marin (current)**

Mark Grushayev, WWT Manager      415. 320.5159      [mgrushayev@cityofmillvalley.org](mailto:mgrushayev@cityofmillvalley.org)  
Heather Abrams; General Manager at TCSD (SASM member agency)      415.388.6393      [habrams@tcsd.us](mailto:habrams@tcsd.us)

Mr. Hildebrand has been providing rate advisory services to SASM and several of its member agencies (namely Tamalpais Community Services District and the City of Mill Valley) with respect to the wholesale agency's practices of allocating operating and capital costs. The study began with a review of each member agencies' compliance with the District's self-reporting requirements of EDUs (equivalent dwelling units) and has evolved into a broader review of the District's ordinance and policies. Topics have included the update of strength factors for commercial users, the use of winter vs. average water usage, and the applicability of Proposition 218. Mr. Hildebrand is providing the District with his expert opinion on industry best practices, while remaining a trusted advisor to all parties involved.

### **Fairfield Suisun Sanitary District (2022)**

James Russell-Field, Director of Administrative Services      707.428.9145      [jfield@fssd.com](mailto:jfield@fssd.com)

The Fairfield-Suisun Sewer District (FSSD) is a special district which serves all territory within the cities of both Fairfield and Suisun City. FSSD's service area encompasses 48 square miles and includes major industrial employers such as Travis Air Force Base, Anheuser-Busch Brewery, Jelly Belly, Producers Dairy Foods, North Bay Medical Center, Kaiser Permanente, other large manufacturers and industries, and shopping districts. Many of the large industrial users have pre-existing sewer service agreements, some of which pre-date the adoption of Proposition 218. The comprehensive cost-of-service and rate design study closely analyzed the balance or revenue contributed by residential, commercial and industrial customers. Rates were designed to fund the utility's long-term projected costs of providing service while proportionally allocating costs among customers, providing a reasonable and prudent



balance of revenue stability, and complying with the substantive requirements of California Constitution Article XIII D, Section 6(Prop 218). The study has yielded a number of significant recommendations in order to ensure equity among the FSSD customers.

### **City of Santa Rosa (current)**

**Client:** Kimberly Zunino, Deputy Director 707. 543.3960 [kzunino@srcity.org](mailto:kzunino@srcity.org)

Mr. Hildebrand is both currently working on a comprehensive water, wastewater and recycled water rate study. These studies included detailed cost-of-service analyses, refinement of current rate structures, development of a five- and ten-year financial plans, and review of financial policies and practices. The wastewater utility provides treatment services to four independent municipal sewer collections systems under the terms of a complex Subregional Agreement. Among other challenges, the rate study is addressing the financial impact of the massive 2017 Tubbs Fire, which damaged critical infrastructure and destroyed nearly 4,000 homes.

### **Novato Sanitary District (2022)**

Sandeep Karkal, General Manager 415.892.1694 x106 [SandeepK@novatosan.com](mailto:SandeepK@novatosan.com)

The Novato Sanitary District is located in northern Marin County and provides wastewater service to the sewered areas of the City of Novato and serves a population of approximately 60,000. In addition to sewer treatment, the District also operates a Wastewater Reclamation Facility consisting of some 800 acres of pastures. In cooperation with the North Marin Water District, up to 1.7 million gallons per day of Title 22 tertiary recycled water can be produced for use for landscape irrigation. Prior to the comprehensive rate study, Hildebrand Consulting provided a third-party assessment of the District's sewer rates, which concluded that the District's rate structure comported with common industry standards, but that administrative record should be updated, and that a new cost-of-service analysis would find opportunities for improvement that were not apparent on the surface. The study was completed in 2022 with unanimous support from the District's Board.

### **Ross Valley Sanitary District (2019)**

Felicia Newhouse, Business & Administrative Manager 415.870.9761 [fnewhouse@rvsd.org](mailto:fnewhouse@rvsd.org)

RVSD provides sewer collection and conveyance services for nearly 15,800 residential and business accounts located within the cities and towns of Larkspur, Ross, San Anselmo, and Fairfax (collectively known as Ross Valley). Mark Hildebrand recently conducted a comprehensive sewer rate study and sewer capacity charge study for the District. One unique characteristic for this study was the calculation of a legally-defensible rate differential between specific service areas due to differences in ad valorem tax contributions. The study also ensured that the District would have sufficient revenue to deliver planned capital projects needed to meet the requirements of a 2013 Cease and Desist Order (CDO) issued by the Regional Water Quality Control Board (RWQCB). We also updated the District's Capacity Charges using industry best practices to reflect the current and future costs of infrastructure and establish a full cost recovery fee.

