



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

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

DISTRICT BOARD
Megan Clark
Ronald Ford
Craig K. Murray
Gary E. Robards
Crystal J. Yezman

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

BOARD MEETING AGENDA

March 16, 2023

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

Estimated Time

CLOSED SESSION:

4:30 PM A. CONFERENCE WITH LABOR NEGOTIATOR – Agency designated representative : Gregory Ramirez, IEDA; Employee organization : IUOE Local 3;pursuant to Government Code Section 54957.6

OPEN SESSION:

5:00 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.

5:05 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 the Board Minutes for March 2, 2023
- B. Approve the Warrant List for March 16, 2023
- C. Approve Board Compensation for February 2023
- D. Approve Murray attending the Implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act Webinar March 9, 2023
- E. Approve Murray attending the 2023 Sustainable Energy in Amercia Webcast on March 15, 2023
- F. Approve Clark attending the CSDA Understanding Implicit Bias Webinar March 14, 2023
- G. Approve Aqua Contract for TWAS Enclosure/Sludge Basin and Reception Pad Project
- H. Approve Resolution 2023-2301 Board Policies O-40 and M-10
- I. Approve Resolution 2023-2302 Sole Source Specified Equipment
- J. Approve Order Regarding Publication Ordinance 191

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

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

- 5:15 PM** **3. INFORMATION ITEMS:**
 STAFF/CONSULTANT REPORTS:
 - 1. General Manager’s Report – verbal
 - 2. Presentation of Draft Sewer Service Charge Study Recommendations - Written
 - 3. District Remembrance of Director Schriebman - verbal

- 6:00 PM** **4. ALTERNATIVE WORK SCHEDULES**
 Board to approve Alternative Work Schedules and Side letter to the Memorandum of Understanding.

- 6:15 PM** **5. BOARD MEMBER REPORTS:**
 - 1. CLARK
 - a. NBWA Board Committee, 2023 Operations Control Center Ad Hoc Committee, Other Reports
 - 2. FORD
 - a. NBWRA, 2023 Operations Control Center Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, 2023 Fleet Management Ad Hoc Committee, Other Reports
 - 3. MURRAY
 - a. Marin LAFCO, 2023 Biosolids Ad Hoc Committee, CASA Energy Committee, Other Reports
 - 4. ROBARDS
 - a. Gallinas Watershed Council/Miller Creek, 2023 Engineering Ad Hoc Committee re: STPURWE, 2023 McInnis Marsh Ad Hoc Committee, Other Reports
 - 5. YEZMAN
 - a. Flood Zone 7, CSRMA, 2023 Ad Hoc Engineering Committee re: STPURWE, Marin Special Districts, 2023 Biosolids Ad Hoc Committee, Other Reports

- 6:25 PM** **6. BOARD REQUESTS:**
 - A. Board Meeting Attendance Requests – Verbal
 - B. Board Agenda Item Requests – Verbal

- 6:30 PM** **7. VARIOUS INDUSTRY RELATED ARTICLES**

6:35 PM 8. ADJOURNMENT

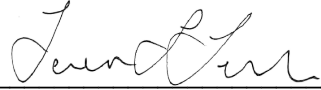
FUTURE SPECIAL BOARD MEETING DATES: MARCH 29, 2023

FUTURE REGULAR BOARD MEETING DATES: APRIL 6 AND APRIL 20, 2023

AGENDA APPROVED:	Megan Clark, President	Patrick Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, Board Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before March 13, 2023 4:30 p.m., I posted the Agenda for the Board Meeting of said Board to be held on March 16, 2023, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: March 10, 2023



Teresa L. Lerch
Board Secretary

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

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

AGENDA ITEM A

3/16/2023

CLOSED SESSION

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

AGENDA ITEM 1

3/16/2023

PUBLIC COMMENT

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

MEETING MINUTES OF MARCH 2, 2023

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON MARCH 2, 2023 AT 4:33 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

BOARD MEMBERS PRESENT: Megan Clark, Craig Murray, Gary Robards and Crystal Yezman

BOARD MEMBERS ABSENT: Ron Ford

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

OTHERS PRESENT: Patrick Richardson, District Counsel;

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

1. PUBLIC COMMENT: None.

2. CONSENT CALENDAR:

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

- A. Approve the Board Minutes for February 16, 2023
- B. Approve the Warrant List for March 2, 2023
- C. Approve Resolution 2023-2301 Board Policy B-180 Harassment Prevention

Items B and C were pulled for discussion.

ACTION:

Board approved (M/S Murray/Clark (3-0-1-1) the Consent Calendar item A.

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

ACTION:

Board approved (M/S Yezman/Clark (4-0-1-0) the Consent Calendar item B. Item C will be brought back to the Board as Information at a future meeting.

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

3. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. General Manager's Report – Paxton reported.
- 2. Board Policies O-40 Customer Support and M-10 Public Involvement and Outreach – Lerch reported. Discussion ensued. Staff to revise based on Board input and bring back to Board for approval.

4. AMENDMENT OF EMPLOYMENT AGREEMENT

Board reviewed the Amendment of Employment Agreement for Mel Liebmann.

ACTION:

Board approved (M/S Robards/Yezman (4-0-1-0) the Amendment of Employment for Mel Liebmann.

AYES: Clark, Murray, Robards and Yezman

NOES: None.

ABSENT: Ford.

ABSTAIN: None.

5. BOARD MEMBER REPORTS

1. CLARK

- a. NBWA Board Committee – verbal report
- b. 2023 Operations Control Center Ad Hoc Committee – no report
- c. Other Reports–CSDA Emergency Preparedness Summit- verbal report

2. FORD - Absent

- a. NBWRA – no report
- b. 2023 Operations Control Center Ad Hoc Committee – no report
- c. 2023 McInnis Marsh Ad Hoc Committee – no report
- d. 2023 Fleet Management Ad Hoc Committee – no report
- e. Other Reports – none

3. MURRAY

- a. Marin LAFCO – no report
- b. CASA Energy Committee –verbal report
- c. 2023 Biosolids Ad Hoc Committee – no report
- d. Other Reports – NACWA Winter Conference- verbal report

4. ROBARDS

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

5. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. Marin Special District Association – verbal report
- d. 2023 STPURWE Engineering Ad Hoc Committee– no report.
- e. 2023 Biosolids Ad Hoc Committee – covered in General Manager's report
- f. Other Reports– None

6. BOARD REQUESTS:

- A. Board Meeting Attendance Requests -none.
- B. Board Agenda Item Requests – Clark would like the following agenda items: hire an additional finance person for grant research, conduct a General Manager evaluation, look into a emergency preparedness workshop for the Board and a Judy Schriebman memorial.

7. MISCELLANEOUS DISTRICT CORRESPONDENCE:

Discussion ensued.

8. ADJOURNMENT:

ACTION:

Board approved (M/S Yezman/Robards 4-0-1-0) the adjournment of the meeting at 6:52 PM.

AYES: Clark, Murray, Robards and Yezman.

NOES: None.

ABSENT: Ford.

ABSTAIN: None.

The next Board Meeting is scheduled for March 16, 2023 at 4:30 PM in person at the District Office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Craig K. Murray, Vice-President

Agenda Item 2B
Date March 16, 2023

Las Gallinas Valley Sanitation District
 Warrant List 3/16/2023 DRAFT

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	3/16/2023	EFT1	ADP Payroll	153,819.44		153,819.44	Payroll & Processing Charges- Pay Period 2/20 - 3/5
2	3/16/2023	ACH	A and P Moving	96.80		96.80	Document Storage - March
3	3/16/2023	N/A	Able Tire & Brake	4,472.17		4,472.17	Freightliner Repair- Collections
4	3/16/2023	N/A	Aramark Uniform Service	658.45		658.45	Laundry Service w/e 2/27 & 3/6
5	3/16/2023	N/A	BHI Management Consulting	3,200.00		3,200.00	Add'l Strategic Plan Development
6	3/16/2023	ACH	Byers Law Office	3,600.00		3,600.00	Legal Services
7	3/16/2023	EFT	CaPERS 457 Plan	8,156.84		8,156.84	EE's Contribution to Deferred Comp.- Pay Period 2/20 - 3/5
8	3/16/2023	EFT	CaPERS Retirement	26,296.86		26,296.86	EE & ER Payment to Retirement- Pay Period 2/20 - 3/5
9	3/16/2023	ACH	Cascade Fire Equipment	1,359.41		1,359.41	Hose
10	3/16/2023	ACH	Central Marin Sanitation Agency	3,034.01		3,034.01	FOG & Pretreatment Programs
11	3/16/2023	N/A	City of Foster City (CaIOPS Website)	540.00		540.00	Job Posting- Operator Grade III
12	3/16/2023	ACH	Contractor Compliance and Monitoring	4,588.50		4,588.50	Labor Compliance- Feb
13	3/16/2023	ACH	Core Utilities	2,550.00		2,550.00	IT Services- February
14	3/16/2023	N/A	CPM Construction	1,925.00		1,925.00	STPURWE- Scheduling & Estimating Services
15	3/16/2023	ACH	CPS HR	566.25		566.25	HR Consulting Services
16	3/16/2023	N/A	Danadjieva Hansen Architects	4,650.00		4,650.00	Consultation & Architectural Design Services- OCC Building
17	3/16/2023	ACH	Data Instincts	1,185.00		1,185.00	Public Information & Awareness Services
18	3/16/2023	EFT	Direct Dental	3,409.54		3,409.54	Dental Payments
19	3/16/2023	ACH	Du-All Safety	4,728.00		4,728.00	Safety and Training for LGVSD- Feb
20	3/16/2023	ACH	EOA	19,841.00		19,841.00	Regulatory & NPDES Permit Tech Support
21	3/16/2023	ACH	Ford, Ron	200.00		200.00	Health Reimbursement
22	3/16/2023	ACH	Gardeners Guild	1,238.00		1,238.00	Landscape Maintenance - March
23	3/16/2023	ACH	Grainger	3,975.48		3,975.48	Backflow Preventer, Fuses, Motor Starter, Sump Pump Float
24	3/16/2023	N/A	GraphicSmith	106.60		106.60	Internet Site Design- Feb
25	3/16/2023	ACH	Hanford ARC	3,770.00		3,770.00	Lower Miller Creek Revegetation Management Services
26	3/16/2023	N/A	Hazen and Sawyer	13,342.50		13,342.50	Digester Room MCC Upgrades, On-Call Engineering Services, Collections System Hydraulic Model Development
27	3/16/2023	N/A	Hildebrand Consulting	10,580.00		10,580.00	2023 Sewer Rate Study
28	3/16/2023	N/A	Jefferson Security	90.00		90.00	Alarm Updates at Plant
29	3/16/2023	ACH	Kennedy Jenks	12,923.00		12,923.00	Integrated Wastewater Master Plan Phase 2

Las Gallinas Valley Sanitation District Warrant List 3/16/2023 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	3/16/2023	ACH	Kenwood Energy	537.50		537.50	Solar PV System Upgrades
31	3/16/2023	ACH	Knights Electric	3,666.67		3,666.67	McInnis Pump Station Underground Wire Repair
32	3/16/2023	N/A	Kyocera Document Solutions	1,350.74		1,350.74	Misc. Parts & Toner for Copy Machines
33	3/16/2023	N/A	Linscott Engineering Contractors	1,854.00		1,854.00	Bio-Wheel Chain Repairs
34	3/16/2023	N/A	Marin Ace	7.63		7.63	Keys
35	3/16/2023	N/A	Marin County Ford	265.18		265.18	Maintenance on CMAX
36	3/16/2023	ACH	Marin Independent Journal	137.74		137.74	Publication of Ordinance 191
37	3/16/2023	N/A	Marin Water	11,548.83		11,548.83	Water Usage @ Pump Stations & Plant
38	3/16/2023	N/A	McMaster-Carr	489.79		489.79	Pipes
39	3/16/2023	N/A	McPhail Fuel Company	1,027.88		1,027.88	Propane
40	3/16/2023	N/A	Municipal Maintenance Equipment	143.76		143.76	Sprocket
41	3/16/2023	ACH	Murray, Craig	2,005.28		2,005.28	Health Reimbursement, NACWA Winter Conference Reimbursement
42	3/16/2023	N/A	North Valley Labor Compliance Services	150.00		150.00	Labor Compliance for Hanford ARC
43	3/16/2023	N/A	Oberkamper & Associates	1,472.00		1,472.00	STPURWE- Bio Wheel Alignment Markers
44	3/16/2023	N/A	Operating Engineers	658.98		658.98	Union Dues- 3/10 Paydate
45	3/16/2023	N/A	Pacific Gas & Electric	13,906.50		13,906.50	Pump Stations 1/18 - 2/15
46	3/16/2023	ACH	Paxton, Curtis	275.00		275.00	CASA DC Policy Forum Reimbursement
47	3/16/2023	N/A	Platt Electric Supply	372.46		372.46	Misc. Supplies
48	3/16/2023	N/A	Proforma	780.07		780.07	LGVSD Knit Caps, Business Cards
49	3/16/2023	N/A	R. Alexander Associates	175.00		175.00	Biosolids Compost Market Research Study
50	3/16/2023	ACH	Retiree Augusto	148.68		148.68	Retiree Health -April
51	3/16/2023	ACH	Retiree Burgess	132.25		132.25	Retiree Health -April
52	3/16/2023	ACH	Retiree Cummins	132.25		132.25	Retiree Health -April
53	3/16/2023	ACH	Retiree Cutri	448.36		448.36	Retiree Health -April
54	3/16/2023	ACH	Retiree Emanuel	269.02		269.02	Retiree Health -April
55	3/16/2023	ACH	Retiree Gately	269.02		269.02	Retiree Health -April
56	3/16/2023	ACH	Retiree Guion	269.02		269.02	Retiree Health -April
57	3/16/2023	ACH	Retiree Kermoian	132.25		132.25	Retiree Health -April
58	3/16/2023	ACH	Retiree Mandler	132.25		132.25	Retiree Health -April

Las Gallinas Valley Sanitation District Warrant List 3/16/2023 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
59	3/16/2023	ACH	Retiree McGuire	698.50		698.50	Retiree Health -April
60	3/16/2023	ACH	Retiree Memmott	185.29		185.29	Retiree Health -April
61	3/16/2023	ACH	Retiree Petrie	148.68		148.68	Retiree Health -April
62	3/16/2023	ACH	Retiree Pettey	132.25		132.25	Retiree Health -April
63	3/16/2023	ACH	Retiree Reetz	415.50		415.50	Retiree Health -April
64	3/16/2023	ACH	Retiree Reilly	132.25		132.25	Retiree Health -April
65	3/16/2023	ACH	Retiree Vine	132.25		132.25	Retiree Health -April
66	3/16/2023	ACH	Retiree Wettstein	732.00		732.00	Retiree Health -April
67	3/16/2023	ACH	Retiree Williams	732.00		732.00	Retiree Health -April
68	3/16/2023	ACH	Robards, Gary	200.00		200.00	Health Reimbursement
69	3/16/2023	N/A	Roy's Sewer Service	3,300.00		3,300.00	Digester Line Cleaning, Grit Spill Clean-Up
70	3/16/2023	N/A	Ryan Processing	710.63		710.63	Weavewire Screen
71	3/16/2023	ACH	Satcom Global	170.06		170.06	Monthly Satelight Phone Service
72	3/16/2023	ACH	Univar	13,855.52		13,855.52	Sodium Bisulfite & Hypochlorite
73	3/16/2023	EFT	Vision Service Plan	542.25		542.25	Vision- March
74	3/16/2023	N/A	Vulcan Materials Company	120.99		120.99	Concrete
75	3/16/2023	N/A	Water Components & Building Supply	163.89		163.89	Misc. Supplies
76	3/16/2023	N/A	West Yost	12,631.25		12,631.25	Baseline Assessments of Wastewater and Collections Systems
77	3/16/2023	EFT	WEX Health	50.00		50.00	FSA Admin Fee
78	3/16/2023	ACH	Yezman, Crystal	200.00		200.00	Health Reimbursement

**Las Gallinas Valley Sanitation District
Warrant List 3/16/2023 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
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Do not change any formulas below this line. Staff Internal Controls Only.

