



101 Lucas Valley Road, Suite 300
 San Rafael, CA 94903
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 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
 Craig K. Murray
 Barry Nitzberg
 Gary E. Robards
 Crystal J. Yezman

The Mission of the Las Gallinas Valley Sanitary District is to protect public health and our environment, providing effective wastewater collection, treatment, and resource recovery.

BOARD MEETING AGENDA

September 19, 2024

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

Estimated Time

OPEN SESSION:

4:00 PM

1. PUBLIC COMMENT

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

4:05 PM

2. CONSENT CALENDAR

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

- A. Approve the Board Minutes for September 5, 2024
- B. Receive and Ratify the Check Warrant List
- C. Approve Board Compensation for August 2024
- D. Approve Clark attending the CSDA Succession Planning Webinar on September 24, 2024
- E. Approve Clark attending the CSDA Board Role in Finance Workshop on September 25-26, 2024
- F. Approve Clark attending the Overcoming Challenges AWWA Webinar on October 1, 2024
- G. Approve Award of Contract for Sewer Main Rehabilitation 2024
- H. Approve Revised Will Serve 350 Merrydale, San Rafael
- I. Approve Resolution 2024-2338 adopting revised Board Policy B-50 Training/Conferences/Seminars/Travel/Meals
- J. Approve the Annual Reimbursement Report

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

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

4:15 PM

3. INFORMATION ITEMS:

STAFF/CONSULTANT REPORTS:

1. General Manager’s Report – verbal
2. District Correspondence – written
3. Collections/Maintenance/Safety Department Report – written
4. Personnel Policies and Procedures Revisions and Employee Relations Resolution - written

5:30 PM

4. LGVSD MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AND RESOLUTION 2024-2339

Board to adopt the LGVSD Annex to the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan and Resolution 2024-2339.

6:00 PM

5. BOARD MEMBER REPORTS:

1. CLARK

- a. NBWA Board Committee, Operations Control Centers Ad Hoc Committee, Fleet Management Ad Hoc Committee, FutureSense Ad Hoc Committee, CASA Workforce Committee, Other Reports

2. MURRAY

- a. Marin LAFCo, Flood Zone 6, Biosolids Ad Hoc Committee, CASA Energy Committee, Development Ad Hoc Committee, San Francisco Bay Trail Ad Hoc Committee, Other Reports

3. NITZBERG

- a. Operations Control Centers Ad Hoc Committee, Fleet Management Ad Hoc Committee, McInnis Marsh Ad Hoc Committee, San Francisco Bay Trail Ad Hoc Committee, Other Reports

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek, NBWRA, Engineering Ad Hoc Committee re: STPURWE, McInnis Marsh Ad Hoc Committee, Development Ad Hoc Committee, FutureSense Ad Hoc Committee, Other Reports

5. YEZMAN

- a. Flood Zone 7, CSRMA, Ad Hoc Engineering Committee re: STPURWE, Marin Special Districts, Biosolids Ad Hoc Committee, Other Reports

6:15 PM

6. BOARD REQUESTS:

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

6:20 PM 7. VARIOUS INDUSTRY RELATED ARTICLES

6:30 PM 8. ADJOURNMENT

FUTURE BOARD MEETINGS OCTOBER 3 AND OCTOBER 17 2024

AGENDA APPROVED:	Craig K. Murray, 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 September 16, 2024 4:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held on September 19, 2024 at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: September 12, 2024



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 sessions. 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 of 1990 (42 U.S.C. Sec. 12132), if you need special assistance to participate in this meeting, please contact the Board Secretary at 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 disability-related modifications or accommodations, including auxiliary aids or services, to help ensure accessibility to this meeting.**

AGENDA ITEM 1

9/19/2024

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 SEPTEMBER 5, 2024

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION AT 4:04 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

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

BOARD MEMBERS ABSENT: None

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

OTHERS PRESENT: Patrick Richardson, District Counsel;

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

1. PUBLIC COMMENT: None.

CLOSED SESSION:

ACTION:

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON SEPTEMBER 5, 2024, AT 4:05 P.M. AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch and McDonald left the meeting at 4:05 pm.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to subdivision (b) of Gov. Code Section 54956.9 – One potential case.

ADJOURNMENT:

ACTION:

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on September 5, 2024 at 4:54 p.m.

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

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

OTHERS PRESENT: Patrick Richardson, District Counsel; Laurette Rogers, Point Blue Conservation Science

PUBLIC COMMENT: None.

REPORT ON CLOSED SESSION:

President Murray reported that there was nothing to report.

3. CONSENT CALENDAR:

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

- A. Approve the Board Minutes for August 15, 2024
- B. Receive and Ratify the Check Warrant List
- C. Approve Murray attending the Webinar Truck Regulation Implementation Group meeting on August 29
- D. Approve Award of Contract Smith Ranch Pump Station Improvements
- E. Approve Award of Contract Pump Station Lighting Improvements
- F. Approve Resolution 2024-2336 Confirming the Report on Sewer Service Charges
- G. Approve Resolution 2024-2337 Board Policies F-90, F-100, F-150 and O-10

Items B, D, E and F were pulled for discussion.

ACTION:

Board approved (M/S Robards/Clark (5-0-0-0) the Consent Calendar items A through G.

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

4. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. General Manager’s Report – Paxton reported.

President Murray created a new Board Energy Ad Hoc Committee. He will make the appointments at the next Board meeting.

- 2. Engineering Department Report – Cortez reported.
- 3. Operations Department Report – Liebmann reported
- 4. Board Policy Review of B-50 Training/Conferences/Seminars/Travel/Meals – McDonald reported. Discussion ensued.

5. REPORT ON POINT BLUE CONSERVATION SCIENCE’S STUDENTS AND TEACHERS RESTORING A WATERSHED (STRAW) PROGRAM 2023-2024 AND REVIEW THE REQUEST FOR A DONATION FOR 2024-2025

Laurette Rogers gave a presentation to the Board on the STRAW 2023-2024 program and the Board reviewed the Request for a Donation for the STRAW 2024-2025 program. Discussion ensued.

ACTION:

Board approved (M/S Yezman/Nitzberg (5-0-0-0) the donation request of \$10,000 from Point Blue Conservation Science for the Students and Teachers Restoring a Watershed (STRAW) 2024-2025 program.

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

6. BOARD REPORTS

1. MURRAY

- a. Marin LAFCO –verbal report
- b. Flood Zone 6 – no report
- c. CASA Energy Committee – no report
- d. Biosolids Ad Hoc Committee – no report
- e. Development Ad Hoc Committee – no report
- f. SF Bay Trail Ad Hoc Committee – no report
- g. Other Reports- in the agenda packet

2. NITZBERG

- a. Operation Control Centers Ad Hoc Committee – verbal report
- b. Fleet Management Ad Hoc Committee – no report
- c. McInnis Marsh Ad Hoc Committee – no report
- d. SF Bay Trail Ad Hoc Committee – no report
- e. Other Reports – no report

3. CLARK

- a. NBWA Board Committee – verbal report
- b. Operation Control Centers Ad Hoc Committee – verbal report
- c. Fleet Management Ad Hoc Committee – no report
- d. FutureSense Ad Hoc Committee – no report
- e. CASA Workforce Committee – no report
- f. Other Reports – no report

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek – no report
- b. NBWRA – no report
- c. STPURWE Engineering Ad Hoc Committee –no report
- d. McInnis Marsh Ad Hoc Committee – no report
- e. Development Ad Hoc Committee – no report
- f. FutureSense Ad Hoc Committee – no report
- g. Other Reports – no report

5. YEZMAN

- a. Flood Zone 7– verbal report
- b. CSRMA – no report
- c. Marin Special District Association – no report
- d. STPURWE Engineering Ad Hoc Committee – no report
- e. Biosolids Ad Hoc Committee – no report
- f. Other Reports– no report

7. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – Clark requested to attend the CSDA Agency's Succession Plan webinar on September 24th, the CSDA Board Role in Finance Workshop on September 25th and 26th and the AWWA Overcoming Challenges webinar on October 1st.
- B. Board Agenda Item Requests – none.

8. MISCELLANEOUS DISTRICT CORRESPONDENCE

Discussion ensued.

9. ADJOURNMENT:

ACTION:

The board approved (Yezman/Robards 5-0-0-0)) the adjournment of the meeting at 6:54 p.m.

AYES: Clark, Murray, Nitzberg, Robards and Yezman

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for September 19, 2024 at 4:00 pm at the District office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Gary E. Robards, Vice-President

Agenda Item 2B
Date September 19, 2024

Las Gallinas Valley Sanitary District

Check Register - Warrant List
 Check Issue Dates: 8/12/2024 - 8/28/2024

Page: 1
 Aug 29, 2024 07:47AM

Report Criteria:
 Report type: GL detail
 Check Detail.Input date = 08/28/2024

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount	
ADP Inc							
20240816							
08/24	08/16/2024	668214533	Payroll processing fees Comprehensive Services Bundle ezLabor an	10-400-5303	71.80	71.80	M
202408161							
08/24	08/16/2024	668217363	Payroll processing fees Comprehensive Services Bundle	10-400-5303	2,160.00	2,160.00	M
Total ADP Inc:						2,231.80	
AT&T							
21239							
08/24	08/28/2024	8/7/24 - 9/6/24	Phone Lines at Pump Station - September	10-500-5423	466.62	466.62	
08/24	08/28/2024	8/7/24 - 9/6/24	Phone lines- Recycled Water	60-620-5423	225.40	225.40	
Total AT&T:						692.02	
Bank of Marin							
20240813							
08/24	08/13/2024	LOAN PAYME	Recycled Water Loan Payment	10-699-5524	21,003.01	21,003.01	M
08/24	08/13/2024	LOAN PAYME	Recycled Water Loan Payment- Principal	10-699-5514	6,720.44	6,720.44	M
Total Bank of Marin:						27,723.45	
Bay Area Air Quality Management District							
21265							
08/24	08/28/2024	T174769	Annual Permit to Operate 8/2024-8/2025	10-600-5455	26,326.00	26,326.00	
Total Bay Area Air Quality Management District:						26,326.00	
Bellecci & Associates Inc							
30000670							
08/24	08/28/2024	230140.07	On-Call Inspection Services	10-763-5601	16,548.00	16,548.00	
Total Bellecci & Associates Inc:						16,548.00	
Brittall Environmental Corp.							
21240							
08/24	08/28/2024	3178	Waste oil transportation	10-480-5339	1,293.50	1,293.50	
Total Brittall Environmental Corp.:						1,293.50	
Brown and Caldwell							
30000671							
08/24	08/28/2024	11533120	Secondary Effluent Line Modification - Engineering Services During	10-936-5601	3,293.38	3,293.38	
Total Brown and Caldwell:						3,293.38	
California Water Environment Association							
21241							
08/24	08/28/2024	GREG PEASE	CWEA Membership - G. Pease	10-460-5461	239.00	239.00	
08/24	08/28/2024	A ASARO CER	A Asaro - Mech Tech 2 Cert Renewal 2024	10-460-5461	350.00	350.00	
Total California Water Environment Association:						589.00	

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount	
CalPERS 457 Plan Deferred Comp							
20240815							
08/24	08/15/2024	8.9 457	457 Deferred Comp Paydate 8.9	10-000-2127	11,205.34	11,205.34	M
Total CalPERS 457 Plan Deferred Comp:						11,205.34	
CALPERS Health							
202408221							
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Administration	10-400-5110	14,679.49	14,679.49	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Engineering	10-420-5110	5,107.05	5,107.05	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Collections	10-460-5110	13,074.06	13,074.06	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Maintenance	10-480-5110	2,635.87	2,635.87	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Plant	10-600-5110	16,608.31	16,608.31	M
08/24	08/22/2024	SEPTEMBER 2	Admin Fee - Active	10-400-5110	130.66	130.66	M
08/24	08/22/2024	SEPTEMBER 2	Admin Fee - Retired	10-400-5111	25.20	25.20	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Retired - Employer Share - Administration	10-600-5111	1,413.00	1,413.00	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Retired - Employer Share - Collections	10-600-5111	157.00	157.00	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Retired - Employer Share - Plant	10-600-5111	1,413.00	1,413.00	M
08/24	08/22/2024	SEPTEMBER 2	Health Premium - Active - Lab	10-560-5110	2,335.68	2,335.68	M
Total CALPERS Health:						57,579.32	
CalPERS Required Contribution							
20240822							
08/24	08/22/2024	100000017644	GASB-68 Reports & Schedules	10-400-5129	700.00	700.00	M
Total CalPERS Required Contribution:						700.00	
CALPERS Retirement							
202408151							
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Administration	10-400-5120	5,054.89	5,054.89	M
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Engineering	10-420-5120	4,306.92	4,306.92	M
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Collections	10-460-5120	8,053.13	8,053.13	M
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Maintenance	10-480-5120	1,365.44	1,365.44	M
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Laboratory	10-560-5120	1,691.78	1,691.78	M
08/24	08/15/2024	8.9 PAYDATE	EE & ER Retirement- Plant	10-600-5120	10,546.40	10,546.40	M
Total CALPERS Retirement:						31,018.56	
Caltest Analytical Laboratory							
30000672							
08/24	08/28/2024	721982	Outside Lab Testing	10-560-5329	3,167.50	3,167.50	
08/24	08/28/2024	721999	Outside Lab Testing	10-560-5329	10,542.18	10,542.18	
Total Caltest Analytical Laboratory:						13,709.68	
Cintas Corporation							
21242							
08/24	08/28/2024	4200213304	Laundry Service for week of 7/28/2024	10-600-5334	380.04	380.04	
08/24	08/28/2024	4200213304	Laundry Service for week of 7/28/2024	10-460-5334	380.03	380.03	
08/24	08/28/2024	4200912600	Laundry Service for week of 08/4/2024	10-600-5334	390.38	390.38	
08/24	08/28/2024	4200912600	Laundry Service for week of 08/04/2024	10-460-5334	390.37	390.37	
08/24	08/28/2024	4200912600	Safewasher Mobile Service	10-480-5339	223.64	223.64	
08/24	08/28/2024	4201642282	Laundry Service for week of 08/11/2024	10-600-5334	358.43	358.43	
08/24	08/28/2024	4201642282	Laundry Service for week of 08/11/2024	10-460-5334	358.42	358.42	
08/24	08/28/2024	4202361114	Laundry Service for week of 08/18/2024	10-600-5334	352.40	352.40	
08/24	08/28/2024	4202361114	Laundry Service for week of 08/18/2024	10-460-5334	352.39	352.39	

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Total Cintas Corporation:						3,186.10
Core Utilities, Inc.						
30000673						
08/24	08/28/2024	42821	IT Services FY 2023/24 - Administration	10-400-5361	1,150.00	1,150.00
08/24	08/28/2024	42821	IT Services FY 2023/24 - Engineering	10-420-5361	600.00	600.00
08/24	08/28/2024	42821	IT Services FY 2023/24 - Maintenance	10-480-5361	450.00	450.00
08/24	08/28/2024	42821	IT Services FY 2023/24 - Plant	10-600-5361	500.00	500.00
08/24	08/28/2024	42821	Server Replacements	10-749-5601	210.00	210.00
Total Core Utilities, Inc.:						2,910.00
Cortez, Michael						
30000674						
08/24	08/28/2024	24.25 WELLNE	24/25 Wellness Reimbursement	10-420-5170	500.00	500.00
Total Cortez, Michael:						500.00
Diego Truck Repair Inc						
30000675						
08/24	08/28/2024	69426	2017 Freightliner PM	10-460-5310	2,782.11	2,782.11
Total Diego Truck Repair Inc:						2,782.11
Direct Dental Administrators LLC						
20240823						
08/24	08/23/2024	D20240823-28	Dental Payment - Administration	10-400-5117	579.83	579.83 M
08/24	08/23/2024	D20240823-28	Dental Payment - Plant	10-600-5117	213.08	213.08 M
202408122						
08/24	08/12/2024	202407290000	Admin Fees - Administration	10-400-5117	56.00	56.00 M
08/24	08/12/2024	202407290000	Admin Fees - Engineering	10-420-5117	26.00	26.00 M
08/24	08/12/2024	202407290000	Admin Fees - Collections	10-460-5117	65.00	65.00 M
08/24	08/12/2024	202407290000	Admin Fees - Maintenance	10-480-5117	26.00	26.00 M
08/24	08/12/2024	202407290000	Admin Fees - Lab	10-560-5117	16.00	16.00 M
08/24	08/12/2024	202407290000	Admin Fees - Plant	10-600-5117	80.00	80.00 M
Total Direct Dental Administrators LLC:						1,061.91
Environmental Systems Research Inst.						
21266						
08/24	08/28/2024	94783024	GIS- small utility enterprise license agreement 2024/25	10-460-5363	11,300.00	11,300.00
Total Environmental Systems Research Inst.:						11,300.00
EOA Inc						
30000676						
08/24	08/28/2024	LG35-0724	Technical support for NPDES Permits	60-620-5341	981.90	981.90
08/24	08/28/2024	LG35-0724	Technical support for NPDES Permits	10-600-5341	5,564.10	5,564.10
Total EOA Inc:						6,546.00
FedEx						
21243						
08/24	08/28/2024	8-530-37019	Misc. Mailings - Employment Packet	10-400-5221	39.71	39.71

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Total FedEx:						39.71
Freyer & Laureta Inc						
30000677						
08/24	08/28/2024	24-432	Miscellaneous Pump Station Improvements	10-903-5601	2,330.25	2,330.25
Total Freyer & Laureta Inc:						2,330.25
Grainger						
30000678						
08/24	08/28/2024	9221559124	Misc. Supplies	10-480-5315	2,494.63	2,494.63
Total Grainger:						2,494.63
Hach Company						
30000679						
08/24	08/28/2024	14155559	Hach sensors / electrolyte / membrane caps	10-600-5317	3,153.07	3,153.07
Total Hach Company:						3,153.07
Herb's Pool Service Inc						
21244						
08/24	08/28/2024	795426-1	Max e-pro pump	10-460-5317	1,295.66	1,295.66
Total Herb's Pool Service Inc:						1,295.66
Lingo Telecom Inc						
21245						
08/24	08/28/2024	50763934	Trunk Lines - 101 LVR	10-400-5423	348.88	348.88
Total Lingo Telecom Inc:						348.88
Linscott Engineering Contractors Inc						
21246						
08/24	08/28/2024	4333	Aeration Basin Structure East Side Sinkhole Investigation and Filling	10-420-5415	4,529.58	4,529.58
Total Linscott Engineering Contractors Inc:						4,529.58
Loveless, Ralph						
21247						
08/24	08/28/2024	8.23.24 RETU	Manual Paycheck due to Direct Deposit Return in ADP	10-000-2123	3,412.97	3,412.97
Total Loveless, Ralph:						3,412.97
Marin Ace						
21248						
08/24	08/28/2024	75446	Misc Supplies	10-600-5317	12.77	12.77
08/24	08/28/2024	75521	Misc. Supplies	10-600-5317	96.31	96.31
Total Marin Ace:						109.08
Marin County Ford						
21249						
08/24	08/28/2024	FOCS121790	Preventative Vehicle Maintenance - Lab 09 Ford Ranger	10-560-5310	188.20	188.20

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Total Marin County Ford:						188.20
Marin IJ						
21250						
08/24	08/28/2024	4677805	Newspaper Subscription Delivery for 2024/25	10-400-5433	1,542.50	1,542.50
Total Marin IJ:						1,542.50
McNeal, Jill						
30000680						
08/24	08/28/2024	24/25 WELLNE	24/25 Wellness Reimbursement	10-480-5170	365.10	365.10
Total McNeal, Jill:						365.10
Murray, Craig						
30000681						
08/24	08/28/2024	WASTEWATE	Wasterwater Operations Basic Travel Reimbursement	10-440-5467	125.42	125.42
08/24	08/28/2024	CASA ANNUAL	CASA Annual Conference Reimbursement 2024	10-440-5467	1,229.05	1,229.05
08/24	08/28/2024	AUG 24 MURR	Health Reimbursement - Aug 24	10-440-5115	125.00	125.00
Total Murray, Craig:						1,479.47
Nitzberg, Barry						
30000682						
08/24	08/28/2024	AUG 24 HEALT	Health Reimbursement	10-440-5115	200.00	200.00
08/24	08/28/2024	CASA ANNUAL	CASA Annual Conference 2024	10-440-5467	1,539.30	1,539.30
Total Nitzberg, Barry:						1,739.30
Noil & Tam Architects						
21251						
08/24	08/28/2024	0060991	Multipurpose Laboratory Building	10-764-5601	83,860.85	83,860.85
Total Noil & Tam Architects:						83,860.85
North Bay Gas & Welding Supply						
21252						
08/24	08/28/2024	NORTH BAY G	Welding Machine	10-480-5222	3,746.18	3,746.18
08/24	08/28/2024	NORTH BAY G	Welding Supplies	10-480-5222	690.25	690.25
Total North Bay Gas & Welding Supply:						4,436.43
Operating Engineers Local No. 3						
21253						
08/24	08/28/2024	PAYDAY 8/23/2	Union Dues 8/23/24 Paydate	10-000-2129	764.40	764.40
08/24	08/28/2024	PAYDAY 8/9/20	Union Dues 8/09/24 Paydate	10-000-2129	764.40	764.40
Total Operating Engineers Local No. 3:						1,528.80
Orion Protection Services Group Inc						
30000683						
08/24	08/28/2024	13622	Nightly Patrol- Smith Ranch	10-600-5337	379.94	379.94
Total Orion Protection Services Group Inc:						379.94

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Owen Equipment						
21254						
08/24	08/28/2024	00064530	Swivel Joint	10-460-5310	1,762.79	1,762.79
Total Owen Equipment:						1,762.79
Pacific Gas & Electric - 0580531718-6						
21267						
08/24	08/28/2024	06/26/2024 - 0	Electricity @ Plant	10-600-5425	66,650.71	66,650.71
08/24	08/28/2024	06/26/2024 - 0	Total NEM Charges 7/24/23-7/24/24	10-600-5425	168,884.90	168,884.90
Total Pacific Gas & Electric - 0580531718-6:						235,535.61
Pacific Gas & Electric - 1991349158-5						
21268						
08/24	08/28/2024	06/17/2024 - 0	Electricity @ Pump Stations - 06/17/24 - 07/16/2024	10-500-5425	15,038.21	15,038.21
Total Pacific Gas & Electric - 1991349158-5:						15,038.21
Pacific Gas & Electric CDX7397590484 SOL						
21269						
08/24	08/28/2024	6/26/2024 - 07/	Electricity on Solar 6/26-7/24	10-580-5425	6,900.12	6,900.12
08/24	08/28/2024	6/26/2024 - 07/	Total Nem Charges 7/24/23-7/24/24	10-580-5425	47,129.40	47,129.40
Total Pacific Gas & Electric CDX7397590484 SOL:						54,029.52
Pacific Wastewater Optimization						
21255						
08/24	08/28/2024	1015	Secondary Clarifiers Flo-Clip Baffle System Design and Installation S	10-935-5601	10,000.00	10,000.00
08/24	08/28/2024	1015	Secondary Clarifiers Flo-Clip Baffle System Design and Installation S	10-935-5601	30,000.00	30,000.00
Total Pacific Wastewater Optimization:						40,000.00
Platt Electric Supply						
21256						
08/24	08/28/2024	5K80485	Misc. Supplies	10-600-5315	74.54	74.54
08/24	08/28/2024	5L33622	Misc. Supplies	10-480-5315	47.85	47.85
Total Platt Electric Supply:						122.39
Rafael Lumber						
21257						
08/24	08/28/2024	375671	Misc. Supplies	10-480-5312	408.35	408.35
Total Rafael Lumber:						408.35
Regional Government Services						
30000684						
08/24	08/28/2024	17227	Contract services for July	10-400-5342	3,413.84	3,413.84
Total Regional Government Services:						3,413.84
Retiree Augusto						
30000685						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	184.72	184.72

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Total Retiree Augusto:						184.72
Retiree Burgess						
30000686						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	167.79	167.79
Total Retiree Burgess:						167.79
Retiree Cummins						
30000687						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	167.79	167.79
Total Retiree Cummins:						167.79
Retiree Cutri						
30000688						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	526.44	526.44
Total Retiree Cutri:						526.44
Retiree Emanuel						
30000689						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	291.15	291.15
Total Retiree Emanuel:						291.15
Retiree Gately						
30000690						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	291.15	291.15
Total Retiree Gately:						291.15
Retiree Guion						
30000691						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	291.15	291.15
Total Retiree Guion:						291.15
Retiree Kermoian						
30000692						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	167.79	167.79
Total Retiree Kermoian:						167.79
Retiree Mandler						
30000693						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-460-5111	167.79	167.79
Total Retiree Mandler:						167.79
Retiree Memmott						
30000694						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	229.55	229.55
Total Retiree Memmott:						229.55

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Retiree Petrie						
30000695						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	184.72	184.72
Total Retiree Petrie:						184.72
Retiree Pettey						
30000696						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	209.01	209.01
Total Retiree Pettey:						209.01
Retiree Reetz						
30000697						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	492.58	492.58
Total Retiree Reetz:						492.58
Retiree Reilly						
30000698						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	167.79	167.79
Total Retiree Reilly:						167.79
Retiree Vine						
30000699						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	167.79	167.79
Total Retiree Vine:						167.79
Retiree Wettstein						
30000700						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-600-5111	826.00	826.00
Total Retiree Wettstein:						826.00
Retiree Williams						
30000701						
08/24	08/28/2024	SEPT 24	Retiree Health Reimbursement	10-400-5111	826.00	826.00
Total Retiree Williams:						826.00
Robards, Gary						
30000702						
08/24	08/28/2024	2024 CASA CO	2024 CASA Conference Reimbursement	10-440-5467	785.94	785.94
08/24	08/28/2024	AUG 24 HEALT	Health Reimbursement - Aug 24	10-440-5115	200.00	200.00
Total Robards, Gary:						985.94
Southwest Valve & Equipment						
21258						
08/24	08/28/2024	36795B25398	Two 2-inch Plug Valves and Two 20-inch Check Valves	10-935-5601	21,193.45	21,193.45
Total Southwest Valve & Equipment:						21,193.45
Stroupe Petroleum						

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
21259						
08/24	08/28/2024	I44441	Pump Motor 87 Repair	10-500-5317	1,691.40	1,691.40
Total Stroupe Petroleum:						1,691.40
United Site Services						
21260						
08/24	08/28/2024	INV-4723152	Porta Potties at plant	10-600-5339	1,271.66	1,271.66
Total United Site Services:						1,271.66
Univar USA Inc.						
30000703						
08/24	08/28/2024	52328815	Sodium Hypochlorite - Annual FY 24/25 Budget	10-600-5281	17,054.79	17,054.79
Total Univar USA Inc.:						17,054.79
Verizon Wireless						
21261						
08/24	08/28/2024	9970013174	District Cell Phones	10-600-5423	698.00	698.00
08/24	08/28/2024	9970013174	District Cell Phones	10-460-5423	521.02	521.02
08/24	08/28/2024	9970013174	District Cell Phones	10-480-5423	261.24	261.24
08/24	08/28/2024	9970013174	District Cell Phones	10-420-5423	52.14	52.14
08/24	08/28/2024	9970013174	District Cell Phones	10-560-5423	52.14	52.14
08/24	08/28/2024	9970013174	District Cell Phones	10-440-5423	38.01	38.01
Total Verizon Wireless:						1,622.55
Water Components & Building Supply						
21262						
08/24	08/28/2024	30643128	Fill Hoses	10-460-5317	463.90	463.90
08/24	08/28/2024	30643218	Flange and Gaskets	10-460-5317	821.72	821.72
08/24	08/28/2024	30643620	Misc. Supplies	10-600-5317	1,143.41	1,143.41
08/24	08/28/2024	30643702	20 ft PVC Pipes	10-600-5317	160.82	160.82
08/24	08/28/2024	30643885	Misc. Supplies	10-600-5317	302.13	302.13
Total Water Components & Building Supply:						2,891.98
Woodland Center Auto Supply Inc.						
21263						
08/24	08/28/2024	885377	Vehicle Battery	10-460-5310	341.76	341.76
Total Woodland Center Auto Supply Inc.:						341.76
WRA INC						
21264						
08/24	08/28/2024	26227-3-54389	Lower Miller Creek Rock Weir and Vane Repair Permitting	10-812-5601	3,389.00	3,389.00
Total WRA INC:						3,389.00
Yezman, Crystal						
30000704						
08/24	08/28/2024	AUG 24 HEALT	Health Reimbursement - Aug 24	10-440-5115	200.00	200.00
08/24	08/28/2024	CASA ANNUAL	2024 CASA Annual Conference Travel Reimbursement	10-440-5467	2,063.88	2,063.88
Total Yezman, Crystal:						2,263.88

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Invoice Number	Description	Invoice GL Account	Invoice Amount	Amount
Grand Totals:						<u>742,806.92</u>

Board Member: _____

General Manager: CTR 09/03/2024

Finance Manager: _____

Agenda Item 2C
Date September 19, 2024

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	5
Barry Nitzberg	4
Craig Murray	6
Gary Robards	5
Crystal Yezman	<u>4</u>
Total	<u><u>24</u></u>

Meeting Date: 9/19/2024
Paydate: 9/20/2024



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: AUGUST 2024

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
15 th	Reg.	✓	
TOTAL		1	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
1 st	CASA	✓	
2 nd	CASA	✓	
28 th	ad hoc OCCS	✓	
30 th	NBWA	✓	
TOTAL		4	

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

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

Megan Clark
Director Signature

9-5-24
Date

[Signature]
Administrative Services Manager Approved

9/6/24
Date

[Signature]
Board Secretary Received

9/5/24
Date



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Barry Nitzberg Month: August

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
8/15	Board Meeting	✓	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
8/1/24	CASA Conference	✓	
8/2/24	CASA Conference	✓	
8/28/24	Operations Control Center Mtg	✓	
TOTAL		4	

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.

Barry Nitzberg
Director Signature

[Signature]
Administrative Services Manager Approved

[Signature]
Board Secretary Received

8/28/24
Date

9/6/24
Date

8/28/24
Date



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MURRAY, Craig K. Month: August 2024


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
8/15/24	Board Meeting	X	
TOTAL		1/1	

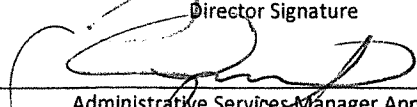
OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
8/1,2/24	CASA Annual Conference - Monterey	XX	
8/4,16/24	Merrydale Road/Las Gallinas Creek Headwater Litter & Debris Removal c/o City of San Rafael: 8/4 0.5 hrs; 8/16 1.5 hrs		XX
8/8/24	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting	X	
8/8/24	Marin LAFCo – Regular Board Meeting		X
8/13/24	RCAC: Once More Into the Bleach: Safety + Application of Sodium Hypochlorite		X
8/13/24	RCAC: Wastewater Operation Basics & Operator Certification - Del Mar Recreation Center The Sea Ranch	X	
8/29/24	CARB TRIG Outreach Meeting: Advanced Clean Fleets Truck Regulation Implementation Group (TRIG) Outreach Update Meeting.	X	
TOTAL		5/8	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	6/9
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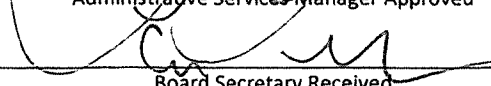
I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.



 Director Signature



 Administrative Services Manager Approved



 Board Secretary Received

August 26, 2024

 Date

9/6/24

 Date

8/26/24

 Date

BOARD MEMBER ATTENDANCE FORM

Director's Name: GARY ROBBARDS Month: Aug 2024

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
8/1/24	CASK Conference	1	
8/2/24	CASA Conference	1	
8/15/24	REGULAR BOARD MTG	1	
TOTAL		3	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
8/12/24	Engineering AD Hoc	1	
8/14/24	Gallinas Watershed	1	
TOTAL		2	

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

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

Gary Robbards
Director Signature

8/26/24
Date

[Signature]
Administrative Services Manager Approved

9/5/24
Date

[Signature]
Board Secretary Received

8/27/24
Date



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

BOARD MEMBER ATTENDANCE FORM

Director's Name: Crystal Yezman Month: August 2024

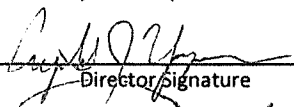
Board Members shall be compensated for up to the legal limit of six (6) meetings per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
08/15/2024	Regular Board Mtg	X	
TOTAL		1	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
08/01/2024	CASA Conference	X	
08/02/2024	Travel Day – CASA Conference	X	
08/12/2024	Engineering Subcommittee AdHoc	X	
TOTAL		3	

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



 Director signature

 08/29/2024
 Date

 24
 9/6/24
 8/29/24

Agenda Item 2D
Date September 19, 2017



BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: 9-5-24 Name: MEGAN CLARK

I would like to attend the Agency's Succession Plan Meeting
of CSDA

To be held on the 24th day of SEPT. from 10:00 a.m./p.m. to 12:00 p.m.
_____ day of _____ from _____ a.m. / p.m.

Location of meeting: WEBINAR

Actual meeting date(s): 9-24-24

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

Purpose of Meeting: UNDERSTAND SUCCESSION PLANNING

Meeting relevance to District: INFO

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

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): 0

Date submitted to Board Secretary: 9-5-24

Board approval obtained on Date: _____

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

Agenda Item 2E
date September 19, 2024



BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: 9-5-24 Name: MEGAN CLARK

I would like to attend the Board Role in Finance Meeting
of LSDA

To be held on the 25TH day of SEPT. from 9:00 (a.m.) / p.m. to
26TH day of SEPT. from 12:00 a.m. / (p.m.)

Location of meeting: N/A

Actual meeting date(s): SEPT. 25 + SEPT. 26TH, 2024, 9:00-12:00

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

Purpose of Meeting: INFO

Meeting relevance to District: LEARN about Board's Role in Finance

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

Frequency of Meeting: 2 days

Estimated Costs of Travel (if applicable): X, \$230 for seminars

Date submitted to Board Secretary: 9-5-24

Board approval obtained on Date: _____

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



**BOARD MEMBER
MEETING ATTENDANCE REQUEST**

Date: 9-5-24 Name: MEGAN CLARK

I would like to attend the OVERCOMING CHALLENGES Meeting
of AWWA

To be held on the 1ST day of OCT. from 1:00 a.m. / p.m. to 2:30 p.m.
_____ day of _____ from _____ a.m. / p.m.

Location of meeting: N/A

Actual meeting date(s): OCT. 1ST 2024

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

Purpose of Meeting: INFO

Meeting relevance to District: INFO

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

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): Ø

Date submitted to Board Secretary: 9-5-24

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: September 19, 2024
Re: Award of Contract for Sewer Main Rehabilitation 2024
Item Type: Consent Action _____ Information _____ Other _____
Standard Contract: Yes No _____ (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board approves the award of contract to Pacific Trenchless Inc. for the Sewer Main Rehabilitation 2024 (with Inflow & Infiltration Reduction) project in the amount of \$1,967,545.45.

BACKGROUND

On August 23, 2024, District staff opened bids for Sewer Main Rehabilitation 2024 project and publicly announced that Hardiman Construction, Inc. is the apparent lowest bidder at \$1,936,155. However, after bid evaluation staff determined that the lowest responsive and responsible bidder is Pacific Trenchless Inc. in the amount of \$1,967,545.45. Hardiman Construction failed to use the appropriate Bid Schedule that staff issued via an addendum, which Hardiman Construction acknowledged to have received prior to the bid opening in its bid package.

The project provides for rehabilitation of approximately 5,180 lineal feet of existing 6 and 8-inch sewer mains and trunk sewers at the following locations: Heatherstone Dr, Blackstone Dr, Peachstone Dr, Miller Creek Rd, Corte Miguel Easement, Las Gallinas Ave Easement, Heather Wy, Hibiscus Wy, Elena Cir, Trellis Dr, Garden Ave, Corrillo Dr, Estancia Wy, and Mt Lassen Dr. Included as inflow & infiltration (I&I) reduction components are the rehabilitation of approximately 30 manholes, replacement of 8 rodding inlets with new manholes, and replacement of approximately 103 lower laterals.

Both sewer main rehabilitation and I&I reduction are consistent with Tasks 2 and 3 of Table 6: Specific Tasks to Reduce Wet Weather Bypass of the current NPDES Permit and aligns with the District Board’s overall goal to increase the reliability of the Collection System by reducing I&I and preventing sanitary sewer overflows (SSOs).

District staff prepared the plans and specifications, and the Engineer’s estimate is \$2,500,000. The bid results are as follows:

<u>Bidder</u>	<u>Amount</u>
1. Pacific Trenchless Inc. (Oakland)	\$1,967,545.45
2. Koios Engineering Inc. (San Francisco)	\$1,986,905.00
3. APB Engineering (San Pablo)	\$2,088,270.00
4. KJ Woods Construction Inc. (South San Francisco)	\$2,328,000.00



5. Bay Pacific Pipeline Inc. (Novato)	\$2,335,925.50*
6. Corcus Construction Inc. (San Francisco)	\$3,251,991.00
7. Cratus Inc. (Sacramento)	\$3,559,120.00*
8. Precision Engineering Inc. (San Francisco)	\$3,626,900.00
9. Hardiman Construction Inc. (Larkspur)	\$1,936,155.00 **

* - *Adjusted due to numerical discrepancies*

** - *Non-responsive due to incorrect Bid Schedule*

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

\$1,967,545.45, which is within the combined FY 2024-25 CIP budget of \$2,386,823 for Sewer Main Rehabilitation 2024 (\$1,886,823) and Sewer I&I Reduction Program (\$500,000). District staff anticipates using the remaining portion of the budget for construction management and inspection services.



Item Number _____ 2H _____

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: September 19, 2024
Re: Revised Will-Serve Letter for 350 Merrydale
Item Type: Consent Action _____ Information _____ Other _____
Standard Contract: Yes No _____ (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board approves the revised Will-Serve Letter for 350 Merrydale.

BACKGROUND

On September 7, 2023, the District Board concurred with District staff’s recommendation to issue a Will-Serve Letter to David Jacobson with Ridgewood Properties for 350 Merrydale Townhomes through the previous applicant/owner Michael Hooper who claimed to have sold the development to Ridgewood Properties after processing all permitting requirements with City of San Rafael Planning Department and the District. The applicant failed to pay the connection fee prescribed in the original Will-Serve letter in a timely manner for unknown reasons and has since requested a revised letter effective September 19, 2024 through Michael Hooper.

District staff reviewed the conditions outlined in the original Will-Serve Letter and determined that no changes are necessary except applying the current connection fee rates in lieu of the 2023 rates, which Michael Hooper concurred. The revised connection fee for the 45 townhomes/condominiums has increased from \$308,382 to \$311,259. As previously required, the applicant has an option to pay the connection fee within a 2-year period outlined in the Will-Serve Letter.

PREVIOUS BOARD ACTION

The District Board approved a Will-Serve Letter to 350 Merrydale Townhomes on September 7, 2023.

ENVIRONMENTAL REVIEW

City of San Rafael Planning Department

FISCAL IMPACT

Connection fee of \$311,259.



Figure 1. Location Map



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
 Craig K. Murray
 Barry Nitzberg
 Gary E. Robards
 Crystal J. Yezman

Date: September 19, 2024

Property Owner(s): Ridgewood Properties/David Jacobson

Property Owner Address: 454 Las Gallinas Ave, Suite 284
 San Rafael, CA 94903

Applicant: Ridgewood Properties/David Jacobson

Project Name: 350 Merrydale Rd

Project Address: 350 Merrydale Rd
 San Rafael, CA 94903

Project APN: APN 179-041-27

Re: Will-Serve Letter

You have requested a revised **Will-Serve Letter** from the Las Gallinas Valley Sanitary District (“District”) at the September 19, 2024 Board Meeting to supersede the previous letter issued on September 7, 2023.

Subject to the terms and conditions in this letter, District will serve the project consisting of 45 townhomes or condominiums (residential units). This letter may be used to submit to another local agency to satisfy a condition for either tentative subdivision map approval or any other permit approval.

This letter is contingent upon the following:

- 1) **Satisfaction of all the conditions and requirements set forth in the Preliminary Conditions of Approval issued in September 2020 to the Applicant.**
- 2) **Satisfaction of all the conditions and requirements set forth in the Will-Serve Letter issued on September 9, 2023 to the Applicant with adjusted Connection Fee rate shown below.**
- 3) **Satisfaction of the conditional requirement to address any corrective actions in the sanitary sewer improvement components of the project and fulfill connection fee obligation before the District signing off on the final inspection.**

The standard terms and conditions of approval are as follows:

Initial	Item	Condition of Approval
	1	Applicant shall pay for the facility capacity fee (new connection fee) in accordance with District ordinances and policies. Please note payment date and amount obligations.
	2	Applicant agrees to abide by all conditions of approval of the Board of Directors and District staff.
	3	This Will-Serve approval terminates three (3) years from the Board meeting date unless all building permits have been issued for the project.

4	Field verification before and after construction is required for this project. Applicant shall accommodate and coordinate with District hired third-party inspector.
5	Prior to the connection of any sewer lateral, you must contact the District for the sewer lateral inspection permit and the application is available on District website. A lateral tie-in inspection is required before any lateral can be backfilled.
6	After the sewer lateral inspection is completed and the connection is verified, the project will be added to the sewer user charge and will receive a charge for this service annually.
7	Applicant shall reimburse the District for all plan review, field verification before and after construction, and inspection fees accrued associated with this project.

The Connection Fee approved by the Board is as follows:

Connection Fee for 45 Townhomes/Condominiums at \$8,266/unit:	\$ 371,970.00
Credit for 147 existing PFUs at \$413/PFU:	<\$ 60,711.00>
Application Fee:	\$ 500.00 (paid)
Engineering Review and Inspection Fees:	\$ TBD*
Total Fee:	\$ 311,259.00
Outstanding Balance:	\$ 311,259.00

(* - See Item 7 above.)

The existing PFU count shall be subject to field verification prior to demolition. Similarly, the number of residential units shall be field verified upon project completion. The connection fee may be adjusted based on field verification of the actual number of PFU and residential units.

The District ordinance provides for payment of the Connection Fee over a two-year period according to the following:

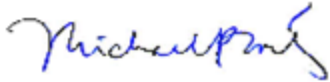
1. 10% of the Connection Fee is due within thirty days of Board approval of final plans and specifications.
2. 40% of the Connection Fee is due within one year, September 19, 2025; or upon the date of building permit issuance, whichever occurs first.
3. 50% of the Connection Fee is due within two years, September 19, 2026; or upon the date of building permit issuance, whichever occurs first.

Please remit **\$311,259** and make the check payable to Las Gallinas Valley Sanitary District. Note that if the payment schedule as above is not followed, you risk losing your allocation.

By issuing this **Will-Serve Letter**, District is not incurring any liability of any nature, including but not limited to mandate, damages, or injunctive relief. District is making no representation to the Applicant nor waiving any rights it has under any applicable State or Federal law. In the event there is any court-imposed moratorium on District, a connection to the District system may not occur. In the event any government agency imposes a moratorium on District, a connection to the District system may not occur. In the event there is not sufficient capacity, a connection to the District system may not occur.

If connection has not been made within three years, the allocation will be terminated without prejudice. Upon request, you will receive a refund of 90% of the above fees and you will be able to re-apply for an allocation at the fee rate then prevailing. Please sign and date the original of this letter and return it to the District office within 10 days. The copy is for your records.

Sincerely,



Michael P. Cortez, PE
District Engineer

AGREED:

_____ Date: _____
Project Applicant Signature

Cc: Dale McDonald, Administrative Services Manager

DRAFT



Item Number _____ 21 _____
GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcdonald@lqvsd.org
Meeting Date: September 19, 2024
Re: Approve Resolution No. 2024-2338 adopting revised Board Policy B-50
Training/Conferences/Seminars/Travel/Meals
Item Type: Consent X Action _____ Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Approve Resolution No. 2024-2338 updating policy B-50 Training/Conferences/Seminars/Travel/Meals.

BACKGROUND

An inquiry was made during the August 15, 2024 Board meeting asking if Board members could receive a per diem for meals while traveling on District business rather than having to provide itemized receipts for meals. Board Policy B-50 establishes the rules for attendance at training, conferences, seminars and other travel which includes requirements for reimbursement of meals and incidental expenses.

On September 5, 2024, the Board reviewed and supported proposed changes to Board policy B-50 Travel/Conferences/Seminars/Travel/Meals, allowing Board members to receive per diem reimbursement for Meal & Incidental Expenses (M&IE) in lieu of submitting actual itemized receipts.

PREVIOUS BOARD ACTION

The Board Policy B-50 was last updated on May 19, 2022 by Resolution No. 2022-2255

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

RESOLUTION NO. 2024-2338

A RESOLUTION APPROVING BOARD POLICY REVISIONS FOR B-50 TRAINING/CONFERENCES/SEMINARS/TRAVEL/MEALS

THE LAS GALLINAS VALLEY SANITARY DISTRICT

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

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

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

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

WHEREAS, on September 5, 2024 the Board reviewed suggested policy revisions to Board Policy B-50 TRAINING/CONFERENCES/SEMINARS/TRAVEL/MEALS.

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy section: B-50 TRAINING/CONFERENCES/SEMINARS/TRAVEL/MEALS. The previously approved Board Policy B-50 is hereby revoked and declared null and void.

If any policy or portion of a policy contained within the Policies and Procedures is in conflict with rules, regulations, or legislation having authority over the Las Gallinas Valley Sanitary District, said rules, regulations or legislation shall prevail. The Policies and Procedures shall remain in effect until amended by at least a majority vote of the Board of Directors.

* * * * *

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 19th day of September, 2024 by the following vote of the members thereof:

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

Teresa Lerch, District Secretary

APPROVED: (seal)

Craig K. Murray, President of Board of Directors

B-50 TRAINING/CONFERENCES/SEMINARS/TRAVEL/MEALS

Purpose

This policy establishes the rules for attendance at training , conferences, seminars and other travel.

Since trips and travel expenses for training , conferences and seminars are being paid for with public funds, it shall be the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible to attain maximum benefit. Board members will limit expenses being borne by the District to be within the allowed limits.

B-50-10 Attendance Encouraged, but Limit on Number of Conferences. Board Members are encouraged to attend educational training, conferences and seminars, and serve as representatives of the District at professional meetings that clearly benefit the District and are directly related to improving the operation of the District. Board Members are limited to four (4) conferences or seminars per calendar year for which the District will pay expenses per the approved usual and reasonable travel related reimbursement chart below. The Board may vote to allow a Member to exceed this limitation of four (4) conferences or seminars prior to that Member's attendance at that event. For multi-day conferences, compensation shall be at a maximum of one meeting per day. If travel to a conference requires travel of four hours or more, portal to portal, the Board member may charge for that day.

One day conferences or virtual conferences without overnight travel will not be considered in the annual attendance limit and will be reimbursed as a special meeting. Any conference or seminar that a Board Member attends of two days or longer shall be included in the four (4) conference or seminar limit. Board Members are required to submit a Meeting Attendance Request or a Conference Registration Form in advance of the requested travel. In order to receive approval for reimbursement, the requests should be submitted at least five business days prior to the Board Meetings.

B-50-20 Usual and Reasonable Costs. The Board will comply with Government Code §53232.2. The District will pay all usual and reasonable costs associated with attendance at approved training, conferences, seminars, and other travel, including, but not limited to, registration, lodging, mileage, meals, ground transportation, parking and travel. Actual and necessary expenses incurred in the performance of official duties shall be reimbursable. Itemized receipts are required to be submitted for reimbursement. In lieu of submitting actual itemized receipts for Meals and Incidental Expenses (M&IE), the District will allow Board members to receive per diem reimbursement for M&IE pursuant to the prevailing U.S. General Services Administration's (GSA) per diem rates according to Internal Revenue Service (IRS) guidance. GSA per diem rates are set on October 1 of every year and vary based on where the expenses are incurred while on official travel. Directors can use the latest per diem rates found on the GSA website at <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

The expenses shall be presented to the Board for approval through the normal administrative process.

Resolution No. 2024-2338	Date Approved: _____
President of the Board	Last Revised: May 19, 2022

Transportation (ie – by passenger vehicle, scheduled shuttle or taxi) reimbursement for travel to San Francisco Airport or Oakland Airport will not exceed a maximum of \$46.00 one way. Cash tips unsubstantiated by receipts (i.e. - bellman, hotel maid) shall be reimbursed as incidental expenses subject to the prevailing US General Services Administration's current breakdown of incidental expenses .

Transportation expenses to and at an offsite event that is scheduled as part of a conference or meeting shall be reimbursable. Itemized receipts are required to be submitted for reimbursement. Tips for transportation such as cabs and shuttles that are included in the receipt from the driver shall be reimbursable and not included in the incidental expense portion of the daily expense limit specified by the US General Services Administration.

B-50-30 Expenses for Non-Conference Related Meetings. A Board member may attend a meeting that is not part of a conference where District business is discussed. Reasonable expenses for transportation and meals shall be reimbursed, subject to the substantiation requirements and meal and incidental expense allowances described above, after receiving approval from the Board.

B-50-40 Report to Board. A Board member who attends a conference/seminar/meeting etc. for which the District has paid expenses shall make an oral or written report to the Board, detailing what was learned that benefits the District.

Resolution No. 2024-2338	Date Approved: _____
President of the Board	Last Revised: May 19, 2022




Item Number 2J

GM Review CP

Agenda Summary Report

To: Board of Directors

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

Mtg. Date: September 19, 2024

Re: Annual Reimbursement Report for Staff and Board Members

Item Type: Consent X Action _____ Information _____ Other _____

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

STAFF RECOMMENDATION:

Receive reimbursement report. Informational only.