## Partial List of Municipal Clients for Hildebrand Consulting

Hildebrand Consulting California Clients	Financial Planning	Cost of Service	Rate Structure	Wholesale Rates	Capacity Charges	User Fees	Cost Allocation Planning	Public Engagement	Privatization	Litigation Support
Bakersfield (City)	•	•								
Berkeley (City)	•						•			
Carmichael Water District	•	•	•	•	•			•		
Casitas Municipal Water District	•	•	•				•	•		•
Central Marin Sanitation District										
Cloverdale (City)	•	•	•					•		•
Coachella Valley Water District	•	•	•	•	•	•		•		•
Coachella (City)	•	•	•		•	•	•	•		
Cotati (City)	•	•	•		•					
Corona (City)	•	•	•					•		
Delta Stewardship Council	•									
EMBUD (East Bay Municipal Utilities District)	•				•					
Fairfield Suisun Sanitary District	•	•	•	•	•		•	•		
Fullerton (City)	•	•	•			•		•		•
Healdsburg (City)	•	•	•			•				
Huntington Beach (City)	•	•	•		•	•	•	•		
Indian Wells Valley Water District	•	•	•					•		•
Indio Water Authority	•	•	•		•	•	•	•		
Lodi (City)	•	•	•				•	•		
Jackson (City)	•	•	•			•	•			
Kirkwood Meadows PUD	•	•	•				•			
Merced (City)	•	•	•					•		
Mill Valley (City)		•		•			•			
Marin Municipal Water District	•	•	•	•		•	•	•		•
Moulton Niguel Water District	•	•	•					•		
MWD of Orange County				•						
Norco (City)	•	•	•			•	•			
North Marin Water District	•	•	•	•			•	•		
Novato Sanitary District	•	•	•				•	•		
Ontario (City)	•	•					•			
Port of Oakland	•							•		
Pomona (City)	•	•	•			•	•	•		
Presidio Trust of San Francisco									•	
Ridgecrest (City)	•	•	•		•	•	•	•		•
Rohnert Park (City)	•	•	•						•	
Ross Valley Sanitary District	•	•	•	•					•	
San Diego (City)	•	•	•							•
San Diego County Water Auth.	•									
San Jose (City)	•						•			
San Juan Water District					•	•				
Sewage Agency of Southern Marin (SASM)	•	•	•	•			•			•
Santa Ana (City)	•	•	•				•	•		
Santa Clara Valley Water District	•									
Santa Rosa (City)	•	•	•							
Sutter Creek (City)	•	•	•	•						
Tamalpais Community Services District	•							•		•
Ukiah (City)	•	•	•	•			•	•		•
Ukiah Valley Sanitary District	•	•	•	•			•	•		
Union Public Utilities District	•	•	•	•						•
Upper Russian River Water Agency	•	•	•	•						
Upper Ventura River Ground Water Auth.	•	•	•					•		•
West Basin Municipal Water District										
West Valley San. Dist. of Santa Clara	•	•			•					
Willow County Water District	•	•	•					•		
Windsor (City)	•	•	•					•		

### 3. STATEMENT OF QUALIFICATIONS

**Mark Hildebrand** works out of Oakland and has been published and frequently speaks on topics such as rate-setting under the requirements of Proposition 218, cost-of-service principles, emerging regulatory issues, consolidation studies, and strategic business planning.



Mark is dedicated to providing clients with an exceptional level of service and responsiveness, to developing creative yet practical solutions to client needs, and to broadening understanding and facilitating consensus on complex issues. His strengths in consensus building, clear communication, and his experience with utility rate-setting will be particularly valuable during this engagement. He has participated in authoring several industry guide books including AWWA's *Manual M1 Principles of Water Rates, Fees and Charges*, and AWWA's *Water Rates, Fees, and the Legal Environment*, and continues to actively serve on AWWA's Rates and Charges Committee, which established best practices for rate setting across the industry.