	TOTAL	\$ 372,914.27	-	\$ 372,914.27	
EFT1	EFT1 = Payroll (Amount Required)	153,819.44		153,819.44	Approval:
EFT2	EFT2 = Bank of Marin loan payments	0.00		0.00	
PC	Petty Cash Checking	0.00		0.00	Finance
>1	Checks (Operating Account)	0.00		0.00	
N/A	Checks - Not issued	90,694.30		90,694.30	GM
EFT	EFT = Vendor initiated "pulls" from LGVSD	38,455.49		38,455.49	
ACH	ACH = LGVSD initiated "push" to Vendor	89,945.04		89,945.04	Board
	Total	<u>\$ 372,914.27</u>		<u>\$ 372,914.27</u>	

Difference: \$ _____

STPURWE Costs 15,831.50

Agenda Item 2C
Date March 16, 2023

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	4
Ron Ford	2
Craig Murray	5
Gary Robarts	3
Crystal Yezman	<u>6</u>
Total	<u><u>20</u></u>

Meeting Date: 3/16/2023
Paydate: 3/24/2023



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MEGAN CLARK Month: FEB. 2023

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/2	REG	X	
2/16	REG	X	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/3	NBWA	X	
2/24	EMERG. PREPAREDNESS	X	
TOTAL		2	

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

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

Megan Clark 2/23/23
 Director Signature Date
[Signature] 2/23/23
 Administrative Services Manager Approved Date
[Signature] 2/23/23
 Board Secretary Received Date



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BOARD MEMBER ATTENDANCE FORM

Director's Name: Ronald Ford Month: February 2023



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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
01/05 2/2	Reg. Board	X	
01/19 2/16	Reg. Board	X	
TOTAL		2	

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	2
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I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

Ron Ford  _____ Date 02/2023
 Director Signature
 _____ Date 3/2/23
 Administrative Services Manager Approved
 _____ Date 2/23/23
 Board Secretary Received _____ Date



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BOARD MEMBER ATTENDANCE FORM

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

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/2/23	Board Meeting	X	
2/16/23	Board Meeting	X	
TOTAL		2/2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/5,12/23	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 2/5 1.0 hr; 2/12 1.5 hr		XX
2/9/23	MCSDA Meeting		X
2/9/23	Marin LAFCo		X
2/13,14,15, 16/23	NACWA Winter Conference - Sonoma	XXX	X
2/23/23	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting	X	
TOTAL		3/8	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	5/10
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I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.



 Director Signature


 Administrative Services Manager Approved


 Board Secretary Received

February 17, 2023

 Date
 3/3/23

 Date
 2/17/23

 Date

BOARD MEMBER ATTENDANCE FORM

Director's Name GARY ROBARDS Month: Feb 2023

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/2/23	Regular Board Meeting	✓	
2/16/23	Regular Board Meeting	✓	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/1/23	Gallinas Watershed	✓	
TOTAL			

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

[Signature]
Director Signature

2/28/23
Date

[Signature]
Administrative Services Manager Approved

3/3/23
Date

[Signature]
Board Secretary Received

3/1/23
Date





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BOARD MEMBER ATTENDANCE FORM

Director's Name: Yezman Month: FEB 2023

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
02/02/2023	Regular Board Mtg	X	
TOTAL		1	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
02/09/2023	MCSDA Meeting	X	
02/13-02/15/2023	NACWA Winter Conference	XXX	
02/24/2023	Marin Biomass Coalition	X	
TOTAL		5	

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

02/27/2023
 Date

[Signature]
 Administrative Services Manager Approved

3/3/23
 Date

[Signature]
 Board Secretary Received

2/27/23
 Date

AGENDA ITEM 20
DATE March 16, 2023



BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 3/7/22 Name: MURRAY, Craig K.

I would like to attend the Implementing the Inflation Reduction Act and
Infrastructure Investment and Jobs Act Meeting of Environmental and
Energy Study Institute

To be held on the 9th day of March from 1100am a.m.
/ p.m. to 9th day of March from to 1230pm a.m. / p.m.

Location of meeting: Washington DC,

Actual meeting date(s): March 9, 2023

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

Purpose of Meeting: Review of Both Acts

Meeting relevance to District: Federal Legislation; Energy System and
Infrastructure Modernization; Biofuels

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

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: March 7, 2023

To view this email as a web page, go [here](#).



Environmental and Energy Study Institute

Briefing Notice

Implementing the *Inflation Reduction Act* and *Infrastructure Investment and Jobs Act*

Briefing Series: Congressional Climate Camp

Thursday, March 9, 2023
2:00 PM - 3:30 PM EST

Snacks Provided

Rayburn House Office Building, Room 2168 (Gold Room)
45 Independence Ave SW, Washington, DC 20515

Free and open to the public
[Please RSVP to expedite check-in](#)

A live webcast will be streamed at 2 PM EST at www.eesi.org/livecast
[@eesionline](#) [#eesitalk](#)



Ready to make a difference in climate policy? But not sure where to start? We have you covered. The **Environmental and Energy Study Institute (EESI)** invites you to join us for our start-of-the-new Congress briefing series, Climate Camp. We will go over the basics of the legislative process, highlighting key areas and opportunities for climate mitigation and adaptation policy.



Our fourth session in EESI's Congressional Climate Camp series is on implementing the *Inflation Reduction Act* (IRA) and *Infrastructure Investment and Jobs Act* (IIJA). These laws provide billions of dollars to confront the climate crisis and strengthen critical infrastructure. Panelists will provide an update on the status of their implementation, describe how state and local governments and organizations are accessing funds, and explain the oversight role Congress must play to maximize these investments.

Panel I:

- **Henry McKoy, Jr.**, Director, Office of State and Community Energy Programs, U.S. Department of Energy | [@ENERGY](#)
- **David Terry**, President, National Association of State Energy Officials (NASEO) | [@naseo_energy](#)

Panel II:

- **Sarah Kline**, Consultant, Bipartisan Policy Center | [@BPC_Bipartisan](#)
- **Kevin Rennert**, Fellow; Director, Federal Climate Policy Initiative, Resources for the Future | [@rff](#)
- **Duanne Andrade**, Executive Director, Solar and Energy Loan Fund (SELF) | [@SolarEnergyLoan](#)
- **Jana Barresi**, Head of Washington, D.C., Office, Lowe’s Companies Inc. | [@Lowe’s](#)

Congressional Climate Camp schedule:

- [Budget and Appropriations](#) - Recording Available
- [Public Polling on Climate Change](#) - Recording Available
- [Non-CO2 Greenhouse Gases](#) - Recording Available
- March 9: [Implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act](#)

This event is free and open to the public. [Please RSVP.](#)

Materials from this briefing will be posted [here](#) after the event.

For more information, contact Dan O'Brien at dobrien@eesi.org or (202) 662-1880.

Environmental and Energy Study Institute
Building a Sustainable Future

www.eesi.org

EESI is an independent 501(c)(3) non-profit organization established in 1981 by a bipartisan Congressional caucus to provide timely information and develop innovative policy solutions that set us on a cleaner, more secure and sustainable energy path.



CFC #10627

This email was sent to: craig_murray@ci.richmond.ca.us

This email was sent by: Environmental and Energy Study Institute (EESI)
1020 19th Street, NW Suite 400, Washington, DC, 20036 USA

AGENDA ITEM 25
DATE March 16, 2023



**BOARD MEMBER CONFERENCE/
MEETING/WEBINAR ATTENDANCE REQUEST**

Date: 3/7/22 Name: MURRAY, Craig K.

I would like to attend the 2023 Sustainable Energy in America

Factbook Meeting of Environmental and Energy Study Institute

To be held on the 15th day of March from 1200pm

a.m. / p.m. to 15th day of March ~~from~~ to 130pm a.m. / p.m.

Location of meeting: Washington DC,

Actual meeting date(s): March 15, 2023

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

Purpose of Meeting: Review Renewable Power Deployment

Meeting relevance to District: American energy transformation and annual performance review; renewable natural gas

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

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: March 7, 2023

Board approval obtained on Date: _____

To view this email as a web page, go [here](#).



**The Business Council
for Sustainable Energy**



EESI
Environmental and
Energy Study Institute

Briefing Notice

2023 Sustainable Energy in America Factbook

Wednesday, March 15, 2023
3:00 PM - 4:30 PM EDT
Rayburn House Office Building Room 2044
45 Independence Ave SW, Washington, DC 20515

Reception to follow

Free and open to the public
Please RSVP to expedite check-in

A live webcast will be streamed at 3 PM EDT at www.eesi.org/livecast
 @eesionline #eesitalk



Sponsored by:

**Business Council for Sustainable Energy and
 Environmental and Energy Study Institute**



2022 was a record-breaking year for investment in the energy transition and the deployment of renewable power, battery storage, and sustainable transportation according to the eleventh edition of the *Sustainable Energy in America Factbook*. The *Factbook*, published by [BloombergNEF \(BNEF\)](#) and the [Business Council for Sustainable Energy \(BCSE\)](#), was released on March 1, and is available to download for free at www.bcse.org/factbook.

The *Factbook* provides valuable year-over-year data and insights on the American energy transformation, with an in-depth look at the energy efficiency, renewable energy, and natural gas sectors, as well as emerging areas such as digitalization, micro-grids, offshore wind, hydrogen, and renewable natural gas.

Speakers for this forum are:

- **Vincent Barnes**, Senior Vice President, Policy and Research, Alliance to Save Energy | [@ToSaveEnergy](#)
- **Charles Bolden**, Senior Director of Congressional Affairs, Solar Energy Industries Association | [@SEIA](#)
- **Amy Farrell**, Senior Vice President of Government and Public Affairs, CRES Forum | [@CRESenergy](#)
- **Lisa Jacobson**, President, Business Council for Sustainable Energy | [@BCSECleanEnergy](#)
- **Jennifer Kane**, Energy Policy Leader, Trane Technologies | [@Trane_Tech](#)
- **Billie Kaumaya**, Senior Director, Federal Affairs, American Clean Power | [@USCleanPower](#)
- **Yvonne McIntyre**, Vice President, Federal Affairs, Pacific Gas and Electric Corporation | [@pge4me](#)
- **Ethan Zindler**, Head of Americas, BloombergNEF | [@BloombergNEF](#)

The eleventh edition of the *Factbook* provides new data and analysis about the performance of clean energy sectors by tracking year-on-year as well as long-term trends within the U.S. energy economy. Designed for a broad audience—from the energy professional, to the public policymaker, to the curious student—the Factbook offers an insightful and in-depth look at economics, market and investment dynamics, and technology trends.

This event is free and open to the public. [Please RSVP.](#)

Materials from this briefing will be posted [here](#) after the event.

For more information, contact Dan O'Brien at dobrien@eesi.org or (202) 662-1880 or Ruth McCormick, rmccormick@bcse.org, (202) 785-0507.

Environmental and Energy Study Institute
1020 19th Street, NW, Suite 400
Washington, DC 20036

www.eesi.org

EESI is an independent 501(c)(3) non-profit organization established in 1984 by a bipartisan Congressional caucus to provide timely information and develop innovative policy solutions that set us on a cleaner, more secure and sustainable energy path.



CFC #10627

This email was sent to: craig_murray@ci.richmond.ca.us

This email was sent by: Environmental and Energy Study Institute (EESI)
1020 19th Street, NW Suite 400, Washington, DC, 20036 USA



**BOARD MEMBER
MEETING ATTENDANCE REQUEST**

Date: 3-8-23 Name: Megan Clark

I would like to attend the Understanding Implicit Bias Meeting
of CSDA

To be held on the 14th day of March from 10:00 a.m. / p.m. to 12:00 pm
14th day of March from _____ a.m. / p.m.

Location of meeting: WEBINAR

Actual meeting date(s): SEE ABOVE

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

Purpose of Meeting: INFO

Meeting relevance to District: HR

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

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): 0

Date submitted to Board Secretary: 3-9-23

Board approval obtained on Date: _____

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



Item Number _____ 2G _____

GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors
From: Michael P. Cortez, PE, District Engineer
 (415) 526-1518; mcortez@lqvsd.org
Mtg. Date: March 16, 2023
Re: Approve Aqua Contract for Bidding and Construction Services for the TWAS Enclosure/Sludge Basin and Reception Pad Project
Item Type: Consent Action _____ Information _____ Other _____
Standard Contract: Yes No _____ (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board to approve contract with Aqua Engineering for engineering support services during bidding and construction of the TWAS Enclosure/Sludge Basin and Reception Pad project in the amount of \$156,280.

BACKGROUND

The initial target completion date of end of December 2022 for the Secondary Treatment Plant Upgrade and Recycled Expansion (STPURWE) project prompted District staff to bid the TWAS Enclosure/Sludge Basin and Reception Pad as a single project separately, which is currently advertised for public bid. Design services for most of these project components were covered under the STPURWE project.

In response to District staff request, Aqua Engineering submitted a proposal for bidding and construction engineering support services on time-and-expense basis, value of services not to exceed \$156,280. Scope of services includes but is not limited to the following:

- Responding to questions by bidders and issuing addenda;
- Evaluation of bids;
- Preparing responses to submittals and RFIs; and,
- Miscellaneous meetings and site visits.

Staff has reviewed the proposal and deemed the scope of work and fee estimate reasonable.

PREVIOUS BOARD ACTION

Board approved Call for Bids for TWAS Enclosure/Sludge Basin and Reception Pad Project on February 2, 2023.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

\$156,280, funding source will be through budget reallocation from other FY 2022-2023 CIP projects.



February 28, 2023

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

**Re: Las Gallinas Valley Sanitary District – Additional Engineering Services
 TWAS Enclosure/Sludge Basin & Reception Pad Construction Support Services**

Dear Mr. Cortez:

AQUA Engineering (AQUA) thanks you for the opportunity to work with the Las Gallinas Valley Sanitary District (District) on this project. The District identified additional items to be added to AQUA’s scope. AQUA has identified those items with a brief description and presents them in this letter along with the estimated cost to add these items to the scope of the project. The items are separated into design services and bidding/construction support services as follows:

Bidding & Construction Engineering Support Services	Associated Fee
1. Bidding & Construction Engineering Services – Engineering support services during bidding and construction activity including: <ul style="list-style-type: none"> A. BIDDING SERVICES <ul style="list-style-type: none"> i. Answer bidder/contractor questions during bidding. ii. Conduct pre-bid on-site walkthrough with potential bidders. iii. Assist the District in reviewing submitted bid packages from contractors. B. CONSTRUCTION SERVICES <ul style="list-style-type: none"> i. Review submittals and RFIs from the contractor during construction. ii. Attend weekly construction and progress meetings (remotely) to be coordinated by the construction manager. iii. Two (2) site visits during construction (in addition to the pre-bid walkthrough) to coordinate construction efforts and/or assist with startup/commissioning efforts. iv. Update O&M manuals to include new processes and equipment. Update Standard Operating Procedures (SOPs) for new processes. v. Conduct pre-bid on-site walkthrough with potential bidders. vi. Assist the District in reviewing submitted bid packages from contractors. 	\$156,280.00
Total	\$156,280.00

A breakdown of the anticipated hours as well as a copy of the subconsultants fees is attached as Exhibit A.

Exclusions & Assumptions

1. Estimated bidding timeline is approximately 6 weeks from public release of package to bidding parties to review of submitted proposal packages.
2. Estimated construction support services assumed to span 13 months from pre-construction/mobilization to startup/commissioning.
3. Review or design of any other processes, equipment, or facilities.
4. Sample collection, lab work, or testing.
5. Construction management services.
6. Daily site inspections, special inspections, or other site observations beyond the site visits listed above.
7. Programming/integration of new processes and equipment.
8. Other engineering, design, or technical services beyond those specifically listed in the above scope.

Any additional services requested in excess of those listed above will be performed at the rates and fees shown in the attached Exhibit B. If this proposal meets with your approval, please sign below and return one copy to our office. We will invoice you at the beginning of each month for services performed during the previous month. Payment is due thirty days from the date of invoice.

If additional information is required, please contact me.

Sincerely,



Eric Sahm, Project Engineer
AQUA Engineering

Accepted by:

(Print Name)

Authorized Signature

Date

Attest: (If Required)

(Print Name)

Authorized Signature

Date

I. SCOPE

AQUA Engineering (AE) agrees to perform the services described in the proposal attached hereto which incorporates these terms and conditions. Unless modified in writing by the parties hereto, the duties of AE shall not be construed to exceed those services specifically set forth in the proposal. These terms and conditions and the proposal, when executed by Client, shall constitute a binding agreement on both parties (hereinafter the "Agreement").

