



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

August 18, 2022

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health, which was *due to end on September 30, 2021 (Exec. Ord. N-08-21)*. However, the Legislature passed AB 361 which provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's previous Executive Orders. - In light of this – the August 18, 2022 meeting of the LGVSD Board will be held via Zoom electronic meeting*. There will be NO physical location of the meeting. Due to the current circumstances, there may be limited opportunity to provide verbal comments during the meeting. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged, but not required, to submit comments in writing to the Board Secretary (tlerch@lgsd.org) by 5:00 pm on Wednesday, August 17, 2022. In addition, Persons wishing to address the Board verbally must contact the Board Secretary, by email 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/84121882621>

OR

By teleconference at: +16699009128 Meeting ID: Meeting ID: 841 2188 2621

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

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

Estimated Time

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. CONSENT CALENDAR:

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

- A. Approve Resolution 2022-2270 Remote Meetings
- B. Approve the Board Minutes for August 4, 2022
- C. Approve the Warrant List for August 18, 2022
- D. Approve Murray attending LAFCO University Webinar September 19
- E. Approve Board Compensation for July 2022
- F. Approve Resolution 2022-2271 US Bank authorization
- G. Approve Resolution 2022-2272 Bank of Marin authorization
- H. Approve Resolution 2022-2273 LAIF adding signers
- I. Approve Resolution 2022-2274 B-80 Authority over Personnel and F-80 Debt Issuance, Post Issuance Compliance and Management

Possible expenditure of funds: Yes, Items B through E.

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

4:15 PM

3. INFORMATION ITEMS:

STAFF/CONSULTANT REPORTS:

- 1. Marin Sanitary Service update and 2021 Annual Report – Presentation
- 2. General Manager’s Report – verbal
- 3. Department Report – Collections – written
- 4. Department Report – Operations – written
- 5. Board Policy Review – B-90 Appointment in event of Vacancy and F-90 Purchasing including retaining Consultants – written
- 6. FutureSense Report – written

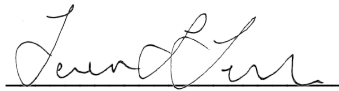
- 5:30 PM** **4. SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD OFFER OF SETTLEMENT**
Board to review and approve the San Francisco Bay Regional Water Quality Board Conditional offer for Settlement of alleged NPDES Permit violations.
- 5:40 PM** **5. TOPICS FOR THE FALL 2022 NEWSLETTER**
Board to discuss the proposed topics for the Fall 2022 Newsletter.
- 5:55 PM** **6. AMENDING THE MISCELLANEOUS FEE SCHEDULE**
Board to consider amending the Miscellaneous Fee Schedule and approving Resolution 2022-2275.
- 6:10 PM** **7. BOARD MEMBER REPORTS:**
- 1. CLARK
 - a. NBWA Board Committee, 2022 Operations Control Center Ad Hoc Committee, Other Reports
 - 2. FORD
 - a. NBWRA, Marin Special Districts Association, 2022 Ad Hoc Engineering Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 Human Resources Ad Hoc Committee, Other Reports
 - 3. MURRAY
 - a. Marin LAFCO, CASA Energy Committee, Other Reports
 - 4. SCHRIEBMAN
 - a. JPA Local Task Force, Gallinas Watershed Council, 2022 Legal Services Ad Hoc committee, 2022 Biosolids Ad Hoc Committee, 2022 Human Resources Ad Hoc committee, 2022 McInnis Marsh Ad Hoc Committee, Other Reports
 - 5. YEZMAN
 - a. Flood Zone 7, CSRMA, 2022 Ad Hoc Engineering Committee re: STPURWE Engineering Subcommittee, 2022 Legal Services Ad Hoc Committee, Marin Special Districts, 2022 Biosolids Ad Hoc committee, 2022 McInnis Marsh Ad Hoc Committee, Other Reports
- 6:20 PM** **8. BOARD REQUESTS:**
- A. Board Meeting Attendance Requests – Verbal
 - B. Board Agenda Item Requests – Verbal
- 6:25 PM** **9. VARIOUS INDUSTRY RELATED ARTICLES**
- 6:30 PM** **10. ADJOURNMENT**

FUTURE BOARD MEETING DATES: SEPTEMBER 1 AND SEPTEMBER 15

AGENDA APPROVED:	Judy Schriebman, Board President	Patrick Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, District Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before August 15, 2022 4:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held by Zoom August 18, 2022, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: August 11, 2022



Teresa L. Lerch
District Secretary

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

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

RESOLUTION NO. 2022-2270

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 AUGUST 18, 2022 THROUGH SEPTEMBER 17, 2022 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 2022-2265 July 7, 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) September 17, 2022, 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 forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a regular meeting thereof held on August 18, 2022 by the following vote of the members thereof:

AYES, and in the favor thereof, Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Judy Schriebman, Board President
Las Gallinas Valley Sanitary District

MEETING MINUTES OF AUGUST 4, 2022

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON AUGUST 4, 2022 AT 4:01 PM BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

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

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Chris DeGabriele, Interim General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer; Sahar Golshani, Environmental Services Supervisor

OTHERS PRESENT: Patrick Richardson, District Counsel; Curtis Paxton; Cheri Fairchild, CPS HR;

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

1. PUBLIC COMMENT: None.

2. CONSENT CALENDAR:

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

- A. Approve the Board Minutes for July 21, 2022
- B. Approve the Warrant List for August 4, 2022
- C. Approve Murray attending ICMA Equity Summit Webinar July 29th
- D. Approve Ratification of Side Letter – Stand-by Emergency Response Stipend for Two Eligible Employees
- E. Approve Chris DeGabriele Consulting Agreement
- F. Approve Resolution 2022-2267 Confirming Conflict of Interest Code Biennial Update
- G. Approve Resolution 2022-2268 Final Completion of Air Release Valve and Vault Replacements

Items D and G were pulled for discussion.

ACTION:

Board approved (M/S Murray/Ford 5-0-0-0) the Consent Calendar items A,B,C, E, F and G. Item D will be brought back to the Board with suggested Board modifications.

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

3. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

1. Interim General Manager's Report – DeGabriele reported
2. District Correspondence – Discussion ensued

3. Press Release announcing new General Manager – DeGabriele reported
4. Information item Policy Review B-80 Authority over Personnel and F-80 Debt Issuance, Post Issuance compliance and management – McDonald reported
5. Department Reports – Engineering – Cortez reported
6. Department Reports – Administration – McDonald reported
7. Quarterly Treasurer's and Financial Report as of June 30, 2022 – McDonald reported

4. APPROVE STPURWE CHANGE ORDER AUTHORIZATION FOR ADDITIONAL AC PAVING AND COST ESCALATION

Board reviewed the change order for additional AC Paving and Cost escalation.

ACTION:

Board approved (M/S Ford/Yezman 5-0-0-0) authorizing the Interim General Manager to execute a Contract Change Order (CCO) for additional AC Paving and Cost Escalation in the amount of \$470,688.

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

5. ENVIRONMENTAL SERVICES SUPERVISOR EQUITY ADJUSTMENT AND REVISED SALARY RANGE

Board discussed the salary range for the Environmental Services Supervisor position.

ACTION:

Board approved (M/S Clark/Ford 5-0-0-0) the increase to the salary range for the Environmental Services Supervisor position from 35 to 37, matching the salary range of other supervisors in the District, retroactive to the first pay period that encompasses July 1, 2022. Staff to come back to Board with recommendation to address the financial impact the delay in considering the equity adjustment had on the Environmental Services Supervisor for retroactive pay/lump sum payment dating back to 2021.

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

6. APPROVE RESOLUTION 2022-2269 SALARY PAY SCHEDULE EFFECTIVE JULY 1, 2022

Board reviewed Resolution 2022-2269 approving a Salary Pay Schedule that includes the new General Manager's compensable wage and the Environmental Services Supervisor salary range.

ACTION:

Board approved (M/S Clark/Ford 5-0-0-0) adopting Resolution 2022-2269 approving a Salary Pay Schedule which includes the new General Manager's compensable wage and the Environmental Services Supervisor revised salary range.

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

7. BOARD MEMBER REPORTS

1. CLARK

- a. NBWA Board Committee –no report
- b. NBWA Conference Committee – no report
- c. 2022 Operations Control Center Ad Hoc Committee – no report
- d. Other Reports–no report

2. FORD

- a. NBWRA – no report
- b. Gallinas Watershed Council– no report
- c. 2022 Engineering Ad Hoc Committee re: Secondary Treatment Plant Upgrade – no report
- d. 2022 Operations Control Center Ad Hoc Committee – no report
- e. 2022 Human Resources Ad Hoc Committee –deferred to Schriebman
- f. Marin County Special Districts Association – no report
- g. Other Reports – Flood Control 7 Board – verbal report; Santa Venetia Neighborhood Association – verbal report.

3. MURRAY

- a. Marin LAFCO – verbal report
- b. CASA Energy Committee– written
- c. Other Reports – no report

4. SCHRIEBMAN

- a. JPA Local Task Force– no report
- b. Gallinas Watershed Council – verbal report
- c. 2022 Legal Services Ad Hoc Committee – no report
- d. 2022 Biosolids Ad Hoc Committee – no report
- e. 2022 Human Resources Ad Hoc Committee – verbal report
- f. 2022 McInnis Marsh Ad Hoc Committee- no report
- g. Other Reports- no report

5. YEZMAN

- a. Flood Zone 7– Ford reported.
- 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. Other Reports–Utility Conference – verbal report

Murray left at 7:00 pm.

8. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – Murray sent the Board Secretary a request to attend the LAFCO Assisting in Resolving the Conflict webinar on September 19.
- B. Board Agenda Item Requests – none.

9. MISCELLANEOUS DISTRICT CORRESPONDENCE:

Discussion ensued.

10. ADJOURNMENT:

ACTION:

Board approved (M/S Ford/Clark 5-0-0-0) the adjournment of the meeting at 7:05 p.m.

AYES: Clark, Ford, Schriebman and Yezman.

NOES: None.

ABSENT: Murray

ABSTAIN: None.

The next Board Meeting is scheduled for August 18, 2022 4 PM by Zoom Meeting at the District Office.

ATTEST:

Teresa Lerch, District Secretary

APPROVED:

Crystal J. Yezman, Vice-President

SEAL

**Las Gallinas Valley Sanitation District
Warrant List 8/18/2022 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	8/18/2022	EFT1	ADP Payroll	163,433.94		163,433.94	8/12/2022 Payroll & Processing Charges
2	8/18/2022	ACH	A & P Moving and Storage	96.80		96.80	Document Storage - August
3	8/18/2022	N/A	Aramark	371.96		371.96	Laundry Service w/e 8/1
4	8/18/2022	N/A	ArcSine Engineering	2,785.00		2,785.00	Marin Lagoon PS Engineering Services
5	8/18/2022	N/A	Aries Industries	3,086.36		3,086.36	Camera Repair on Flusher Truck
6	8/18/2022	N/A	BHI Management Consulting	2,100.00		2,100.00	Strategic Planning - Background Research- July
7	8/18/2022	N/A	Brown and Caldwell	2,280.85		2,280.85	STPURWE- Engineering Services- July
8	8/18/2022	N/A	Bullseye Telecom	327.60		327.60	Trunk Lines
9	8/18/2022	N/A	CWEA	202.00		202.00	Pease Membership
10	8/18/2022	EFT	CaPERS 457 Plan	7,664.46		7,664.46	EE's Contribution to Deferred Comp. Paydate 8/12/2022
11	8/18/2022	EFT	CaPERS CERBT-OPEB	11,630.00		11,630.00	Pre-Fund CERBT Payment -August
12	8/18/2022	EFT	CaPERS Required Contribution	700.00		700.00	GASB-68 Fees for Report & Schedules
13	8/18/2022	EFT	CaPERS Retirement	24,393.13		24,393.13	EE & ER Payment to Retirement- Paydate 8/12/2022
14	8/18/2022	N/A	Cintas	143.81		143.81	Safewasher & Filter Service
15	8/18/2022	N/A	Cintas Fire Protection	4,173.19		4,173.19	Recharge & Inspect Fire Extinguishers
16	8/18/2022	ACH	Contractor Compliance & Monitoring	3,306.75		3,306.75	Labor Compliance Services- July
17	8/18/2022	ACH	Core Utilities	2,340.00		2,340.00	IT Services - July
18	8/18/2022	N/A	CPM Construction	5,425.00		5,425.00	STPURWE- Scheduling & Estimating Services- July
19	8/18/2022	ACH	CPS HR Consulting	1,874.38		1,874.38	HR Consulting Services
20	8/18/2022	N/A	Danadjjeva Hansen Architects	7,165.00		7,165.00	Consulting & Architechical
21	8/18/2022	EFT	Direct Dental	1,856.79		1,856.79	Dental Payments for August
22	8/18/2022	ACH	Du-All Safety	4,728.00		4,728.00	Safety and Training for LGVSD- July
23	8/18/2022	N/A	Durkin Signs	2,811.99		2,811.99	Misc. Signs
24	8/18/2022	N/A	Environmental Business Specialists	1,150.00		1,150.00	Biological Analysis Performed on 7/26/22
25	8/18/2022	N/A	FedEx	438.88		438.88	Misc. Mailings
26	8/18/2022	ACH	Fishman Supply Co.	348.67		348.67	Cups
27	8/18/2022	N/A	Flo-Line Technology	2,951.51		2,951.51	Abel Membrane
28	8/18/2022	ACH	Ford, Ron	200.00		200.00	Medical Reimbursement- August
29	8/18/2022	ACH	Gardeners Guild	1,203.00		1,203.00	Landscape Maintenance - August

Las Gallinas Valley Sanitation District Warrant List 8/18/2022 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	8/18/2022	ACH	Grainger	329.08		329.08	Fluid Storage Container, Reducer Nozzle, Utility Outlet, Hand Pump
31	8/18/2022	ACH	Hanford ARC	5,040.00		5,040.00	Lower Miller Creek -Weed Management & Irrigation Maintenance- July
32	8/18/2022	N/A	Hazen and Sawyer	18,597.50		18,597.50	Digester Room MCC-2, Collection System Hydraulic Model Development, On-Call Engineering Services, Engineering Support Services
33	8/18/2022	ACH	HDR	3,053.78		3,053.78	Planning Assistance for Biosolids Management- Feb-May, District Rate Study- July
34	8/18/2022	N/A	IDEXX Labs	4,320.87		4,320.87	Sealer Plus, Foam Caps, QT Sealer Bags
35	8/18/2022	N/A	Jackson's Hardware	226.68		226.68	Misc. Supplies
36	8/18/2022	N/A	Kaman Industrial Technologies	3,348.67		3,348.67	Switch & Pressure Gauge for Sludge Pump, Gear Box, Flocking Tank
37	8/18/2022	ACH	Kennedy Jenks	92,916.78		92,916.78	STPURWE- Construction Management and Inspection Services
38	8/18/2022	ACH	Kenwood Energy	6,688.75		6,688.75	Solar Panel Replacement Assistance- July, Solar PV System Upgrade Assistance- July
39	8/18/2022	N/A	Marin Ace	116.53		116.53	Misc. Supplies
40	8/18/2022	N/A	Marin County Ford	111.62		111.62	Maintenance on CMAXX
41	8/18/2022	N/A	Marin Fence Company	350.00		350.00	Labor & Materials to Replace Backbox
42	8/18/2022	N/A	Marin Recycling HHW	305.54		305.54	Recyclables & Admin Fee
43	8/18/2022	N/A	Martis Consultants Corp	4,566.90		4,566.90	Research & Operational Planning Assistance for Biosolids Management
44	8/18/2022	N/A	McMaster Carr	618.65		618.65	Misc. Supplies
45	8/18/2022	ACH	Murray, Craig	125.00		125.00	Medical Reimbursement- August
46	8/18/2022	N/A	North Bay Gas	710.63		710.63	Welding Gases and Supplies
47	8/18/2022	N/A	North Bay Petroleum	3,342.52		3,342.52	Diesel & Unleaded Fuel
48	8/18/2022	N/A	North Valley Labor Compliance Services	150.00		150.00	LMC Revegetation Maintenance
49	8/18/2022	N/A	Oberkamper & Associates	2,888.00		2,888.00	Civic Center North Pump Station Survey
50	8/18/2022	N/A	Operating Engineers	680.24		680.24	Union Dues Paydate 8/12
51	8/18/2022	N/A	PG&E	179,668.03		179,668.03	Electricity at Plant 6/17 - 7/26 & True-up Charges
52	8/18/2022	N/A	PG&E	6,901.36		6,901.36	Pump Stations- 6/16 - 7/18
53	8/18/2022	N/A	PG&E	501.82		501.82	CNG for Collections Truck
54	8/18/2022	ACH	Paxton, Curtis	300.00		300.00	Boots
55	8/18/2022	N/A	Platt Electric Supply	667.42		667.42	Misc. Electrical Supplies
56	8/18/2022	N/A	R. Alexander Associates	1,618.75		1,618.75	Biosolids Compost Market Research Study
57	8/18/2022	N/A	Rafael Lumber	154.90		154.90	Boards & Deck Screws
58	8/18/2022	N/A	Rathlin Properties	9,071.00		9,071.00	Rent at 101 Lucas Valley Rd. - September

**Las Gallinas Valley Sanitation District
Warrant List 8/18/2022 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
59	8/18/2022	ACH	Retiree Augusto	145.65		145.65	Retiree Health - September
60	8/18/2022	ACH	Retiree Burgess	153.53		153.53	Retiree Health - September
61	8/18/2022	ACH	Retiree Cutri	440.30		440.30	Retiree Health - September
62	8/18/2022	ACH	Retiree Cummins	153.53		153.53	Retiree Health - September
63	8/18/2022	ACH	Retiree Emanuel	232.94		232.94	Retiree Health - September
64	8/18/2022	ACH	Retiree Gately	158.44		158.44	Retiree Health - September
65	8/18/2022	ACH	Retiree Guion	158.44		158.44	Retiree Health - September
66	8/18/2022	ACH	Retiree Johnson	702.40		702.40	Retiree Health - September
67	8/18/2022	ACH	Retiree Kermoian	153.53		153.53	Retiree Health - September
68	8/18/2022	ACH	Retiree Mandler	153.53		153.53	Retiree Health - September
69	8/18/2022	ACH	Retiree McGuire	625.00		625.00	Retiree Health - September
70	8/18/2022	ACH	Retiree Memmott	153.53		153.53	Retiree Health - September
71	8/18/2022	ACH	Retiree Petrie	145.65		145.65	Retiree Health - September
72	8/18/2022	ACH	Retiree Pettey	153.53		153.53	Retiree Health - September
73	8/18/2022	ACH	ACH Retiree Reetz	456.06		456.06	Retiree Health - September
74	8/18/2022	ACH	Retiree Reilly	153.53		153.53	Retiree Health - September
75	8/18/2022	ACH	Retiree Vine	153.53		153.53	Retiree Health - September
76	8/18/2022	ACH	Retiree Wettstein	667.00		667.00	Retiree Health - September
77	8/18/2022	ACH	Retiree Williams	667.00		667.00	Retiree Health - September
78	8/18/2022	ACH	Satcom Global	170.57		170.57	Satelite Phone Service
79	8/18/2022	ACH	Schriebman, Judy	200.00		200.00	Medical Reimbursement- August
80	8/18/2022	N/A	Shape Incorporated	11,836.31		11,836.31	Pump Replacement for Clarifier Return
81	8/18/2022	N/A	Spieß, Robert	4,882.50		4,882.50	Sewer Service Charge Assistance
82	8/18/2022	N/A	United Site Services	629.90		629.90	Porta Potty 7/23-8/19
83	8/18/2022	ACH	Univar	14,754.46		14,754.46	Sodium Hypochlorite
84	8/18/2022	EFT	US Bank	667,500.00		667,500.00	2017 Revenue Bond Payment
85	8/18/2022	N/A	Win-911	1,160.00		1,160.00	SCADA Alarm System Software
86	8/18/2022	N/A	Woodland Center Auto Supply	609.68		609.68	Fluids for Irrigation Pump, Battery Chargers for Mobile Generators, Wash Supplies for District Vehicles
87	8/18/2022	ACH	Yezman, Crystal	2,422.84		2,422.84	Medical Reimbursement- August, NACSWA Utility Leadership Conference Reimbursement

Las Gallinas Valley Sanitation District Warrant List 8/18/2022 DRAFT						
Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items

Do not change any formulas below this line.