Hildebrand Consulting provides high-quality and deeply experienced consulting services while remaining affordable, reliable, and flexible for our clients. This approach is a reflection of our values; to provide independent consulting services while emphasizing integrity and loyalty.

#### Company Philosophy

Mark Hildebrand is dedicated to providing clients with an exceptional level of service and responsiveness, to developing creative yet practical solutions to client needs, and to broadening understanding and facilitating consensus on complex issues. His strengths in consensus-building, clear communication, and his experience with utility rate-setting will be particularly valuable during this engagement.

Hildebrand Consulting is designed to provide high-quality and deeply experienced consulting services while remaining affordable, reliable, and flexible for our clients. We strive to provide independent consulting services while emphasizing integrity and loyalty. As a regionally located and independent consultant, Hildebrand Consulting offers a distinctive value: a seasoned and experienced consultant will be *\*directly\** engaged in all facets of work and our services are provided at significantly more affordable rates than peers at larger consultancies. Mark Hildebrand will be fully committed to the project (including all models, communications, and deliverables).

As an independent consultant, Mark Hildebrand offers a distinctive value proposition to be *\*directly\** engaged in all facets of work and our services are provided at significantly more affordable rates than peers at larger consultancies. Larger consultancies with more overhead costs rely heavily on the utilization of junior staff. While some data-intensive projects are appropriate for that approach, this study will be better delivered directly by a seasoned consultant who will work directly with your staff to develop a strong fiscal strategy. Mark Hildebrand will be fully committed to the project (including all models, communications, and deliverables).

At Hildebrand Consulting, we understand that being a smaller firm has implications on the quality of our work. On one hand, all of our work is being done by seasoned consultants with decades of experience. In this regard, the



quality of our work starts from a stronger position than many of our competitors who leverage junior staff to build the foundation of their analysis. Hildebrand Consulting takes the time to review our models in a great amount of detail with our clients. This serves the dual value of quality control as well as fostering familiarity with our tools in order to facilitate the hand-off of the model to District staff.

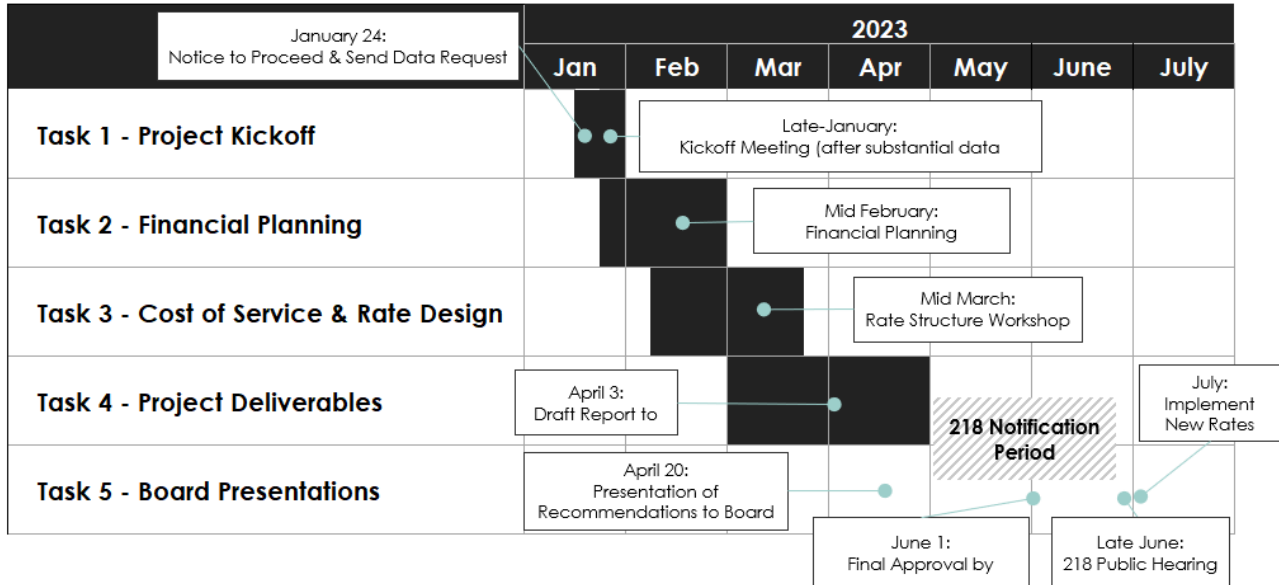
As a matter of course, we work closely with staff to develop our findings and validate our work, including regularly scheduled project management meetings with District staff. For decades Mark Hildebrand was a project manager for a multi-national engineering firm and understands the processes and safety stops that are necessary in order to ensure a quality product for each and every project. His projects have been as large as \$2 million privatization studies.