BACKGROUND:

California Government Code Section 53065.5 requires that the District “at least annually, disclose any reimbursement paid by the district within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received.” An “individual charge includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the governing body of the district.”

In addition to meeting, conference or training attendance reimbursement, California Government Code Section 53232.2 allows for reimbursement for miscellaneous actual and necessary expenses to conduct District business. Administrative Policy A-03 provides guidance on covered positions eligible for reimbursement of a tablet or laptop computer. Board Policy B-60-51 establishes a miscellaneous expenses reimbursement limit for up to \$1,600 per calendar year. For reporting purposes, miscellaneous expenses incurred during the preceding fiscal year are included in this report.

The attached listing of reimbursements for board members and staff paid between July 1, 2023 and June 30, 2024 meets the disclosure requirement of California Government Code Section 53065.5.

PREVIOUS BOARD ACTION:

None.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None

**Las Gallinas Valley Sanitary District
Annual Reimbursement Report**

July 2023 through June 2024
Board Member / Employee Reimbursements

Name	Date	Description	Amount
Amatori, Pamela			
	06/13/24	Wellness Reimbursement Program	500.00
Total Amatori, Pamela			<u>500.00</u>
Asaro, Anthony			
	12/26/23	Safety Boot Allowance 2024	325.00
	05/30/24	Wellness Reimbursement Program	500.00
Total Asaro, Anthony			<u>825.00</u>
Beran, Angela			
	06/18/24	Wellness Reimbursement Program	500.00
Total Beran, Angela			<u>500.00</u>
Buchholz Bob			
	12/26/23	Safety Boot Allowance 2024	325.00
	01/02/24	Wellness Reimbursement Program	269.87
	05/03/24	Wellness Reimbursement Program	230.13
	06/27/24	PACP/LACP/MACP Training Reimbursement	1,175.00
Total Buchholz, Bob			<u>2,000.00</u>
Campbell, Christopher			
	10/19/23	Wellness Reimbursement Program	400.00
	11/28/23	State Resources Control Board Certification Renewal	150.00
	12/26/23	Safety Boot Allowance 2024	325.00
	04/15/24	AC24 Conference Expenses Reimbursement	110.68
	04/15/24	AC24 Conference Expenses Reimbursement	246.52
Total Campbell, Christopher			<u>1,232.20</u>
Cardenas, Manuel			
	10/11/23	Wellness Reimbursement Program	500.00
	12/26/23	Safety Boot Allowance 2024	325.00
Total Cardenas, Manuel			<u>825.00</u>
Clark, Abraham			
	05/15/24	Safety Boot Allowance 2024	325.00
	05/16/24	CWEA Membership fee	221.00
	06/12/24	Wellness Reimbursement Program	500.00
Total Clark, Abraham			<u>1,046.00</u>
Clark, Megan			
	10/26/23	American Water Works Meeting Expense Reimbursement	120.00
	11/03/23	Dental Reimbursement	1,973.00
	02/07/24	2023 Water Reuse Conference Expenses Reimbursement	1,791.87
Total Clark, Megan			<u>3,884.87</u>
Cook, Glenn			
	10/24/23	Wellness Reimbursement Program	500.00
	12/26/23	Safety Boot Allowance 2024	325.00
Total Cook, Glenn			<u>825.00</u>
Cortez, Michael			
	12/26/23	Safety Boot Allowance 2024	325.00

**Las Gallinas Valley Sanitary District
Annual Reimbursement Report**

July 2023 through June 2024
Board Member / Employee Reimbursements

	04/15/24	Wellness Reimbursement Program	500.00
Total Cortez, Michael			<u>825.00</u>
Fernandes Robert			
	12/26/23	Safety Boot Allowance 2024	325.00
	06/14/24	Wellness Reimbursement Program	500.00
Total Fernandes, Robert			<u>825.00</u>
Ford, Ron			
	07/10/23	Health Benefit Payment	200.00
	08/08/23	Health Benefit Payment	200.00
	09/08/23	Health Benefit Payment	200.00
	10/06/23	Health Benefit Payment	200.00
	11/01/23	Health Benefit Payment	200.00
	11/15/23	WateReuse Conference Expenses Reimbursement	1,863.89
	12/11/23	Health Benefit Payment	200.00
	01/09/24	Health Benefit Payment	200.00
	02/12/24	Health Benefit Payment	200.00
	03/14/24	Health Benefit Payment	200.00
Total Ford, Ron			<u>3,663.89</u>
Franklin, William			
	10/03/23	Mechanical Technician Training reimbursement	185.00
	12/26/23	Safety Boot Allowance 2024	325.00
	01/09/24	CWEA Membership fee reimbursement	207.00
	06/12/24	NASSCO PACP V. 8 Cert. Reimbursement	925.00
	06/14/24	Wellness Reimbursement Program	500.00
Total Franklin, William			<u>2,142.00</u>
Gill, Chris			
	12/26/23	Safety Boot Allowance 2024	325.00
	06/27/24	Wellness Reimbursement Program	500.00
Total Gill, Chris			<u>825.00</u>
Golshani, Sahar			
	07/19/23	Safety Glasses Reimbursement	305.00
	10/12/23	Wellness Reimbursement Program	500.00
	12/26/23	Safety Boot Allowance 2024	325.00
	06/30/24	Education reimbursement	518.60
Total Golshani, Sahar			<u>1,648.60</u>
Huang, Yi Ying			
	03/26/24	Wellness Reimbursement Program	273.54
	04/23/24	Wellness Reimbursement Program	226.46
Total Huang, Yi Ying			<u>500.00</u>
Hunt, Brandon			
	06/17/24	Wellness Reimbursement Program	321.84
Total Hunt, Brandon			<u>321.84</u>
Inskeep, Stephen			
	10/16/23	Fastrak Reimbursement for District Vehicle Charges	408.50
	10/20/23	WEFTEC Conference Expenses Reimbursement	1,515.75
	11/02/23	Wellness Reimbursement Program	500.00

**Las Gallinas Valley Sanitary District
Annual Reimbursement Report**

July 2023 through June 2024

Board Member / Employee Reimbursements

	12/26/23	Safety Boot Allowance 2024	325.00
	01/08/24	Operator Certification Renewal reimbursement	150.00
Total Inskeep, Stephen			<u>2,899.25</u>
Lerch, Teresa			
	12/11/23	Wellness Reimbursement Program	500.00
Total Lerch, Teresa			<u>500.00</u>
Liebmann, Mel			
	10/20/23	Phone reimbursement per contract	295.16
	02/08/24	Wellness Reimbursement Program	500.00
Total Liebmann, Mel			<u>795.16</u>
Loveless, Ralph			
	07/10/23	Grade III Wastewater Cert	150.00
	12/21/23	WEF Conference Expenses Reimbursement	2,121.26
	12/26/23	Safety Boot Allowance 2024	325.00
	06/27/24	Wellness Reimbursement Program	500.00
Total Loveless, Ralph			<u>3,096.26</u>
Maleki, Ghazaleh			
	12/26/23	Safety Boot Allowance 2024	325.00
	05/15/24	Wellness Reimbursement Program	359.69
	06/28/24	Wellness Reimbursement Program	140.31
Total Maleki, Ghazaleh			<u>825.00</u>
McDonald, Dale			
	10/16/23	Caselle Conference Expenses Reimbursement	201.08
	04/23/24	Smartphone Reimbursement	295.16
	04/23/24	Wellness Reimbursement Program	340.17
	06/27/24	Wellness Reimbursement Program	159.83
	06/27/24	118th GFOA Conference 2024 Expenses Reimbursement	464.46
Total McDonald, Dale			<u>1,460.70</u>
McNeal, Jill			
	10/12/23	Mech Cert Fee and Exam Fee reimbursement	225.00
	04/15/24	Wellness Reimbursement Program	212.55
	05/16/24	Wellness Reimbursement Program	179.85
	06/27/24	Wellness Reimbursement Program	107.60
Total McNeal, Jill			<u>725.00</u>
Moore, Don			
Moore, Don	12/26/23	Safety Boot Allowance 2024	325.00
	06/03/24	Wellness Reimbursement Program	500.00
Total Moore, Don			<u>825.00</u>
Murray, Craig			
	07/10/23	Health Benefit Payment	125.00
	08/08/23	Health Benefit Payment	125.00
	09/08/23	Health Benefit Payment	125.00
	10/09/23	Health Benefit Payment	125.00
	11/01/23	Health Benefit Payment	125.00
	12/12/23	Health Benefit Payment	125.00
	12/12/23	CASA/CWEA Tech Conference Expenses Reimbursement	203.70
	01/09/24	Health Benefit Payment	125.00

**Las Gallinas Valley Sanitary District
Annual Reimbursement Report**

July 2023 through June 2024

Board Member / Employee Reimbursements

	02/12/24	Health Benefit Payment	125.00
	03/14/24	Health Benefit Payment	125.00
	03/14/24	Dental reimbursement	158.60
	04/02/24	2024 DC Policy Forum Expenses Reimbursement	1,646.46
	04/05/24	Health Benefit Payment	125.00
	05/14/24	Health Benefit Payment	125.00
	06/12/24	Health Benefit Payment	125.00
	06/17/24	Dental reimbursement	220.00
	10/02/23	CSDA Conference Expenses Reimbursement	<u>2,005.43</u>
Total Murray, Craig			5,734.19
Nitzberg, Barry			
	05/10/24	Laptop reimbursement per Policy A-03	1,201.91
	05/14/24	Health Benefit Payment	200.00
	06/12/24	Health Benefit Payment	<u>200.00</u>
Total Nitzberg, Barry			1,601.91
Paxton, Curtis			
	08/14/23	CASA Annual Conference Expenses Reimbursement	258.84
	09/07/23	CSDA Annual Conference Expenses Reimbursement	262.45
	11/16/23	WateReuse Conference Expenses Reimbursement	1,337.57
	01/09/24	Wellness Reimbursement Program	500.00
	01/29/24	CASA Annual Conference Expenses Reimbursement	1,062.16
	02/29/24	CASA Annual DC Conference Expenses Reimbursement	1,894.07
	03/26/24	Water Research Foundation/EPA Biosolids Workshop Expenses	318.02
	05/30/24	Advanced Clean Transportation Expo Expense Reimbursement	1,224.17
	06/28/24	CSDA GM Summit Expenses Reimbursement	<u>941.40</u>
Total Paxton, Curtis			7,798.68
Quinn, Patricia			
	12/28/23	Wellness Reimbursement Program	<u>500.00</u>
Total Quinn, Patricia			500.00
Robards, Gary			
	07/10/23	Health Benefit Payment	200.00
	08/08/23	Health Benefit Payment	200.00
	09/11/23	Health Benefit Payment	200.00
	10/09/23	Health Benefit Payment	200.00
	11/01/23	CSDA Special Leadership Academy Expenses Reimbursement	763.23
	11/06/23	Health Benefit Payment	200.00
	12/12/23	Health Benefit Payment	200.00
	01/09/24	Health Benefit Payment	200.00
	02/12/24	Health Benefit Payment	200.00
	03/14/24	Health Benefit Payment	200.00
	04/05/24	Health Benefit Payment	200.00
	04/25/24	2024 WateReuse Symposium Expenses Reimbursement	1,294.81
	05/14/24	Health Benefit Payment	200.00
	06/12/24	Health Benefit Payment	<u>200.00</u>
Total Robards, Gary			4,458.04
Rogers, Norman			
	09/27/23	Water Quality Institute WW Grade IV/V Review	190.94
	10/12/23	Wellness Reimbursement Program	500.00
	12/26/23	Safety Boot Allowance 2024	<u>325.00</u>

**Las Gallinas Valley Sanitary District
Annual Reimbursement Report**

July 2023 through June 2024
Board Member / Employee Reimbursements

Total Rogers, Norman			1,015.94
Schultz, Amy			
	10/12/23	Caselle Conference Expenses Reimbursement	103.00
	10/24/23	Wellness Reimbursement Program	460.00
Total Schultz, Amy			<u>563.00</u>
Starnes, Daniel			
	07/11/23	Pre- Employment Physical (out of state) reimbursement	165.00
	08/23/23	Safety Boot Allowance 2023 (New hire)	300.00
	12/12/23	Wellness Reimbursement Program	497.00
	12/26/23	Safety Boot Allowance 2024	325.00
	06/13/24	Rockwell Automation Training Travel Expense	229.22
Total Starnes, Daniel			<u>1,516.22</u>
Tapia, Rogelio			
	12/26/23	Safety Boot Allowance 2024	325.00
	06/14/24	Wellness Reimbursement Program	500.00
	06/27/24	PACP/LACP/MACP Training Reimbursement	1,175.00
Total Tapia, Rogelio			<u>2,000.00</u>
Taverna, Anthony			
	11/15/23	Wellness Reimbursement Program	500.00
	12/26/23	Safety Boot Allowance 2024	325.00
Total Taverna, Anthony			<u>825.00</u>
Waters Jeffrey			
	12/26/23	Certification Renewal	211.00
	12/26/23	Safety Boot Allowance 2024	325.00
	03/26/24	Certification Renewal	150.00
	05/16/24	CWEA CSM-2 Renewal	103.00
	06/12/24	Wellness Reimbursement Program	500.00
Total Waters Jeffrey			<u>1,289.00</u>
Yezman, Crystal			
	07/10/23	Health Benefit Payment	200.00
	08/08/23	Health Benefit Payment	200.00
	09/11/23	Health Benefit Payment	200.00
	10/09/23	Health Benefit Payment	200.00
	10/18/23	WateReuse Conference Expenses Reimbursement	938.87
	11/01/23	Health Benefit Payment	200.00
	11/15/23	WateReuse Conference Expenses Reimbursement	981.66
	12/11/23	Printer and Annual Internet Services reimbursement	1,227.25
	12/12/23	Health Benefit Payment	200.00
	01/09/24	Health Benefit Payment	200.00
	02/12/24	Health Benefit Payment	200.00
	03/11/24	Health Benefit Payment	200.00
	04/05/24	Health Benefit Payment	200.00
	05/14/24	Health Benefit Payment	200.00
	06/12/24	Health Benefit Payment	200.00
Total Yezman, Crystal			<u>5,547.78</u>

9/19/2024

General Manager Report

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

Agenda Item 3.2
Date September 19, 2024

Teresa Lerch

From: Dan Miller <Dan.Miller@MarinCounty.gov>
Sent: Thursday, August 29, 2024 11:16 AM
Subject: District Candidate Nomination Results
Attachments: Nominated Candidates Uncontested.pdf

Attached is the summary report of contests that **will not be on the ballot** because the number of candidates that filed is equal to the number of seats to be filled, and no petition was presented to put the contest on the ballot.

PLEASE NOTE, some Divisions, or Trustee Areas, and/or full and short-term contests will not be in this report because there **will** be an election. The Contest On-Ballot report will be sent in a separate email.

- ✓ *Candidates listed in this report will be appointed in-lieu of election prior to the first regular meeting in December by the supervising authority and will take office and serve as if elected at the November election.*
- ✓ *Our office or the district will provide to each nominated candidate an Oath of Office/Certificate of Appointment. Please let us know if you'll use the district template.*

Also, the districts listed below did **not** have the required number of candidates filing for the number of available seats. A notice will be sent next week to those district offices with procedural details.

- *Bolinas-Stinson Union School District*
- *Kentfield School District (short term)*
- *Shoreline Unified School District Trustee Area 2*
- *Stinson Beach County Water District*

Contact me if you have any questions.

Thank you,

Dan Miller
Filing Official & Election Services
County of Marin Elections Department
3501 Civic Center Drive, Room 121
San Rafael, CA 94903
415 473 6437
dan.miller@marincounty.gov

STAY CONNECTED:



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Candidate's for Appointment In-Lieu of Election
November 5 2024 General Election - 11/5/2024

All Contests

Contest

Date/Time Qualified

Marin County Board of Education, Board Of Education Member, Trustee Area 2 Patty Garbarino	8/05/2024
Marin Community College District, Governing Board Member, Trustee Area 4 Paul Da Silva	7/23/2024
Marin Community College District, Governing Board Member, Trustee Area 5 Henry Faust	8/09/2024
San Rafael City Schools Board of Education, Governing Board Member, Trustee Area 1 Mark Koerner	8/09/2024
San Rafael City Schools Board of Education, Governing Board Member, Trustee Area 3 Maureen "mo" De Nieva - Marsh	8/01/2024
San Rafael City Schools Board of Education, Governing Board Member , Trustee Area 5 Isai Rodas	8/14/2024
Bolinas-Stinson Union School District, Governing Board Member Nicolette Hahn (Niman)	8/01/2024
Miller Creek Elementary School District, Governing Board Member - Short Term Caitlin McShane	7/15/2024
Kentfield School District, Governing Board Member Sara Aminzadeh	8/09/2024
	8/05/2024
Laguna Joint School District, Governing Board Member James Lanatti	8/08/2024
	8/07/2024
Lagunitas School District, Governing Board Member Celina De Leon	8/13/2024
	8/06/2024
Mill Valley School District, Governing Board Member Michele Crncich Hodge	7/18/2024
	7/22/2024
Nicasio School District, Governing Board Member Matthew Pickett	8/08/2024
Novato Unified School District, Governing Board Member, Trustee Area 1 Debbie Butler	7/16/2024
Novato Unified School District, Governing Board Member, Trustee Area 2 Chandra Alexandre	7/26/2024
Novato Unified School District, Governing Board Member, Trustee Area 3 Julie Jacobson	8/08/2024
Novato Unified School District, Governing Board Member, Trustee Area 7 Gregory Mack	8/06/2024
Reed Union School District, Governing Board Member Liz Edison Webb	8/07/2024
	8/08/2024
Shoreline Unified Scool District, Governing Board Member, Trustee Area 3 George R. Flores	8/05/2024
	8/07/2024

Contest	Date/Time Qualified
Marinwood Community Services District, Director	
Lisa Ruggeri	7/19/2024
Christopher Case	7/17/2024
Kathleen Kilkenny	7/30/2024
Muir Beach Community Services District, Director	
David H. Taylor	7/16/2024
Nikola H. Tede	7/24/2024
Tomales Village Community Services District, Director	
Donna L. Clavaud	8/09/2024
David Kitts	8/06/2024
Bolinas Fire Protection District, Director	
Simon Dunne	8/02/2024
Billy Pierce	7/31/2024
Chris Martinelli	8/09/2024
Kentfield Fire Protection District, Director	
Michael G. Murray	7/23/2024
Bruce Corbet	7/25/2024
Novato Fire Protection District, Director, District 1	
Lj Silverman	7/15/2024
Novato Fire Protection District, Director, District 2	
Michael Hadfield	7/17/2024
Novato Fire Protection District, Director, District 3	
Shane Francisco	7/15/2024
Sleepy Hollow Fire Protection District, Director	
Sharon R. Adams	7/18/2024
Thomas J. Finn	7/30/2024
Stinson Beach Fire Protection District, Director	
Michele Sileo	7/19/2024
James Ritchie	8/05/2024
Jeffrey R. Walsh	8/07/2024
Tiburon Fire Protection District, Director	
Mark J. Capell	7/24/2024
Brett Tucker	8/05/2024
Tiburon Fire Protection District, Director - Short Term	
Joy Ho	7/24/2024
Marin Healthcare District, Director, Division 2	
Ann Sparkman	8/08/2024
Marin Healthcare District, Director, Division 5	
Edward Alfrey	7/26/2024
Bolinas Community Public Utility District, Director	
Kevin Mc Elroy	8/01/2024
Kirsten Walker	8/08/2024
Inverness Public Utility District, Director	
Dakota Whitney	8/05/2024
Kathryn Donohue	7/25/2024
Brent R. Johnson	7/31/2024
Mesa Park Recreation District, Director	
David Lich	8/08/2024
Noah Skinner	8/08/2024

Contest	Date/Time Qualified
Strawberry Recreation District, Director	
Cale Nichols	8/09/2024
Christian Michael	7/19/2024
Strawberry Recreation District, Director - Short Term	
Sarah G. Waterfield	8/01/2024
Marin Resource Conservation District, Director	
David Terry Sawyer	8/09/2024
Michael L. Moretti	8/09/2024
David Sherwood	7/31/2024
Alto Sanitary District, Director	
Janis M. Bosenko	7/15/2024
Todd Gates	8/07/2024
Michael Faust	8/09/2024
Homestead Valley Sanitary District, Director	
Joan Florsheim	7/29/2024
Rick Montalvan	7/24/2024
Alan W. Wuthnow	8/08/2024
Las Gallinas Valley Sanitary District, Director	
Craig K. Murray	7/26/2024
Gary E. Robards	7/24/2024
Novato Sanitary District, Director, Division 1	
Jean Mariani	7/29/2024
Novato Sanitary District, Director, Division 4	
Jerry Peters	8/07/2024
Richardson Bay Sanitary District, Director	
Jeff Slavitz	8/01/2024
Mark Slater	8/02/2024
Sausalito-Marin City Sanitary District, Director	
William Ring	7/15/2024
Don Beers	7/26/2024
Sausalito-Marin City Sanitary District, Director - Short Term	
Shirley A Thornton	8/06/2024
Sanitary District No. 5, Director	
Richard N. Snyder	7/15/2024
Omar Arias - Montez	7/23/2024
John Carapiet	7/25/2024
North Marin Water District, Director, Division 2	
Jack Baker	7/22/2024
North Marin Water District, Director, Division 4	
Stephen Petterle	7/16/2024
Stinson Beach County Water District, Director	
Sandra Cross	8/07/2024
Laurie Ellis	8/13/2024
Total Number of Candidates: 85	

Teresa Lerch

From: Dan Miller <Dan.Miller@MarinCounty.gov>
Sent: Thursday, August 29, 2024 5:18 PM
Subject: District Candidate Nomination Results 2nd report
Attachments: On Ballot School Districts.pdf; On Ballot Special Districts.pdf

Attached is the summary report of contests and nominated candidates that **will be on the ballot** at the November 5th election.

If your district candidates are elected by area or division and not at-large, you may have areas/divisions not appearing on this report due to a non-contested election. Those contests will not be on the ballot, and the nominated candidates will be appointed in-lieu of election.

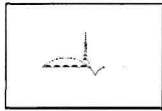
Please contact me if you have any questions.

Dan Miller
Filing Official & Election Services
County of Marin Elections Department
3501 Civic Center Drive, Room 121
San Rafael, CA 94903
415 473 6437
dan.miller@marincounty.gov

STAY CONNECTED:



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Candidates On Ballot
November 5, 2024 General Election

Contests: 6211 to 8740 -

Contest	Date/Time Qualified
Bel Marin Keys Community Services District, Director	
Cheryl Furst	7/26/2024
Kevin Dugan	8/08/2024
Maria Mercy Angelopoulos	7/26/2024
David Bartnicki	8/09/2024
Natalia Shorten	8/08/2024
James " Jim" Spaulding	8/08/2024
Marin City Community Services District, Director	
Lynnette Egenlauf	8/09/2024
Henry- E. Mims	8/09/2024
Royce Y. Mc Lemore	7/23/2024
Tamalpais Community Services District, Director	
Steven Levine	8/05/2024
Courtney Di Carlo	8/08/2024
Matthew Mc Mahon	8/08/2024
Steffen Bartschat	8/01/2024
Southern Marin Fire Protection District, Director	
Cathryn A. Hilliard	7/29/2024
Rich Riechel	8/09/2024
Ashley Raveche	8/09/2024
Clifford Waldeck	7/26/2024
Las Gallinas Valley Sanitary District, Director - Short Term	
Nicholas Lavrov	8/09/2024
Barry Nitzberg	7/16/2024
Marin Municipal Water District Director, Division 2	
Diana Maier	8/13/2024
Jack Kenney	7/17/2024
Robert Sandoval	8/05/2024
Marin Municipal Water District Director, Division 5	
Dawn Matheson	8/07/2024
Larry L. Russell	8/06/2024
Dave Keatley	7/31/2024
North Marin Water District, Director, Division 1	
Kenneth Eichstaedt	7/19/2024
Mary Stompe	7/24/2024
North Marin Water District, Director, Division 3	
Francis Drouillard	8/07/2024
Michael H. Joly	7/22/2024
Total Number of Candidates: 29	



Candidates On Ballot
November 5, 2024 General Election

Contests: 3101 to 3733 -

Contest

Date/Time Qualified

Marin County Board of Education, Board Of Education Member, Trustee Area 1

Li Delpan 8/09/2024
Adam McGill 8/02/2024
Barbara Clifton Zarate 8/05/2024

Marin County Board of Education, Board Of Education Member, Trustee Area 4

Nancy Mccarthy 8/14/2024
Victoria " Tory " Canby 8/09/2024

Marin County Board of Education, Board Of Education Member, Trustee Area 7

Jill Manning Sartori 8/07/2024
Denise Bohman 8/01/2024

Marin Community College District, Governing Board Member, Trustee Area 2

Crystal Martinez 7/23/2024
Mila Schechter 8/09/2024

Marin Community College District, Governing Board Member, Trustee Area 7

Ross Millerick 8/05/2024
Stephanie O' Brien 8/09/2024

Tamalpais Union High School District, Governing Board Member

Ida Times-Green 8/14/2024
Jennifer " Jenny " Holden 8/14/2024
A. Ray Chaudhuri 8/12/2024
Amos Klausner 8/09/2024
Nicholas Ondrejka 8/14/2024

Miller Creek Elementary School District, Governing Board Member

Franco Ruggeri 7/19/2024
Alissa A. Chacko 8/06/2024
Sivan Oyserman 8/02/2024

Larkspur-Corte Madera School District, Governing Board Member

Ava Fruin 8/07/2024
Charles Furcolo 8/06/2024
Rachel Tarko Hudson 8/07/2024
Beth Blair 7/24/2024

Ross School District, Governing Board Member

Kelly Dwinells 7/24/2024
Erin Earls 8/08/2024
Vinay Patel 8/05/2024

Ross Valley School District, Governing Board Member

Philip J. Feffer 8/07/2024
Rachel Litwack 7/15/2024
Shelley Hamilton 8/02/2024
Daniel Cassidy 8/07/2024

Sausalito Marin City School District, Governing Board Member

Rebecca Lytle 7/23/2024
Danielle Diego 7/25/2024
Lester Parham 8/14/2024
Sarah Canson 8/14/2024

Shoreline Unified School District, Governing Board Member, Trustee Area 1

Buddy Faure 8/09/2024
Thomas Tyson 8/07/2024

Total Number of Candidates: 36



SSO SPILL SUMMARY

- 5/18/2024 – (Category 4) SSO McPhail’s Pump Station – 31 gallons spilled and returned to sanitary sewer.

KEY MAINTENANCE PROJECTS - Maintenance was completed on the following:

Bio-Wheel Repairs

- 16 Pins replacement
- 21 Links replacement

Emergency Repair

- No emergency repairs this quarter.

Key Maintenance Projects

- Completed 763 Routine Preventative Maintenance Work Orders for the Treatment Plant, Pump Stations and Reclamation areas.
- Installation of new electrical outlets for pumps on Secondary Clarifier 1
- Replaced positive displacement sludge pump for Primary Clarifier 2
- Had two sets of new gates made for reclamation
- Removed and replaced Bio-Wheel driver planetary failure
- (400) Fleet Maintenance Inspections

SAFETY ISSUES AND TRAINING

- Forklift Operator Certification – Du-All
- Heavy Equipment Operator/Gas Powered Mower Training – Du-All
- Confined Space Entry/Non-Entry Rescue – Du-All
- Lockout Tagout Authorized Employee Training – Du-All

OTHER

- Collection System – Pump Station Maintenance (Routine)
- Air Release Valve Maintenance (Quarterly)

REQUESTS FOR PROPOSALS

- None

PERFORMANCE METRICS

Collection System Cleaning and CCTV Inspection

- Flushed/Rodded = 153,414 feet; Percent of District = 27.7%.
- CCTV Inspected = 43,412 feet; Percent of District = 7.8%
- Manhole inspections performed = 690
- USA Ticket Work Orders = 463

CNG Fueling Stations

- Smith Ranch Fuel Station
 - 11 Fill-ups
 - Total Diesel Gallon Equivalent (DGE) = 271 DGE
 - Average MPG = 4.55 MPG/3-month miles driven = 1,093

Pump Station Highlight – Mulligan (3 – 30hp Flygt pumps)

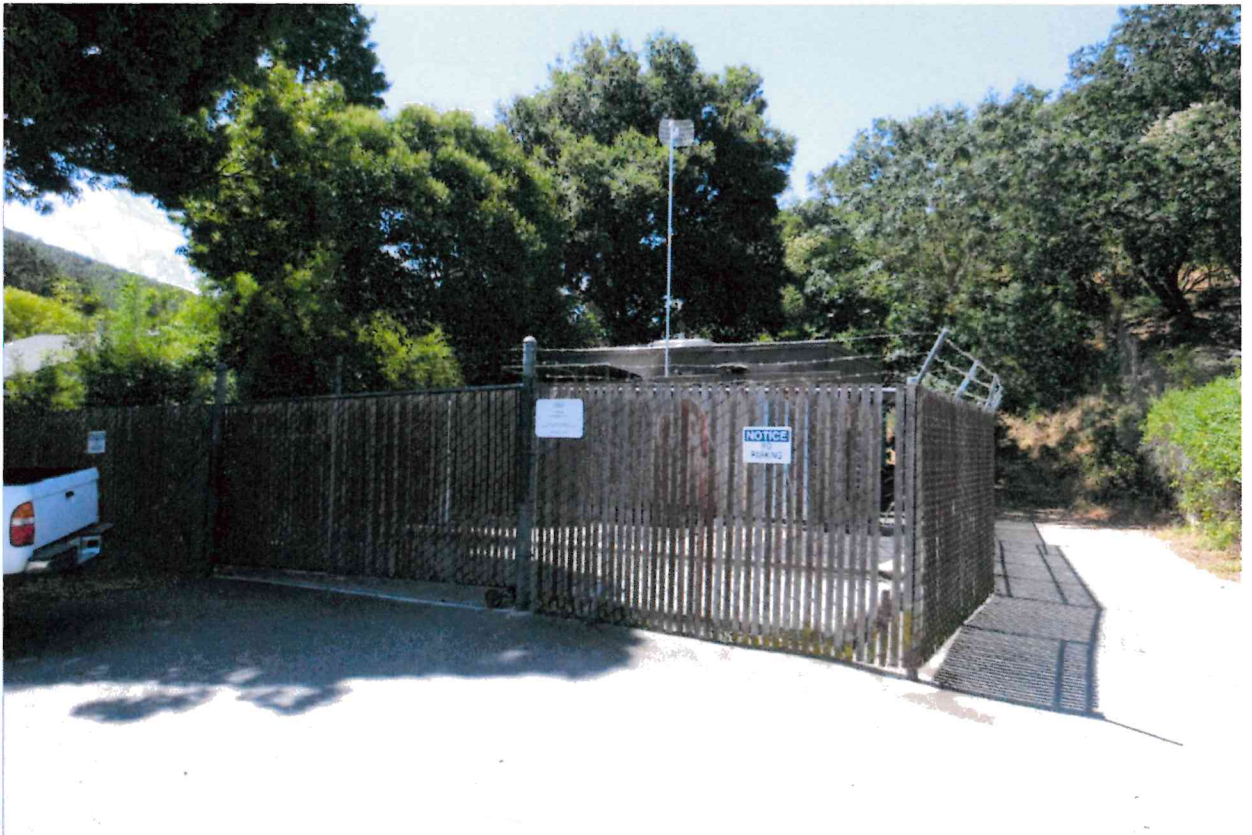
Location: 47 Meadow Drive, San Rafael Ca. 94903

Parcel 180-041-16

Date Constructed: 1955

Expansions: 1978, 1995

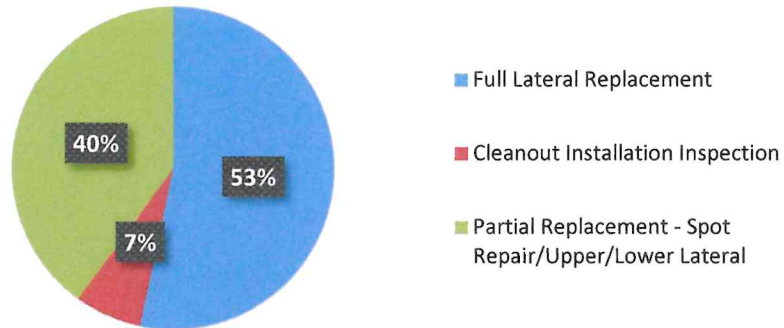
Estimated wet well capacity: approximately 41,214 gallons



Lateral Construction and Repair Inspections

- Applications received = 39; Actual Inspections Performed = 30
- Full Replacement Inspections Performed = 16 Full Replacements
- Cleanout Installation Inspections Performed = 2 Cleanout Installations
- Spot Repairs/Upper/Lower Replacements Performed = 12 partial replacements or spot repairs

Lateral Construction and Repair Inspections



Sewer Lateral Ordinance No. 180 - Number of Applications Processed

- Home Sale Applicants = 50 received
- Building Permit (\$30,000 valuation) Applicants = 4 received

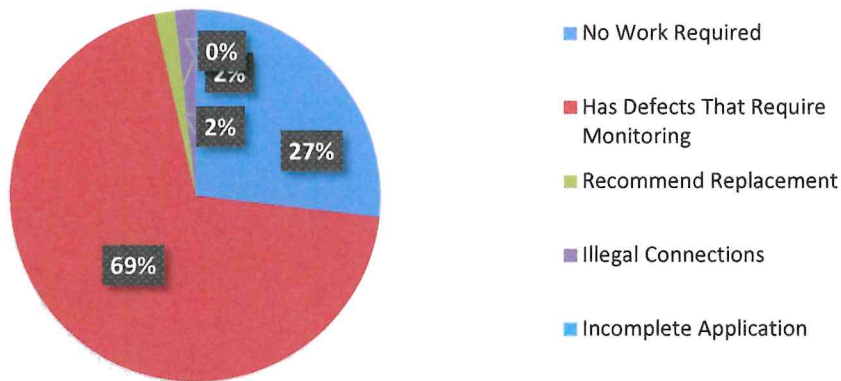
Applications - Home Sale vs Building Permit (Triggers)



Sewer Lateral Ordinance No. 180 - Letter of Findings

- Home Sale Letter of Findings Issued = 55; 1 - recommend replacement, 39-have defects that require monitoring, 15 - no work or monitoring required, 0 – Incomplete Applications, 1 – Illegal connection

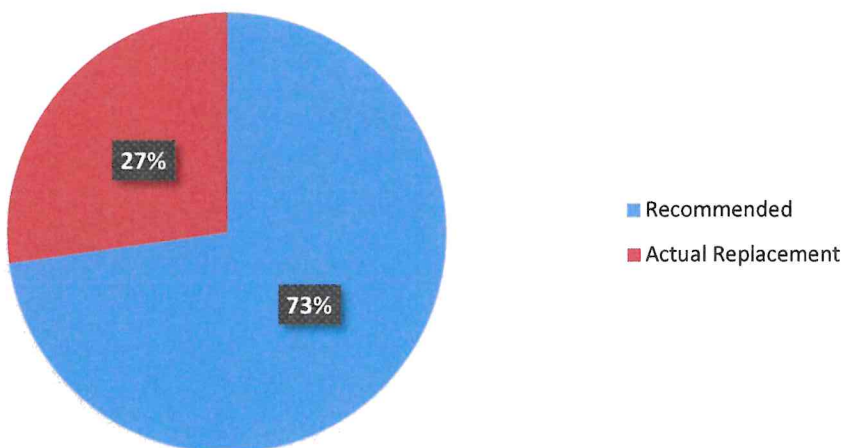
Letter of Findings Issued



Total # of Recommended Lateral Replacements vs Actual Replacements

- Ordinance 180 – 219 Recommended Replacements vs 82 Actual Replacements

Recommended vs Actual Replacement






Item Number _____ 3.4 _____

GM Review _____ CP _____

Agenda Summary Report

To: Board of Directors

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

Meeting Date: September 19, 2024

Re: Personnel Policy and Procedures and Employment Relations Resolution Updates

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

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

STAFF RECOMMENDATION

This is an informational item; no action is required at this time.

BACKGROUND

The Las Gallinas Valley Sanitary District’s consolidated Personnel Policy and Procedures (PPP) were prescribed for the purpose of carrying out the personnel program in compliance with state and federal law. The policies and procedures were last updated in 2017.

Liebert Cassidy Whitmore and CPS HR Consulting were asked to review the PPP and recommend updates to reflect legislative changes and to incorporate best practices in personnel management.

Key Revisions

The proposed updates to the PPP include:

- **Harassment Policy:** Updated to comply with current law and align with Board Policy B-180.
- **Leaves of Absence:** Revised provisions for sick leave, Family and Medical Leave Act (FMLA) leave, California Family Rights Act (CFRA) leave, and Pregnancy Disability Leave (PDL).
- **AB 1041:** FMLA/ CFRA now includes a “Designated Person” definition.
- **AB 1949:** CFRA amended to add five additional unpaid bereavement leave days.
- **SB 523:** “Reproductive Health Decision-Making” is now protected under the Fair Employment and Housing Act (FEHA).
- **Union Agreement Alignment:** Adjustments to match the Memorandum of Understanding between LGVSD and Operating Engineers Local 3 (OE3).
- **Employee Relations Resolution (PPP No. 3):** Separated into a standalone document.
- **Gender Neutrality:** Updated language for inclusivity.
- **Minor Administrative Corrections:** Various non-substantive updates for clarity.



The Labor Management Committee, including OE3 representative and union stewards, met on May 8, July 10, and August 28, 2024 to review and discuss draft versions of the updated PPP.

A redline version with recommended changes is being provided to the Board for their review. The revised PPP will be brought back to the Board at an upcoming regular meeting for adoption.

PREVIOUS BOARD ACTION

The Personnel Policy and Procedures was last presented to the Board and approved on March 9, 2017, superseding the prior version dated May 28, 2015.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

N/A

Attachments:

1. LGVSD Personnel Policy and Procedures (9/4/2024) *draft redline version*.
2. Employee Relations Resolution (9/4/2024) *draft redline version*

|

|

Las Gallinas Valley Sanitary District

DRAFT

Personnel Policy and Procedures

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SECTION 1

GENERAL AND ADMINISTRATION

No. 1 Purpose and Authority

APPLICABILITY & PURPOSE

These Personnel Policy and Procedures (PPP) are prescribed for the purpose of carrying out the personnel program in compliance with state and federal law. Section 1 of these PPPs establishes the purpose and authority for these regulations.

1.1 Purpose

- A. The goal of these policies and procedures is to establish fair, equitable and lawful procedures for dealing with personnel matters, to attract and retain the most competent persons available, to assure that appointments and promotions of employees will be based on merit ~~and fitness~~, to provide a reasonable degree of security for qualified employees, and to support the values, goals, and strategies set forth by the Las Gallinas Valley Sanitary District ("District").
- B. These PPPs represent a compilation of legal standards, policies, procedures, rules, forms, and definitions pertaining to the responsibilities of employees and managers in their employment with Las Gallinas Valley Sanitary District. Previous personnel rules, regulations, policies, and procedures are expressly repealed and replaced by these PPPs.
- C. This Personnel Policy and Procedures Manual are organized into the following sections:
 - Section 1: General and Administration
 - Section 2: Personnel Conduct and Standards of Employment
 - Section 3: Recruitment and Selection
 - Section 4: Employment Practices

1.2 Application

These policies and procedures apply to all permanent, regular employees of the Las Gallinas Valley Sanitary District, unless a specific policy or procedure indicates otherwise. ~~Policies that apply to temporary or casual employees will be indicated as so applying.~~ The provisions related to appointment, probation status, procedure for disciplinary action, and selection appeals are not applicable to temporary or casual employees, at-will employees, elected officials, or the General Manager appointed by the Board of Directors.

1.3 Authority

- A. The ultimate determination of personnel policy is the responsibility of the Board of Directors.
- B. The Board of Directors shall appoint a General Manager. The General Manager or designee shall appoint ~~all other~~ District personnel in accordance with these PPPs.
- C. The General Manager or designee will be responsible for conducting competitive examinations to ascertain the fitness of applicants for appointment and promotion of employees to vacant positions. The General Manager or designee may contract with any qualified person or agency for the performance of such technical or professional services as may be desired in the establishment or operation of the personnel system.
- D. The General Manager or designee is responsible for carrying out personnel policies and procedures set by the Board of Directors, and shall ensure that these policies and procedures are administered in a fair and equitable manner for all employees.
- E. Members of the Board of Directors shall deal only with the General Manager or designee on personnel matters.

1.4 Effect of Collective Bargaining Agreements

If a provision of these Personnel Policies and Procedures is in conflict with a provision of an applicable Memorandum of Understanding negotiated between District and a recognized employee organization, to the extent of such conflict, the provision of the Memorandum of Understanding shall be controlling.

1.5 Effect of At-Will Agreements

If a provision of these Personnel Policies and Procedures is in conflict with a provision of an applicable At-Will contract negotiated between the District and an employee, to the extent of such conflict, the provision of the At-Will contract shall be controlling ~~as allowable under the law~~.

1.6 No Contract Created

The Personnel Policies and Procedures do not create any contract of employment, express or implied, or any rights in the nature of a contract.

1.7 Right to Amend, Delete or Suspend

These policies and procedures may be amended by adding, deleting, or changing such policies and procedures from time to time upon giving notice to the recognized bargaining unit. This section is not intended to supersede the ~~District's meet and confer~~ obligations as set forth in California Government Code section 3500 et seq.

No. 2 Definitions

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines words and terminology used by these PPPs.

2.1 Definitions

Unless otherwise defined by the context, words used in these PPPs will have the following meanings:

- A. Anniversary Date. The date recurring yearly upon an employee's most recent regular appointment. The anniversary date will be used to determine salary step increases and promotion to the next higher classification (if promotion is based on time in grade). The anniversary date shall be adjusted for all unpaid leaves of absences.
- B. Applicant. Any person who, according to these rules, has made formal application for employment.
- C. Appointing Authority. The person having authority to appoint or to remove persons from positions in the District or subordinates to whom this authority is delegated.
- D. Appointment. The offer of and acceptance by a candidate to a position in the District service.
- E. At-Will Employee. "At Will" refers to any District employee who: (1) does not hold regular status; (2) serves at the pleasure of the Board, General Manager, or appointing authority; and (3) can be terminated at any time without cause and without pre- or post-disciplinary process and/or the opportunity to appeal. Employees who move from regular employment status to an at-will position shall be required to ~~a-sign~~sign a notification and acknowledgement of at-will employment as a condition of employment.
- F. Authorized Position. A funded work position, within a job classification, which is or may be held by an ~~employee~~employee.
- G. Board. The Board of Directors of the Las Gallinas Valley Sanitary District.
- ~~GH.~~ Classification or Class. A position or group of positions having the same title, class specification, minimum qualifications, and salary.
- ~~HJ.~~ Date of Hire. When an employee is hired into a regular (full or part-time) or contract position with the District.
- ~~IJ.~~ Day. Calendar day. If the final day of a time period falls on a weekend or holiday, the next calendar day following will constitute the final calendar day.
- ~~JK.~~ Demotion. A change in status of an employee from a position in one classification to a position in another classification with lesser duties and responsibilities, lower qualifications, and a lower maximum salary. A demotion may be voluntary or involuntary.
- ~~KL.~~ District. The Las Gallinas Valley Sanitary District, a government organization governed solely by the Board of Directors.

- ~~LM.~~ Eligible Candidate. A person who has successfully passed all initial examination requirements for a classification for which ~~he/shethe~~ person has made official application.
- ~~MN.~~ Employee. A person who is employed by the District.
- ~~NO.~~ Exempt Employee. An employee defined under federal law as not subject to overtime payment over 40 hours per week or the equivalent. ~~Also known under federal law as a salaried employee.~~
- ~~OP.~~ Leave of Absence. When authorized, an absence from duty for a specified period of time. An employee on authorized leave may return to the same or a similar position at the end of the authorized leave period.
- ~~PQ.~~ Non-Exempt Employee. An employee who under federal law must be paid premium overtime wages (or compensatory time off) when ~~he or shethe~~ employee works over 40 hours per week or the equivalent. Also known under federal law as an hourly employee.
- ~~PR.~~ Overtime. Authorized work beyond the identified work week or work period.
- ~~QS.~~ Probationary Period. A trial period during which an employee is required to demonstrate competency in the knowledge, skills, and abilities necessary to successfully perform the job and from which an employee is at-will and may be released without cause or right of appeal. The probationary period is the final step in the examination process. The probationary period shall begin with the regular hire date of the employee in the current job class, ~~where~~ (or whether?) attained by new hire or promotion.
- ~~RT.~~ Promotion. Advancement of an employee from a position in an established classification to a position in an established classification with higher level duties and responsibilities, higher qualifications, and a higher maximum salary.
- ~~SU.~~ Reclassification. A reallocation of a position ~~and the incumbent, if applicable,~~ to a different or new classification because of a significant change in duties and/or responsibility of the position over time.
- ~~TV.~~ Reinstatement. A return to employment (reemployment) of an employee following ~~leave without pay, or upon reemployment following separation due to~~ layoff.
- ~~UW.~~ Reorganization. A planned, prospective restructuring or redesign of a department, which will have fiscal or classification impact, to meet changing needs.
- ~~VX.~~ Seniority Date. An employee's date of hire adjusted by any unpaid Leaves of Absence. An employee's seniority date shall be used to determine an employee's benefit accruals.
- ~~WY.~~ Separation. Any ending of employment with the District, including discharge, reduction in force, resignation, retirement, and job abandonment.

~~XZ~~. Step Increase. Advancement within a salary range from one step to another, higher step.

~~YAA~~. Step Increase Date. Date used to determine eligibility for a step increase.

~~ZAB~~. Termination. The involuntary separation from employment of an employee by an appointing authority. Dismissal and discharge may be used synonymously with termination.

~~AAAC~~. Y-Rate. A salary paid above the maximum salary of the range for an incumbent employee when the employee is moved from ~~his or her~~their class to a different class with a lower salary range. The incumbent retains ~~his or her~~their current rate of pay until such time as the new class has a maximum salary rate which is equal to or higher than the “y” rate.

~~ABAD~~. Temporary or Casual Employee. An employee who is assigned to work on a particular project or on a job of limited or definite duration is a temporary or casual employee. A temporary or casual employee: (1) does not hold regular status, (2) does not serve a probationary period, (3) can be dismissed from District employment at any time without cause, right of appeal, grievance, or hearing, and (4) is not entitled to earn, accrue, or participate in any District employee benefit plans, or paid or unpaid leaves, except as required by law.

No. 3 Employee Relations Resolution

The Employee Relations Resolution is a separate standalone document, adopted by the Board, that establishes the orderly administration of labor management relations as provided for in California Government Code sections 3500 et seq.