	TOTAL	\$ 1,316,353.47	\$ -	\$ 1,316,353.47
EFT1	EFT1 = Payroll (Amount Required)	163,433.94		163,433.94
EFT2	EFT2 = Bank of Marin loan payments	0.00		0.00
PC	Petty Cash Checking	0.00		0.00
>1	Checks (Operating Account)	0.00		0.00
N/A	Checks - Not issued	293,449.17		293,449.17
EFT	EFT = Vendor initiated "pulls" from LGVSD	713,744.38		713,744.38
ACH	ACH = LGVSD initiated "push" to Vendor	145,725.98		145,725.98
	Total	<u>\$ 1,316,353.47</u>		<u>\$ 1,316,353.47</u>

Approval:
Finance
GM
Board

Difference: \$ _____

STPURWE Costs 100,622.63

AGENDA ITEM 2D
DATE August 18, 2022



BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 8/3/22 Name: MURRAY, Craig K.

I would like to attend the CALAFCO University : Two Agencies In Dispute
LAFCO's Role in Assisting in Resolving The Conflict

Meeting of CALAFCO

To be held on the 19th day of September from 1pm

a.m. / p.m. to 19th day of September from to 2:30pm a.m. / p.m.

Location of meeting: Online

Actual meeting date(s): Sept.19, 2022

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

Purpose of Meeting: Public Agency Disputes

Meeting relevance to District: Dispute Resolution

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

N/A

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

Frequency of Meeting: 1x

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

Date submitted to Board Secretary: 8/3/22

Board approval obtained on Date: _____

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

JOIN US!



TWO AGENCIES IN DISPUTE

LAFCO'S ROLE IN ASSISTING IN RESOLVING THE CONFLICT

Two public agencies are in dispute over future boundaries, and past unmet conditions of approval. What can a LAFCo do to assist in resolving these types of conflicts? How can a LAFCo navigate the dispute minefields while keeping a neutral role? Join us as we consider two case studies, and learn tools that can be used to assist in mediating disputes.

MONDAY
September 19, 2022
1 – 2:30 p.m.

COST

Free to CALAFCO Members*
Non-members: \$125**

*CALAFCO Members include staff or commissioners of dues-paying LAFCos.

**Non-members may only register if representing a local government or state agency in California.

SPEAKERS

Carolyn Emery, Executive Officer, Orange LAFCo
Priscilla Mumpower, Local Government Analyst, San Diego LAFCo

Moderator
Gary Thompson, Executive Officer, Riverside LAFCo

CLICK HERE TO REGISTER for this webinar: <https://bit.ly/3btwVww>

Once you register on Eventbrite you will receive the Zoom registration link with your confirmation email. You will then need to use that Zoom registration link prior to the session to get the updated webinar link to join that session. **DO NOT WAIT UNTIL THE LAST MINUTE TO DO THIS STEP.**

You can also find this information on the CALAFCO website at www.calafco.org.

DEADLINE TO REGISTER: Sunday, September 18, 2022, 5 p.m.
No late registrations will be accepted.

This session is worth 1.5 AICP CM Credits.



www.CALAFCO.org | Phone: (916) 442-6536 | Email: info@calafco.org

Agenda Item 2 ~~E~~
Date August 18, 2022

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	2
Ron Ford	6
Craig Murray	5
Judy Schriebman	5
Crystal Yezman	<u>6</u>
Total	<u><u>24</u></u>

Meeting Date: 8/18/2022
Paydate: 8/26/2022



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: JULY 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
7 th	Reg	X	
21 th	Reg	X	
TOTAL		<u>2</u>	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
TOTAL			

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	<u>2</u>
--	----------

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.

<u>Megan Clark</u> Director Signature	<u>8-10-22</u> Date
<u>[Signature]</u> Administrative Services Manager Approved	<u>8-10-22</u> Date
<u>[Signature]</u> Board Secretary Received	<u>8-10-22</u> 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: Rain FORD Month: July 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
7/07	REG. BOARD	✓	
7/21	REG. BOARD	✓	
7/01	Ad Hoc ENGINEER	✓	
7/20	Ad Hoc HR	✓	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
7/22	Ad Hoc ENGINEER	✓	
7/27	Ad Hoc HR	✓	
7/27	FLOOD CONTROL ZONE 7		✓
TOTAL		6	1

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

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

Ronald Ford
 Director Signature

08/01/2022
 Date

[Signature]
 Administrative Services Manager Approved

8/10/22
 Date

[Signature]
 Board Secretary Received

8/2/22
 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: July 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
7/7/22	Board Meeting	X	
7/21/22	Board Meeting	X	
TOTAL		2/2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
7/7,10,17,21/22	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 7/7 0.5 hours; 7/10 0.5 hours; 7/17 0.5 hours; 7/21 2.0 hours		XXXX
7/12/22	How Start-Up Accelerators Can Drive Climate Action, EESI Livecast		X
7/21/22	CALAFCo Training: Sharing the Wealth: A Deep Dive into the Exchange under R+T Code Section 99		X
7/25/22	25 th Annual Congressional Energy and Energy Efficiency Policy Forum. IEEE and the House and Senate Renewable Energy and Energy Efficiency (REEE) Caucuses.	X	
7/25/22	North Bay Zero Waste Week July 24-30. July 25: Zero Waste Curious, Sonoma County? Environmental Center of Sonoma.		X
7/26/22	North Bay Zero Waste Week July 24-30. July 26: Webinar Irrigation Systems. Eliminate water waste from your landscape. Sonoma Marin Water Partnership.	X	
7/27/22	LAFCo Strategic Plan Meeting		X
7/28/22	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting (In Person)	X	
7/29/22	2022 ICMA Equity Summit	X	
TOTAL		3/11	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	5/13
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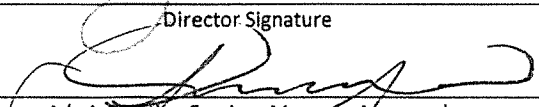
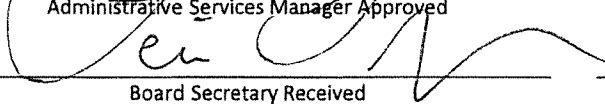


101 Lucas Valley Road, Suite 300, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

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

 _____ Director Signature	Craig K. Murray	August 1, 2022
 _____ Administrative Services Manager Approved		8/10/22 Date
 _____ Board Secretary Received		8-1-22 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: Judy Schriebman Month: July 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
7/7	Regular Mtg	X	
7/19	McInnis Marsh Ad Hoc Mtg	X	
7/20	HR Ad Hoc Mtg	X	
7/21	Regular Mtg	X	
7/27	HR Ad Hoc Mtg	X	
TOTAL		5:5	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
TOTAL			

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

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

Judy Schriebman

8/4/2022

Director Signature

Date

Administrative Services Manager Approved

Date

Board Secretary Received

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: July 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
07/07/2022	Regular Board Mtg	X	
07/21/2022	Regular Board Mtg	X	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
07/01/22	Engineering Subcommittee Meeting	X	
07/24-07/27	NACWA Utility Leadership Conference	XXXX	
07/19/2022	McInnis March Meeting with MCOSD	X	
07/22/2022	Engineering Subcommittee Meeting	X	
TOTAL		7	

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

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

[Signature]
 Director Signature

08/03/2022
 Date

[Signature]
 Administrative Services Manager Approved

8/10/22
 Date


[Signature]
 Board Secretary Received

8/3/22
 Date



Item Number 2 F
GM Review CD

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager 
 (415) 526-1519 dmcDonald@lgvSD.org
Meeting Date: August 18, 2022
Re: Resolution authorizing the General Manager and the Administrative Services Manager to conduct business on behalf of the District for U.S. Bank Trust Account identified as #238881000 - Las Gallinas Val Sanit Dist 2017 Trust Account

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

STAFF RECOMMENDATION

Board to approve Resolution No. 2022-2271 to authorize the Curtis Paxton, General Manager and Dale McDonald, Administrative Services Manager to conduct business on behalf of the District on the U.S. Bank Trust Account identified as #238881000 - Las Gallinas Val Sanit dis 2017 Trust Account.

BACKGROUND

The Las Gallinas Valley Sanitary District has a trust account held at U.S. Bank for serving the 2017 Bond. Both the General Manager and the Administrative Services Manager have replaced the previously appointed employees in those positions. While successors are referenced in Resolution No. 2019-2156, it is in the best interest of the District to rescind the prior resolution and provide U.S. Bank with a new resolution and request form to facilitate a smooth transition of authorized personnel that the Bank can lawfully do business with.

PREVIOUS BOARD ACTION

On January 31, 2019, the Board adopted Resolution No. 2019-2156 authorizing signing authority for the U.S. Bank trust account.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None.

RESOLUTION No. 2022-2271

A RESOLUTION RESCINDING RESOLUTION 2019-2156 AND AUTHORIZING SIGNING AUTHORITY FOR THE U.S. BANK ACCOUNT #238881000-LAS GALLINAS VAL SANIT DIST 2017 TRUST ACCOUNT

**LAS GALLINAS VALLEY SANITARY DISTRICT
101 Lucas Valley Road, Suite 300
San Rafael, CA. 94903
Tel: 415-472-1734**

WHEREAS, A bond trust account was established with U.S. Bank in 2017; and

WHEREAS, the Board of Directors of the Las Gallinas Valley Sanitary District does hereby find the individuals authorized to conduct business on behalf of the District has changed due to employee changes; and

WHEREAS, the Board adopted Resolution No. 2019-2156 on January 31, 2019 which designated Mike Prinz, and Robert Ruiz, or their successors in office, as Authorized signing authority for the US Bank Account #238881000, a copy of which is attached as Exhibit A and by reference incorporated herein; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Las Gallinas Valley Sanitary District authorize the following individuals with the authority to conduct trust account business on behalf of the District until they are removed from their assigned position:

CURTIS PAXTON
GENERAL MANAGER

DALE MCDONALD
ADMINSTRATIVE SERVICES MANAGER

Signature

Signature

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 18th day of August, 2022, by the following vote of the members thereof:

AYES, and in favor thereof Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

(seal)

APPROVED:

Judy Schriebman, Board President
Las Gallinas Valley Sanitary District



Item Number 26
GM Review LD

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
 (415) 526-1519 dmcDonald@lgvsd.org
Meeting Date: August 18, 2022
Re: Resolution authorizing signing authority for the Bank of Marin operating accounts and removing signers from the authorized signers list.

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

STAFF RECOMMENDATION

Board to approve Resolution 2022-2272 to add new authorized members to the list of signers and remove those members that are no longer with the district.

BACKGROUND

The Las Gallinas Valley Sanitary District Operating bank accounts held at the Bank of Marin requires a formal resolution by the governing body to authorize representatives on their behalf to establish new accounts, modify existing accounts, and to make deposits or withdrawals into the bank account. New members to be added to the authorized signers list include board member Ronald Ford, General Manager Curtis Paxton, and Administrative Services Manager Dale McDonald.

Concurrently, this resolution will also remove members no longer authorized to be on the approved signers list. The members to be removed from the list are Rabi Elias, Mike Prinz, and Robert D. Ruiz.

PREVIOUS BOARD ACTION

On January 10, 2019, the Board adopted Resolution No. 2019-2152 authorizing signers for Bank of Marin accounts.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None.

RESOLUTION NO. 2022-2272

**A RESOLUTION OF LAS GALLINAS VALLEY SANITARY DISTRICT
AUTHORIZING SIGNING AUTHORITY FOR THE BANK OF MARIN ACCOUNT
#03323300 AND REMOVE SIGNERS FROM THE AUTHORIZED SIGNERS LIST**

**LAS GALLINAS VALLEY SANITARY DISTRICT
101 Lucas Valley Road, Suite 300
San Rafael, California 94903
Tel: 415-472-1734**

WHEREAS, A general operating checking account was established with the Bank of Marin in 2007; and

WHEREAS, the Board of Directors of the Las Gallinas Valley Sanitary District does hereby find that the authorized signers have changed due to a new board member and employee changes,

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Las Gallinas Valley Sanitary District authorize the following persons or combination of persons listed as signers on the signature card are authorized to endorse, on the behalf of the District, any checks or other items payable to the organization or its order, to deposit such checks and other items into the account, with or without such endorsement and to direct withdrawals from the account by check drawing on the account or otherwise, including withdrawals payable to anyone who is an authorized signer until they are removed from their elected or assigned position:

JUDY SCHRIEBMAN
PRESIDENT, BOARD OF DIRECTORS

CURTIS PAXTON
GENERAL MANAGER

Signature

Signature

CRYSTAL J. YEZMAN
VICE PRESIDENT, BOARD OF DIRECTORS

MEGAN CLARK
BOARD OF DIRECTORS

Signature

Signature

CRAIG K. MURRAY
BOARD OF DIRECTORS

RONALD FORD
BOARD OF DIRECTORS

Signature

Signature

DALE MCDONALD
ADMINISTRATIVE SERVICES MANAGER

Signature

BE IT FURTHER RESOLVED, as follows:

The following signers are to be removed from the authorized signers list:

MIKE PRINZ

RABI ELIAS

ROBERT D. RUIZ

BE IT FURTHER RESOLVED, that the Administrative Services Manager shall file with the Bank of Marin any required signature cards, consumer information forms, and/or submittals along with a copy of this executed resolution; all of the authorized signatures appearing for authorized signers on the signature card referenced by this resolution are those of the persons authorized to withdraw funds in accordance with this resolutions until such authority is revoked by giving written notice to the Bank of Marin signed by authorized officers of this organization, and, these resolutions are still in force and are unmodified.

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 18TH Day of August, 2022, that the following persons or combination of persons listed as signers are authorized to endorse, on the behalf of this of the district, any checks or other items payable to the organization or its order, to deposit such checks and other items into the account, with or without such endorsement and to direct withdrawals from the account by check drawing on the account or otherwise, including withdrawals payable to anyone who is an authorized signer, by the following vote of the members thereof:

AYES, and in favor there of Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

(seal)

APPROVED:

Judy Schriebman Board President
Las Gallinas Valley Sanitary District



Item Number 2H
GM Review CP

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
 (415) 526-1519 dmcDonald@lgvsd.org
Meeting Date: August 18, 2022
Re: Resolution rescinding Resolution 2019-2153 and authorizing signers to deposit or withdrawal monies from Local Agency Investment Fund (LAIF) Fund #70-21-005.

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

STAFF RECOMMENDATION

Board to approve Resolution 2022-2273 to add new authorized members to the list of signers and remove those members that are no longer with the district.

BACKGROUND

The Las Gallinas Valley Sanitary District has one investment accounts held at the State of California's Local Agency Investment Fund (LAIF), Fund #70-21-005. The LAIF Bond Fund #11-21-012 was closed after the bond funds were exhausted in October 2020.

LAIF requires a formal resolution by the governing body to authorize representatives on their behalf to establish new accounts and or modify existing accounts and to make deposits or withdrawals into the bank accounts. New members to be added to the authorized signers list include board member Ronald Ford and General Manager Curtis Paxton.

Concurrently, this resolution will also remove members no longer authorized to be on the approved signers list. The members to be removed from the list are Rabi Elias and Mike Prinz.

PREVIOUS BOARD ACTION

On January 31, 2019, the Board adopted Resolution No. 2019-2153 authorizing LAIF approved signers.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None.

RESOLUTION No. 2022-2273

A RESOLUTION RESCINDING RESOLUTION 2019-2153 AND AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND SAVINGS ACCOUNT #70-21-005

LAS GALLINAS VALLEY SANITARY DISTRICT

AGENCY ADDRESS 101 LUCAS VALLEY ROAD, SUITE 300 SAN RAFAEL, CA 94903 AGENCY PHONE NO. 415-472-1734

WHEREAS, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Directors of the Las Gallinas Valley Sanitary District does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as provided therein is in the best interests of the Las Gallinas Valley Sanitary District; and

WHEREAS, the Board adopted Resolution No. 2019-2153 on January 31, 2019 which designated Mike Prinz and Rabi Elias or their successors in office, as Authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund, a copy of which is attached as Exhibit A and by reference incorporated herein; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Las Gallinas Valley Sanitary District by this resolution, rescinds Resolution No. 2019-2153 and does hereby authorize the deposit and withdrawal of the District monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 et. Seq. of the Government Code for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows:

Section 1. The following Las Gallinas Valley Sanitary District officers holding the title(s) specified herein below **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and transactions contemplated hereby:

JUDY SCHRIEBMAN
DIRECTOR, BOARD OF DIRECTORS

CURTIS PAXTON
GENERAL MANAGER

Signature

Signature

CRYSTAL J. YEZMAN
DIRECTOR, BOARD OF DIRECTORS

MEGAN CLARK
DIRECTOR, BOARD OF DIRECTORS

Signature

Signature

CRAIG K. MURRAY
DIRECTOR, BOARD OF DIRECTORS

RONALD FORD
DIRECTOR, BOARD OF DIRECTORS

Signature

Signature

Section 2. This resolution shall remain in full force and effect until rescinded by the Board of Directors of the Las Gallinas Valley Sanitary District by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 18TH day of August, 2022, by the following vote of the members thereof:

AYES, and in favor thereof Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

(seal)

APPROVED:

Judy Schriebman, Board President
Las Gallinas Valley Sanitary District



Item Number 21
GM Review LD

Agenda Summary Report

To: Board of Directors
From: Teri Lerch, District Secretary
 (415) 526-1510; tlerch@lgvsd.org
Mtg. Date: August 18, 2022
Re: Approve Resolution 2022-2270 adopting revised Board Policies B-80 Authority over Personnel and F-80 Debt Issuance, Post Issuance Compliance and Management
Item Type: Consent X Action _____ Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Attached for approval is Resolution 2022-2274 updating policies B-80 Authority over Personnel and F-80 Debt Issuance, Post Issuance Compliance and Management. Board suggested changes are shown in highlight (strikeout format) and clean copies are also provided.

BACKGROUND

The Board has requested to review and update Board Policies.

PREVIOUS BOARD ACTION

On August 4, Board reviewed B-80 Authority over Personnel and F-80 Debt Issuance, Post Issuance Compliance and Management with staff and requested it come back with suggested revisions for approval.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

RESOLUTION NO. 2022-2274

A RESOLUTION APPROVING BOARD POLICY REVISIONS FOR B-80 AUTHORITY OVER PERSONNEL AND F-80 DEBT ISSUANCE, POST ISSUANCE COMPLIANCE AND MANAGEMENT

THE LAS GALLINAS VALLEY SANITARY DISTRICT

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

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

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

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

WHEREAS, on A 2022, the Board reviewed and suggested changes on Board policies B-80- Authority over Personnel and F-80 Debt Issuance, Post Issuance Compliance and Management;

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy sections: B-80 AUTHORITY OVER PERSONNEL AND F—80 DEBT ISSUANCE, POST ISSUANCE COMPLIANCE AND MANAGEMENT. The previously approved Board Policies B-80 and F-80 are hereby revoked and declared null and void.