Please visit our website at [hildebrandconsulting.com](http://hildebrandconsulting.com). A complete resume has been provided as **Attachment A**.



## 4. SCHEDULE

The following schedule is consistent with the schedule in LGVSD's revised RFP.



## 5. BUDGET / COST

The following table provides our hourly rates and estimated levels of effort by task for our two consultants. We do not charge for travel or printing expenses.

	<b>Hildebrand Consulting</b>	<b>Cost by Task</b>
Hourly Rate:	\$230	
Task 1 Study Kickoff	11	\$2,530
Task 2 Financial Plan	46	\$10,580
Task 3 Cost of Service, Rate Design and Survey	31	\$7,130
Task 4 Project Deliverables	26	\$5,980
Task 5 Presentations, Prop 218 Notice and Outreach	16	\$3,680
<b>Total Hours:</b>	<b>130</b>	
<b>Direct &amp; Travel Expenses:</b>		<b>\$0</b>
<b>Proposed Fee:</b>		<b>\$29,900</b>

# ATTACHMENT A - RESUME

## MARK HILDEBRAND

FOUNDER AND PRINCIPAL



Owner and founder of Hildebrand Consulting, LLC., Mark Hildebrand is a finance and management consultant to local governments who bridges the disciplines of financial analysis and organizational effectiveness. He has performed scores of financial plans, fee studies, cost allocation plans, and water and wastewater rate studies. Mr. Hildebrand is an expert on Proposition 218 and California's legal requirements regarding utility finances and cost allocation principles. He has been published by the AWWA Journal for articles addressing the challenges of utility service pricing in California.

### AREA OF EXPERTISE

- » Financial Planning
- » Utility Rate/Fee Studies
- » Strategic Business Planning
- » Capital Facility Financing
- » Alternative Project Delivery

### PROFESSIONAL HISTORY

- » Hildebrand Consulting, LLC., Owner, 2018 - present
- » MWH / STANTEC Consulting, Inc., Principal, 2014-2018
- » ARCADIS / Malcom Pirnie, Senior Consultant, 2004 - 2014
- » Clipper Windpower, 2003 - 2004, Researcher
- » IT Corp, Analyst, 2000 - 2002
- » Peace Corps, 1998 - 2000, Madagascar

### EDUCATION

- » B.S., Ecology, University of California, Berkeley, 1998
- » M.S., Management, University of California, Santa Barbara, 2004

### PUBLICATIONS & PRESENTATIONS

**"M1 Manual - Principal of Water Rates, Fees and Charges"** Editor and contributing author

**"Conservation Rates Made Legal: Water Budgets and California Law,"** Journal of the American Water Works Association, Vol. 101, No. 4, April 2009 (lead author).

**"Water Rates, Fees, and the Legal Environment,"** American Water Works Association, 2nd Edition, 2010. ISBN 978-1-58321-796-2 (contributing editor).

**"Affording Conservation Revenue Challenges Facing Utilities,"** Proceedings, International City Management Association, October 17-20, 2010. (Co-presenter).

**"California Finance Law: Water Budgets and California Law,"** Proceedings, Utility Management Conference, February 17-21, 2009 (Presenter).

**"Defining Latest Trends in Conservation Rate Design: Creating a Nexus Between Cost of Service Principles and Rate Structure,"** Utility Management Conference, February 17-20, 2009 (Co-presenter).

## SAMPLE PROJECT EXPERIENCE

### **Joint Sewer Rate Study, 2019, City of Ukiah and Ukiah Valley Sanitation District**

Conducted a joint rate study for this city and special district that share common infrastructure and recently completed a complex Operating Agreement which stipulated specific cost sharing requirements. The study was further complicated by an imminent refinancing of a significant loan that was jointly issued by the agencies.