II. COMPENSATION

Client agrees to pay for the services in Article I in accordance with the compensation provisions in the proposal. Payment to AE will be made within 30 days after the date of billing. Interest on the unpaid balance will accrue beginning on the 31st day at the maximum interest rate permitted by law.

Time-related charges will be made in accordance with the billing rate referenced in the proposal or Agreement. Direct expenses and Subcontractor services shall be billed in accordance with the proposal or compensation exhibit attached to this Agreement. Otherwise, AE's standard billing rates shall apply.

III. RESPONSIBILITY

AE is employed to render a professional service only, and any payments made by Client are compensation solely for such services rendered and recommendations made in carrying out the Work. AE shall perform the services in accordance with generally accepted engineering practices and standards in effect when the services are rendered. AE does not expressly or impliedly warrant or guarantee its services.

In performing construction management services, AE shall act as agent of Client. AE's review or supervision of work prepared or performed by other individuals or firms employed by Client shall not relieve those individuals or firms of complete responsibility for the adequacy of their work.

The presence of AE's personnel at a construction site, whether as on-site representative, resident engineer or construction manager, shall be for the sole purpose of determining that the work is generally proceeding in conformance with the intent of the project specifications and contract documents and does not constitute any form of guarantee or assurance with respect to contractor's performance. AE shall have no responsibility for the contractor's means, methods, techniques, sequences, for safety precautions and programs incident to the contractor's work, or for any failure of contractor to comply with laws and regulations applicable to performing its work.

IV. INDEMNIFICATION

AE agrees to indemnify, defend, and hold Client harmless from and against any liability to the extent arising out of the negligent acts, errors or omissions of AE, its agents, employees, or representatives, in the performance of duties under the Agreement. Regardless of any other term of this Agreement, in no event shall AE be responsible or liable to the other for any incidental, consequential, or other indirect damages. The Client agrees to limit AE's liability for the Client's damages to AE's fee.

V. ATTORNEYS' FEES

In the event of any litigation arising from or related to this Agreement or the services provided under this Agreement, the prevailing party shall be entitled to recover from the nonprevailing party all reasonable costs incurred, including staff time, court costs, attorneys' fees and all other related expenses in such litigation.

VI. INSURANCE

AE shall maintain during the life of the Agreement the following minimum insurance:

1. **Comprehensive general liability** insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
2. **Automobile bodily injury and property damage liability** insurance covering owned, non-owned, rented, and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000
3. **Statutory Worker's compensation and employers' liability** insurance as required by state law.
4. **Professional liability** insurance with limits of not less than \$1,000,000.

VII. SUBCONTRACTS

AE shall be entitled, to the extent determined to be appropriate by AE, to subcontract any portion of the Work to be performed under this Agreement.

VIII. ASSIGNMENT

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. The Agreement is not to be assigned by either Client or AE without the prior written consent of the other.

IX. INTEGRATION

These terms and conditions and the proposal to which they are attached represent the entire understanding of Client and AE as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties, provided further that any terms and conditions in any Task Order or purchase order issued in connection or under the Agreement which are inconsistent with the Agreement are deemed null and void.

X. CHOICE OF LAW/JURISDICTION

This Agreement shall be administered and interpreted under the laws of the state in which the AE office responsible for the project is located. Jurisdiction of litigation arising from the Agreement shall be in that state.

XI. SEVERABILITY

If any part of the Agreement is found unenforceable under applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said laws, but the remainder of the Agreement shall be in full force and effect.

XII. NO BENEFIT FOR THIRD PARTIES

The services to be performed by AE hereunder are intended solely for the benefit of Client, and no right or benefit is conferred on, nor any contractual relationship intended or established with any person or entity not a party to this Agreement. No such person or entity shall be entitled to rely on AE's performance of its services hereunder.

XIII. WORK PRODUCT

AE and Client recognize that AE's work product submitted in performance of this Agreement is intended only for the Client's benefit and use. Change, alteration, or reuse on another project by Client shall be at Client's sole risk, and Client shall hold harmless and indemnify AE against all losses, damages, costs and expense, including attorneys' fees, arising out of or related to any such unauthorized change, alteration or reuse.

Any signed, stamped and dated Construction Documents prepared by the Consultant are the Work Product. CADD files are furnished for convenience only. The transfer of the CADD files for use by the Client shall not be deemed a sale and the Consultant makes no warranty, either express or implied, of merchantability or fitness for any particular purpose.

XIV. SUSPENSION OF WORK

Work under this Agreement may be suspended as follows:

1. **By Client.** By written notice to AE, Client may suspend all or a portion of the Work under this Agreement if unforeseen circumstances beyond Client's control make normal progress of the Work impracticable. AE shall be compensated for its reasonable expenses resulting from such suspension including mobilization and de-mobilization. If suspension is greater than 30 days, then AE shall have the right to terminate this Agreement in accordance with Article XIV, Termination of Work.
2. **By AE.** By written notice to Client, AE may suspend the Work if AE reasonably determines that working conditions at the Site (outside AE's control) are unsafe, or in violation of applicable laws, or for other circumstances not caused by AE that are interfering with the normal progress of the Work. AE's suspension of Work hereunder shall be without prejudice to any other remedy of AE at law or equity.

XV. TERMINATION OF WORK

This Agreement may be terminated as follows

1. **Client** (a) for its convenience on 30 days' notice to AE, or (b) for materially breaches this Agreement through no fault of Client and AE neither cures such material breach nor makes reasonable progress toward cure within 15 days after Client has given written notice of the alleged breach to AE.
2. **By AE** (a) for cause, if Client materially breaches this Agreement through no fault of AE and Client neither cures such material breach nor makes reasonable progress toward cure within 15 days after AE has given written notice of the alleged breach to Client, or (b) upon five days' notice if Work under this Agreement has been suspended by either Client or AE in the aggregate for more than 30 days.
3. **Payment upon Termination.** In the event of termination, AE shall perform such additional work as is reasonably necessary for the orderly closing of the Work. AE shall be compensated for all work performed prior to the effective date of termination, plus work required for the orderly closing of the Work. Except for termination of AE by Client for cause, AE shall also receive a termination fee equal to 15 percent of the total compensation yet to be earned under existing authorizations at the time of termination.

XVI. NOTICES

All notices required under this Agreement shall be by personal delivery, facsimile or mail to the AE Project Manager and to the person signing the proposal on behalf of the Client, and shall be effective upon delivery to the addressed stated in the proposal

EXHIBIT A

LGVSD TWAS Structure & Sludge Storage - Construction Services				
	Task	Hours	Rate	Total
1	Bidding & Construction Engineering Services			
	1.1 - Bidding Assistance (1 site Visit)			
	Principal	6	\$ 210.00	\$ 1,260.00
	Engineer III	34	\$ 195.00	\$ 6,630.00
		Subtotal		\$ 7,890.00
	1.2 - Construction Site Visits			
	Engineer III	36	\$ 195.00	\$ 7,020.00
		Subtotal		\$ 7,020.00
	1.3 - Weekly Meetings			
	Principal	28	\$ 210.00	\$ 5,880.00
	Engineer III	84	\$ 195.00	\$ 16,380.00
	EE Principal	10	\$ 210.00	\$ 2,100.00
		Subtotal		\$ 24,360.00
	1.4 - Submittals, RFIs, and District/CM Coordination			
	Principal	36	\$ 210.00	\$ 7,560.00
	Engineer III	260	\$ 195.00	\$ 50,700.00
	Engineer II	80	\$ 175.00	\$ 14,000.00
	EE Principal	32	\$ 210.00	\$ 6,720.00
	EE Engineer III	90	\$ 195.00	\$ 17,550.00
	CAD III	40	\$ 135.00	\$ 5,400.00
		Subtotal		\$ 101,930.00
	1.5 - O&M/SOP Updates			
	Principal	8	\$ 210.00	\$ 1,680.00
	Engineer III	40	\$ 195.00	\$ 7,800.00
	Engineer II	32	\$ 175.00	\$ 5,600.00
		Subtotal		\$ 15,080.00
	Total Hours		816	
	Total for Bidding & Construction Services			\$ 156,280.00

EXHIBIT B

2023 BILLING RATE SCHEDULE

**Civil Engineering
 Hourly Billing Rates**

Senior Principal Engineer	215
Principal Engineer/Project Manager	210
Project Engineer III	195
Project Engineer II	175
Project Engineer I	155
Planner/Funding Specialist	135
CAD Designer/Manager	145
CAD Designer III	135
CAD Designer II	125
CAD Designer I	110
Administrative/Project Coordinator	95
Const. Management Specialist	160
On-Site Construction Inspection	135

**Electrical & Controls Engineering (SKM)
 Hourly Billing Rates**

Electrical Principal Engineer	215
Electrical Engineer III	195
Electrical Engineer II	175
Electrical Engineer I	155
CAD Designer/Manager	145
CAD Designer III	135
CAD Designer II	125
CAD Designer I	110
Controls Engineer III	170
Controls Engineer II	155
Controls Engineer I	140
Electrical Transmission Engineer	205
Administrative	95

Reimbursable Expenses Schedule

Additional expenses will be handled in the following manner:

- | | |
|------------------|--|
| Mileage: | IRS per mile rate for vehicles not rented |
| Printing Costs: | Pass through at cost for project documents |
| Sub-Consultants: | Pass through at cost, no mark-up |



Item Number _____ 2H _____

GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors
From: Teri Lerch, Executive Assistant/Board Secretary
 (415) 526-1510; tlerch@lgsd.org
Mtg. Date: March 16, 2023
Re: Approve Resolution 2023-2301 adopting revised Board Policies O-40 (Customer Support) and M-10 (Public Involvement and Outreach)
Item Type: Consent Action _____ Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable .

STAFF RECOMMENDATION

Attached for approval is Resolution 2023-2301 updating Board Policies O-40 (Customer Support) and M-10 (Public Involvement and Outreach).

BACKGROUND

The Board has requested to review and update Board Policies.

PREVIOUS BOARD ACTION

On March 2, 2023, the Board reviewed Policies O-40 (Customer Support) and M-10 (Public Involvement and Outreach) with staff and requested it come back to the Board for approval.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

RESOLUTION NO. 2023-2301

A RESOLUTION APPROVING BOARD POLICIES REVISION FOR O-40 (CUSTOMER SUPPORT) AND M-10 (PUBLIC INVOLVEMENT AND OUTREACH)

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 March 2, 2023 the Board reviewed and suggested changes to Board Policies O-40 (Customer Support) and M-10 (Public Involvement and Outreach); and

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy sections: O-40 CUSTOMER SUPPORT AND M-10 PUBLIC INVOLVEMENT AND OUTREACH. The previously approved Board Policies O-40 and M-10 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 foregoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 16th day of March 2023, by the following vote of the members thereof:

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

Teresa Lerch, Board Secretary

APPROVED:

Megan Clark, Board President

FINAL

O-40 CUSTOMER SUPPORT

Purpose

This policy covers procedures for customer input, questions, and approvals.

O-40-10 Public Input and Questions. The Board desires that the public have opportunities to provide input, ask questions, and participate in the local government process and that they be treated courteously and with respect during any interaction with Staff or the Board. (See Policy M-10 on Outreach for more detailed information.)

O-40-15 Communication. The Board and staff will endeavor to respond to customer inquiries within 24 hours.

O-40-20 Complaints. Public complaints should be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic. A complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, or state or federal statute of which the individual has been adversely affected.

O-40-30 Steps to Resolve Complaints. The method of resolving complaints shall be:

- The individual with a complaint shall first discuss the matter with the Administrative Services Manager, or other responsible employee, with the objective of resolving the matter informally.
- If the individual registering the complaint is not satisfied with the disposition of the complaint by the Administrative Services Manager, or other responsible employee, the complaint may be filed with the General Manager, or other responsible managing employee. The General Manager, or other responsible managing employee may conduct conferences and take testimony or written documentation in the resolution of the complaint. The individual filing the complaint may request a written decision from the General Manager [or other responsible managing employee].
- If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, or other responsible managing employee, a written complaint may be filed with the entire Board. The Board may consider the matter at the next regular meeting, or call a special meeting. The Board shall expeditiously resolve the matter. The individual filing the complaint may request a written decision from the Board.

This policy in no way prohibits or is intended to deter a member of the community or Staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

Resolution No. 2023-2301	Date Approved: March 16, 2023
President of the Board	Last Reviewed: March 2, 2023

MISCELLANEOUS

M-10 PUBLIC INVOLVEMENT AND OUTREACH

Purpose

This policy covers public involvement, public information, stakeholders, public input, and district spokesperson(s).

M-10-10 Customers. The District's public (customers) is the founder, ratepayer, owner and sole purpose for the existence of the District. Through the electoral process, customers selected a Board of peers to oversee the District and provide governance and oversight. In order to provide oversight of the Board and vote appropriately, the public needs to be kept informed of key issues surrounding the District.

Although on a day-to-day basis the public is pleased to delegate authority to the Board of Directors and Staff, on particular issues of importance--major capital projects, rate increases, significant regulatory and environmental issues--the public requires additional information and opportunities to provide input through public meetings, hearings and workshops. It is the policy of Las Gallinas Valley Sanitary District to provide appropriate communication and opportunities for public input.

Responsibility for public involvement and outreach is delegated to the General Manager with oversight by the Board or ad hoc committees, as deemed appropriate in each case.

Resolution No. 2023-2301	Date Approved: March 16, 2023
President of the Board	Last Reviewed: March 2, 2023

DRAFT

O-40 CUSTOMER SUPPORT

Purpose

This policy covers procedures for customer input, questions, and approvals.

O-40-10 Public Input and Questions. The Board desires that the public have opportunities to provide input, ask questions, and participate in the local government process and that they be treated courteously and with respect during any interaction with Staff or the Board. (See Policy M-10 on Outreach for more detailed information.)

O-40-15 Communication. The Board and staff will endeavor to respond to customer inquiries within 24 hours.

O-40-20 Complaints. Public complaints should be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic. A complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, or state or federal statute of which the individual has been adversely affected.

O-40-30 Steps to Resolve Complaints. The method of resolving complaints shall be:

- The individual with a complaint shall first discuss the matter with the Administrative Services Manager, or other responsible employee, with the objective of resolving the matter informally.
- If the individual registering the complaint is not satisfied with the disposition of the complaint by the Administrative Services Manager, or other responsible employee, the complaint may be filed with the General Manager, or other responsible managing employee. The General Manager, or other responsible managing employee may conduct conferences and take testimony or written documentation in the resolution of the complaint. The individual filing the complaint may request a written decision from the General Manager [or other responsible managing employee].
- If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, or other responsible managing employee, a written complaint may be filed with the entire Board. The Board may consider the matter at the next regular meeting, or call a special meeting. The Board shall expeditiously resolve the matter. The individual filing the complaint may request a written decision from the Board.

This policy in no way prohibits or is intended to deter a member of the community or Staff member from appearing before the Board to present verbally a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

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

MISCELLANEOUS

M-10 PUBLIC INVOLVEMENT AND OUTREACH

Purpose

This policy covers public involvement, public information, stakeholders, public input, and district spokesperson(s).

M-10-10 Customers. The District's public (customers) is the founder, ratepayer, owner and sole purpose for the existence of the District. Through the electoral process, customers selected a Board of peers to oversee the District and provide governance and oversight. In order to provide oversight of the Board and vote appropriately, the public needs to be kept informed of key issues surrounding the District.

Although on a day-to-day basis the public is pleased to delegate authority to the Board of Directors and Staff, on particular issues of importance--major capital projects, rate increases, significant regulatory and environmental issues--the public requires additional information and opportunities to provide input through public meetings, hearings and workshops, etc. It is the policy of Las Gallinas Valley Sanitary District to provide appropriate communication and opportunities for public input.

Responsibility for public involvement and outreach is delegated to the General Manager with oversight by the Board or ad hoc committees, as deemed appropriate in each case.

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



Item Number 21
GM Review CP

Agenda Summary Report

To: Board of Directors
From: Michael P. Cortez, PE, District Engineer
(415) 526-1518; mcortez@lqvsd.org
Mtg. Date: March 16, 2023
Re: Equipment Sole Source
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Board to approve Resolution 2023-2302 for procurement of specified single-source equipment.