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

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

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 18TH day of August 2022, by the following vote of the members thereof:

AYES, and in favor thereof Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary

APPROVED:

Judy Schriebman, President of Board of Directors

B-80 AUTHORITY OVER PERSONNEL**Purpose**

This policy delegates to the General Manager general authority over personnel matters and authority to administer the District.

B-80-10 Administration. The Board delegates to the General Manager, as Executive Officer of the District and for the Board, the authority to administer the District with exclusive management and control of the operations and works of the District, subject to approval of the Board, and to provide day-to-day leadership of the District. The General Manager also has general charge, responsibility, and control over all property of the District.

B-80-20 Personnel Matters. The Board delegates to the General Manager general authority over personnel matters involving District staff, including, evaluating, disciplining, and discharging employees, without conflicting with union agreements.

B-80-30 Non-Interference. Individual Board members shall not interfere with the General Manager in District personnel matters.

B-80-40 Appointments. With the exception of emergency appointments, appointments assigned outside of a standard recruitment process require the approval of the District Board.

B-80-50 Discipline. The General Manager may suspend, demote, reduce in pay, or discharge any regular employee for just cause, and will inform the Board after taking such actions.

B-80-60 Wage Increases. The General Manager shall report to the Board when delaying, or not granting a regular or special wage step increase.

B-80-70 Employee Evaluations. Individual employee performance evaluations are privileged and confidential.

B-80-80 Other Duties. The General Manager shall have authority to carry out other duties specified in the District's official job description for the position.

Resolution No. 2022-2274	Date Approved: August 18, 2022
President of the Board	Last Reviewed: August 18, 2022

F-80 DEBT ISSUANCE, POST ISSUANCE COMPLIANCE AND MANAGEMENT**Purpose**

This policy establishes procedures for the use of debt for financing the District's capital improvements.

F-80-10 Use of Long-term Debt. The District shall have a preference to finance capital improvements using pay-as-you-go financing and shall issue long-term debt only to finance capital improvements that cannot be readily financed from current revenues. Some exceptions to this may be made on a case-by-case basis for no-interest and extremely-low-interest loan programs for capital projects.

Debt financing shall be used only for major, non-recurring items or improvements with a minimum of five years of useful life; assets with a shorter useful life shall be financed using pay-as-you-go financing. The intended use of debt shall be described in and integrated into the District's Capital Improvement Plan and any long range financial forecasts.

F-80-20 Types of Debt. The District, either on its own or through a public benefit corporation, may issue general obligation bonds, certificates of participation, revenue bonds, borrow from a bank, borrow from the State of California through the use of state revolving fund loans, borrow from the Federal Government, or issue any other long or short-term instrument approved by and deemed appropriate by the Board of Directors to meet the capital financing needs of the District. Debt may be fixed rate or variable rate.

F-80-30 Length of Debt Obligations. The District shall repay all debt issued within a period not to exceed the expected useful life of the improvements financed by the debt.

F-80-40 Debt Service Limitations. The District shall not issue debt where the debt service amounts exceed its ability to pay current obligations from current revenues. This shall be calculated as follows: current operating revenues, less current operating expenditures, shall be at least 125% of anticipated total annual debt service for all outstanding long-term debt.

F-80-50 Use of Credit Enhancements. When issuing long-term debt, credit enhancements (such as letters of credit, bond insurance) may be used, but only when net debt service on the debt is reduced by more than the cost of the enhancement, or the enhancement is a requirement for the loan or debt issuance.

F-80-60 Bond rating. The District shall seek to maintain and, if possible, improve its current bond rating in order to minimize borrowing costs and preserve access to credit.

F-80-70 Financial disclosure. The District shall fully disclose financial and pertinent credit information as it relates to the District's outstanding securities.

F-80-80 Post Issuance Compliance with Federal Law. State and local governmental entities that borrow money on a tax-exempt basis are now required to report to the Internal Revenue Service whether they have established written procedures to comply with applicable requirements of federal tax law for all issues of bonds, certificates of participation, bond anticipation notes, tax anticipation notes, revenue anticipation notes, financing leases, energy performance contract financings, and any other instruments evidencing the borrowing of money (collectively the "Obligations"). The procedures set forth herein will assist the Las Gallinas Valley Sanitary District (collectively, the "Issuer"), in meeting the post-issuance requirements of federal tax law necessary to preserve the tax-exempt status of interest on tax-exempt Obligations issued by the Issuer.

These procedures address Obligations issued for physical facilities, property and equipment for the Issuer (the "Capital Obligations") and Obligations issued to finance cash-flow operating requirements of the Issuer (the "Cash-Flow Obligations").

F-80-80-1 General Procedures.

F-80-80-1a Responsible Official. The General Manager of the Issuer (herein referred to as the "Responsible Official") will identify such officers and employee(s) who will be responsible for each of the procedures listed below, and will notify such officers and employee(s) of the responsibilities, and provide those persons with a copy of these procedures. Upon employee transitions, the Responsible Official will advise the new personnel of their responsibilities under these procedures and will ensure they understand the importance of these procedures. If employee positions are restructured or eliminated, the Chief Financial Officer of the Issuer will reassign responsibilities as necessary.

F-80-80-1b Issuance of Obligations.

F-80-80-1b.1 Bond Counsel. The Issuer will retain a firm of nationally-recognized bond counsel ("Bond Counsel") to deliver a legal opinion in connection with the issuance of all Obligations. The Responsible Official will consult with Bond Counsel and other legal counsel and advisors, as needed, following the issuance of Obligations to ensure that applicable post-issuance requirements are met, so that interest on each issue of Obligations will be excluded from gross income for federal income tax purposes.

F-80-80-1b.2 Documentation of Tax Requirements. The federal tax requirements relating to each issue of Obligations will be set forth in a Tax Certificate (the "Tax Certificate") executed in connection with each issue of Obligations, which will be included in the closing transcript for each issue of Obligations. The Tax Certificate will contain certifications, representations, expectations and factual statements relating to the restriction on use of the assets and facilities financed or refinanced with Obligations by persons or entities other than the Issuer, changes in use of the assets and facilities financed or refinanced with the proceeds of Obligations, restrictions applicable to the investment of the proceeds of any Obligations and other moneys relating to the Obligations, and arbitrage rebate requirements. The Responsible Official will review the Tax Certificate prior to the date of issue of each issue of Obligations.

F-80-80-1b.3 Information Reporting. In connection with each issue of tax-exempt Obligations, the Issuer is required to file, or shall cause to be filed by Bond Counsel, an IRS Form 8038-G (or, if applicable, IRS Form 8038-GC). Any such IRS Form filed with the IRS, together with a proof of filing, will be included as part of the closing transcript for each issue of Obligations, or kept in the records maintained by Bond Counsel related to the appropriate issue of Obligations. The Responsible Official shall ascertain that such form has been filed in connection with each issue of Obligations.

F-80-80-1b.4 Record Retention.

General. Copies of all relevant documents and records sufficient to support that the tax requirements relating to all Obligations have been satisfied, including the following documents and records, should be maintained by the Issuer:

- (a) Closing transcript;
- (b) All records of investments, arbitrage reports, returns filed with the IRS and underlying documents;
- (c) Construction contracts, purchase orders, invoices and expenditure and payment records;
- (d) Documents relating to costs reimbursed with the proceeds of Capital Obligations;
- (e) All contracts and arrangements involving Private Use of the property financed with Capital Obligations;
- (f) All reports relating to the allocation of the proceeds of Obligations and Private Use of property financed with Capital Obligations;
- (g) Itemization of property financed with the proceeds of Capital Obligations; and
- (h) In connection with Cash-Flow Obligations, information regarding the Issuer's revenue, expenditures and available balances sufficient to support the Issuer's prospective and actual maximum cumulative cash.

F-80-80-1b.5 Duration of Record Retention. All of the foregoing documents and records should be retained for the term of the Obligations, plus three (3) years, or if the Obligations are refunded with the proceeds of a subsequent Obligation, the date three (3) years after the last of such refunding Obligations are refunded. List of foregoing documents to be destroyed will be provided to the Board prior to destruction.

F-80-80-1c Capital Obligations.

F-80-80-1c.1 Timely Expenditure of Proceeds of Capital Obligations. At the time of issuance of Capital Obligations issued to fund original expenditures, the Issuer must reasonably expect to spend at least 85% of all proceeds within three (3) years of the date of issuance of the Obligations. In addition, for Capital Obligations, the Issuer must have incurred or expect to incur within six months after issuance original expenditures of not less than 5% of the amount of such proceeds, and must expect to complete the project financed with Capital Obligations (the "**Project**") and expend the proceeds of such Capital Obligations to pay Project costs with due diligence. Satisfaction of these requirements allows the proceeds of Capital Obligations issued for the Project to be

invested at an unrestricted yield for three (3) years. Failure to satisfy these requirements could subject the Issuer to rebate of investment income, and other penalties. The Responsible Official will monitor the appropriate capital project accounts to ensure that the proceeds of Capital Obligations are spent within the time period(s) required under federal tax law.

Capital Obligations issued to refinance outstanding Capital Obligations are subject to separate expenditure requirements, which shall be outlined in the Tax Certificate relating to such Obligations. In connection with the issuance of any Capital Obligations issued to refinance outstanding Capital Obligations, the Responsible Official will confirm that any rebate obligation due with respect to the original issue and any subsequent refinancing thereof has been met.

F-80-80-1c.2 Use of Proceeds of Capital Obligations. In general, proceeds (including investment income on original sale proceeds) of Capital Obligations, other than proceeds used to pay costs of issuance, should be spent on capital expenditures. For this purpose, capital expenditures generally mean costs to acquire, construct, or improve property (land, buildings and equipment). Capital Expenditures include design and planning costs related to the Project, and include architectural, engineering, surveying, soil testing, environmental, and other similar costs incurred in the process of acquiring, constructing, improving or adapting the property. Capital Expenditures do not include operating expenses of the Project.

F-80-80-1c.3 Use of Facilities Financed with Capital Obligations. For the life of all Capital Obligations, the Project must be owned and operated by the Issuer. At all times while Capital Obligations issued for a Project are outstanding, no more than 10% of the proceeds of such Capital Obligations may be used, directly or indirectly, in a trade or business carried on by a person other than a state or local governmental unit ("**Private Use**"). Generally, Private Use consists of any contract or other arrangement, including leases, management contracts (for example, contracts relating to the management or operation of a parking facility, food service operation or municipal utility system), operating agreements and guarantee contracts which provides for use of the facilities financed with Capital Obligations by a person who is not a state or local government on a basis different than the general public. The Project may be used by any person or entity, including any person or entity carrying on any trade or business, if such use constitutes "General Public Use". General Public Use is any arrangement providing for use that is available to the general public at either no charge or on the basis of rates that are generally applicable and uniformly applied.

F-80-80-1c.4 Management or Operating Agreements for Facilities Financed with Capital Obligations. Any management, operating or service contracts whereby a non-exempt entity is using facilities financed or refinanced with the proceeds of Capital Obligations must relate to portions of the Project that fit within the above-mentioned 10% allowable Private Use, or the contracts must meet the IRS safe harbor for management contracts (Revenue Procedure 97-13, as amended, or Revenue Procedure 2017-13, as applicable). Any renewals of or changes to such contracts should be reviewed by Bond

Counsel. The Responsible Official shall contact Bond Counsel if there may be a lease, sale, disposition or other change in use of facilities financed or refinanced with the proceeds of Capital Obligations.

F-80-80-1d Cash-Flow Obligations.

F-80-80-1d.1. Proper Sizing of Cash-Flow Obligations.

- (a) The Issuer must reasonably anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the six-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 100% of the issue price of the Cash-Flow Obligations (taking into account the Issuer's "reasonable working capital reserve" amount).¹
- (b) The Responsible Official will determine the appropriate amount of Cash-Flow Obligations to issue.
- (c) The Responsible Official shall determine whether or not the Issuer has met its requisite maximum cumulative cash-flow deficit within six months following the date of issuance of the Cash-Flow Obligations, and shall, to the extent necessary, obtain assistance from the Arbitrage Rebate Consultant, referred to below.

F-80-80-1e Investment Restrictions; Arbitrage Yield Calculation; Rebate.

F-80-80-1e.a Investment Restrictions. Investment restrictions relating to the proceeds of Obligations and other moneys relating to the Obligations are set forth in the Tax Certificate. The Responsible Official will monitor the investment of the proceeds of Obligations to ensure compliance with yield restriction rules.

F-80-80-1e.2 Arbitrage Yield Calculation. Investment earnings on the proceeds of Obligations should be tracked and monitored to comply with applicable yield restrictions and/or rebate requirements. The Issuer is responsible for calculating (or causing the calculation of) rebate liability for each issue of Obligations, and for making any required rebate payments. Any funds of the Issuer set aside or otherwise pledged or earmarked to pay debt service on the Obligations should be analyzed to assure compliance with the tax law rules on arbitrage, invested sinking funds and pledged funds (including gifts or donations linked to facilities financed with Capital Obligations). The Responsible Official will consult with Bond Counsel to confirm that all relevant arbitrage yield requirements are met.

¹ Alternatively, under the statutory safe harbor exception to rebate, at the time of issuance of Cash-Flow Obligations the Issuer may reasonably anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the six-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 90% of the issue price of the Cash-Flow Obligations.

F-80-80-1e.3 Rebate. On or before the date of any required rebate payment (see below), the Issuer will retain a nationally recognized arbitrage rebate consultant (the “**Arbitrage Rebate Consultant**”) to perform rebate calculations that may be required to be made from time to time with respect to any issue of Obligations. The Responsible Official shall provide the Arbitrage Rebate Consultant with requested documents and information on a prompt basis, reviewing applicable rebate reports and other calculations and generally interacting with the Arbitrage Rebate Consultant to ensure the timely preparation of rebate reports and payment of any rebate.

The reports and calculations provided by the Arbitrage Rebate Consultant will assure compliance with rebate requirements, which require the Issuer to make rebate payments, if any, no later than the fifth (5th) anniversary date and each fifth (5th) anniversary date thereafter through the final maturity or redemption date of a Capital Obligation. A final rebate payment, if due, must be made within sixty (60) days of the final maturity or redemption date of all Obligations.

Rebate spending exceptions for Capital Obligations are available for periods of 6 months, 18 months and 2 years. The Responsible Official will confer and consult with the Arbitrage Rebate Consultant to determine whether any rebate spending exception may be met.

In the case of Cash-Flow Obligations, within 60 days of the maturity date of such Cash-Flow Obligations, if there is concern as to whether the Issuer has met its requisite maximum cumulative cash-flow deficit, a rebate analyst should be promptly engaged to determine whether either the six-month spending exception or the statutory safe harbor exception to the rebate rules was met (in which case no rebate would be owed) or whether the investment income derived from the proceeds of the Cash-Flow Obligations is subject, in whole or in part, to rebate.

Copies of all arbitrage rebate reports, related return filings with the IRS (*i.e.*, IRS Form 8038-T), copies of cancelled checks with respect to any rebate payments, and information statements must be retained as described above. The Responsible Official will follow the procedures set forth in the Tax Certificate that relate to compliance with the rebate requirements with respect to any Obligations.

F-80-80-2 Additional Procedures.

F-80-80-2a. Periodic Monitoring. The Responsible Official will conduct periodic reviews of compliance with the foregoing procedures to determine whether any violations have occurred so that such violations can be remedied through the “remedial action” regulations (Treasury Regulations Section 1.141-12) or the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance). If any changes to the terms or provisions of any Obligations are contemplated, the Responsible Official will consult with Bond Counsel, because such modifications could jeopardize the tax-exempt status of interest on the Obligations after they are modified.

F-80-80-2b. Use of Facilities. The Responsible Official will maintain records identifying any Private Use of the facilities or portion of facilities that are financed or refinanced with proceeds of Capital Obligations. Such records may be kept in any combination of paper or electronic form. In the event the use of the proceeds of Capital Obligations of the facilities financed or refinanced with the proceeds of Capital Obligations differs from the representations or factual statements in the Tax Certificate, the Responsible Official will promptly contact and consult with Bond Counsel to ensure that there is no adverse effect on the tax-exempt status of the Capital Obligations and, where appropriate, will remedy any violations through the “remedial action” regulations (Treas. Reg. Section 1.141-12), the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance), or as otherwise prescribed by Bond Counsel.

F-80-90 Internal controls. To ensure debt proceeds are used as intended, the District shall implement internal control procedures that include at least the following:

- Debt proceeds shall be deposited in an account separate from other District accounts, with only revenues and expenditures directly associated with the debt proceeds included in the account.
- At least two approvals from different reviewers will be required on all expenditures of debt proceeds, to review and ensure the expenditure is appropriate to be paid from debt proceeds.
- District accounting staff shall prepare periodic reports on the use of debt proceeds for management review.

Resolution No. 2022-2274	Date Approved: August 18, 2022
President of the Board	Last Reviewed: August 18, 2022

B-80 AUTHORITY OVER PERSONNEL

Purpose

This policy delegates to the General Manager general authority over personnel matters and authority to administer the District.

B-80-10 Administration. The Board delegates to the General Manager, as Executive Officer of the District and for the Board, the authority to administer the District with exclusive management and control of the operations and works of the District, subject to approval of the Board, and to provide day-to-day leadership of the District. The General Manager also has general charge, responsibility, and control over all property of the District.

B-80-20 Personnel Matters. The Board delegates to the General Manager general authority over personnel matters involving District staff, including, evaluating, disciplining, and discharging employees, without conflicting with union agreements.

B-80-30 Non-Interference. Individual Board members shall not interfere with the General Manager in District personnel matters.

B-80-40 Appointments. With the exception of emergency appointments, appointments assigned outside of a standard recruitment process require the approval of the District Board.

B-80-50 Discipline. The General Manager may suspend, demote, reduce in pay, or discharge any regular employee for just cause, and will inform the Board after taking such actions.

B-80-60 Wage Increases. The General Manager shall report to the Board when delaying, or not granting a regular or special wage step increase.

B-80-70 Employee Evaluations. Individual employee performance evaluations are privileged and confidential.

B-80-80 Other Duties. The General Manager shall have authority to carry out other duties specified in the District's official job description for the position.

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

F-80 DEBT ISSUANCE, POST ISSUANCE COMPLIANCE AND MANAGEMENT**Purpose**

This policy establishes procedures for the use of debt for financing the District's capital improvements.

F-80-10 Use of Long-term Debt. The District shall have a preference to finance capital improvements using pay-as-you-go financing and shall issue long-term debt only to finance capital improvements that cannot be readily financed from current revenues. Some exceptions to this may be made on a case-by-case basis for no-interest and extremely-low-interest loan programs for capital projects.

Debt financing shall be used only for major, non-recurring items or improvements with a minimum of five years of useful life; assets with a shorter useful life shall be financed using pay-as-you-go financing. The intended use of debt shall be described in and integrated into the District's Capital Improvement Plan and any long range financial forecasts.

F-80-20 Types of Debt. The District, either on its own or through a public benefit corporation, may issue general obligation bonds, certificates of participation, revenue bonds, borrow from a bank, borrow from the State of California through the use of state revolving fund loans, borrow from the Federal Government, or issue any other long or short-term instrument approved by and deemed appropriate by the Board of Directors to meet the capital financing needs of the District. Debt may be fixed rate or variable rate.

F-80-30 Length of Debt Obligations. The District shall repay all debt issued within a period not to exceed the expected useful life of the improvements financed by the debt.

F-80-40 Debt Service Limitations. The District shall not issue debt where the debt service amounts exceed its ability to pay current obligations from current revenues. This shall be calculated as follows: current operating revenues, less current operating expenditures, shall be at least 125% of anticipated total annual debt service for all outstanding long-term debt.