APPLICABILITY & PURPOSE

~~Pursuant to relevant law, this Personnel Policy and Procedures (PPPs) establishes for the orderly administration of labor management relations as provided for in California Government Code sections 3500-3509.~~

~~3.1 Statement of Purpose~~

~~A. This implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (section 3500 et seq.) captioned "Local Public Employee Organizations," by providing orderly procedures for the administration of employer-employee relations between Las Gallinas Valley Sanitary District and its employee organizations. The intent is to strengthen employer-employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and the District.~~

~~B. It is the purpose of Section 3 of these PPPs to provide procedures for meeting and conferring in good faith with Recognized Employee Organization(s) regarding matters that directly and significantly affect and primarily involve the wages, hours, and other terms and conditions of employment of employees and that are not preempted by federal or state law. However, nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: The exclusive right to determine the mission of the District ; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; determine the content of job classifications; subcontract work; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.~~

~~3.2 Definitions~~

~~As used in Section 3 of these PPPs, the following terms shall have the meanings indicated:~~

~~A. "Appropriate unit" means a unit of employee classes or positions, established pursuant to Section 1 No. 3 hereof.~~

~~B. "District" means the Las Gallinas Valley Sanitary District, and, where appropriate herein, refers to the Board of Directors or any duly authorized District representative as herein defined.~~

~~C. "Confidential Employee" means an employee who, in the course of his or her duties, has access to confidential information relating to District's administration of employer-employee relations.~~

- ~~D. "Consult/Consultation in Good Faith" means to communicate orally or in writing with the effected recognized employee organization(s) for the purpose of presenting and obtaining views or advising of proposed actions in a good faith effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals in an endeavor to reach agreement in the form of a Memorandum of Understanding.~~
- ~~E. "Day" means calendar day unless expressly stated otherwise.~~
- ~~F. "Employee" means any person regularly employed by District except those persons elected by popular vote.~~
- ~~G. "Employee Organization" means any organization which includes employees of District and which has as one of its primary purposes representing such employees in their employment relations with the Las Gallinas Valley Sanitary District.~~
- ~~H. "Employee Relations Officer" means the General Manager, General Manager's designee, or his/her duly authorized representative.~~
- ~~I. "Exclusively Recognized Employee Organization" means an employee organization which has been formally acknowledged by District as the sole employee organization representing the employees in an appropriate representation unit pursuant to Article II hereof, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.~~
- ~~Such recognition status may not be challenged by another employee organization (1) within twelve (12) months of such recognition and (2) during a Memorandum of Understanding having a term of up to three (3) years.~~
- ~~J. "Impasse" means that the representatives of District and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.~~
- ~~K. "Management Employee" means an employee having responsibility for formulating, administering or managing the implementation of District policies and programs.~~
- ~~L. "Proof of Employee Support" means (1) an authorization card recently signed and personally dated by an employee, or (2) a verified authorization petition or petitions recently signed and personally dated by an employee, or (3) employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one~~

~~employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words "recently signed" shall mean within six (6) months prior to the filing of a petition.~~

~~M. "Supervisory Employee" means any employee having authority, in the interest of the District, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.~~

~~O. "Work Week"~~

~~3.3 Filing of Recognition Petition by Employee Organization~~

~~An employee organization which seeks to be formally acknowledged as an Exclusively Recognized Employee Organization representing the employees in an appropriate unit may file a statement of representation with the General Manager or designee containing the following information and documentation:~~

~~A. Name and address of the employee organization.~~

~~B. Names and titles of its officers.~~

~~C. Names of employee organization representatives who are authorized to speak on behalf of the organization.~~

~~D. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the District.~~

~~E. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national, or international organization, and, if so, the name and address of each such other organization.~~

~~F. Certified copies of the employee organization's constitution and bylaws.~~

~~G. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.~~

~~H. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition.~~

- ~~I. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.~~
- ~~J. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such written proof shall be submitted for confirmation a mutually agreed upon disinterested third party.~~
- ~~K. A request that they formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.~~
- ~~L. The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete by the duly authorized officer(s) of the employee organization executing it.~~

~~3.4 District's Response to Recognition Petition~~

- ~~A. The organization must be prepared to submit to an inspection by a disinterested third party, of either authorization cards signed by employees, or a certified list of the members of the organization; or to provide such other means of authentication as is mutually agreeable.~~
- ~~B. The Employee Relations Officer or designee will investigate the statement, and prepare findings as to the feasibility of the proposed unit and authentication of the representative status of the organization.~~
- ~~C. The Employee Relations Officer's decision will be final.~~

~~3.5 Effect of Decision~~

- ~~A. A decision establishing and defining a representation unit will be accompanied by a certification that an employee organization represents a majority of all employees in the unit if such is the case, and such organization will be deemed to be certified.~~
- ~~B. An organization not certified may nevertheless represent its members to the extent required by Government Code sections 3500-3509 as currently in effect and as amended in the future.~~
- ~~C. A decision establishing a unit, certifying or decertifying a majority representative, or dismissing a claim is valid and effective for a period of one year, and may be renewed without hearing for additional one-year periods except as provided below.~~

~~3.6 Open Period for Filing Challenging Petition~~

~~Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may~~

~~file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty (30) percent and otherwise in the same form and manner as set forth in Section 3.3. If such challenging petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in Section 3.9. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination pursuant to Sec. 12.~~

~~3.7 — Granting Recognition Without an Election~~

~~If the proof of support shows that a majority of the employees in the appropriate unit have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and the Employee Relations Officer shall request the California State Mediation and Conciliation Service, or another agreed upon neutral third party, to review the count, form, accuracy, and propriety of the proof of support. If the neutral third party makes an affirmative determination, the Employee Relations Officer shall formally acknowledge the petitioning employee organization as the Exclusive Recognized Employee Organization for the designated unit.~~

~~3.8 — Election Procedure:~~

~~A. — The Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), in accordance with such party's rules and procedures subject to the provisions of Section 3 of these PPPs. All employee organizations who have duly submitted petitions which have been determined to be in conformance with Section 3.3 shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with District. Employees entitled to vote in such election shall be those persons employed in regular positions within the designated appropriate unit as of the date when that unit is determined to be appropriate, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by District in the same unit on the date of the election. An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of~~

~~valid votes cast; the rules governing an initial election being applicable to a run-off election.~~

~~B. There shall be no more than one valid election under Section 3 of these PPPs pursuant to any petition in a 12-month period affecting the same unit.~~

~~C. In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the California State Mediation and Conciliation Service.~~

~~D. Costs of conducting elections shall be borne in equal shares by each employee organization appearing on the ballot.~~

~~3.9 Modification of Established Unit and Decertification~~

~~A. A petition for modification of a unit and/or decertification may be filed with the Employee Relations Officer after the initial one year or during a window period of no more than 180 days or less than 150 days prior to the expiration date of a Memorandum of Understanding between the certified organization and District, whichever is later.~~

~~B. Such petition may be filed by:~~

~~1. The certified organization as a disavowal of interest;~~

~~2. Another organization provided the petition is accompanied by authorization cards signed by at least thirty per cent of all employees in the proposed unit;~~

~~3. Any group of employees consisting of at least thirty percent of all employees in the unit;~~

~~4. The General Manager or designee for reasons related to substantial changes in District functions, organizational structure or job classifications.~~

~~C. The certification procedure will be as set forth in Section 3 of these PPPs.~~

~~3.10 Policy and Standards for Determination of Appropriate Units~~

~~The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of District and its compatibility with the primary responsibility of District and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:~~

~~A. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.~~

- ~~B. History of representation in the District and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.~~
- ~~C. Consistency with the organizational patterns of the District.~~
- ~~D. Effect of differing legally mandated impasse resolution procedures.~~
- ~~E. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.~~
- ~~F. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classification among two or more units.~~

~~Notwithstanding the foregoing provisions of this Section, managerial and confidential responsibilities, are determining factors in establishing appropriate units hereunder, and therefore managerial and confidential employees may only be included in a unit consisting solely of managerial or confidential employees respectively. Managerial and confidential employees may not represent any employee organization which represents other employees.~~

~~The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate, or delete modified classifications or positions from units in accordance with the provisions of Section 3 of these PPPs. The decision of the Employee Relations Officer shall be final.~~

~~3.11 Submission of Current Information by Recognized Employee Organizations~~

~~All changes in the information filed with District by an Exclusively Recognized Employee Organization under items (A.) through (H.) of its Recognition Petition under Section 3.3 shall be submitted in writing to the Employee Relations Officer within thirty (30) days of such change.~~

~~3.12 Employee Organization Activities—Use of District Resources~~

~~Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of Section 3 of these PPPs that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety, and security of District operations.~~

~~3.13—Administrative Rules and Procedures~~

~~The General Manager or designee is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of Section 3 of these PPPs after consultation with affected employee organizations.~~

~~3.14—Initiation of Impasse Procedures~~

~~If the meet and confer process has reached impasse as defined in Section 3.2 J of these Personnel Policy and Procedures, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:~~

- ~~A. To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and~~
- ~~B. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.~~

~~3.15—Impasse Procedures~~

~~Impasse procedures are as follows:~~

- ~~A. If the parties agree to submit the dispute to mediation, and agree on the selection of a mediator, the dispute shall be submitted to mediation. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.~~
- ~~B. In accordance with Government Code section 3505.4, if the parties did not agree on mediation or the selection of a mediator, or having so agreed, the impasse has not been resolved, the Board of Directors may take such action regarding the impasse as it in its discretion deems appropriate as in the public interest. Any legislative action by the Board of Directors on the impasse shall be final and binding.~~

~~3.16—Costs of Impasse Procedures~~

~~The cost for the services of a mediator and other mutually incurred costs of mediation shall be borne equally by District and Exclusively Recognized Employee Organization. The cost for other separately incurred costs shall be borne by such party.~~

~~3.17—Construction~~

~~Section 3 of these PPPs shall be administered and construed as follows:~~

- ~~A. Nothing in Section 3 of these PPPs shall be construed to deny to any person, employee, organization, District, or any authorized officer, body or other representative of the District, the rights, powers and authority granted by federal or state law.~~

~~B. Section 3 of these PPPs shall be interpreted so as to carry out its purpose as set forth in Section 3.1.~~

SECTION 2

PERSONNEL CONDUCT AND STANDARDS OF EMPLOYMENT

No. 4 Employee Standards of Conduct

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines general standards of conduct for District employees.

4.1 Standards of Conduct

- A. Employees of the District are expected to be productive, perform their work in a safe manner, be considerate of others, and conduct themselves in a professional manner at all times.

- B. The following ~~non-exclusive~~ list illustrates the types of conduct that are prohibited and will not be tolerated by the District. ~~The list is not all-inclusive.~~ Other types of conduct that may be a threat or harmful to security, personal safety, employee welfare, and the District's interests or operations may also be prohibited. This non-exclusive list of prohibited conduct described may be subject an employee to disciplinary action up to and including termination of employment.

Personal Conduct

1. Discourteous treatment of the public, District Board Members, Management, Supervisors or fellow employees.
2. Threatening or doing bodily harm to others.
3. Using inappropriate language on District radios.
4. Conducting personal business on District time.
5. Asking for gifts or gratuities from District constituents or any contractor, vendor or supplier or other person doing business with the District.
6. Accepting gifts or gratuities valued at more than \$10.00

7. Provoking a verbal or physical fight or fighting during working hours or on District property.
8. Participating in horseplay or practical jokes on District time or on District property.
9. Engaging in criminal conduct whether or not related to job.
10. Causing, creating or participating in a disruption of any kind during working hours on District property.
- ~~10~~1. Using abusive language at any time on District premises.
- ~~11~~2. Allowing personal affairs to interfere with District business or job responsibilities.
- ~~12~~3. Engaging in political activity during working hours or in the course of performing job.

Job Responsibilities

1. Failing to notify a supervisor when unable to report to work.
2. Unreported or unauthorized absence from work.
3. Insubordination, including failing or refusing to carry out instructions of supervisor, manager, or General Manager (or their designee).
4. Failing to observe work schedules (tardiness or leaving job early).
5. Sleeping or malingering on the job.
6. Failure of supervisor to take disciplinary action, or report misconduct of subordinates.
7. Abandoning work site or assigned task.

Safety

1. Failing to report unsafe equipment, conditions or practices.
2. Failing to report accidents, near misses or injuries.
3. Endangering self or others by violating a safety rule or by performing unsafe acts.
4. Failing to use appropriate personal protective equipment.
5. Failing to follow job safety rules and procedures.

Drugs and Alcohol

1. Possessing, distributing, selling, or purchasing ~~alcohol, intoxicants, drugs and other~~ or controlled substances (including cannabis) while on the job ~~without the approval of the General Manager or his/her designee.~~
2. Using or being impaired by / under the influence of alcohol, intoxicants, ~~or~~ controlled substances (including cannabis) while on the job.
- ~~3. Distributing, selling, or purchasing illegal or controlled substances while on the job.~~
43. Driving a District vehicle while impaired by / under the influence of alcohol, intoxicants, drugs, ~~or an illegal~~ or controlled substance (including cannabis).

Driving District Vehicles

1. Having driver's license expire, suspended, or revoked, if job requires driving on District business.
2. Failing to report loss of driving privileges.
3. Failing to obey traffic laws.
4. Failing to report moving and non-moving violations.

District Property

1. Stealing District property or the personal property of others.
2. Deliberately or carelessly damaging District property or the property of others.
3. Removing District property from premises without prior authorization.
4. Using District vehicles, equipment, time, materials, or facilities for personal use without prior authorization.

Records and Record Keeping

1. Falsifying employment records, employment information, or other District records.
2. Recording work time of another employee or allowing any other employee to record one's work time, except for authorized personnel.
3. Inaccurately recording one's time records.
4. Failing to maintain required District logs and records.
5. Willfully or negligently omitting or concealing facts from official records.

6. Falsifying of financial records (travel, expenses or payroll).

Other Misconduct

~~1. Carrying firearms or any other dangerous weapons on District premises, unless the weapon(s) are required for the performance of the job or the employee has notified the District that they have the legal authority to carry a weapon in accordance with Section 10.2.A.2.~~

- ~~21.~~ Misappropriating District funds.
- ~~32.~~ Disclosing confidential information.
- ~~43.~~ Gambling on District time or property.
- ~~54.~~ Engaging in or condoning unlawful harassment, ~~or~~ discrimination, bullying, abusive conduct, or retaliation of others.

4.2 General Prohibitions

A. Discrimination Prohibited. The District prohibits unlawful discrimination because of race, religious creed (including religious dress and groominggrooming practices), color, sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), sexual orientation, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized, ancestry, physical disability, mental disability, medical condition, genetic information/characteristics, marital status, registered domestic partner status, age (40 or over), military or veteran status, reproductive health decision-making, or any other basis protected by federal, state or local law or ordinance or regulation. All such discrimination is unlawful.

B. Employment of Relatives. The District may not hire relatives where actual or potential problems may arise regarding supervision, security, safety, or morale, or where potential conflicts of interest exist. Relatives include spouses, domestic partners, children, siblings, parents, step-relatives, and in-laws of those enumerated by marriage or domestic partnership. If two employees marry, register as domestic partners, or become related, causing actual or potential problems regarding supervision, safety, security, or morale, or where conflict of interest may exist, only one of the employees will be retained unless reasonable accommodations can be made to eliminate the actual or potential problems or conflict. Notwithstanding any provision in these Policies, any reasonable accommodation including transfer that results in a salary reduction is not disciplinary and is not subject to any grievance or appeal. The affected employees will be given 30 days to decide which relative stays with the District. If a decision is not made within 30 days, the General Manager or designee will make the decision based on the employment

history and job performance of both employees. Notwithstanding any provision in these Policies, any such separation is not considered to be disciplinary and is not subject to any grievance or appeal.

- C. Retaliation Prohibited. The District prohibits retaliation against any employee for engaging in protected activity in good faith. Protected activity includes filing a complaint, participating or cooperating in an investigation, or testifying in a proceeding regarding discriminatory conduct, regulatory violations, illegal activity, or unsafe working conditions or industrial injury.

4.3 Improper Political Activity

- A. The District Prohibits:

1. Employees and elected officials from engaging in political activities during work hours;
2. Political campaigning in District buildings or on premises adjacent to District building; and
3. An employee or elected official from using his/her office to coerce or intimidate public employees to promote, propose, or contribute to any political cause or candidate.

- B. Political Activity Prohibited. Coercion of or by employees or use of positions for political purposes is prohibited.

- C. Examples of Prohibited Political Activity:

1. Participate in political activities of any kind while in uniform or in District vehicle;
2. Participate in political activities during working hours;
3. Participate in political activities on District worksites;
4. Place or distribute political communication on District property;
5. Use District equipment to make political communications;
6. Solicit a political contribution from an elected official or employee of the District, or from a person on a District employment list, with knowledge that the person from whom the contribution is solicited is a District employee;
7. Favor or discriminate against any employee because of political opinions or affiliations;
8. Interfere with any election; or

9. Attempt to trade job benefits for votes.
- D. Examples of Permitted Political Activity:
1. Express opinions on all political subjects or candidates;
 2. Become a candidate for any local, state or national election;
 3. Contribute to political campaigns;
 4. Join and participate in the activities of political organizations;
 5. Request, during off-time duty, political contributions through the mail or other means from an elected official or employee of the District, if the solicitation is part of a solicitation made to a significant segment of the public which may include District employees;
 6. Solicit or received, during off-duty time, political contributions from a District employee organization if the funds, when collected, were not earmarked for a clearly identifiable candidate for a federal, state or local office; or
 7. Solicit or receive, during off-duty time, political funds or contributions to promote the passage or defeat of a ballot measure which would affect the rate of pay, hours of work, retirement, civil service, or other working condition of District employees.

4.4 Maintenance of Confidential and/or Privileged Information

Information used and/or accessed in the course of employment, if privileged by virtue of the employee's position and/or confidential, will not be discussed outside the work environment.

4.5 Outside Employment

- A. General. While employed by the District, employees are expected not to engage in outside work or activity that is incompatible with the best interest of the ~~District~~District, or which interferes with the employee's work schedule, duties, or work performance. Employees who wish to engage in outside employment must obtain approval ~~of~~from the General Manager or designee. Outside employment must be reviewed and approved annually.
- B. Process. An employee must request from the General Manager or designee approval for outside employment and complete an annual "Authorization for Outside Employment" form available from Human Resources. The form must be completed and submitted to the employees' supervisor for approval on an annual basis. Approval is required by the General Manager or designee prior to engaging in any outside employment.

- C. Revocation. Approval may be rescinded at any time if, in the judgment of the General Manager or designee, the outside employment is inconsistent with, incompatible with, in conflict with, or harmful or unfavorable to the employee's duties as a District employee.

4.6 ~~Drug and/or Alcohol Use~~ Alcohol and Drug Free Workplace

- A. The use or ~~possession-impairment of-by~~ alcohol, marijuana, drugs, and/or controlled substances constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property damage, or injury to other persons. Use of these substances can, ~~whether on or off the job~~, adversely affect an employee's job performance efficiency, safety, and health. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property loss or damage, or worse, injury to other persons.

- B. In order to ensure safe and productive work practices free from the influence of impairing drugs and alcohol, the District requires that an employee:

1. Not report to scheduled work or be on call while ~~his or her~~ the employee's ability to perform ~~his or her~~ their job duties is impaired due to on- or off-duty alcohol, intoxicants, drugs, or other controlled substances (including cannabis) ~~or drug use~~, and to advise the supervisor if ~~he or she~~ the employee is impaired and unable to work when an employee is called to report to unscheduled work when not on call;
2. Not possess, distribute, sell, or purchase alcohol, intoxicants, drugs, and other controlled substances (including cannabis) at any time while on the ~~or use controlled substances (illegal drugs and/or prescription drugs without a prescription) at any time, or use alcohol while on~~ District property, driving a District vehicle, or while on duty for the District at any location;
3. Not directly or through third parties manufacture, sell, distribute, dispense, or provide controlled substances to any person, including any employee, at any time; or manufacture, sell, distribute, dispense, or provide alcohol to any employee while either or both are on duty;
4. Notify ~~his or her~~ their supervisor, before beginning work, when taking any medications or drugs, prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of District equipment;
5. Notify the General Manager or designee of any criminal drug conviction for a violation occurring in the ~~work place~~ workplace no later than five days after conviction;

6. Notify the supervisor immediately of facts or reasonable suspicions when ~~he or she~~the employee observes behavior or other evidence that a fellow employee poses a risk to the health and safety of the employee or others; and
 7. Consent to drug or alcohol testing and searches pursuant to Section 4.6.
- C. Employees who violate the above policy, who are convicted on criminal drug statute violations occurring at the ~~work place~~workplace, or who fail to give the notice required above, are subject to discipline, up to and including termination.

- D. District supervisor and management employees must:
1. Notify the state or federal granting agency which has funded the work or program, if any, of any criminal drug statute convictions for a violation that occurred at a site where work is/was being done with a specific grant or contract;
 2. Record factors supporting “reasonable suspicion” as defined above and consult with other management staff in order to determine whether there is reasonable suspicion to test an employee as described by this policy;
 3. Take appropriate disciplinary action up to and including termination for any criminal drug statute conviction that has a nexus to the employee’s employment, or require that the convicted employee participate satisfactorily in a drug abuse assistance or rehabilitation program as a condition for returning to duty;
 4. Take appropriate disciplinary action for any violation of this policy consistent with existing discipline procedures;
 5. Enforce this policy;
 6. Report any suspected violation of this policy to the General Manager; and
 7. Any manager or supervisor who knowingly permits a violation of this policy by any employee shall be subject to disciplinary action.
- E. The General Manager, with Board approval, may make an exception to the District’s no alcohol on District property policy or at a District-sponsored event (~~Christmas~~ such as Holiday Party).
- F. Searches. In order to promote a safe, productive and efficient workplace, the District has the right to search and inspect, without employee consent, all District property, including but not limited to lockers, storage areas, furniture, District vehicles, and other places under the common control of the District, or joint control of the District and employees. No employee has any expectation of privacy in any District building, property, or vehicle, nor during the use of District’s technology systems and software programs. Use of District computers, District-issued cell phones, and through them, the Internet, must be in support of the objectives of the District.
- communication system.
- G. Reasonable suspicion testing. The District may require a blood test, urinalysis, or other drug and/or alcohol screening of those persons ~~reasonable~~ reasonably e suspected of using or being under the influence of a drug or alcohol at work. -Testing must be approved by the General Manager or ~~his/her~~ designee. Department Managers may approve testing if there is an immediate incident or concern and the General Manager or his/her designee is unavailable.

“Reasonable suspicion” is based on objective factors, such as behavior, speech, body odor, appearance, or other evidence of recent drug or alcohol use which would lead a reasonable person to believe that the employee is under the influence of drugs or alcohol at work. In order to receive authority to test, the supervisor must record the factors that support reasonable suspicion and discuss the matter with the General Manager or ~~his/her~~ designee, or respective Department Manager if the General Manager or ~~his/her~~ designee is unavailable. If there is a reasonable suspicion of drug or alcohol abuse at work, the employee will be relieved from duty and placed on paid leave until the test results are received. When possible, the supervisor shall have another supervisor/manager observe as a witness.

H. Post-Accident Testing. The District may require alcohol or drug screening following any work-related accident or any violation of safety precautions or standards, whether or not an injury resulted from the accident or violation, provided that the “reasonable suspicion” factors described above are present.

I. Drug testing will be in accordance with Government Code section 12954, which prohibits discrimination against a person in hiring, termination, or any term or condition of employment, if the discrimination is based on:

1. The person’s use of cannabis off the job and away from the workplace.

2. An employer-required drug screening test that finds *nonpsychoactive* cannabis metabolites in their hair, blood, urine, or other bodily fluids.

District applicants and employees can, however, be penalized based on a scientifically valid preemployment drug screening conducted through methods that do not screen for nonpsychoactive cannabis metabolites.

Government Code section 12954 does not permit an employee to possess, to be impaired by, or to use, cannabis on the job, nor does it affect the rights or obligations of an employer to maintain a drug- and alcohol-free workplace pursuant to Health and Safety Code Section 11362.45, or any other rights or obligations of an employer specified by federal law or regulation

Government Code section 12954 does not apply to an employee in the building and construction trades. Government Code section 12954 does not apply to applicants or employees hired for positions that require a federal government background investigation or security clearance in accordance with regulations issued by the U.S. Department of Defense (pursuant to 32 CFR Part 117 or equivalent regulations applicable to other agencies).

4.7 Use of District Facilities or Property

No District property will be used by an employee without express authorization of the General Manager or designee which is not necessitated by the employee's position.

Any employee who uses or is assigned a vehicle, materials, tools or equipment is responsible for accounting for and securing the property, safe and proper use, and for reporting any damages, loss, or need for routine maintenance.

Without prior Management approval vehicles, materials, tools and equipment will not be loaned to employees for their personal use.

4.8 ~~Smoke Free Workplace~~~~king Prohibited~~

The District is a smoke-free environment. The use of smoke-tobacco products, including but not limited to cigarettes, e-cigarettes, vaping, cigars, and pipes are prohibited at all District facilities and on all District property, including vehicles, parking lots and other outdoor areas. Employees who smoke tobacco products in violation of this provision may be subject to disciplinary action up to and including termination.

Smoking is ~~strictly prohibited~~ prohibited inside any District building or other enclosed area. For the purpose of this policy, "enclosed area" means an area closed in by a roof and walls with appropriate openings for ingress and egress; this also includes District vehicles. For purpose of this policy, "smoking" shall mean the inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, or pipe, or any other lighted tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device (e-cigarettes) that creates an aerosol or vapor.

~~Smoking within 20 feet of main entrances, exits, and operable windows of any District building is also prohibited.~~

Employees who smoke are urged to be particularly considerate of fellow employees who are sensitive to or object to cigarette smoke. Smoking should be confined to areas where others are not exposed to the smoke. Smoking within twenty feet of main entrances, exits, and operable windows of any District building, owned or leased, is also prohibited.

Employees are also not allowed to smoke during work hours and may only do so on designated meal and rest breaks subject to the parameters above. ~~Smoking is not allowed inside any of the District buildings within the perimeter fence of the District's Plant, Lab, or Pump Station, vehicles, or any outdoor area where flammable materials are located.~~

~~Employees who smoke are urged to be particularly considerate of fellow employees who are sensitive to or object to cigarette smoke. Smoking should be confined to areas where others are not exposed to the smoke. Smoking within 20 feet of main entrances, exits, and operable windows of any District building is also prohibited.~~

4.9 Gift Policy

No employee may receive a gift to influence, or that may have the appearance of influencing, a business relationship.

The District requires that any gift that is received by an employee be reported and given turned over to the General Manager or designee.

Receipt of gifts of cash is not permissible regardless of amount.

4.10 Dress Code

Employees of the District are required to dress appropriately for the jobs they are performing. Therefore, failure to follow the dress regulations contained in this section shall be grounds for discipline.

- A. All clothing must be neat, clean, ~~and~~ in good repair, and appropriate to the work setting.
- B. Prescribed uniforms and safety equipment must be worn when required.
- C. Footwear must be appropriate for the work environment and functions being performed.
- D. Depending on work ~~Hair must be neat, clean and well-groomed. Hair~~ assignment's safety requirements, hair longer than shoulder length must be tied back when working around plant, lab or hazardous equipment in compliance with safety standards.
- E. Depending on the work assignment's safety requirements, The following facial hair ~~is~~ may be permitted; ~~goatees, mustaches and sideburns~~ however, they facial hair must be groomed. maintained in a neat and well-groomed fashion. The remainder of the face must be clean shaven so as to meet safety standards, including respirator equipment, as required by the position.
- ~~F.~~ Jewelry is acceptable except in areas where it constitutes a health or safety hazard.
- ~~FG.~~ Good personal hygiene is required.
- ~~HG.~~ Dress must be appropriate to the work setting, particularly if the employee deals with the public.

4.11 Tattoo Policy

Employees of the District are expected to project a professional appearance while at work. Therefore, failure to follow the tattoo regulations contained in this section shall be grounds for discipline.

- A. ~~No tattoos are allowed anywhere on the head, face, or neck. Tattoos on the head, face, and/or neck and/or hands~~ must be covered with makeup, clothing or a bandage while at work or removed.

B. Any visible tattoos cannot be obscene, sexually explicit, discriminatory as to sex, sexual orientation, race, religion, or national origin, extremist, and/or gang related.

~~C. No visible tattoos shall be larger than 4 by 6 inches.~~

~~DC.~~ Any non-conforming tattoos must be covered with clothing or a bandage while at work or removed.

~~ED.~~ If an employee has a question about how the tattoo policy applies to them, the matter should be immediately raised with their supervisor for consideration and determination.

4.1212 Piercing and Jewelry Policy

Conductive materials and equipment that are in contact with any part of an employee's body will be removed prior to performing live electrical work to prevent them from contacting exposed energized conductors or circuit parts. This would include piercings, jewelry, and watches which shall be removed prior to performing electrical work.

~~Employees of the District are expected to project a professional appearance while at work and not endanger themselves or others with excessive body piercing. Therefore, failure to follow the body piercing regulations contained in this section shall be grounds for discipline.~~

~~A. No objects, articles, jewelry or ornamentation of any kind shall be attached to or through the skin if visible on any body part including the tongue or any part of the mouth except that an employee may wear one set of reasonably sized earrings in the ear lobes.~~

~~B. Any non-conforming piercing shall be removed, covered with a bandage, or replaced with a clear, plastic spacer.~~

~~C. If an employee has a question about how the piercing policy is applicable to them, the matter should be immediately raised with their supervisor for consideration and determination.~~

~~D. Employees who were hired prior to the approval of the Personnel Policy and Procedures manual on October 23, 2014 are not required to comply with 4.12 A and B for any piercings that existed prior to that date.~~

No. 5 Equal Employment Opportunity

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines the District's policy and procedure for Equal Employment Opportunity in employment.

5.1 Equal Employment Opportunity

A. The District is an equal opportunity employer and makes employment decisions on the basis of merit. ~~It wants to have the best available person in each job.~~ The District's policy prohibits discrimination, ~~and~~ harassment, bullying, abusive conduct, and retaliation

against employees, officers, officials, contractors, interns, volunteers, participants in apprenticeship programs or applicants for employment based on race, religious creed (including religious dress and grooming practices), color, sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), sexual orientation, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized), ancestry, physical disability, mental disability, medical condition, genetic information/characteristics, marital status, registered domestic partner status, age (40 or over), military or veteran status, reproductive health decision-making, or any other basis protected by federal, state or local law or ordinance or regulation. All such discrimination is unlawful.

The District will afford equal employment opportunity to all qualified employees and applicants as to all terms and conditions of employment, including compensation, hiring, training, promotion, transfer, discipline, and termination.

- B. The District is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operation of the District and prohibits unlawful discrimination, and harassment, bullying, abusive conduct, and retaliation by any employee, applicant, officer, official, interns, volunteers, participants in apprenticeship programs or contractor of the District, including supervisors and co-workers.
- C. Employees, applicants, officers, officials, interns, volunteers, participants in apprenticeship programs or contractors who believe they have experienced any form of employment discrimination are encouraged to report this immediately, using the complaint procedure provided in Section 5.3 of these PPPs.

5.2 Policy Against Harassment, ~~Intimidation, Bullying, Discrimination, and Retaliation, =~~ Bullying, and Abusive Conduct

- A. The purpose of Policy Against this Harassment, Intimidation, Bullying, Discrimination, and Retaliation, Bullying and Abusive Conduct Prevention Policy and Complaint Procedure ("Policy") is to establish a strong commitment to prohibit and prevent harassment, discrimination, bullying, abusive conduct, and retaliation by and against the District's employees, officers, officials, interns, volunteers, and elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints of harassment, discrimination, bullying, abusive conduct, and retaliation. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment, discrimination, bullying, abusive

conduct, and retaliation by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures, up to and including termination. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

- B. Las Gallinas Valley SanitaryThe District (“District”) is committed to preventing harassment, discrimination, bullying, abusive conduct, and retaliation in the workplace.

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

This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination, bullying, abusive conduct, and retaliation by and against protected classifications.

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

~~The District has a zero tolerance for any conduct that violates this policy against harassment, intimidation, bullying, discrimination and retaliation: District policy prohibits any and all sexual harassment and harassment or discrimination because of race, religious creed (including religious dress and grooming practices), color, sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), sexual orientation, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized, ancestry, physical disability, mental disability, medical condition, genetic information/characteristics, marital status, registered domestic partner status, age (40 or over), military or veteran status, reproductive health decision making, or any other basis protected by federal, state or local law or ordinance or regulation _____. All such harassment, or discrimination, bullying, abusive conduct, and retaliation is unlawful. This policy also prohibits retaliation for engaging in protected activity as recognized by state and federal law.~~

~~Conduct need not arise to the level of a violation of either federal or state law to constitute a violation of this policy. Instead, a single act can violate this policy and provide grounds for discipline or other appropriate sanctions.~~

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

Disciplinary action or other appropriate sanction up to and including termination will be instituted for prohibited behavior as defined below.

C. Definitions.

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

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

~~This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religious creed (including religious dress and practices), color, sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned), sexual orientation, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized, ancestry, physical disability, mental disability, medical condition, genetic information/characteristics, marital status, registered domestic partner status, age (40 or over), military or veteran status, reproductive health decision-making, or any other basis protected by federal, state or local law or ordinance or regulation.~~

2. **Protected Activity:** This Policy prohibits harassment, discrimination, bullying, abusive conduct, and retaliation because of an individual's protected activity.

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

32. -Policy Coverage:

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

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

~~This Policy prohibits the employer, elected or appointed officials, officers, employees, interns, volunteers, participants in apprenticeship programs or contractors from harassing or discriminating against applicants, officers, officials, employees, or contractors because of: 1) an individual’s protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.~~

~~3. Bullying may include the use of aggression with the intention of harming another individual. It can include any intentional written, visual, verbal, or physical act, when the act physically harms the individual or damages his or her property; has the effect of interfering with an employee’s ability to work; is severe or pervasive; and creates an intimidating or threatening environment.~~

~~—Bullying comes in many shapes and sizes and can take many forms including, but not limited to, excluding, tormenting, taunting, abusive comments, using threatening gestures; pushing, shoving, punching, unwanted physical contact, or may use of violence; graffiti; name-calling, sarcasm, spreading rumors, teasing. Such conduct can also occur via use of electronic or telephonic communications such as the internet, email and chat room misuse, mobile threats by text messaging, or calls or misuse of cameras and video equipment.~~

~~4. —Discrimination: This policy prohibits treating individuals differently because of the individual’s protected classification as defined in this Policy.~~

~~54. Harassment may include, but is not limited to, the following types of behavior that is taken because of a person's protected classification. Note that harassment is not limited to conduct that employer's employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, appointed officials, persons providing services under contracts, or even members of the public:~~

~~Speech, such as epithets, derogatory comments or slurs, and propositioning on the basis of a protected classification. This might include inappropriate comments on appearance, including dress or physical features, or dress consistent with gender identification, or race-oriented stories and jokes.~~

~~Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.~~

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

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

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

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

Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes, but is

not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

b. Visual acts, such as derogatory, offensive or inappropriate, posters, cartoons, emails, text messages, electronic memes, social media postings, written material, graphics, pictures, or drawings related to a protected classification.

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

c. _____

6. Guidelines for Identifying Harassment: Harassment includes cConduct that another individual who is a member of the protected classification would find unwelcome or unwanted. Harassment may include the followingTo help clarify what constitutes harassment in violation of this Policy, use the following guidelines:

a. Harassment includes cConduct which would be unwelcome or unwanted to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classificationHarassment includes any conduct which would be "unwelcome" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.

b. Conduct that is not intended to harass. Conduct may violate this Policy if the conduct is directed at, or implicates a protected classification and the recipient finds the conduct to be offensive or inappropriate, even if its well-intentioned conduct (e.g., gifts, over attention, endearing nicknames, hugs).It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.

c. Conduct to which the recipient appears to have consented. The District does not recognize as a defense that the recipient appeared to have "consented" to the conduct at issue by failing to protest about the conduct. A recipient may not protest offensive or inappropriate conduct for many legitimate reasons, including the need to avoid being perceived as insubordinate or to avoid being ostracized or subjected to retaliationSimply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time.

~~Small, isolated incidents might be tolerated up to a point. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.~~

- ~~gd. Conduct about which no employee has previously complained. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment or substantially similar conduct does not mean that the conduct is welcome, inoffensive, or appropriate. The fact that no one previously complained does not preclude anyone from complaining if the conduct is repeated.Even visual, verbal, or physical conduct between two employees who appear to welcome the conduct can constitute harassment of a third applicant, officer, official, employee, or contractor who observes the conduct or learns about the conduct later. Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual.~~
- ~~he. B-180-30-5 Conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct. Visual, verbal or physical conduct between two people who do not find such conduct offensive or inappropriate can constitute harassment of a third party witnesses such conduct or learns about the conduct later and finds the conduct to be offensive or inappropriate. Conduct can constitute harassment even if it is not explicitly or specifically directed at a particular individual. Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over attention, endearing nicknames).~~
- ~~if. Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if the individual or an individual of the recipient's same protected classification would find it inappropriate or offensive (e.g., gifts, over attention, endearing nicknames, hugs).~~

7. **Retaliation:** Retaliation occurs when an employer takes adverse action against a covered individual because of the individual's protected activity as defined in this Policy.

"Adverse action" may include, but is not limited to, the following actions: (1) an employment disciplinary action; (2) counseling; (3) taking sides because an individual has reported harassment or discrimination; (4) spreading rumors about

~~a complainant or about someone who supports or assists the complainant or who participates in the investigation; (5) shunning or avoiding an individual who reports harassment or discrimination; or (6) making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination. Any adverse conduct taken because an applicant, employee, or contractor has reported harassment or discrimination, or has participated in the complaint and investigation process described herein, is prohibited. "Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment or discrimination, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment or discrimination, or real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination. The following individuals are protected from retaliation: those who make good faith reports of harassment or discrimination, and those who associate with an individual who is involved in reporting harassment or discrimination or who participates in the complaint or investigation process.~~

Retaliatory harassment is prohibited by this Policy. Retaliation can be action that is work-related, or one that has no tangible effect on employment, or even an action that takes place exclusively outside of work, as long as it may well dissuade a reasonable person from engaging in protected activity. An employee may bring a claim under FEHA for complaining of or opposing conduct that the employee reasonably believes to be discriminatory.

8. Bullying/Abusive Conduct:

This Policy prohibits bullying and abusive conduct. Bullying and abusive conduct is a form of discourteous treatment toward coworkers and can take many forms. Some examples include, but are not limited to the following:

- Repeated unwanted conduct, comments, actions, or gestures that affect an employee's dignity, psychological or physical health, and well-being.
- Insulting, hurtful, hostile, vindictive, cruel, or malicious behavior that undermines, disrupts, or negatively affects another's ability to do their job and results in a harmful work environment for the employee(s).
- Swearing or shouting; repeated derogatory remarks, insults, or epithets; exclusion, ignoring, or socially isolating another; belittling; humiliation; any form of physical threat or physical intimidation; demeaning comments about a person's appearance; the use of patronizing titles or nicknames; persistent, unwelcome teasing; gratuitous sabotaging or undermining a person's work performance;
- Spreading lies, malicious rumors or gossip; disrespecting reasonable, personal boundaries; sharing inappropriate personal information with unauthorized individuals;

- Calling out, confronting or scolding an employee in front of others;
- Setting someone up to fail; blaming others for one's own errors;
- Insulting another's habits, attitudes, or private life.
- Harassment that is not based on / does not implicate a protected classification.

Prohibited bullying/abusive conduct may result from the actions of one individual or of a group.

Not all conflict at work is considered bullying/abusive conduct. Generally, bullying or abusive conduct requires a pattern of intentional, unwanted, and repeated behavior done with the intention to cause harm, demean, embarrass, or intimidate another person. Examples of conduct that may not constitute bullying or abusive conduct include: giving work direction to employees; providing feedback on performance; a single instance of a raised voice; not granting a scheduling request, etc.

D. Complaint Procedure.

1. A covered individual who believes they have been subjected to harassment, discrimination, bullying, abusive conduct, or retaliation may make a complaint to any supervisor, manager, District Counsel, or the General Manager without regard to any chain of command. -

1. Any supervisory or management employee who receives a harassment, discrimination, bullying, abusive conduct, or retaliation complaint should immediately notify the General Manager. Upon receiving notification of a complaint regarding discrimination, harassment, bullying, abusive conduct, or retaliation, the General Manager or their designee will complete and/or delegate the following steps:
2. Within 24 hours of submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, the District Counsel.
3. Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will usually include interviews with the following individuals: 1) the complainant; 2) the accused (i.e., the subject of the investigation); 3) witnesses to the conduct at issue in the complaint; and 4) other persons who have relevant knowledge concerning the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity of the investigation, including, but not limited to, refraining from actions that may intimidate potential witnesses.

4. The complainant and the accused have the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.
5. Review the factual information gathered during the investigation to determine whether the alleged conduct violated the Policy giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.
6. Prepare a summary report of the determination as to whether the conduct violated this Policy and, if necessary, provide such report to the appointing authority (i.e., District Counsel or General Manager). If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.
7. If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.
8. Take reasonable steps to protect the complainant from further harassment, discrimination, bullying, abusive conduct, or retaliation.
9. If the General Manager or District Counsel is the accused, or is a witness to the events at issue, an individual with higher authority will complete and/or delegate the steps enumerated above.
10. The District takes a proactive approach to potential violations of this Policy and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination, bullying, abusive conduct, or retaliation occurred or may be occurring, regardless of whether the recipient or third party reports a potential violation.
11. Upon conclusion of the investigation of alleged harassment, discrimination, bullying, abusive conduct, or retaliation, appropriate action shall be taken against the appropriate party where a violation of this Policy is found, including legal actions where appropriate.
12. Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment, discrimination, bullying, abusive conduct, or retaliation.
13. Action taken to remedy a harassment, discrimination, bullying, abusive conduct, or retaliation situation shall be done in a manner so as to prevent further violations.
14. Elected officials and employees complaining of harassment, discrimination, bullying, or abusive conduct shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant,

employee, elected official or contractor has reported harassment, discrimination, bullying, or abusive conduct or has participated in the complaint and investigation process described herein, is prohibited. This Policy protects those who make good faith reports of harassment, discrimination, bullying, or abusive conduct and those who associate with an individual who is involved in reporting harassment, discrimination, bullying, or abusive conduct or who participates in the complaint or investigation process, from retaliation.

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

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

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

~~An employee, interns, volunteers, participants in apprenticeship programs, job applicant, or contractor who believes he or she has been harassed may make a complaint verbally or in writing with any of the following. There is no need to follow the chain of command:~~

~~a) — Immediate supervisor;~~

~~b) — Any supervisor or manager within or outside of the department; or~~

~~c) — General Manager or designee;~~

~~2. — Any supervisor or department head who receives a harassment complaint should notify the General Manager or designee immediately.~~

~~3. — Upon receiving notification of a harassment complaint, the General Manager or designee shall:~~

~~a) — Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser; and 3) other persons who have relevant knowledge concerning the allegations in the complaint.~~

- b) ~~Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, discrimination, or retaliation giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.~~
- c) ~~Report a summary of the determination as to whether harassment occurred to appropriate persons, including the complainant, the alleged harasser, the supervisor, and the manager. If discipline is imposed, the level of discipline will not be communicated to the complainant.~~
- d) ~~If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.~~
- e) ~~Take reasonable steps to protect the complainant from further harassment, discrimination, or retaliation.~~
- f) ~~Take reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.~~

~~5.3 Incident or Employee Complaint Investigations~~

- A. ~~The District takes a proactive approach to potential Policy violations and will conduct an investigation if its officers, supervisors, or managers become aware that harassment, discrimination, or retaliation may be occurring, regardless of whether the recipient or third party reports a potential violation.~~
- B. ~~If the District determines that harassment, discrimination or retaliation has occurred, effective remedial action will be taken in accordance with the circumstances involved. Appropriate action will also be taken to deter any future harassment, discrimination or retaliation. Any employee determined to be responsible for harassment, discrimination or retaliation will be subject to appropriate disciplinary action, up to and including termination.~~
- C. ~~Option to Report to Outside Administrative Agencies: An individual has the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the State of California Civil Rights Department of Fair Employment and Housing (DFEHCRD). These administrative agencies offer legal remedies and a complaint process. Information may be located by visiting the agency website at www.eeoc.gov or . The nearest offices are listed in the government section of the telephone book or Employees may also find information employees can check on the posters that are located on employer bulletin boards, for office locations and telephone numbers.~~

5.4—No Retaliation

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

5.5—Confidentiality.

Every possible effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate and the duty to take effective remedial action. As a result, confidentiality will be maintained to the extent possible. An individual who is interviewed during the course of an investigation is prohibited from discussing the substance of the interview, except as otherwise directed by a supervisor or the Human Resources Director. Any individual who discusses the content of an investigatory interview will be subject to discipline or other appropriate sanction. The District will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, to take remedial action, to defend itself in adversarial proceedings, or to comply with the law or court order.

5.6.3 Responsibilities

Managers and Supervisors are responsible for:

1. Informing employees of this Policy.
2. Modeling appropriate behavior.
3. Taking all steps necessary to prevent harassment, discrimination, bullying, abusive conduct, or retaliation from occurring.
4. Receiving complaints in a fair and serious manner, and documenting steps taken to resolve complaints.
5. Monitoring the work environment and taking immediate appropriate action to stop potential violations, such as removing inappropriate pictures or correcting inappropriate language.
6. Following up with those who have complained to ensure that the behavior has stopped and that there are no reprisals.
7. Informing those who complain of harassment or discrimination of his or her/their option to contact the EEOC or CRD-DFEH regarding alleged Policy violations.
8. Assisting, advising, or consulting with employees and the General Manager Manager or designee regarding this Policy and Complaint Procedure.
9. Assisting in the investigation of complaints involving employee(s) in their departments and, if the complaint is substantiated, recommending appropriate

corrective or disciplinary action in accordance with employer Personnel Rules, up to and including discharge.

10. Implementing appropriate disciplinary and remedial actions.
11. Reporting potential violations of this Policy of which ~~he or she~~they becomes aware, regardless of whether a complaint has been submitted, to the General Manager, ~~General Manager's~~or designee, or the manager.
12. Participating in mandated periodic training and scheduling employees for training.

Each employee, interns, volunteers, participants in apprenticeship programs or contractor is responsible for:

1. Treating all employees and contractors with respect and consideration.
2. Modeling appropriate behavior.
3. Participating in periodic training.
4. Fully cooperating with the employer's investigations by responding fully and truthfully to all questions posed during the investigation.
5. Maintaining the confidentiality of any investigation that the employer conducts by not disclosing the substance of any investigatory interview, except as directed by the manager or General Manager.
6. Reporting any act ~~he or she~~they believes in good faith constitutes harassment, discrimination, bullying, abusive conduct, or retaliation as defined in this Policy, to ~~his or her~~their immediate supervisor, or manager, or General Manager or designee.

No. 6 Use of District Property and Equipment

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure represents the policy and procedure for the use of District property including electronic media, telephones, and telecommunication devices by District employees.

6.1 Scope

- A. This policy applies to all District employees who use any District property, electronic media, and telecommunication devices provided by the District. District property is to be used only for conducting District business unless otherwise authorized. District property includes, but is not limited to: telephones, cell phones, desks, computers (including hardware and software), file cabinets, lockers, communications stored or transmitted on

District property (such as ~~email-~~ and voice ~~e-mail~~emails, text messages), vehicles and any other District property used by District employees in the course of their work. Employees ~~do-should~~ not have an ~~reasonable~~ expectation of privacy in District property or equipment.

- B. District property may be monitored and searched at any time and for any reason. Messages sent or received on District equipment including cell phones may be saved and retrieved by others. As a result, District employees should not have ~~nean~~ expectation of privacy in the messages sent or received on District property or equipment.
- C. Every District employee is required to adhere to all District rules and policies while on District property or using District property or equipment.

6.2 General Policy on the Use of Electronic Media

- A. General. This section defines general policy on the use of electronic media. Electronic media is defined as computers, computer peripherals, electronic connections, computer software, laptops, voice mail, electronic mail (~~mail (e-mail)~~email), Internet access, ~~World Wide Web access~~, Intranet access, on-line information services, electronic facsimile (fax) files, instant messaging, and any other electronic type of equipment that the District deems as electronic media. This also applies to usage of telephones and cell phones provided by the District.
- B. Business Purposes. Electronic media, as outlined in the scope above, are provided for the use of District employees for business-related purposes and as such do not offer privacy protections that one might expect from a personal system.
- C. Limited Personal Use, as Authorized. Reasonable and limited personal use is allowed at the sole discretion of the District. Such use will be brief, to the point, and conducted during breaks or lunch, or as otherwise specifically authorized by the General Manager or his/her designee.
- D. Personal use of the District electronic media, such as but not limited to cell phones, is subject to IRS regulations.
- E. Right to Search and Monitor. Approved District personnel, as well as computer support personnel, as authorized by the General Manager, reserve the right to enter, search and monitor the computer files, voice mail, ~~e-mail~~email, encrypted files, or any type of electronic file of any employee without advance notice. Justification for such actions may include monitoring work flow or productivity, and investigating theft, disclosure of confidential business or proprietary information, or personal abuse of the system. The existence of passwords and “message delete” functions does not restrict or eliminate the District’s ability or right to access electronic communications.

- F. Facsimiles. Electronic files of facsimiles (fax's) sent, received, and/or stored using the District equipment should be considered District property and may be subject to search for such reasons as stated above.
- G. Computers, Computer Software, Laptops and Computer Files. District computers, software and files stored on the computer or network will be considered as District property. Therefore, these devices may be subject to search for reasons stated above. In addition, all software that resides on any of the District's computers will be licensed and may be considered the property of the District.
- H. Software Installations. No employee will install software on any of the District's computers without first receiving permission from authorized management personnel; the General Manager.
- I. No Hardware Tampering. No employee ~~will shall not~~ alter or tamper with any District computer or interfere with its operation. All hardware failures will be immediately reported to General Manager or ~~his/her~~ designee.
- J. Records Retention Policy. Electronic media which are considered "District records" will be subject to District's records retention policies [as adopted by the Board](#), including the same legal retention periods as paper documents. District records include: 1) permanent electronic computer files, and 2) telecommunications (e.g., ~~e-mail~~[email](#), instant messaging, and voice mail) which have been downloaded/converted into permanent electronic files, or have been printed to hard copies and stored as permanent files for the purposes of records retention. ~~Thus, e-mail and voice mail which have not been converted to District records will be considered transitory communication, and treated similar to unrecorded phone calls, since they are not permanent records.~~
- K. Public Records Act. Under the California Public Records Act, any electronic media message (e.g., ~~e-mail~~[email](#) or voice mail) or permanent computer file which has been generated on District equipment and system may constitute a "public record", and may be provided to the public through the California Public Records Act, or may be otherwise discoverable. Thus, employees must always assume that e-mail, instant messaging, voice mail, and permanent computer files are subject to disclosure unless a specific legal basis for non-disclosure exists.
- L. General Allowable Uses of Electronic Media. Allowable uses of electronic media for District business purposes include the:
1. To facilitate performance of job functions.
 2. To facilitate communication of information within the District.
 3. To coordinate meeting of individuals, locations and resources of the District.

4. To communicate with outside organizations as required in ~~performing~~ order to perform an employee's job function.

M. General Prohibited Uses of Electronic Media. Prohibited uses of electronic media include, but are not limited to the following:

1. Illegal or impermissible activities as defined as a violation of District policies, regulations, and state and/or federal law.
2. Committing fraud or stealing data, or equipment.
3. Using the network for an illegal activity, including violation of copyright, license agreements, and other contracts, e.g. downloading music.
4. Anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs, or any other protected status will not be tolerated. These include, but are not limited to, slurs, obscene messages, materials, and pictures.
5. Threatening messages.
6. Political endorsements.
7. Commercial activities including areas of financial gain.
8. Intentionally disrupting network traffic or crashing the network and connected systems (for example: sabotage, intentionally introducing a computer virus).
9. Unauthorized access to others' files with no substantial business purpose, or vandalizing the data of another user.