BACKGROUND

California Public Contract Section 3400 requires bidding documents to include an “or equal” clause for construction projects subject to competitive public bidding whereby a contract is to be awarded to the lowest responsive and responsible bidder. However, the code provides exemptions that will allow the awarding agency to name a specific brand if it needs to match other products and equipment in use for current and future projects, or to obtain a necessary item that is only available from one source.

The Secondary Treatment Plant Upgrade and Recycled Water Expansion project and other previous construction projects required the installation of unique systems and equipment of specific brands for proper operation. Resolution 2023-2302 is necessary to allow procurement of components under Section 3400 to maintain uninterrupted and reliable operation of the various systems in the District collection system and wastewater treatment facilities.

PREVIOUS BOARD ACTIONS

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

RESOLUTION NO. 2023-2302

A RESOLUTION FINDING THAT CERTAIN PARTICULAR MATERIAL, PRODUCT, THING OR SERVICE NEED BE DESIGNATED BY A SPECIFIC BRAND OR TRADE NAME IN PROCESS EQUIPMENT REPAIR AND/OR REPLACEMENT

RESOLVED, by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California that:

WHEREAS, the District continues to undertake equipment replacement or repair, the scope of which is to repair, upgrade and/or improve equipment which are part of the District's collection system and wastewater treatment facilities; and

WHEREAS, said repair, upgrade and improvement of the existing equipment is necessary for the continued efficient operation of the District facilities; and

WHEREAS, in the future the District anticipates the necessity for like improvement projects for the general capital repair and maintenance of the District's sewer collection system, pump stations, and treatment facilities, which will entail the use of equipment, products and materials not unlike those to be used in previous projects; and

WHEREAS, the District Engineer has presented an opinion, based upon the equipment and materials and systems in use in existing facilities, that it is necessary to identify certain specific materials or products by a specific brand or trade name in future projects for the general capital repair and maintenance of the District's sewer collection system, pump stations, and treatment facilities, due to the overriding need to match other existing equipment, products and materials in the District's collection system and wastewater treatment facilities, now and in the future; and

WHEREAS, it is in the best interests of the efficient operation of the District's existing facilities and cost effectiveness of current and future projects to use those specified materials or products, as indicated in the "Summary of Specified Equipment," attached hereto as Exhibit "A," as they best match other equipment and products already in use in the District's existing facilities.

NOW, THEREFORE, THE BOARD MAKES THE FOLLOWING FINDINGS:

1. That pursuant to Public Contract Code § 3400 and based upon the opinion of the District Engineer the specification and designation of particular materials, products

or things by specific brand or trade name, as indicated in Exhibit "A" attached hereto, in current and future projects for the general capital repair and maintenance of the District's sewer collection system, pump stations, and treatment facilities, without the provision or allowance for "equal" materials, products or things to be submitted by any bidders for current or future projects, is necessary in order to match other products in use in the existing facilities; and

2. Furthermore, that the specification and designation of particular materials, products or things by specific brand or trade name will provide the current and future projects with higher quality and more cost-effective materials, products or things than if other brands or trade names were utilized even though they may be "equal" to those materials, products or things specified.

AND THEREFORE, THE BOARD HEREBY ORDERS:

1. That those materials, products or things identified and specified in the "Summary of Specified Equipment," attached hereto as Exhibit "A" shall be incorporated into the bid specifications for the current and future projects for the general capital repair and maintenance of the District's sewer collection system, pump stations, and treatment facilities, without the allowance for provision of "equal" material, products or things by any submitted bids.

* * * * *

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 March 16, 2023, by the following vote of the members thereof:

AYES, and in the favor thereof, Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members

Teresa Lerch, Board Secretary
Las Gallinas Valley Sanitary District

APPROVED:

(seal)

Megan Clark, President Board of Directors

**LAS GALLINAS VALLEY SANITARY DISTRICT
SUMMARY OF SPECIFIED EQUIPMENT**

EXHIBIT A

ITEM	PRIMARY EQUIPMENT/PRODUCT CHOICE	REASONS FOR NO "OR EQUAL"
Submersible Pumps	Flygt	To match existing pumps in use at all collections system pump stations and where appropriate in the treatment plant.
Fan Pump	Flygt	To match existing pumps in use at the effluent structures for E001 and E002.
Touch Screen/Human-Machine Interface (HMI)	Allen Bradley	To match existing Touch Screen/HMIs in use in many areas of the treatment plant.
Programmable Logic Controllers	Allen Bradley	To match existing controllers in use at all district facilities for SCADA control of process equipment.
Progressive Cavity Pumps	Seepex	To match existing pumps in use at Aeration Basin WAS Pump Station and Sludge Thickener.
Progressive Cavity Pumps	Moyno	To match existing pumps in use at the primary clarifiers.
Grit Pumps	Smith and Loveless Pista	To match existing pumps in use at the headworks.
Motor Operated Valves	Rotork	To match existing valves in use at many areas of the treatment plant.
Ultrasonic Level Instruments	Siemens Hydromanager	To match existing instruments in use at most collections system pump stations and throughout the treatment plant.
Peristaltic Chemical Metering Pumps	Blue and White	To match existing pumps in use at the chlorine and dechlorination buildings and other chemical pumping at the treatment plant.
Electric Magnetic Flow Meters	Foxboro/Schneider	To match existing flow meters in use throughout the treatment plant and a few collections system pump stations.
Gas Conditioning Skid Components	Unison	To match existing skids in use at the treatment plant anaerobic digesters.
Gas Meter	Kurz	To match existing meters in use at the treatment plant anaerobic digesters.

ITEM	PRIMARY EQUIPMENT/PRODUCT CHOICE	REASONS FOR NO "OR EQUAL"
Hydraulic Mixing Pump	Vaughn Rotamix	To match existing pump in use at the treatment plant anaerobic digesters.
Sludge Liquor Pump	Vaughn	To match existing pump in use at the treatment plant anaerobic digesters.
Various equip. PRV's, Flame Arrestors, etc.	Varec	To match existing equipment in use at the treatment plant anaerobic digesters.
Pre-Filter	Boll & Kirch	To match existing pre-filter in use at Recycled Water Facility.
Vertical Turbine Pumps	Cascade	To match existing pumps in use at Aeration Basin (Primary Effluent Pump Station).
Air Compressors	Kaeser	To match existing compressors in use at Aeration Basin.
Turbidimeters, Chlorine Analyzers, Dissolved Oxygen (DO) Analyzers, Oxidation Reduction Potential (ORP) Analyzers and Composite Samplers, etc.	Hach	To match existing equipment in use throughout treatment plant.
Air Blower	Dresser Roots	To match existing blower in use at Recycled Water Facility.
Air Compressor	Quincy	To match existing air compressor in use at Recycled Water Facility.

Agenda Item 27
Date March 16, 2023



ORDER REGARDING PUBLICATION

The Board of Directors finds that Ordinance 191, passed by the Board, was published in the Marin Independent Journal on February 21, 2023 as required by the California Health and Safety Code and have been available for inspection at the District's offices and on its website. This Order constitutes conclusive evidence of compliance with requirements for publication and posting of this ordinance. This Order shall be posted at the following locations and are available for inspection at the District's office.

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

1. Las Gallinas Valley Sanitary District Administrative Office
101 Lucas Valley Road, Suite 300
San Rafael, California 94903
2. Las Gallinas Valley Sanitary District Web Site
www.lgvsd.org

Signed this date at San Rafael, Marin County, California:

Date

Megan Clark, Board President

Marin Independent Journal

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

2074259

LAS GALLINAS VALLEY SANITARY
101 LUCAS VALLEY RD SUITE#300
SAN RAFAEL, CA 94903

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

**STATE OF CALIFORNIA
County of Marin**

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

02/21/2023

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

Dated this 1st day of March, 2023.



Signature

PROOF OF PUBLICATION

Legal No. 0006733792

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

ORDINANCE 191

**AN ORDINANCE OF AMENDING TITLE 1,
CHAPTER 2 OF THE ORDINANCE CODE OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT
TIME AND PLACE FOR REGULAR MEETINGS**

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

ARTICLE I.

The contents of Title 1, Chapter 2, Time and Place for Regular Meetings, Article I, Meetings, Section 101, Regular Meetings, is amended to read as follows:

***ARTICLE I. MEETINGS**

Section 101. Regular Meetings. The Regular Meetings of the Las Gallinas Valley Sanitary District shall be held on the first and third Thursdays of each and every calendar month starting at 4:30 pm.

The remainder of Section 101, which encompasses subsections (a) and (b) shall remain the same.

ARTICLE 2. ADOPTION AND NOTIFICATION

This Ordinance shall take effect and be in force either seven (7) days from the date of its passage and publication or as of February 23, 2023, whichever is later. The Ordinance or a summary of it shall be published once, with the names of the members of the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin. A certified copy of the full text of the proposed regulation or ordinance or proposed amendment to same shall be posted in the office of the clerk of the board, along with the names of those board members voting for and against the ordinance.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on February 16, 2023, by the following vote of members thereof:

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

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

APPROVED:
/s/Megan Clark, Board President
6733792 February 21, 2023

3/16/2023

General Manager Report

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




Item Number _____ 3.2 _____

GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors

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

Meeting Date: March 16, 2023

Re: Recommendations for Sewer Service Charge Increase

Item Type: Consent _____ Action _____ Information X Other _____.

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

STAFF RECOMMENDATION

Board to provide feedback on recommendations from Hildebrand Consulting that will be used to develop proposed sewer user charge rate increases for the upcoming Sewer Rate Study, and the inclusion of the proposed rate increases into the required Proposition 218 Notice that will be considered next month.

BACKGROUND

The Las Gallinas Valley Sanitary District awarded a contract to Hildebrand Consulting to conduct a sewer user charge cost of service and rate study. The study will assess and evaluate the District’s existing rate structure and rate policies, review current methodology, and make recommendations for potential alternative methods if needed.

The Board met with Mark Hildebrand of Hildebrand Consulting on February 16, 2023 and discussed Sewer Rate Study parameters and preliminary findings. Cash flow and fund structure were discussed. Approximately 82% of the revenue the District will receive in fiscal year 2022/23 is from sewer service rate revenues. Forecasted capital spending over the next three years, unless adjusted, will be higher than in recent years and significant funding will be required. Sewer rate increases will be needed to cover expenses and capital projects planned for fiscal years 2023-24 through 2026-27 and beyond.

During this meeting the draft final recommendations will be presented for both the financial plan and rate structure modifications. This meeting is the Board’s opportunity to provide feedback prior to the April 6th Board meeting, when final recommendations will be presented and the Board will be asked for direction on whether to send out the Proposition 218 notice.

PREVIOUS BOARD ACTION

On January 19, 2023, the Board awarded a contract to Hildebrand Consulting to conduct a Sewer User Charge Cost for Service and Rate Study. The Board discussed parameters with Hildebrand Consulting on February 16, 2023.

ENVIRONMENTAL REVIEW

N/A



FISCAL IMPACT

No additional impact. The consultant costs for this meeting are included in the contract previously awarded.

3/16/2023

DISTRICT REMEMBRANCE OF DIRECTOR SCHRIEBMAN


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



Item Number 4

GM Review CP

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager 
(415) 526-1519 dmcDonald@lqvsd.org
Meeting Date: March 16, 2023
Re: Alternative Work Schedules
Item Type: Consent Action X Information Other .
Standard Contract: Yes No (See attached) Not Applicable X .

STAFF RECOMMENDATION

Approve Side Letter incorporating language into the Memorandum of Understanding (“MOU”) that is required to implement alternative work schedules and authorize the General Manager to develop the administrative policies and procedures necessary to manage the alternative work schedule program.

BACKGROUND

The Las Gallinas Valley Sanitary District (“District”) is considering implementing alternative work schedules as a tool to help in recruitment and to stay competitive in today's job market. A proposed 9/80 schedule, consisting of working 9 days over a two week 80-hour period, has been identified as the most feasible alternative to the traditional 8-hour day and 40-hour work week.

The MOU between the District and Operating Engineers Local No. 3 (“OE3”) allows for adjustments and flexibility in the work schedule, such as alternative work schedules (e.g., 9/80), to be arranged at mutual agreement between the employee and District Management (*MOU Section 3.3.1, Work Schedules*). The MOU requires modification to comply with overtime provisions of the Fair Labor Standards Act (“FLSA”) before alternative work schedules can be implemented.

FutureSense, LLC completed an Employee Cultural Assessment Report in November 2021 and an Organizational Pulse Survey in July 2022 which identified employee dissatisfaction with the workplace flexibility offered by the District. Implementing an alternative work schedule program would help address this matter.

Authority

The General Manager (“GM”) has 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 provides day-to-day leadership of the District (*Board Policy B-80-10*). The GM must advise and consult with the Board on the development of proposed ordinances, resolutions, rules, regulations, policies, and procedures. The GM, along with the management team, will be responsible to make sure alternative work schedule programs continue to meet the operational needs of the District and do not cause any adverse agency impact.



Impacts

Implementing an alternative work schedule program will provide staff with more flexibility in the workplace. Staff will be able to choose working a traditional schedule or alternative work schedule upon approval by the General Manager.

Implementing an alternative work schedule program will enhance staff work life balance by allowing the District to focus available resources over a more concentrated operational window while offering staff additional time off for rest recovery and personal tasks.

Implementing alternative work schedules will reduce commute time and the subsequent impact on the environment by reducing vehicle mileage driven by 10% for each employee who participates in the 9/80 alternative work schedule program.

Implementing an alternative work schedule will have little impact to the operations and maintenance of the wastewater collection system, treatment plant, laboratory, and administrative functions.

- Collections will continue to provide the same level of service in the field with alternating Fridays off. Emergency after-hours response will continue to be provided by the collection system stand-by crew as needed.
- Plant operations will continue to keep the plant open Monday thru Friday, with employees being able to choose between two 9/80 scheduling options. Operators who choose to work an alternative work schedule will be evenly split between the two 9/80 schedules, with alternating Fridays off.
- Maintenance workers support both the plant and pump stations. Work is scheduled and more routine in nature. Coverage over both Fridays is not as critical as that of the plant operators. Management will determine the best operational needs when assigning 9/80 schedules.
- Laboratory support at the plant is required daily. Laboratory staff will have the opportunity to choose between two 9/80 schedules which will provide coverage Monday through Friday. Plant operators with lab certification can assist with sampling on weekends and holiday as required.
- The General Manager has the discretion to determine the start and ending time of all other classifications. This includes administration, engineering, and operational support staff.
- The plant will be open 6:00 am to 3:30 pm Monday thru Thursday, and from 6:00 am to 2:30 pm on Fridays. The District office will extend their office hours to the public to 3:30 pm Monday through Friday, and close on alternate Fridays.

Technology improvements and plant upgrades, along with Board supported plant staffing increases over the years, has allowed management the opportunity to consider eliminating the traditional rotational plant operator weekend shift. This will provide full operational staffing mid-week and give management more flexibility in assigning team projects. The scheduled standby operator will work an estimated 2-3 hours on the weekend and holidays and receive premium pay. Management supports moving to limited weekend coverage and has proposed implementing this change along with alternative work schedules.



Summary

Implementing the alternative work schedule program benefits both the District and its employees. Changes to the MOU will be incorporated into the Personnel Policy & Procedures of the District and will apply to all employees. The suspension of scheduling provisions of the overtime pay provisions of FLSA apply only to employees participating in the alternative work schedule program. All other provisions of the FLSA remain in effect for nonparticipating employees.

The Labor Management Committee, consisting of District and OE3 representatives, has approved the proposed language changes in the attached Side Letter on Alternative Work Schedules.

PREVIOUS BOARD ACTION

On August 19, 2021, the Board adopted the MOU between the District and OE3.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

The costs to implement the program are negligible, estimated to be between \$20,000 and \$27,000 in additional annual overtime for weekend, holiday, and emergency coverage.

Attachments

1. Side Letter on Alternative Work Schedules dated March 16, 2023
2. Proposal for Alternative Work Schedules with modifications required to implement Alternative Work Schedules – redline version.

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

ALTERNATIVE WORK SCHEDULES

March 16, 2023

I. Parties

The Parties to this Side Letter of Agreement (herein after “Side Letter”) are the Las Gallinas Valley Sanitary District (hereinafter referred to as the “District”) and the Operating Engineers Local No. 3 (hereinafter referred to as the “Union”).