F-80-50 Use of Credit Enhancements. When issuing long-term debt, credit enhancements (such as letters of credit, bond insurance, etc.) may be used, but only when net debt service on the debt is reduced by more than the cost of the enhancement, or the enhancement is a requirement for the loan or debt issuance.

F-80-60 Bond rating. The District shall seek to maintain and, if possible, improve its current bond rating in order to minimize borrowing costs and preserve access to credit.

F-80-70 Financial disclosure. The District shall fully disclose financial and pertinent credit information as it relates to the District's outstanding securities.

F-80-80 Post Issuance Compliance with Federal Law. State and local governmental entities that borrow money on a tax-exempt basis are now required to report to the Internal Revenue Service whether they have established written procedures to comply with applicable requirements of federal tax law for all issues of bonds, certificates of participation, bond anticipation notes, tax anticipation notes, revenue anticipation notes, financing leases, energy performance contract financings, and any other instruments evidencing the borrowing of money (collectively the "Obligations"). The procedures set forth herein will assist the Las Gallinas Valley Sanitary District (collectively, the "Issuer"), in meeting the post-issuance requirements of federal tax law necessary to preserve the tax-exempt status of interest on tax-exempt Obligations issued by the Issuer.

These procedures address Obligations issued for physical facilities, property and equipment for the Issuer (the "Capital Obligations") and Obligations issued to finance cash-flow operating requirements of the Issuer (the "Cash-Flow Obligations").

F-80-80-1 General Procedures.

F-80-80-1a Responsible Official. The General Manager of the Issuer (herein referred to as the "Responsible Official") will identify such officers and employee(s) who will be responsible for each of the procedures listed below, and will notify such officers and employee(s) of the responsibilities, and provide those persons with a copy of these procedures. Upon employee transitions, the Responsible Official will advise the new personnel of their responsibilities under these procedures and will ensure they understand the importance of these procedures. If employee positions are restructured or eliminated, the Chief Financial Officer of the Issuer will reassign responsibilities as necessary.

F-80-80-1b Issuance of Obligations.

F-80-80-1b.1 Bond Counsel. The Issuer will retain a firm of nationally-recognized bond counsel ("Bond Counsel") to deliver a legal opinion in connection with the issuance of all Obligations. The Responsible Official will consult with Bond Counsel and other legal counsel and advisors, as needed, following the issuance of Obligations to ensure that applicable post-issuance requirements are met, so that interest on each issue of Obligations will be excluded from gross income for federal income tax purposes.

F-80-80-1b.2 Documentation of Tax Requirements. The federal tax requirements relating to each issue of Obligations will be set forth in a Tax Certificate (the "Tax Certificate") executed in connection with each issue of Obligations, which will be included in the closing transcript for each issue of Obligations. The Tax Certificate will contain certifications, representations, expectations and factual statements relating to the restriction on use of the assets and facilities financed or refinanced with Obligations by persons or entities other than the Issuer, changes in use of the assets and facilities financed or refinanced with the proceeds of Obligations, restrictions applicable to the investment of the proceeds of any Obligations and other moneys relating to the Obligations, and arbitrage rebate requirements. The Responsible Official will review the Tax Certificate prior to the date of issue of each issue of Obligations.

F-80-80-1b.3 Information Reporting. In connection with each issue of tax-exempt Obligations, the Issuer is required to file, or shall cause to be filed by Bond Counsel, an IRS Form 8038-G (or, if applicable, IRS Form 8038-GC). Any such IRS Form filed with the IRS, together with a proof of filing, will be included as part of the closing transcript for each issue of Obligations, or kept in the records maintained by Bond Counsel related to the appropriate issue of Obligations. The Responsible Official shall ascertain that such form has been filed in connection with each issue of Obligations.

F-80-80-1b.4 Record Retention.

General. Copies of all relevant documents and records sufficient to support that the tax requirements relating to all Obligations have been satisfied, including the following documents and records, should be maintained by the Issuer:

- (a) Closing transcript;
- (b) All records of investments, arbitrage reports, returns filed with the IRS and underlying documents;
- (c) Construction contracts, purchase orders, invoices and expenditure and payment records;
- (d) Documents relating to costs reimbursed with the proceeds of Capital Obligations;
- (e) All contracts and arrangements involving Private Use of the property financed with Capital Obligations;
- (f) All reports relating to the allocation of the proceeds of Obligations and Private Use of property financed with Capital Obligations;
- (g) Itemization of property financed with the proceeds of Capital Obligations; and
- (h) In connection with Cash-Flow Obligations, information regarding the Issuer's revenue, expenditures and available balances sufficient to support the Issuer's prospective and actual maximum cumulative cash.

F-80-80-1b.5 Duration of Record Retention. All of the foregoing documents and records should be retained for the term of the Obligations, plus three (3) years, or if the Obligations are refunded with the proceeds of a subsequent Obligation, the date three (3) years after the last of such refunding Obligations are refunded. List of foregoing documents to be destroyed will be provided to the Board prior to destruction.

F-80-80-1c Capital Obligations.

F-80-80-1c.1 Timely Expenditure of Proceeds of Capital Obligations. At the time of issuance of Capital Obligations issued to fund original expenditures, the Issuer must reasonably expect to spend at least 85% of all proceeds within three (3) years of the date of issuance of the Obligations. In addition, for Capital Obligations, the Issuer must have incurred or expect to incur within six months after issuance original expenditures of not less than 5% of the amount of such proceeds, and must expect to complete the project financed with Capital Obligations (the "**Project**") and expend the proceeds of such Capital Obligations to pay Project costs with due diligence. Satisfaction of these requirements allows the proceeds of Capital Obligations issued for the Project to be

invested at an unrestricted yield for three (3) years. Failure to satisfy these requirements could subject the Issuer to rebate of investment income, and other penalties. The Responsible Official will monitor the appropriate capital project accounts to ensure that the proceeds of Capital Obligations are spent within the time period(s) required under federal tax law.

Capital Obligations issued to refinance outstanding Capital Obligations are subject to separate expenditure requirements, which shall be outlined in the Tax Certificate relating to such Obligations. In connection with the issuance of any Capital Obligations issued to refinance outstanding Capital Obligations, the Responsible Official will confirm that any rebate obligation due with respect to the original issue and any subsequent refinancing thereof has been met.

F-80-80-1c.2 Use of Proceeds of Capital Obligations. In general, proceeds (including investment income on original sale proceeds) of Capital Obligations, other than proceeds used to pay costs of issuance, should be spent on capital expenditures. For this purpose, capital expenditures generally mean costs to acquire, construct, or improve property (land, buildings and equipment). Capital Expenditures include design and planning costs related to the Project, and include architectural, engineering, surveying, soil testing, environmental, and other similar costs incurred in the process of acquiring, constructing, improving or adapting the property. Capital Expenditures do not include operating expenses of the Project.

F-80-80-1c.3 Use of Facilities Financed with Capital Obligations. For the life of all Capital Obligations, the Project must be owned and operated by the Issuer. At all times while Capital Obligations issued for a Project are outstanding, no more than 10% of the proceeds of such Capital Obligations may be used, directly or indirectly, in a trade or business carried on by a person other than a state or local governmental unit ("**Private Use**"). Generally, Private Use consists of any contract or other arrangement, including leases, management contracts (for example, contracts relating to the management or operation of a parking facility, food service operation or municipal utility system), operating agreements and guarantee contracts which provides for use of the facilities financed with Capital Obligations by a person who is not a state or local government on a basis different than the general public. The Project may be used by any person or entity, including any person or entity carrying on any trade or business, if such use constitutes "General Public Use". General Public Use is any arrangement providing for use that is available to the general public at either no charge or on the basis of rates that are generally applicable and uniformly applied.

F-80-80-1c.4 Management or Operating Agreements for Facilities Financed with Capital Obligations. Any management, operating or service contracts whereby a non-exempt entity is using facilities financed or refinanced with the proceeds of Capital Obligations must relate to portions of the Project that fit within the above-mentioned 10% allowable Private Use, or the contracts must meet the IRS safe harbor for management contracts (Revenue Procedure 97-13, as amended, or Revenue Procedure 2017-13, as applicable). Any renewals of or changes to such contracts should be reviewed by Bond

Counsel. The Responsible Official shall contact Bond Counsel if there may be a lease, sale, disposition or other change in use of facilities financed or refinanced with the proceeds of Capital Obligations.

F-80-80-1d Cash-Flow Obligations.

F-80-80-1d.1. Proper Sizing of Cash-Flow Obligations.

- (a) The Issuer must reasonably anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the six-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 100% of the issue price of the Cash-Flow Obligations (taking into account the Issuer's "reasonable working capital reserve" amount).¹
- (b) The Responsible Official will determine the appropriate amount of Cash-Flow Obligations to issue.
- (c) The Responsible Official shall determine whether or not the Issuer has met its requisite maximum cumulative cash-flow deficit within six months following the date of issuance of the Cash-Flow Obligations, and shall, to the extent necessary, obtain assistance from the Arbitrage Rebate Consultant, referred to below.

F-80-80-1e Investment Restrictions; Arbitrage Yield Calculation; Rebate.

F-80-80-1e.a Investment Restrictions. Investment restrictions relating to the proceeds of Obligations and other moneys relating to the Obligations are set forth in the Tax Certificate. The Responsible Official will monitor the investment of the proceeds of Obligations to ensure compliance with yield restriction rules.

F-80-80-1e.2 Arbitrage Yield Calculation. Investment earnings on the proceeds of Obligations should be tracked and monitored to comply with applicable yield restrictions and/or rebate requirements. The Issuer is responsible for calculating (or causing the calculation of) rebate liability for each issue of Obligations, and for making any required rebate payments. Any funds of the Issuer set aside or otherwise pledged or earmarked to pay debt service on the Obligations should be analyzed to assure compliance with the tax law rules on arbitrage, invested sinking funds and pledged funds (including gifts or donations linked to facilities financed with Capital Obligations). The Responsible Official will consult with Bond Counsel to confirm that all relevant arbitrage yield requirements are met.

¹ Alternatively, under the statutory safe harbor exception to rebate, at the time of issuance of Cash-Flow Obligations the Issuer may reasonably anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the six-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 90% of the issue price of the Cash-Flow Obligations.

F-80-80-1e.3 Rebate. On or before the date of any required rebate payment (see below), the Issuer will retain a nationally recognized arbitrage rebate consultant (the “**Arbitrage Rebate Consultant**”) to perform rebate calculations that may be required to be made from time to time with respect to any issue of Obligations. The Responsible Official shall provide the Arbitrage Rebate Consultant with requested documents and information on a prompt basis, reviewing applicable rebate reports and other calculations and generally interacting with the Arbitrage Rebate Consultant to ensure the timely preparation of rebate reports and payment of any rebate.

The reports and calculations provided by the Arbitrage Rebate Consultant will assure compliance with rebate requirements, which require the Issuer to make rebate payments, if any, no later than the fifth (5th) anniversary date and each fifth (5th) anniversary date thereafter through the final maturity or redemption date of a Capital Obligation. A final rebate payment, if due, must be made within sixty (60) days of the final maturity or redemption date of all Obligations.

Rebate spending exceptions for Capital Obligations are available for periods of 6 months, 18 months and 2 years. The Responsible Official will confer and consult with the Arbitrage Rebate Consultant to determine whether any rebate spending exception may be met.

In the case of Cash-Flow Obligations, within 60 days of the maturity date of such Cash-Flow Obligations, if there is concern as to whether the Issuer has met its requisite maximum cumulative cash-flow deficit, a rebate analyst should be promptly engaged to determine whether either the six-month spending exception or the statutory safe harbor exception to the rebate rules was met (in which case no rebate would be owed) or whether the investment income derived from the proceeds of the Cash-Flow Obligations is subject, in whole or in part, to rebate.

Copies of all arbitrage rebate reports, related return filings with the IRS (*i.e.*, IRS Form 8038-T), copies of cancelled checks with respect to any rebate payments, and information statements must be retained as described above. The Responsible Official will follow the procedures set forth in the Tax Certificate that relate to compliance with the rebate requirements with respect to any Obligations.

F-80-80-2 Additional Procedures.

F-80-80-2a. Periodic Monitoring. The Responsible Official will conduct periodic reviews of compliance with the foregoing procedures to determine whether any violations have occurred so that such violations can be remedied through the “remedial action” regulations (~~Treas. Reg.~~ **Treasury Regulations** Section 1.141-12) or the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance). If any changes to the terms or provisions of any Obligations are contemplated, the Responsible Official will consult with Bond Counsel, because such modifications could jeopardize the tax-exempt status of interest on the Obligations after they are modified.

F-80-80-2b. Use of Facilities. The Responsible Official will maintain records identifying any Private Use of the facilities or portion of facilities that are financed or refinanced with proceeds of Capital Obligations. Such records may be kept in any combination of paper or electronic form. In the event the use of the proceeds of Capital Obligations of the facilities financed or refinanced with the proceeds of Capital Obligations differs from the representations or factual statements in the Tax Certificate, the Responsible Official will promptly contact and consult with Bond Counsel to ensure that there is no adverse effect on the tax-exempt status of the Capital Obligations and, where appropriate, will remedy any violations through the “remedial action” regulations (Treas. Reg. Section 1.141-12), the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance), or as otherwise prescribed by Bond Counsel.

F-80-90 Internal controls. To ensure debt proceeds are used as intended, the District shall implement internal control procedures that include at least the following:

- Debt proceeds shall be deposited in an account separate from other District accounts, with only revenues and expenditures directly associated with the debt proceeds included in the account.
- At least two approvals from different reviewers will be required on all expenditures of debt proceeds, to review and ensure the expenditure is appropriate to be paid from debt proceeds.
- District accounting staff shall prepare periodic reports on the use of debt proceeds for management review.

Resolution No.	Date Approved: April 27, 2017
President of the Board	Supersedes: February 23, 2017 Last Reviewed:



Item Number 3.1
GM Review CD

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcDonald@lqvsd.org
Meeting Date: August 18, 2022
Re: Marin Sanitary Service update and 2021 Annual Report

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

STAFF RECOMMENDATION

Informational only.

BACKGROUND

The Las Gallinas Valley Sanitary District (District) provides solid waste management services to residents within the unincorporated areas of the District through franchise agreement with Marin Sanitary Service, the District’s current solid-waste franchisee.

In addition to garbage, recycling, and compost services in northern Marin, Marin Sanitary Service plays a critical role in the District’s efforts to implement the statewide organic waste recycling and surplus food recovery program required by SB 1383 to reduce short-lived climate pollutants.

Justin Wilcock from Marin Sanitary Service will present an annual report on the state of Marin Sanitary Service.

The full 2021 Service Area Annual Report is available on our District website at www.lqvsd.org/wp-content/uploads/2021-MSS-Service-Area-Annual-Report.pdf

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

8/18/2022

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 3.3
GM Review GN

Agenda Summary Report

To: Board of Directors
From: Greg Pease
(415) 526-1513 gpease@lgvsd.org
Mtg. Date: August 18, 2022
Re: Department Report – Collections
Item Type: Consent _____ Action _____ Information X Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Informational only.

BACKGROUND

Department Reports are given to the Board at regular intervals, usually quarterly. This is an opportunity for the Managers' to report to the Board actions taken within their respective departments. The previous Collections Department report was given May 19, 2022.

This Collection System/Maintenance/Safety Department report is for the period April 1, 2022 to June 30, 2022.

PREVIOUS BOARD ACTION

None.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None.

SSO SPILL SUMMARY

- 05/16/2022 – Tamarack Drive (Easement) – Category 3 SSO (did not make it to waters of the state).
 - SSO Totaling approximately 344 gallons.

KEY MAINTENANCE PROJECTS

- Installed community sign board for pond areas.
- Pressure washed all benches and waste stations in reclamation.
- Completed vegetation management in pond area and solar field.
- Cleaned the digester sludge heat exchanger.
- Replaced digester no. 2 drain valve.
- Installed large fan pump, then removed it for contractor work.
- Removed PVC temporary discharge pipe from old storm water pump station.
- Replaced failed motor for PC 2 sludge pump.
- Repaired 4" PVC 3W line at end of carport.
- Routine Preventative Maintenance Work Orders – Treatment Plant/Pump Stations
- (400) Fleet Maintenance Inspections

SAFETY ISSUES AND TRAINING

- Hotwork (Cutting, Grinding, Drilling, etc.) Training
- Heat Illness Prevention and Personal Protective Equipment Training
- Safety Committee Meeting

OTHER

- Maintenance Department – Maintenance Supervisor Kevin Lewis – April Start Date
- Collection System – Pump Station Maintenance (Routine)
- Collection System – Marin Lagoon Pump Station #1 – Acceptance Testing
- Collection System – “Hotspot” maintenance (Quarterly)
- Collection System – Regional Board Collection System Audit

REQUESTS FOR PROPOSALS

- None

PERFORMANCE METRICS

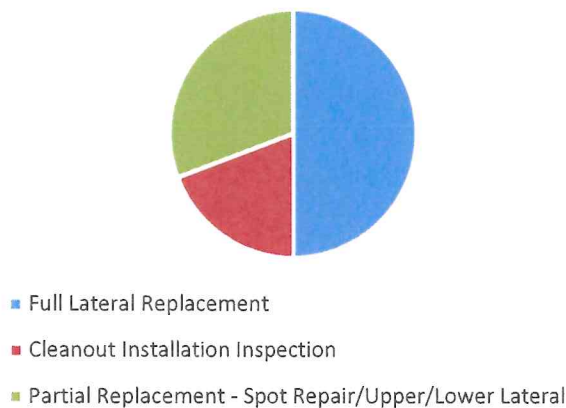
Collection System Cleaning and CCTV Inspection

- Flushed/Rodded = 125,000 feet; Percent of District = 22.0%.
- CCTV Inspected = 306 feet; Percent of District = 0.01%
- Manhole inspections performed = 383
- USA Ticket Work Orders = 634

Lateral Construction and Repair Inspections

- Applications received = 33
- Full Replacement Inspections Performed = 13 Full Replacements
- Cleanout Installation Inspections Performed = 5 Cleanout Installations
- Spot Repairs/Upper/Lower Replacements Performed = 19 partial replacements or spot repairs

Lateral Construction and Repair Inspections



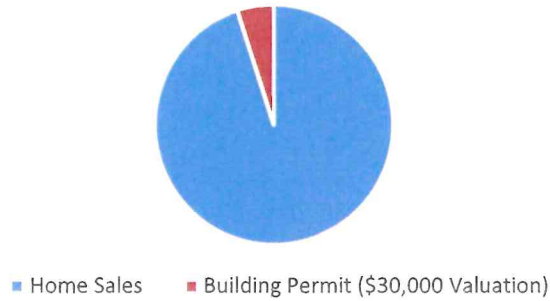
CNG Fueling Stations

- CNG Fueling Station
 - Plant Slow Fill = 0% Up Time
 - Smith Ranch Fast Fill = 0% Up Time.
- Anderson Drive PG&E Fuel Station
 - 13 Trips to Anderson Drive Fueling Station
 - 187.2 miles driven for refueling (7.2 miles one way)
 - Total Diesel Gallon Equivalent (DGE) = 363.51 DGE
 - Average MPG = 3.0 MPG

Sewer Lateral Ordinance Inspections - Number of Applications Processed

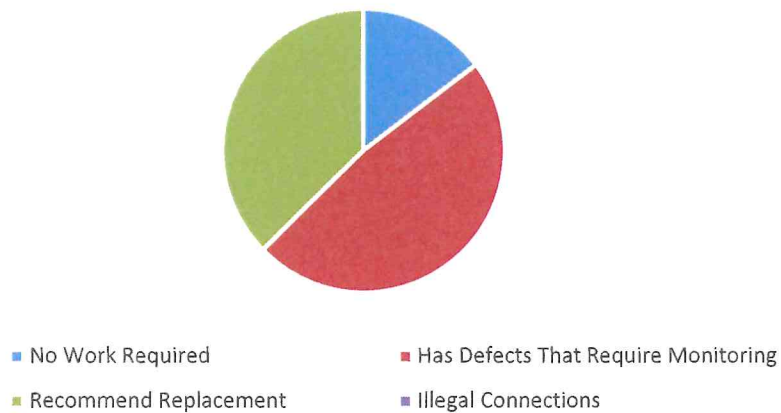
- Home Sale Applicants = 77 received
- Building Permit (\$30,000 valuation) Applicants = 9 received

Applications - Home Sale vs Building Permit (Triggers)



- Home Sale Letter of Findings Issued = 85; 28 - recommend replacement, 36 -have defects that require monitoring, 11 - no work or monitoring required, 0 – Illegal connection

Letter of Findings Issued





Item Number 3.4
GM Review WD

Agenda Summary Report

To: Board of Directors
From: Mel Liebmann
(415) 526-1526 mliebmann@lgvsd.org
Mtg. Date: August 18, 2022
Re: Department Report – Plant Operations
Item Type: Consent _____ Action _____ Information X Other _____.
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Informational only.