### **Sewer Rate and Capacity Charge Study, 2019, Ross Valley Sanitary District**

Conducting a comprehensive sewer rate study and capacity charge for this in the North Bay. The financial plan needed to address significant capital spending in response to a Cease and Desist order from the RWQCB. Most of the capital improvement included both rehabilitation benefits and capacity expansion. The expansion related costs were used to update the District's capacity charges for new development.

### **Water and Sewer Rate Study, 2019, Kirkwood Valley PUD**

Completed a financial plan, cost of service and rate design study for this resort town's water and sewer utilities. The utility is challenged by high operating costs, small service area and extreme seasonality in water and sewer use.

### **Sewer Rate Study, 2019, City of Sutter Creek**

The City of Sutter Creek was overdue for a rate increase after having deferred rate increase, and hence capital maintenance, for nearly 10 years. The City elected to implement the rate adjustments in two phases: the first to address the deferred maintenance on the collection system and the second phase to address the financial requirements of building a new wastewater treatment plant.

### **Capital Facility Charge Study, 2018, City of Merced**

Project Manager in delivering a comprehensive water rate study and capacity charge study for this Central Valley city that is facing aggressive yet uncertain future growth because of the recent addition of UC Merced. The rate study includes a financial plan, cost-of-service analysis and rate design, which primary

focused the balance between fixed and variable revenue in order to strike a balance between financial stability, affordability and conservation. We also developed a defensible and equitable outside-city surcharge.

### **Sewer / Water Rate Study, 2018, City of Santa Rosa**

Conducting a comprehensive water and wastewater rate study including development of a 10-year financial plan, cost of service analyses, and rate updates. This study is examining recycled water pricing policies related to services offered agricultural water users. The engagement has involved working with the Board of Public Utilities and presenting recommendations to the City Council.

### **City of Santa Ana, Sewer & Water Rate Study**

Project Manager in delivering a water utility financial plan, cost-of-service analysis, and rate design project. Work included debt and bond issuance evaluation (financial strategy), and pass-through rates from wholesale water suppliers. This study also examined anticipated GSP costs and rate structures.

### **Comprehensive Water and Sewer Rate Study, 2020, City of Windsor**

Completed a comprehensive water and wastewater rate study for Windsor city, which included a revision to the City's tiered water rates in order to bolster the legal defensibility in light of recent case law. Our work included updates to the financial plans.

### **Regional Cost Sharing Guidance, 2019, Sewerage Agency of Southern Marin (SASM)**

We have worked with this wholesale sewer treatment provider and its six member agencies to update the governing agreement for cost sharing. The engagement involves working collaboratively with all parties to first understand the history of the joint powers agreement and the origins for the current cost allocation agreement, while also bringing an expert rate perspective to update the agreement to reflect current conditions.

1/19/2023

## **BOARD MEMBER REPORTS**

### **CLARK**

**NBWA Board Committee, 2022 Operations Control Center Ad Hoc Committee , 2022 Legal Services Ad Hoc Committee, 2022 HR Ad Hoc Committee, Other Reports**

### **FORD**

**NBWRA, Marin Special Districts Association, 2022 Engineering Ad Hoc Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 HR Ad Hoc Committee, 2022 McInnis Marsh Ad Hoc Committee, Other Reports**

### **MURRAY**

**Marin LAFCO, CASA Energy Committee, 2022 Biosolids Ad Hoc Committee, Other Reports**

### **YEZMAN**

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



## BOARD MEMBER MEETING ATTENDANCE REQUEST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**1/19/2023**

**BOARD AGENDA ITEM REQUESTS**

**Agenda Item 8B**

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

**Most Popular**

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- 3.** Homeless woman sprayed with hose by S.F. gallery owner is hospitalized....
- 4.** Police are investigating case of S.F. man spraying homeless woman with
- 5.** 'Heartbroken': Catholic school Francisco to cl

**BAY AREA**

# 'Don't jump in puddles': Sewage is overflowing into San Francisco Bay and city streets during storms

Tara Duggan, Claire Hao

Updated: Jan. 10, 2023 7:05 p.m.



1 of 2



A resident watches as water flows into a sewage drain in San Francisco on Jan. 4.

Jeff Chiu, STF / Associated Press

Millions of gallons of storm water mixed with raw sewage made its way into creeks, the bay and city streets during recent heavy rainstorms that overwhelmed dozens of Bay Area sewers and some treatment plants.



Some raw sewage seeped out of manholes or backed up sewer drains, calling into question even the idea of kids splashing in their rainboots.