II. Background

The Parties are the signatories to a Memorandum of Understanding (hereinafter referred to as the “MOU”) setting forth terms and conditions of employment for certain District employees. The terms set forth below amend the existing MOU. The Parties agree as follows:

III. MOU Side Letter

For Purposes of the MOU, this Side Letter shall replace the current language by replacing the following Sections upon adoption of the Board of Directors. The existing 2021-2023 MOU will, in all other respects, remain in effect without change through the term specified therein.

3.3.1 Work Schedules

The work schedule will be 6:00 am to 3:30 pm Monday through Thursday and 6:00 am to 2:30 pm on alternating Fridays for collections, maintenance, operations, and laboratory classification work groups. The General Manager has the discretion to determine the start and ending time of all other classifications. Plant operator schedules include rotational standby duty which may include responding to the plant on Saturdays, Sundays, and holidays.

Alternative 9/80 work schedules are the primary work schedules of the District. Adjustments and flexibility in the work schedule, such as working other alternative schedules or working a traditional 8-hour schedule, can be arranged at mutual agreement between the employee and District management.

The District work schedules are structured in one of the following ways:

1. Alternative 9/80 work schedule: A nine (9) hour workday, four (4) days per work week, and an alternating eight (8) hour workday, occurring once every other work week. A 9/80 schedule will result in 80 hours worked over a two-calendar week period.
2. Traditional 8-hour schedule: An eight (8) hour workday, five (5) days per week.

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

All Agency employees shall have an established standard workday and workweek schedule, with daily starting and ending times. Each employee is expected to observe his/her schedule, by being at work at their defined start time, and to stay at work until their defined ending time.

Work schedules may be modified or waived by the General Manager in the event of an emergency to ensure the safe operation and maintenance of the wastewater collection system, treatment plant, laboratory, and administrative functions.

3.3.2 Lunch and Breaks

Employees are entitled to a thirty (30) minute unpaid lunch break and two fifteen (15) minute paid rest breaks during the workday. An employee may use one fifteen (15) minute break to extend the lunch period to 45 minutes. An employee is entitled to an unpaid one-half (1/2) hour meal break for every five (5) hour work period. The lunch period should be scheduled at the middle of the work shift, whenever possible.

3.3.3 Workweek Defined

The District workweek is defined in one of the following ways:

1. For employees working the 9/80 schedule, the workweek shall begin four hours into the alternating eight-hour workday and conclude 168 hours later.
2. For employees working the traditional 8-hour schedule, the workweek shall begin at 00:00 hours on Monday and conclude the following Sunday at 24:00 hours.

Each employee choosing to work an alternative work schedule will have their defined workweek communicated in a written agreement with the employee and will be in compliance with FLSA requirements.

3.4 Payment of Wages

Employees are paid biweekly. Paychecks are issued by the District office on Friday for the two-week payroll period which ends the preceding Sunday at 24:00 hours (midnight).

3.5 Overtime

Occasionally, non-exempt employees may be required to work overtime. All overtime work must be authorized in advance except when an employee is on standby or is responding to an emergency. The District includes all hours worked and paid time off as eligible hours when calculating overtime. The District compensates for all overtime hours worked by non-exempt employees in accordance with state and federal law. The District has an overtime rounding up/rounding down policy which shall be followed in determining when and how much overtime will be reported.

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

- All hours worked in excess of employee's scheduled workday or forty (40) hours in one (1) workweek will be treated as overtime.
- A workday for overtime calculation begins at 00:00 hours (midnight) and ends twenty-four (24) hours later.
- Compensation for hours in excess of forty (40) for the workweek, or in excess of employees scheduled workday and not more than twelve (12) for the workday, will be paid at a rate of one and one-half times the employee's regular rate of pay.
- Compensation for hours in excess of twelve (12) in one (1) workday will be paid at double the regular rate of pay.
- Employees required to work Sundays will be paid double the regular rate of pay for work performed on Sunday.
- Employees whose regularly scheduled workday falls on a paid holiday and who work the holiday will receive holiday pay at one and one-half times the employee's regular rate of pay. Overtime earned for working the holiday will be added to the employee's compensatory time off bank, subject to the accumulation cap in section 15.12.
- Employees who are required to work during their unpaid meal period and receive prior approval from their supervisor shall receive time and one half for their meal period.

3.6 Standby / Call-Back

Employees scheduled for standby are entitled to premium pay. Employees called-back to perform regular or emergency after-hours work are entitled to premium pay.

3.6.1 Standby

Employees who are scheduled for standby duty will receive a pay premium of two hours of straight time for each day the employee is assigned standby duty. Standby duty begins when the employee leaves the work site after a regular scheduled shift. Standby compensation shall be limited to pay only and cannot be converted to compensatory time off.

3.6.2 Weekend and Holiday Standby Coverage for Standby Plant Operators

Standby employees scheduled to work overtime on weekends and holidays are entitled to the following premium pay in addition to daily standby premium pay:

- a. Physical Response to the Plant: Employee will receive a minimum of two (2) hours of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Under these circumstances the premium pay will commence when the employee arrives at the plant and will conclude upon the employee leaving the plant.

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

- b. Remote Monitoring of the Plant: Employee will receive a minimum of one (1) hour of premium pay at one-and-one-half times (1.5x) their base hourly wage rate.

3.6.3 Emergency Response Call-Back

Any employee, including a standby employee, who is called back and is required to work are entitled to the following premium pay in addition to daily standby premium pay:

- a. Physical Response to a Plant Alarm or Event: Any employee, including a standby employee, who physically responds to the plant or pump station for an alarm, plant emergency or line stoppage, will receive a minimum of two (2) hours of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Under these circumstances the premium pay will commence when the employee leaves their home and will conclude upon the employees return to their home.
- b. Remote Response to a Plant Alarm or Event: Any employee, including a standby employee, who remotely responds to an alarm or plant notification, will receive a minimum of one (1) hour of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Compensation for multiple incidents within the one (1) hour window will be compensated for only one (1) hour of premium pay.

The responding Supervisor or Operator may receive one (1) hour of remote access premium pay up to two (2) hours total for the Stand-by period. Compensation for multiple incidents within the one (1) hour window will be compensated for only one (1) hour of premium pay.

For a remote access response to qualify it must meet all of the following criteria:

- An alarm must be triggered;
- The assigned person must respond and act; and
- The action taken requires a log book entry.

The log book entry will be made upon returning to the treatment plant to report for scheduled duty or by having another Operator enter the action in the log book, if the responding party will not be returning to the treatment plant before the start of the next day's shift.

The decision to physically respond to the plant or pump stations must be in good judgment.

15.1 Holidays

The District observes the following paid holidays:

- New Year's Day
- Martin Luther King Jr.

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

Presidents' Day
Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve (or the weekday before the Christmas Day Holiday)
Christmas Day

When a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday falls on a Saturday, it will be observed on the preceding Friday. Holiday pay shall be based on the number of hours in the employees regular scheduled work shift. A regular work shift is considered to be nine (9) or eight (8) hours per day for full-time employees, depending on if the employee has chosen to work an alternative or traditional schedule.

15.2 **Vacation**

Regular full-time employees receive paid vacation based on years of active service with the District. Active service begins with an employee's first day of work and continues thereafter unless broken by certain unpaid leaves of absence, except as required by law. Overtime hours are not included in vacation accrual. Temporary and part-time employees do not accrue paid vacation time. If an employee is on alternative schedule and takes a vacation day, the employee will need to record the appropriate number of hours with respect to their schedule. For example, employees on the 9/80 schedule will require 9 hours of vacation to be recorded. Traditional schedules will require 8 hours of vacation to be recorded.

IV. General Provisions

- A. This Side Letter will take effect immediately upon approval and adoption by the District Board of Directors.
- B. The written terms herein embody the entire Side Letter of Agreement between the Parties.

[Signatures on next page]

SIDE LETTER OF AGREEMENT
BETWEEN
LAS GALLINAS VALLEY SANITARY DISTRICT
AND
OPERATING ENGINEERS LOCAL NO. 3

ALTERNATIVE WORK SCHEDULES

IN WITNESS WHEREOF, the parties hereto have executed this Side Letter of Agreement on
this _____ day of _____, 2023.

For Las Gallinas Valley
Sanitary District

For Operating Engineers Local 3

Date: _____

Date: _____



Proposed MOU Modifications (in red) for Alternative Work Schedule Implementation

3.3.1 Work Schedules

The work schedule will be 6:~~30~~³³:00 am to ~~3~~³:00-30 pm, Monday through Thursday and 6:00 am to 2:30 pm on alternating Fridays ~~for linecollections, maintenance, operations, and laboratory classification work groups.~~ The General Manager has the discretion to determine ~~if~~ the start and ending time of ~~the following all other~~ classifications: ~~Front Office, Maintenance/Landscape, and Inspectors.~~ The weekend plant operator schedules include rotational standby duty which may include responding to the plant on s- Saturdays, Sundays, and holidays.

~~Alternative 9/80 work schedules are the primary work schedules of the District.~~ Adjustments and flexibility in the work schedule, such as working other alternative e-work-schedules or (e.g., 4/10's or 9/80 working a traditional 8-hour schedule's), can be arranged at mutual agreement between the employee and District management.

The District work schedules are structured in one of the following ways:

1. Alternative 9/80 work schedule: A nine (9) hour workday, four (4) days per work week, and an alternating eight (8) hour workday, occurring once every other work week. A 9/80 schedule will result in 80 hours worked over a two-calendar week period.
2. Traditional 8-hour schedule: An eight (8) hour workday, five (5) days per week.

All Agency employees shall have an established standard workday and workweek schedule, with daily starting and ending times. Each employee is expected to observe his/her schedule, by being at work at their defined start time, and to stay at work until their defined ending time.

Work schedules may be modified or waived by the General Manager in the event of an emergency to ensure the safe operation and maintenance of the wastewater collection system, treatment plant, laboratory, and administrative functions.

3.3.2 Lunch and Breaks

Employees are entitled to a thirty (30) minute unpaid lunch break and two fifteen (15) minute paid rest breaks during the workday. An employee may use one fifteen (15) minute break to extend the lunch period to 45 minutes. An employee is entitled to an unpaid one-half (1/2) hour meal break for every five (5) hour work period. The lunch period should be scheduled at the middle of the work shift, whenever possible.

3.3.3 Workweek Defined

The District workweek is defined in one of the following ways:

1. For employees working the 9/80 schedule, the workweek shall begin four hours into the alternating eight-hour workday and conclude 168 hours later.
2. For employees working the traditional 8-hour schedule, the workweek shall begin at 00:00 hours on Monday and conclude the following Sunday at 24:00 hours.

Each employee choosing to work an alternative work schedule will have their defined workweek communicated in a written agreement with the employee and will be in compliance with FLSA requirements.

3.4 Payment of Wages

Employees are paid biweekly. Paychecks are issued by the District office on Friday for the ~~two~~ weektwo-week payroll period which ends the preceding ~~Monday-Sunday morning at 6:29~~ 24:00 hours (midnight)-a.m.

3.5 Overtime

Occasionally, non-exempt employees may be required to work overtime. All overtime work must be authorized in advance except when an employee is on standby or is responding to an emergency. The District includes all hours worked and paid time off as eligible hours when calculating overtime. The District compensates for all overtime hours worked by non-exempt employees in accordance with state and federal law. The District has an overtime rounding up/rounding down policy which shall be followed in determining when and how much overtime will be reported.

- All hours worked in excess of ~~eight (8) hours in one employee's scheduled~~ workday or forty (40) hours in one (1) workweek will be treated as overtime.
- A workday for overtime calculation begins at ~~6:30~~ 00:00 hours (midnight) and ends twenty-four (24) hours later. ~~A workweek begins each Monday morning at 6:30 am and ends at 6:29 a.m. the following Monday.~~
- Compensation for hours in excess of forty (40) for the workweek, or in excess of ~~eight (8) employees scheduled workday~~ and not more than twelve (12) for the workday, will be paid at a rate of one and one-half times the employee's regular rate of pay.
- Compensation for hours in excess of twelve (12) in one (1) workday will be paid at double the regular rate of pay.
- Employees required ~~but not regularly scheduled~~ to work Sundays ~~or the employee's 7th day (the equivalent of the employee's Sunday) in the employee's regular work week~~ will be paid double the regular ~~ly~~ rate of pay for work performed on Sunday.
- Employees whose regularly scheduled ~~work-day~~ workday falls on a paid holiday and who work the holiday will receive holiday pay at one and one-half times the employee's regular

rate of pay. Overtime earned for working the holiday will be added to the employee's compensatory time off bank, subject to the accumulation cap in section 15.12.

- Employee~~(ss)~~ who are required to work during their unpaid meal period and receive prior approval from their supervisor shall receive time and one half for their meal period.

3.6 ~~Pay Differentials~~ Standby / Call-Back

Employees scheduled for standby are entitled to premium pay. Employees called-back to perform regular or emergency after-hours work are entitled to premium pay.

3.6.1 Standby

Employees who are scheduled for standby duty will receive a pay premium of two hours of straight time for each day the employee is assigned stand-by duty. Standby duty begins when the employee leaves the work site after a regular scheduled shift. Standby compensation shall be limited to pay only and cannot be converted to ~~compensating-compensatory~~ time off.

3.6.2 Weekend and Holiday Standby Coverage for Standby Plant Operators

Standby employees scheduled to work overtime on weekends and holidays are entitled to the following premium pay in addition to daily standby premium pay:

a. Physical Response to the Plant: Employee will receive a minimum of two (2) hours of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Under these circumstances the premium pay will commence when the employee arrives at the plant and will conclude upon the employee leaving the plant.

a.—Remote Monitoring of the Plant: Employee will receive a minimum of one (1) hour of premium pay at one-and-one-half times (1.5x) their base hourly wage rate.

b.

3.6.3 Emergency Response Call-Back

Any employee, including a standby employee, who is called back and is required to work are entitled to the following premium pay in addition to daily standby premium pay:

a.—Physical Response to a Plant Alarm or Event:

~~b.~~a. Any employee, including a standby employee, who physically responds to the plant or pump station for an alarm, plant emergency or line stoppage, will receive a minimum of two (2) hours of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Under these circumstances the premium pay will commence when the employee leaves their home and will conclude upon the employees return to their home.

~~e.~~ Remote Response to a Plant Alarm or Event:

~~b.~~ Any employee, including a standby employee, who remotely responds to an alarm or plant notification, will receive a minimum of one (1) hour of premium pay at one-and-one-half times (1.5x) their base hourly wage rate. Compensation for multiple incidents within the one (1) hour window will be compensated for only one (1) hour of premium pay.

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The assigned person must respond and act; and

The action taken requires a log book entry.

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The decision to physically respond to the plant or pump stations must be in good judgment.

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Martin Luther King Jr.

Presidents' Day

Memorial Day

Independence Day

Labor Day

Veterans Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve (or the weekday before the Christmas Day Holiday)

Christmas Day

When a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday falls on a Saturday, it will be observed on the preceding Friday. Holiday pay shall be based on the number of hours in the employees regular scheduled work shift. A regular work shift is considered to be nine (9) or eight (8) hours per day for full-time employees, depending on if the employee has chosen to work an alternative or traditional schedule.

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Proposed Personnel Policies & Procedures Modifications *(in red)*

19.6 Payday

Employees are paid biweekly. Pay checks are issued by the district office on Friday for the ~~two~~ weektwo-week payroll period which ends the preceding ~~Monday-Sunday~~ at 6:29-24:00 hours (midnight).am.

The proposed change will be codified in the Personnel Policies & Procedures manual after the proposed changes to the MOU are accepted and approved.

3/16/2023

BOARD MEMBER REPORTS

CLARK

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

FORD

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

MURRAY

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

ROBARDS

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

YEZMAN

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

Agenda Item 5.3
Date March 16, 2023

Craig K. Murray
Implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act Briefing Series: Congressional Climate Camp
Thursday, March 9
2:00 pm - 3:30 pm
Rayburn HOB: 2168 (Gold Room)
45 Independence Ave SW, Washington, DC 20515

Congressional Climate Camp 2023. Briefings in series: Budget and Appropriations; Public Polling on Climate Change; Non-CO2 Greenhouse Gases; Implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act.