N. Network Security and Integrity. District employees must also abide by policies and procedures established for the purposes of maintaining security and integrity of the District's network system and supporting infrastructure.

O. Violation of Policy. Violation of this policy will be reviewed on a case-by- case basis and may result in disciplinary action, up to and including [discharge/termination](#).

6.3 ~~E-mail~~[Email](#), Instant Messaging, Text Messaging and Voice Mail

A. Right to Review and Monitor. The District reserves the right to access all voice mail, instant messaging, text messaging and ~~e-mail~~[email](#) left on or transmitted via District's communication systems. Since ~~e-mail~~[email](#), instant messaging, text messaging and voice mail messages are District property and intended for District business, employees [should not have an](#)~~will have no right or~~ expectation of privacy in any ~~e-mail~~[email](#), text message or voice mail message in District's communication systems. Management ~~will~~[shall](#) have

the right to review any e mail, instant message, text message, or voice mail messages of any employee at any time and for any reason.

B. Purpose of ~~E-mail~~Email, Instant Messaging, Text Messaging and Voice Mail. The purpose of ~~e-mail~~email, instant messaging, and text messaging and voice mail is to provide a ~~work related~~work-related communication channel between individuals and groups, and to promote effective and efficient use of time and resources in order to carry out the business of the District. Employees are expected to utilize the District's communications systems with the same degree of respect, professionalism, and courtesy as is expected of personal face-to-face interactions. As with ~~the~~telephone calls, cell phone use, personal ~~e-mail~~emailing, instant messaging, text messaging and voice mail should be: a) confined to those absolutely necessary; b) kept to a minimum; c) brief and to the point; d) to the extent practical, performed on breaks or lunch time.

C. Uses of ~~E-mail~~Email, Instant Messaging, Text Messaging and Voice Mail. Listed below are examples (~~non-exhaustive~~exhaustive list) of appropriate and inappropriate ~~e-mail~~email, and where applicable, instant messaging, text messaging and voice mail use.

1. Examples of Appropriate Use

- a. Providing or requesting information regarding District business (e.g., meeting notification, budget issues, etc.).
- b. Transmitting a document or file (vs. printing and mailing the document).
- c. General announcements within the scope of the sender's job responsibilities.
- d. Informational announcements that need to be communicated to employees.

2. Examples of Inappropriate Use

- a. Illegal or impermissible activities as defined as a violation of District policy, state, and/or federal law.
- b. Anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability or religious or political beliefs, or any other protected status will not be tolerated. These include, but are not limited to, slurs, obscene messages, materials, and pictures, or religious materials.
- c. Anything that may be construed as disruptive, threatening, offensive to others or harmful to morale.
- d. Copyright infringement.
- e. Items of political nature or having to do with political activities.
- f. Unauthorized distribution of personnel or medical information.
- g. Use of ~~e-mail~~email when signed documents are required (Note: Use of ~~e-mail~~email to distribute documents for signature is acceptable).

- h. Purposely creating any message that purports to be from another person without their permission.
- i. Unauthorized use of mailing lists.
- j. Unauthorized access to others' files with no substantial business purpose, or vandalizing the data of another user.
- k. Personal messages such as chain letters, broadly distributed ~~e-mail~~emails regarding personal matters or interests.
- ~~l. Forging electronic mail messages.~~
- ~~m.l.~~ Violations. Violations will be investigated and may result in disciplinary action up to and including ~~termination.~~ ~~dismissal from employment.~~

6.4 Internet

- A. General Usage. The purpose of Internet services is to distribute information to public constituencies or to conduct research for District related activities. ~~Access time to Internet services should be kept to a reasonable amount of time.~~

The duration of reasonable personal use will be established at the discretion of the General Manager or his/her designee and will only be conducted during breaks or lunch or as otherwise specifically authorized.

- B. Right to Review, Monitor, Report, and Restrict Internet Use. Since Internet access and use are intended for District business, Employees will have no right or expectation of privacy in any Internet activity using District equipment or networks. Management will have the right to review any Internet activity of any at any time and for any reason. Management may restrict Internet use by anyone at any time and for any reason. The District may restrict access to Internet sites whose content appears to have no purpose related to the business of District.

- C. Uses of the Internet. Except as otherwise noted herein, all Internet activities should be directly related to District business. Listed below are examples of appropriate and inappropriate Internet use.

- 1. Examples of Appropriate Use.

- a. Obtaining information regarding District business, i.e., policy, legislation, public meetings, technical research, etc.
- b. Transmitting or receiving a file or document (in conjunction with ~~e-mail~~email).
- c. Providing information regarding District business to the public, i.e., meeting agendas, key points of contact, forms, etc.

- 2. Examples of Inappropriate Use.

- a. File downloads not connected with District business.

- b. Generating, sending, requesting, receiving or archiving material in any form, i.e., text, graphics, etc. which contain offensive language or is harassing in nature.
 - c. Activities resulting in personal gain, i.e., items for sale or purchase, or other personal business.
 - d. Illegal activities.
 - e. Copyright infringement.
 - f. Creating acts of fraud, waste or abuse through Internet activities.
 - g. Intentionally disrupting network traffic or crashing the network and connected systems (for example: sabotage, intentionally introducing a computer virus).
 - h. Other acts of misconduct such as willful misconduct, discrimination, sexual harassment and misuse of position.
 - i. Use of continuous services such ~~as as~~ PointCast live streaming, live audio, live radio, and live video feeds unless needed for official District business.
3. Violations. Violations will be investigated and may result in disciplinary action up to and including ~~dismissal from employment~~ termination.

6.5 Telecommunication Devices

A. Definitions

- 1. Existing wire line phones. Includes all District desk top phones.
- 2. Cellular Telephone. A wireless telephone.
- 3. Other electronic devices. PDAs, palms and pocket PCs, smart phones and tablet computers.

B. General Policy on the Use of District Telecommunication Devices

- 1. All District telecommunication devices, regardless of the type (cellular telephones, existing wire line phones, etc.) are provided as a tool to conduct District-related business. All employees shall use such devices in a responsible manner. All employees assigned communications equipment shall assume the responsibility to use the equipment in accordance with the provisions of this policy.
- 2. Toll calls outside the local service area for reasons other than official use, or "900" Calls, or collect calls other than that provided by the District are prohibited unless absolutely necessary for purposes of contacting vendor company help lines.
- 3. Employees are prohibited from installing any ~~third-party~~ third-party equipment to District phones (e.g. caller ID devices) unless pre-approved.

C. Use of District Cellular Phones and Other Electronic Devices

1. District electronic devices are issued on an as-needed basis with the approval of the General Manager.
2. Electronic devices are provided by the District to employees in order to perform their official duties. Excessive personal use of District electronic devices during non-break, work hours is prohibited and may result in disciplinary action. Excessive personal use of District electronic devices ~~are~~is subject to reimbursement by the employee.
3. An employee assigned a District electronic device is responsible for good care and maintenance of the assigned cell phone and will be required to reimburse the District's cost for any damage, or lost telephone due to negligence, as determined by the General Manager.
- ~~4. Employees shall refrain from using the camera function on District cellular phones, except for work-related purposes.~~
- ~~4.5. Employees shall refrain from recording, by any means, the conversation with another employee, staff, contractors, or members of the public with the exception of Board meetings which are recorded to assist with the preparation of minutes, unless the following criteria are met:~~
 - ~~There exists a legitimate purpose for the recording.~~
 - ~~A recording device is in plain view.~~
 - ~~Written authorization from the General Manager or supervisor is obtained prior to recording the conversation.~~
- ~~5.6. If a cellular telephone is damaged, fails to work properly, or is stolen or lost, the employee shall notify the General Manager or his/her designee.~~

D. Use of Cellular Phone While Operating a Vehicle

~~Once a cell phone is in use by a District employee, certain "rules of the road" must be followed to ensure the safety of the employee using the cell phone and anyone that employee may come in contact with. Use of a handheld cell phone while driving, in the course of conducting District official business, is prohibited.~~

If, in the course of District official business, an employee needs to make a call, receive a call, or text message while ~~she/he~~they are driving, ~~he/she~~the employee must pull over to the side of the road in a safe manner to complete the call or text message. This includes answering a call, dialing a number, text messaging and talking on the phone. Cell phone use is allowed in vehicles provided hands free technology is in use ~~d~~ in accordance with

state law. Use of a handheld cell phone while driving, in the course of conducting District official business, is prohibited.

E. Personal Use of Desktop Telephones

Personal calls must be restricted to those incidental purposes. Employees are authorized to make reasonable, but limited, use of District phones for necessary personal calls that meet the following criteria:

1. Calls are restricted to breaks and lunch periods unless previously approved by your supervisor.
2. It is of reasonable duration and frequency.
3. It reasonably could not have been made at another time.

Examples of circumstances that may be authorized use during regular work hours are:

1. Calls to home (family emergency) or doctor.
2. Calls to notify an employee's family or other appropriate parties to inform them of a schedule change or delays.
3. Daily, brief calls to speak to a spouse, minor children, dependent parents, or those responsible for their care.
4. Brief calls that can only be reached during working hours such as a local government agency, a physician's office, home or a garage for emergency repairs.

F. Use of Personal Cell Phones

1. Use of personal cell phones is prohibited during working hours, other than breaks and lunch periods, unless approved by the General Manager.
2. When there is a need for cell phone use for personal reasons during work hours which has previously been approved, (e.g., during a family emergency) cell phones must be in silent or vibrating mode and must not be disruptive to co-workers.
3. Employees shall refrain from using the camera function on personal cellular phones in the workplace unless approved by the General Manager or supervisor.

~~4. Employees shall refrain from recording, by any means, the conversation with another employee unless the following criteria are met:~~

~~There exists a legitimate purpose for the recording.~~

~~A recording device is in plain view.~~

~~Written authorization from the General Manager or supervisor is obtained prior to recording the conversation.~~

~~54.~~ The District is not responsible for any damage to personal cell phones.

6.6 Lockers

A. General

Lockers are made available for the convenience of employees while at work. Lockers are the sole property of the District and the District reserves the right to open and inspect lockers, as well as any contents, effects or articles that are in the lockers. Such an inspection can occur at any time, with or without advance notice or consent. ~~An inspection may be conducted before, during or after working hours by any supervisor, manager or security personnel designated by the District. Employees who, if requested, fail to cooperate in any inspection will be subject to disciplinary action, up to and including possible suspension or discharge.~~ The District is not responsible for any articles that are placed or left in lockers that are lost, damaged, stolen, or destroyed.

B. Use of Lockers

Lockers must be kept in good working order and undamaged by the employee's use. ~~Lockers are only to be used for the storage of such items as, for example, employee clothing, uniforms, personal safety equipment and grooming products, or any other items specifically authorized by the supervisor. Personalization of individual lockers is prohibited.~~

The District's Anti-Harassment Policy prohibits the displaying of inappropriate materials, including but not limited to, such as stickers, nicknames, pictures, or drawings. ~~The display of documents in an insubordinate manner is prohibited.~~ The exterior and interior of exterior of lockers is/are to be free of all markings except as approved by the General Manager or designee.

No. 7 Grievance Procedure

Please see Memorandum of Understanding between the Operating Engineers Local 3 and Las Gallinas Valley Sanitary District.

No. 8 Whistleblower Retaliation

APPLICABILITY & PURPOSE

This Policy and Procedure defines the District Policy against whistleblower retaliation.

8.1 Retaliation for Filing Complaints, Claims

~~The District prohibits the taking of any adverse employment action against those who in good faith report, oppose, or participate (as witnesses or accused) in investigations into complaints of alleged violations of District policy or state or federal law in retaliation for that reporting, opposition, or participation.~~ Participating in a whistleblower complaint process is protected from retaliation under all circumstances. Engaging in a complaint process, however, does not shield an employee from all discipline or discharge. The District retains the right to discipline or terminate

workers if motivated by non-retaliatory and non-discriminatory reasons that would otherwise result in such consequences.

Disciplinary action, up to and including termination, will be taken against an employee or officer who is found to have violated this policy. Any elected official or contractor who violates this Policy Against Retaliation will be subject to appropriate sanctions.

8.2 Policy Coverage

The policy prohibits District officials, officers, employees, or contractors from retaliating against applicants, officers, officials, employees, or contractors because of any of the protected activity as defined herein.

8.3 Definitions

A. "Protected activity"

1. Making or filing an internal complaint with the District regarding alleged violations of District policy, local, State or Federal law.
2. Providing informal notice to the District regarding alleged violations of District policy, local, State or Federal law.
3. Participating in investigations and/or in court/administrative hearings regarding alleged violations of District policy, local, State or Federal law.
4. Filing a complaint with a Federal or State enforcement or administrative agency

No employee of the District shall directly or indirectly use or attempt to use the authority or influence of such employee for the purpose of intimidating, threatening, coercing, directing or influencing any person with the intent of interfering with that person's duty to disclose alleged violations of District policy or local, State or Federal law.

- ~~1. Filing a complaint with a federal or state enforcement or administrative agency~~
- ~~2. Participating in or cooperating with a federal or state enforcement agency that is conducting an investigation of the District regarding alleged unlawful activity~~
- ~~3. Testifying as a party, witness, or accused regarding alleged unlawful activity~~
- ~~4. Associating with another employee who is engaged in any of the protected activities enumerated here~~
- ~~5. Making or filing an internal complaint with the District regarding alleged unlawful activity~~
- ~~6. Providing informal notice to the District regarding alleged unlawful activity~~

~~7. Calling a governmental agency's "Whistleblower hotline"~~

~~8. Filing a written complaint under penalty of perjury that the agency has engaged in "gross mismanagement, a significant waste of public funds, or a substantial and specific danger to public health or safety."~~

- B. "Adverse action" may include, but is not limited to, any of the following:
1. Real or implied threats of intimidation to attempt or prevent an individual from reporting alleged wrongdoing or because of protected activity
 2. Refusing to hire an individual because of protected activity
 3. Denying promotion to an individual because of protected activity
 4. Taking any form of disciplinary action because of protected activity
 5. Extending a probationary period because of protected activity
 6. Altering work schedules or work assignments because of protected activity
7. Condoning hostility and criticism of co-workers and third parties because of protected activity.
- C. "Complaint Procedure": ~~The process by which A~~an applicant, employee, officer, official, or contractor who feels ~~he or she has~~they have been retaliated against in violation of ~~this a p~~Policy. ~~should immediately report the conduct according to the District's Harassment Complaint procedures~~ STATE WHERE THIS IS LOCATED are defined under respective policies; 5.2 Policy Against Harassment , 5.3 Incident or Employee Complaint Investigation, and 9.0 Whistleblower Procedures ~~so that the complaint can be resolved fairly and quickly.~~

No. 9 Whistleblower Procedure

APPLICABILITY & PURPOSE

This Policy and Procedure Manual provides for employees to disclose, without reprisal, facts which may be deemed to constitute gross mismanagement, significant waste of funds, abuse of authority, and/or substantial and specific danger to public health or safety.

Anyone who believes they have been subjected to retaliation should immediately report it to the General Manager or designee. The District will investigate and take appropriate remedial action.

The confidentiality of the whistleblower will be maintained whenever possible. No District employee may interfere with the good faith reporting of suspected or actual wrongful conduct. An individual who makes such a good faith report shall not be subject to retaliation, including harassment or any adverse employment, as a result of making a report. All reported claims of retaliation will be reviewed and investigated, and appropriate corrective action will be taken. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. In addition, an employee who intentionally files a false report of wrongdoing, or knowingly makes an untrue statement of fact in the investigation of a complaint, may be subject to discipline up to and including termination.

Anyone found in violation of this policy will be disciplined, up to and including termination.

9.1 Written Statements and Complaint Procedures

Any District employee or applicant for employment will be entitled to file with the General Manager, under penalty of perjury, a written statement disclosing facts which may be deemed to constitute gross mismanagement or significant waste of funds, an abuse of authority, and/or a substantial and specific danger to public health or safety. ~~This statement must be filed within sixty (60) calendar days of the act or event which gave rise to the allegations.~~ The complaint must include the following information:

- The name of the employee or applicant.
- Class title (if applicable).
- Department (if applicable).
- Mailing address of complainant.
- A clear statement of the complaint.
- The date upon which the event occurred giving rise to the complaint.
- The date of filing of the complaint.
- The signature of the complainant.

9.2 General Manager Review

The General Manager or his/her designee will investigate the complaint, confer with the complainant in an attempt to solve the problem, and make a decision in writing. These steps will be completed within fourteen calendar days after receipt of the complaint.

9.3 Appeal

If the complainant is dissatisfied with the response of the General Manager, an appeal may be filed with the Board of Directors within seven calendar days of the date of the response by the General Manager. The Board of Directors will conduct a hearing on the complaint, and its decision will be final.

9.4 Complaints about the General Manager

If an employee or applicant is complaining about the General Manager, the complaint should be directed to District Counsel.

No. 10 Workplace Security, Safety, and Violence in the Workplace

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure communicates the District's commitment to providing a safe and secure workplace for employees and the public. The District will not tolerate acts or threats of violence in the workplace. The workplace includes any location where District business is conducted, including vehicles and parking lots. Any violation of this policy may lead to criminal prosecution, and/or disciplinary action, up to and including termination. See Workplace Violence Prevention Policy (WVPP), which went into effect July 1, 2024, and remains in effect at all times and in all work areas and be specific to the hazards and corrective measures for each work area and operation.

10.1 General Safety

- A. It is the intent of the District to provide for the safety and security of its employees at all work locations.
- B. It is the policy of District to comply with all applicable federal, state and local health and safety regulations and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements established by management and federal, state and local law.
- C. To minimize liability, employees must become familiar with and adhere to the District's security rules.
- D. Plant gates must be locked shut at all times with the following exceptions: the bridge and front gates can be left open during working hours and the perimeter road access gates shall remain open from 4 a.m. to 10 p.m. at all times.
- E. During assigned hours, operations and maintenance personnel who are not within reach of a plant phone or radio, must keep a ~~portable cell phone~~ ~~telephone~~ within reach at all times.

10.2 Violence in the Workplace

The District has a "Zero Tolerance" policy for violent acts or threats of violence in the workplace. Any employee who is subjected to or threatened with violence, or is aware of another individual who has been subjected to or threatened with violence, is to report this information as soon as possible to the General Manager or designee to their immediate supervisor, manager, or General Manager as required and outlines in the WVPP. -All complaints will be treated with as much confidentiality as possible.

A. Prohibited Behavior

- 1. Employees are prohibited from engaging in or promoting acts of intimidation, violence, threats, coercion, assault and/or abusive behavior toward any person while in the course of District employment. The District has zero tolerance for any

conduct that references workplace violence, even if it was intended to be harmless, humorous, a prank, blowing off steam, or venting.

2. Employees engaged in District business are prohibited from carrying weapons in violation of any law or this policy ~~unless weapons are required for performance of the job. Employees who have legal authority to carry a weapon shall notify the department manager and General Manager in writing of what type of weapon is being carried and its purpose. The District will review the employee's request to possess the weapon on the District's premises and will determine whether the request is approved.~~ Employees who have legal authority to carry weapons violate this policy if they: accidentally discharge or lose their weapon; use, threaten to use, or display the weapon for a job related reason; or violate any law related to carrying a legal weapon while engaged in District business.

B. Definitions

1. "Workplace Violence" is any conduct that causes an individual to reasonably fear for ~~his or her~~their personal safety or the safety of ~~his or her~~their family, friends, and/or property. Specific examples of workplace violence include, but are not limited to, the following:
 - a. Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property.
 - b. The destruction of or threat of destruction of District property or another employee's property.
 - c. Harassing or threatening phone call, emails, text messages or other digital or electronic communications using different means of communication to express anger or irritation in a form that can be considered threatening or bullying (Ex: letters, emails, phone calls/voicemails, text messages, blogs or social media sites).
 - d. Surveillance.
 - e. Stalking.
 - f. Possession of offensive or defensive weapons (firearms, illegal knives, clubs, mace, pepper spray, tear gas, etc.) on District property ~~unless specifically required or authorized and approved by the General Manager.~~

2. "Weapons" are defined as firearms, chemical sprays, clubs or batons, and knives, and any other device, tool, chemical agent or implement that can cause bodily harm if used as a weapon or displayed in such a manner to cause harm or threaten a person with harm. A facsimile or replica of a weapon may be treated in the same manner as a weapon.

C. Incident Reporting Procedure

1. Employees must immediately report workplace violence to their supervisor or department manager. The supervisor or manager will report the matter to the General Manager or his/her designee.
2. The General Manager or his/her designee will document the incident, including the employee names(s), date/time, location, incident description, witness names and statements, description of unidentified parties, description of the act(s) and/or behavior arising from the incident, action taken, and provide any other relevant information regarding the incident.
3. The ~~employee's immediate supervisor or department manager~~ ~~General Manager~~ ~~or appropriate staff, if the General Manager is not available,~~ will take appropriate steps to provide security, such as:
 - a. Placing the employee alleged to have engaged in workplace violence on administrative leave, pending investigation;
 - b. Asking any threatening or potentially violent person to leave the site; or
 - c. Immediately contacting an appropriate law enforcement agency.

The General Manager, or his/her designee, and Human Resources shall be notified of action taken in a timely manner.

D. Investigation

The General Manager or his/her designee will see that reported violations of this policy are investigated as necessary.

E. Follow Up and Disciplinary Procedures

An employee found in violation of this policy will be subject to disciplinary action, up to and including termination of employment. The District may also direct that an employee submit to a fitness for duty examination. In addition, employees found in violation of this policy may be subject to criminal prosecution.

No. 11 Social Media Use

A. Introduction

~~_____~~ Social media is a set of Internet tools that aid in the facilitation of interaction between people online. If you have specific questions about what may be deemed to be social media, consult with the General Manager or his/her designee. The District recognizes that occasional personal use of social media using District resources may occur during working hours. The District allows such occasional personal use as provided the

usage does not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or other shared resources, or violate any District policy, including policies against harassment, discrimination, and disclosure of confidential or trade secret information. All policies relating to monitoring usage of District property apply. The District reserves the right to adjust this policy on a case-by-case basis as it deems appropriate.

~~The District understands that its employees use social media sites to share events in their lives, to communicate, and to discuss their opinions with others, including family, friends and co-workers. However, the use of social media may present certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, the District has established this policy and guidelines for appropriate use of social media.~~

~~In the rapidly expanding world of electronic communication, social media can mean many things. In general, social media encompasses the various activities that integrate technology, social interaction, and content creation. Through social media, individuals can create Web content, can organize, edit or comment on content, as well as combine and share content on their own web site or on someone else's. Social media uses many technologies and forms, including Web feeds, blogs, wikis, photography and video sharing, web logs, journals, diaries, chat rooms, bulletin boards, affinity web sites, podcasts, social networking, fan sites, mashups, and virtual worlds.~~

B. Understand Your Rights and Responsibilities in Using Social Media Technology

~~Employees can use their own personal devices to engage in social media during breaks and meal periods; however, all other District policies against inappropriate usage, including the District's no tolerance for discrimination, harassment, bullying, abusive conduct, or retaliation in the workplace, and protection of confidential information, apply.~~

~~:~~

~~Nothing in the District's social media policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment.~~

~~Use good and ethical judgment. To the extent your social media use impacts District employees and customers, follow District policies and regulations as applicable, including but not~~

limited to those that protect individual privacy rights, anti-discrimination and harassment policies, the anti-workplace violence policy and other relevant District policies.

- Keep in mind that if your conduct adversely affects your job performance, the performance of your co-workers, is detrimental to the mission and function of the District or otherwise adversely affects members of the public served by the District, people who work on behalf of the District or the District's legitimate business interests, the District may take disciplinary action against you up to and including termination.
- Keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or via other channels such as by speaking with the District's Human Resources Department, or by filing an internal complaint or grievance, if applicable. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, or threatening or that might constitute harassment or bullying. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, religion, sex (including gender, gender identity, gender expression, transgender, pregnancy, and breastfeeding), national origin, ancestry, physical or mental disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other classification protected by law or District policy. Examples of threatening conduct include posting material that would make a reasonable person afraid for his or her safety or the safety of his or her family.
- Strive for accuracy and full disclosure in any blog or post. Include a link to your sources of information. If you make a mistake, correct the information, or retract it promptly.
- Never post any information or rumors that you know to be false about the District, your co-workers, District customers, or people working on behalf of the District.
- Do not disclose information that may violate District, customer or employee rights. For example, do not disclose another individual's social security number, medical information or financial information in a manner that violates that person's rights.
- If you publish a blog or post online related to the work you do or subjects associated with the District, make it clear that you are not speaking on behalf of the District. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the District."
- If you want to keep your personal life separate from your professional or work life, use privacy settings to restrict personal information on public sites. Consider who you invite or accept to join your social network as those individuals will have access to your profile, photographs, etc.

~~Understand that even if you have private setting, those you invite into your network can easily, print, save, cut, paste, modify or publish anything you post. Material can be archived on the Internet even after you remove it.~~

~~C. Using Social Media at Work~~

~~You must never use District Electronic Communications Resources, or work time, for your personal social media use. Do not use District email addresses to register on social networks, blogs or other online tools utilized for personal use.~~

D. Media contacts

~~_____~~

The General Manager or designee and/or Board shall handle all contacts with the media. Unless otherwise instructed, employees shall channel any media requests through the General Manager or his/her designee for approval before granting interviews or disseminating information regarding the District.

~~Employees should not speak to the media on the District's behalf without contacting the General Manager. Such media inquiries should be directed to the General Manager or designee.~~

SECTION 3

RECRUITMENT AND SELECTION

No. 12 Recruitment and Application Process

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines the recruitment and application process associated with the hiring and promotion of all regular, non-temporary, and non-casual employees.

12.1 General

Recruitment processes ~~as determined necessary will~~ seek out and secure qualified individuals to apply for positions at all levels on the basis of merit, ability, appropriate education, competence, experience, and employment references.

12.2 Recruitment Initiated

~~Upon approval, The General Manager may conduct~~ recruitments will be conducted as deemed necessary to provide qualified candidates. With the exception of emergency appointments, appointments assigned outside of a standard recruitment process require the approval of the District Board. The General Manager shall be kept informed during all recruitment processes.

12.3 Existing Reemployment List

- A. The ~~General Manager~~Administrative Services Manager will verify the vacant, budgeted position or anticipated vacancy, and determine whether a current "reemployment list" exists for the vacancy.
- B. If a current reemployment list exists for the classification it is issued to the appointing authority or designee.

12.4 Recruitment Planning

- A. The ~~General Manager or designee~~Administrative Services Manager will review the duties and requirements of the position and plan the recruitment, examination, and selection processes and components. Underutilization of protected classes, affirmative action goals, and recruitment strategies are considered at this time as required by federal law.

- B. The ~~General Manager or designee~~ Administrative Services Manager will review the class specification for the position to determine the need for updating, and update as necessary.

12.5 Promotional Recruitments

When appropriate, as determined by the General Manager, promotional examination ~~processes~~ may be ~~conducted~~ coordinated by the Administrative Services Manager. Competition will be limited to regular District employees who have successfully completed their initial probationary period. Employees must possess the minimum qualifications for the class in which promotion is sought.

12.6 Announcement of Recruitments

- A. When a position becomes vacant, and a current reemployment list does not exist, the ~~General Manger or designee~~ Administrative Services Manager, or designee will post notice of such vacancy so it is readily accessible to District employees, employee organizations, and the public where applicable.
- B. Recruitments shall remain open for a minimum of seven calendar days for promotional recruitments, and fourteen calendar days for open recruitments.
- C. Insofar as reasonable, open recruitments will be conducted to obtain the ~~best possible~~ most qualified pool of candidates.

12.7 Entry Level Recruiting

When a journey-level position vacates, the position may be filled by an entry-level recruitment. The recruitment level will be determined by the General Manager or designee.

12.8 Applications for Employment or Promotion

Unless otherwise announced, all applications for employment or promotion must be made upon a standard District employment application form. Supplemental application questions may also be included. Each application must be signed by the applicant and certified that all statements contained therein are true and correct. All applications, resumes, and documents pertinent to an application for employment or promotion become the property of the District. ~~Final adjudication as to qualifications for a position rests with the District.~~

12.9 Qualifications of Applicants

In order to qualify for an examination and ~~be appointed to a position/or appointment~~, an individual must:

- A. Meet all the ~~general minimum requirements~~ qualifications established for the position. pertaining to filing applications for positions;
- B. ~~Meet the additional requirements specified for the particular examination, and/or necessary for appointment~~ including but not limited to education, experience and license; and

- ~~CB.~~ Prior to appointment meet the job related standards established by the District relative to the physical fitness requirements for the position.

12.10 Background investigation

Based on business necessity and job-related requirements, ~~C~~candidates for employment may be subject to appropriate investigation including but not limited to:

- A. Employment history investigation.
- ~~B. Personal and character investigation may include a credit history check.~~
- ~~BC.~~ Fingerprinting.
- ~~DC.~~ Search of record of convictions, and record of arrest(s) after a conditional offer of employment has been made.
- ~~ED.~~ Post offer physical test, including a drug and alcohol screen.
- ~~E. Driving record.~~
- ~~F. Driving record.~~

12.11 Disqualification of Applicants

The District may refuse to accept an application, to examine an applicant, or otherwise consider any person for employment and remove their name from an eligible or certification list who:

- A. Is found to lack any of the announced minimum requirements-qualifications set forth in the bulletin announcing the examination, or the official class specification for the position.
- B. Has made false statements of material fact in the application for employment or who has, in any way, engaged in deception, fraud, or omission of facts in connection with the application and/or examination.
- C. Has improperly obtained knowledge of the content of an examination to which an applicant was not entitled.
- D. Has used or attempted to use political influence, persons or other methods in order to gain advantage in an examination, application or appointment.
- ~~E. Is a relative by blood, marriage, domestic partnership, or marital type relationship subject to the nepotism policy.~~
- ~~FE.~~ For any material cause which, in the judgment of the General Manager, would render the applicant unsuitable for the position. including a prior resignation from the District, termination from the District, failure of the probationary period, failure to pass the

~~background for a same or similar position in the District, or a significant disciplinary action. In those cases,~~ The applicant will be notified of such reasons and may be given time to respond.

No. 13 Examination Process

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines the rules of the examination process for vacant ~~regular~~ positions.

13.1 General

- A. ~~The General Manager will order an~~ An examination, whenever feasible and economical in relation to the nature of the position, number of vacancies and time available.
- B. Examinations will be competitive, impartial, and practical in character and will fairly test the relative ability of the persons examined to perform the duties of the classification for which the examination is given. Only applicants who meet the minimum qualifications as established in the job announcement or class specification will be advanced to the examination process.
- C. The examination process may include but is not limited to one or more of the following:
 1. An appraisal of qualifications presented in the application materials.
 2. A written examination specifically related to the job functions of the classification for which the examination is being conducted.
 3. Field tests and/or performance tests specifically related to the job functions of the classification.
 4. Oral examination board or panel which conducts ~~semi~~-structured interviews (pre-determined questions with job follow-up questions when necessary and asked of all applicants).
 5. Individual oral interviews of similarly pre-determined ~~semi~~-structured questions.

13.2 Reasonable Accommodation

The District will provide a reasonable accommodation for applicants with a physical or mental disability within the definition of the state or federal law, unless doing so would pose an undue hardship or direct threat to the health or safety of the individual or others. Requests for accommodation will be evaluated on a case-by-case basis. In any examination, the Administrative Services Manager may include, in addition to competitive tests, a qualifying test or tests, and set minimum standards.

~~The General Manager may modify the process, upon request, as a form of reasonable accommodation, for any qualified applicant for a position, who is disabled within the definition of the state or federal law.~~

No. 14 Selection and Offer of Employment

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines the rules for selection, interviewing, and offers of employment.

14.1 Selection Interviews

~~Before an applicant is hired, he or she~~ the applicant shall be personally interviewed. ~~The General Manager or designee will interview all candidates who are being considered for a vacancy.~~ No job offer will be made to any candidate until ~~all required~~ interviews, applicable performance examinations, and pre-screening procedures are completed to the satisfaction of the District.

The interview will consist of job-related questions which provide ~~candidates~~ candidates with an equal opportunity to describe and/or demonstrate their qualifications.

14.2 Offer of Employment

The General Manager or his/her designee is authorized to make an offer of employment or promotion. All offers of employment will be made on a conditional basis subject to satisfactory completion of ~~a background investigation check~~, pre-placement physical, and drug test.

14.3 Background Investigations

Background review, ~~including reference checks~~, will be conducted ~~prior to~~ after a conditional offer of employment or, in some cases, promotion.

The District has the right to obtain a credit report consistent with federal and state law as required based on the position's classification job duties.

14.4 Physical Examination

Employee physical examination where relevant and/or mandated, including pre-employment drug screening, will be part of a conditional offer of employment or, in some cases, promotion. The District is responsible for scheduling all such physical examination and will bear the cost of the examination. ~~This examination is paid for by the District.~~

The purpose of the examination is to determine the candidate's ability to perform the essential functions of the job for which ~~he or she~~ the candidate applied.

~~At any time during employment where there is cause for concern as to fitness for duty, an employee may be required by the General Manager or his/her designee to take a physical examination paid for by District to determine fitness for duty in the position in which he or she is~~

~~currently employed, or for which he or she is applying. If an employee returns to work from after an absence of five (5) consecutive days or more, the General Manager may require the employee to take a physical examination, paid for by the District, to determine if he/she is fit for duty.~~

Prior to making an appointment of any employee and after an employee receives a conditional offer of employment, the District may require the potential appointee to pass a physical examination administered by the District's chosen physician. The physician's report shall be submitted to the District before the new employee begins ~~his or her~~their employment.

At any time during an individual's employment with the District, if concerns arise about the employee's ability or fitness to perform ~~his or her~~their job, the District may require the employee to have a physical examination if it is job related and consistent with the District's business needs. ~~The cost of required examinations shall be borne by the District.~~The District shall bear the cost of required examinations.

If an employee is on a medical leave of absence, the District may require an employee to submit to a physical examination prior to returning to work.

The District may require medical certification for any period of sick leave requested that exceeds ~~three (3)~~ five (5) days in a calendar year.

14.5 Appointing Authority Responsibilities

- A. Prior to appointment or promotion, the General Manager or ~~their his/her~~ designee ~~will~~ may review the personnel file of candidates who are past or current employees.
- B. The General Manager or ~~his/her~~their designee will confirm the offer in writing. The following should be included in the offer letter:
 - 1. Title of position.
 - 2. Salary/benefit package.
 - 3. Agreed-upon work location, supervisor, starting date and time.
 - 4. A statement that employment is contingent upon passing the background check, pre-employment physical examination, including drug test, and that resignation from current employment should not be finalized until this process is successfully completed.
 - 5. A statement that employment is contingent upon submission of evidence that ~~he~~ or she is/they are legally entitled to work in the United States.
 - 6. A statement that the probationary period is part of the selection process. The statement will also indicate the length of probation to be served, and that regular status will be dependent upon the satisfactory completion of probation.

7. Employees designated as Emergency Response employees are required to reside within a 45 minutes automobile drive during non-commute hours of the treatment plant in order to respond to emergencies ~~and must have reliable transportation to do so.~~

C. Candidates not selected will also be so notified promptly in writing.

No. 15 Appointment

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines the types of rules for appointment.

15.1 Appointment

Offers of appointments will be made in writing. The General ManagerAdministrative Services Manager or Human Resource designee will notify the candidate of their decision to appoint and reach a mutual agreement as to a starting date.

15.2 Types of Appointment

- A. Regular Appointment. Appointment of a part- or full-time employee who has successfully competed for and passed the initial probationary period.
- B. Temporary Appointment.
 1. Appointment of an employee who is hired without participation in an examination process on a temporary basis not to exceed 6 months. However, such assignments may be extended based on District business needs. Temporary appointment employees serve at will and may be removed at any time without cause and without right of appeal.
 2. Temporary appointment may be made with the consent of the General Manager or designee. A temporary employee does not receive benefits except as required by law.
 3. Types of Temporary Appointment:
 - a. Extra Hire Appointment. Temporary appointment into a District classification of an employee who meets the minimum qualifications for the classification. Extra hire employees serve at will and may be removed at any time without cause and without right of appeal.
 - b. Special Appointment. Temporary appointment of an employee to perform work outside an existing classification or for which no classification exists. The individual must have a unique combination of expertise, background, and skills or is employed in an emergency. Special

appointment employees serve at will and may be removed at any time without cause and without right of appeal.

- c. Emergency Appointment. Temporary appointment of an employee as necessary to prevent stoppage of public business, loss of life, or damage to persons or property, or when qualified personnel cannot be readily obtained due to emergency conditions. An employee appointed need not meet the minimum qualifications of the job. An employee appointed serves at will and may be removed at any time without cause and without right of appeal.

- d. Casual Employee. Casual employees are employees who are hired to work less than 20 hours per week. Casual employees may be assigned a work schedule in advance or may work on an as needed basis. Casual employees are not eligible for benefits or employer contributions to insurance programs.

The use of Casual Employees is not intended to replace full-time employees.

- e. At-Will Appointment of Employee. Any appointment outside of the bargaining unit represented by Operating Engineers Local 3.

No. 16 Probation Period

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines probation period rules.

16.1 Purpose

The probationary period is the final phase of the examination process. It is a trial period during which an employee is required to demonstrate competency in the knowledge, skills, and abilities, ~~and character~~ necessary to successfully perform the job and become a regular employee. Some positions may also require, as a condition of passing probation, possession of all required certificates and/or licenses. This period will be utilized for closely ~~observing~~ assessing the employee's work to determine the employee's fitness and/suitability for the job and regular hire status.

16.2 Probationary Period

The ~~initial first~~ twelve months of actual and continuous employment by the District is considered a probationary period. During this time, the employee will learn his/her responsibilities, ~~get acquainted with fellow employees~~ and determine whether ~~he/she~~ the employee is satisfied with ~~his/her~~ their job. At the same time the employee's supervisor will monitor and assess ~~his/her~~ the employee's performance and have the opportunity to determine whether the employee is performing satisfactorily adapting to his/her new work at the District.

16.3 Promotional Probation Period

The probationary period for employees who ~~promote~~are promoted shall be for six months of actual and continuous service. An employee does not acquire regular status in the promotional position until the successful completion of the probationary period. Promotion to higher ~~certification pay~~flexible staff classification (such as movement from Collection System Operator II to Collection System Operator III) is exempt from this specified promotional probation period.

16.4 Actual Service Required

The probationary period will be a period of actual service beginning with the date of original appointment or promotion to a regular full-time or part-time position.

- A. The granting of any leave of absence, including military leave, will cause the employee's probationary period to be extended by the length of the leave of absence.
- B. Time served in temporary employment (extra-hire, special appointment, or emergency employment) will not be counted as part of the probationary period.
- C. Demotion - An employee who demotes to a class in which ~~he or she~~they have ~~s~~ already passed probation will not be required to serve another probationary period. If the demotion is into another class in which they have not held regular status, they will serve the probationary period for that classification.

16.5 Regular Appointment

If the employee's performance is found to be satisfactory and the District decides to continue employment, the employee will be given written notice of an employment status change to regular employee.

16.6 Release During Probation

~~A probationary employee is at-will and At any time during the probationary period an employee~~ may be released from employment without cause and without right of appeal. Cause ~~will need~~ not be provided. The probationary employee will be advised in writing of ~~his or her~~their release from probation. ~~failure to pass the probationary period.~~

16.7 Release From Probation Upon Promotion

If a ~~promoted~~ employee is rejected during their promotional probationary period, the employee shall be returned to their former position. Release during probation is not subject to appeal and may be done without cause.

No. 17 Reemployment

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure describes rules for reemployment following employee layoffs, demotions, or resignations.

17.1 Reemployment Following Lay Off

Eligibility for Reemployment Following Layoff. An employee who is laid off from the District, and whose performance evaluations demonstrate that they had at least satisfactory service during their tenure with the District shall be placed on ~~an~~ reemployment list for 18 months after their separation from service due to lay off. Employees on the reemployment list who meet minimum qualifications for the position shall be offered employment with the District in order of their placement on the reemployment list.

17.2 Reemployment Following Resignation

Reemployment Within 60 Days of Resignation. A regular employee who resigns under positive circumstances will be eligible for reemployment within 60 days of resignation. Reemployment will be at the sole discretion of the General Manager or designee. Salary and seniority will be treated as if the employee had been on a leave of absence.

17.3 Status, Salary, Benefits and Seniority Upon Reemployment

- A. Status. Regular employees who are reemployed in the same classification are not required to serve a probationary period.
- B. Salary. Regular employees who are reemployed in the same classification will be placed on the salary range and step last held.
- C. Benefits. Regular employees, who are reemployed following layoff, will have their unpaid sick leave balance at the time of layoff reinstated. No other leave will be reinstated but accrual of leave will be reinstated at the same level.
- D. Seniority Established. Regular employees who are laid off and are reemployed following layoff will receive a seniority date based on time served in the classification for which reemployed and any higher classification. Regular employees who are demoted in lieu of lay off will receive a seniority date based on time served in the classification for which reemployed and any higher classification. Regular employees, who are reemployed 61 days or more following resignation, will have no seniority in the classification to which reemployed.

17.4 Temporary Employment

If an employee who was laid off or resigned ~~_(and is in good standing_)~~ accepts temporary employment, ~~he or she does~~they do not forfeit reemployment rights.

SECTION 4

EMPLOYMENT PRACTICES

No. 18 Position Classification System

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines rules for job classifications.

18.1 Position Classification

All positions will be allocated to a classification in accordance with duties, responsibilities, and standards of the job. A written description will be prepared for each classification, listing such elements as essential duties; knowledge, skill, and ability requirements to successfully perform the job; minimum amount of education and/or experience required; working conditions; and physical and mental ability requirements. The original classification specification, the establishment of new classifications of employment, or the major alteration or abolishment of existing classifications, will be recommended by the General Manager or designee and approved by the Board of Directors.

18.2 Interpretation of Class Specifications/Descriptions

Class specifications are not restrictive but will indicate the basis on which a position is allocated to its proper classification as determined by its functions, duties, and responsibilities.

Descriptions will not be construed as a declaration that the duties and responsibilities will not be changed nor that the appointing authority may not temporarily assign other duties and responsibilities. ~~or otherwise direct and control the work of subordinate employees.~~

18.3 Establishment of New Classifications

The General Manager or designee may recommend adding classifications whenever ~~he or she deems~~they deem it necessary. The recommendation will be submitted in writing to the Board of Directors for approval.

Final decision and ratification of classification changes, position funding, and reorganizations rests with the Board of Directors.

No. 19 Compensation

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure describes compensation policies for District employees.

19.1 Salary on Initial Hire

A probationary, regular, temporary, or casual employee will be placed on the first step of the salary range of the classification into which the employee is hired. An employee may be appointed above the first step with the approval of the General Manager [or designee](#) based on background and experience.

19.2 Salary on Promotion

When an employee is moved from one class to a class with a higher maximum salary (promotion), ~~he/she~~[the employee](#) shall be appointed at the minimum step of the salary range in the new class or receive a minimum of five percent (5%) increase above the salary rate the employee was receiving, whichever is higher; provided, however, that the salary rate received does not exceed the maximum rate for such higher class.

19.3 Salary on Temporary Out of Classification Assignment

~~If any position within the District classification ranges is vacant, excluding vacation leaves, for a period of more than two-weeks due to reasons, including but, not limited to, employee sickness or resignation, the General Manager may assign a District employee to assume the responsibilities of the position on a temporary basis. A District employee given a temporary assignment within a higher District classification will be granted a salary increase effective on the date of assignment by the General Manager. The employee's new salary will be an amount equivalent to the employee's current salary range step in the higher classification subject to a maximum of a two-step or 10% increase. This salary increase remains in effect until the temporary assignment is completed as determined by the General Manager.~~
~~If any position within the District classification ranges is vacant for an extended period due to employee sickness, resignation, etc. the General Manager [or designee](#) may assign a District employee to assume the responsibilities of the position on a temporary basis. A District employee given a temporary assignment within a higher District classification will be granted a salary increase after working in the classification for three weeks. The employee's new salary will be an amount equivalent to the employee's current salary range step in the higher classification subject to a maximum of a two-step or 10% increase. This salary increase remains in effect until the temporary assignment is completed as determined by the General Manager [or designee](#).~~

19.4 Salary on Voluntary Demotion

When an employee is moved from one class to a class with a lower maximum salary (demotion), the employee shall be placed at the rate of the salary range prescribed for such lower class that most nearly approximates the salary the employee was receiving; provided, however, that such salary does not exceed the maximum rate for such lower class.

19.5 Merit Increase Steps

The pay range for each position consists of five steps. Advancement from one step to the next is based on performance, recommendation of an employee's immediate supervisor, and the approval of the General Manager or designee. A merit increase is earned and not automatic. See Section 21.4 of these PPPs.

- A. First Step – ~~The minimum pay rate and normally the rate at which a new employee is hired. The salary range minimum pay rate and normally the rate at which a new employee is hired.~~
- B. Second Step – An employee is eligible for an increase to the second step after one year of continuous satisfactory performance.
- C. Third Step – An employee is eligible for a third step increase after one year of satisfactory performance at the second wage step.
- D. Fourth Step – An employee is eligible for a fourth step increase after one year of satisfactory performance at the third wage step.
- E. Fifth Step - An employee is eligible for a fifth step increase after one year of satisfactory performance at the fourth wage step.
- ~~EF. Fifth-Sixth Step – The salary range maximum pay rate for a position. A fully qualified and competent employee is eligible for an increase to this step after one year of satisfactory performance at the fifth step. The sixth step is maximum pay rate for a position. A fully qualified and competent employee is eligible for an increase to this step after one year at the fourth wage step.~~

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 6:2924:00 hours.-am-~~

19.7 Payroll Errors

Any payroll error resulting in insufficient payment to an employee will be corrected and a supplemental check issued, not later than five (5) working days from the issuance of the first check or notice, whichever is later. If a payroll error is made resulting in overpayment to an employee, the District will collect the overpayment through payroll deduction on a schedule in compliance with individual agreements made with employees. Upon realization of underpayment or overpayment, the employee must immediately notify ~~his or her~~ their supervisor and report the discrepancy to payroll.

19.8 Overtime Compensation

- A. Prior Approval Required. Overtime-eligible employees are not permitted to work overtime ~~except as the~~ without their manager's prior authorization or ~~direction-~~ except when an employee is on standby or is responding to an emergency. Overtime-

eligible employees directed to work overtime must do so. Working overtime without advance approval is grounds for discipline.

- B. "Overtime" Defined. Unless otherwise stated in a memorandum of understanding, "overtime" is all hours worked and paid to an overtime-eligible employee over 8 hours in a workday or 40 in ~~his or her~~the employee's work week. Overtime is compensated at 1.5 times the Fair Labor Standards Act regular rate of pay. The District includes all hours worked and paid time off in computing the 40-hour threshold for purposes of calculating FLSA overtime pay.
- C. Rounding. Employees are to round their time worked on their timesheets as follows:
 - ~~in compliance with the requirements of the FLSA::~~
 1. Time is to be reported in quarters of an hour (15-minute increments.)
 2. For employees who work 1 to 7 minutes of each quarter of an hour, time should be rounded down to the nearest quarter of an hour.
 3. For employees who work 8 to 14 minutes of each quarter of an hour, time should be rounded up to the nearest quarter of an hour.

19.9 Compensatory Time Off

- A. Supervisor Approval Required Before Work. A non-exempt employee may opt to accrue compensatory time-off ("CTO") in lieu of cash payment for overtime worked if ~~his or her~~the employee's supervisor agrees prior to overtime work being performed.
- B. Accrual Rate. Please see Memorandum of Understanding between the District and Operating Engineers Local 3.
- C. Employee Requests to Use CTO. The District will grant an employee's request to use accumulated CTO provided that: (1) the District can accommodate the use of CTO on the day requested without undue disruption; and (2) the employee makes the request in writing to the supervisor no later than five days prior to the date requested. If the employee does not provide five days' notice, or if the District cannot accommodate the time off, the District will provide the employee the opportunity to cash out the CTO requested at the end of the current pay period.
- D. District Cash Out. The District reserves the right to cash out accumulated CTO at any time.
- E. Employee Cash Out. During employment, CTO is cashed out at the employee's current FLSA regular rate of pay (including all FLSA-applicable salary differentials).
- F. Employees separating from District service shall be compensated for all accrued, unused compensatory hours at ~~either (1) the employee's average regular rate of pay during the past three years of employment or (2) the employee's regular rate of pay in effect at the~~

~~time of separation, whichever is higher. Overtime and CTO shall be paid in accordance with these rules and the provisions of the FLSA for all non-exempt employees.~~

~~the current FLSA regular rate of pay, or the average regular rate for the prior three years, whichever is higher.~~

19.10 ~~Electronic Stand-By Policy~~

~~The District requires certain classifications of employees shall provide a Supervisor and Operator III, who are assigned Stand-by Duty, 1 hour of overtime compensation for all qualifying remote access events during a Stand-by shift. For a remote access response to qualify, it must meet all of the following criteria: premium pay as outlined in Section 3.6 of the Memorandum of Understanding with Operating Engineers Local 3.~~

- ~~• 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 respond to the plant or pump stations must be in good judgment.~~

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

19.11 ~~Payment Upon Separation~~

~~An employee leaving District employment will receive all earned salary; all vacation accrued, and all earned and accrued overtime and compensatory time. Payment shall be made at the next regularly scheduled pay day pursuant to 29 C.F.R. § 790.21(b).~~

19.12 ~~Emergency Response Commute Stipend~~

~~The District is committed to protecting the environment and maintaining its record of meeting treatment plant NPDES permit requirements and low sewer rate and low sewer spill volume of releases. Having trained Operations and Collections staff who can respond quickly is imperative to meeting these goals. To accomplish this, the District has implemented a financial incentive for employees in the Operations and Collections department to establish and maintain their primary residence in close proximity to the Treatment Plant.~~

~~In addition to the 2-hours of standby pay for being assigned stand-by duty and any overtime pay for responding to callouts, eligible employees shall receive a monthly stipend for having served~~

~~on stand-by or for responding to a call-out within the prior four (4) bi-weekly pay periods.
Eligibility for the stipend is on a month-to-month basis and not automatically continuous.~~

~~The District offers a stipend to eligible employees who reside within a certain distance of the Treatment Plant as specified in the Side Letter dated January 29, 2016. To be eligible for the stipend, employees are required to establish and maintain as their primary residence a domestic dwelling location where they spend the majority of their time during off-duty hours of their workweek. A person can only have one *primary* residence at any given time, though they may share the residence with other people.~~

~~If an employee changes their primary principal residence while receiving the commute stipend, they will immediately notify their supervisor of the location of their new primary residence.~~

No. 20 Benefits

20.1 Medical/Dental/Vision/Retiree Medical

Please see Memorandum of Understanding between the District and Operating Engineers Local 3 ~~or specific Employment Agreement for management and unrepresented employees.~~

20.2 Workers' Compensation

All employees are entitled to workers' compensation benefits. This coverage is automatically applied and immediate and protects each employee from an illness or injury which both arises out of and occurs in the course and scope of District employment. If an employee cannot work due to a job related injury or illness, workers' compensation insurance ~~may~~ may pay ~~the~~ medical bills and ~~provides~~ a portion of income until the employee can return to work.