“Don’t jump in puddles. Especially in San Francisco — you want to be careful that there (could be) sewage in that,” said Eileen White, executive officer of the San Francisco Bay Regional Water Quality Control Board, referring to flooded areas when the city’s unique sanitary system that combines storm water and wastewater is backed up during heavy rain.

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It’s too early to know the full impact of the atmospheric rivers that have hit the region recently, because complete records are not yet available. But municipalities are required to report to the state when they discharge untreated wastewater — and some information is emerging, especially about sewage spills during the New Year’s Eve storm, the second-wettest day on record in San Francisco and the wettest for Oakland since at least 1970. Ongoing storms could cause similar incidents, creating public safety concerns.

### **More on Weather**

[Here’s where California reservoir levels stand after the rains this week](#)

[More rare thunderstorms are coming to the Bay Area. Here’s what to expect](#)

[Sewage is overflowing into San Francisco Bay and city streets during storms](#)

[Why Monday's storm caused more widespread damage than stronger, previous ones](#)

[This video shows how one flooded California home kept water out with A+ sandbagging](#)

Sejal Choksi-Chugh, executive director of advocacy organization San Francisco Baykeeper, said she “highly, highly recommends” that people avoid contact with the water in the bay right now, because untreated sewage contains

bacteria and viruses that can cause sickness. Raw sewage can also cause sickness in fish and other wildlife, she said.

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**Poop and pee fueled the huge algae bloom in San Francisco Bay. Fixing the problem could cost \$14 billion**

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**Is the water safe at Point Reyes beaches? Here is what we know**

[Read Now](#)

“Having this much raw sewage in the water at one time, it’s not a good thing,” she said. Once the sun comes out briefly, many people flock to beaches, where there may be discharge pipes from treatment plants.

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White also recommended that even die-hard swimmers and surfers avoid the water. As for little kids playing in San Francisco puddles near backed-up storm drains, “You wouldn’t want them to go eat hot dogs (afterward) without washing their hands.”

So far, there have been 90 reports of unauthorized wastewater or raw sewage discharges around the Bay Area that occurred from Dec. 30 to Jan. 3, totaling 14 million gallons, White said. Another 30 incidents involving 8 million gallons of unauthorized discharges were reported for the storm on Jan. 4-5, she added.

That’s not a full picture, however, because San Francisco has not yet made its report about New Year’s Eve, when it experienced extensive flooding in homes, restaurants and grocery stores, White said.

“The Bay Area saw very large, unprecedented rainfall,” White said. “There were lots of violations, and there are more storms in the forecast.”

In the East Bay, 4.7 million gallons of stormwater mixed with raw sewage overflowed into the environment around New Year’s Eve. That’s a large amount but not unheard of; during a significant storm in October 2021, the East Bay

Municipal Utility District discharged 4.3 million gallons of partially treated wastewater from one of its facilities, according to a report from the San Francisco Regional Water Quality Control Board.

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The recent spills were the result of aging wastewater infrastructure and the intense downpour, according to EBMUD spokesperson Andrea Pook.

During heavy rain, the sanitary system designed to be large enough to hold wastewater from toilets, showers and sinks becomes inundated with stormwater that finds its way into cracks and holes in old sewer pipes, both from various Bay Area cities and private property owners.

Because of that extra water, EBMUD was handling 13 times its average volume on New Year's Eve, a "very, very extreme" amount, Pook said. If pipes fill up, manholes can leak or sewage can get into creeks, then flow into the bay.

"It's the really big storms that make a disproportionate impact," said Mary Cousins, regulatory program manager at Bay Area Clean Water Agencies, which represents 37 Bay Area treatment plants. "The capacity is based on a moment in time. It's the peak flows that really matter the most."

East Bay Municipal Utility District reported a total of three wastewater spillages on the morning of Dec. 31 from its overflow facilities, according to a sanitary sewer spill advisory. These occurred around 9:30 a.m. into San Leandro

Creek in Oakland, around 10:30 a.m. into the Oakland estuary near the Barnhill Marina and around 10 a.m. into the Oakland estuary at the foot of Alice Street in Oakland.

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The spillages were untreated because the wastewater “didn’t make it to the wet weather facility or the wastewater treatment plant; it overflowed before it got there,” Pook said.