BACKGROUND

Department Reports are given to the Board at regular intervals, usually quarterly. This is an opportunity for the Managers' to report to the Board actions taken within their respective departments. The previous Plant Operations report was given May 19, 2022.

This Plant Operations Department report is for the period April 1, 2022 to June 30, 2022.

PREVIOUS BOARD ACTION

None.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None.

CRITICAL PROCESS

- Treatment plant effluent was discharged to Miller Creek for the month of April. Plant effluent was directed to the reclamation storage ponds on May 1st for the duration of May and through the discharge prohibition period, June 1st through October 31st.
- Staff assisted in the coordination of, and modified operations to accommodate 18 service outage requests (SOR) by the General Contractor (GC) for the STPURWE project.
- All four Bio-Wheel aeration trains were in operation April-May. One train was taken offline in mid-June to verify design parameters over the summer months. Multiple drive chain link failures were observed by staff and replaced by the GC in this report period.

NON-CRITICAL PROCESS

- On May 23rd staff held an in-person introductory meeting and site tour of the reclamation area with Dr. Linda Lee of Purdue University and her staff. Dr. Lee is leading a research effort to study the transport and fate of PFAS chemicals in land applied biosolids on district land.
- Secondary Digester Cleaning Project was completed in May.
- In April, 4 Plant Operations staff members attended the California Water Environment Association Annual Conference.
- Staff repaired an inoperable gate valve used to isolate the wildlife pond from storage pond #1. This effectively restored the design intent to recirculate stored water in the pond system by utilizing pumps located at the reclamation pump station to move water through the wildlife pond.

PERFORMANCE METRICS

Sewage Treated

- 1.94 million gallons per day average daily influent flow for April through June.

Recycled Water Production

- 19.35 million gallons of recycled water was pumped to North Marin Water District for distribution.
- 72.14 million gallons of recycled water was pumped to Marin Municipal Water District for distribution.

Reclamation

- Pond Levels Beginning of April – Pond #1 = 7.3' - Pond #2 = 7.1' ~ 80 % of Capacity
Pond Levels at End of June – Pond #1 = 5.6' - Pond #2 = 4.9' ~ 66 % of Capacity

Solar Power Generation

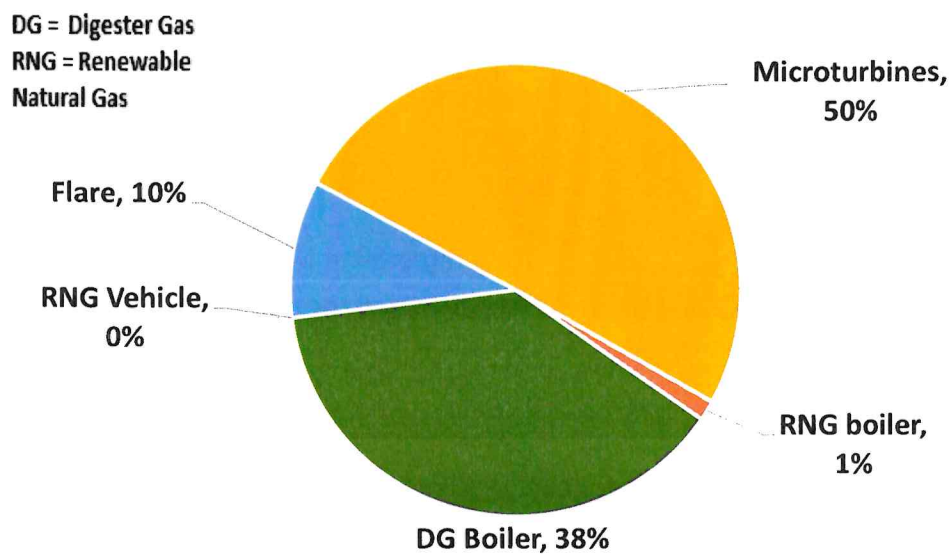
- 9,525 kWh offsetting approximately \$1,714 in PG&E/MCE electrical consumption costs using an average rate of \$0.18/kWh. Inverters A & B were shut down 12/2021 for safety.

Biosolids

- In June a contractor removed approximately 750,000 gallons of digested sludge from sludge lagoon (A) and then applied the solids to the dedicated land disposal site.

Biogas Utilization

- Total Digester Gas Produced – 3,171,492 scf – Microturbines at 75% uptime producing a total of 66,111 kWh, offsetting approximately \$11,899 in PG&E/MCE electrical consumption costs using an average rate of \$0.18/kWh.



NPDES PERMIT COMPLIANCE

- No self-monitoring violations were reported to the water board in the first quarter of 2022. All monthly and annual reports were submitted to their respective regulatory agencies in accordance with permit requirements.
- In all three months, the reclamation storage ponds were utilized at times to accommodate construction activities that would have otherwise affected effluent quality discharged to Miller Creek.



Item Number 3.5
GM Review LD

Agenda Summary Report

To: Board of Directors
From: Teri Lerch, District Secretary
 (415) 526-1510; tlerch@lgsd.org
Mtg. Date: August 18, 2022
Re: Board Policy Review of B-90 Appointment in event of Vacancy and F-90 Purchasing including retaining Consultants
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Attached for information and Board review are current B-90 Appointment in event of Vacancy and F-90 Purchasing including retaining Consultants.

For clarity, original policies B-90 and F-90 are included with Draft policies B-90 and F-90 with suggested changes shown in red. Staff will receive comments on the subject policies at the meeting and through August 25 .

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-90 APPOINTMENT IN EVENT OF VACANCY

Purpose

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

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

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

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

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

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

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

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

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

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

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

F-90-10 Vendors for Small Items. To purchase small items -- such as office supplies, auto parts, and other miscellaneous items costing less than ~~\$1,000~~ \$2,000— the General Manager will set policies for selecting vendors. District accounts are awarded to firms at management discretion that support local businesses, enable the purchase of green and/or recycled products, as well as provide for competitive prices, discounts, service levels, and convenience.

F-90-15 Petty Cash. A Petty Cash fund shall be maintained in the District office having a balance-on-hand maximum of ~~\$300.00~~ \$500.00. Petty cash may be advanced to District staff upon their request for the purpose of procuring item(s) or service(s) appropriately relating to District business. After said item(s) or service(s) have been obtained, a receipt for same shall be submitted to the ~~District~~ Administrative Assistant or Administrative/Financial Specialist ~~W/H~~, and any remaining advanced funds shall be returned. The maximum petty cash advance shall be ~~\$50.00~~ \$100.00. No personal checks shall be cashed in the petty cash fund. The petty cash fund shall be included in the District's annual independent accounting audit.

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

F-90-30 Quotations. To purchase items costing more than ~~\$1,000~~ \$2000, written quotations will be solicited from vendors and received by email, fax, or mail. District Staff may approve purchase orders up to the amount of their purchasing authority per F-90-40. For ~~all~~ purchases between \$5,000 and \$15,000 three quotes will be obtained, unless the item is on the District's approved Summary of Specified Equipment List or replacement equipment is from a manufacturer's authorized dealer. In cases where the General Manager determines that certain products may provide a better service life, durability, meet a specific need or provide greater efficiency than other products he/she has the authority to order that product or engage the service without multiple quotes. The General Manager also has the authority to utilize specific maintenance and repair vendors as he/she deems appropriate or necessary.

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

Position	Authority
Board of Directors	No Limit
General Manager	Contracts and Purchase Orders up to \$60,000 and budgeted informally bid construction contracts between \$60,001 and \$200,000. <u>(Per UPCCAA*)</u>
Plant Manager	Purchases up to \$10,000 <u>7,500</u>
District Engineer	Purchases and budgeted informally bid construction contracts up to \$15,000 <u>20,000</u> .
Collection System/Maintenance/Safety Manager	Purchases up to \$7,500 <u>10,000</u> .
Administrative Services Manager	Purchases up to \$7,500 <u>10,000</u> .
District Secretary	Purchases up to \$5,000
Administrative/Financial Specialist	Purchases up to \$5,000
Assistant/Associate Engineer	Purchases up to \$5,000
Environmental Services Director <u>Supervisor</u>	Purchases up to \$5,000
Plant Operations and Maintenance Supervisor <u>s</u>	Purchases up to \$5,000
Skilled Maintenance Worker I/II	Purchases up to \$1,000
Administrative Assistant	Purchases up to \$1,000

*Uniform Public Construction Cost Account Act

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

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

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

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

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

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

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

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

- Prospective consultants shall be selected from experienced, competent and reliable firms or individuals to provide the necessary resource.
- For consulting expenditures below \$45,000, consultants may be selected sole-source on the basis of their qualifications and ability.
- For consulting procurements exceeding \$45,000, a competitive process may be followed with emphasis on professional capability, availability to complete the task as well as cost. Professional Services Contracts over \$45,000 shall be submitted to the Board for approval. However in the case where the Board deems it more prudent and in the best interest of continuity of services, a consultant contract may be awarded without a competitive process.
- Regular reports of consultant's progress shall be reviewed by the General Manager and reported to the Board.

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

Resolution 2021-2208	Date Approved: March 25, 2021
Ordinance No. 178	Date Approved: June 20, 2019
President of the Board	Supersedes: June 28, 2018



Item Number 3.6
GM Review CP

Agenda Summary Report

To: Board of Directors
From: Curtis Paxton, General Manager
(415) 526-1510 cpaxton@lgvsd.org
Meeting Date: August 18, 2022
Re: FutureSense Employee Cultural Assessment Report 2022
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Informational only. Receive 2022 FutureSense LGVSD Employee electronic survey results (Attachment #1)

The current July 2022 FutureSense survey was conducted to provide the incoming General Manager with a baseline of survey results to gauge future progress toward improving the employee satisfaction and culture at LGVSD. The brief summary report (Attachment 2) compares July 2022 to October 2021 results, notes Areas of Improvement and Areas of Focus and includes Quotes from the survey respondents. Recommendations from the 2021 Employee Climate Assessment Report are still valid and should be pursued.

BACKGROUND

The Board retained FutureSense in 2017 to evaluate the organizational climate of the District and to understand working conditions experienced by District Staff. An interim study was completed in August 2018. In October 2019 FutureSense was engaged to continue the study focusing on the evolving organizational culture which was completed and presented to the Board in January 2020.

In October 2021, the Board engaged with FutureSense to continue the study to understand the organizational climate. On November 10, 2021, FutureSense presented the findings of this study to the Board. In April and June 2022, the Board received an informational report responding to the FutureSense recommendations in the October 2021 study (Attachment 2).

PREVIOUS BOARD ACTION

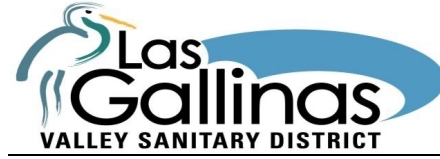
In June 2022, the Board approved hiring FutureSense to conduct a cultural assessment report.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None. Implementation of recommendations from the 2022 Climate Report will require funding be identified and may impact staff time allocations.



Las Gallinas Valley Sanitary District July 2022 vs. October 2021 Survey Results

Executive Summary: Background

Historically, FutureSense, a management consulting and professional services firm, has assisted the Las Gallinas Valley Sanitary District (LGVSD) to better understand the LGVSD organizational climate through a discovery and research process.

- June 2017 – we completed a comprehensive review including interviews of staff and board, an electronic survey instrument and focus groups.
- August 2018 - LGVSD commissioned FutureSense to conduct an interim study, using the electronic survey instrument only.
- October 2019 - LGVSD engaged with FutureSense to continue the study, focusing on the evolving organizational culture. This project highlighted cultural themes and provided recommendations on how to continue to improve the overall culture.
- October 2021 - LGVSD engaged with FutureSense to continue the study to understand the LGVSD organizational climate again better through our process. This was a comprehensive review including interviews of management, staff, and board, and an electronic survey instrument. 28 employees participated.
- July 2022- LGVSD engaged with FutureSense to conduct an Employee Pulse Survey, using the electronic survey instrument only. 24 employees participated.

Throughout these studies, we have used the same electronic instrument and process to show changes – both positive and negative.

2022 vs. 2021 Summary

Overall, the scores decreased from 2021 to 2022 which also reflect an overall drop compared to the SurveyMonkey benchmarks. The areas of focus are most concentrated in the Work Engagement. This section had the most areas with decreases from 2021 to 2022 as well as four now in the “high alert” category compared to the SurveyMonkey benchmark.

The one area with a significant increase was “My organization is dedicated to diversity and inclusiveness” in the Work Environment section however this still falls in the “alert” category compared to benchmark.

Methodology

Average Scores for LGVSD versus SurveyMonkey Benchmark

To compare the LGVSD scores versus the SurveyMonkey Benchmark, we calculated the point difference by subtracting the SurveyMonkey Benchmark to the LGVSD score.

- Example: "I feel completely involved in my work."
- SurveyMonkey = 4.14; LGVSD = 3.54 (3.54 – 4.14) = **-0.6**

Color	Alert Level	Point Difference
Green	No alert	Less than 0.5
Yellow	Alert	0.5 – 0.74
Red	High alert	Greater than 0.75
Grey	No Data	N/A

Las Gallinas Valley Sanitary District 2022 vs. 2021 Survey Results (n for 2021 = 28; n for 2022 = 24)

CATEGORIES	STATEMENTS	AVERAGE PER STATEMENT			AVERAGE PER CATEGORY	
		LGVSD22	LGVSD21	Benchmark	LGVSD	Benchmark
Career Development	I am satisfied with my opportunities for professional growth.	3.04	3.21	3.68	3.06	3.66
	I am pleased with the career advancement opportunities available to me.	2.96	3.29	3.59		
	My organization is dedicated to my professional development.	3.04	3.04	3.71		
	I am satisfied with the job-related training my organization offers.	3.04	3.07	3.57		
	I am satisfied that I have the opportunities to apply my talents and expertise.	3.08	3.21	3.90		
	I am satisfied with the investment my organization makes in training and education.	3.21	3.32	3.54		
Work Engagement	I am inspired to meet my goals at work.	3.38	3.25	4.08	3.25	3.98
	I feel completely involved in my work.	3.54	3.46	4.14		
	I get excited about going to work.	2.71	2.79	3.78		
	I am often so involved in my work that the day goes by very quickly.	3.58	3.86	4.13		
	I am determined to give my best effort at work each day.	3.79	4.21	4.45		
	When at work, I am completely focused on my job duties.	3.67	3.86	4.19		
	In my organization, employees adapt quickly to difficult situations.	3.13	3.21	3.78		
	Employees here always keep going when the going gets tough.	3.33	3.46	4.00		
	Employees proactively identify future challenges and opportunities.	3.13	3.18	3.66		
	Employees in my organization take the initiative to help other employees when the need arises.	3.04	3.46	4.00		
	Employees here are willing to take on new tasks as needed.	3.04	3.46	3.92		
Employees in my organization willingly accept change.	2.63	3.04	3.62			
Relationship Management	Communication between senior leaders and employees is good in my organization.	3.38	3.75	3.61	3.43	4.03
	I am able to make decisions affecting my work.	3.17	3.54	3.94		
	Managers and supervisors within my organization recognizes strong job performance.	2.74	2.68	N/A		
	My supervisor and I have a good working relationship.	3.71	3.61	4.24		
	My coworkers and I have a good working relationship.	2.96	3.36	4.30		
	Managers/supervisors and employees trust each other.	3.87	3.71	N/A		
Compensation	Employees treat each other with respect.	4.17	4.18	4.06	2.93	3.39
	I am satisfied with my overall compensation.	2.48	2.71	3.38		
Benefits	I am compensated fairly relative to my local market.	3.39	3.64	3.40	3.52	3.73
	I am satisfied with my total benefits package.	3.43	4.04	3.50		
	I am satisfied with the healthcare-related benefits offered by my organization.	3.91	3.96	3.54		
	I am satisfied with the amount of paid leave offered by my organization.	3.74	3.93	3.62		
	I am satisfied with the retirement plan offered by my organization.	3.70	4	3.50		
	I am satisfied with the workplace flexibility offered by my organization.	3.00	3.18	4.07		
Work Environment	My organization has a safe work environment.	3.35	3.57	4.15	3.40	4.01
	I am satisfied with my overall job security.	3.74	3.82	3.98		
	My organization's work positively impacts people's lives.	3.74	3.89	4.23		
	My organization operates in a socially responsible manner.	3.39	3.5	4.11		
	My organization's fiscal well-being is stable.	3.17	3.21	3.83		
	I am satisfied with the culture of my workplace.	2.48	2.54	3.88		
	I understand how my work impacts the organization's business goals.	4.04	4.14	N/A		
My organization is dedicated to diversity and inclusiveness.	3.26	2.96	N/A			

**The color indicates alert level compared to the difference from benchmark



Areas of Improvement: Where we found increased averages from 2021 to 2022 (.3 difference from 2021 vs. 2022)

Work Environment:

- My organization is dedicated to diversity and inclusiveness.

Areas of Focus: Where we found decreased averages from 2021 to 2022 (-.4 point or more difference from 2021 vs. 2022)

Work Engagement:

- I am determined to give my best effort at work each day.
- Employees in my organization take the initiative to help other employees with the need arises.
- Employees here are willing to take on new tasks as needed.
- Employees in my organization willingly accept change.

Relationship Management:

- My coworkers and I have a good working relationship.