All injuries or illness arising out of and occurring in the course and scope of employment must be reported immediately to the employee's supervisor. Failure to report an injury may jeopardize entitlement to workers compensation.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you should:

- Immediately report any work-related injury to your supervisor (note: if your injury or illness developed over time, report it as soon as you learn or believe it was caused by your job);
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim for Workers' Compensation Benefits (DWC Form 1) and return it to District's ~~XXX~~Human Resources; and
- Provide the District with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as a certification of your eventual ability to return to work from the leave.

The District or its insurance carrier is not liable for the payment of workers' compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity which is not a part of the employee's work-related duties.

~~An employee may be required to sign an authorization of participation in the activity.~~

For the interaction of Workers' Compensation and Sick Leave, see Section 22.1.

20.3 Training

The District encourages employees to participate in job-related training and education programs that improve job skills and benefits the District. The District provides on-the-job training opportunities and supports attendance of outside training activities such as technical and professional seminars, conferences, and meetings.

Employees will be reimbursed for customary and reasonable outside training expenses which generally include registration fees, materials, meals (as outlined in the District's Travel Policy), transportation, mileage (the District will only compensate for miles traveled in excess of the employee's daily commute) and parking.

Reimbursement of expenses must be discussed ~~with the General Manager~~ and approved by employee's Department Manager and the District General Manager in advance or an employee will not be eligible for reimbursement. The District's Travel Policy outlines reimbursement and expense report procedures.

Whenever an employees incurs out of pocket expenses for item(s) or service(s) appropriately related to District business as verified by valid receipts, said expenses shall be reimbursed by the District upon request.

Employees who accrue overtime as a result of attending training sessions required by the District will receive overtime pay. Estimated overtime must be approved in advance. Overtime will not be paid for meetings, conferences, and training activities where attendance has not been approved.

- A. Commute Time: Travel time to and from work is commute time that is not compensable. However, if the employee is required to report to a work location that is different from the employee's regular work location and the amount of time to travel to the new location is longer than the normal commute time, then the employee will be compensated for the difference in time between the employee's normal commute and the new location. In addition, if the ~~agency's~~District requires the employee to meet at a designated location and use the ~~agency's~~District's transportation to and from the work site, then the travel time from the designated location to the work site is compensable.
- B: Travel During the Workday: Travel during the workday, after the employee has reported to work, is hours worked for the District unless it is in connection with a bona fide meal break. However, travel from the employee's last work location to home is not

compensable. Supervisors should not require employees who will be traveling during the work day to report to their normal work site at the start or the end of their shift unless it is truly necessary for the employee to report to such location.

- C: Overnight Travel or Special One-Day Assignment Out of Town: Except for time spent eating meals or engaging in personal pursuits (e.g. sleeping), time spent traveling to a location where the employee will be staying overnight is considered hours worked. The hours worked includes time spent driving or as a passenger on an airplane, train, bus, taxi cab or car, or other mode of transportation, in traveling to and from the out-of-town location. In addition, time spent waiting to purchase a ticket, check baggage, or get on board a mode of transportation is compensable.

Policy on Compensating Attendance at Training Programs

An employee is not required to be compensated for attendance at a training program if each of the following four requirements is met:

- A. Attendance is voluntary and the lack of attendance does not impact the employee's employment;
1. The training program occurs outside of normal working hours;
 2. The employee does not perform productive work; and
 3. The training is not directly related to the employee's current job.

B. Exception for Classes Offered at a School or College

If an employee voluntarily enrolls in a class outside of work hours that is offered at a school, college or vocational institute, the training is not considered hours worked as long as the employee does not perform any productive work. Additionally, the fact that the agency offers such a class to its employees outside of normal work hours, or pays for employees to attend such a class does not convert the time to work time.

C. Exception for State-Mandated Certifications

If state law requires that an employee obtain a certification for ~~his or her~~the employee's job, and the employee voluntarily attends the necessary training to obtain such certification outside of normal work hours, the time spent at that training is not counted as hours worked.

D. Coming Back to Work after Training Day

All employees who attend training are required to return to their regular work location if, at the end of the training day, after traveling back to their regular work location, there would be at least one half hour left in their work day.

20.4 COBRA

Eligibility. All District employees receiving [medical and vision](#) insurance, covered spouses, covered domestic partners, and covered dependents are eligible for continued insurance benefits under the Consolidated Omnibus Budget Reconciliation Act (“COBRA”).

Coverage. An eligible employee or dependent can continue coverage in their current [medical and vision](#) insurance plan at the time of a qualifying event.

20.5 Benefits Upon Separation

Insurance. Medical insurance is available under COBRA, as set forth in Section [2019.4](#), above.

A. Retirement.

General Information. An employee should contact the California Public Employment Retirement System (PERS) to determine their retirement benefits and ask any associated questions. PERS may be contacted at 1 (888) 225-7377.

B. Payment of Leave Balances

1. Vacation, Compensatory Time, and Administrative Leave. Accrued vacation, compensatory time, and administrative leave are paid at separation.
2. Sick Leave. Upon retirement or resignation from the District, a regular full-time employee, who has worked at least three years with the District, will receive one-half of his/her accrued sick leave as a lump sum payment.

C. Payment of Leave Upon Death

1. Vacation, Compensatory Time, and Administrative Leave. Accrued vacation, compensatory time, and administrative leave are paid according to law upon death while the individual is employed by the District.
2. Sick Leave. Upon death of an employee, while employed by the District, who has worked at least three years with the District, one-half of [his/her/their](#) accrued sick leave as a lump sum payment shall be paid ~~according to law~~.

20.6 Temporary Employees

Temporary employees, defined as extra hire, special appointment, and emergency employees, are not eligible for any benefit other than as required by state and federal law; (e.g. worker’s compensation, etc.).

No. 21 Performance Planning and Evaluation

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure describes the rules for conducting performance evaluation for District employees.

21.1 Purpose of Performance Evaluation

The purpose of employee performance evaluations will be to ~~a~~ achieve the following:

~~A.~~ Assist individual employees in achieving ~~maximum~~ satisfactory work performance by discussing and establishing performance goals and work objectives and reviewing progress toward achieving them.

~~B.~~ Identify those employees whose performance needs improvement, is marginal, or unsatisfactory.

~~C.~~ Recognize the achievements and accomplishments of employees.

~~21.2 Performance Planning~~ 21.2 Performance Planning

At the beginning of the annual evaluation period, the supervisor and employee will discuss and establish the performance goals and work objectives based on the employee's job description for the evaluation period.

21.3 Written Evaluation

Annually, evaluation of the work performance of employees will be recorded in a written performance evaluation. The purpose of the written employee performance evaluation ~~includes:~~ will be to achieve the following:

- A. Serve as a record of the employee's performance for the evaluation period, including achievement of goals and work objectives.
- B. Serve as documentation of performance deficiencies for those employees whose performance needs improvement or is unsatisfactory.

If an employee's performance needs improvement, a work plan for such improvement will be included with the written evaluation along with a ~~time date (usually 90 days)~~ for a follow-up evaluation.

21.4 Merit Increase

Merit increases are ~~earned and~~ not automatic. An employee must have ~~at least a~~ successful performance (meets standards or above) to be eligible to be considered to receive a merit increase. Performance evaluations for employees eligible for a merit increase are to include the supervisor's recommendation regarding the increase. See Section 19.5 of these PPPs.

21.5 Timelines

All Regular employees will be evaluated on an annual basis.

21.6 Probationary Employee Assessment

After 3 months, 6 months, 9 months and 11 ½ months of service, the supervisor will review the employee's performance and discuss the District's and the employee's job goals. If the

employee's performance is found to be satisfactory and the District decides to continue employment, the employee will be given written notice of an employment status change to regular employee. Your supervisor may recommend that the General Manager approve an extension of the probationary period (not to exceed an additional six months), or recommend that employment be discontinued.

21.7 Process

The supervisor(s) will [provide a copy of the performance evaluation for the employee's review prior to meeting to discuss the evaluation. The supervisor will](#) review the evaluation ~~in~~[during](#) a private meeting with the employee. ~~All~~[e](#)Employees must sign the evaluation indicating their receipt within ten days of receipt of the performance evaluation. The employee's signature does not indicate agreement with the contents of the evaluation, but does acknowledge that the employee is aware of the contents of the evaluation. A copy of the evaluation will be placed in the employee's personnel file.

21.8 Employee Response

An employee does not have the right to appeal any matter relating to a performance evaluation. Instead, the employee may prepare and submit a written response commenting on the evaluation. The response must be submitted to the General Manager [or designee](#) within 10 calendar days after the employee receives the evaluation. The response will be placed with the evaluation in the employee's personnel file.

No. 22 Leaves of Absence

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure presents rules for the various types of leaves of absence applicable to District employees.

22.1 Sick Leave

- A. Defined. Sick leave is leave from duty which may be granted by the District to an employee because of their own illness, injury, or exposure to contagious disease.

As provided under California's Paid Sick Leave Law and Labor Code section 233 ("Kin Care"), the first one-half of an employee's annual accrual of sick leave in a calendar year also includes leave from duty for the diagnosis, care or treatment of an existing health condition of, or preventative care for, an employee or an employee's immediate family, or for purposes related to being a victim of stalking, sexual assault or domestic violence as provided in Section 22.17.

[For purposes of sick leave use, An-an](#) employee's immediate family shall consist of the employee's:

- Spouse or registered domestic partner

- Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)
- Parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.)
- Grandparent
- Grandchild
- Sibling
- Designated Person (A designated person is someone who is identified by the employee at the time the employee requests paid sick days. District employees are limited to one designated person per 12-month period for paid sick days.)

B. Use of Sick Leave.

1. An employee may be granted sick leave only in case of actual sickness as defined above or as otherwise provided by law, including for leave as provided in Section 22.17. Sick leave is not for personal absences. Qualifying eEmployees may request accrued vacation time off to cover other “personal” absences not covered by this sick leave policy.
2. In order to apply forutilize sick leave ~~use, unless the District determines that the employee’s duties require more restrictive reporting,~~ an employee shall notify their department Manager or the General Manager or designee:
 - a. Up to nine (9) hours and prior to one (1) hour before the time established as the beginning of the employee’s work day, the employee shall notify via text message;
 - b. Within one (1) hour before the time established as the beginning of the employee’s work day the employee must make direct contact via phone;
 - c. In all situations, if the employee is assigned as on call or back-up for on call duty they must immediately make verbal contact with their manager ~~or the General Manager~~ to notify them that they are unable to report to work.

Failure to do comply with these notification procedures without good reason may result in that day of absence being treated as leave of absence without pay.
3. If the employee is absent on sick leave for more than one (1) day the employee must keep the immediate supervisor informed as to the date the employee expects to return to work.

4. Sick leave will not be granted ~~to any employee absent from duty after separation from District service, or~~ during a District authorized leave of absence without pay, or any other absence from duty not authorized by the District.
5. Sick leave will not be granted to any employee to permit an extension of the employee's vacation.
6. The District may require a physician's certification where leave abuse or excess sick leave use is suspected to the extent permitted by law.
7. Employees will not be permitted to use vacation in lieu of sick leave unless approved by the Department ~~Director~~Manager.
8. Supervisors have the discretion to place employees on sick leave when, in the judgment of the supervisor, the presence of the employee at work would endanger the health and welfare of other employees or where the illness or injury of the employee interferes with the performance of such employee's duties.

- C. ~~Accrual, Reimbursement, and Reinstatement of~~ of Sick Leave ~~Upon Re-Hire~~. Employees covered by the Please see Memorandum of Understanding between the District and Operating Engineers Local 3, should refer to the MOU for the amount of sick leave granted to employees and its disposition upon retirement or resignation.

All other employees receive sick leave as follows: exempt employees receive one day of sick leave per month of service and non-exempt employees receive 8 hours of sick leave per month of service. There is no cap on the accrual of sick leave.

~~All regular employees receive sick leave in accordance with the Memorandum of Understanding between the District and Operation Engineer Local 3. At-Will employees receive sick leave in accordance with their respective contracts.~~

~~Any employee who is rehired by the District within 12 months of separation will have up to 6 days or 48 hours of unused accrued paid sick leave restored to the extent such sick leave was not already paid out at the time of separation pursuant to the District's policies or Memorandum of Understanding agreements.~~

D?. Reimbursement and Reinstatement of Sick Leave Upon Re-Hire.

Any employee who is rehired by the District within 12 months of separation will have up to 6 days or 48 hours of unused accrued paid sick leave restored to the extent such sick leave was not already paid out at the time of separation pursuant to the District's policies or Memorandum of Understanding agreements.

- DE. Abuse of Sick Leave. An employee is subject to disciplinary action for abuse of sick leave, which is defined as a claim of entitlement to sick leave when the employee does not meet

the requirements of sick leave as defined above or when the employee is absent because of illness for more than three working days or suspected of misusing the sick leave privilege, may be required to provide a physician's certificate, as applicable, outlined in the Memorandum of Understanding between the District and Operating Engineers Local 3 section 15.4.

~~EF.~~ Excessive Use of Sick Leave. Excessive use of unprotected sick leave may subject an employee to disciplinary action and/or may be considered in establishing the performance rating. Unprotected sick leave is sick leave that is not used in connection with California's ~~Paid Sick~~ Paid Sick Leave Law, Labor Code section 233 ("Kin Care"), FMLA/CFRA, a reasonable accommodation for a disability, or any other leave that is provided under the law for which sick leave may be used. Excessive use of sick leave, tardiness, and failing to use the call-in procedures when absent or tardy can negatively impact the performance of your job or affect others in the performance of their job. Factors that will be considered in determining whether use of sick leave is excessive include, but are not limited to, the number of absences compared to other employees, whether absenteeism is limited to a finite time period or whether it continues over time, thea pattern of usage, and the basis for the absenteeism, ~~and the significance of the impact on the performance of your job or others.~~

~~As part of each employee's evaluation their usage of unprotected sick leave will be evaluated by their supervisor.~~

- ~~1. As a general goal, employees should attempt to maintain at least 50% of their annual unprotected sick leave in anticipation of unexpected need.~~
- ~~2. Employees who have used over 50% of their annual unprotected sick leave during the evaluation period will be counseled. This counseling will take into consideration mitigating circumstances regarding absences such as surgery, serious illness, or long-term injury.~~
- ~~3. Employees who have used more than 64 hours of unprotected sick leave during the evaluation period may be placed on a restricted sick leave monitoring program.~~
- ~~4. Employees who have exhausted all of their unprotected sick leave may be subject to discipline up to and including termination at the discretion of the General Manager.~~

~~FG.~~ Paid Sick Leave and Workers' Compensation Benefits. Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance.

However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointment will not be paid as time worked, unless the employee is required to receive medical treatment as a condition of continued employment. If you have accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave. If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation or other paid time off for further work absences related to your illness or injury.

22.2 Catastrophic Leave Donation Plan

Employees may donate accrued leave to other employees suffering from a catastrophic illness or injury. Catastrophic leave is a paid leave of absence due to life threatening verifiable long-term illness or injury such as, but not limited to, cancer or heart attack, which clearly disables the individual. Employees who have successfully completed one year in paid status shall be eligible for catastrophic leave due to their own serious illness or injury.

The employee must first exhaust all accrued sick leave, vacation leave, administrative leave and compensatory time before qualifying for catastrophic leave. Catastrophic leave shall be additional paid leave available from vacation or compensatory time hours donated by other employees to a specific qualified employee. Employees donating vacation or compensatory time must donate in increments of whole hours. The donating employee must have a minimum vacation leave balance of 40 hours after the donation of vacation leave.- All donations are irrevocable.

An employee seeking catastrophic leave must submit a request to the General Manager. An employee's request for catastrophic leave must generally describe the nature of the need (disclosure of confidential health information is not required), include the expected length of the need for leave, and indicate whether the nature of the need may be disclosed to other employees. The General Manager must verify the catastrophic illness or injury. A request for catastrophic leave is subject to the approval of the General Manager. Such leave may initially be approved for up to a maximum of 340 donated hours. If the catastrophic illness or injury continues, up to an additional 340 donated hours may be approved. The District shall account for the donation and disbursement of catastrophic leave hours. All time donated will be credited on an hour-to-hour basis regardless of hourly pay differentials between the donating employee and recipient.

Catastrophic leave shall not be used in conjunction with any long-term disability (LTD) or Workers' Compensation Leave. While an employee is on catastrophic leave, using donated hours, the employee shall not accrue any vacation or sick leave.

The employee must have exhausted their protected time (FMLA/CFRA/PDL) prior to qualifying for this leave (if meeting criteria and eligibility requirements). Benefits would continue while the employee is on catastrophic leave.

22.3 Return to Work

A. Medical Certification Required.

1. For medical absences of more than ~~three~~ five (5) working days, medical clearance from a physician may be required.
2. Before returning to work from ~~an unpaid~~ medical leave, the employee's personal physician ~~will~~ may be required to provide a medical clearance. In addition, a medical clearance and fitness for duty evaluation from the District's medical provider, based on the requirements of the position, ~~will~~ may be required.
- ~~3. Before returning to work from an extended paid medical absence from work, the employee's personal physician will be required to provide a medical clearance. In addition, a medical clearance and fitness for duty evaluation from the District's medical provider, based on the requirements of the position, will be required.~~

~~B. Regular employees unable to perform the essential functions of their position, with or without reasonable accommodation, as a result of a physical or psychological illness or injury for a period of six (6) months from the first date of the absence shall:~~

- ~~1. Be terminated from employment. Employees who are separated pursuant to this section shall be accorded procedural due process (i.e., notice and an opportunity to respond to the intended separation) in accordance with the appeal procedures for disciplinary actions outlined in these rules and procedures. or,~~
- ~~2. If disabled, be retired under the Public Employees Retirement System, or~~
- ~~3. Be offered the opportunity to resign from the position and be placed on a rehire list for a period not to exceed one (1) year. Any employee returning to work pursuant to this section shall provide to the Human Resources office verification from a medical practitioner of his/her ability to return to work and perform the essential functions of his/her position, with or without accommodation.~~

~~If during the period in which the employee is on the rehire list, the employee is physically and/or psychologically able to resume the duties of his/her previous position and there is a vacant position in the employee's classification, the employee will be entitled to return to that position with all the rights, benefits, and responsibilities of a regular employee. However, an employee on a rehire list shall not accrue seniority. Thus, the employee will return to work with the same amount of seniority held prior to being placed on the rehire list.~~

~~Placement on the rehire list does not preclude an employee from applying for a disability retirement.~~

~~4. Exceptions: Employees on family and medical care leave, pregnancy disability leave or other statutory protected leaves will not be terminated or offered the rehire list option in lieu of separation during such leave if separation during such leave would be precluded by law.~~

~~C. Whenever an employee has been given a permanent and stationary rating by the Industrial Accident Commission of the State of California, return to the job must be based on the same medical information that the employee used in order to obtain the award. Unless these medical facts are very carefully considered, subsequent injuries or aggravations of the original injury can occur. It is the policy of the District that an employee can return to duties he/she can perform safely without undue risk, or further injury to other employees.~~

~~It is, likewise, the policy of the District that if the employee cannot do so or if he/she is unable or unwilling to accept some other vacant position which the employee is psychologically and/or physically and otherwise qualified to perform, his/her employment will be terminated.~~

~~The medical criteria presented to the Industrial Accident Commission by the employee and his/her doctor shall be obtained and utilized by the District and interpreted in terms of specific job restrictions and limitations. The manager, or his/her designee, will then interpret and apply such job restrictions and limitations to the specific physical and/or psychological requirements of the employee's position and make a recommendation to the General Manager. A determination shall be made by the General Manager as to whether or not the employee shall:~~

- ~~1. Return to the job.~~
- ~~2. Transfer to some other vacant position for which he/she is qualified based upon physical or psychological ability and experience.~~
- ~~3. Separate from the District's employment.~~

B. 22.4 Reasonable Accommodations

The District will engage in the interactive process with the employee with qualifying disabilities in the administration of all personnel policies and procedures.

1. Request for Accommodation. An employee who desires a reasonable accommodation in order to perform essential job functions should make such a request to the Human Resources Department. The request must identify: (a) the job-related functions at issue, and (b) the desired accommodation(s).

2. Reasonable Medical Documentation of Disability. If the disability or the need for reasonable accommodation is not obvious, the District may require the individual requesting such accommodation to provide reasonable medical documentation confirming the existence of the disability and the need for reasonable accommodation, along with the name and credentials of the individual's health care provider. If the individual provides insufficient documentation, the District will do the following: (1) explain the insufficiency of the documentation provided; (2) allow the employee or applicant to supplement the documentation in order to remedy the issue with the documentation provided; and (3) pursue the interactive process only to the extent that the request for reasonable accommodation is supported by the medical documentation provided.
3. Fitness for Duty Examination. The District may require an employee to undergo a fitness for duty examination at the District's expense to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The District may also require that a District-approved physician conduct the examination.
4. Interactive Process Discussion. After receipt of reasonable documentation of disability and/or a fitness for duty report, the District will arrange for a discussion with the employee, and their representative(s), if any. The purpose of the discussion is to work in good faith to fully consider all feasible potential reasonable accommodations.

The following factors will be considered during this process:

1. Determination of the essential functions of the job.
2. Determine through conversation with the individual how the disability limits the individual's ability to perform the essential job functions and how those limitations could be overcome with reasonable accommodation.
3. Identify accommodation options and determine effectiveness and feasibility of the proposed accommodations.
4. Considering the individual's preference, the Human Resources Manager, in consultation with the Department Manager, selects the accommodation most appropriate, if such accommodation is reasonable, does not create undue hardship for the District, and would not pose a direct threat to the health or safety of the individual or others.

DC. Whenever an employee has been given a permanent and stationary rating by the Industrial Accident Commission of the State of California, return to the job must be based on the same medical information that the employee used in order to obtain the award. It is the policy of

the District that an employee can return to duties the employee can perform safely without undue risk.

22.4 Personal Days

Please see Memorandum of Understanding between the District and Operating Engineers Local 3 or specific Employment Agreement for management and unrepresented employees.

22.5 Vacation Leave

Please see Memorandum of Understanding between the District and Operating Engineers Local 3 or specific Employment Agreement for management and unrepresented employees.

22.6 Holidays

Please see Memorandum of Understanding between the District and Operating Engineers Local 3 or specific Employment Agreement for management and unrepresented employees.

22.7 Family Medical Care Leave

A. Statement of Policy. The District will provide Family Medical Care Leave and related leaves under the California Family Rights Act for eligible employees as required by state and federal law. The following provisions set forth certain of the rights and obligations with respect to such leave. Rights and obligations which are not specifically set forth below are set forth in the Department of Labor regulations implementing the Federal Family and Medical Leave Act of 1993 ("FMLA"), and the regulations of the California Family Rights Act ("CFRA"). Unless otherwise indicated, "leave" under this section will mean leave pursuant to the Family Medical Leave Act and California Family Rights Act.

B. Definitions. The following definitions apply to this policy.

1. "12-Month Period" means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
2. "Single 12-month period" means a 12-month period which begins on the first day the eligible employee takes FMLA leave to take care of a covered service member and ends 12 months after that date.
3. "Child" means a child under the age of 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or step-child, legal ward, or a child of a person standing in loco parentis.

~~A child is "incapable of self-care" if he/she requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living or instrumental activities of daily living — such as, caring for grooming and~~

~~hygiene, bathing, dressing and eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, etc.~~

4. "Parent" means the biological parent of an employee or an individual who stands or stood in loco parentis (in place of a parent) to an employee when the employee was a child. This term does not include parents-in-law.
5. "Spouse" means ~~a husband or wife as defined~~an individual lawfully married to another individual or recognized under California State law for purposes of marriage as defined by California Family Code section 300.
6. "Domestic partner;" as defined by California Family Code sections 297 and 299.2, shall have the same meaning as "Spouse" for purposes of CFRA leave.
7. For purposes of CFRA leave, "Designated Person" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The employee is limited to ~~One~~ designated person per single 12-month period for family care and medical leave. The designated person may be identified by the employee at the time the employee requests the leave.
- ~~78.~~ "Serious health condition" means an illness, injury, impairment or physical or mental condition which involves inpatient care or continuing treatment by a health care provider.

~~means an illness, injury impairment, or physical or mental condition that involves:~~

- a. ~~Inpatient Care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity due to the serious health condition, treatment involved, or recovery therefrom); or~~
- b. ~~Continuing treatment by a health care provider: A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:~~
 - i. ~~A period of incapacity (i.e. inability to work, or perform other regular daily activities) due to serious health condition of more than three full consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:~~
 - a) ~~Treatment of two or more times within 30 days of the first day of incapacity, unless extenuating circumstances exist by a health care provider, by a nurse, or by a provider of health care services (e.g. a physical therapist)~~

~~under orders of, or on referral by a health care provider. The first in-person treatment visit must take place within seven days of the first day of incapacity; or~~

- ~~b) Treatment by a health care provider on at least one occasion which must take place within seven days of the first day of incapacity and results in a regimen of continuing treatment under the supervision of the health care provider. This includes for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. If the medication is over the counter, and can be initiated without a visit to health care provider, it does not constitute a regimen of continuing treatment.~~
- ~~ii. Any period of incapacity due to pregnancy or for prenatal care. This entitles the employee to FMLA leave, but not CFRA leave. (Under California law, an employee disabled by pregnancy is entitled to pregnancy disability leave.)~~
- ~~iii. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - ~~a) Requires periodic visits (defined as at least twice a year) for treatment by a health care provider or by a nurse;~~
 - ~~b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and~~
 - ~~c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). Absences for such incapacity qualify for leave even if the absence lasts only one day.~~~~
- ~~iv. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.~~
- ~~v. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or~~

~~by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.~~

89. “Health Care Provider” means:
- a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State of California;
 - b. Individuals duly licensed as a physician, surgeon, or osteopathic physician or surgeon in another state or jurisdiction, including another country, who directly treats or supervises treatment of a serious health condition;
 - c. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct an existing subluxation as demonstrated by X-ray) authorized to practice in California and performing within the scope of their practice as defined under California State law;
 - d. Nurse practitioners and nurse-midwives and clinical social workers who are authorized to practice under California State law and who are performing within the scope of their practice as defined under California State law;
 - e. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; and
 - f. Any health care provider from whom an employer or group health plan’s benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits.

910. “Covered active duty” means: (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with Armed Forces to a foreign country, or (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of a member of the Armed Forces to a foreign county under a call or order to active duty under certain specified provisions.

1011. “Covered Service member” means (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty; or (2) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

~~1112.~~ "Outpatient Status" means, with respect to a covered service member, the status of a member of the Armed Forces assigned to either: (1) a military medical treatment facility as an outpatient; or (2) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

~~1213.~~ "Next of Kin of a Covered Service member" means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as ~~his or her~~their nearest blood relative for purposes of military caregiver leave under the FMLA.

~~1314.~~ "Serious Injury or Illness" (1) in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; or (2) in the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

C. ~~Reasons~~Purpose for ~~Family Medical Care Leaves~~. ~~Leave is only permitted for the following reasons:~~

Purpose of Leaves

The purpose of this policy is to provide a uniform way to access information for those employees who wish to take leave under the Family Medical Leave Act (FMLA), the California Family Rights Act (CFRA) and/or the Pregnancy Disability Leave (PDL). Under FMLA and CFRA, employees who have worked for at least twelve (12) months and for 1,250 hours during that ~~12-month~~12-month period may request family care and medical leave of up to twelve (12) workweeks during a twelve (12) month period. There is no minimum length of service

requirement for PDL. Under PDL, employees may request leave for a reasonable period of time, not to exceed four (4) months.

Leave may be requested for the following reasons:

FMLA	<ul style="list-style-type: none"> — <u>Bonding time with newborn, including adoption and foster care.</u> — <u>Care of child, parent, spouse, or designated person with serious health condition, including psychological comfort.</u> — <u>Serious health condition that makes the employee unable to perform one or more of the essential functions of his/her position.</u> — <u>Serious health condition that resulted from domestic violence, sexual assault, or stalking.</u> — <u>Incapacity due to pregnancy, prenatal care, or for a mother's own serious health condition following the birth of the child (CFR 825.120.4).</u> • <u>Military related leaves including qualifying exigency leave and military caregiver leave.</u> • <u>The birth of the employee's child, and to care for their newborn child;</u> • <u>The placement with the employee of an adopted or foster child, and to care for the newly placed child;</u> • <u>To care for the employee's spouse, child, or parent with a serious health condition;</u> • <u>A serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job;</u> • <u>A qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty status or has been notified of an impending call or order to covered active duty.</u> <p><u>29 CFR 825.200</u></p>
CFRA	<ul style="list-style-type: none"> • <u>Bonding time with newborn, including adoption and foster care.</u> • <u>Care of child, parent, domestic partner, domestic partner's child, spouse, or designated person with serious health condition, including psychological comfort.</u> • <u>Serious health condition that makes the employee unable to perform functions of his/her position.</u> <p><u>CCR Title 2, Section 7297</u></p>
PDL	<p><u>To allow a female employee disabled by pregnancy, childbirth, or related medical conditions to take a leave for a reasonable period of time not to exceed four months.</u></p> <p><u>Gov Code 12945</u></p>

- ~~1. — The birth of a child or to care for a newborn of an employee;~~
- ~~2. — The placement of a child with an employee in connection with the adoption or foster care of a child;~~
- ~~3. — Leave to care for a child, parent, spouse, or domestic partner who has a serious health condition; or~~

4. ~~Leave because of a serious health condition that makes the employee unable to perform the functions of his/her position.~~
5. ~~Leave for a “qualifying exigency” may be taken arising out of the fact that an employee’s spouse, son, daughter, or parent is on covered active duty or call to active duty status (under FMLA only, not the CFRA); or Leave to care for a spouse, son, daughter, parent, or “next of kin” who is a covered service member of the United States Armed Forces who has a serious injury or illness incurred in the line of duty while on active military duty or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces (this leave can run up to 26 weeks of unpaid leave during a single 12-month period under the FMLA only, not the CFRA).~~
6. ~~Leave to care for a spouse, son, daughter, parent, or “next of kin” who is a covered service member of the United States Armed Forces who has a serious injury or illness incurred in the line of duty while on active military duty or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces (this leave can run up to 26 weeks of unpaid leave during a single 12-month period) (under the FMLA only, not the CFRA).~~

~~D. Employees Eligible for Leave. An employee is eligible for leave if the employee:~~

1. ~~Has been employed by the District for at least 12 months; and~~
2. ~~Has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.~~

~~E.~~

D. Amount of Leave.

FMLA	<p>Except in the case of leave to care for a covered service member with a serious injury or illness, an eligible employee’s FMLA leave entitlement is limited to a total of 12 (twelve) workweeks of leave during any 12-month period, as previously defined. An employee’s entitlement to leave for the birth or placement of a child for adoption or foster care expires 12 months after the birth or placement.</p> <p><u>CFR 825.200(a)</u></p>
CFRA	<p>A covered employer is required to grant an eligible employee a maximum leave of 12 workweeks in a 12-month period.</p> <p>“12 workweeks” means the <i>equivalent</i> of 12 of the employee’s normally scheduled workweeks. For eligible employees who work more or less than five days per week, or pursuant to an alternative work schedule, the number of working days that constitute 12 workweeks is calculated on a pro rata or proportional basis.</p>

	CCR Title 2, Section 7297.3, Subdivision C
PDL	<p>For a reasonable period of time not to exceed four months.</p> <p>Gov Code 12945</p> <p>Gov Code 12945</p>

~~Eligible employees are entitled to a total of 12 workweeks (or 26 weeks to care for a covered service member) of leave during any 12-month period. When FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.~~

~~1. — Minimum Duration of Leave. If leave is requested for the birth, adoption or foster care placement of a child of the employee, leave must be concluded within one year of the birth or placement of the child. In addition, the basic minimum duration of such leave is two weeks. However, an employee is entitled to leave for one of these purposes (e.g., bonding with a newborn) for at least one day, but less than two weeks duration on any two occasions.~~

~~— If leave is requested to care for a child, parent, spouse or the employee him/herself with a serious health condition, there is no minimum amount of leave that must be taken. However, the notice and medical certification must be in compliance with the provisions of state and federal law.~~

~~2. — Spouses Both Employed by the District. In any case in which a husband and wife both employed by District are entitled to leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during any 12-month period if leave is taken for the birth or placement for adoption or foster care of the employees' child (i.e., bonding leave).~~

~~In any case in which a husband and wife both employed by the District are entitled to leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 26 workweeks during any 12-month period if leave is taken to care for a covered service member.~~

~~Except as noted above, this limitation does not apply to any other type of leave under this policy.~~

~~F. _____~~

E. _____ Employee Benefits While on Leave.

Leave under this policy is unpaid. While on unpaid leave under this policy, employees will continue to be covered by the District's group health insurance plan for up to 12 weeks each year. While not required by law, the District will continue to provide employees vision and dental insurance while on unpaid leave. If the employee is disabled by pregnancy, coverage will continue to be covered for up to 4 months each leave year. Employee health insurance All premiums must be paid by the Employee unless Employer contributions are required by ~~the FMLA or CFRA~~ law.

In the event an employee is disabled by pregnancy and also uses leave under the CFRA, District will maintain the employee's health benefits while the employee is disabled by pregnancy (up to four months or 17½ weeks) and during the employee's CFRA leave (up to 12 weeks). However, employees will not continue to be covered under the following non-health benefit plans: Life and Accidental Death Insurance and Disability Insurance.

Employees may make the appropriate contributions for continued coverage under the preceding non-health benefit plans by payroll deductions or direct payments made to these plans. Depending on the particular plan, the District will inform the employee whether the premiums should be paid to the carrier or to the District. Employee is responsible for the pro-rated share of premiums if taking partial leave or integrating wages with State Disability Insurance benefits. Coverage on a particular plan may be dropped if the employee is more than 30 days late in making a premium payment. However, you will receive a notice at least 15 days before coverage is to cease, advising you that you will be dropped if your payment is not paid by a certain date. Employee contribution rates are subject to any change in rates that occurs while the employee is on leave.

If an employee fails to return to work after his/her leave entitlement has been exhausted or expires, the District will have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member which would entitle the employee to leave, or because of circumstances beyond the employee's control. The District will have the right to recover premiums through deduction from any sums due to the employee (e.g. unpaid wages, vacation pay, etc.).

An employee will not accrue additional vacation, personal leave or sick leave during any unpaid portion of this leave. The employee will accrue pro-rated leave over the bi-weekly

pay period if they are paid a portion of their leave through participation in integration of wages with benefits through the State.

Holidays will be paid if the employee is in a paid leave status (i.e. using vacation, sick, or administrative leave) during the bi-weekly pay period the holiday occurs in.

GF. Use of Paid Accrued Leaves While on Leave Under This Policy.

While on leave under this policy, ~~as set forth herein,~~ an employee may elect to concurrently use paid accrued leaves. Similarly, the District may require an employee to concurrently use paid accrued leaves after requesting FMLA, ~~and/or~~ CFRA, and/or pregnancy disability leave, and may also require an employee to use family and medical care leave concurrently with a non-FMLA/CFRA leave which is FMLA/CFRA-qualifying.

1. Employee's Right to Use Paid Accrued Leaves Concurrently With Family Leave

Where an employee has earned or accrued paid vacation, administrative leave, compensatory time, or personal or family leave, that paid leave may be substituted for all or part of any (otherwise) unpaid leave under this policy.

As for sick leave, an employee is entitled to use sick leave concurrently with leave under this policy if:

- a. The leave is for the employee's own serious health condition; or
- b. The leave is needed to care for a parent, spouse, child, or domestic partner with a serious health condition, and would be permitted as sick leave under the District's sick leave policy.

2. District's Right to Require an Employee to Use Paid Leave When Using FMLA/CFRA Leave

Employees must exhaust their accrued leaves concurrently with FMLA/CFRA leave to the same extent that employees have the right to use their accrued leaves concurrently with FMLA/CFRA leave, with two exceptions:

- a. Employees are required to use accrued compensatory time earned in lieu of overtime earned pursuant to the Fair Labor Standards Act; and
- b. Employees will only be required to use sick leave concurrently with FMLA/CFRA leave if the leave is for the employee's own serious health condition.

3. District's Right to Require an Employee to Exhaust FMLA/CFRA Leave Concurrently With Other Leaves

If an employee takes a leave of absence for any reason which is FMLA/CFRA qualifying, the District may designate that non-FMLA/CFRA leave as running concurrently with the employee's 12-week FMLA/CFRA leave entitlement.

4. District's Right to Require an Employee to Exhaust Sick Leave Concurrently With Pregnancy Disability Leave.

Pregnancy disability leaves are without pay. However, the employee must first use sick leave, if any. Once sick leave is depleted, the employee may elect to use vacation leave or any other accrued paid time off during the leave.

~~G4. District's and Employee's Rights If an Employee Requests Accrued Leave,~~

~~Other than Accrued Sick Leave, Without Mentioning Either the FMLA or CFRA If an employee requests to utilize accrued vacation leave or other accrued paid time off, other than sick leave, without reference to a FMLA/CFRA qualifying purpose, the [name of agency] may not ask the employee if the leave is for a FMLA/CFRA qualifying purpose. However, if the [name of agency] denies the employee's request and the employee provides information that the requested time off is for a FMLA/CFRA qualifying purpose, the District may inquire further into the reason for the absence. If the reason is FMLA/CFRA qualifying, the District may require the employee to exhaust accrued leave as described above.~~

H. Medical Certification.

Employees who request leave for their own serious health condition or to care for a child, parent or a spouse who has a serious health condition must provide written certification from the health care provider of the individual requiring care if requested by the District.

If the leave is requested because of the employee's own serious health condition, the certification must include a statement that the employee is unable to work at all or is unable to perform the essential functions of his/her position.

Employees who request leave to care for a covered service member who is a child, spouse, parent, or "next of kin" of the employee must provide written certification from a health care provider regarding the injured service member's serious injury or illness.

The first time an employee requests leave because of a qualifying exigency, an employer may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service. A copy of new ~~active-duty~~active-duty orders or similar documentation shall be provided to the employer if the need for leave because of a qualifying exigency arises out of a different

active duty or call to ~~active-duty~~active-duty status of the same or a different covered military member.

1. Time To Provide Medical Certification.
 - a. When an employee's leave is foreseeable and at least 30 days' notice has been provided, if a medical certification is requested, the employee must provide it before the leave begins.
 - b. When this is not possible, the employee must provide the requested certification to the District within 15 calendar days after the District's request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.
2. Consequences for Failure to Provide an Adequate or Timely Certification. If an employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to cure any such deficiency. However, if an employee fails to provide a medical certification within the time frame established by this policy, the District may delay the taking of FMLA/CFRA leave until the required certification is provided.
3. Recertification. If the District has reason to doubt the validity or clarity of a certification, the District may require a medical opinion of a second health care provider chosen and paid for by the District. If the second opinion is different from the first, the District may require the opinion of a third provider jointly approved by the District and the employee, but paid for by the District. The opinion of the third provider will be binding. An employee may request a copy of the health care provider's opinions when there is a recertification.
4. Intermittent Leave or Leave on a Reduced Leave Schedule. If an employee requests leave intermittently (a few days or hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition or treatment required for oneself, the employee must provide medical certification that such leave is medically necessary. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

[The District will require an annual recertification for any ongoing intermittent leave covered under an approved FMLA/CFRA leave. At the time of recertification, eligibility for ongoing leave will be determined prior to approving such time.](#)
5. Employee Notice of Leave. Although the District recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much notice as possible of their need for leave. Except for qualifying exigency leave, if leave is foreseeable, at least 30 days' notice is required.

In addition, if an employee knows that he/she/they will need leave in the future, but does not know the exact date(s) (e.g. for the birth of a child or to take care of a newborn), the employee will inform his/her/their supervisor as soon as possible that such leave will be needed. Such notice may be given orally. If the District determines that an employee's notice is inadequate or the employee knew about the requested leave in advance of the request, the District may delay the granting of the leave until it can, in its discretion, adequately cover the position.

For foreseeable leave due to qualifying exigency, an employee must provide notice of the need for leave as soon as practicable, regardless of how far in advance such leave is foreseeable.

H. Reinstatement upon Return from Leave.

1. Upon expiration of leave, an employee is entitled to be reinstated to the position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits and other conditions of employment than if the employee had been continuously employed during the FMLA/CFRA leave period.

If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and the District, the employee shall promptly notify the District of the new date and provide a medical certification by a health care provider stating the new return to work date. ~~will be reinstated within two business days, where feasible, after the employee notifies the employer of his/her readiness to return.~~

- ~~2. Employees may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return.~~
- ~~3. Fitness for Duty Certification. As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition which made the employee unable to perform his/her job, the employee must obtain and present a fitness for duty certification from the District's health care provider indicating that the employee is able to resume the essential functions of his or her pre-leave position. Failure to provide such certification will result in denial or delay of reinstatement.~~
- ~~4. If an employee returns to work from after an absence of five (5) consecutive days or more, the General Manager may require the employee to take a physical~~

~~examination, paid for by the District, to determine if he/she the employee is fit for duty.~~

~~J.~~ Required Forms.

Employees must fill out the following applicable forms in connection with leave under this policy:

1. "Request for Family or Medical Leave Form" prepared by the District to be eligible for leave. ~~NOTE: EMPLOYEES WILL~~ Employees will receive a District response RECEIVE A DISTRICT RESPONSE indicating approval and officially designating the type and duration of leave. TO THEIR REQUEST WHICH WILL SET FORTH CERTAIN CONDITIONS OF THE LEAVE. If denial occurs, information will be provided to remedy the request for leave unless employee has been determined to not be eligible for such leave;
2. Medical certification—either for the employee’s own serious health condition or for the serious health condition of a child, parent, spouse, or domestic partner; and-
3. Authorization for payroll deductions for benefit plan coverage continuation; and
- ~~4. — Fitness for duty to return from leave form.~~

22.8 School Visit Leave

- A. Definition. School visit leave is leave taken by a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in loco parentis to, a child of 1 or more children who are in school (kindergarten or grades 1 through 12) or who is attending a licensed child day care facility to participate in Child Related Activities of the child’s school or daycare facility, without pay, allowed up to 40 hours each school year, not to exceed 8 hours in any calendar month of the school year.
- B. Child Related Activities include finding, enrolling, or reenrolling a child in school or with a licensed child care provider or to address a child care provider or school emergency, including a request that the child be picked up from school/childcare, behavioral/discipline problems, closure or unexpected unavailability of the school (excluding planned holidays), or a natural disaster.
- C. Eligible Employees. Only employees who are a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in loco parentis to, a child are eligible.
- D. Prior Notice Required. Eligible employees desiring to take school visit leave must provide written notice to the General Manager or designee reasonably in advance of the leave. Failure to provide written notice in a reasonable time prior to the leave may result in denial of the leave request.

- E. Other Leave Runs Concurrently With School Visit Leave. An employee must use vacation, administrative leave, personal leave, or compensating time concurrently with school visit leave.
- F. Documentation of Participation. The District may require the employee taking school visit leave to provide written documentation from the school or licensed daycare facility evidencing the employee's participation.

22.9 Bereavement Leave

- A. An eligible employee is entitled to leave with pay, up to 3 ~~consecutive~~ working days and up to 2 additional days unpaid for a total of 5 days, per incident.

Two unpaid days require employee to have 30 days of service and all bereavement leave must be used within 3 months of death. ~~Proof of death must be provided within 30 days of first day of leave.~~

- B. Eligible Employees. All employees except temporary and casual employees and elected officials are eligible to take bereavement leave in the event of the death of a member of ~~his or her~~ the employee's immediate family. For the purposes of this section "Immediate Family" is defined as spouse, domestic partner, parent, step parent, brother/sister, step brother/sister, child, stepchild, or the same relatives of a spouse or domestic partner. The General Manager may approve additional family members as qualifying for the bereavement leave benefit.
- C. Documentation of Death. The District may require the employee taking bereavement leave to provide written documentation of the death for which the bereavement leave is taken within 30 days of first day of leave.

22.10 Military Leave

Military leave will be granted in accordance with the provisions of federal and state law. An employee requesting leave for this purpose shall provide their supervisor, whenever possible, with a copy of the military orders specifying the dates, site and purpose of the activity or mission. Within the limits of such orders, the General Manager may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave.

During times of declared war or otherwise, the Board of Directors may approve additional time with supplemental pay and benefits in addition to pay required under California law.

22.11 Voting Leave

In accordance with State law, employees whose work schedule prevents them from voting at a statewide election may take up to two (2) hours off with pay at the beginning or end of the ~~work~~ day/workday. If the time off is required, the employee must have prior approval from the General Manager at least two (2) days prior to the statewide election.

22.12 Jury Duty or Court Witness Leave

- A. Definition. Every employee of District who is summoned or required to serve as a trial juror is entitled to be absent from District during the period of service up to a maximum of 30 ~~work days~~workdays. Such employee, except temporary employees, will be paid the employee's regular salary and except for travel, meals, and lodging payments. Any money received for jury or court witness services is to be deposited with the District. If an employee is required to perform jury duty in excess of thirty ~~work days~~workdays, the employee will be able to use all accrued earn leave balances, except sick leave, for service time after thirty work days. The time spent on jury duty is not work time for purposes of calculating overtime compensation.
- B. An employee subpoenaed to appear in court in a matter unrelated to their District job duties or because of civil or administrative proceedings that the employee initiated does not receive compensation for time spent related to those proceedings. An employee may request to receive time off without pay or may use accrued vacation for time spent related to those proceedings. The time spent in these proceedings is not considered work time.~~Immediate Notification of Summons and Daily Report of Status. An employee summoned for jury duty must immediately notify his or her~~their supervisor of receipt of the summons. Employees are also required to notify their supervisor on a daily basis regarding jury duty hours, including jury duty release time. Employees shall furnish a copy of the official summons or witness subpoena to the District.
- C. Documentation. Employees shall furnish a copy of the official summons or witness subpoena to the District when requesting leave along with proof of attendance after service.~~Employees who receive a jury summons and miss work or need a change in scheduled On Call Duty must complete an Absence and Overtime Request Slip and/or Work Schedule Changes request and provide a copy of the jury summons notice.~~
- D. Employees Must Take Advantage of Court Call-In and other Scheduling Procedures. Where courts have call-in procedures to determine days and hours of service, employees must take advantage of these procedures. If an employee is told by the Court not to report, is dismissed, or is told to call in the next day, the employee must come to work and, if necessary, make the call from District, unless the employee receives prior approval from the General Manager, to call from home. The employee shall keep their supervisor updated as to their status while on said leave.
- E. Subpoena. An employee who is subpoenaed to appear in court in a matter regarding an event or transaction which ~~he or she~~they perceived or investigated in the course of ~~his or her~~their District job duties will do so without loss of compensation. The time spent will be considered work time.
- F. Exception for Employee-Initiated or Non-District Related Lawsuits. An employee subpoenaed to appear in court in a matter unrelated to ~~his or her~~the employee's District

job duties or because of civil or administrative proceedings that ~~he or she~~they initiated does not receive compensation for time spent related to those proceedings. An employee may request to receive time off without pay, or may use accrued vacation for time spent related to those proceedings. The time spent in these proceedings is not considered work time.