Sewage also overflowed out of three manholes in the East Bay, according to the advisory: near 1056 Eastshore Highway in Albany; at Page and Second streets in Berkeley; and at Broadway and Clement Avenue in Alameda.

No spills occurred as a result of the Jan. 4 and 5 storms, Pook said.

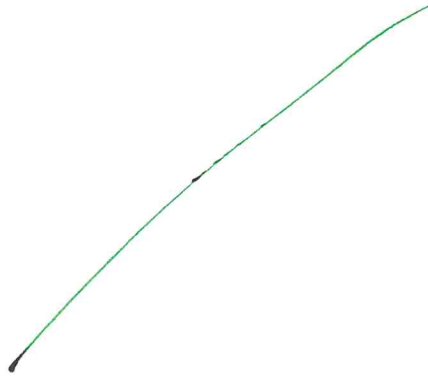
The San Francisco Public Utilities Commission did not provide details on any sewage incidents that occurred during the Dec. 31 storm.

Based on past experience, however, San Francisco’s Marina Green is not a place you want to go when it’s pouring rain. During the October 2021 deluge, SFPUC reported a release of 1.4 million gallons of wastewater that overflowed its collection system and flooded Marina Boulevard, then entered the bay via storm drains in the Marina Green parking lot, according to the report from the San Francisco Regional Water Quality Control Board.

That was an “unauthorized discharge,” according to the water board. But the city has a permit to discharge stormwater mixed with a small percentage of wastewater in 36 places on the perimeter of the city when intense rainfall exceeds the capacity of its system, said Joseph Weiss, press secretary at the San Francisco Public Utilities Commission, in an email.

However these so-called combined sewer discharges do not contain raw, untreated sewage, but rather partially treated wastewater. SFPUC updates a San Francisco Beach Water Quality Map to inform the public where these discharges have occurred recently and where bacteria levels remain high, according to regular water safety testing.

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Treated or not, sewage can take from 72 hours to a week to get diluted and flushed out with the tides, Choksi-Chugh said.

“With these kinds of continuous rains back to back, we’re definitely looking at taking longer (for the pollution to dissipate) just because there’s a new inflow of pollution every few hours. Staying out of the water is definitely a good idea for the time being,” Choksi-Chugh said.

The recent sewage spills add to growing concerns about wastewater treatment after nutrient-rich wastewater-fueled algae blooms led to the deaths of tens of thousands of fish in the bay last summer. Similar to the problem of capping nutrients, reducing spills would require expensive upgrades to dozens of the Bay Area’s aging wastewater treatment facilities.

White noted that there is “major investment occurring at the state and federal levels” to prepare infrastructure like wastewater treatment for the extremes associated with climate change.

But much more needs to be done, Choksi-Chugh said.

“Otherwise we’re looking at pollution getting into the bay and into our communities every single time it rains, and that’s just not the way we want our community to have to be surviving,” Choksi-Chugh said.

One of the issues for an agency like EBMUD is that it operates large sewage facilities by the bay that are fed by sewage systems from multiple cities, which is where a lot of stormwater gets into the system, said Cousins of Bay Area Clean Water Agencies.

“Many are in bad shape and more than 50 years old and have to be gradually replaced, but it might take decades,” she said.

Still, Cousins said there has been a 50% reduction in sewer spills in the last 15 years, mostly due to fewer blockages in the system.

Going forward with the coming storms, it’s unclear how many more sewage spills could happen, said White. Because the ground is saturated, the rain doesn’t have to be as intense as on New Year’s Eve to cause major flooding. And if power goes out, that can slow down operations at treatment plants.

“I’m hoping that the worst is behind us,” she said. “But it’s still early January. Who knows what the rest of the month has in store.”

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**Tara Duggan**

Reach Tara on

Tara Duggan is a staff writer in The Chronicle's climate and environment team who focuses on the ocean, fisheries, food and agriculture. Previously in the Food+Wine department, where she earned a James Beard Foundation Award and other accolades, Tara is also the author of several cookbooks, including "Steamed: A Catharsis Cookbook," "Root to Stalk Cooking" and "The Working Cook." Her articles and recipes have appeared in the New York Times, Food & Wine Magazine and the Wall Street Journal.