Our fourth session in EESI's Congressional Climate Camp series is on implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act. These laws provide billions of dollars to confront the climate crisis and strengthen critical infrastructure. Panelists will provide an update on the status of their implementation, describe how state and local governments and organizations are accessing funds, and explain the oversight role Congress must play to maximize these investments.

- [Dr. Henry McKoy, Jr.](#) Director, Office of State and Community Energy Programs, [U.S. Department of Energy](#)
- [David Terry](#) President, [National Association of State Energy Officials \(NASEO\)](#)
- [Sarah Kline](#) Consultant, [Bipartisan Policy Center](#)
- [Kevin Rennert](#) Fellow; Director, Federal Climate Policy Initiative, [Resources for the Future](#)
- [Duanne Andrade](#) Executive Director, [Solar and Energy Loan Fund \(SELF\)](#)
- [Jana Barresi](#) Head of Washington, D.C., Office, [Lowe's Companies Inc.](#)

Dan Bresette: Climate Change Solutions at EESI.org for biweekly newsletter. Presentation info. All online. Farm bill coming down Pike, March 23 briefing on Organics.

Upcoming Briefings in this Series



Congressional Climate Camp

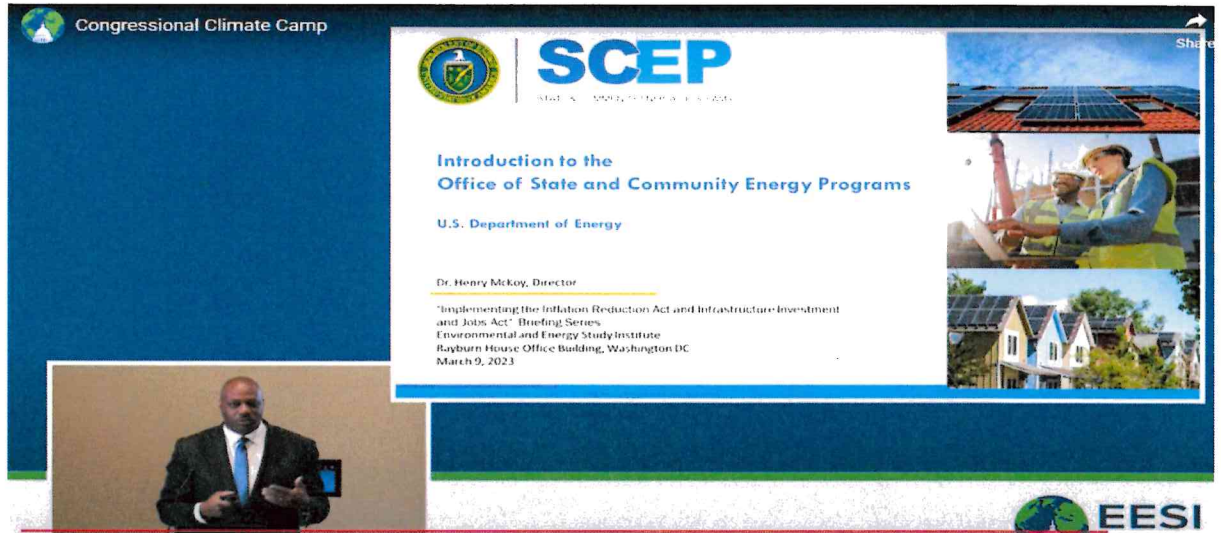
[Budget and Appropriations | Thursday, January 26, 2-3:30 PM](#)

[Public Polling on Climate Change | Thursday, February 9, 2-3:30 PM](#)

[Non-CO2 Greenhouse Gases | Thursday, February 23, 2-3:30 PM](#)

[Implementing the Inflation Reduction Act and Infrastructure Investment and Jobs Act | Thursday, March 9, 2-3:30 PM](#)

[Dr. Henry McKoy, Jr.](#) Director, Office of State and Community Energy Programs, U.S. Department of Energy UNC School of Business, Duke and Harvard, NC Dept. of Commerce Head. Director Energy programs DOE. SCEP: Office of State and Community Energy Programs



90% infrastructure funding come through DOE infrastructure filler. DOE has 7 Office for Infrastructure. SCEP – State and Community Education Program on tip, helps community rise to make these investments. \$16B in formula grants, competitive grant awards, consumer rebate grants and technical asst. Prioritize Justice 40 Initiative. Avoid pollution through place-based strategies. \$100B in DOE for programs and almost 1/2 T in government. SCEP programs and IJIA. \$10M Workforce Trg., \$10M career skills training, \$40M energy auditor training, \$50M energy efficiency materials pilot program (non profit building), \$250M RLF, \$550M EE and Conservation Block Grant Program, \$500M Public Schools, \$500M State Energy, \$3.2 B Weatherization Program. Inflation Reduction Act Provisions added another \$10B.: \$43. B Home Efficiency Rebates; \$4.5B HEAR Home Electrification and Appliance Rebate. TAP: Technical Assist. & Partnerships. CA Office is bigger than his DOE Office. SLOPE: State and Local Planning for Energy Platform. Shows what your energy burden in your community is. LEAD: Low income energy affordability data tool. IJIA and IRA programs to community: put in every grant program a community benefit and focus on community most in need.

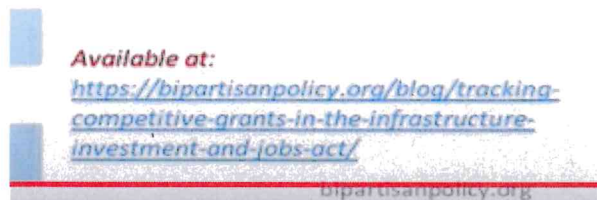
David Terry President, National Association of State Energy Officials (NASEO) No slides for presentation. 1996 w/NASEO. 56 Gov and Territorial issues. Gov. Wind and Solar Energy Program. On EESI Board. No IJIA or IRA monies have gone to States yet. Another two weeks to submit to DOE. Six Regional meetings with electric and auto industries. Working on energy siting, existing carbon pipelines and huge tax credits that are becoming available. Google NASEO hydrogen. Q/A: Energy Star Program implemented in 2010 run well with no fraud and need to take time in these program implementations. Q: Japanese Newspaper on Carbon Capture. DT: IRA tax credit makes it financially feasible, ref. oil tax credits and connection to Hydrogen. LA and PA ref. Class 6 well carbon pumped down in storage given State's primacy. Daniel: Henry staff on how Cong. Staff can be updated.



(NOTE to Organizers of this EESI public meeting in Congress, Rayburn Building: American Flag is **ALWAYS** placed to **SPEAKER'S right**. Oopps.).

Panel No.2:

Sarah Kline Consultant, Bipartisan Policy Center Counsel US Senate on transportation issues, non profit organizations. IJA (aka Bipartisan Infrastructure Bill) \$1.2T in infrastructure bill for broad categories includes \$550B new funding. Bill didn't go through usual house, senate process but negotiate by a group of Senators. \$660B of IJA by formula to transportation. 100 of direct to fed. Govt. competitive programs. Available at: <https://bipartisanpolicy.org/blog/tracking-competitive-grants-in-the-infrastructure-investment-and-jobs-act/>



IJA. Most goes to State DOTs. Climate programs (4) to focused on emission reduction. IJA 3 new programs on resilience and charging and refueling (electric). State DOTs have a lot of flexibility can be for bike, ped, road safety improvements, mgt. plans. \$2.5B for Charging and fueling. \$5B for Safe Streets and Roads. Time frame for bill is long, states are not ready with projects, be a long time to fully see impacts. Fed, State and Local Govts. Struggling to hire enough staff to implement.

Kevin Rennert Fellow; Director, Federal Climate Policy Initiative, Resources for the Future 2017. US EPA Office of Policy prior. Energy and Climate Legislation. IRA and bill is IJA of it. IRA: lot of tax incentives incl. production tax credits (PTC) and Investment Tax Credits (ITC) for building clean electricity project. Based on emission rate after 2024. Base rate of \$5/MWh. PTC for existing Nuclear Generators. Ability to transfer credits to others. Power sector Models: Haiku and E4ST that RFF operates on. Solar and wind capacity rates well above historical maxima. Coal are projected to be economically viable under 45Q incentives. Therefore, like to retrofit lot of plants. 4EST models a high factor for wind and solar than Haiku. Both models very substantial CO2 emissions reductions but do not reach the 2035 net zero goal of President Biden. Runway for developers thinking about these credits is quite long. Incentives v. depowering energy sectors. Next ten years to expect electricity w/ or w/o IRA. 5 to 13 % rate reduction with these credits. SO2, Nox also coming down. IRA is paid for through a progressive tax shift. Bills change by reduction of electricity rates, tax burden and generator profits. Energy Savings, Generator profits, tax burden. IRA sets up market environment for new cleaner electricity generation. Real world conditions not represented in the models and are important for uncertainty.

Duanne Andrade Executive Director, Solar and Energy Loan Fund (SELF) in Florida low income. Bolivian national. St. Lucie County Fla. First ever green bank leveraged \$100M in projects. Started with \$3M DOE seed money. In south, more than 1/3 of households have trouble paying their energy bills. SE has lower FICO scores therefore underbanked. SELF loans mostly for SFH for homeowners, landlords, developers, contractors, solar contractors. IRA \$394.B mostly for tax credits but most non profits and low income will benefit. Direct Pay provide path for low mod income to benefit from 30% ITC. \$20B for non profits. Community Dev Financial Institutions leverage 8:1, SELF leverage is 12:1. Martin County Septic to Sewer Loan. \$200k Public funds and Self funds \$2M to hook up 200 households. Martin County Utilities (MCU).

Jana Barresi Head of Washington, D.C., Office, Lowe's Companies Inc. Leads Fed. Gov. Strategies for Lowes. Prior served with Walmart. Think about Customers and Point of Sale. DIY customer; DIFM Do it For Me customer connect with customer such as HVAC not on shelf; Pro customer contractor doing for customer. Programs diff for each. HOMES: Homer Energy Prog. le Not a lot of heat pump dryer programs on market, available now. Review of programs.

Congressional Climate Camp

High-Efficiency Electric Home Rebate Program

Description

Point of sale rebates for eligible consumers - 100% of local need in income when purchasing specific energy efficient products or services. Admins share a \$2A total lifetime benefit.

Eligibility

Lower Income Households (earn up to 80% of local average median income)
Up to 100% upfront discount capped at \$14k lifetime benefit across all products/services.


Moderate Income Households (earn less than 150% of local average median income)
Upfront discount of 50% capped at \$12k lifetime benefit across all products/services.

Multifamily owners are also eligible, provided that not less than 50 percent of the residents of which are low- or moderate-income households.


Products and associated rebate or tax credit		Timing
Product	Maximum Rebate Amount	Must by late 2021, will differ by state
Heat Pump HVAC	\$8,000	
Heat Pump Water Heater	\$1,750	
Electric Stove Or Range	\$840	
Electric Stove Cooktop Range or Oven	\$340	
Heat Pump Dryer	\$340	
Upgrade Electrical Panel	\$4,000	
Upgrade Electric Wiring	\$2,500	
Insulation Air Sealing Ventilation	\$1,600	

Funding

\$4.5B for products shown - not specific to product. Funding allocated to states, provinces and amounts differ.



|| ◀ LIVE

 EESI Environmental and Energy Solutions Institute

Review of programs. Retail considerations: verification, point of sale rebate execution, consumer education, post purchase rebates. Point of sale: what exactly is universal coupon, tech changes needed for coupon or QR code, rebates must work with retailers existing rebate systems. Emergency circumstances see, ie hot water heater broke need to replace, how to rebate in short order. Recycled Products use customers are asking contractors. \$50M over 5 years to get more persons into the skilled trades.



Q/A: SK: DOT put together a good guide on how to use. How to parse through all the chatter of the laws. DA: Issue of trust in communities. There are est. orgs. In communities that should be used, listened to. Importance too is messaging – making home safer, better – on how people receive it. SK: Govt. in general does not do a good job talking about programs that make sense and want to engage. JB: IIRA programs comments closed at end of last week. DA: Timeline has moved and will be waiting another year for funds. SK: Impt. Appropriations and Debt Limit can affect the programs. White House doc. List 65 tech asst programs. (12:55pm end of link to Congress Briefing event).

###

:LGVSD EESI IIRA 3 9 23



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.

3/16/2023

BOARD AGENDA ITEM REQUESTS

Agenda Item 6B

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

SANTA VENETIA

Flood wall for homes short of funding \$16.8 million more needed to replace weakened berm

BY RICHARD HALSTEAD

RHALSTEAD@MARINIJ.COM

Many questions remain regarding how a rapidly deteriorating flood wall shielding 115 homes in San Rafael can be replaced, most notably how the project will be paid for.

Marin County supervisors voted Tuesday to approve a contract extension with CSW Stuber-Stroeh Engineering, which is working to complete a design for the Santa Venetia floodwall replacement. The recommended design would be constructed of composite sheet pile and is estimated to cost \$14.3 million.

That estimate doesn't include an additional \$4 million that the county's Department of Public Works has budgeted for acquiring right of way agreements with the 111 property owners who border the wall, or an additional \$500,000 in projected environmental remediation costs.

According to a report prepared by public works official Berenice Davidson, the county has about \$2.6 million available to pay for the project. That includes \$1 million in American Rescue Act money, \$300,000 in Flood Zone 7 funds, \$800,000 from the county and a \$500,000 loan.

"So we're still short by \$16.8 million," Davidson told supervisors.

Supervisor Mary Sackett said, "I think what we have in front of us is an unfunded project, but I see this as one step towards getting closer to being able to have a project."

The county was expected to break ground last summer on a previous plan to rebuild the berm, which was expected to cost just \$6 million, with construction

costs accounting for \$4 million. That plan had to be scrapped when an updated construction cost estimate came in at over \$12 million in March 2022.

The berm, which extends from Meadow Drive to Vendola Drive, was built in 1984 atop an earthen levee/berm following devastating flooding in 1982 and 1983. The Santa Venetia neighborhood was built on landfill that has compressed over the years, leaving it below the high tide level today.

During the public comment portion of the supervisors' meeting, Montgomery Smith, who lives at 107 Vendola Drive, talked about his experience during a big storm this winter.

"It's kind of frightening," Smith said, "because if it had been a king tide, we would have been at a breach at our property or very close to it."

Robert Stevens, president of CSW, said, "It's important to note that the Army Corps of Engineers did a previous study that indicated that this timber-reinforced berm would likely fail if a flood event presented itself."

The supervisors also voted Tuesday to approve a \$62,975 contract with Sicular Environmental Consulting to do analysis necessary under the California Environmental Quality Act on the new design. Stevens said the environmental review being done by Sicular will supply him with the additional information he needs to complete the project design.

One important question Sicular's analysis will address is whether access for the project can be gained via the water rather than through residents' properties. According to Stevens, the composite sheet pile design would be about \$2 million cheaper than using timber and would require virtually no maintenance.

Davidson said the annual cost of maintaining the existing timber-reinforced berm has increased from \$10,000 in 2013 to \$150,000 in 2023.

Much of the project discussion Tuesday revolved around the potential for future funding by the Federal Emergency Management Agency. The county's Flood Control and Water Conservation District Zone 7 received a \$2.98 million grant from FEMA in 2020 for the design and construction of a new berm.

When that project proved more costly than expected, FEMA allowed the flood district to reallocate \$1.5 million of the grant for additional design, environmental compliance and public outreach activities.

Davidson said the flood district has spent \$1.2 million on the project so far, and FEMA has covered \$900,000 of that cost. Whether the district will be able to secure additional FEMA grants for the new project design is unclear.

Davidson said FEMA has told the flood district that it is ineligible for at least one category of grants because no residents within Zone 7 are National Flood Insurance Policy holders. Several Santa Venetia residents, however, have challenged that assessment.

“This statement is categorically false as I know for a fact that there are people with FEMA insurance in this neighborhood,” Jami Ellerman wrote in an email.

Alan Scotch wrote in an email, “We know there are at least 2.”

Davidson said the Department of Public Works lacks access to the insurance data and has asked FEMA to explain the discrepancy.

Another obstacle the flood district faces is a FEMA requirement that it own or control any property that might be included in the project for which it seeks funding. So far, the district has secured permanent easements for only about 16 of the 111 properties that would be affected.