~~22.13—Pregnancy Disability Leave~~

~~Definition. Any female employee is entitled to take an unpaid pregnancy disability leave (PDL) for up to 4 months because of pregnancy, childbirth, or related medical conditions. Employees working less than a standard forty-hour work week shall have their time pro-rated based on standard scheduled hours worked.~~

~~The employee will be entitled to utilize accrued sick leave during the period of disability, as well as vacation leave or other accrued paid leave during this period of time. The District will continue health insurance coverage during any such period. An employee will not accrue additional vacation, personal leave or sick leave during any unpaid portion of this leave. The employee who has been deemed is eligible for and is designated to be on Family Medical Leave (FMLA) and/or California Family Rights Act (CFRA) upon the commencement of pregnancy disability leave.~~

~~Once the pregnant employee is no longer disabled, or once the employee has exhausted PDL and has given birth, the employee may apply for leave under the CFRA, for purposes of baby bonding.~~

~~A.——Notice and Certification Requirements~~

- ~~1.——Requests for pregnancy disability leave must be submitted in writing and must be approved by the General Manager or designee before the leave begins. The request must be supported by a written certification from the attending physician stating that the employee is disabled from working by pregnancy, childbirth, or a related medical condition. The certification must state the expected duration of the disability and the expected date of return to work. Notice must be given not less than 30 days prior to the intended commencement date of the leave, if the leave is foreseeable. When the need for leave does not allow for 30 days' notice, notice must be given as soon as practicable.~~
- ~~2.——All leaves must be confirmed in writing, have an agreed-upon specific estimated date of return, and be submitted the supervisor prior to being taken. Requests for an extension of leave must be submitted in writing to the supervisor prior to the agreed date of return and must be supported by a written certification of the attending physician that the employee continues to be disabled by pregnancy, childbirth, childbirth, or a related medical condition.~~

~~B.——Compensation During Leave~~

~~Pregnancy disability leaves are without pay. However, the employee may first use accrued sick leave, vacation leave, and then any other accrued paid time off during the leave. Employees may also be eligible for State Disability Leave.~~

~~C. Benefits During Leave~~

~~1. The District will continue to maintain and pay for health insurance coverage for up to four months while the employee is out on pregnancy disability leave. If the employee does not return to work following pregnancy leave, the District may recover premiums it paid to maintain health insurance coverage, unless~~

~~a. The employee does not return because the employee is taking leave under the California Family Rights Act ("CFRA") and the employee chooses not to return following CFRA leave;~~

~~b. The employee's inability to return to work is due to the continuation, recurrence, or onset of a health condition that entitles the employee to pregnancy disability leave, unless the employee chooses not to return to work following the leave;~~

~~c. The employee has non-pregnancy related medical conditions requiring further leave, unless the employee chooses not to return to work following the leave; or~~

~~d. There are other circumstances beyond the employee's control, including, but not limited to, circumstances where the employer is responsible for the employee's failure to return to work (e.g. the employer does not return the employee to her their same position or reinstate the employee to a comparable position), or circumstances where the employee must care for a family member (e.g., the employee gives birth to a child with a serious health condition).~~

~~2. Sick, vacation and personal time do not accrue while an employee is on unpaid pregnancy disability leave.~~

~~D. Reinstatement~~

~~1. Upon the expiration of pregnancy leave and the District's receipt of a written statement from the health care provider that the employee is fit to return to duty, the employee will be reinstated to her the employee's original or an equivalent position, so long as it was not eliminated for a legitimate business reason during the leave.~~

~~2. If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar in job content, status,~~

~~pay, promotional opportunities, and geographic location as the employee's original position.~~

- ~~3. If upon return from leave an employee is unable to perform the essential functions of her their employee's job because of a physical or mental disability, the District will initiate an interactive process with the employee in order to identify a potential reasonable accommodation.~~
- ~~4. An employee who fails to return to work after the termination of her the employee's leave loses theirher reinstatement rights.~~

22.?? Reproductive Loss Leave

A. Eligible Employees. Any District employee experiencing a reproductive loss is entitled to up to five days of reproductive loss leave following the reproductive loss event. The employee must be employed by the District for at least 30 days prior to the commencement of the leave.

B. Definitions

1. "Reproductive loss" shall include failed adoption, failed surrogacy, miscarriage, stillbirth, unsuccessful assisted reproduction.
2. "Reproductive loss event" means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.
3. "Miscarriage" means a miscarriage by a person, by the person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
4. "Stillbirth" means a stillbirth resulting from a person's pregnancy, the pregnancy of a person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.
5. "Unsuccessful assisted reproduction" means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.
6. "Failed surrogacy" means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.

7. “Failed adoption” means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.

C. The employee will be entitled to utilize accrued sick leave, as well as vacation leave or other accrued paid leave during reproductive loss leave. Unless the employee utilizes accrued sick leave, vacation leave, or other accrued paid leave during reproductive loss leave, the leave will be unpaid. The District will continue health insurance coverage during any such period. An employee will not accrue additional vacation, personal leave or sick leave during any unpaid portion of this leave.

D. In the event an employee suffers more than one reproductive loss within a 12-month period, the District is not obligated to grant a total amount of leave in excess of 20 days within 12 months.

The employee can take the leave on nonconsecutive days and the leave must be completed within three months of the reproductive loss.

22.14—Lactation Accommodation

In accordance with state law, the District will provide a reasonable amount of break time to employees to express breast milk for the employee’s infant child. If possible, the break time will run concurrently with any break time already provided to the employee. If not, the break time will be unpaid or an employee may use leave time.

The District accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for the employee’s child, subject to exception allowed under applicable law. If possible, the break time for expressing breast milk shall run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the employee shall be unpaid pursuant to Labor Code section 1030.

The District will provide employees who need a lactation accommodation with the use of a vacant room or other private location that is located close to the employee’s work area. Employees with private offices should use their offices to express breast milk.

Employees who desire a lactation accommodation should contact their supervisor or Human Resources Manager in writing to request such accommodation. The employee’s supervisor or the XXX? must respond to the employee’s accommodation request in writing indicating the approval or denial of the break request. Employees have a right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

22.1513 Leave Without Pay

- A. Definition. Leave without pay means leave which is requested after all sick leave, vacation leave, compensatory time off, and other leaves of absence which the employee is entitled to use have been exhausted.
- B. Eligibility. All employees who have completed at least one year of continuous employment prior to the effective date of the leave except temporary or casual employees are eligible for leave without pay. An employee is not entitled to a leave of absence as a matter of right.
- C. Request Procedure
 - 1. The General Manager or designee may grant a leave of absence without pay to regular employees who have been employed by the District for at least 1 year. Leave of absence without pay will only be considered upon written request setting forth the reason for the request. Each request will be given consideration based on individual circumstances and the impact on the operation of the District.
 - 2. Upon conclusion of a leave of absence without pay, the employee ~~is~~ may be entitled to return to his/her former or a comparable position to the extent possible. Failure of the employee to return upon the termination of any authorized leave of absence will, except under extraordinary circumstances, constitute the employee's separation from District employment.
- D. No Accrual of Benefits During Leave Without Pay. Leave of absence without pay is not a break in service or employment, and rights accrued at the time the leave is granted are retained by the employee; however, vacation credits, sick leave credits, increases in salary, all other paid leaves, holidays and fringe benefits and other similar benefits shall not accrue to a person granted such leave during the period of absence. Nor is the District required to maintain contributions toward group insurance or retirement coverage. During the period of such leaves, all service and leave credits shall be retained at the levels existing as of the effective date of the leave.
- E. The employee's salary step increase review date will be adjusted accordingly based on duration of Leave Without Pay.
- F. The employee will be eligible for insurance coverage and District premium payments will be made in accordance with terms of the insurance plans, the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

22.1614 Paid Family Leave

Paid Family Leave program provides partial wage replacement to eligible workers on leave for illness, care giving and bonding. Paid Family Leave shall be provided in accordance with the State Department of Employment Development guidelines.

22.15 Pregnancy Disability Leave

Definition. An employee is entitled to take unpaid pregnancy disability leave (PDL) for up to 4 months because of pregnancy, childbirth, or related medical conditions. Employees working less than a standard forty-hour work week shall have their time pro-rated based on standard scheduled hours worked.

The employee will be entitled to utilize accrued sick leave during the period of disability, as well as vacation leave or other accrued paid leave during this period of time. The District will continue health insurance coverage during any such period. An employee will not accrue additional vacation, personal leave or sick leave during any unpaid portion of this leave. The employee will accrue pro-rated leave over the bi-weekly pay period if they are paid a portion of their leave through participation in integration of wages with benefits through the State. The employee who has been deemed eligible for and is designated to be on Family Medical Leave (FMLA) and/or California Family Rights Act (CFRA) upon the commencement of pregnancy disability leave.

Once the pregnant employee is no longer disabled, or once the employee has exhausted PDL and has given birth, the employee may apply for leave under the CFRA, for purposes of baby bonding.

A. Notice and Certification Requirements

1. Requests for pregnancy disability leave must be submitted in writing and must be approved by the General Manager or designee before the leave begins. The request must be supported by a written certification from the attending physician stating that the employee is disabled from working by pregnancy, childbirth, or a related medical condition. The certification must state the expected duration of the disability and the expected date of return to work. Notice must be given not less than 30 days prior to the intended commencement date of the leave if the leave is foreseeable. When the need for leave does not allow for 30 days' notice, notice must be given as soon as practicable.
2. All leaves must be confirmed in writing, have an agreed-upon estimated date of return, and be submitted to the supervisor prior to being taken. Requests for an extension of leave must be submitted in writing to the supervisor prior to the agreed date of return and must be supported by a written certification of the attending physician that the employee continues to be disabled by pregnancy, childbirth, or a related medical condition.

B. Compensation During Leave

Pregnancy disability leaves are without pay. However, the employee may first use accrued sick leave, vacation leave, and then any other accrued paid time off during the leave. Employees may also be eligible for State Disability Leave.

C. Benefits During Leave

1. The District will continue to maintain and pay for health insurance coverage for up to four months while the employee is out on pregnancy disability leave. While not required by law, the District will continue to pay for vision and dental insurance while on leave. If the employee does not return to work following pregnancy leave, the District may recover premiums it paid to maintain health, vision, and dental insurance coverage unless
 - a. The employee does not return because the employee is taking leave under the California Family Rights Act ("CFRA") and the employee chooses not to return following CFRA leave;
 - b. The employee's inability to return to work is due to the continuation, recurrence, or onset of a health condition that entitles the employee to pregnancy disability leave, unless the employee chooses not to return to work following the leave;
2. Sick, vacation and personal time do not accrue while an employee is on unpaid pregnancy disability leave.

D. Reinstatement

1. Upon the expiration of pregnancy leave and the District's receipt of a written statement from the health care provider that the employee is fit to return to duty, the employee will be reinstated to the employee's original or an equivalent position, so long as it was not eliminated for a legitimate business reason during the leave.
2. If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar in job content, status, pay, promotional opportunities, and geographic location as the employee's original position.
3. If upon return from leave an employee is unable to perform the essential functions of their ~~employee's~~ job because of a physical or mental disability, the District will initiate an interactive process with the employee in order to identify a potential reasonable accommodation.
4. An employee who fails to return to work after the termination of the employee's leave loses their reinstatement rights.

22.16 Reproductive Loss Leave

- A. Eligible Employees. Any District employee experiencing a reproductive loss is entitled to up to five days of reproductive loss leave following the reproductive loss event. The employee must be employed by the District for at least 30-days prior to the commencement of the leave.

B. Definitions

1. "Reproductive loss" shall include failed adoption, failed surrogacy, miscarriage, stillbirth, unsuccessful assisted reproduction.
2. "Reproductive loss event" means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.
3. "Miscarriage" means a miscarriage by a person, by the person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
4. "Stillbirth" means a stillbirth resulting from a person's pregnancy, the pregnancy of a person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.
5. "Unsuccessful assisted reproduction" means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person's current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.
6. "Failed surrogacy" means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
7. "Failed adoption" means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.

C. The employee will be entitled to utilize accrued sick leave, as well as vacation leave or other accrued paid leave during reproductive loss leave. Unless the employee utilizes accrued sick leave, vacation leave, or other accrued paid leave during reproductive loss leave, the leave will be unpaid. The District will continue health insurance coverage during any such period. An employee will not accrue additional vacation, personal leave or sick leave during any unpaid portion of this leave.

D. In the event an employee suffers more than one reproductive loss within a 12-month period, the District is not obligated to grant a total amount of leave in excess of 20-days within 12 months.

The employee can take the leave on nonconsecutive days and the leave must be completed within three months of the reproductive loss.

22.17 Lactation Accommodation

The District accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for the employee's child, subject to exception allowed under applicable law. If possible, the break time for expressing breast milk shall run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the employee shall be unpaid pursuant to Labor Code section 1030.

The District will provide employees who need lactation accommodation with the use of a vacant room or other private location that is located close to the employee's work area. Employees with private offices should use their offices to express breast milk.

Employees who desire lactation accommodation should contact their supervisor or Human Resources in writing to request such accommodation. The employee's supervisor or the Human Resources Department must respond to the employee's accommodation request in writing indicating the approval or denial of the break request. Employees have a right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

22.1718 Time Off for Victims of Serious Criminal Offenses, Including Violent or Serious Felonies, Stalking, Sexual Assault, or Domestic Violence Crime Victim Leave

A. _____

Employees who are victims of domestic violence, sexual assault, stalking, a crime involving physical injury, a crime involving mental injury with a threat of physical injury, or whose immediate family member is killed as a result of a crime are eligible for leave. While the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below. Leave ~~also is~~ also available to employees to attend judicial proceedings relating to a criminal proceeding in which the employee is either a victim or a witness.

The employee may request leave if the employee is involved in a judicial action, such as obtaining a restraining order, or appearing in court to obtain relief to ensure the employee's health, safety, or welfare, or that of the employee's child. The employee should provide reasonable advanced notice of the need for leave to the employee's supervisor unless advance notice is not feasible. For more information, the employee should contact the District's Administrative Services Manager. ~~E~~The employee may use available vacation, accrued sick leave, or compensatory time off if they have such time available. Otherwise, the employee must take unpaid leave.

Employees may also take time off (whether it be paid or unpaid) to seek medical attention for injuries caused by domestic violence or sexual assault, or obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence or sexual assault, obtain psychological counseling related to an experience of domestic violence or sexual assault, and/or

participate in safety planning and take other actions to increase safety from future domestic violence or sexual assault, including temporary or permanent relocation.

If an employee is the victim of domestic violence, sexual assault, stalking, a crime involving physical injury, a crime involving mental injury with a threat of physical injury, or whose immediate family member is killed as a result of a crime and needs a reasonable accommodation for their safety at work, the employee should contact the District's Administrative Services Manager and discuss the need for an accommodation. The employee should submit a written statement signed by the employee, or by an individual acting on the employee's behalf, certifying that the accommodation is for the purpose of the employee's safety at work.

For reasonable accommodation requests, the District may require certification demonstrating that the employee is the victim of domestic violence, sexual assault, or stalking. The District may request recertification every six months from the date of the previous certification. The employee should notify the District if an approved accommodation is no longer needed.

The District will engage in an interactive process with the employee to ~~identify~~determine possible effective reasonable accommodations, if any, that will be effective and will make reasonable accommodations unless such accommodation would result in an undue hardship to the District.

The District will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under this policy.

~~An employee who has been a victim of a serious criminal offense, including violent or serious felonies, stalking, sexual assault, or domestic violence, or any other offense specified in Labor Code section 230 et seq., may take time off with appropriate certification of the need for such services to obtain:~~

- ~~• A temporary restraining order or restraining order.~~
- ~~• Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.~~
- ~~• To seek medical attention for injuries caused by domestic violence, sexual assault or stalking.~~
- ~~• To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.~~
- ~~• To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.~~
- ~~• To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.~~

~~B. An affected employee must give the District reasonable notice that he or she is required to be absent for a purpose stated above. In cases of unscheduled or emergency court appearances or other emergency circumstances, the affected employee must, within a reasonable time after the appearance, provide the District with written proof that the absence was required for any of the above reasons~~

~~C. An affected employee may use sick leave as provided pursuant to the California Paid Sick Leave Law as defined in Section 22.1 above for the purposes outlined in this section. Use of this sick leave will be coordinated with other uses of sick leave under this law as specified in section 22.1 Sick Leave.~~

No. 23 Voluntary Demotion

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines rules for voluntary demotion.

23.1 Voluntary Demotion

Any employee may voluntarily demote to a vacant position with a lower salary for which the employee meets the minimum qualifications, upon the written request of the employee and the approval of ~~General~~the General Manager or designee. Should such demotion be to a class unrelated to the previous position, the employee must meet the minimum qualifications for the position and will serve a new probationary period.

No. 24 Personnel Records and Files

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines rules for the management, confidentiality, access, and release of personnel records and files.

24.1 Official Personnel File

The District maintains an official personnel file for each employee. An employee's personnel file will contain only material that is necessary and relevant to the administration of the District's personnel program and the employer-employee relationship. Personnel files are the property of the District and access to the information they contain is restricted. ~~An employee will be given a copy of any document placed in his or her official personnel file.~~

24.2 Notifying District of Changes in Personal information

Each employee is responsible to promptly notify the District of any changes in relevant personal information, including:

- Mailing address;
- Telephone number;
- Number and names of dependents.
- Persons to contact in an emergency.

24.3 Employee Access to Personnel File

Inspection of File. Employees have the right to inspect documents in their personnel files in the presence of the General Manager or ~~his/her~~ designee at a reasonable mutually convenient time, and at reasonable intervals. ~~Each employee shall have the right to inspect or copy their personnel file within thirty (30) twenty-one (21) calendar days of the written request. An employee who wishes to review his or her file should contact the General Manager or his/her designee to arrange an appointment.~~

- A. Copies. On request, an employee is entitled to receive a copy of any employment-related document ~~he or she~~ the employee has signed. The District will also provide an employee single copies of any other documents in ~~his or her~~ the employee's official personnel file. The District may charge a reasonable fee for the copies.
- B. Inspection by Representative. In the event the employee wishes to have another person/representative inspect his/her file personnel file, the employee must provide the person/representative with written authorization. The General Manager or ~~his/her~~ designee will notify the employee of the date, time, and place for the inspection in writing. It is the employee's responsibility to notify the person to whom the employee has given written authorization of the date, time and place of the inspection.
- C. Contents. Under no circumstances are the employee and/or the employee's designee permitted to add or remove any documents or other items from the employee's personnel file during the inspection.

~~(Lab. Code § 1198.5.)~~

24.4 Medical Information

- A. Separate Confidential Files. All medical information of an employee or applicant is kept separately and is treated as confidential, in accordance with applicable State and federal laws, including HIPPA.
- B. Information in Medical Files. The District will not obtain medical information about an employee or applicant except in compliance with the California Confidentiality of Medical Information Act. To enable the District to obtain certain medical information, the employee or applicant may need to sign an "Authorization for Release of Employee Medical Information"~~":."~~

- C. Access to Medical Information. Access to employee or applicant medical information shall be strictly limited to only those with a legitimate need to have such information for District business reasons, or if access is required by law, subpoena or court order. In the case of an employee with a disability, managers or supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

The District will not provide employee or applicant medical information to a third party (except as permitted under the California Confidentiality of Medical Information Act) unless the employee signs an "Authorization for Release of Employee Medical Information". The District will release only the medical information that is identified in the employee's authorization. If the employee's authorization indicates any limitation regarding the use of the medical information, the District will communicate those limitations to the person or entity to which it discloses the medical information.

24.5 Requests for References and Release of Information in Personnel Files

- A. Public Information. The District shall not release private personnel information to members of the public unless required by law. The General Manager has general authority over personnel matters. Individual employee performance evaluations are privileged and confidential. Upon request, the District will release to the public information about its employees as required by the Public Records Act. The District will not disclose personnel information that it considers would constitute an unwarranted invasion of personal privacy.
- B. Reference Checks. The District's policy on requests for employment references is to disclose only the dates of employment, ~~salary earned~~, and the title of the last position held. All requests for references must be directed to the General Manager or designee. No other employee is authorized to release information on current or former employees or to give any verification of employment or employment reference on behalf of the District.
- ~~C. Medical Information. Medical information will be released only in accordance with section 24.4 above.~~

No. 25 Employee Discipline

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure specifies the basis and rules for disciplinary action for District employees.

25.1 Authority

The General Manager or ~~his/her~~ designees may demote, suspend, reduce in pay, or discharge regular employees for just cause.

The following categories of persons can be terminated at-will and have no rights to any of the pre- or post-disciplinary processes or procedures in this policy: (1) temporary employees, (2) provisional or seasonal employees, (3) probationary employees, (4) any person who serves pursuant to contract, and (5) any person who is designated “at-will” in any District policy, document, acknowledgement, resolution, or ordinance.

25.2 Types of Appealable Disciplinary Action

- A. Suspension. Removal of an employee from duty without pay for a specified period.
- B. Reduction in Pay. Either a reduction in pay from the employee’s current step within a pay range to any lower step within that same range, or a decrease in salary paid to an employee for a fixed period of time.
- C. Demotion. A reduction in status and salary from one classification to another classification having a lower salary range.
- D. Discharge. Separation from employment of an employee for cause.
- E. Types of disciplinary action that cannot be appealed are verbal counseling, verbal warnings, and written warnings.

25.3 Grounds for Disciplinary Action

The maintenance of regular status by an employee requires appropriate behavior and competent service. Any regular employee is subject to disciplinary action, including discharge, suspension, reduction in pay, and demotion. Listed below are examples of causes which will be deemed sufficient for such action by the General Manager [or designee](#). [Standards of conduct expected of employees are outlined in Section No. 4.1.](#) Grounds for disciplinary action are not limited to the examples enumerated below:

- A. Fraud, fraudulent activity, misrepresentation of fact, or concealment in securing appointment or during employment.
- B. Falsification in any information provided to the District including information provided on employment records, timesheets or reimbursement requests.
- C. Excessive absenteeism and/or tardiness as defined by [the General Manager District management](#), these Policies or Memorandum of Understanding.
- D. Unauthorized, unexplained absence.
- E. Insubordination, a willful failure to conform to directives, duly established orders of supervision, or insulting or demeaning the authority of a supervisor or manager.
- F. Incompetence, i.e. inability to comply with the minimum standard of performance of an employee’s position for a significant period of time.

- G. Inefficiency or inexcusable neglect of duty, i.e. failure to perform duties required of an employee within ~~his or her~~their position, or wasting time, energy, or materials.
- H. Abuse of sick leave, i.e., taking sick leave, without a doctor's certificate when one is required, or misuse of sick leave, i.e. claiming sick leave when one or one's family member is not sick.
- I. Disorderly conduct.
- J. Dishonesty.
- K. Possession, distribution, sale, use or being under the influence of alcohol or illegal drugs or narcotics while on duty or while operating a District vehicle or potentially dangerous equipment leased or owned by the District.
- L. Any action which indicates a lack of concern for injury to him or herself or others.
- M. Gross negligence, willful and/or ~~unwillful~~unwilful damage to public property or waste of public supplies or equipment. Failure to follow the District's prescribed safety ~~policies~~policies.
- N. Unauthorized use of District property or equipment, including driving on District business without a driver's license and/or insurance.
- O. Theft of District equipment, supplies, or property.
- P. Discourteous, offensive or abusive treatment of the public or other employees.
- Q. Refusal to participate as directed in an investigation conducted by the District.
- R. Working overtime without authorization.
- S. Any willful act, conduct undertaken, or statements made in bad faith, either during or outside of duty hours, which is of such a nature that it causes discredit to the District, its employees or its Board.
- T. Outside employment not specifically authorized.
- U. Improper political activity. Example: Campaigning for or espousing the election or non-election of any candidate or issue in national, state, county or municipal elections while on duty and/or during working hours or in District uniform on or off duty; or the dissemination of political material of any kind while on duty and/or during working hours or in uniform.
- V. ~~Possession of weapons on agency property unless authorized.~~
- ~~W.~~ Disclosure of confidential and/or privileged information.

~~W.~~ Willful violation of any of the provisions of these Personnel Policies and Procedures, District rules or regulations.

~~X.~~ Engaging in sexual activity while on duty or while on District property.

25.4 Discipline of Exempt Employees

Except for a violation of a major safety rule, exempt employees ~~not eligible for overtime~~ are not subject to partial day disciplinary suspensions, (1) temporary demotions (with a beginning and ending date), or ~~(2)~~ temporary reductions in pay.

25.5 Possible Investigation

When an act of an employee that may be cause for disciplinary action is reported to ~~the employee's supervisor~~ District management, it may be necessary to conduct an investigation to determine the facts and/or to confirm the allegations. The investigation may be performed by the employee's supervisor or assigned to an administrative employee, or outside investigator. The object of the investigation will be to determine if a disciplinary offense did occur, and if so, by whom.

The District will maintain confidentiality to the extent possible. However, the District cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

~~Investigations will be conducted as confidentially as possible.~~ The employee will receive notice as to the purpose of the meeting, and of the right to representation if the employee believes the investigation could lead to disciplinary action for him or her.

25.6 Procedures for Taking Disciplinary Action and Related Appeal Rights

A. Verbal Warning. Following a formal discussion, a supervisor or manager may summarize the oral warning, provide the summary to the employee, or supervisor, and place it in the ~~employee's~~ employee's non-official personnel file held by their respective supervisor or manager. At a minimum, a notation that the oral warning was given must be kept by the supervisor or manager. An oral warning may not be challenged or appealed. ~~The employee may, within ten days of receipt of the warning, file a written response for placement in the personnel file.~~

B. Written Warning. A written warning will be prepared, discussed with, and given to the employee. A copy will be placed in the employee's official personnel file. A written warning may not be challenged or appealed. The employee may, within ten days of receipt of the warning, file a written response for placement in the personnel file.

C. Suspension/Reduction in Pay/Demotion/Dismissal.

1. Notice of Proposed Discipline. Whenever the ~~General Manager~~ District intends to suspend an employee, demote the employee, reduce the employee in pay or discharge the employee, the General Manager or designee will give the employee a written notice of proposed discipline which sets forth the following.

- The disciplinary action intended;
- The specific charges upon which the action is based;
- A summary of the facts upon which the charges are based;
- Identification of the rule, regulation or policy violated;
- A copy of all written materials, reports, tape recordings or documents upon which the discipline is based, or notice that the employee may request and will be given such information;
- Notice of the employee's right to respond to the charges either orally and/or in writing to the appropriate authority;
- Notice of the date, time, and person before whom the employee may respond. Said time will be no less than seven calendar days from receipt of the notice;
- Notice that failure to respond at the time specified will constitute a waiver of the right to respond prior to final discipline being imposed;
- Notice of the employee's right to a representative.

2. Response by Employee. The employee will have the right to respond to the appropriate authority orally and/or in writing. If the employee elects to respond orally, The the employee will have a right to be represented at any meeting set by the appropriate authority. The meeting will be an informal meeting at which time the employee has an opportunity to rebut the charges against him or herthem and present any mitigating circumstances. In cases of suspensions, demotions, reductions in pay or discharge, tThe employee's response will be considered before final action is taken.

The employee's failure to make an oral response at the arranged meeting time, or the employee's failure to cause his or hertheir written response to be delivered by the date and time specified in the notice, constitutes a waiver of the employee's right to respond prior to the imposition of the discipline. In that case, the proposed disciplinary action will be imposed on the date specified.

3. Final Notice. After the response or the expiration of the employee's time to respond to the notice of proposed discipline, the appointing authority or designee will either: (1) dismiss the proposed discipline and take no disciplinary action against the employee, (2) modify the recommended disciplinary action, or (3) uphold the recommended disciplinary action. The appointing authority or

designee will prepare and serve upon the employee a final notice of disciplinary action. The final notice of disciplinary action will include the following.

- The disciplinary action taken;
 - The effective date of the disciplinary action taken; ~~(for suspension, reductions in pay and demotions the effective date is generally after the hearing or time to request a hearing has expired).~~
 - Specific charges upon which the action is based;
 - A summary of the facts upon which the charges are based;
 - A copy of all written materials, reports, tape recordings, and documents upon which the disciplinary action is based;
 - A statement of the employee's right to appeal.
4. Appeal Rights. Please see the Grievance Procedure of the Memorandum of Understanding between the District and OE Local 3 as guidance for all employees.

No. 26 Separation from Employment

APPLICABILITY & PURPOSE

This Personnel Policy and Procedure defines rules pertaining to employees who separate from District employment for non-disciplinary reasons.

26.1 Resignation

An employee wishing to leave the District in good standing shall provide a written statement to the District including the employee's reasons for leaving and the effective date of resignation at least 2 (two) weeks before leaving. The two-week notice may be waived at the discretion of the District.

~~A regular employee who wishes to leave employment in good standing will file a written notice of resignation with the General Manager, giving at least two weeks' notice of intention to leave unless the General Manager consents, in writing, to shorter notice. The notice of resignation will be in writing and copies of both forwarded to the employee's personnel file. A resignation becomes final when accepted by the General Manager. Once a resignation has been accepted by the General Manager, it cannot be withdrawn.~~

Any employee leaving the District may be requested to participate in an exit interview. The purpose of the interview is to discuss the reasons for the employee's resignation and to resolve

any questions ~~of compensation, District property, or other~~ matters related to the employee's departure. The exit interview is voluntary and remains confidential.

26.2 Reduction in Force (Lay Off)

Please see Memorandum of Understanding between the District and Operating Engineers Local 3.

~~26.3 Exhausting All Leave~~

~~When an employee exhausts all paid leaves and any approved leave of absence without pay including Family Medical Leave, and still is not able to return to work, the employee will be separated from employment. The employee may be eligible for a hearing before the appointing authority.~~

26.4~~3~~ Job Abandonment

An employee is deemed to have resigned if the employee is absent for five consecutive workdays without prior authorization and without notification during the period of absence. On the third working day of unauthorized absence, the District will send an overnight letter or a process server to the employee's last known address informing the employee that if the employee fails to report to work within two workdays, or receive authorization for such absence, the employee will be deemed to have resigned. Regular employees will be given an opportunity to explain the absence and failure of notification before final action is taken. Employees separated from employment for job abandonment will be reinstated with such charge removed from the employee's record upon presentation of justification for absence such as severe accident, severe illness, false arrest, or mental or physical impairment which prevented notification. Employees have no right to appeal if deemed to have resigned as a result of job abandonment.

26.5~~4~~ End of Fixed Term Appointment

When an appointment is made for a fixed term and that term ends, the separation is simply due to completion of the term and is in no way a disciplinary separation.

~~26.6 Physical or Mental Incapacity~~

~~If an employee is determined by their own or the District's physician to be unable to perform the essential functions of the job, with or without reasonable accommodations (if disabled), or without presenting a direct threat to the health and/or safety of others, and all relevant benefits (e.g. FMLA) have been exhausted, the employee may be separated from employment due to physical or mental incapacity where appropriate. The District will apply for disability retirement consistent with State law. The employee may be eligible for a hearing before the appointing authority.~~

26.7~~5~~ Retirement

A regular employee who wishes to and is eligible to retire will submit ~~the appropriate paperwork and file~~ a written notice of retirement to the District. ~~with the General Manager, giving the maximum notice possible.~~

26.86 District Property on Termination of Employment

Upon termination, all District property (vehicles, keys, remote gate operator, uniforms, cell phones, etc.) must be returned immediately to the employee's immediate supervisor ~~or the General Manager.~~

No. 27 Reasonable Accommodation in Employment

~~A. — An employee who desires a reasonable accommodation in order to perform the essential functions of the job should make such a request, preferably in writing, to the General Manager or designee. The request must identify: a) the job-related functions at issue; and b) the desired accommodation(s). The District will engage in an interactive process with the employee to identify possible accommodations, if any, that will effective and will make reasonable accommodations unless such accommodation would result in an undue hardship to the District.~~

~~B. —~~

~~At any time during an individual's employment with the District, if concerns arise about the employee's ability or fitness to perform his or her job, the District may require the employee to have a physical examination if it is job related and consistent with the District's business needs.~~

~~Following receipt of the request, the General Manager may require additional information, such as reasonable documentation of the existence of a disability.~~

~~When an employee requests reasonable accommodation for a disability or the District has reason to believe that a reasonable accommodation is needed, the parties will engage in the interactive process, which is an ongoing dialogue between the employee (and, if requested by the employee, their union representative) and appropriate District representatives about possible options for reasonably accommodating the employee's disability. The District will not implement an accommodation that would present an undue hardship on the District. The employee is responsible for providing the District with medical documentation regarding the employee's disability and how it limits the employee's ability to perform the essential functions of the job. While the District will consider the employee's suggestions regarding which accommodation(s) to implement, the District will ultimately determine which accommodation(s) will be implemented, so long as the accommodation implemented is reasonable and as long as it does not place an undue hardship on the District.~~

~~C. — The District may require an employee to undergo a fitness for duty examination at the District's expense to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The District may also require that a District approved physician conduct the examination.~~

~~D. — After receipt of reasonable documentation of disability and/or fitness for duty report, the District will arrange for a discussion, in person or via telephone conference call, with the applicant or employee, and their representative (s), if any. The purpose of the discussion is to work in good faith to fully consider all feasible potential reasonable accommodations.~~

E. ~~The District determines, in its sole discretion, whether reasonable accommodation(s) can be made, and the type of accommodation(s) to provide. The District will not provide accommodation(s) that would pose an undue hardship upon District finances or operations, or that would endanger the health or safety of the employee or others. The District will inform the employee of its decisions as to reasonable accommodation(s) in writing.~~

Personnel Policy
and Procedures

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Las Gallinas Valley
Sanitary District

Employee Relations Resolution

No. 3 — Employee Relations Resolution

APPLICABILITY & PURPOSE

Pursuant to relevant law, this Personnel Policy and Procedures (PPP) Resolution establishes for the orderly administration of labor management relations as provided for in California Government Code sections 3500-3509.

Article I – General Provisions

Sec. 1.01.

3.1 — Statement of Purpose:

This implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (section 3500 et seq.) captioned "Meyers-Milias-Brown Act" ("Local Public Employee Organizations)," by providing orderly procedures for the administration of employer-employee relations between Las Gallinas Valley Sanitary District and its employee organizations. Nothing contained herein, however, shall be deemed to supersede the provisions of state law, ordinances, resolutions and rules which provide for other methods of administering employer-employee relations. This resolution is intended, instead, is to strengthen employer-employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and the District.

B. — It is the purpose of Section 3 of these PPPs this Resolution to provide procedures for meeting and conferring in good faith with Recognized Employee Organization(s) regarding matters that directly and significantly affect and primarily involve the wages, hours, and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal or state law. The District shall not be required to meet and confer over the merit, necessity or organization of any service or activity provided by law or executive order.

However, nothing herein Nothing contained in this Resolution shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy. Unless specifically in conflict with any Memorandum of Understanding, the District retains all management rights, which include, but are not limited to among others: The sole and exclusive right to determine the District's mission, including that of its constituent departments, commissions, and boards; the sole and exclusive right to direct the affairs of, manage, and maintain the efficiency of the District, to set standards of service; and to control the organization and operation of the District. The District also has the sole and exclusive right to take any actions which the District deems desirable to conduct its affairs, including, but not limited to, determining the procedures and standards of selection for employment, directing its work force (including scheduling and assigning work and overtime), hiring, firing, discharges, promotions, demotions, transfers, taking disciplinary action, determining the methods, means and personnel by which District operations are to be conducted, relieving employees from duty because of budgetary considerations, lack of work, or other lawful reasons, subcontracting, maintaining discipline and efficiency of employees, determining the content of job classifications, taking all necessary actions to carry out its mission in emergencies, and exercising complete control and discretion over its organization and the

~~technology of performing its work consistent with the provisions of this Resolution and the MMBA. The foregoing is meant to be descriptive of the District's rights, and not exhaustive. The exclusive right to determine the mission of the District; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; determine the content of job classifications; subcontract work; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.~~

Sec. 1.02.

3.2 Definitions:

As used in ~~Section 3 of these PPPs~~this Resolution, the following terms shall have the meanings indicated:

- A. "Appropriate unit" means a unit of employee classes or positions, established pursuant to Article II of this Resolution~~Section 1 No. 3 hereof~~.
- B. "District" means the Las Gallinas Valley Sanitary District, and, where appropriate herein, refers to the Board of Directors or any duly authorized District representative as herein defined.
- C. "Confidential Employee" means an employee who, in the course of his or her duties, has access to confidential information relating to District's administration of employer-employee relations.
- D. "Consult/Consultation in Good Faith" means to communicate orally or in writing with ~~the all~~ affected recognized employee organization(s), in good faith, for the purpose of presenting and obtaining views or advising of proposed actions in a good faith ~~an~~ effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of ~~such meet and confer process~~ representation (as defined in California Government Code section 3504), does not involve an ~~exchange of proposals and counterproposals in an~~ endeavor to reach a binding agreement in the form of a Memorandum of Understanding, nor is it subject to the impasse resolution procedures set forth in Article IV of this Resolution.
- E. "Day" means calendar day unless expressly stated otherwise.
- ~~F. "Employee" means any person regularly employed by District except those persons elected by popular vote.~~
- FG. "Exclusively Recognized Employee Organization" means any employee organization which has been formally acknowledged by the District as the sole employee organization representing the employees in an appropriate representation unit determined pursuant to Article II of this Resolution, having the exclusive right to meet and confer in good faith concerning matters within the scope of representation pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees. Such recognition status may only

be challenged by another employee organization as set forth in Article II section 8. includes employees of District and which has as one of its primary purposes representing such employees in their employment relations with the Las Gallinas Valley Sanitary District.

~~H.G.~~ "Employee Relations Officer" means the General Manager or designee. ~~General Manager's designee, or his/her duly authorized representative.~~

~~I.~~ ~~"Exclusively Recognized Employee Organization" means an employee organization which has been formally acknowledged by District as the sole employee organization representing the employees in an appropriate representation unit pursuant to Article II hereof, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.~~

~~Such recognition status may not be challenged by another employee organization (1) within twelve (12) months of such recognition and (2) during a Memorandum of Understanding having a term of up to three (3) years.~~

~~H.H.~~ "Impasse" means that the representatives of the District and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Understanding, and /or concerning matters over which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.

~~K.I.~~ "Management Employee" means an employee having responsibility for formulating, administering or managing the implementation of the District's policies and programs.

~~L.J.~~ "Proof of Employee Support" means (1) an authorization card recently signed and personally dated by an employee, provided that the card has not been subsequently revoked in writing by the employee, or (2) a verified authorization petition or petitions recently signed and personally dated by an employee, or (3) employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words "recently signed" shall mean within six (6) months prior to the filing of a petition.

~~M.K.~~ "Supervisory Employee" means any employee having authority, in the interest of the District, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

L.O. Terms not defined herein shall have the meanings as set forth in the MMBA.

Article II – Representation Proceedings

Sec. 2.01. Filing of Recognition Petition by Employee Organization:

~~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.~~ 3.3 Filing of Recognition Petition by Employee Organization

An employee organization which seeks to be formally acknowledged as ~~an the~~ Exclusively Recognized Employee Organization representing the employees in an appropriate unit may file a statement petition of representation with the General Manager or designee containing the following information and documentation:

- A. Name and address of the employee organization.
- B. Names and titles of its officers.
- C. Names, email addresses, and telephone numbers of employee organization representatives who are authorized to speak on behalf of the organization.
- D. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the District.
- E. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national, or international organization, and, if so, the name and address of each such other organization.
- F. Certified copies of the employee organization's constitution and bylaws.
- G. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.
- H. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition, or any other legally-protected classifications.
- I. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
- J. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such written proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party.

K. ~~A request that they formally acknowledge the petitioner as the Employee Relations Officer Exclusively Recognized Employee Organization~~ formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

~~L.~~ The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete by the duly authorized officer(s) of the employee organization executing it.

Sec. 2.02.

3.4 — District's Response to Recognition Petition:

Upon receipt of the Petition, the Employee Relations Officer shall determine whether:

- a. There has been compliance with the requirements for the filing of a Recognition Petition as set forth in Sec. 2.01 hereof; and
- b. The proposed representation unit is an appropriate unit in accordance with Sec. 2.07 of this Article
II.

If the Employee Relations Officer determines the petition satisfies the two criteria above, the Employee Relations Officer shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter.

If the Employee Relations Officer determines that the petition does not satisfy one or both of the criteria above, the Employee Relations Officer shall offer to consult with such petitioning employee organization. The Employee Relations Officer, after consulting with the labor organization, will inform that organization in writing why the petition fails to satisfy the criteria above.

The petitioning employee organization may appeal the Employee Relations Officer's determination in accordance with Sec. 2.09 of this Resolution.

~~A. — The organization must be prepared to submit to an inspection by a disinterested third party, of either authorization cards signed by employees, or a certified list of the members of the organization; or to provide such other means of authentication as is mutually agreeable.~~

~~B. — The Employee Relations Officer or designee will investigate the statement, and prepare findings as to the feasibility of the proposed unit and authentication of the representative status of the organization.~~

~~C. — The Employee Relations Officer's decision will be final.~~

3.5 — Effect of Decision

~~A. — A decision establishing and defining a representation unit will be accompanied by a certification that an employee organization represents a majority of all employees in the unit if such is the case, and such organization will be deemed to be certified.~~

~~B. — An organization not certified may nevertheless represent its members to the extent required by Government Code sections 3500-3509 as currently in effect and as amended in the future.~~

~~C. — A decision establishing a unit, certifying or decertifying a majority representative, or dismissing a claim is valid and effective for a period of one year, and may be renewed without hearing for additional one-year periods except as provided below.~~

Sec. 2.03. ~~3.6~~ Open Period for Filing Challenging Petition:

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty (30) percent and otherwise in the same form and manner as set forth in ~~Sec. tion 3.3 2.01 of this Article II.~~ If ~~such the~~ challenging petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit. ~~The at which time the~~ petitioning employee organizations shall have the opportunity to be heard during the hearing. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in ~~Sec. tion 2.073-9 of this Article II and shall provide written notice of the~~ Employee Relations Officer's determination.

~~If the~~The petitioning employee organizations do not agree with the decision rendered by the Employee Relations Officer, the petitioning employee organizations shall have fifteen (15) days from the date when the notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination or to appeal such determination pursuant to Sec. 2.09 of this Article II~~42~~.

Sec. 2.04.

3.7 — Granting Recognition Without an Election:

If the Petition is in order, and the proof of support shows that a majority of the employees in the appropriate unit have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and the Employee Relations Officer shall request the California State Mediation and Conciliation Services ("CSMCS"), a division of California Public Employee Relations Board (PERB), or another agreed upon neutral third party, to review the count, form, accuracy, and propriety of the proof of support. If the neutral third party makes an affirmative determination, the Employee Relations Officer shall formally acknowledge the petitioning employee organization as the Exclusive Recognized Employee Organization for the designated unit.

Sec. 2.05.

3.8 — Election Procedure:

~~A. — The~~ Where recognition is not granted pursuant to Sec. 2.04 of this Resolution, then, upon determination of an appropriate unit in accordance with Sec. 2.02 and 2.07 of this Article II, the Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), in accordance with such party's rules and procedures subject to the provisions of Section 3 of these PPPs this Resolution.

In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by CSMCS. In the event that CSMCS declines to conduct the election, for any reason, the parties agree that the election shall be conducted by a neutral arbitrator selected from a list of seven (7) names to be provided by CSMCS or, if that body for any reason fails to provide such a list, by the American Arbitration Association. The incumbent recognized employee organization shall first strike one name, the petitioning organization shall then strike one name, the Employee Relations Officer shall next strike one name, and alternate so forth until the last name remaining shall be the Election Supervisor.

If, once the election supervisor is appointed, the parties cannot agree as to the time, place, and manner of the election, the parties shall authorize the election supervisor to unilaterally determine such issues and carry out the election accordingly.

All employee organizations who have duly submitted petitions which have been determined to be in conformance with Section 3.3 this Article II shall be included on the ballot. The choice of "no organization" shall also be included on the ballot thereby allowing employees the choice of representing themselves individually in their employment relations with the District.

Employees are entitled to vote if they meet either of the following criteria: 1) They are employed in regular permanent positions within the designated appropriate unit during the pay period which ended at least fifteen days before the date the election; or 2) They did not work during the fifteen day period because of illness, vacation or other authorized leaves of absence, and they are employed by the District in the same unit on the date of the election.

An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast. The rules governing an initial election shall also apply to a run-off election.

There shall be no more than one valid election under this Resolution pursuant to any petition in a 12-month period affecting the same unit.

The costs of conducting elections shall be borne in equal shares by the District and by each employee organization appearing on the ballot.

~~The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with District. Employees entitled to vote in such election shall be those persons employed in regular positions within the designated appropriate unit as of the date when that unit is~~

determined to be appropriate, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by District in the same unit on the date of the election. An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast; the rules governing an initial election being applicable to a run-off election.

B. There shall be no more than one valid election under Section 3 of these PPPs pursuant to any petition in a 12-month period affecting the same unit.

C. In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the California State Mediation and Conciliation Service.

D. Costs of conducting elections shall be borne in equal shares by each employee organization appearing on the ballot.

Sec. 2.06. Procedure for Decertification of Exclusively Recognized Employee Organization:

A Decertification Petition alleging that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer only during the month of March of any year following the first full year of recognition, during the thirty (30) day period commencing one hundred twenty (120) days prior to the termination date of a Memorandum of Understanding then having been in effect less than three (3) years, whichever occurs later, or any time following expiration of a Memorandum of Understanding. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

- a. The name, address, and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
- b. The name of the established appropriate unit and of the incumbent Exclusively Recognized Employee Organization sought to be decertified as a representative of that unit.
- c. An allegation that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.
- d. Proof of employee support that at least thirty (30) percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent Exclusively Recognized Employee Organization. Such proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this Section.

An employee organization may, in satisfaction of the Decertification Petition requirements set forth in this Resolution, file a Petition under this Section in the form of a Recognition Petition that evidences proof of employee support of at least thirty percent (30%) percent, that includes the allegation and information required under this Section 2.06, and otherwise conforms to the requirements of Section 2.01 of this Article II.

The Employee Relations Officer shall initially determine whether the Petition has been filed in compliance with the applicable provisions of this Article II. If the Employee Relations Officer determines the Petition does not comply with Article II, the Employee Relations Officer shall offer to consult with the petitioning employees and/or employee organization. If the Employee Relations Officer's negative determination remains unchanged, the Employee Relations Officer shall return the Petition to the employees or employee organization with a written statement of the reasons for the Employee Relations Officer's determination. The petitioning employees or employee organization may appeal such determination in accordance with Sec. 2.10 of this Article II.

If the determination of the Employee Relations Officer is affirmative, or if the Employee Relations Officer's negative determination is reversed on appeal, the Employee Relations Officer shall give written notice of such Decertification or Recognition Petition to the incumbent Exclusively Recognized Employee Organization and to unit employees. Upon request, the Employee Relations Officer shall provide a copy of the Petition with names and all other identifying information redacted.

The Employee Relations Officer shall then arrange for a secret ballot election to be held on or about thirty (30) days after the written notice of Decertification or Recognition to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with Sec. 2.05 of this Article II.

During the "open period" specified in the first paragraph of this Sec. 2.06, the Employee Relations Officer may, with good reason to believe that a majority of unit employees no longer wish to be represented by the incumbent Exclusively Recognized Employee Organization, notify that organization and all unit employees that the Employee Relations Officer shall arrange for an election to determine that issue. In such event any other employee organization may, within fifteen (15) days of such notice, file a Recognition Petition in accordance with this Sec. 2.08, which the Employee Relations Officer shall act on in accordance with this Sec. 2.06.

If, pursuant to this Sec. 2.06, a different employee organization is formally acknowledged as the Exclusively Recognized Employee Organization, such organization shall be bound by all the terms and conditions of any Memorandum of Understanding then in effect for its remaining term.

3.9 — Modification of Established Unit and Decertification

A. — A petition for modification of a unit and/or decertification may be filed with the Employee Relations Officer after the initial one year or during a window period of no more than 180 days or less than 150 days prior to the expiration date of a Memorandum of Understanding between the certified organization and District, whichever is later.

B. — Such petition may be filed by:

1. — The certified organization as a disavowal of interest;

2. ~~Another organization provided the petition is accompanied by authorization cards signed by at least thirty per cent of all employees in the proposed unit;~~
3. ~~Any group of employees consisting of at least thirty percent of all employees in the unit;~~
4. ~~The General Manager or designee for reasons related to substantial changes in District functions, organizational structure or job classifications.~~

C. ~~The certification procedure will be as set forth in Section 3 of these PPPs.~~

Sec. 2.07. 3.10 Policy and Standards for Determination of Appropriate Units:

The Employee Relations Officer shall maintain a list of all current bargaining units in the District and shall have the management discretion to form and define reasonable bargaining units, based on the procedures specified in this Resolution. The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of District and its compatibility with the primary responsibility of the District and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

- A. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.
- B. History of representation in the District and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.
- C. Consistency with the organizational patterns of the District.
- D. Effect of differing legally mandated impasse resolution procedures.
- E. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.
- F. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classification among two or more units.

G. Whether the classifications are managerial, supervisory, and/or confidential, as defined in this Resolution.

Notwithstanding the foregoing provisions of this Section, managerial, supervisory, and confidential ~~responsibilities, are determining factors in establishing appropriate units hereunder, and therefore managerial and confidential~~ employees may only be included in a unit consisting solely of managerial,

supervisory or confidential employees respectively. Managerial, supervisory, and confidential employees may not represent any employee organization which represents other employees.

Also, under the MMBA, professional employees have the right to be represented separately from non-professional employees.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate, or delete ~~modified~~ classifications or positions from units in accordance with the provisions of this Section 3 of these PPPs. The decision of the Employee Relations Officer shall be final.

Sec. 2.08. Procedure for Modification of Established Appropriate Units:

a. Request for Modification from Employee Organization

Requests by employee organizations for modifications of established appropriate units may be considered by the Employee Relations Officer only during the period specified in Sec. 2.06 of this Article II. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Sec. 2.01 of this Article II, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Sec. 2.07 of this Resolution. The Employee Relations Officer shall process such petitions as other Recognition Petitions under this Article II.

b. Unit Modification by Action of the Employee Relations Officer

The Employee Relations Officer may initiate a unit modification at any time for good cause, including but not limited to when new classifications are adopted, existing classifications abolished, or when classifications are no longer compatible with the existing bargaining unit under the factors of Sec. 2.07 of this Article II. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard.