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Claire Hao is A Hearst Reporting Fellow who joined the San Francisco Chronicle in 2022. She is a recent graduate of the University of Michigan, where she forayed into journalism at the student newspaper. Since then, she has interned on the news desks of Bloomberg Law and The Chicago Tribune as well as on the editorial board of The Washington Post. She was also the 2021 editor-in-chief of her college paper The Michigan Daily.

MARIN COUNTY

# Storms boost reservoir supply to near capacity

Despite recent rain, water rates and fees could rise



A cyclist rides over the bridge at the spillway connecting Bon Tempe Lake and Alpine Lake in Fairfax. Five of the Marin Municipal Water District reservoirs were spilling over after Wednesday's storm.

PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



A small pond created by rainfall is visible in the foreground of Alpine Lake in Fairfax.



A bird takes flight over Bon Tempe Lake from a 1943 plaque celebrating the Bon Tempe Dam in Fairfax.

**BY WILL HOUSTON**

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Marin County's main water reservoirs have spilled or soon will spill — some for the first time in years — because of the series of storms in recent days, local agencies said.

Five of the seven reservoirs managed by the county's largest supplier, the Marin Municipal Water District, were already spilling on Thursday after a "bomb cyclone" storm passed through on Wednesday. The cyclone was preceded by an "atmospheric river" rain flow just before the start of the new year.

Combined, the two storms brought the district's reservoir storage up from 67% on Christmas Day to nearly 93% as of Friday morning, which is about



122% of the average storage for this time of year. The district serves 191,000 residents in central and southern Marin.

“Very likely that we’ll be at full capacity, which of course is fantastic for water supply,” said district official Paul Sellier.

The North Marin Water District, which serves the greater Novato area and parts of western Marin, expects its reservoir at Stafford Lake in Novato to begin spilling next week.

“We haven’t seen that in four years,” Tony Williams, the district’s general manager, said Friday. Mainly used during the summer when water use peaks, the lake was at 80% of capacity, which is average for this time of year. This will likely be the first winter in two years that the district has not had to fill the lake with imported Russian River water.

Supplies are also increasing at two Sonoma County reservoirs — Lake Sonoma and Lake Mendocino — that provide water to both Marin utilities through the Russian River. The North Marin Water District receives about 75% of its annual supply from the Sonoma reservoirs, while the Marin Municipal Water District receives about 25%.

Lake Sonoma, the larger reservoir, reached a historic low at 96,000 acre-feet at the start of December, or about 40% of capacity, prompting concerns about major cuts to imports in the event of a dry winter. An acre-foot of water is equivalent to 326,000 gallons.

The recent storms have since boosted Lake Sonoma storage up to nearly 130,000 acre-feet, or about 58% of capacity, as of noon on Friday, according to Sonoma Water agency spokesperson Andrea Rodriguez. The average storage for this time of year is 196,000 acre-feet, or 80% of capacity.

“Still some ways to go but it’s above 50% so it’s a nice little bump after these storms,” Rodriguez said.

The recent boost in reservoir supplies came after a smaller storm at the start of December. For MMWD, the storm only provided a small boost in supply, but more importantly it helped to saturate the soils in the watershed, Sellier said.

The early December storm brought 7 inches of rain, but only increased reservoir supply by less than a percent of capacity, or about 200 acre-feet. The atmospheric river in late December brought another 11 inches, but this time the reservoir supplies shot up by 14,000 acre-feet — about 17% of storage capacity.

The downpours are a welcome change after several dry winters. MMWD could have depleted its reservoir storage as soon as mid-2022 following two dry winters.

Last year, the district had been preparing to build a \$100 million water pipeline across the Richmond-San Rafael Bridge to pump in Central Valley water in case reservoir supplies ran out. But similar to this winter, a series of atmospheric rivers helped to replenish supplies at the end of 2022, buying the district more time to study other new sources of water supply it could add. The North Marin Water District completed a similar water supply study last year.

After nearly a year of work and public meetings, the Marin Municipal Water District board is set to review recommended water supply options at its Jan. 24 meeting.

The decision on what water supplies to move forward with will come from a newly reorganized board. Marin voters elected three new members who campaigned on expanding local supply.

Jed Smith, one of the new directors, said during the board's meeting Tuesday that after a year of studies, the board needs to make decisions and set specific goals.

"It's time for us to make some calls and it's time for us to look at real portfolio options as soon as possible," Smith said.