“We have multiple steps ahead of us,” Supervisor Katie Rice said.

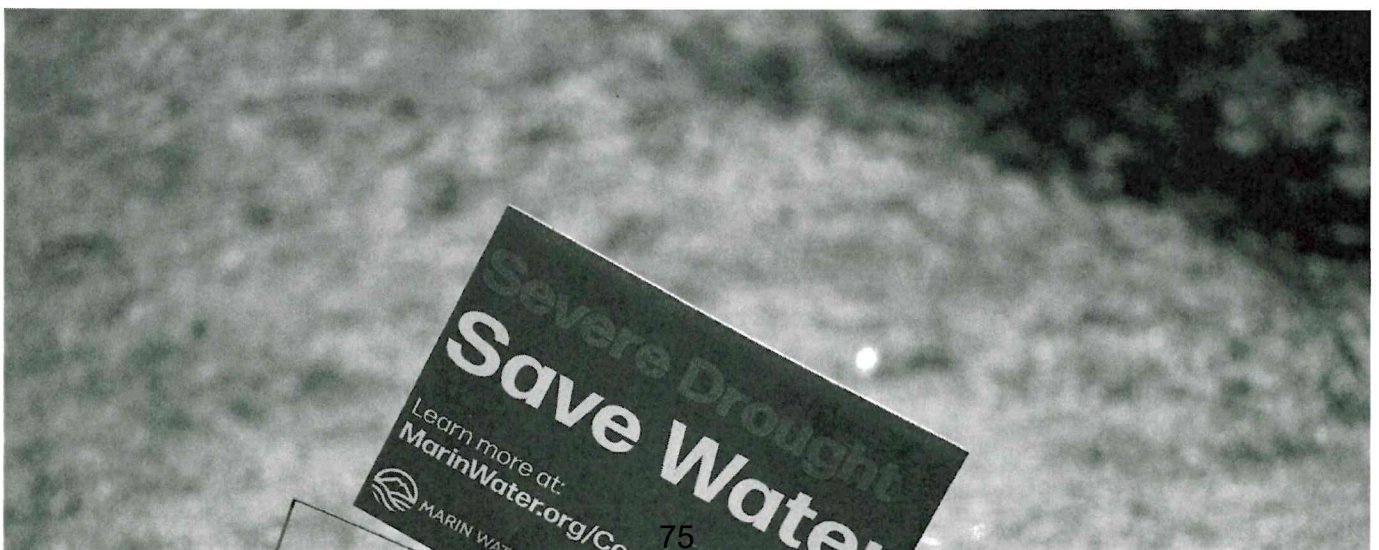
RECOVERING REVENUE

Marin Municipal details drought surcharge plan

Customers could avoid rise in bills through conservation



Water flows over the spillway from Bon Tempe Lake towards Alpine Lake in the Mount Tamalpais watershed. Marin Municipal Water District officials explained their drought surcharge proposal. SHERRY LAVARS — MARIN INDEPENDENT JOURNAL, FILE





meeting this week. The only way to address this is to recover our revenue in some way. There is no cutting back when our revenue goes down because then we're no longer providing water for people or taking care of our system."

In a presentation, Bret Uppendahl, the district finance director, said adding drought surcharges to water rates is a common practice by water agencies throughout the country, including the North Marin Water District. The surcharges are used to make up for revenue losses during droughts resulting from reduced water sales from conservation and mandatory water use restrictions. The district does not use these surcharges and instead sets aside its regular water sales revenue into a reserve fund that it taps when droughts occur.

After the recent two-year drought, the district's reserve fund balance dropped from \$63.1 million in 2021 to about \$28.1 million. Additionally, the staff said the agency faces an annual \$31 million budget shortfall that would increase to \$42 million in the next few years as a result of water revenue losses, inflation and projected costs or investments in adding new water supplies.

To address these issues, the district is proposing to raise base water rates and also add the ability to institute drought surcharges when reservoir levels dip below about 82% of capacity or 65,000 acre-feet.

"By establishing drought rates, the district will not need to hold the same level of reserve balances for future droughts, which partially reduces the overall rate increase," Uppendahl wrote in an email on Thursday. "The drought rates would not be used to refill reserves, but rather, they would be enacted during a future drought to offset the revenue losses associated with reduced consumption."

Uppendahl said the drought surcharge would work by temporarily increasing the base water rate for a set period. Residents who conserve, he said, should not notice a difference in the total charges on their bimonthly bills when drought rates are implemented compared to when they are not.

"Obviously, you're using less water so you're paying a higher unit price, but the idea is to have customers not pay more during a drought," Uppendahl told the district board on Tuesday. "It's just basically to keep everything flat so that the district can continue running."

While the agency has yet to release its proposed rate increases, Uppendahl said the drought surcharge would increase as reservoir storage depletes and as conservation targets increase. Additionally, how much rates would increase would not correlate with the amount of water the district is asking residents to conserve.

For example, the district's newly updated water shortage plan states that the board can add drought surcharges to rates when reservoir storage reaches 65,000 acre-feet or less. At that stage, residents will be asked to cut back water use by 20%, but the district could add a 25% drought surcharge to rates. In order for the district to maintain its normal water rate revenue as demand decreases, the drought surcharge must be higher than the amount of conservation, Uppendahl said. A 20% increase in rates would not recover the total lost revenue from a 20% reduction in water sales, he said.

As reservoir supplies deplete, the drought surcharge would increase rates by 43% as ratepayers are asked to cut back by 30%.

Board member Jed Smith said the rate would encourage conservation among ratepayers.

"If you conserve water, if you save, if we keep water in our reservoirs, the rates won't go up as much," Smith said during the meeting Tuesday. "This is a strong incentive to reduce demand, reuse your water and not waste it. I think that that is the key message for this pretty significant change."

Uppendahl said the drought rates will not cover all costs associated with drought, including importing more water from the Russian River, community outreach campaigns and drought planning. Additionally, if residents conserve more water than is asked, it will result in some financial losses for the district.

"They're not a silver bullet, but they're a very important factor to have in our toolbox," he told the board.

The drought rates do not affect fixed fees that the district charges to customers based on their water meter size, including the controversial capital maintenance fee adopted in 2019 meant to fund repairs and replacement of aging water tanks, pipes and pumps as well as fire prevention projects.

The capital maintenance fee and the district's watershed maintenance fee have been challenged in the Marin County Superior Court by the Coalition of Sensible Taxpayers, known as COST. The nonprofit organization alleges the fees violate state Proposition 218, which prohibits government agencies from charging more for a service than it costs to provide it. COST alleges the fees violate the proposition by charging customers based on the size of their water meter rather than how much water they actually use.

COST's attorney, Walt McNeill, said the drought rate proposal does not appear to affect fixed fees at this time.

"What's very obvious is the district has some real work on its hands and I have to say they seem to have a very attentive and pretty intelligent group of board members," McNeill said. "I'm hopeful they'll do a pretty good job with this. But obviously, they're in a difficult situation to deal with the problems they have with not only revenues and planning for the drought contingencies and taking care of all these issues."



Court Holds Reasonable Use Finding Not Required for Wastewater Discharge Permits

03.03.2023 | By Samantha A. Murray

In *Los Angeles Waterkeeper v. State Water Resources Control Board*, the Second District of the California Court of Appeal considered whether the State and Regional Water Boards have an obligation under California Constitution, the California Water Code and/or the California Environmental Quality Act (CEQA) to review wastewater discharge permits prior to granting approval of the permits. The trial court held that the State Water Resources Control Board (State Water Board) *did* have a duty to evaluate whether the amount of wastewater being discharged was reasonable before issuing a permit. However, the court found that the Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) *did not* have a similar duty, because the reasonability assessment of a discharge is conducted at the state level and the Regional Water Board's authority is limited to assessing water quality. On appeal, the Second District affirmed the judgments of dismissal in favor of the Regional Water Board and reversed the judgments and writs of mandate against the State Water Board (including the award of attorneys' fees). Both courts held that CEQA review was not triggered by the issuance of the permits, because wastewater permits are exempt from CEQA review under the Water Code. This case sheds light on how California courts understand the role of the State and Regional Water Boards with regard to their statutory and constitutional duties.

Factual Background and Procedural History

In 2017, the Regional Water Board renewed permits allowing four publicly-owned treatment works (POTWs) to discharge millions of gallons of treated wastewater daily into the Los Angeles River and the Pacific Ocean. Environmental NGO Los Angeles Waterkeeper (LA Waterkeeper) sought review of the permits before the State Water Board and the State Water Board declined review.

LA Waterkeeper then filed petitions for writs of mandate against both the State and Regional Water Boards, naming the cities that owned the four POTWs as real parties in interest. LA Waterkeeper argued that the Boards have a duty under both the Water Code and article X, section 2 of the California Constitution to

prevent the waste and unreasonable use of water and that the Boards violated this duty by failing to evaluate the discharge permits (to see if the quantities discharged were reasonable, whether the water could be recycled or otherwise put to better use, etc.) before approving the permits. LA Waterkeeper further alleged that the Regional Water Board issued the permits without conducting the required CEQA findings.

The Boards demurred to the petitions, arguing that the Constitution and the Water Code imposed no duty, and that wastewater discharge permits were exempt from CEQA under Water Code section 13389.

The trial court overruled the demurrer as to the State Water Board, finding the State Water Board had a constitutional and statutory duty to prevent the waste of water. The trial court found that the large discharges from the POTWs were enough to trigger this duty and that therefore the State Water Board erred in failing to evaluate whether the discharges were reasonable. The trial court clarified that it could not require the State Water Board to fulfill its duty in a particular way, but that mandamus would compel the Board to take *some* action. The court therefore issued four judgments and four writs of mandate directing the State Water Board to evaluate whether the discharges from each of the four POTWs were reasonable.

The trial court sustained demurrer as to the Regional Water Board, finding that the Regional Water Board's duty was not triggered given the relationship between the State and Regional Water Boards. The court explained that the Regional Water Board was only responsible for water *quality* (as in, ensuring the water under its purview is free from pollution) and the Regional Water Board did not have the authority to require the POTWs to recycle more wastewater. With regard to CEQA, the trial court held that the provision of CEQA exempting wastewater discharge permits was meant to mirror federal law, where the entire wastewater discharge permit is exempted from NEPA review.

Court of Appeal Analysis

On appeal, the Second District agreed with the trial court that the Regional Water Board had no duty to evaluate the reasonableness of the POTW discharges because the Regional Water Board's authority is restricted to water quality, not reasonable use.

As to the State Water Board, the court determined that LA Waterkeeper did not adequately plead entitlement to mandamus against the State Water Board and that therefore the trial court should have sustained the Board's demurrer. The court further found that whatever duty the State Water Board has to prevent the unreasonable use of water is "highly discretionary" and that "nothing in [the California Constitution] or the Water Code requires the State Board to take action against any particular instance of unreasonable use or category of unreasonable use." The court of appeal chastised the lower court for categorizing the POTW discharges as "unique" and therefore deserving of review: the Second District found that uniqueness was neither "supported by the language of the Constitution or the Water Code" nor a "workable legal standard." The court of appeal concluded by writing that "[t]he Legislature has opted not to include a reasonable use assessment as part of the wastewater discharge permitting process, and we will not override that determination."

With regard to CEQA, the Second District declined to review whether Water Code section 13389 fully exempted the Regional Water Board from conducting a CEQA analysis prior to issuing wastewater discharge permits. Instead, the court limited itself to the section of CEQA that LA Waterkeeper pleaded (Public Resources Code section 21002) and found that that section does not impose environmental review requirements but instead states a policy related to CEQA's environmental review procedure. The court

found that because Water Code section 13389 exempts wastewater discharge permitting from CEQA procedures, Public Resources Code section 21002 did not apply.

The outcome of *LA Waterkeeper* makes clear that regional water boards do not have an obligation to assess the reasonableness of wastewater discharge permits and while the State Water Board has a duty to avoid water waste where possible, it retains a high level of discretion in how it exercises that duty: specific instances of discharge are therefore largely insulated from judicial review. This case also explains that Public Resources Code section 21002 is exempted by Water Code section 13389, although the extent to which local agencies are completely exempted from CEQA analysis when issuing wastewater discharge permits was not fully addressed.

MARIN MUNICIPAL

District unveils strategy for new water supplies



The Nicastro tower was one of several new water supplies in the Marin Municipal Water District, announced last week by the district's board of directors. The district is planning to build a new water supply of 100 million gallons per day, which will be used to meet the district's growing water demand.





The district board voted unanimously this week to begin examining a variety of options, including increasing reservoir storage, importing more Russian River water, creating a regional groundwater bank in Sonoma County, building a brackish desalination plant on the Petaluma River, investments in conservation initiatives, expanding the district’s recycled water system and building new ways to convey water to local reservoirs.

“We are on the cusp of approving significant funds to invest in storage, supply, conservation to the tune that our community has never seen before,” district board member Jed Smith said before the vote on Tuesday.

Should these options be implemented, the district could add 12,000 to 20,000 acre-feet of new annual

supply by 2035, depending on the options, the district study estimates. The study estimates it would need at least 8,500 acre-feet of additional water per year to weather a severe four-year drought.

The district's seven reservoirs can hold a maximum of about 80,000 acre-feet of water, or about a two-year supply. Additionally, the agency can import about 11,000 acre-feet of Russian River water it purchases from Sonoma Water. An acre-foot of water is about 326,000 gallons.

The board's approval of the new supply strategy does not mean that the options will be implemented or they will be the only options. Instead, the vote gives district staff the go-ahead for a deeper study of the actual costs, hurdles, timelines and feasibility of the projects for the next 18 to 24 months.

Ben Horenstein, the district's general manager, told the board that the supply strategy is "highly flexible."

"The decision tonight is not to move forward on constructing these," Horenstein said.

The strategy calls for pursuing what staff called "no-regret actions" first while it plans and studies for the larger, more complicated projects such as reservoir expansion and desalination. The short-term projects include bolstering Russian River water imports, especially during winter months; electrifying Soulajule

Reservoir in place of using generators to pump water; creating a connection between the Phoenix and Bon Tempe Reservoirs; bolstering water conservation incentives; and exploring new systems to automate dam water releases for wildlife based on stream flow.

The district study estimates that these options could add about 3,500 acre-feet of water per year by 2025.

“For our communities, what folks wanted to see was us identifying real water that is increasing our resilience against future droughts and I think we have some great options that we can be starting off within the near term,” board member Monty Schmitt said.

The district strategy does not include other options explored in the yearlong study, notably a proposed pipeline across the Richmond-San Rafael Bridge that would be used to import Sacramento Valley water.

The district had previously built such a pipeline on a temporary basis in 1977 when it faced the possibility of depleting its reservoirs. In 2021, the district was preparing to rebuild the pipeline at an estimated cost of \$100 million when it again faced the possibility of depleting reservoirs around mid-2022. Rains in late 2021 worked to refill the district’s seven reservoirs and prompted the district to begin studying new water supplies.

The majority of the board members who approved the strategy on Tuesday were elected to their positions after the study began in March 2022. In November, voters ousted board members Larry Bragman and Jack Gibson and replaced them with Ranjiv Khush and Matt Samson. Khush and Samson ran campaigns calling for new supplies and criticized the previous board for not investing enough in water supplies to prevent the emergency shortage in 2021. Longtime board member Cynthia Koehler did not seek reelection in 2022, and Smith was elected to her seat.

Many of the water supply options in the strategy face significant challenges and would require hundreds of millions of dollars in funding and the cooperation of regulatory and other water agencies.

Expanding local reservoirs, whether by adding in moveable spillway gates or raising spillways, will likely trigger a new review of the state water rights.

“It’s really one of the biggest challenges and risks to the strategy that I would say could eclipse some of these other things,” Schmitt said.

A large portion of the projected water supply increase relies on reservoir expansion. The plan proposes building new pipes and channels to allow the district to store imported Russian River water in reservoirs, which currently is not possible.

Reservoirs being considered for possible expansion include Kent Lake, the SoulaJule Reservoir and the Nicasio Reservoir, which are the district's three largest reservoirs.

Former district board member David Behar, who served from 2006-2012, said he supports the district pursuing the short-term options. He said the idea of increasing reservoir storage will likely receive pushback from residents.

“A lot of eggs seem to be in that basket,” Behar told the board.