Thereafter the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Sec. 2.07 of this Article II, and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed as provided in Section 2.10 of this Article II. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Exclusively Recognized Employee Organization for such new appropriate unit or units pursuant to Sec. 2.01 of this Article II.

Sec. 2.09. Procedure for Processing Severance Requests:

An employee organization may file a request to become the exclusively recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another exclusively recognized employee organization.

The timing, form, and processing of such request shall be as specified in Sec. 2.08 of Article II for modification requests.

Sec. 2.10. Appeals

An employee organization aggrieved by a determination of the Employee Relations Officer that the Filing of a Recognition Petition (Sec. 2.01), Challenge of a Petition (Sec. 2.03), Decertification of a Petition (Sec. 2.06), Determination of an Appropriate Unit (Sec. 2.07), Unit Modification Petition (Sec. 2.08), or Severance Request(s) (Sec. 2.09) has not been processed in compliance with the applicable provisions of this Article II, may, within ten (10) days of notice of the Employee Relations Officer's determination, appeal such determination to the Board of Directors for final decision.

Appeals to the Board of Directors shall be filed in writing with the Board Clerk, and a copy thereof served on the Employee Relations Officer. The Board of Directors shall commence to consider the matter within thirty (30) days of the filing of the appeal. The Board of Directors may, in its discretion, refer the dispute to a non-binding third party hearing process.

Any decision of the Board of Directors on the use of such procedure, and/or any decision of the Board of Directors determining the substance of the dispute shall be final and binding.

Sec. 2.11. Abandonment of Unit or Good Faith Doubt of Majority Representative:

In the event a bargaining unit appears to have been abandoned by its Exclusively Recognized Employee Organization, or in the event that the Employee Relations Officer has a good faith doubt that the Exclusively Recognized Employee Organization represents a majority of the members of the unit, the Employee Relations Officer shall serve notice to the affected employee organization(s) stating the evidence leading the Employee Relations Officer to the belief of abandonment or doubt of majority representational status. Such affected employee organization shall have twenty (20) days to present written evidence and argument to the contrary.

If, after the twenty-day period expires, the Employee Relations Officer still believes the unit has been abandoned or still has a good faith doubt of majority representation, the Employee Relations Officer shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after notice thereof to determine the wishes of unit members. The question before the electorate shall be, "Do you wish to continue to be represented by [insert name of association or union] in your formal bargaining relationship with the District?" If the answer by a majority of valid votes cast is in the affirmative, there shall be no change in representational status. If the answer by a majority of valid votes cast is in the negative, then the organization's representational status as bargaining representative for the unit in question shall be terminated.

Details of such election shall be handled in accordance with applicable provisions of Section 2.04 of Article II of this Resolution.

Article III – Administration

Sec. 3.01.

3.11 — Submission of Current Information by Recognized Employee Organizations:

All changes in the information filed with District by an Exclusively Recognized Employee Organization under items (A.) through (H.) of its Recognition Petition under Section ~~3.32.01~~ shall be submitted in writing to the Employee Relations Officer within thirty (30) days of such change.

Sec. 3.02.

3.12 — Employee Organization Activities—Use of District Resources:

Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of ~~Section 3 of these PPPs~~ this Resolution that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety, and security of District operations.

3.13 — Administrative Rules and Procedures

Sec. 3.03.

Administrative Rules and Procedures:

The General Manager or designee is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of ~~Section 3 of these PPPs~~ this Resolution after consultation with affected employee organizations.

Article IV – Impasse

Sec. 4.01. ~~3.14~~ Initiation of Impasse Procedures:

If the meet and confer process has reached impasse as defined in ~~Section 3.2 J of these Personnel Policy and Procedures~~ Article I, Section 1.02 of this Resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:

- A. To identify and specify in writing the issue or issues that remain in dispute;
- B. To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and
- CB. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

Sec. 4.02.

3.15 — Impasse Procedures:

Impasse procedures are as follows:

- A. If the parties agree to submit the ~~dispute-impasse~~ to mediation, ~~and agree on the selection of a mediator~~, the dispute shall be submitted to mediation. ~~Unless the parties agree to a mediator, the mediator shall be selected from a list of seven (7) names to be provided by CSMCS or, if that body for any reason fails to provide such a list, by the American Arbitration Association.~~ The recognized employee organization shall first strike one name, the Employee Relations Officer shall next strike one name, and alternate so forth until the last name remaining shall be the mediator. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.
- B. Otherwise, the parties can utilize any other impasse procedures provided in accordance with the MMBA.
- CB. After any applicable impasse procedures have been exhausted, the Board of Directors may hold a public hearing regarding the impasse, and in accordance with Government Code section 3505.4, if the parties did not agree on mediation or the selection of a mediator, or having so agreed, the impasse has not been resolved, the Board of Directors may take such action regarding the impasse as it in its discretion deems appropriate as in the public interest, including implementation of the District's last, best, and final offer. Any legislative action by the Board of Directors on the impasse shall be final and binding.

Sec. 4.03.

3.16 — Costs of Impasse Procedures:

The cost for the services of a mediator and ~~/or any~~ other mutually incurred costs of ~~mediation any impasse procedures~~, shall be borne equally by the District and the Exclusively Recognized Employee Organization. ~~The cost for other separately incurred costs shall be borne by such party. Separately incurred services or costs shall be borne solely by the party incurring the cost.~~

Article V – Miscellaneous Provisions

Sec. 5.01.

3.17 — Construction:

~~Section 3 of these PPPs~~ This Resolution shall be administered and construed as follows:

- A. Nothing in ~~Section 3 of these PPPs~~ this Resolution shall be construed to deny to any person, employee, organization, the District, or any authorized officer, body or other representative of the District, the rights, powers and authority granted by federal or state law, ordinances or resolutions.
- B. ~~Section 3 of these PPPs~~ This Resolution shall be interpreted so as to carry out its purpose as set forth in ~~Section 3.1~~ Article I.

C. Nothing in this Resolution shall be construed as making the provisions of California Labor Code section 923 applicable to District employees or employee organizations, or of giving employees or employee organizations the right to participate in, support, cooperate or encourage, directly or indirectly, any strike, sickout or other total or partial stoppage or slowdown of work. In consideration of and as a condition of initial and continued employment by the District, employees recognize that any such actions by them are in violation of their conditions of employment, except as expressly otherwise provided by legally preemptive state or contrary local law. In the event employees engage in such actions, they shall subject themselves to discipline up to and including termination, and may be replaced, to the extent such actions are not prohibited by preemptive law; and employee organizations may thereby forfeit all rights accorded them under this Resolution and other District ordinances and resolutions for a period of up to one (1) year from commencement of such activity.

D. Nothing in this Resolution shall be construed as a waiver of any rights unless expressly and specifically stated.

Sec. 5.02. Suspension of Recognition:

Recognition of an employee organization may be suspended by the Board for:

- a. Repeated or continued failure or refusal to comply with the provisions of this Resolution.
- b. Intentional furnishing of false information to the District.
- c. Violation of any law, resolutions, contract provisions, court decision or court orders.

Reasonable notice and opportunity to correct violations shall be given prior to suspension under this Section.


Sec. 5.03. Severability:

If any provision of this Resolution, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Resolution, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.



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: September 19, 2024
Re: Adopt the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan 2023 and the Las Gallinas Valley Sanitary District Annex
Item Type: Consent _____ Action X Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Staff recommends that the Board adopt the Las Gallinas Valley Annex to the *Marin County Multi-Jurisdictional Local Hazard Mitigation Plan 2023* by adopting Resolution No. 2024-2339.

BACKGROUND

Every five years, Marin County produces a Multi-Jurisdictional Hazard Mitigation Plan through an ongoing multi-jurisdictional planning effort.

On July 18, the Board reviewed the Las Gallinas Valley Sanitary District (District) Planning Partner Annex Profile from the *Marin County Multi-Jurisdictional Local Hazard Mitigation Plan 2023* (MJLHMP) and raised some questions about updating various sections in the District Profile.

- The MJLHMP and District Profile is a living document, and Federal Emergency Management Agency (FEMA) encourages updating the plan as circumstances change. Adoption is the first step. As outlined in Section 4 of our District Profile Plan, updates and revisions will be discussed at quarterly update meetings held by Marin County. The first quarterly meeting will be scheduled by Marin County Office of Emergency Services (OES) once all participating agencies adopt their respective MJLHMP annex profile.
- Table 20 (pages 6-115 and 6-116) lists District hazards and their mitigation actions. Mitigation hazards can be revised, and new mitigation projects added during the quarterly plan update meetings. A critical component of the quarterly meeting is to provide updates to each task listed in the plan. OES recommends having an internal project planning document, either Excel or another format, to make it easier to track and provide status reports on projects. Engineering and planners will use Table 20 to develop the District’s mitigation strategy and identify Hazard Mitigation funding opportunities. Once the District’s Integrated Wastewater Masterplan is completed, newly identified risks can be added to the Hazard Mitigation table.
- The FEMA Deadline for adoption has passed, it was December of last year. The deadline is significant if the District were to have submitted for a few specific grants



earlier this year, but we did not. The next round of *Building Resilient Infrastructure and Communities* (BRIC) hazard mitigation grant funding begins October 15, 2024. Staff is tracking BRIC eligibility. Having a resolution adopting the MJLHMP and District profile annex prior to this date is recommended.

History

Responding to federal mandates in the Disaster Mitigation Act of 2000 (Public Law 106-390), the MJLHMP updates the previous county plan, adopted in 2018. The planning area for the MJLHMP encompasses the entire geographic area of Marin County including our District, however, the District did not participate nor was included in the 2018 plan.

On December 19, 2023, the MJLHMP and jurisdictional annexes were submitted to the California Governor's Office of Emergency Services (Cal OES) for review. Cal OES approved the plan and annexes, and they were submitted to FEMA. FEMA approved the MJLHMP on January 31, 2024 for all approved participants.

On July 3, 2024, FEMA approved the amended MJLHMP plan to include the jurisdictional annexes for planning participants, including the Las Gallinas Valley Sanitary District. Jurisdictions must submit an adoption resolution to FEMA in order to be considered fully approved.

What does the MJLHMP do

- Systematically assesses local natural and human-caused hazards, such as flooding, drought, wildfire, landslides, severe weather, terrorism, cyber threats, pandemic, and the impact of climate change.
- Identifies mitigation actions to reduce the level of injury, property damage, and community disruption that might otherwise result from such hazards.
- Pools resources from throughout the County and creates a uniform local hazard mitigation plan that can be consistently implemented.
- Embraces best practices by planning for county-wide mitigation projects, as such, increases likelihood of being awarded grant monies from FEMA for mitigation projects.
- Ensures eligibility for FEMA and Cal OES grants. The MJLHMP development process included the following activities:
 1. Identification of potential planning partners. Partners who chose to participate submitted Letters of Intent committing resources to the development effort;
 2. Identification and assessment of the risks of natural hazards;
 3. Development of actions to mitigate the risks and a plan to implement the actions over the next five years;
 4. Public involvement in the development and review of the MJLHMP; and



- Ensures eligibility for county or city AB 2140 regional projects, when adopted into the respective Marin County and City of San Rafael Safety Element.

Mitigation planning allows for improved emergency management and disaster response for all communities we serve. These include targeted assistance to those with access and functional needs, migrant populations, ethnic populations/language accessibility, essential workers, the elderly, and more.

The full MJLHMP is available for review on the District website www.lgvsd.org/MJLHMP

- *Volume 1: Planning Area-Wide Elements*
- *Volume 2: Planning Partner Annex*
- *Las Gallinas Valley Sanitary District Profile, Section 6, from the Planning Partner Annex*

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None

Attachments:

1. FEMA letter dated July 3, 2024 announcing amendment to the Marin County Operational Area Multi-Jurisdictional Hazard Mitigation Plan 2023
2. Resolution No. 2024-2339 Adopting the Las Gallinas Valley Sanitary District Annex to the Marin Multi-Jurisdictional Local Hazard Mitigation Plan 2023
3. Las Gallinas Valley Sanitary District Profile, Section 6, from the Planning Partner Annex



FEMA

July 3, 2024

Steven Torrence
Director of Emergency Management
Marin County Office of Emergency Management
1600 Los Gamos Drive, Suite #301
San Rafael, CA 94903

Dear Steven Torrence:

The *Marin County Operational Area Multi-Jurisdictional Hazard Mitigation Plan 2023* has been amended to include the following jurisdictions as an official planning participants:

- City of Belvedere
- Town of Fairfax
- City of Larkspur
- City of Mill Valley
- City of Novato
- Town of Ross
- Town of San Anselmo
- City of San Rafael
- Town of Tiburon
- Bolinas Community Public Utility District
- Las Gallinas Valley Sanitary District
- North Marin Water District
- Southern Marin Fire Protection District

These jurisdictions must submit an adoption resolution to FEMA in order to be considered fully approved.

FEMA's approval of the *Marin County Operational Area Multi-Jurisdictional Hazard Mitigation Plan 2023* remains for a period of five years from the original approval date of **January 31, 2024** for all approved participants. An updated list of the status of current participating jurisdictions is enclosed with this letter.

Prior to **January 31, 2029**, Marin County and all participating jurisdictions are required to review and revise the plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval in order to continue to be eligible for mitigation project grant funding.

The continued approval of this plan ensures Marin County and all participating jurisdictions' continued eligibility for project grants under FEMA's Hazard Mitigation Assistance programs, including the Hazard Mitigation Grant Program, Building Resilient Infrastructure and Communities Program, and Flood Mitigation Assistance Program. All requests for funding, however, will be evaluated individually according to the specific eligibility, and other requirements of the particular program under which applications are submitted.

If you have any questions regarding the planning or review processes, please contact the FEMA Region 9 Hazard Mitigation Planning Team at fema-r9-mitigation-planning@fema.dhs.gov.

Sincerely,



Alison Kearns
Planning and Implementation Branch Chief
Mitigation Division
FEMA Region 9

Enclosure (1)

Marin County Plan Review Tool Amended July 3, 2024
Status of Participating Jurisdictions, dated July 3, 2024

cc: Robyn Fennig, State Hazard Mitigation Officer, California Governor's Office of
Emergency Services
Victoria LaMar-Haas, Hazard Mitigation Planning Chief, California Governor's Office of
Emergency Services

Status of Participating Jurisdictions as of July 3, 2024

Jurisdictions – Adopted and Approved

#	Jurisdiction	Adoption Receipt Date
1	Marin County	March 22, 2024
2	Town of Corte Madera	January 31, 2024
3	City of Sausalito	April 22, 2024

Jurisdictions – Approvable Pending Adoption

#	Jurisdiction
1	City of Belvedere
2	Town of Fairfax
3	City of Larkspur
4	City of Mill Valley
5	City of Novato
6	Town of Ross
7	Town of San Anselmo
8	City of San Rafael
9	Town of Tiburon
10	Bolinas Community Public Utility District
11	Las Gallinas Valley Sanitary District
12	North Marin Water District
13	Southern Marin Fire Protection District

RESOLUTION NO. 2024-2339

RESOLUTION OF THE LAS GALLINAS VALLEY SANITARY DISTRICT TO ADOPT THE LAS GALLINAS VALLEY SANITARY DISTRICT ANNEX TO THE MARIN MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN 2023

WHEREAS, natural hazards, such as earthquakes, floods, and wildfires, pose a significant threat to the residents and visitors of Las Gallinas Valley Sanitary District; and

WHEREAS, disasters start and end at the local level, it is the inherent responsibility of local government to lead hazard mitigation and the reduction of risk and vulnerability to hazards; and

WHEREAS, the Las Gallinas Valley Sanitary District in coordination with neighboring jurisdictions and special districts, produced the Las Gallinas Valley Annex to the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan 2023 to provide a framework for hazard mitigation; and

WHEREAS, the Las Gallinas Valley Sanitary District is an independent special district whose boundaries overlap unincorporated areas of Marin County and the City of San Rafael, both of which are required to have a General Plan or Master Plan per California Government Code 65300; and

WHEREAS, Marin County and the City of San Rafael adopted new Safety Elements into their respective General Plans that incorporates by reference the Marin County Multi-Jurisdictional Hazard Mitigation Plan 2023 as allowed by California Government Code Section 65302(g); and

WHEREAS, the Las Gallinas Valley Sanitary District Annex presents environmental hazard analysis, describes important transportation and utility infrastructure at risk from environmental hazards, describes emergency evacuation systems, and mitigation actions to protect Marin County populations and infrastructure from environmental hazards.

NOW, THEREFORE, BE IT RESOLVED that the Las Gallinas Valley Sanitary District does hereby adopt the Las Gallinas Valley Sanitary District Annex to the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan 2023.

* * * * *

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 19th day of September, 2024 by the following vote of the members thereof:

AYES, and in favor thereof Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Teresa Lerch, District Secretary

Approve:

(seal)

Craig K. Murray, President of Board of Directors

6. LAS GALLINAS VALLEY SANITARY DISTRICT PROFILE



Marin County Multi-Jurisdictional Hazard Mitigation Plan 2023



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ACKNOWLEDGEMENTS

The Las Gallinas Valley Sanitary District and Preparative Consulting would like to thank those collaborators and partners who participated in the planning and development of this document.

The official Marin County hazard mitigation Steering Committee provided the oversight and dedication to this project that was required, and without their commitment, this project would not be possible.

As with any working plan, this document represents planning strategies and guidance as understood as of the date of this plan's release. This plan identifies natural hazards and risks and identifies the hazard mitigation strategy to reduce vulnerability and make the communities and district of the Las Gallinas Valley Sanitary District more disaster resistant and sustainable.

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SECTION 1.0: INTRODUCTION

1.1 INTRODUCTION

The Las Gallinas Valley Sanitary District Profile has been prepared in conjunction with the Marin County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP), establishing an inter-jurisdictional process for the development and implementation of effective hazard mitigation strategies in association with identified hazards that pose real or potential threats to the Las Gallinas Valley Sanitary District.

1.2 PLANNING PROCESS

The majority of Marin County is unincorporated sparsely populated rural and protected lands. Most of the 262,000 county population is consolidated into the Eastern portion of the county. The Marin County MJHMP Steering Committee and broader Planning Team approached the development of the Marin County MJHMP and the associated jurisdictional and district profiles from a coordinated and collaborative planning and public engagement unity of effort.

The Steering Committee felt a unified effort, led by the County Office of Emergency Management (OEM), would be the most effective approach for this planning process. This approach allowed the small jurisdictions and districts with limited staffing and resources to take advantage of the combined efforts of the County and other jurisdictions to reach a broader segment of each of their own populations and do so in a way to ensure greater equity and inclusion of the public in this planning process. Extensive and coordinated public outreach was done involving all participating jurisdictions and districts with an eye towards equity, inclusion, openness, accessibility, and ensuring they meet the population where they live, work, or recreate to provide the public convenience of access and ease of participation in this planning process.

Marin County OA is very different from most California Counties in that the populated portion of the County where the jurisdictions and district's planning areas are located has the same climate, similar topography, and are exposed to many of the same hazards. Only three jurisdictions, Larkspur, Ross, and San Anselmo, are not coastal jurisdictions and are not impacted by Tsunami or Sea Level Rise.

This unity of effort approach allowed the Steering Committee to establish a more robust Planning Team representing local, countywide, regional, state, and federal stakeholders servicing the Marin County planning area. These stakeholders were in a unique position to provide informed and specific information and recommendations on hazard mitigation goals and actions, as well as population needs and social vulnerability for each of the jurisdictional and district planning areas. This united effort allowed the planning team to attend fewer meetings than they would have been required to attend if they were required to attend separate meetings for each participating jurisdiction and district. The reduced number of meetings allowed the planning team the opportunity and time to provide more detailed and thoughtful contributions to the planning effort.

In addition to providing representation on the coordinated Marin County OA Multi-Jurisdictional Hazard Mitigation Plan Steering Committee, the Las Gallinas Valley Sanitary District involved additional internal planning team members to support the broader planning process. The Las Gallinas Valley Sanitary District jurisdictional representatives for the coordinated Marin County OA Multi-Jurisdictional Hazard Mitigation Plans Steering Committee and the Planning Team Members are represented below.

1.2.1 STEERING COMMITTEE MEMBERS (DISTRICT REPRESENTATIVES)

Primary Point of Contact

Dale McDonald, Administrative Services Mgr.
Telephone: 415-526-1519
E-mail Address: dmcdonald@lgvsd.org

Alternate Point of Contact

Greg Pease, Safety Manager
Telephone: 415-526-1513
E-mail Address: gpease@lgvsd.org

This annex was developed by the primary point of contact with assistance from the members of the local mitigation planning team listed in Table 1.

This 2023 Marin County Operational Area (OA) MJHMP is a comprehensive update of the 2018 Marin County OA MJHMP. The planning area and participating jurisdictions and organizations were defined to consist of unincorporated Marin County, five special districts, and the eleven incorporated jurisdictions to include the Las Gallinas Valley Sanitary District. All participating jurisdictions and districts are within the geographical boundary of Marin County and have jurisdictional authority within this planning area.

The Steering Committee led the planning process based on the contribution and input from the whole community stakeholders who identified the community's concerns, values, and priorities. The Steering Committee met and reviewed the mitigation recommendations and strategies identified within this plan. Each participating local jurisdiction established a mechanism for the development and implementation of jurisdictional mitigation projects, as identified within this plan and associated locally specific supporting documents. As deemed necessary and appropriate, participating jurisdictions will organize local mitigation groups to facilitate and administer internal activities.

The Steering Committee assisted with the planning process in the following ways:

- Attending and participating in the Steering Committee meetings.
- Identification of potential mitigation actions.
- Updating the status of mitigation actions from the 2018 Marin County OA MJHMP.
- Collecting and providing other requested data (as available).
- Making decisions on plan process and content.
- Reviewing and providing comments on plan drafts; including annexes.
- Informing the public, local officials, and other interested stakeholders about the planning process and providing opportunity for them to be involved and provide comment.
- Coordinating, and participating in the public input process.
- Coordinating the formal adoption of the plan by the governing boards.

1.2.2 STEERING COMMITTEE PLANNING PROCESS

Beginning in late 2022, members of the Steering Committee agreed to a monthly meeting schedule to identify hazard priorities and review local hazard mitigation strategy recommendations. Email notifications were sent out to each Steering Committee member to solicit their participation in the Steering Committee meetings. The meetings were conducted using a Zoom platform videoconferencing. Meeting attendees signed in using the chat feature to record their attendance.

The Steering Committee agreed to make and pass plan-based general policy recommendations by a vote of a simple majority of those members present. The Steering Committee will also seek input on future hazard mitigation programs and strategies from the mitigation planning team by focusing on the following:

- Identify new hazard mitigation strategies to be pursued on a state and regional basis, and review the progress and implementation of those programs already identified.
- Review the progress of the Hazard Mitigation program and bring forth community input on new strategies.
- Coordinate with and support the efforts of the Marin County OEM to promote and identify resources and grant money for implementation of recommended hazard mitigation Strategies within local jurisdictions and participating public agencies.

During the planning process, the Steering Committee communicated through videoconferencing, face-to-face meetings, email, telephone conversations, and through the County website. The County website included information for all stakeholders on the MJHMP update process. Hannah Tarling of the Marin County Office of Emergency Management and Preparative Consulting established a Microsoft 365 SharePoint folder which allowed the Steering Committee members and Marin OEM and Preparative Consulting to share planning documents and provide a format for the planning partners to submit completed documents and access other planning related documents and forms. Draft documents were also posted on this platform and the Marin County OES website so that the Steering Committee members and the public could easily access and review them.

1.2.3 COORDINATION WITH STAKEHOLDERS AND AGENCIES

Opportunities for involvement in the planning process must be provided to neighboring communities, local and regional agencies involved in hazard mitigation, agencies with authority to regulate development, businesses, academia, and other private and nonprofit interests (44 CFR, Section 201.6(b)(2)).

Early in the planning process, the Marin County and LGVSD Steering Committee reached out to the following Local and Regional Agencies involved in hazard mitigation activities to invite them to participate in this planning process as a member of the Planning Team. These individuals work with Marin County and the LGVSD communities and could provide subject matter expertise and relevant information to the planning process regarding the community history, hazard risk, vulnerability, and impact, mitigations efforts, community needs, demographics, and social vulnerability, economic concerns, ecology, and other community services and needs.

The Marin County and LGVSD Steering also determined that data collection, risk assessment analyses, mitigation strategy development, and plan approval would be greatly enhanced by inviting other local, state and federal agencies and organizations to participate in the process. Based on their involvement in hazard mitigation planning, their landowner status in the County, the LGVSD and/or their interest as a neighboring jurisdiction, representatives from the following groups were invited to participate on the Planning Team:

Eighty-five planning partners participated in this update, as listed in Table 1.

Table 1: 2023 MJHMP Local Planning Team Members

No.	Agency	Point of Contact	Title
1	Belvedere	Laurie Nilsen	Emergency Svcs, Coord.
2	Belvedere	Rebecca Markwick	Planning Director
3	Belvedere	Samie Malakiman	Associate Planner
4	Bolinas Com. PUD	Jennifer Blackman	General Manager
5	Bolinas Fire Protection Dist.	Stephen Marcotte	Asst. Fire Chief
6	Central Marin Fire District	Matt Cobb	Battalion Chief/Fire
7	Central Marin Fire District	Ezra Colman	Battalion Chief/Fire
8	Central Marin Fire District	Rubin Martin	Fire Chief
9	Corte Madera	RJ Suokko	Director of Public Works
10	Corte Madera	Chris Good	Senior Civil Engineer
11	Sanitary District No. 2	RJ Suokko	District Manager
12	Fairfax	Loren Umbertis	Public Works Director
13	Fairfax	Mark Lockaby	Building Official
14	Larkspur	Dan Schwarz	City Manager
15	Larkspur	Julian Skinner	Public Works Director/ City Engineer
16	Larkspur	Robert Quinn	Public Works Superintendent
17	Las Gallinas Valley Sanitary District	Dale McDonald	Administrative Services Mgr.
18	Las Gallinas Valley Sanitary District	Greg Pease	Safety Manager
19	Marin County	Steven Torrence	OEM Director
20	Marin County	Hannah Tarling	Emergency Management Coordinator
21	Marin County	Chris Reilly	OEM Project Manager
22	Marin County	Woody Baker-Cohn	Senior Emergency Management Coordinator
23	Marin County	Leslie Lacko	Community Development Agency
24	Marin County	Hannah Lee	Senior Civil Engineer
25	Marin County	Felix Meneau	Project Mgr./ FCWCD
26	Marin County	Julia Elkin	Department of Public Works
27	Marin County	Beb Skye	Department of Public Works
28	Marin County	Scott Alber	Battalion Chief, Marin County Fire Dept.
29	Marin County	Lisa Santora	Deputy Public Health Officer, Marin Health & Human Services
30	Marin County	Koblick, Kathleen	Marin Health & Human Services
31	Marin County	Amber Davis	Public Health Preparedness
32	Mill Valley	Patrick Kelly	Department of Public Works
33	Mill Valley	Ahmed A Aly	Project Manager
34	Mill Valley	Daisy Allen	Senior Planner
35	Southern Marin Fire District	Tom Welch	Deputy Chief/South Marin Fire Dist.
36	Southern Marin Fire District	Marshall Nau	Fire Marshall/South Marin Fire Dist.
37	North Marin Water District	Eric Miller	Asst. General Manager
38	North Marin Water District	Tim Fvette	Senior Engineer
39	Novato	David Dammuller	Engineering Services Mgr.
40	Novato	Dave Jeffries	Consultant/JPSC
41	Ross	Richard Simonitch	Public Works Director
42	San Anselmo	Sean Condry	Public Works & Building Director

Table 1: 2023 MJHMP Local Planning Team Members

No.	Agency	Point of Contact	Title
43	San Anselmo	Erica Freeman	Building Official
44	San Anselmo	Scott Schneider	Asst. PW Director
45	San Rafael	Quinn Gardner	Deputy Emergency Services Coord.
46	San Rafael	Cory Bytof	Sustainability
47	San Rafael	Joanna Kwok	Senior Civil Engineer
48	San Rafael	Kate Hagemann	Climate Adaptation & Resilience Planner
49	Sausalito	Andrew Davidson	Senior Engineer/ DPW
50	Sausalito	Kevin McGowan	Director of Public Works
51	Sausalito	Brandon Phipps	Planning Director
52	Tiburon	Sam Bonifacio	Assistant Planner
53	Tiburon	Dina Tasini	Director of Community Development
54	Tiburon	Laurie Nilsen	Emergency Services Coord.
Special Districts & Partner Agencies			
55	Bolinas Fire Protection District	Stephen Marcotte	Assistant Fire Chief
56	County of Marin Disability Access Program	Laney Davidson	Disability Access Manager/ ADA Coordinator
57	County of Marin Disability Access Program	Peter Mendoza	Disability Access Manager/ ADA Coordinator
58	Emergency Medical Services	Chris Le Baudour	EMS Authority
59	Fire Departments	Jason Weber	Fire Chiefs
60	Golden Gate Bridge, Highway & Transportation District	Daniel Rodriguez	Security, Emergency Management Specialist
61	Golden Gate Bridge, Highway & Transportation District	Dennis Mulligan	General Manager & CEO,
62	Marin City Climate Resilience and Health Justice	Terrie Green	Executive Director
63	Marin Center for Independent Living	Peter Mendoza	Director of Advocacy and Special Projects
64	Marin City Community Services District	Juanita Edwards	Interim General Manager
65	Marin County Community Development Agency	Leslie Lacko	Community Development Agency
66	Marin County Flood Control & Water Conservation District	Garry Lion	Advisory Board Member
67	Marin County Office of Education	Michael Grant	Director, Marin County Office of Education
68	Marin County Parks	Max Korten	General Manager and Director
69	PG&E	Mark Van Gorder	Government Affairs, North Bay
70	PG&E	Ron Karlen	PG&E Public Safety Specialist
71	Sonoma Marin Area Rail Transit (SMART)	Jennifer McGill	Chief of Police
72	Transportation Authority of Marin (TAM)	Anne Richmond	Executive Director

Table 1: 2023 MJHMP Local Planning Team Members			
No.	Agency	Point of Contact	Title
73	Willow Creek School	Itoco Garcia	Superintendent
State Partners			
74	Cal OES - ESC	Sarah Finnigan	Cal OES Emergency Services Coordinator
75	Cal OES, Division of Safety of Dams	Danielle Jessup	Coordinator/ Dam Safety Planning Division
76	California Department of Public Health	Svetlana Smorodinsky	Disaster Epidemiologist/ Environmental & Occupational Emergency Preparedness Team
77	California Department of Public Health	Patrice Chamberlain	Health Program Specialist II
78	California Department of Water Resources	Julia Ekstrom, PhD	Supervisor, Urban Unit Water Use Efficiency Branch
79	California Department of Public Health	Trang Hoang	Senior Transportation Engr/ Office of Advance Planning
80	Caltrans	Markus Lansdowne	Caltrans D4 Emergency Coordinator
Federal Partners			
81	Army Corps of Engineers	Jessica Ludy	Flood Risk Management, Equity, and Environmental Justice
82	National Park Service	Stephen Kasierski	OneTam
83	US Coast Guard	LT Tony Solares	Sector SF Waterways Safety Branch
84	US Coast Guard	MST1 Brandon M. Ward	Emergency Management Specialist
85	US Coast Guard	LT William K. Harris	USCG SEC San Francisco

Table 123: 2023 MJHMP Planning Team Members

Several opportunities were provided for the groups listed above to participate in the Las Gallinas Valley Sanitary District’s planning process. At the beginning of the planning process, invitations were extended to these groups to actively participate on the Planning Team. Participants from these groups assisted in the process by attending several videoconferencing meetings where hazard vulnerability and risk were discussed along with hazard mitigation strategies and actions. Planning Team members provided data and other applicable information directly as requested in meetings, emails, telephone calls, videoconferencing, worksheets, or through data contained on their websites or as maintained by their offices. This information was used to develop hazard vulnerability and risk profiles along with mitigation actions.

These key agencies, organizations, and advisory groups received meeting announcements, agendas, and minutes by e-mail throughout the plan update process. They supported the effort by attending meetings or providing feedback on issues. All the agencies were provided with an opportunity to comment on this plan update and were provided with a copy of the plan to review and offer edits and revisions. They were also provided access to the Marin County OEM hazard mitigation plan website to review all planning documents and hazard mapping tools.

Each was sent an e-mail message informing them that draft portions of the plan were available for review. In addition, the complete draft plan was sent to the California Governor’s Office of Emergency Services (Cal OES) and FEMA Region IX for a pre-adoption review to ensure program compliance.

In addition, through the public meetings conducted at the beginning of the planning process, members of the planning team, the public, and other key stakeholders were invited to participate in the planning process through public outreach activities.

Further as part of the public outreach process, all planning areas engaged in public outreach and education by providing information on their website or through press releases directing the public to the main Marin County OEM website that provided coordinated and detailed public information of the planning process and how the public could participate. All planning areas were invited to attend the public meetings and to review and comment on the plan prior to submittal to Cal OES and FEMA. Additional public outreach action is detailed in the 1.2.4 PUBLIC ENGAGEMENT section of this annex.

The following planning meetings were held with the planning team:

Table 2: Las Gallinas Valley Sanitary District & Marin County MJHMP Planning Meetings				
No.	Date	Attendees	Meeting	Planning Meeting Objectives
1	10/26/22	Steering Committee	Project Overview Meeting	<ul style="list-style-type: none"> • Plan Overview – Steps and Timeline • Planning Process • Steering Committee Role
2	11/9/22	Steering Committee	Steering Committee Kickoff Meeting	<ul style="list-style-type: none"> • Hazard Mitigation and Emergency Management Overview • Plan Overview – Steps and Timeline • Community Overview • Planning Process • Hazard Identification and Risk Assessment • Stakeholders and Planning Team Identification
3	12/6/22	Steering Committee, Planning Team	Planning Team Kickoff Meeting	<ul style="list-style-type: none"> • Hazard Mitigation and Emergency Management Overview • Plan Overview – Steps and Timeline • Community Overview • Planning Process • Hazard Identification and Risk Assessment
4	02/07/23	Steering Committee	Steering Committee Hazard Profile Meeting	<ul style="list-style-type: none"> • Jurisdictional Letter of Commitment • Identify Planning Team Members • Hazard Risk Ranking Worksheets • Jurisdictional Profiles • Jurisdictional/ District Capability Assessment • 2018 Hazard Mitigation Project Status Update
5	03/07/23	Steering Committee/ Planning Team	Planning Team Public Outreach Strategy Meeting	<ul style="list-style-type: none"> • Planning Goals and Objectives • Hazard Risk Ranking Worksheets • Jurisdictional Profiles • Jurisdictional/ District Capability Assessment

Table 2: Las Gallinas Valley Sanitary District & Marin County MJHMP Planning Meetings

No.	Date	Attendees	Meeting	Planning Meeting Objectives
				<ul style="list-style-type: none"> • 2018 Hazard Mitigation Project Status Update • Public Outreach Strategy
6	04/04/23	Steering Committee	Steering Committee Meeting	<ul style="list-style-type: none"> • HMGP (DR-4683) Funding Timeline • Public Outreach • Planning Goals and Objectives • Jurisdictional Hazard Vulnerability Maps • Jurisdictional Profiles • Jurisdictional/ District Capability Assessment • 2018 Hazard Mitigation Project Status Update
7	04/13/23	General Public, Steering Committee, Planning Team	Public Outreach Town Hall Meeting #1 (In-person and virtual on Zoom) Thursday, 6:00 pm to 7:30 pm Marin County BOS Chambers	<ul style="list-style-type: none"> • Meeting translated live in Spanish with 29 language subtitle capability for virtual participants. • Meeting also interpreted in American Sign Language • Meeting recorded and posted on Hazard Mitigation website. • Hazard Mitigation and Emergency Management Overview • Planning Process • Hazard Identification and Risk Assessment • Planning Goals and Objectives • Hazard Mitigation Projects • Community Input
8	04/29/23	General Public, Steering Committee, Planning Team	Public Outreach Town Hall Meeting #2 (In-person and virtual on Zoom) Saturday, 10:00 am to 11:30 am Marin County Health and Wellness Center	<ul style="list-style-type: none"> • Meeting translated live in Spanish with 29 language subtitle capability for virtual participants. • Meeting also interpreted in American Sign Language • Meeting recorded and posted on Hazard Mitigation website. • Hazard Mitigation and Emergency Management Overview • Planning Process • Hazard Identification and Risk Assessment • Planning Goals and Objectives • Hazard Mitigation Projects • Community Input
9	05/31/23	Steering Committee	Steering Committee	<ul style="list-style-type: none"> • HMGP (DR-4683) Funding Timeline • Public Outreach Status

Table 2: Las Gallinas Valley Sanitary District & Marin County MJHMP Planning Meetings				
No.	Date	Attendees	Meeting	Planning Meeting Objectives
			Hazard Ranking Meeting	<ul style="list-style-type: none"> • Jurisdictional Hazard Vulnerability Maps • OEM Overview of Hazard Maps and Marin Maps • Marin Co. MJHMP Risk Assessment Tool Overview • 2018 Hazard Mitigation Project Status Update • Hazard Working Groups
10	06/27/23	Steering Committee, Planning Team	Marin County Planning Team Meeting	<ul style="list-style-type: none"> • HMGP (DR-4683) & BRIC Grant Funding Timeline • Public Outreach Status • Jurisdictional Hazard Risk Assessment Tool • OEM Overview of Hazard Maps and Marin Maps • Marin County Hazards over the Last 5-Years • 2018 Hazard Mitigation Project Status Update • 2023 Hazard Mitigation Projects/Capital Improvement Projects • Hazard Working Groups
11	07/01/23-09/01/23	Steering Committee Members	Steering Committee Members Plan Development Sessions	<ul style="list-style-type: none"> • Individual phone or conference calls with planning jurisdictions and districts to answer specific questions and assist them in developing their profile annex.
12	11/27/23	Steering Committee, Planning Team	Marin County Planning Team Meeting	<ul style="list-style-type: none"> • Presentation and review of the Draft Marin County OA MJHMP and Jurisdictional/District Annexes
13	11/28/23	General Public	Public Outreach Presentation on Marin County Office of Emergency Management Website	<ul style="list-style-type: none"> • Presentation and review of the Draft Marin County OA MJHMP and Jurisdictional/District Annexes. • Opportunity for public comment and questions and answers.

Table 124: Las Gallinas Valley Sanitary District & Marin County MJHMP Planning Meetings

1.2.4 PUBLIC ENGAGEMENT

Early discussions with the Marin County OEM established the initial plan for public engagement to ensure a meaningful and inclusive public process with a focus on equity and accessible to the whole community. The Public Outreach efforts mirrored the Planning Team approach with a unified effort, led by the County OEM, involving all participating jurisdictions and districts. Public outreach for this plan update began at the beginning of the plan development process with a detailed press release informing the community of the purpose of the hazard mitigation planning process for the Marin County OA planning area and to invite the public to participate in the process.

Public involvement activities for this plan update were conducted by the County and all participating jurisdictions and districts and included press releases; website postings; a community survey; stakeholder and public meetings; and the collection of public and stakeholder comments on the draft plan which was posted on the County website. Information provided to the public included an overview of the mitigation status and successes resulting from implementation of the 2018 plan as well as information on the processes, new risk assessment data, and proposed mitigation strategies for the plan update.

Equity and Whole Community Approach

The Marin County OEM and the Steering Committee prioritized equity and engagement of the whole community in the development of the Marin County OA MJHMP by establishing a framework with key actions for each step of the planning process. Elements of the equity approach included:

Engaging hard-to-reach populations

This effort was to ensure the greatest equity and access to the public to enable participation in the process. The Marin County OEM outreach strategy is to “meet people where they are.” The Town Hall meetings were conducted at different familiar locations within the county where people could easily access them and were conducted on both a weekday and weekend, and in the evening and during the daytime. The meetings were offered in-person with a virtual broadcast using Zoom videoconferencing and streamed live on Marin County OEM Facebook account. After the meeting, Marin County OEM uploaded the recorded meeting to their website to allow the public on demand access to the meeting.

Translation and Interpretation Services

The survey and outreach materials were provided in both English and Spanish to improve accessibility among populations with limited English proficiency. The website uses Google Translate for accessibility in multiple languages. Interpretation services were offered for both town hall meetings. Each town hall meeting included live Spanish translation and subtitles, Live American Sign Language (ASL/CDI) interpretation, the ability for the Zoom videoconferencing attendee to activate subtitles in 29 different languages, and vision accessible PowerPoint slide.

Three stakeholder and public meetings were held, two at the beginning of the plan development process and one prior to finalizing the updated plan. Where appropriate, stakeholder and public comments and recommendations were incorporated into the final plan, including the sections that address mitigation goals and strategies. Specifically, public comments were obtained during the plan development process and prior to plan finalization.

All press releases and website postings are on file with the Marin County OEM. Public meetings were advertised in a variety of ways to maximize outreach efforts to both targeted groups and to the public at large. Advertisement mechanisms for these meetings and for involvement in the overall MJHMP development process include:

- Development and publishing of an MJHMP public outreach article
- Providing press releases to local newspapers and radio stations
- Posting meeting announcements on the local County MJHMP website
- Email to established email lists
- Personal phone calls

The public outreach activities were conducted with participation from and on behalf of all jurisdictions participating in this plan.

The Steering Committee has made the commitment to periodically bring this plan before the public through public meetings and community posting so that citizens may make input as strategies and implementation actions change. Public meetings will continue to be held twice a year after the first and third MJHMP meetings. Public meetings will continue to be stand-alone meetings but may also follow a council meeting or other official government meeting. The public will continue to be invited to public meetings via social media messaging, newspaper invitations, and through the website for each jurisdiction participating in the plan. Each jurisdiction is responsible for assuring that their citizenry is informed when deemed appropriate by the Steering Committee.

WEBSITE

At the beginning of the plan update process, Marin County OEM established a hazard mitigation website <https://emergency.marincounty.org/pages/lhmp> on behalf of all the planning areas to ensure consistent messaging and information, to keep the public posted on plan development milestones, and to solicit relevant input. The website also provided information on signing up for Alert Marin, provided detailed information about the hazard mitigation process and plan development, provided a URL and QR code link to the survey in both English and Spanish, and provided information about upcoming town hall meetings. (See Figure 1)

The site's address was publicized in all press releases, surveys and public town hall meetings. Each planning partner also established a link on their own agency website. Information on the plan development process, the Steering Committee, a link to the Hazard Mitigation survey, and drafts of the plan were made available to the public on the site. Marin County intends to keep a website active after the plan's completion to keep the public informed about successful mitigation projects and future plan updates.

Marin County Multi-Jurisdictional Hazard Mitigation Update



The various communities and service providers within Marin County are working together to update our Marin County Multi-Jurisdictional Hazard Mitigation Plan. As part of this update process, we are asking for community insight and input.



<https://emergency.marincounty.org/pages/alerts>

Main Phone Number: (415) 472-1734

101 Lucas Valley Rd. Suite 300, San Rafael, CA, 94903
 Hours of Operation: M-Thur 6:00 am to 3:30 pm
 Friday hours are 6:00 am – 2:30 pm
 Closed on Alternate Fridays
 Protecting public health and our environment, providing effective wastewater collection, treatment, and resource recovery.

Las Gallinas VALLEY SANITARY DISTRICT

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Latest Update - December 12, 2023

Public Invited to Review Hazard Mitigation Projects

Every few years, the County of Marin, 11 local cities and towns, and some special districts, update the Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP). FEMA requires local jurisdictions outline mitigation strategies to reduce the impacts of natural hazards, including, sea level rise, earthquakes, wildfires, floods and more.

Marin County Local Hazard Mitigation Plan 2023

We need your feedback! The purpose is to assess the risk of natural hazards and propose projects to reduce impacts in our neighborhoods.

Review the projects and provide feedback at Emergency.MarinCounty.org/pages/mitigation




Figure 243: Marin County OEM MJHMP and LGVSD Website

PUBLIC MEETINGS

Two separate Marin County MJHMP Public Town Hall Meeting were conducted at different locations within the County, on different days of the week and during different times of the day. This effort was to ensure the greatest equity and access by the public to enable participation in the process. The Marin County OEM outreach strategy is to “meet people where they are.” Each Town Hall Meeting included, live Spanish translation and subtitles, Live American Sign Language (ASL/CDI) interpretation, the ability for the Zoom videoconferencing attendee to activate subtitles in 29 different languages, and vision accessible PowerPoint slide.

The first Town Hall Meeting was conducted on Thursday, April 13, 2023, from 6:00 pm to 7:30 pm, at the Marin County Board of Supervisors Chambers, Marin County Civic Center, 3501 Civic Center Drive, Room #330 San Rafael, CA 94903. The in-person meeting was also broadcast virtually using Zoom videoconferencing and streamed live on Marin County OEM Facebook account. Each of the jurisdictions participating in the MJHMP released a Press Release on their respective websites announcing the Public Town Hall Meeting and providing the date, time, and URL link to the Zoom Meeting for the public to log in and attend the Zoom Meeting. Marin County OEM also posted a notice for the Public Town Hall Meeting on their Facebook account. At the conclusion of the presentation, a question and answer session was held to answer questions from the attendees.

The second Town Hall Meeting was conducted on Saturday, April 29, 2023, from 10:00 am to 11:30 am, at the Marin County Health and Wellness Center, 3240 Kerner Ave. Rooms #109 and #110 San Rafael, CA. 94903. The meeting followed the same format as the first and hosted the same access level of equity and accessibility.

The Marin County MJHMP Public Town Hall Meeting was recorded and downloaded from Zoom and made available to all of the jurisdictions and districts to place on their websites and local Access TV for the public to view.

Meeting participants were also invited to complete the Hazard Mitigation Survey and were provide the URL link to the Survey Monkey website to complete the survey.



Figure 244: Marin County OEM MJHMP Public Town Hall Meeting

SOCIAL MEDIA

Marin County and its participating jurisdictions utilized several forms of social media to reach residents and customers. Information about the Hazard Mitigation Planning process was communicated to the public via Facebook, Twitter, and local access TV. Residents and customers were invited to complete the Hazard Mitigation Plan survey which was accessible via an attached URL or QR Code and provide feedback on potential hazard mitigation projects or programs.

The results of the survey were provided to each of the planning partners and used to support the jurisdictional annex process. Each planning partner was able to use the survey results to help identify actions as follows:

- Gauge the public’s perception of risk and identify what citizens are concerned about.
- Identify the best ways to communicate with the public.
- Determine the level of public support for different mitigation strategies.
- Understand the public’s willingness to invest in hazard mitigation.

PRESS RELEASES

Press releases were distributed over the course of the plan’s development as key milestones were achieved and prior to each Marin County OA MJHMP Public Town Hall Meeting. All press releases were made available to the community in both English and Spanish.

Figure 245: Hazard Mitigation Plan Public Outreach Press Release

SURVEY

A hazard mitigation plan survey (see Figure 4) was developed by the Steering Committee and made available to the public in both English and Spanish. The survey was used to gauge household preparedness for natural hazards and the level of knowledge of tools and techniques that assist in reducing risk and loss from natural hazards. This survey was designed to help identify areas vulnerable to one or more natural hazards. The answers to its ten questions helped guide the Steering Committee in defining our hazards, and selecting goals, objectives, and mitigation strategies. The survey was available on the hazard mitigation plan website, advertised in press releases, and at town hall meetings. Finally, the survey and the process of public input was advertised throughout the course of the planning process. The survey was available to the public on March 13, 2023, and closed on June 12, 2023. At the conclusion of the planning process 293 surveys were completed by the public.

Public Comments Considered by the Planning Team

The Planning Team used the following information gathered from the Public Outreach Survey to inform decisions regarding hazard mitigation strategies, actions, and priorities.

- Climate Change, Wildfire, and Drought were the top hazards of concern for the public.
- Text messages, mail, and the County website were the preferred methods for receiving hazard mitigation information.
- 48% of respondents expressed that they were “Very Much” concerned and 31% were “Moderately” concerned that a natural disaster could impact their home or place of residence.
- 85% of respondents own their own home.
- 99% of respondents have access to the internet.

Public Outreach Survey



Marin County Multi-Jurisdictional Hazard Mitigation Plan Survey

<https://www.surveymonkey.com/r/MarincountyMJHMP>






Figure 246: Hazard Mitigation Plan Survey

PUBLIC COMMENT ON THE PLAN

To solicit public feedback on the draft plan, Marin OEM engaged in a multi-faceted approach intended to reach as many Marin residents as possible, including members of the community who are under-served and under-represented. All members of the community had the opportunity to provide initial comments on the plan during a two-week period from Wednesday, December 4, 2023, to Wednesday, December 18, 2023. Although the initial comment period was listed as two weeks, the public could submit comments indefinitely via the County’s website to support the County’s continuous improvement efforts. The base plan, as well as city, town and special district annexes, were available for download on emergency.marincounty.org (include photos). The website additionally asked for feedback in a survey in English and Spanish (include photos), the survey was designed to establish where that person lives or works, their top hazards of concern, elicit feedback on the plan and offer a place for them to share projects to reduce risk in their community. The survey collected responses from the community in English and in Spanish.

The website and survey were shared through traditional and social media (photos) The Marin Independent Journal (Marin IJ) used the press release to write an article (hopefully; include photos). Social media accounts were updated four times with an initial ask, two reminders, and a closing announcement. The Marin OEM Public Information Officer coordinated with the Marin County Public Information Officers (MAPIO) working group to distribute information to partner jurisdictions (city, town, and special districts) to share this information on their social media sites and with the communities in the area.