Benefits:

- I am satisfied with my total benefits package. **(This area had the most significant decrease from 2021 to 2022 however still falls into the “no alert” category compared to benchmark)**

Quotes from the survey:

“LGVSD makes no effort to promote the advancement or training of employees. We are made to feel like we bring little to no value to the district.” -*Anonymous Quote*

“There has been a lack of training and insufficient education regarding many of the new processes in recent years. I feel that I am unable to do my job as well as I could if given proper training and education.” -*Anonymous Quote*

“Management needs training in all aspects of managing personnel, assignment, job tasks and training.” -*Anonymous Quote*

“Las Gallinas management needs to do a much better job at clearly communicating with staff and developing protocols. Management has been argumentative at times when "protocols" were not followed yet the staff is not clear on what protocols to follow. My department does not feel advocated for by management, at all. Accountability is needed to ensure management positions and job duties are being carried out.”
- *Anonymous Quote*

“The safety program at LGVSD is a joke and someone is going to get injured.”
-*Anonymous Quote*



“The District does not have a safe COVID-19 policy and I don't feel I can stay healthy here.” -
Anonymous Quote

“Where benefits are concerned, I am hoping in our upcoming negotiations we can improve out dental coverage. It is the only benefit for me that I am not 100% happy with.” -*Anonymous Quote*

“The culture has not changed in the past 5 years. The Managers are clearly here for the money, and they only think about themselves. It's still a toxic environment and it's difficult to work here. I'm hoping the new General Manager can shake it up and reform the current managers. It starts at the top” -*Anonymous Quote*

“It is hard for me to excited or motivated about coming to work when I feel like my work environment is hostile. This need to change or be dealt with.” -*Anonymous Quote*

Recommendations:

Based on the Survey Results in July 2022, **the recommendations from the 2021 Employee Climate Assessment Report are still valid and should be pursued.**

FUTURESENSE EMPLOYEE CULTURAL ASSESSMENT REPORT RECOMMENDATIONS

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

RECOMMENDATIONS

Recommendation 1 – Leadership/Management Training

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

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

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

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

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

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

Recommendation 2 – Management Coaching

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

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

Recommendation 3 – 360 Management Reviews

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

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

Recommendation 4 – Board Newsletter

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

Response: Staff is now receiving The Heron Newsletter in the mail at their home address and in the GM dialogue with Finkelstein this is the appropriate format for a newsletter. Staff will continue to request feedback via conversation at the periodic All Hands meetings with the GM. Since March 17, 2022, the Interim General Manager has begun distributing highlights from the Board of Directors meetings to inform staff of Board deliberations and decisions.

Recommendation 5 – Organizational Scorecard

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

Response: Continue utilizing the online employee climate survey every six months to track LGVSD scores vs. industry benchmarks for Career Development, Work Engagement, Relationship Management, Compensation, Benefits, and Work Environment. A list of employee anniversary and promotion dates is reviewed by the GM ensuring timely performance reviews. Quarterly updates are too frequent.

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

Recommendation 6 – Board and GM Educational Retreat

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

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

Recommendation 7 – Reevaluation of HR Support

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

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

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

Recommendation 8 – Developing from Within

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

Response: A good recommendation and management staff can query employees via employee performance reviews as to training/development interests which may meet needs

for advancement. It's noted that promotional opportunities may arise infrequently within small entities such as LGVSD, so this also needs to be communicated to employees.

Recommendation 9 – Hiring from Within

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

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

Recommendation 10 – Talent Management Strategy / Succession Planning

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

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



Item Number 4
GM Review LD

Agenda Summary Report

To: Board of Directors
From: Mel Liebmann
(415) 526-1526 mliebmann@lgsd.org
Mtg. Date: August 18, 2022
Re: San Francisco Bay Regional Water Quality Control Board Conditional Offer for Settlement of Alleged Violations of NPDES Permit CA0037851
Item Type: Consent Action X Information Other .
Standard Contract: Yes No (See attached) Not Applicable X .

STAFF RECOMMENDATION

Approve \$66,000 mandatory minimum payment for the settlement of alleged NPDES Permit violations. \$33,000 to be deposited in the Supplemental Environmental Project fund established for the Regional Monitoring Program and \$33,000 to be deposited in the State Water Pollution Cleanup and Abatement account.

BACKGROUND

The Regional Board issues fines to National Pollution Discharge Elimination System permittees for groups of permit excursions on an approximate 3-year basis. The current action covers violations which occurred between November 2019 and January 2022.

On July 29, 2022, Operations staff received email notification of a conditional offer of settlement from the San Francisco Bay Regional Water Quality Control Board for fines associated with mandatory minimum penalties (MMP) resulting from NPDES discharge permit violations occurring over the last 3 years. After careful review by staff and Ray Goebel of EOA, Inc., the District’s regulatory compliance consultant, all 24 violations listed in the offer letter’s “Table 1. List of Alleged Violations” accompanying this summary report, are accurate. Fines were assessed for 20 violations that carry a MMP of \$3000 each, \$66,000 in total. The remaining 4 violations were not subject to MMPs because of the rules associated with the MMP assessment process.

Most of the violations listed in the table occurred during periods of high storm flows. The provisional nature of many of the treatment plant’s systems during the period that the new secondary clarifiers were being constructed made management of very high influent flows extremely challenging for staff. The three main contributors being inadequate settling in the existing secondary clarifier, an untested new secondary treatment bypass structure, and dry weather-commissioned disinfection and de-chlorination systems that failed to function properly under high flow conditions.

A few of the violations listed are unfortunate anomalies to otherwise compliant day-to-day Plant operations, and the majority are much less likely to reoccur now that all new processes of the Secondary Treatment Plant Upgrade and Recycled Water Expansion Project (STPURWE) are operational and functioning adequately.



Date	Violation Description	Cause and Remedy
11/29/2019 11/30/2019 12/3/2019	Maximum Instantaneous Chlorine Residual	The underlying problem was the inability to keep the sodium bisulfite (SBS) at a temperature that inhibits the chemical from crystallizing. New SBS storage tank heaters were installed at the time. The STPURWE project has provided a completely new SBS system.
1/31/2021	Monthly 90th% Enterococci	As a result of the very high plant influent flows the treatment plant was blending for a few hours. Treatment capacity has since increased to 18 mgd.
10/25/2021 10/31/2021	Weekly Avg & Maximum Daily TSS Maximum Daily Copper Maximum Instantaneous Chlorine Residual Monthly 90th% Enterococci Monthly Avg TSS & Copper	As a result of the very high plant influent flows that occurred in connection with the October 24, 2021 storm event, the treatment began blending and required discharge to Miller Creek. Treatment capacity has since increased to 18 mgd.
11/30/2021	Monthly Avg Cyanide	The presence of interference (Nitrate/Nitrite) in the sample.
11/30/2021	Monthly 90th% Enterococci	An unauthorized bypass event occurred when staff changed the secondary treatment process from wet weather to normal mode. In an error that was quickly corrected after the event, the automated control system shut down secondary treatment system pumping. During this period primary effluent passively bypassed secondary treatment.
12/18/2021 12/13/2021 12/15/2021 12/23/2021 12/24/2021 12/31/2021 1/22/2022	Weekly Avg TSS Maximum Daily Copper Maximum Daily & % Removal TSS Monthly Avg Copper Monthly 90th% Enterococci 6-week rolling Enterococci	Several blending events occurred in connection with the heavy storms that hit the North Bay in December 2021. The completion of the two new secondary clarifiers is expected to eliminate difficulties associated with carry-over of solids at high flows and greatly increase the threshold for blending, which staff believes was the cause of the Enterococcus, TSS and copper violations. Treatment capacity has since increased to 18 mgd.
1/26/2022	TMD Total Chlorine Residual	Biological fouling of the effluent chlorine analyzer sample cell impaired accuracy. Staff has implemented a method that utilizes two compliance chlorine residual analyzers interchangeably in standby/duty configuration to mitigate the issue of biological fouling.

Color Grouping Reference:

Process Instrument or Equipment Failure	Analytical Interference	Blending Event
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Under the advice of Ray Goebel, and consistent with past District practice, in accordance with the options in the settlement, staff recommends that half of the \$66,000 payment (\$33,000) be deposited in the Supplemental Environmental Project (SEP) fund established for the Regional Monitoring Program (RMP) studies. This option provides the greatest local environmental benefit from the funds. The Acceptance of Conditional Resolution and Waiver of Right to Hearing document is required to be returned by August 31, 2022.

PREVIOUS BOARD ACTION

At the January 9, 2020, meeting, the board was informed of the General Manager's decision to accept the California Regional Water Quality Control Board's Conditional Offer for Settlement for alleged violations which included a \$9000 payment to be deposited in the Supplemental Environmental Project fund established to support the Regional Monitoring Program studies.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

\$66,000



San Francisco Bay Regional Water Quality Control Board

July 29, 2022
CW-236598

Las Gallinas Valley Sanitary District
Mel Liebmann, Plant Manager
(via email only to mliebmann@lqvsd.org)
300 Smith Ranch Road
San Rafael, CA 94903

**Subject: Conditional Offer to Settle Violations of NPDES Permit CA0037851,
Las Gallinas Valley Sanitary District Sewage Treatment Plant, San Rafael,
Marin County**

Dear Mel Liebmann:

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) is charged with enforcing violations of the Water Code. This letter notifies Las Gallinas Valley Sanitary District (Discharger) of alleged violations of discharge limitations and provides the Discharger an opportunity to settle the violations through a payment of **\$66,000**, the mandatory minimum penalty pursuant to Water Code section 13385. Please reply by **August 31, 2022**.

NOTICE OF VIOLATION

As the Regional Water Board's Assistant Executive Officer, I allege that the Discharger has violated the NPDES permit indicated above as identified in Exhibit A, which is attached to this letter and incorporated by reference. The Discharger has the opportunity to address the alleged violations as discussed below.

STATUTORY LIABILITY

Water Code section 13385, subdivisions (h) and (i), requires the assessment of a \$3,000 mandatory minimum penalty for specified serious and chronic effluent limitation violations. Failure to file a discharge monitoring report required pursuant to Water Code section 13383 constitutes a serious violation for each complete period of 30 days following the deadline for submitting the report. The Discharger may also be subject to discretionary administrative civil liabilities of up to \$10,000 per day for each violation, plus \$10 for each gallon discharged but not cleaned up in excess of 1,000 gallons. The Regional Water Board or the State Water Resources Control Board (collectively, the Water Boards) may assess these mandatory minimum penalties and discretionary administrative civil liabilities beginning with the date on which each violation first occurred.¹ To assess such liabilities, the Water Boards could initiate a formal enforcement action by issuing an administrative civil liability complaint to be followed by a public hearing. Alternatively, the Water Boards could refer the matter to the Attorney General's Office for

¹ The statute of limitations does not apply to administrative proceedings to assess mandatory minimum penalties. See *City of Oakland v. Public Employees' Retirement System*, (2002) 95 Cal.App.4th 29, 48; 3 Witkin, Cal. Procedure (5th ed. 2008) Actions, § 430.

enforcement in the Superior Court. The Superior Court may assess up to \$25,000 per day for each violation, plus \$25 per gallon discharged but not cleaned up in excess of 1,000 gallons.

CONDITIONAL OFFER TO SETTLE

The Discharger can avoid a formal enforcement action and settle the alleged violations identified in Exhibit A by accepting this conditional offer as described below and in the enclosed "Acceptance of Conditional Resolution and Waiver of Right to Hearing" (Acceptance and Waiver). This offer does not address liability for any violation not specifically identified in Exhibit A.

OPTIONS FOR RESPONSE

To accept this offer, the Discharger must complete, sign, and return the enclosed Acceptance and Waiver on or before the date specified in the first paragraph of this letter.

If the Discharger chooses to contest any of the violations alleged in Exhibit A, the Discharger should identify the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) on or before the date specified in the first paragraph of this letter. Regional Water Board staff will evaluate any contested violation and take one of two actions:

1. Determine that the alleged violation warrants dismissal, dismiss the alleged violation within the California Integrated Water Quality System (CIWQS) database, notify the Discharger of the dismissal, and take no further action against the Discharger for the alleged violation; or
2. Determine that the alleged violation is meritorious and notify the Discharger of that determination. The Discharger will then have 30 days from the date of the determination to accept the mandatory minimum penalty as settlement for that violation.

If the Discharger chooses not to accept the settlement or does not reply to the determination, it should expect to be contacted regarding formal enforcement for the contested violation. With respect to formal enforcement, information Water Board staff receive during any formal investigation and assessment of the violation, as well as staff costs associated with pursuing enforcement and other considerations, may increase the liability beyond that set forth in this conditional offer.

CONDITIONS FOR REGIONAL WATER BOARD ACCEPTANCE OF RESOLUTION

Federal regulations require the Regional Water Board to publish and allow the public at least 30 days to comment on any settlement of an enforcement action addressing an NPDES permit violation (40 C.F.R. § 123.27(d)(2)(iii)). Upon receipt of the Discharger's Acceptance and Waiver, Regional Water Board staff will publish a notice of the proposed settlement. If staff receives no comment within the 30-day period and no new material facts are available to the Regional Water Board, the settlement will be presented to the Executive Officer who will determine whether to execute the Acceptance and Waiver as a stipulated order assessing the uncontested mandatory minimum penalty pursuant to Water Code section 13385.

If, however, significant comments are received in opposition to the proposed settlement, this offer may be withdrawn. In that circumstance, the Water Boards will also treat the Acceptance and Waiver as withdrawn. Water Board staff will advise the Discharger of any withdrawal and may issue an administrative civil liability complaint and schedule a hearing before the Regional Water Board or State Water Board. For such a hearing, the Discharger will be free to argue against the alleged violations. Water Board staff will treat the Discharger's Acceptance and Waiver as if it were a settlement communication and will not use it as evidence in the hearing.

Conditional Settlement Offer
Las Gallinas Valley Sanitary District

Water Board staff will provide the Discharger with additional information on hearing procedures if a hearing is to occur.

If the Regional Water Board's Executive Officer executes the Acceptance and Waiver, payment of the settlement amount shall be due within 30 calendar days from the date of the Executive Officer's signature. In accordance with Water Code section 13385(n)(1), funds collected pursuant to Water Code section 13385 shall be deposited into the State Water Pollution Cleanup and Abatement Account. Failure to pay the penalty within the required time may subject the Discharger to additional liability.

OPPORTUNITY FOR SUPPLEMENTAL ENVIRONMENTAL PROJECT

In lieu of paying all of the mandatory minimum penalty to the State Water Pollution Cleanup and Abatement Account, the Discharger may elect to apply a portion of the penalty to fund a supplemental environmental project (SEP).^{2,3} One SEP option is available: the SEP Fund to supplement the Regional Monitoring Program (RMP). This SEP Fund will supplement RMP studies that would not otherwise be conducted through the RMP's annually approved cost allocations. The RMP collects data and communicates information about water quality in the San Francisco Estuary in support of management decisions to restore and protect beneficial uses of the region's waters. Information about the RMP is available at sfei.org/rmp. The non-profit San Francisco Estuary Institute manages and administers RMP funds. No funds will go to the Water Boards.

The Discharger also may choose to pay the total mandatory minimum penalty to the State Water Pollution Cleanup and Abatement Account. These options are represented in the enclosed Acceptance and Waiver.

REGIONAL WATER BOARD CONTACT

Please reply to the attention of Marcos De la Cruz, either by email or U.S. mail. If you want to discuss or have questions regarding this matter, please contact Marcos De la Cruz at (510) 622-2365 or R2NPDES.MMPS@Waterboards.ca.gov.

Sincerely,



Thomas Mumley
Assistant Executive Officer

Enclosures: Exhibit A - Alleged Violations Acceptance and Waiver

² Water Code section 13385(l)(1) authorizes the Regional Water Board, with the Discharger's concurrence, to direct a portion of the penalty to be expended on a SEP in accordance with the State Water Board's Enforcement Policy (https://www.waterboards.ca.gov/water_issues/programs/enforcement/water_quality_enforcement.shtml). If the penalty is less than or equal to \$15,000, 100 percent of the penalty may be expended on a SEP. If the penalty exceeds \$15,000, then up to \$15,000 plus 50 percent of the penalty that exceeds \$15,000 may be expended on a SEP.

³ See [State Water Board Policy on Supplemental Environmental Projects \(2017\)](#), page 10, and [Resolution 2018-0034](#).

EXHIBIT A - Alleged Violations

Discharger: Las Gallinas Valley Sanitary District
 Las Gallinas Valley Sanitary District Sewage Treatment Plant
 300 Smith Ranch Road, San Rafael, Marin County
 NPDES Permit CA0037851

The following table lists the alleged violations for which the Discharger is subject to civil liabilities pursuant to Water Code section 13385. The table lists the mandatory minimum penalty (MMP) that applies.

Table 1. List of Alleged Violations

CIWQS Violation ID No.	Violation Date	Parameter (units)	Group	Effluent Limitation	Reported Value	Percent Exceedance ^[1]	Violation Type	MMP ^[2]
1068525	11/29/2019	Total Residual Chlorine, Instantaneous Maximum (mg/L)	2	0.0	4.9	[4]	C1, S	\$3,000
1068526	11/30/2019	Total Residual Chlorine, Instantaneous Maximum (mg/L)	2	0.0	4.9	[4]	C2, S	\$3,000
1069899	12/3/2019	Total Residual Chlorine, Instantaneous Maximum (mg/L)	2	0.0	4.9	[4]	C3, S	\$3,000
1086571	1/31/2021	Enterococci, Monthly 90th% (MPN/100 mL)	[3]	110	2,400	2,100%	C1	\$0
1097274	10/25/2021	Total Suspended Solids (TSS), Weekly Average (mg/L)	1	18	24	31%	C2	\$0
1097276	10/25/2021	TSS, Daily Maximum (mg/L)	1	20	72	260%	C3, S	\$3,000
1097272	10/25/2021	Copper, Daily Maximum (µg/L)	2	11	21	91%	> C3, S	\$3,000
1097277	10/25/2021	Total Residual Chlorine, Instantaneous Maximum (mg/L)	2	0.0	3.2	[4]	> C3, S	\$3,000

1097278	10/31/2021	Enterococci, Monthly 90th% (MPN/100 mL)	[3]	110	2,400	2,100%	> C3	\$0
1097275	10/31/2021	TSS, Monthly Average (mg/L)	1	15	18	22%	> C3	\$0
1097273	10/31/2021	Copper, Monthly Average (µg/L)	2	8.6	14	67%	> C3, S	\$3,000
1098160	11/30/2021	Cyanide, Monthly Average (µg/L)	2	6.4	7.5	17%	> C3	\$3,000
1098159	11/30/2021	Enterococci, Monthly 90th% (MPN/100 mL)	[3]	110	2,400	2,100%	> C3	\$3,000
1099747	12/13/2021	Copper, Daily Maximum (µg/L)	2	11	15	36%	> C3, S	\$3,000
1099748	12/15/2021	Copper, Daily Maximum (µg/L)	2	11	12	9%	> C3	\$3,000
1099740	12/18/2021	TSS, Weekly Average (mg/L)	1	45	59	30%	> C3	\$3,000
1099746	12/23/2021	Copper, Daily Maximum (µg/L)	2	11	15	36%	> C3, S	\$3,000
1099741	12/24/2021	Copper, Daily Maximum (µg/L)	2	11	15	36%	> C3, S	\$3,000
1099743	12/31/2021	TSS, Monthly Average (mg/L)	1	30	39	29%	> C3	\$3,000
1099744	12/31/2021	TSS, Percent Removal (%)	1	85	77	-10%	> C3	\$3,000
1099742	12/31/2021	Copper, Monthly Average (µg/L)	2	8.6	10	16%	> C3	\$3,000
1099745	12/31/2021	Enterococci, Monthly 90th% (MPN/100 mL)	[3]	110	2,400	2,100%	> C3	\$3,000
1100894	1/22/2022	Enterococci, 6-week rolling geometric mean (MPN/100 mL)	[3]	30	36	18%	> C3, S	\$3,000
1100895	1/26/2022	Total Residual Chlorine, Instantaneous Maximum (mg/L)	2	0.0	0.64	[4]	> C3, S	\$3,000

Total Penalty: \$66,000

Legend:

CIWQS = California Integrated Water Quality System database that the Water Boards use to track violations and enforcement.

Violation ID = Identification number assigned to each permit violation within CIWQS.

C = Count – Number of violations within past 180 days, including this violation. A penalty applies under Water Code section 13385(i) when the count is greater than three (> C3).

S = Serious. A penalty applies under Water Code section 13385(h) whenever an effluent limitation is exceeded by 40 percent or more for a Group 1 pollutant or 20 percent or more for a Group 2 pollutant.