Bragman, the former district board member, said the district needs to track the proposed dam removal of the Potter Valley Project in Mendocino County, which could influence how much water Sonoma Water can store in its Lake Mendocino reservoir.

The proposed brackish desalination plant on the Petaluma River is only in its conceptual phase but was estimated in the study to provide an additional 5,000 acre-feet of water annually. While estimated to be less costly and require less energy compared to a desalination plant on San Francisco Bay, the plant would likely require two times more energy than is required from surface storage, district consultant Armin Munevar told the board.

“There is a lot on the plate,” board member Larry Russell said about the district strategy. “I’m still digesting it. I think there is a lot of steps here that require substantially more engineering to be done before you can feel comfortable that the decision is going in the right direction.”

All together, the new supply projects are estimated to cost hundreds of millions of dollars. The district is considering a rate increase proposal to pay for its planning efforts and stow away funding for larger projects. The rate proposal is under development and, if adopted, would take effect in July.

The district plans to budget about \$3.1 million per year for studying these various options in more detail. Additionally, it is proposing to put \$2.5 million in a reserve fund each year to begin saving for the long-term, expensive projects.

The board asked staff to bring back more information on what projects to prioritize for its initial studies, estimated costs and timelines.

“There’s not going to be any surprises coming to the board,” Horenstein said.

More information about the water supply roadmap can be found online at marinwater.org/WaterSupplyResiliency

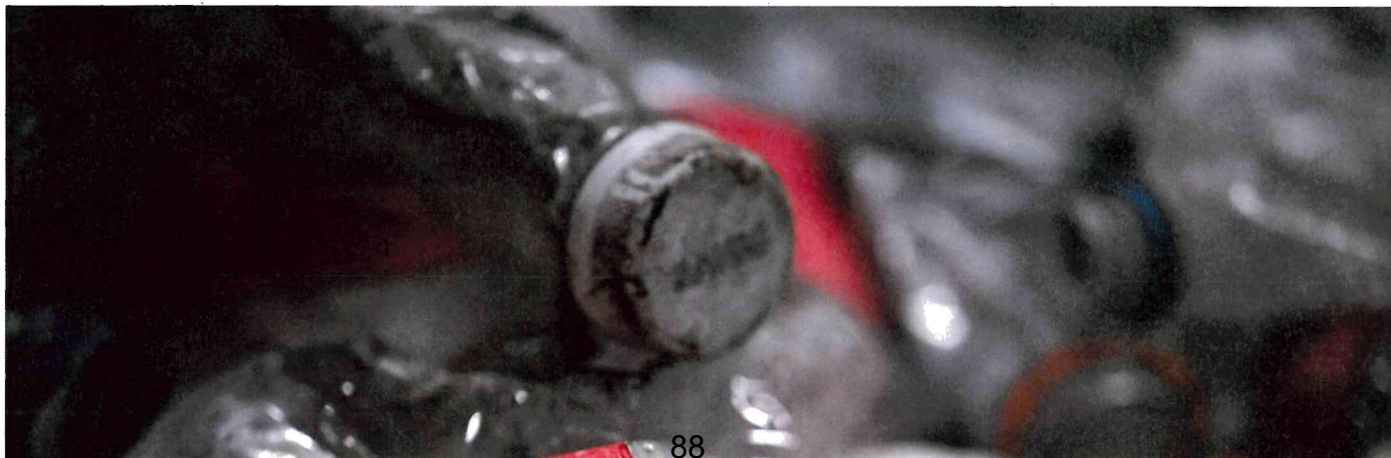
SAN RAFAEL

Marin recycler marks its 75th anniversary

Longtime waste service gets new technology



Two men stand in front of a large piece of recycling machinery. The man on the left is older, with white hair, wearing a dark jacket over a red shirt. The man on the right is younger, wearing a dark jacket over a light blue shirt and a name tag. They are positioned in front of large, complex machinery with blue frames and yellow safety railings. A yellow sign with the letter 'M' is visible on the equipment. The background shows more of the industrial structure under a bright sky.





Plastic bottles await sorting before being sent for recycling at Marin Sanitary Service in San Rafael on Wednesday.

“We’re just very proud to be living in a community that has helped us foster the kind of work that we do and really has put Marin County on the map for waste reduction, diversion and renewable energy,” Garbarino said.

One machine will prevent thousands of tons of expired packaged food from grocery stores and food distributors from entering the landfill each year, said Justin Wilcock, the company’s general operations director.

Installed late last year at the company’s San Rafael center, the new Tiger food depackager separates large loads of prepackaged foods from their containers, using the green waste to produce energy and allowing the service to recycle the packaging.

The machine is a giant centrifuge, spinning rapidly while metallic teeth tear through the cans and packaging to release the food. The food is then filtered through a screen while the cardboard, plastic or metallic packaging comes out of the top.

The green waste is then ground up and shipped to the nearby Central Marin Sanitation Agency to be placed into anaerobic digesters that produce biogas energy.

About 20 tons of packaged foods can be processed every hour, Wilcock said. The company receives about 10 tons from grocery stores and distributors per day.

Wilcock said the machine will not treat packaged food tossed in residential garbage and green waste bins.

“It doesn’t mean you can throw whatever you want in your green bin and it’ll get cleaned up,” Wilcock said.

The other machine will improve the recycling of paper products. Installed in January, the TOMRA optical sorter uses light to determine whether paper products are white or brown and then separates them. Previously, this work was done by hand, Wilcock said. The machine will not replace jobs, Wilcock said.

“It’s not replacing the whole process, it’s just an addition,” Wilcock said. “The whole purpose of all of this is so that the material is good and clean and continues to have markets to recycle.”

Joe Garbarino Jr., chair of the Marin Sanitary Service board and the well-known face of the company, said the new technology is the latest effort by the company over nearly eight decades to divert waste.

“There are still going to be items that will be recycled and try to turn things one way or another to another form of energy,” Garbarino Jr. said. “In the meantime, we’re doing as much recycling as we possibly can do and sell that rather than burying it. Roughly speaking, 60% of what we collect we recycle, and the other 40% goes in a landfill.”

Marin Sanitary Service has 30,000 residential accounts in central Marin and serves about one-third of the county's population. The business has more 260 employees and about 100 trucks and collects hundreds of tons of garbage, recyclables and organic waste each day.

The company's roots stretch back a century to a horse-drawn wagon in the streets of San Francisco. In the 1920s, Garbarino Jr.'s father and his uncle started the Scavengers Protective Association. The Italian immigrants used burlap sacks and a wagon to collect and haul away garbage.

Marin Sanitary Service was formed in 1948 by Joe Segale and Guido Zanotti. In 1952, Joe Garbarino Sr. — a cousin of Garbarino Jr. — Ruben Valtierra, Ernie Zappettini and Lorry Marcone joined the company, followed by Garbarino Jr. and Joe Cattaneo in 1955.

"Minimum day was 12 hours," Garbarino Jr. said. "We weren't union. We were all co-owners. Nobody went home until the last guy was in."

In the late 1970s, Garbarino Jr. applied for a \$500,000 state grant to launch the nation's first countywide curbside recycling program, but was initially denied. At the advice of county Supervisor Gary Giacomini, Garbarino Jr. said he traveled by bus to Sacramento with 12 environmentalists to convince state officials to change their minds.

"After two and a half hours they threw their hands up and gave me the \$500,000," Garbarino Jr. said with a laugh.

The waste management industry faces new challenges and mandates to prevent waste from going into landfills. Only about 6% of plastic materials are able to be recycled at Marin Sanitary Service.

"It's not because people aren't trying, there just isn't a market for most of the plastic," Wilcock said.

In 2017, the Chinese government launched its "Operation National Sword" initiative, which restricted the volume of contaminated recyclables it would be willing to accept. The country now only accepts bales of plastic recyclables that contain 0.5% contamination compared to the 5% contamination that was accepted prior to the policy.

Before the policy was adopted, about a third of recyclables in California were being exported to foreign markets, the majority to China.

With the state of the market, Wilcock said, the company has no plans to move away from dual-stream recycling in which residents have to sort paper from plastic, aluminum and glass. Single-stream recycling, where all recyclables are placed in a single collection bin, increases the chances of material becoming contaminated, Wilcock said.

"That decreases the likelihood of things that should be recycled that should," he said.

NORTH BAY

Key supplier of water for Marin seeks rate hikes

BY MARY CALLAHAN

THE PRESS DEMOCRAT

After enduring several years of severe drought and recently weeks of deluge, North Bay residents are now in for more water whiplash: a spike in wholesale rates that will raise monthly bills for hundreds of thousands of homes and business later this year.

Sonoma Water, the region's main drinking water supplier, is set to seek approval for the rate hike next month. The increase would raise prices paid by local cities and other retail suppliers who serve more than 600,000 residents of Sonoma and northern Marin counties.

Sonoma Water General Manager Grant Davis said the proposed rate hike would be in the range of 10% and would mean consumer households pay \$2 to \$3 more each month once cities like Santa Rosa and other suppliers pass on increased costs.

The increases are needed, Davis and other Sonoma Water officials say, to pay for deferred repairs to aging infrastructure and as well as projects to safeguard the local water system against earthquakes and climate change.

Much of the supply infrastructure — aqueducts, pipes and other equipment — is 40 to 70 years old, which means in some cases that its near the end of its useful life, agency officials said.

“Not too different than owning an aging car,” Kent Gylfe, director of engineering, said Monday during a meeting of Sonoma County supervisors, who serve as board directors overseeing Sonoma Water. As maintenance needs increase, equipment failures and repairs are more common and costly.

Sonoma Water's eight contractors — Santa Rosa, Rohnert Park, Petaluma, Sonoma, Cotati, Windsor and the North Marin, Marin Municipal and Valley of the Moon water districts — have for years enjoyed the lowest wholesale rates in the Bay Area, if not the state, according to Davis, the general manager.

Contractors pay, on average, about \$1,170 per acre-foot for water from Sonoma Water, at least \$500 less than the Santa Clara Valley Water District, according to Sonoma Water. Other districts charge even more. (An acre-foot is equal to 325,851 gallons, or about the amount of water needed to flood most of a football field one foot deep. It can supply the indoor and outdoor needs of three water-efficient households for a year.)

The low rates have been a source of pride, Davis said, but no longer, “because that maintenance that gets deferred, because of that end of life, that doesn't get done.”

The agency was reluctant to raise rates when the region's residents were overwhelmed by wildfire recovery and then the COVID pandemic, Davis said.

Then came the recent drought and the desperate need to conserve water, cutting usage and thus revenues paid into the water agency's budget, further reducing available funds.

Though not as low as the two years from 2017 to 2019, when higher rainfall might have made less outdoor irrigation necessary, water sales revenue dropped from \$50.6 million in 2020-21 to \$43.6 million for 2022-

23, as of Jan. 31.

The larger issue are the operations and maintenance needs, which account for about 60% of the agency budget. Annual rate hikes of 3% to 6% in recent years have failed to keep pace with those needs, officials said.

About 42% of Sonoma Water's water collection and distribution infrastructure received the highest of five "probability of failure" ratings, while well over half of it is deemed to have less than 30% of its usable life remaining, according to internal analysis.

Most of the wholesale supply is drawn from six collector wells on the Russian River in Forestville and plus groundwater wells, all of it delivered through 88 miles of aqueduct and pipeline.

Sonoma Water also maintains more than 75 miles of engineered flood control channels, operates eight sanitation districts transferred from the county in 1995 and maintains the half-century-old Central Sonoma Watershed Project built in partnership with the U.S. Natural Resources Conservation District to reduce flooding risk.

The water agency's board is scheduled to take up the full rate increase proposal at its April 18 meeting.

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MARIN PUBLIC HEALTH OFFICE

County testing wastewater for drugs



The county has begun screening waste at the Central Marin Sanitation Agency plant, above, in San Rafael to monitor the prevalence of drugs such as fentanyl. ROBERT TONG – MARIN INDEPENDENT JOURNAL

BY RICHARD HALSTEAD

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Marin officials are hoping that analysis of local wastewater will become an effective tool in addressing a surge of drug overdoses in the county, just as it was in stemming the spread of COVID-19.

In early February, the Marin public health office began testing samples collected weekly at the Central Marin Sanitation Agency in San Rafael for fentanyl, cocaine, nicotine and methamphetamine.

“We were early adopters using wastewater for COVID-19 surveillance,” said Dr. Matt Willis, the county’s public health officer. “That has proven to be one of the most effective tools for us. It’s really the same concept.”

Marin is partnering with Biobot Analytics, a company in Cambridge, Massachusetts, to conduct the pilot study. Biobot is the company that analyzes Marin’s wastewater for COVID-19 and other pathogens.

Willis said there are a handful of counties across the nation, including San Mateo, that are partnering with Biobot on similar studies.

Newsha Ghaeli, president and co-founder of Biobot, said, “There are a number of other counties in California that are very interested in expanding their COVID wastewater monitoring work into high risk substance monitoring. We are speaking with a number of other counties.”

Ghaeli declined to identify Biobot's other partners. "We let the communities take the lead in disclosing that they're doing this work," she said. Ghaeli confirmed that some communities are uncomfortable about being identified as areas where illicit drugs are being consumed.

"It definitely comes up," she said.

But Willis said shining more light on where drugs are being consumed and what type of drugs are being used is precisely what he hopes the testing will do. He says more accurate data are vital to reducing the number of overdoses in the county.

"Overdose is the third leading cause of death for anyone under the age of 75 in Marin," Willis said. "We lose someone every five days, and we've seen a doubling in the number of overdoses since 2018."

In 2022, the county recorded 659 non-fatal overdoses, up from 617 in 2021. Data on fatal overdoses in 2022 are not complete, but the projection is 62, compared to 65 in 2021.

The only data sources for overdoses come from paramedics called in to rescue overdose patients and the coroner's office.

"With COVID-19 we had strong data systems to maintain visibility," Willis said. "This problem by contrast is largely hidden. We're really trying to find

ways to gain better visibility to wrap our arms around this issue.”

Willis cautioned that this is still a new procedure.

“We’re not going to hang our hat on any results until we have a better understanding of how accurate it is, how well it correlates to other data sources,” he said.

But he added, “It could potentially be very powerful for us.”

He said if testing indicates an increase in the amount of fentanyl present in a community’s wastewater, alerts can be posted to warn users, Narcan supplies could be boosted there and strips used to test substances for fentanyl could be distributed.

Biobot was one of the first in the nation to measure SARS-CoV-2 in wastewater and has since brought COVID-19 wastewater monitoring to communities across all 50 states. The company was founded in 2017 to bring more real-time data to communities tackling the opioid crisis.

Ghaeli said that before Biobot began testing wastewater in Cary, North Carolina, it was assumed that the town’s surge in overdoses was being caused by increased use of heroin and fentanyl. The town was trying to address the problem by investing in a needle-exchange program.

After wastewater testing showed high levels of prescription drugs in Cary's wastewater, the town mounted a campaign to increase public awareness about the risks associated with prescription drugs and collected unused prescription drugs for disposal. Cary reduced opioid overdoses by about 40%.

Ghaeli said wastewater sampling is also a very democratic method of collecting data related to overdoses.

"With wastewater data, everyone has an equal voice irrespective of whether you have health insurance or not," Ghaeli said. "As long as you're connected to a sewer system, you are represented in the data."

Wastewater testing for drugs is being done in other areas of the United States as well, without Biobot's help. For example, the city of Tempe, Arizona, is working with scientists from Arizona State University's Biodesign Institute to study its wastewater.

"We began with measuring only four substances regularly in initially only three areas of the city," said Rolf Halden, a professor and sustainability scientist at Arizona State University. "Now we have parsed the city into over a dozen different areas so we have much better geographic understanding of the community."

Halden said wastewater testing is a good way to track the entry of new synthetic drugs into a community.

Willis said he has asked Biobot to add a new drug, xylazine, to those it is testing for in Marin. The veterinary tranquilizer with the street name “tranq” is being mixed with fentanyl, heroin and other illicit drugs.

Xylazine is already common on the East Coast, and the San Francisco’s Office of the Chief Medical Examiner recently found the drug in the bodies of four overdose victims. Xylazine can increase the risk of overdose death, make withdrawal symptoms worse and complicate the healing of wounds, sometimes making amputation necessary.

Willis said the first results for the xylazine testing should be available in about two weeks.