Footnotes:

[1] Percent that a discharger's reported value exceeds the effluent limitation for a Group 1 or 2 pollutant.

[2] The MMP required under Water Code section 13385(h) and/or (i).

[3] Enterococcus is not categorized as a Group 1 or Group 2 pollutant.

[4] Chlorine is a Group 2 pollutant and the percent above the limit of 0.0 mg/L is more than 20 but not quantifiable.

CW-236598
WDID: 2 215012001

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**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING
ORDER NO. R2-20_____**

**Las Gallinas Valley Sanitary District
Las Gallinas Valley Sanitary District Sewage Treatment Plant
300 Smith Ranch Road, San Rafael, Marin County
NPDES Permit CA0037851, Regulatory Measure 448318**

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), Las Gallinas Valley Sanitary District (Discharger) hereby accepts the conditional offer to settle alleged violations through payment of a mandatory minimum penalty and waives the right to a hearing before the Regional Water Board to dispute the alleged violations. The violations are attached to this Acceptance and Waiver as Exhibit A and incorporated by reference.

The Discharger agrees that Exhibit A shall serve as a complaint pursuant to Article 2.5 of the Water Code and that no separate complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations. The Discharger agrees to pay the penalty authorized by Water Code section 13385, which shall be deemed payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violations described in Exhibit A. The Discharger understands that this Acceptance and Waiver waives its right under Water Code section 13323 to contest the allegations in Exhibit A and the amount of civil liability assessed for the violations.

The Discharger understands that this Acceptance and Waiver does not address or resolve liability for any violation not specifically identified in Exhibit A.

This Acceptance and Waiver may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document. This Acceptance and Waiver may be executed by wet or electronic signature, and may be transmitted by hand, mail service, facsimile, or email. Any such signature shall be deemed to be an original signature and shall be binding to the same extent as if it were an original signature.

Upon execution, the Discharger shall return the Acceptance and Waiver to the following:

California Regional Water Quality Control Board, San Francisco Bay Region
NPDES Wastewater Enforcement Section
Attention: Marcos De la Cruz
1515 Clay Street, Suite 1400
Oakland, California 94612

or

R2NPDES.MMPS@waterboards.ca.gov

The Discharger understands that federal regulations set forth in Code of Federal Regulations, title 40, section 123.27(d)(2)(iii), require the Regional Water Board to publish notice of, and provide at least 30 days for public comment on, any proposed resolution of an enforcement

action. Accordingly, prior to execution by the Regional Water Board's Executive Officer, this Acceptance and Waiver will be published for public comment as required by law.

The Discharger understands that the Executive Officer may execute the Acceptance and Waiver if no comments are received within the public notice period and the Executive Officer agrees that the assessment of the mandatory minimum penalty appropriately resolves the alleged violations. The Regional Water Board's resolution of the violations will preclude State Water Resources Control Board (State Water Board) action for the same violations.

The Discharger understands that the offer may be withdrawn if significant comments are received in opposition to the conditional offer. In that circumstance, Regional Water Board staff will advise the Discharger of the withdrawal and may issue an administrative civil liability complaint and schedule the matter for a hearing before the Regional Water Board or State Water Board.

The Discharger understands that funds collected for violations pursuant to Water Code section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account.

The Discharger understands that, in lieu of full payment of the assessed mandatory minimum penalty to the State Water Pollution Cleanup and Abatement Account, it may elect to pay a portion toward a supplemental environment project (SEP). The SEP option is the SEP Fund, which supplements Regional Monitoring Program (RMP) studies that would not otherwise be conducted through the RMP's annually approved RMP cost allocations.

The Discharger understands that once the Regional Water Board's Executive Officer executes this Acceptance and Waiver, payment no later than 30 days after the date of the Executive Officer's signature is a condition of this Acceptance and Waiver. The Discharger shall pay the assessed civil liability to the State Water Pollution Cleanup and Abatement Account and/or San Francisco Estuary Institute (for the SEP Fund) as selected above. The State Water Board will send an invoice for any payment due to the State Water Pollution Cleanup and Abatement Account. The Regional Water Board will send an invoice for any payment due to the SEP Fund.

The Discharger agrees to pay the amounts indicated below to the State Water Pollution Cleanup and Abatement Account and, if chosen, the SEP Fund. The Discharger understands that the Regional Water Board will consider the Discharger to have fulfilled any SEP obligation if and when the San Francisco Estuary Institute receives the Discharger's contribution to the SEP Fund. (Place a "✓" or "x" in one box below and fill in the blanks as appropriate. Electing to pay a portion of the assessed liability to the SEP Fund will not change the total amount to be paid.)

Acceptance of Conditional Resolution and Waiver of Right to Hearing
Las Gallinas Valley Sanitary District
Regulatory Measure: 448318

Payment Options:

- Option 1: Pay a portion of the assessed liability to the RMP SEP Fund:
\$_____ Amount to be paid to the SEP Fund (cannot exceed \$40,500)
\$_____ Amount to be paid to the State Water Pollution Cleanup and Abatement
Account (\$66,000 minus amount inserted above)
\$ **66,000** Total assessed mandatory minimum penalty (sum of amounts above).

Or

- Option 2: Pay the total assessed mandatory minimum liability (\$66,000) to the State
Water Pollution Cleanup and Abatement Account.

**I hereby affirm that I am duly authorized to act on behalf of, and to bind, the Discharger in
the making and giving of this Acceptance and Waiver.**

Las Gallinas Valley Sanitary District

By: _____ Title _____
Printed or typed name

Signature Date

Note: Please return the signed Acceptance and Waiver with Exhibit A, together

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13323 AND GOVERNMENT
CODE SECTION 11415.60

By: _____ Date _____
Eileen White
Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region



Item Number 5
GM Review CD

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcDonald@lqvsd.org
Mtg. Date: August 18, 2022
Re: Topics for the Fall 2022 Newsletter

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

STAFF RECOMMENDATION:

Staff requests that the Board discuss proposed topics for the Fall 2022 Newsletter and select topics from the recommended list below.

BACKGROUND:

The District publishes newsletters every 6 months to inform its ratepayers about District projects, programs and other items of interest. Each newsletter typically has one main topic and three to four smaller articles. Staff is planning to mail the fall 2022 Newsletter in late November. The actual publication date will be after the ribbon cutting event for the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project.

Attached is a listing of newsletter articles from 2011 through 2022 grouped by topics. Staff prepared the last newsletter in the Spring of 2022. The topics were:

- Recycled Water – Even More Important During Drought
- District Hires Interim General Manager Chris DeGabriele
- Sewer Rate Increase Anticipated – Low Income Assistance Program Can Help
- Zero Waste Marin – We Can All Do Our Part
- Sewer Laterals are Property Owner’s Responsibility
- District Honored for Helping Monitor COVID in Wastewater
- Sharing the Trails at District’s Reclamation Area

Staff has created a list of items to include in the next newsletter. The LGVSD public outreach consultant suggests that these items alone will fill the upcoming newsletter content and other items normally considered be deferred to a future newsletter.

- STPURWE Project Completion – Ribbon Cutting Ceremony
- New General Manager Curtis Paxton
- LGVSD Biosolids Planning including participation in the national WRF/WEF Study
- Low Income Assistance Program still available (small box announcement)

There may be room for one small box item in the newsletter and is it suggested a reminder about the Low Income Assistance Program may be appropriate.



PREVIOUS BOARD ACTION:

N/A

ENVIRONMENTAL REVIEW:

N/A


FISCAL IMPACT:

Newsletter funding is included in the 2022-23 Budget.



Item Number 6
GM Review CD

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager 
 (415) 526-1519 dmcdonald@lgvsd.org
Meeting Date: August 18, 2022
Re: Consider amending the Miscellaneous Fee Schedule of the Las Gallinas Valley Sanitary District
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Board to adopt Resolution No. 2022-2275 amending the Miscellaneous Fee Schedule of the District.

BACKGROUND

The Ordinance Code of the District requires a periodic review and update of the Capital Facilities Charge (CFC) to maintain parity of the CFC in current dollar value. The adjustment, if any, is to be based on the Engineering News Record (ENR) of San Francisco City Index for the month of July of the prior year.

The ENR Index for San Francisco as of July 2020 is 12,908. The ENR Index for San Francisco as of July 2021 is 13,762. The CFC and the connection fee per additional plumbing fixture unit (PFU) needs to be adjusted in the same proportion as the change in the ENR Index which is +6.6%.

- CFC will be adjusted from \$6,666 to \$7,106.
- Connection Fee per additional PFU when the addition or alteration causes the existing structure to exceed twenty (20) PFUs will be adjusted from \$333 to \$355.

Staff has added application fees and pump service charge fee, previously adopted by Ordinance, to the Connection Fee section of the Miscellaneous Fee Schedule. The amended Miscellaneous Fee Schedule will be effective September 1, 2022 upon adoption of resolution.

A Sewer Capital Facilities Charge Study by HDR Engineering is underway, which will update the CFC, taking into consideration existing infrastructure and applicable future capital improvements needed to serve growth within the District.

PREVIOUS BOARD ACTION

Ordinance No. 183, adopted on July 2, 2020, revised Title 2, Chapter 1 to allow the CFC and PFU to be reviewed and adjusted annually by resolution.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

Capacity Fee Revenue Increase: \$440 for CFCs and \$22 for PFUs.

RESOLUTION No. 2022-2275

**A RESOLUTION AMMENDING THE MISCELLANEOUS FEE SCHEDULE
OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT**

WHEREAS, Title 2, Chapter 1 of the Ordinance Code of the Las Gallinas Valley Sanitary District regulates permits and fixing fees for the installation and connection of sanitary sewers; and

WHEREAS, Section 907(A) of Title 2, Chapter 1 requires applicants desiring connection to the wastewater facilities of the District to pay a Capital Facilities Charge (“CFC”) per Equivalent Sewer Unit (“E.S.U.”) to the District prior to connection as shown in the Miscellaneous Fee Schedule; and

WHEREAS, Section 907(D)(5) of Title 2, Chapter 1 requires the CFC and additional plumbing fixture unit (“PFU”) connection fees to be reviewed periodically to maintain parity of the CFC and PFU in current-dollar values, with adjustments, if necessary, based on the Engineering News Record (“ENR”) San Francisco City Index for the Month of July of the prior year; and

WHEREAS, the ENR cost index for July 2021 shows a 6.6% increase over July 2020, resulting in the need to adjust the CFC from \$6,666 to \$7,106 per ESU and the need to adjust the PFU from \$333 to \$355; and

WHEREAS, the Miscellaneous Fee Schedule is required to be published annually by the District; and

WHEREAS, the Board of Directors finds that the proposed “Miscellaneous Fee Schedule” is reasonably related to the cost of providing the services rendered by District staff.

NOW, THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District herein approves the Miscellaneous Fee schedule, attached hereto as Exhibit “A”.

BE IT FURTHER RESOLVED that the effective date of the Miscellaneous Fee schedule is September 1, 2022.

* * * * *

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 18th day of August 2022, by the following vote of the members thereof:

AYES, and in favor thereof, Members:

NOES, Members:

ABSTAIN, Members:

ABSENT, Members:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED

(seal)

Judy Schriebman, President of Board of Directors
Las Gallinas Valley Sanitary District



LGVSD.org
101 Lucas Valley Road
San Rafael, CA 94903
(415) 472-1734

MISCELLANEOUS FEE SCHEDULE
(Effective 9/1/2022)

CONNECTON FEES:

Application Fee for New Sewer Capacity	\$ 500
Application Fee for Additional Sewer Capacity	\$ 250
Capital Facilities Charge (CFC)	\$7,106 per ESU
Additional Plumbing Fixture Units (PFU) <i>(in excess of 20 PFUs)</i>	\$ 355 each
Pump Service Charge Fee	50% surcharge of CFC

Reference Ordinance 183 (Title 2, Chapter 1) Approved: 7/2/2020

Reference Resolution 2022-2275, Miscellaneous Fee Schedule: Approved 8/18/2022

SEWER LATERAL INSPECTION FEES:

Standard Review (10 business day turnaround)	\$250
Expedited Review (5 business day turnaround)	\$500

Reference Ordinance 180 (Title 2, Chapter 9): Approved: 11/21/2019
Fee effective: 12/6/2019

Reference Resolution 2020-2183, Miscellaneous Fee Schedule: Approved 3/19/2020
Reference Resolution 2021-2216, Miscellaneous Fee Schedule: Approved 6/3/2021

METHOD OF PAYMENT:

Personal/Business check, cashier's check or money order. If the bank for any reason does not honor payment tendered, the full amount plus a ten percent penalty must be paid by a cashier's check to the District immediately.

8/18/2022

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, Operations Control Center 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, Other Reports

MURRAY

Marin LAFCO, CASA Energy Committee, Other Reports

SCHRIEBMAN

JPA Local Task Force, Gallinas Watershed Council, 2022 Legal Services Ad Hoc Committee, 2022 HR Ad Hoc Committee, 2022 Biosolids Ad Hoc Committee, 2022 McInnis Marsh 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.

8/18/2022

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

Options for increasing MMWD water supply expensive

How will a four-year water supply affect Marin Municipal Water District customers rates?

We can't yet precisely answer this question. Jacobs Engineering has shared extensive information with MMWD on the costs of water supply options to reach that target. But Jacobs has not formulated how we would pay for it.

There are three competitive ways to reach it. The first one is a desalination plant that will generate 11,200 acre-feet per year (AFY). The second one is the pipeline connected to East Bay Municipal Utilities District supply that would generate 9,000 AFY. The third one is the combination of the EBMUD pipeline with a water reuse facility — generating 13,480 AFY.

All three options would suffice to meet our four-year water supply target. The Marin County Civil Grand Jury report recommended 10,000 to 15,000 AFY to meet the target. But, in penciling it out, 9,000 AFY would suffice.

It will be expensive. The capital cost of desal is \$375 million, the EBMUD pipeline is \$111 million and the combination of the EBMUD pipeline and water reuse facility is \$235 million.

When factoring in bond financing with terms of 40 years and rates around 4%, yearly expenses including debt service would come in at \$45 million for desal, \$21 million for EBMUD pipeline and \$38 million for the combination EBMUD and water reuse. This would translate into a cost per acre-foot of \$4,019 for desal, \$2,351 for EBMUD and \$2,813 for EBMUD/water reuse per year.

What does this mean for water rates? The MMWD bond covenants mandate that it maintains a debt service coverage ratio of 1.25 times to maintain its AA bond rating on long-term muni bonds. Its operating profits have to amount 1.25 times yearly debt service (principal plus interest) on the bonds financing the projects.

Given that MMWD's revenues are based on a near constant volume of water sales, it would have to substantially raise its rates to meet its debt service coverage ratio of 1.25. The resulting increase on MMWD rates and fees would be 34.7% for desal, 8.2% for EBMUD and 25.9% for EBMUD/water reuse. But that is assuming that the MMWD can lock in 4% bond rates.

As we speak, the Federal Reserve is rapidly increasing rates. Muni bond rates may well reach 5% in 2023 when MMWD may be ready to issue bonds. At 5%, the necessary increase in MMWD water rates and fees would be 38.9% for desal, 9.5% for EBMUD and 28.6% for EBMUD/water reuse.

However, there is far more uncertainty associated with Jacobs' cost estimates than with bond financing. Within its documents, it disclosed that actual project costs could be up to double their respective estimates.

Keeping bond financing at 4% during a 40-year term, if costs double, the necessary increase in rates and fees would be: from 34.7% (baseline scenario) to 82.9% (with the doubling in costs) for desal; from 8.2% to 29.9% for EBMUD and from 25.9% to 65.4% for EBMUD/water reuse.

When can we expect to get our extra water supply? That is another question loaded with many uncertainties. For desal, it seems that a full implementation of a desal plant can range from three to seven years. For the EBMUD pipeline, we did it in less than a year in the 1970s. But the regulatory environment has completely changed since then. If we completed this project within a year and a half, that would be pretty fast. It is not unlikely it could take three years.

For water reuse, as described by Jacobs, we are dealing with a new technology that has not been yet implemented anywhere in the world. The regulatory framework for this technology is not even in place. That makes it hard to figure out a timeframe. But, as a starting point, I would think a similar timeframe to desal may be reasonable.

We are not out of the woods. No matter what we plan ahead, we are still dependent on Mother Nature for a while.

Gaetan Lion, of Mill Valley, is an independent researcher. See his work online at [considerworthy.blogspot.com](https://www.considerworthy.blogspot.com). Data conclusions are based on his own proprietary model.

SAN RAFAEL

City estimates it can meet state mandate for housing

BY ADRIAN RODRIGUEZ

ARODRIGUEZ@MARINIJ.COM

San Rafael has the capacity to meet the state-mandated 3,220 new residences over eight years without making zoning changes, city staff told the City Council this week.

Ali Giudice, community development director, briefed the council on the city's housing element update at its meeting Monday.

Over the past year, Marin has been grappling with how to plan for a daunting influx of new housing. As a whole, the county has been assigned to plan for 14,405 new residences in the 2023-2031 housing cycle, representing a 526% increase over the 2,298 homes assigned in the 2015-2023 cycle.

San Rafael's share is a 220% increase over the 1,007 homes assigned last time.

Giudice said because the city has an abundance of potential sites, this is an exercise of "pointing out sites and demonstrating ... that we are prepared to accommodate development."

In all, San Rafael has to plan for 857 residences for very-low income households, 492 residences for low-income, 521 for moderate-income and 1,350 homes for above-moderate income.

According to the California Department of Housing and Community Development, a very-low income household of four earns \$93,200 annually, whereas an above-moderate-income household of the same size earns more than \$199,200 a year.

Barry Miller, a consultant assisting with the planning document, said there is an overarching focus on what's called affirmatively furthering fair housing that separates this housing element cycle from the rest.

"It's essentially our guiding light through this process, which is that we intentionally work to end discrimination and segregation through this process and that we work to create a more inclusive community," Miller said.

The city has about 800 approved homes in the pipeline that are expected to be developed by 2031, Miller said, including the 67-apartment senior housing complex at 999 Third St.

Those residences will help meet 15% of the lower-income state assignment and 31% of the required moderate and above-moderate homes, Miller said.

When one adds proposed projects, that supplies 1,300 or so more residences. Most of those are part of the proposed redevelopment of Northgate mall, which would bring 907 new residences, including 96 affordable ones, as part of the project's first phase of the project, Miller said.

If approved projects and proposed projects are built, the city would meet 24% of its required affordable needs and 94% of its moderate needs. "So we can kind of see the story emerging here of

where we need to focus our housing element," Miller said.

The hurdle is that part of the requirement for lower-income housing is that the property has to be zoned for 30 residences per acre, so these would be multifamily apartment buildings. Miller said commercial zones allow for this type of housing and the city identified 29 sites that are underused and could potentially produce 1,100 homes.

The downtown area also allows for dense development and properties there could deliver 1,500 residences, Miller said.

San Rafael is in favor of housing, Mayor Kate Colin said, noting that the city has refrained from filing a lawsuit against the Association of Bay Area Governments, the agency that assigns the housing numbers to communities.

Colin said the city's ability to meet the state quota without zoning changes speaks volumes.

"That to me really states up front how this has been a pro-housing council and staff," Colin said. "We want to have a diverse community, an inclusive community, at all different economic levels."

Few residents spoke on the issue.

"I think everyone agrees that there is a great need for housing," said David Smith, who lives in the Terra Linda neighborhood. But he was concerned with how many homes were planned for his neighborhood, including the proposed Northgate mall overhaul.

Ray Lorber, a member of Catalysts for Local Control, a Mill Valley advocacy group, said the housing mandates are unconstitutional and the city should have fought against it.

Councilmember Maribeth Bushey said, "We have to remember that we're just looking to demonstrate that we have sufficient housing capacity on a planning basis."

Bushey said she's noticed that requirements have gotten stricter and officials should be more realistic with which sites they say could be used for housing.

At the same time, Bushey said the city has engaged developers to figure out ways to streamline housing projects.

Colin said she encourages more community participation. A community workshop is planned for Aug. 16.

More information is at sanrafaelhousing.org.

MARIN VOICE

MMWD director details water supply crisis response

While 95% of the rest of the state remains in severe drought, Marin's seven reservoirs are now at more than 100% of normal storage.

In spite of our temporary reprieve, Marin needs to continue to brace for climate change. Here is what the Marin Municipal Water District is doing to bolster the water supply, build climate resilience and meet the Marin Civil Grand Jury's recommendation to increase supplies by 10,000 to 15,000 acre-feet.

In January, Marin Water renovated the Kastania Pump Station, south of Petaluma, on time and on budget. This unheralded regional achievement expands Marin Water's capacity to import an additional 5,000 acre-feet of "winter water" from the Russian River. This increase is equivalent to the size of Bon Tempe Reservoir.

In early 2021, we added another 4,000 acre-feet of supply by rebuilding a state-of-the-art recycled water plant in partnership with Las Gallinas Sanitary District. This 400% increase in production is now being used for landscapes, gardens and other non-potable uses in our San Rafael "purple pipe" district. A planned project to extend a recycled-water pipeline to Peacock Gap is also underway.

We are also in the process of redesigning our Phoenix Lake transmission system. This improvement could add up to 1,000 acre-feet of water to our supply portfolio from this previously underperforming asset.

Our ongoing water supply assessment process is reviewing the feasibility of all options. Expanding local reservoir storage with installation of cost-effective spillway gates at Nicasio and Kent reservoirs could provide a significant increase in local supply with the flexibility to release water for habitat needs. Improved water recycling at the Central Marin Sanitary Agency could provide the San Quentin State Prison with the ability to flush toilets for 4,000 inmates.

Recognizing that desalination could supplement rainfall in drought years, we are also carefully reviewing several potential scenarios. One possible location near the Petaluma River brackish water aquifer shows promise as a shared regional plant that may avoid some of the environmental pitfalls of other locations. Desalination requires a vote of Marin residents and it remains to be seen whether it would be affordable and equitable for our customers — 70% of whom are Tier 1 water users.

As water supplies were declining in 2021, Marin Water created an emergency plan for a pipeline on the Richmond-San Rafael Bridge. Pipes and pumps were acquired, and negotiations for water rights were underway when adequate rainfall ended our emergency status.

We are continuing the mandatory environmental review process to determine whether the estimated \$100 million bridge pipeline is an acceptable option.

Improved conservation and efficiency efforts also need to play an important role in climate change resilience because every gallon saved bolsters supply. In response to last year's drought, we expanded water-saving incentives for residents — including rebates for turf replacement, gray water systems, rainwater catchment and pool covers. Marin residents reaffirmed their historic commitment to living within their means and achieved a peak 40% savings in water use.

They deserve our gratitude and appreciation for their efforts.

Generous rebates also led to the widespread adoption of the Flume smartphone monitor by Marin residents. It provides instant leak detection and realtime household water use data. At the same time, Marin Water has long employed a systemwide leak detection program to identify and replace leak-prone pipes from our 900-mile transmission system.

Threat of wildfire is the climate change bookend for Marin's water supply challenges. Wildfire is a grave threat to the health of our Mount Tamalpais watershed, water quality and public safety.

In response, Marin Water implemented a robust, herbicide free, vegetation management program. Reducing ladder fuels and brush reduces wildfire risk and can increase surface water flow into our reservoirs.

Last year, our crews completed more than 1,000 acres of watershed lands. We are also continuously improving our approach to wildfire risk by utilizing evolving forestry management practices.

Ultimately, Marin needs to take a holistic approach to water supply to meet the challenges that climate change presents. Conservation, increased supply resiliency and watershed stewardship are complementary pieces of the climate change puzzle that our community will need to solve together to ensure our water future.

Larry Bragman, of Fairfax, represents District 3 on the Marin Municipal Water District Board of Directors.

DROUGHT

Options probed to save water

MMWD reviews costs of conservation tactics

BY WILL HOUSTON

WHOUSTON@MARINIJ.COM

The Marin Municipal Water District isn't just considering water supply options such as enlarging reservoirs or building desalination plants, but how to use less water as well.

The district's board and staff met Tuesday to review the estimated cost of expanding its conservation programs, such as installing more wireless water meters and incentivizing turf replacement and other water-saving upgrades at homes, businesses and local governments.

The review is part of a larger ongoing study into the costs and benefits of new water supplies that the district launched this year.

The study began after the district and the 191,000 central and southern Marin residents it serves faced the possibility of depleted reservoirs following two years of drought. Rains in late 2021 nearly refilled the district's seven reservoirs, giving the district time to explore new water supplies.

Monty Schmitt, a district board member, said during the meeting that a combination of new options, including conservation, will likely be needed to weather worsening and prolonged drought in the face of climate change.

"Conservation is not the solution to our future water needs," Schmitt said. "It's a part of the mix."

Overall, the district has worked to reduce water use through the decades, going from nearly 160 gallons per person per day during the mid-1990s to the early 2000s to 124 gallons per person per day in 2020. The total water use includes residential, business and industrial water demand in the district. Residential water use makes up about 70% of the district's total water demand.

Carrie Pollard, the conservation program manager for the district, said bolstering the district's conservation programs, whether through better leak detection using "smart" meters and providing rebates to replace turf with drought-tolerant landscaping, could reduce water use further to about 106 gallons per person per day by 2045.

Without these water savings, yearly water use is projected to increase from about 26,500 acre-feet per year in 2020 — an acre-foot being about 326,000 gallons — to about 31,500 in 2045 when factoring in population growth, according to the district.

Investing in enhanced conservation measures would reduce the annual water use by about 4,000 acre-feet to about 27,400 acre-feet in 2045, or a 13% reduction, Pollard said.

For context, the district's water supply study estimates the district will need 3,000 to 11,700 acre-feet of additional water each year to weather prolonged droughts, extreme short-term droughts, natural disasters and increased water demand. A recent Marin County Civil Grand Jury report stated the

district failed to adequately prepare for severe drought and recommended it create 10,000 to 15,000 acre-feet of new supply.

The district has about 80,000 acre-feet of water in its seven local reservoirs, which make up about 75% of its total supply. The utility says only about 55,000 acre-feet of this is reliable supply because 15,000 acre-feet are considered emergency reserves and the remaining 10,000 acre-feet are likely unusable because of pumping and siltation issues.

The remaining 25% of the district's supply comes from imported Russian River water from the Sonoma County Water Agency. The district is able to draw about 11,000 acre-feet per year.

To achieve these water savings by 2045, the district estimates it would need to invest about \$2.1 million per year. The estimate includes a proposal to replace the district's 58,000 analog water meters, which must be read in person, with smart water meters that can track water use in real time.

Additionally, the district would work to provide rebates to replace about 4 acres of turf with drought-tolerant landscaping per year. Other programs would include continued rebates for pool covers to prevent evaporation, smart irrigation controllers, grey water kits and rain barrels.

The district would pay about \$2,951 per acre-foot of water saved by 2045 under the district's estimates. Ratepayers would also be paying for the savings, such as through hardware, installation costs and maintenance, which the district estimates would be about \$2,883 per acre-foot.

These cost-per-acre-foot estimates are comparable to what the district would pay for water if it built a pipeline across the Richmond-San Rafael Bridge to pump in Sacramento Valley water, according to the district study.

Peter Mayer, an engineering consultant on urban water use, said the district already invests a significant amount in its conservation programs for an agency of its size.

"If you fund this at that approximate level over the next 20 years or so, you're looking at a \$40-50 million or more investment of water conservation in your community, which is absolutely substantial," Mayer told the board on Tuesday.

Driving demand down even further would likely require a more heavy-handed strategy compared to the incentive-based approach the district is considering, Mayer said.

Conserving an additional 1,500 acre-feet of water for a total of 5,500 acre-feet of savings by 2045 would drive the district cost up to around \$4,000 per acre-foot and customer costs to about \$3,700 per acre-foot.

The savings would likely require the district to adopt water budgets, restrict turf installation for developments and potentially ban turf on front lawns, similar to Las Vegas. The district would also likely require more penalties for violators and more staff for enforcement, he said.

Larry Minikes, a Marin Conservation League member and former district advisory committee member, said the district's incremental approach seems doable "without causing people pain or feeling like they're rationing or something else."

James Holmes of Larkspur told the board that an enforcement approach would seem draconian and expensive.

"And I think it is fair to say at some point people will grow tired of being squeezed like sponges," Holmes said.

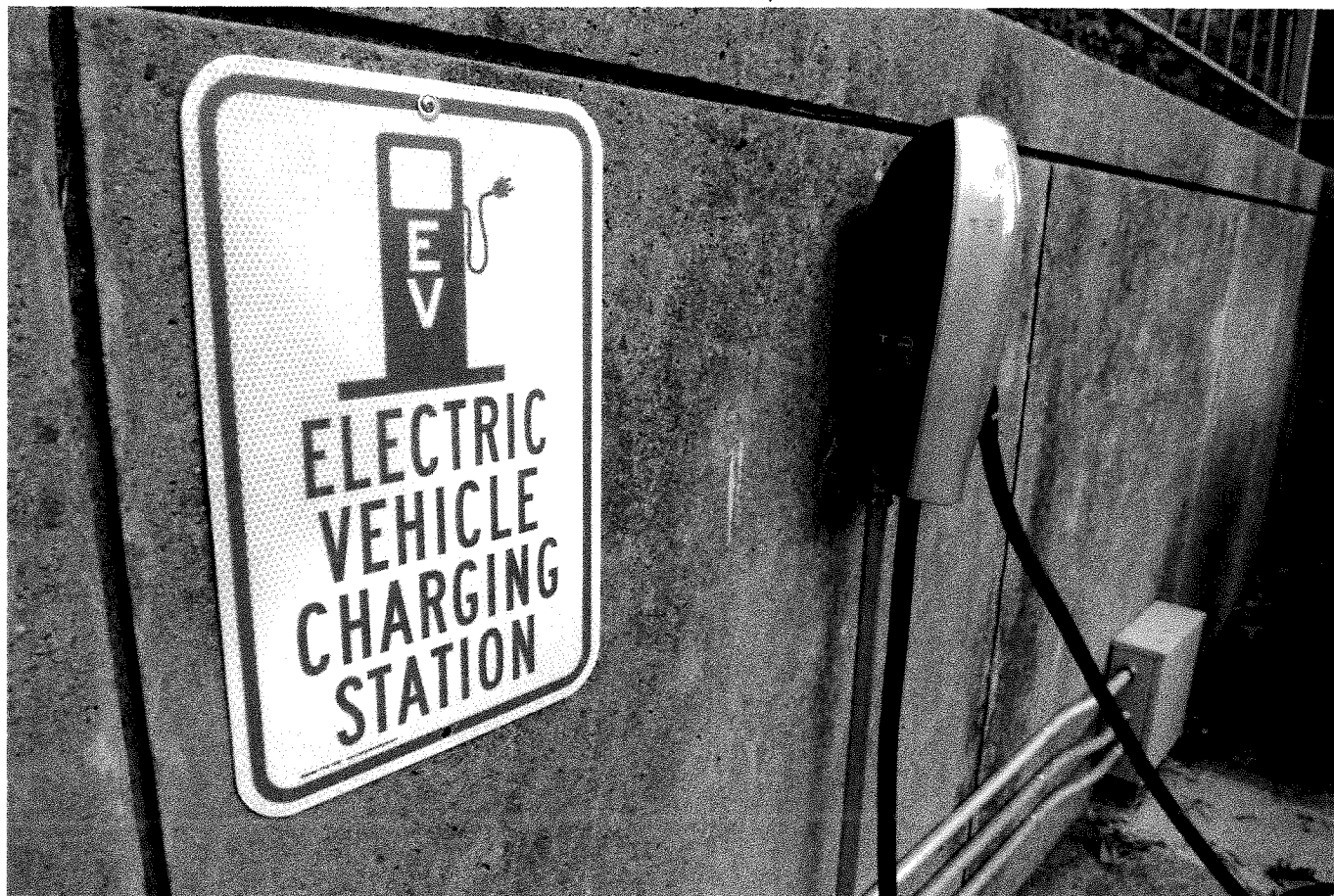
'INFLATION REDUCTION ACT'

New climate, energy bill a boost for Marin, state

Legislation expected to assist clean energy efforts, industries



A solar panel array stands at the Novato Cooley Quarry in Novato. The “Inflation Reduction Act” provides \$369 billion for federal tax credits, grants and other incentives to dramatically expand solar power, wind power, electric vehicles and other efforts. PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL. FILE



An electric vehicle charging station stands in the City Hall parking lot in San Rafael.

BY PAUL ROGERS

BAY AREA NEWS GROUP

From offshore wind turbines to electric vehicles to solar panels, the state — and Marin — stand to emerge as major winners with the passage of a historic climate and energy bill in Washington, D.C., which experts said could supercharge California's already ambitious emissions goals.

The bill, dubbed the "Inflation Reduction Act," cleared the U.S. Senate on a 51-50 vote this week, with Vice President Kamala Harris breaking a tie. It now heads to the House of Representatives, where passage is expected Friday, and then to President Biden's desk for his signature.

The 775-page bill, the culmination of more than year of negotiations and deal-making, achieves key priorities for Democrats. Among them: a 15% minimum tax on corporations, a requirement that the federal government negotiate with pharmaceutical companies to lower drug prices for Medicare, and an extension of health insurance subsidies under the Affordable Care Act.

But the centerpiece is a sweeping effort to reduce climate change. The measure provides \$369 billion over the next 10 years for federal tax credits, grants and other incentives to dramatically expand solar power, wind power, electric vehicles, battery storage projects and other efforts to reduce greenhouse gas emissions that are warming the planet.

"The domestic manufacturing, the investments and incentives for all of these technologies and jobs that are part of the clean energy economy — we have never done anything at this scale," said Marin Rep. Jared Huffman, a Democrat. "On the consumer side, people are going to benefit from an improved set of tax credits for everything from electric vehicles, heat pumps and induction stoves that will decarbonize and electrify our lives."

California has led the nation in passing laws to reduce pollution since the 1960s, when then-Gov. Ronald Reagan created the California Air Resources Board.

Billions of new federal incentives in the bill will help California reach its climate goals more easily than if Sacramento had to fund them on its own, said Anand Gopal, executive director of strategy and policy at Energy Innovation, a San Francisco research firm.

"There's a lot of money that can flow to the state," Gopal said. "This bill will help the state go even faster than what we were planning to do."

Over the past 20 years, California governors from Gray Davis to Arnold Schwarzenegger to Jerry Brown and Gavin Newsom have promoted electric vehicles by tightening smog standards, and offering rebates, tax credits and access to carpool lanes for EV drivers.

Currently, 16% of cars sold in California, or one in six, is electric. More EVs are sold in California than any other state. California has 43 companies that manufacture electric vehicles or electric vehicle equipment, led by Tesla, and electric vehicles are the state's largest manufactured export, with an annual value of \$5.6 billion.

But the state is still far short of Brown's goal of 5 million electric vehicles sold by 2030, having recently passed 1.2 million. And studies show more chargers are needed.

MCE, the electricity provider formerly known as Marin Clean Energy, offers \$3,500 rebates for lower-income residents in its service area in Marin, Contra Costa, Napa and Solano counties. Additionally, MCE also offers \$3,500 rebates for multifamily home and businesses to create electric vehicle charging stations. The state will need about 250,000 charging stations by 2025 if it wants to reach its goal of 5 million electric vehicles, according to MCE chief executive officer Dawn Weisz.

Weisz said the bill would work to expand the reach of these rebates.

"As a public agency supplying clean power to our communities, the (legislation) will allow MCE to better support our communities as they grapple with the devastating impacts of climate change by building more clean power right here in California, helping our customers lower their electric bills, and improving their health and quality of life through clean energy technologies," Weisz wrote in an email.

In 2020, Newsom signed an executive order banning the sale of new gasoline-powered passenger vehicles in California starting in 2035, following the lead of many European countries.

California already has a \$2,000 rebate for electric vehicles. But the state's incentives rise and fall depending on whether California's budget is in surplus or deficit.

The new bill extends an existing \$7,500 federal tax credit for people who buy electric cars. Importantly, it drops a current rule that left out companies once they have sold 200,000 electric vehicles.

Tesla and General Motors hit that cap in 2018. So buyers of those vehicles have not been eligible for the federal tax credit in recent years. Nissan and other automakers are nearing it.

Huffman said there are concerning caveats attached to lifting the cap. A new standard would be added, he said, that would allow up to \$7,500 tax credits depending on the sourcing of the raw materials for the batteries and where the components are assembled.

"It's meant to provide the sourcing of battery materials from countries that are trade partners of the United States and not China, basically," Huffman said, "and it's meant to kind of jumpstart the domestic capacity to assemble these components."

Manufacturers will find it difficult to meet those standards in the first few years, Huffman said, which could limit the effectiveness of the tax credits early on.

The new federal bill also provides a \$4,000 tax credit for the sale of used electric vehicles.

Californians have seen record droughts, searing heat waves and massive wildfires in recent years — all of which have been made worse by the warming climate.

Through dozens of programs and laws, greenhouse gas emissions peaked in California in 2004 and have fallen about 14% since. But the state has a goal of reducing emissions 40% from 1990 levels by 2030. And it's only cut them about 6% so far from 1990 levels.

To continue expanding fossil-free power, state law requires 100% of the electricity that California consumes must come from carbon-free sources like wind, solar, geothermal, hydropower or nuclear power by 2045. Currently, 59% does.

Bill Carney, president of Sustainable Marin's San Rafael chapter, said Marin has set more aggressive targets of reducing total greenhouse gas emissions by 60% by 2030 compared to 2005 levels and having net-zero emissions by 2045.

Carney said an unsung allocation in the bill would provide billions of dollars for restoring forests, carbon capture at agricultural areas, urban tree planting and restoring coastal habitats.

The new infrastructure will also work toward efforts to electrify more buildings in Marin, Carney said, with the building sector currently accounting for about a third of Marin's greenhouse gas emissions. About 27% of that comes from natural gas uses and the remainder from electricity generated by coal or natural gas-fired power plants.

"There is a big opportunity sitting there where we as a county could move forward in filling that national gap," Carney said, referring to the federal greenhouse gas reduction target.

The new bill passed Sunday, which was endorsed by the Silicon Valley Leadership Group, Intel, Microsoft and other tech companies, contains \$30 billion in production tax credits for U.S. manufacturing of batteries, solar panels, wind turbines and critical minerals processing. And it extends for 10 years a 30% federal tax credit for rooftop solar panels.

Not everyone is happy. Senate Republican leader Mitch McConnell, R-Kentucky, called the bill "a so-called climate bill that will have no meaningful impact on global temperatures whatsoever."

Some environmental groups were disappointed that to win the key vote of Sen. Joe Manchin, D-West Virginia, language was included to streamline oil and gas leasing in the Gulf of Mexico and parts of Alaska, moves that will increase emissions and impact nearby communities.

Huffman said he will support the current version of the bill, but immediately work to undo the oil and gas leasing provisions.

Gopal's organization calculated that for every 1 ton of carbon emissions from the new drilling, 24 tons would be saved from the bill's green provisions, and that the bill would prevent up to 3,900 premature deaths from air pollution and create 1.5 million new jobs by 2030.