To reach those who may not be engaged digitally, the planning team worked with Marin County Community Response Teams, (CRTs are a collaboration of non-profit organizations supporting underrepresented communities in four zones) to conduct outreach with half-sheet flyers in English and Spanish to share in the 4 CRT zones (southern Marin, north Marin, west Marin, San Rafael). These half sheets were also shared county-wide at libraries, including in areas not covered by CRTs, like at the Fairfax library. CRTs are designed to reach Marin’s traditionally underserved and underrepresented communities, so by conducting outreach

through this method, we were able to inform residents who may not have been engaged otherwise, including residents in Marin City, West Marin, and the Canal District of San Rafael.

After December 18, 2023, the various participating jurisdiction and district profiles remained on the Marin County OEM website for public comments. The LGVSD had an additional 14-day comment period for the LGVSD Community Profile where their profile was posted on the District website for final public comment from January 29 – February 5, 2024.

The 14-day public comment period gave the public an opportunity to comment on the draft plan update prior to the plan's submittal to Cal OES. Comments received on the draft plan are available upon request. All comments were reviewed by the planning team and incorporated into the draft plan as appropriate.

Public Comments Considered by the Planning Team

The Marin County OEM posted the draft Hazard Mitigation Plan and hazard mitigation actions on their website and solicited public comments on the content. The LGVSD distributed press releases directing the community to the Marin County OEM website to review the draft plans. The Planning Team gathered public comments and information on the Marin County OEM website regarding proposed and current Hazard Mitigation Actions. The Planning Team used the comments and suggestions to inform decisions regarding hazard mitigation strategies, actions, and priorities. Most comments included ideas for hazard mitigation projects and comments on the effectiveness of current mitigation projects. These comments were used to revise the proposed hazard mitigation actions which resulted in the final list of hazard mitigation actions listed in 3.5 Hazard Mitigation Actions.

1.3 OVERVIEW AND HISTORY

LGVSD was formed on April 6, 1954, pursuant to the Sanitary District Act of 1923. The original wastewater treatment plant was constructed in 1955 to address health problems from failing septic tanks in Santa Venetia. New development in north San Rafael resulted in annexation of Terra Linda in 1956, followed by other areas including San Rafael Meadows, Marinwood, Lucas Valley, and other communities.

LGVSD is organized as a limited-purpose agency with municipal operations restricted to wastewater, recycled water, and solid-waste collection. Wastewater services are provided through LGVSD's 112-mile collection system that conveys wastewater to the District's own treatment facility before discharge into Miller Creek or used for beneficial purposes through a recycled water program. LGVSD's bio-solids are stored temporarily in lagoons and later disposed of at LGVSD's dedicated land disposal site, a process known as surface disposal.

LGVSD manages the refuse hauling service for the unincorporated areas in its District. The franchise has been awarded to Marin Sanitary Service which provides curbside recycling, solid waste, yard waste and food scraps hauling, and safe hazardous waste disposal services that are helping achieve Marin County's goal of zero waste.

1.4 SERVICE AREA

LGVSD is located in the Las Gallinas Valley between Novato and San Rafael, in Marin County, California and encompasses an approximate 9.4 square mile jurisdictional boundary within east-central Marin County. The District's wastewater treatment and recycling facilities are located on over 400 acres on San Pablo Bay. It is located approximately two miles northeast of the City of San Rafael and 20 miles north of San Francisco. The District currently serves over 32,000 people.

There are three local land use authorities that overlap LGVSD's jurisdictional boundary. The County of Marin is the single largest land use authority in terms of acreage with an estimated 63% of all LGVSD's lands lying within the unincorporated area and marked by the unincorporated communities of Marinwood and Santa Venetia. Another 36% of the jurisdictional boundary falls under the land use jurisdiction of the City of San Rafael and generally encompasses the Terra Linda area. The remainder of the jurisdictional boundary – 1% of the total – extends into the City of Novato and is specific to the Marin Valley Mobile Home Park and an adjacent open-space property. LGVSD lies within two adjacent watersheds, Miller Creek and Gallinas Creek. The District is primarily residential and built out, resulting in a stable customer base. Customers class was 81% residential and 19% commercial in 2022.

Today, LGVSD serves 32,000 customers in the northern San Rafael area and manages approximately 105 miles of collection lines. Boundaries of the facility span approximately 383 acres. In addition to the treatment plant, other aspects of LGVSD include solar generation, a garbage franchise encompassing all areas within the District excluding the City of San Rafael customers, and a multi-faceted reclamation project which includes a freshwater marsh, irrigated pastures, storage ponds and saltwater marsh – all of which are home to area wildlife, and provide access and recreation for the public.

Given the unique low-lying creek and bayside location of the District's service area, strict attention is given to the treatment process and green practices are an ongoing goal of LGVSD. During the summer non-discharge season (no discharge to San Pablo Bay via Miller Creek between May and October), approximately 2/3's of the District's treated water (effluent) is recycled by Marin Municipal Water District (MMWD) and North Marin Water District (NMWD). The LGVSD/MMWD/NMWD recycled water is utilized within the LGVSD boundaries. The remainder of treated effluent is utilized at LGVSD's irrigation pastures.

The LGVSD Secondary Treatment Plant Upgrade and Recycled Water Expansion Project increased capacity in order to better serve the present and future residents. LGVSD provides plant tours, site educational field trips and community outreach activities to raise awareness for pollution prevention, water quality and conservation.

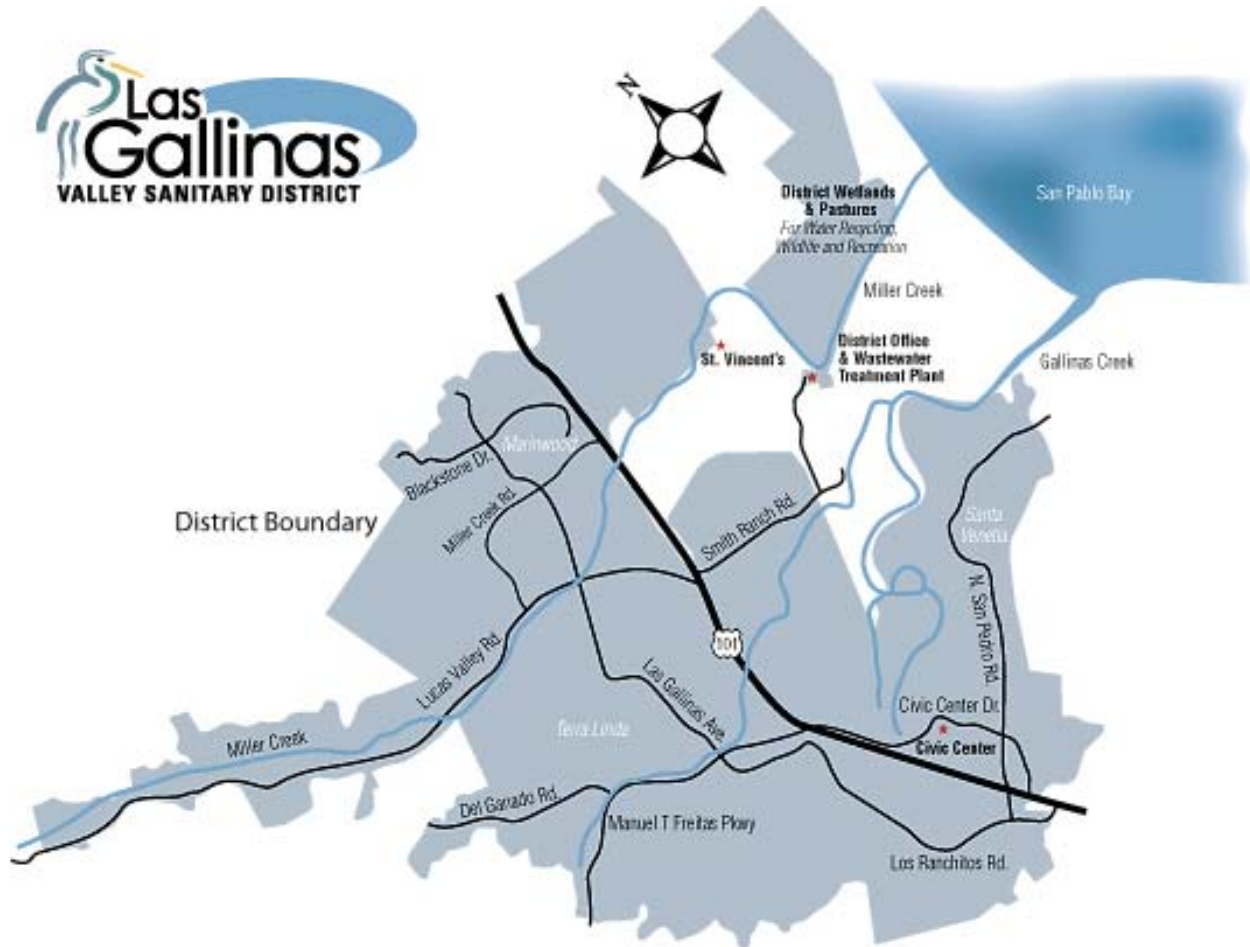


Figure 247: Map of the Las Gallinas Valley Sanitary District
Source: Marin County OEM

Figure 6 illustrates the Las Gallinas Sanitary District service area in purple and the jurisdictional boundaries of the Cities of Novato and San Rafael in the black dashed lines.

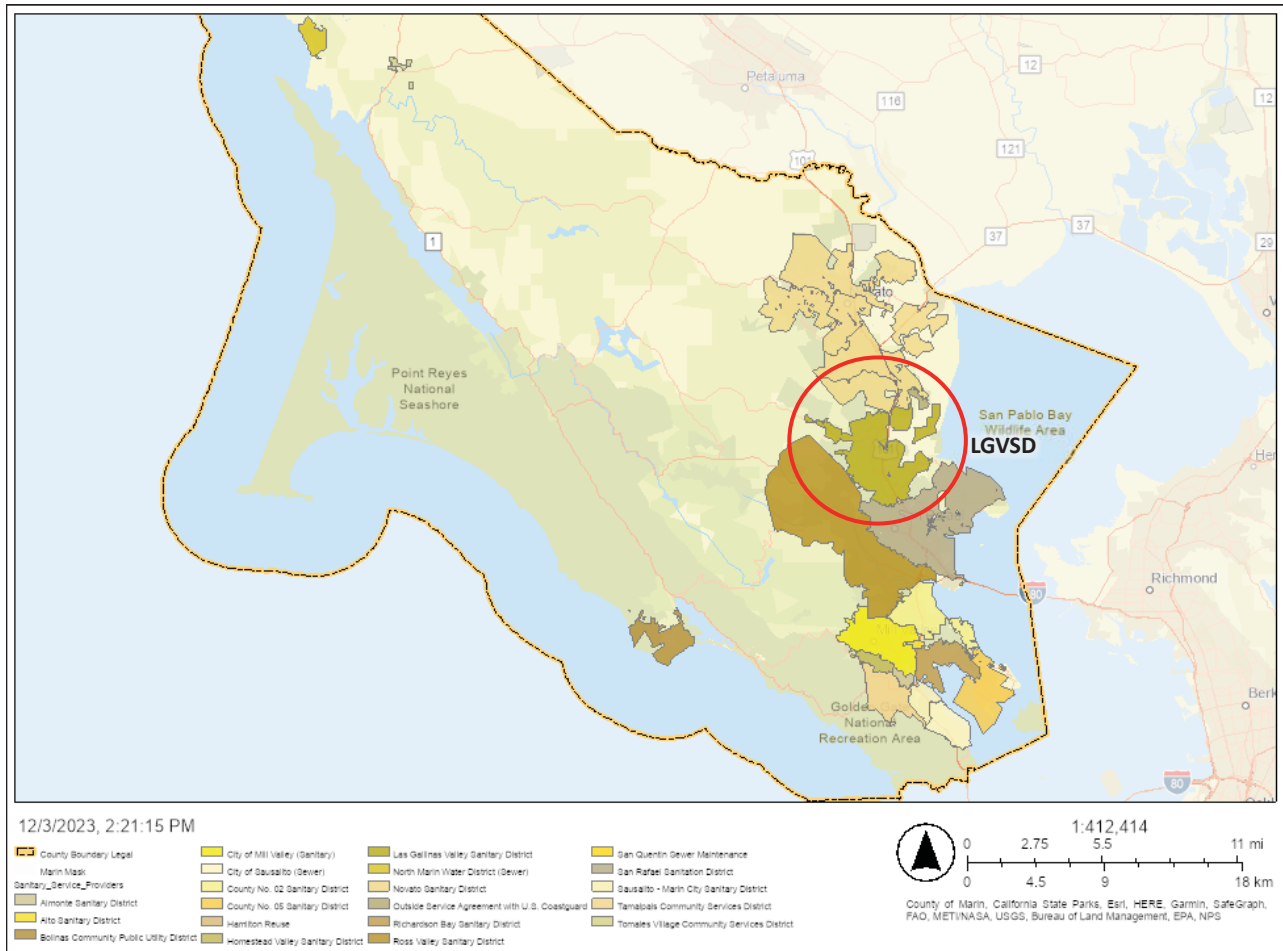


Figure 248: Map of the Las Gallinas Valley Sanitary District and Other Sanitary Districts
Source: Marin County OEM

1.5 ADMINISTRATION

Governance is provided by an independent five-member Board of Directors whose members are elected “at-large” from the District’s electorate and serve staggered four-year terms. The individual Board members represent the District on other boards, committees and associations.

LGVSD appoints an at-will General Manager to oversee all District operations. The General Manager presently oversees 29 other full-time employees, which includes four senior management support positions: Administrative Services Manager; Collection Systems Maintenance & Safety Manager; District Engineer; and Plant Manager.

Board Meetings are held the first and third Thursday of every month at 4:00 p.m. at the District Office, 101 Lucas Valley Road, Suite 300 in San Rafael. All board meetings are open to the public, and we encourage attendance and participation by our citizens. The Agenda is posted on the bulletin board located outside the Las Gallinas Valley Sanitary District Administration Building. Current and archived meeting agendas and minutes can be viewed by clicking on the Board Meetings Page on the District’s website at www.lgvsd.org.

Las Gallinas Valley Sanitary District is a special district, authorized by the Sanitary District Act of 1923, California Health and Safety Code Sections 6400-6941.9

1.6 FINANCING

LGVSD reports its activities as an Enterprise Fund under the broad category of funds called proprietary funds using the full accrual basis of accounting. Expenditures are tracked by department, with each department delineated by function and specific activity, to provide management and the Board with better cost control measures. At the end of each fiscal year, these costs are combined to arrive at the financial position and results of operations reflected in LGVSD's basic financial statements.

LGVSD maintains restricted funds for capital replacement and expansion purposes. The District budgets for the adequate maintenance of capital equipment and facilities to protect the public investment and ensure achievement of their maximum useful life. The District has a sewer system management plan and prepares and adopts at minimum a 5-Year Capital Improvement Program ("CIP") as part of the rate setting process which identifies and sets priorities for all major capital assets to be acquired, constructed, or replaced by the District. The District prepared a 7-Year CIP in 2023/24 which includes flood and sea-level mitigation projects that have been identified to take place after 2028.

LGVSD's total revenues were \$20.6 million in FY 2022/23. Revenue sources include rates and charges (85%), non-operating revenue such as property tax and interest (12%), and connection fees and inter-governmental capital contributions (3%).

LGVSD's expenditures were \$30.5 million in FY 2022/23. Of this amount, 15% was spent on services and supplies, 20% on salaries and employee benefits, 15% debt service, 17% towards reserve funding, and 33% on capital outlay including the completion of the Secondary Treatment Plant Upgrade and Recycled Water Expansion Project.

LGVSD adopted several policies on maintaining financial reserves. LGVSD held \$11.1 million in cash and investments at the end of FY 2022/23 in five reserve funds. LGVSD maintains four restricted funds which serve a specific purpose and for which use is controlled by State law or inter-agency agreements, with a total of \$1.0 million in cash and investments at the end of FY 2022/23.

1.7 WEATHER AND CLIMATE

The Las Gallinas Valley Sanitary District summers are long, comfortable, arid, and mostly clear and the winters are short, cold, wet, and partly cloudy. Over the course of the year, the temperature typically varies from 48°F to 62°F and is rarely below 43°F or above 75°F. The difference in precipitation between the driest month and the wettest month is 5 inches. The annual rainfall is 18 inches. The month of highest relative humidity is February (79 %). The month with the lowest relative humidity is June (66 %). The month which sees the most rainfall is January. The driest month of the year is July.

	January	February	March	April	May	June	July	August	September	October	November	December
Avg. Temperature °C (°F)	9.3 °C (48.7) °F	10 °C (50) °F	11.2 °C (52.2) °F	12.2 °C (54) °F	14.2 °C (57.5) °F	16.3 °C (61.3) °F	16.6 °C (61.8) °F	16.9 °C (62.4) °F	17 °C (62.6) °F	15.4 °C (59.7) °F	12.1 °C (53.8) °F	9.5 °C (49.1) °F
Min. Temperature °C (°F)	6.1 °C (43.1) °F	6.8 °C (44.3) °F	7.8 °C (46.1) °F	8.6 °C (47.6) °F	10.3 °C (50.5) °F	11.8 °C (53.3) °F	12.4 °C (54.4) °F	13 °C (55.3) °F	12.8 °C (55) °F	11.6 °C (52.8) °F	8.8 °C (47.9) °F	6.6 °C (43.9) °F
Max. Temperature °C (°F)	13.6 °C (56.5) °F	14.4 °C (57.9) °F	15.8 °C (60.5) °F	17.2 °C (62.9) °F	19.4 °C (67) °F	22.2 °C (72) °F	22.5 °C (72.6) °F	22.8 °C (73) °F	23.2 °C (73.7) °F	21 °C (69.8) °F	16.7 °C (62.1) °F	13.5 °C (56.2) °F
Precipitation / Rainfall mm (in)	118 (4)	124 (4)	88 (3)	41 (1)	22 (0)	5 (0)	1 (0)	2 (0)	2 (0)	25 (0)	58 (2)	114 (4)
Humidity(%)	78%	79%	77%	70%	69%	66%	72%	73%	70%	69%	75%	77%
Rainy days (d)	8	7	6	4	3	1	0	0	0	2	5	7
avg. Sun hours (hours)	5.7	6.4	7.8	9.4	10.0	10.6	9.3	8.5	8.7	7.8	6.7	5.6

Figure 249: The Las Gallinas Valley Sanitary District Precipitation and Monthly Temperatures
Source: En.Climate-Data.org

1.8 SOCIAL VULNERABILITY AND RISK

The California Governor’s Office of Emergency Services (Cal OES) has initiated the “Prepare California” grant program focused on building community resilience amongst vulnerable individuals living in the areas of the state most susceptible to natural disasters. The Prepare California Initiative is aimed at reducing long-term risks from natural disasters by investing in local capacity building and mitigation projects designed to protect communities.

Prepare California leverages funds approved in Governor Gavin Newsom’s 2021-22 State Budget and is designed to unlock federal matching funds for community mitigation projects that vulnerable communities would otherwise be unable to access. This program is intended for communities that are the most socially vulnerable and at the highest risk for future natural hazard events. The state identified communities by prioritizing California census tracts according to their estimated hazard exposures and social vulnerability.

The National Risk Index is a dataset and online tool to help illustrate the United States communities most at risk for 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather.

For purposes of this plan the following National Risk Index (NRI) hazards are profiled in support of eight of the twelve Marin County MJHMP Hazards. NRI data was not available for Dam Failure, Land Subsidence, Levee Failure, or Sea Level Rise.

Table 3: NRI Hazards and Marin County MJHMP Hazards	
NRI Hazards	Marin County MJHMP Hazards
Earthquake	Earthquake
Riverine Flooding	Flooding
Coastal Flooding	Flooding
Wildfire	Wildfire
Landslide	Debris Flow
Drought	Drought
Heat Wave	Severe Weather -Extreme Heat
Tsunami	Tsunami
Strong Wind	Severe Weather – Wind, Tornado

Table 125: NRI Hazards and Marin County MJHMP Hazards
Source: FEMA National Risk Index 2023

The National Risk Index leverages available source data for Expected Annual Loss due to these 18 hazard types, Social Vulnerability, and Community Resilience to develop a baseline relative risk measurement for each United States county and Census tract. These measurements are calculated using average past conditions, but they cannot be used to predict future outcomes for a community. The National Risk Index is intended to fill gaps in available data and analyses to better inform federal, state, local, tribal, and territorial decision makers as they develop risk reduction strategies.

Calculating the Risk Index

Risk Index scores are calculated using an equation that combines scores for Expected Annual Loss due to natural hazards, Social Vulnerability and Community Resilience:

$$\text{Risk Index} = \text{Expected Annual Loss} \times \text{Social Vulnerability} \div \text{Community Resilience}$$

Hazard Type Risk Index

Hazard type Risk Index scores are calculated using data for only a single hazard type, and reflect a community’s Expected Annual Loss value, community risk factors, and the adjustment factor used to calculate the risk value.

The following Tables and Figures illustrates the NRI Hazard Type Risk Index and the Social Vulnerability Map for the Las Gallinas Valley Sanitary District for the various Census Tracts within their service area.

Table 4: NRI Hazard Type Risk Index Census Tract 1150.00

Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$1,405,941	Relatively Low	Very High	0.92	\$1,286,817	93.1
Riverine Flooding	\$363,156	Relatively Low	Very High	0.92	\$332,386	94.6
Wildfire	\$52,708	Relatively Low	Very High	0.92	\$48,242	91
Heat Wave	\$11,995	Relatively Low	Very High	0.92	\$10,979	53.3
Tornado	\$6,141	Relatively Low	Very High	0.92	\$5,620	13.6
Landslide	\$2,916	Relatively Low	Very High	0.92	\$2,669	80.9
Strong Wind	\$392	Relatively Low	Very High	0.92	\$359	11.6
Coastal Flooding	\$0	Relatively Low	Very High	0.92	\$0	0
Drought	\$0	Relatively Low	Very High	0.92	\$0	0
Tsunami	\$0	Relatively Low	Very High	0.92	\$0	0

Table 126: NRI Hazard Type Risk Index for Census Tract 1150.00
Source: FEMA National Risk Index 2023

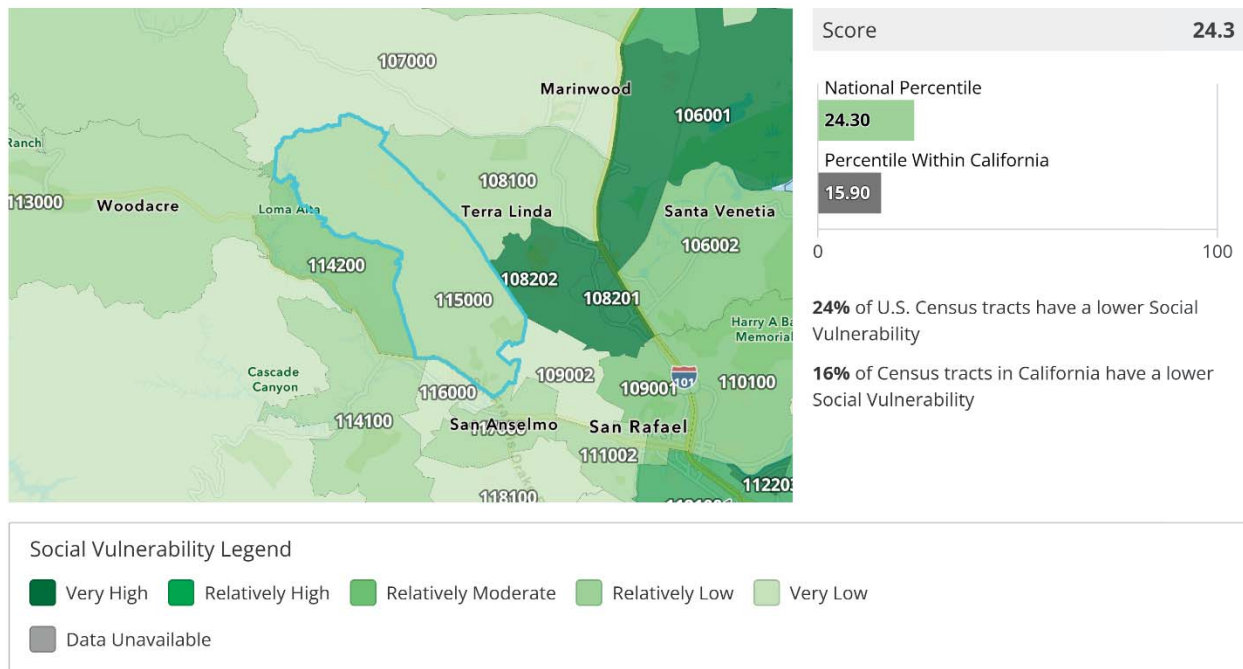


Figure 250: LGVSD Social Vulnerability Map Census Tract 1150.00
Source: FEMA National Risk Index 2023

Table 5: NRI Hazard Type Risk Index for Census Tract 1060.01						
Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$2,896,142	Very High	Very High	1.4	\$4,040,816	98.9
Riverine Flooding	\$558,070	Very High	Very High	1.4	\$778,642	97.8
Coastal Flooding	\$208,258	Very High	Very High	1.4	\$290,569	98.2
Drought	\$146,022	Very High	Very High	1.4	\$203,736	98.7
Wildfire	\$23,077	Very High	Very High	1.4	\$32,198	89.3
Heat Wave	\$7,811	Very High	Very High	1.4	\$10,898	53.1
Tornado	\$4,247	Very High	Very High	1.4	\$5,925	14.3
Landslide	\$4,006	Very High	Very High	1.4	\$5,589	91.1
Strong Wind	\$268	Very High	Very High	1.4	\$373	11.9
Tsunami	\$23	Very High	Very High	1.4	\$33	0

Table 127: NRI Hazard Type Risk Index for Census Tract 1060.01
Source: FEMA National Risk Index 2023

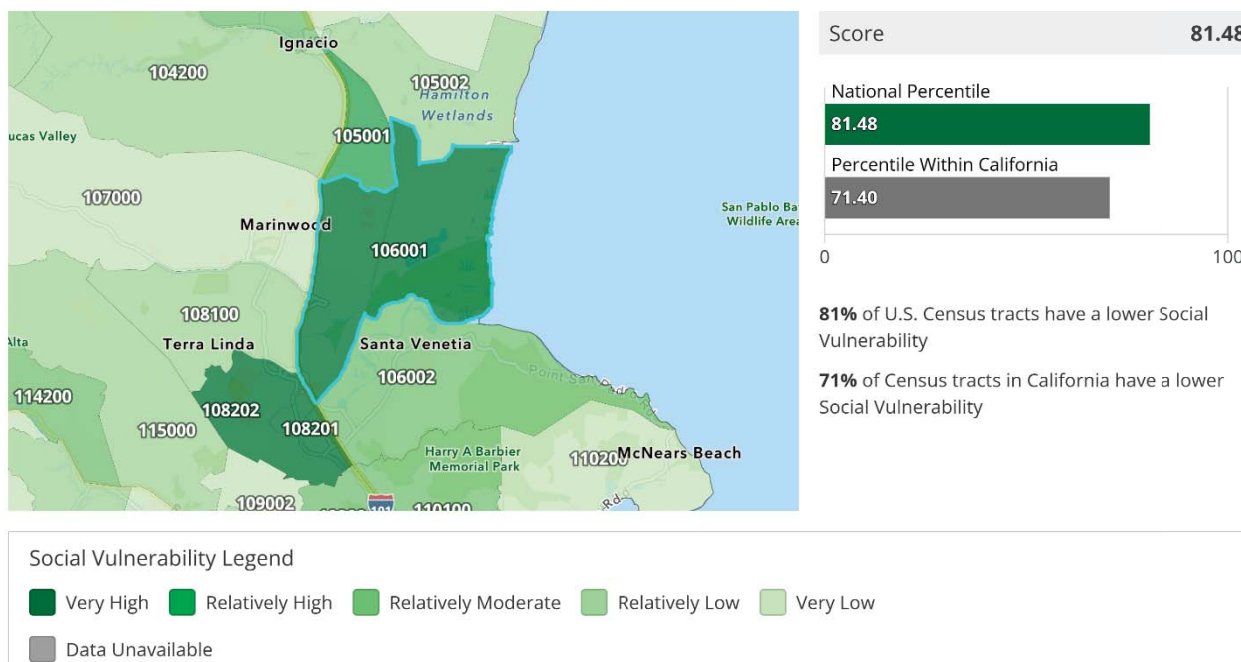


Figure 251: LGVSD Social Vulnerability Map Census Tract 1060.01
Source: FEMA National Risk Index 2023

Table 6: NRI Hazard Type Risk Index for Census Tract 1060.02						
Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Riverine Flooding	\$1,416,010	Relatively Moderate	Very High	1.1	\$1,552,678	99
Earthquake	\$1,318,564	Relatively Moderate	Very High	1.1	\$1,445,827	93.9
Coastal Flooding	\$713,626	Relatively Moderate	Very High	1.1	\$782,503	99.2
Landslide	\$37,581	Relatively Moderate	Very High	1.1	\$41,208	99.1
Heat Wave	\$8,853	Relatively Moderate	Very High	1.1	\$9,707	51
Wildfire	\$5,798	Relatively Moderate	Very High	1.1	\$6,358	81.7
Tornado	\$4,594	Relatively Moderate	Very High	1.1	\$5,037	12
Strong Wind	\$295	Relatively Moderate	Very High	1.1	\$324	10.7
Tsunami	\$132	Relatively Moderate	Very High	1.1	\$145	92.8
Drought	\$0	Relatively Moderate	Very High	1.1	\$0	0

Table 128: NRI Hazard Type Risk Index for Census Tract 1060.02
Source: FEMA National Risk Index 2023

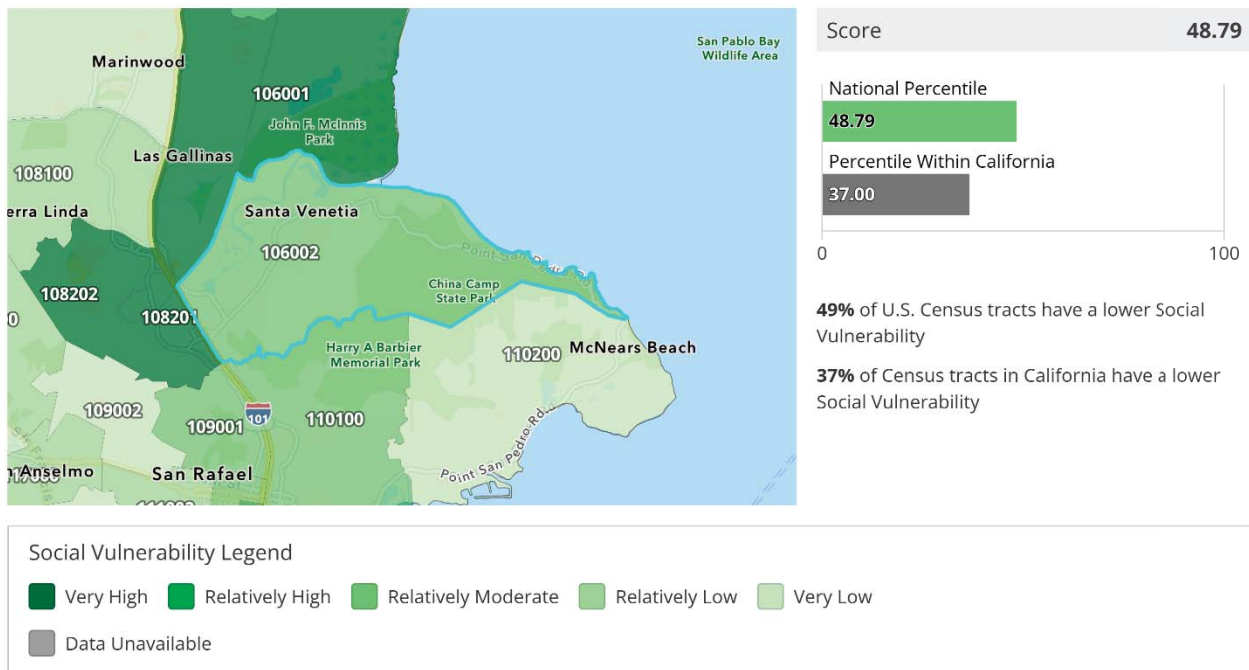


Figure 252: LGVSD Social Vulnerability Map Census Tract 1060.02
Source: FEMA National Risk Index 2023

Table 7: NRI Hazard Type Risk Index for Census Tract 1081.00						
Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$1,252,334	Relatively Low	Very High	1.03	\$1,287,401	93.1
Wildfire	\$31,464	Relatively Low	Very High	1.03	\$32,345	89.3
Heat Wave	\$10,456	Relatively Low	Very High	1.03	\$10,749	52.8
Tornado	\$4,772	Relatively Low	Very High	1.03	\$4,906	11.6
Landslide	\$3,550	Relatively Low	Very High	1.03	\$3,650	85.7
Strong Wind	\$336	Relatively Low	Very High	1.03	\$345	11.2
Riverine Flooding	\$308	Relatively Low	Very High	1.03	\$317	29.3
Coastal Flooding	\$0	Relatively Low	Very High	1.03	\$0	0
Drought	\$0	Relatively Low	Very High	1.03	\$0	0
Tsunami	\$0	Relatively Low	Very High	1.03	\$0	0

Table 129: NRI Hazard Type Risk Index for Census Tract 1081.00

Source: FEMA National Risk Index 2023

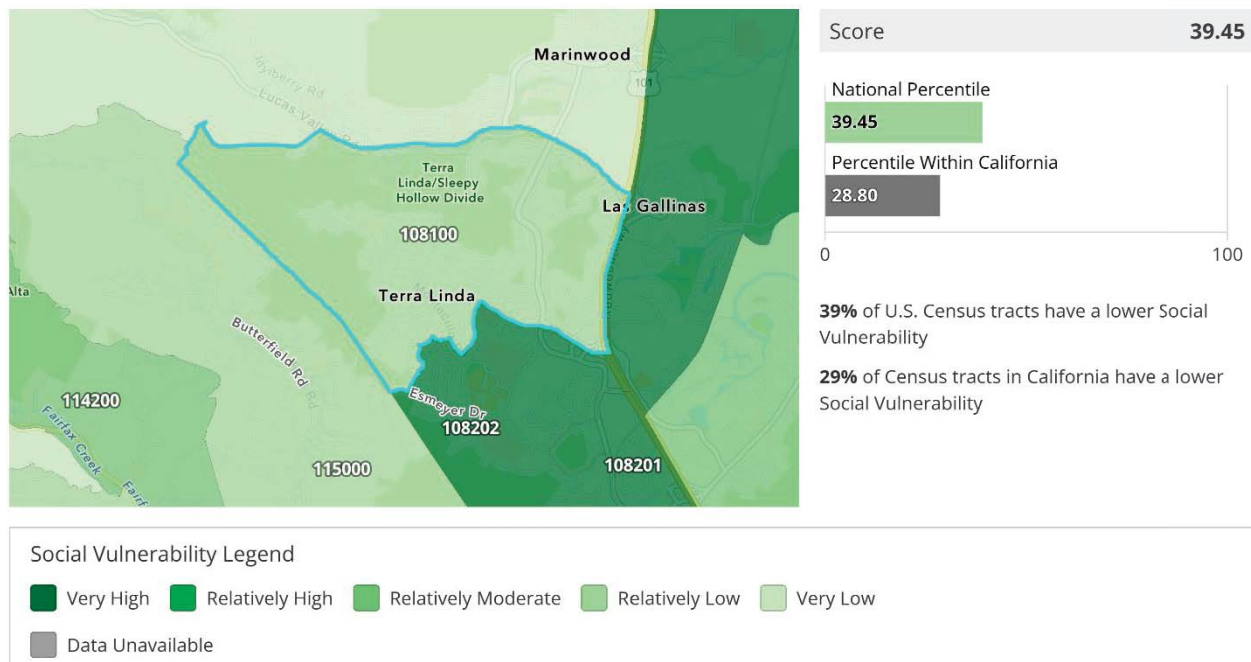


Figure 253: LGVSD Social Vulnerability Map Census Tract 1081.00

Source: FEMA National Risk Index 2023

Table 8: NRI Hazard Type Risk Index for Census Tract 1082.01

Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$546,877	Very High	Very High	1.57	\$859,791	90.1
Heat Wave	\$3,994	Very High	Very High	1.57	\$6,279	43.5
Tornado	\$1,577	Very High	Very High	1.57	\$2,480	5.7
Landslide	\$599	Very High	Very High	1.57	\$941	63.7
Wildfire	\$158	Very High	Very High	1.57	\$248	45.8
Strong Wind	\$123	Very High	Very High	1.57	\$194	7.2
Coastal Flooding	\$0	Very High	Very High	1.57	\$0	0
Drought	\$0	Very High	Very High	1.57	\$0	0
Riverine Flooding	\$0	Very High	Very High	1.57	\$0	0
Tsunami	\$0	Very High	Very High	1.57	\$0	0

Table 130: NRI Hazard Type Risk Index for Census Tract 1082.01
Source: FEMA National Risk Index 2023

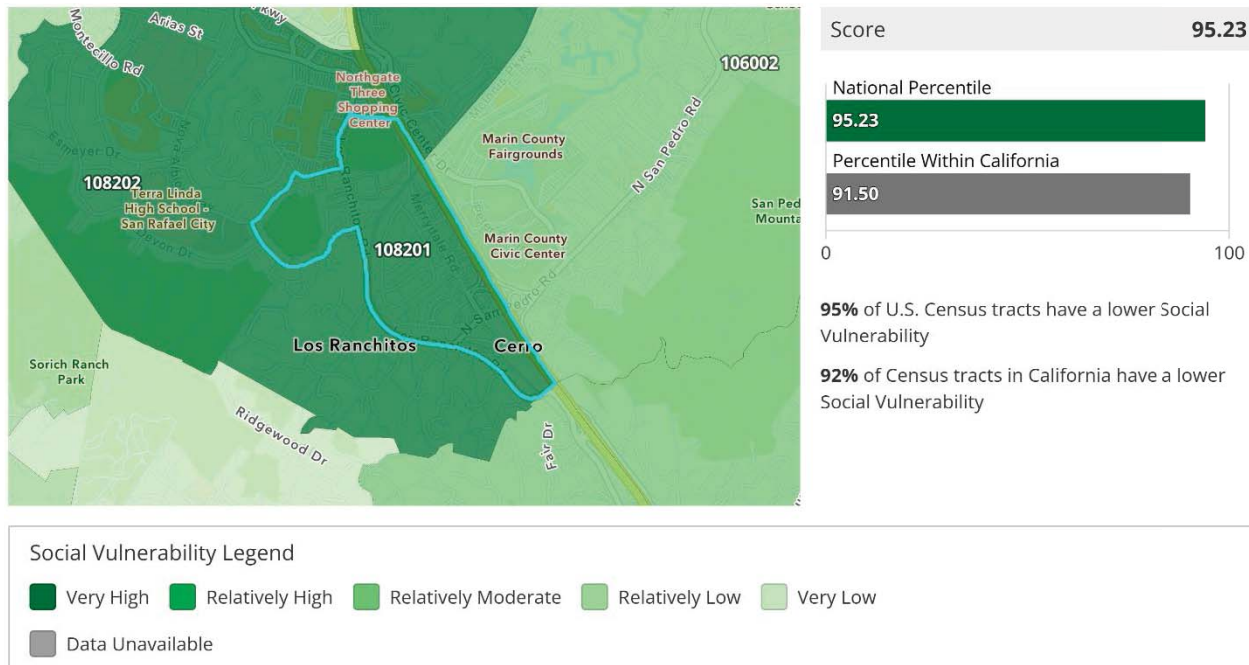


Figure 254: LGVSD Social Vulnerability Map Census Tract 1082.01
Source: FEMA National Risk Index 2023

Table 9: NRI Hazard Type Risk Index for Census Tract 1082.02

Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$1,683,172	Very High	Very High	1.4	\$2,358,985	97
Heat Wave	\$6,786	Very High	Very High	1.4	\$9,510	50.6
Tornado	\$4,156	Very High	Very High	1.4	\$5,825	14.1
Lightning	\$310	Very High	Very High	1.4	\$434	8.6
Strong Wind	\$240	Very High	Very High	1.4	\$336	11
Wildfire	\$116	Very High	Very High	1.4	\$162	40.9
Coastal Flooding	\$0	Very High	Very High	1.4	\$0	0
Drought	\$0	Very High	Very High	1.4	\$0	0
Riverine Flooding	\$0	Very High	Very High	1.4	\$0	0
Tsunami	\$0	Very High	Very High	1.4	\$0	0

Table 131: NRI Hazard Type Risk Index for Census Tract 1082.02
Source: FEMA National Risk Index 2023

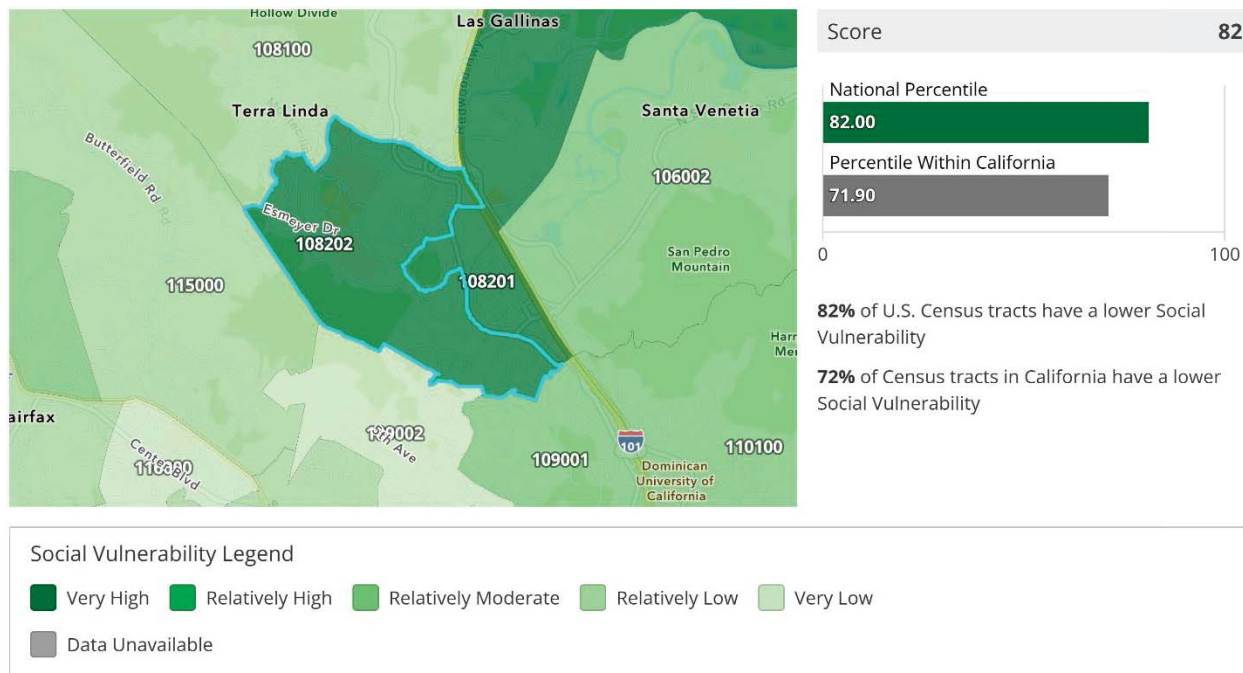


Figure 255: LGVSD Social Vulnerability Map Census Tract 1082.02
Source: FEMA National Risk Index 2023

Table 10: NRI Hazard Type Risk Index for Census Tract 1090.02

Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Earthquake	\$878,039	Very Low	Very High	0.77	\$676,077	88.5
Landslide	\$17,439	Very Low	Very High	0.77	\$13,428	97.2
Heat Wave	\$6,528	Very Low	Very High	0.77	\$5,026	39.9
Wildfire	\$5,930	Very Low	Very High	0.77	\$4,566	80.1
Tornado	\$3,032	Very Low	Very High	0.77	\$2,335	5.4
Strong Wind	\$211	Very Low	Very High	0.77	\$162	6.4
Coastal Flooding	\$0	Very Low	Very High	0.77	\$0	0
Drought	\$0	Very Low	Very High	0.77	\$0	0
Riverine Flooding	\$0	Very Low	Very High	0.77	\$0	0
Tsunami	\$0	Very Low	Very High	0.77	\$0	0

Table 132: NRI Hazard Type Risk Index for Census Tract 1090.02
Source: FEMA National Risk Index 2023

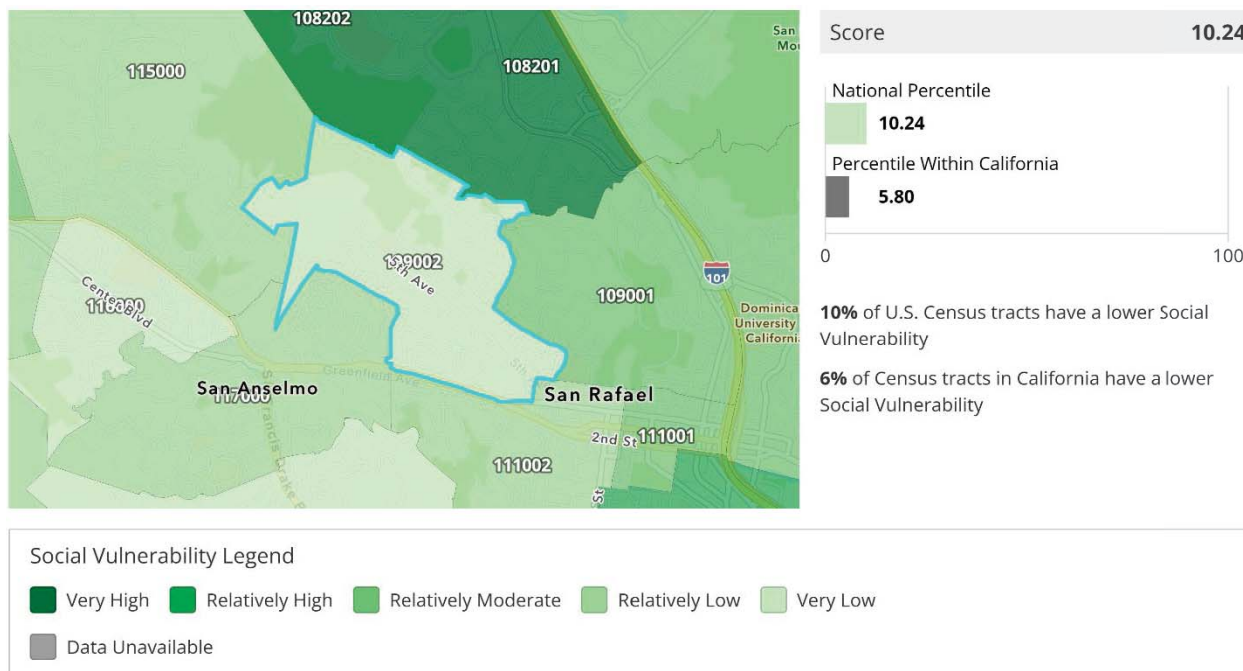


Figure 256: LGVSD Social Vulnerability Map Census Tract 1090.02
Source: FEMA National Risk Index 2023

Social Vulnerability in Marin County and the Las Gallinas Valley Sanitary District

Most socially vulnerable residents in Marin County OA reside in parts of Novato, parts of San Rafael, including in and around the Canal District, the Greenbrae neighborhood of Larkspur, and

the unincorporated areas of Marin City and Santa Venetia. This aligns with what the County knows about Marin residents. However, discrepancy lies in the western, more rural area of the county. West Marin is comprised of seven villages, and other populated areas, that are distanced from the centralized resources in the eastern part of the county. At three local elementary schools in West Marin (2022-2023 school year), students eligible for free and reduced lunch program are, 62%, 41%, and 52%, a reflection of the financial capacity of local families. West Marin is home to many farms that may employ and house underrecognized workers that may not have taken part in a census survey, what the SVI is calculated from. In the fourth quarter of FY 2021/22 the bus routes traveling to West Marin (Rural Routes) were the only service category to have increased in ridership since pre-COVID (increase 0.1%; Marin Transit, 2022) showing the reliance of West Marin residents on public transportation; however, this data continues to adjust based upon the increase in alternate methods of mass transportation. Considering this, the County of Marin acknowledges that unique social factors in West Marin require different approaches than other parts of the County.

Looking to the community resilience index (CRI) results, the data is only calculated at the county-level and compared across the nation. As a whole, Marin County is considered to have a “very high” ability to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions when compared to the rest of the U.S. Unfortunately, this metric does not give us the distinct experiences of the diverse communities across Marin.

When the Estimated Annual Loss Index, Social Vulnerability Index, and Community Resilience Index are aggregated as one, final results of the National Risk Index show Marin County as a whole to have “Relatively High” risk, this is due to the financial implications a disaster may have on the county. When broken out by census tract, five tracts are in the highest category (“Very High Risk”), this matches generally with the same tracts that are ranked in as higher social vulnerability; parts of Novato, parts of San Rafael, including in and around the Canal District, the Greenbrae neighborhood of Larkspur, and unincorporated areas of Santa Venetia.

However, Marin City is ranked as “Very Low” risk for the National Risk Index. Previous discussion highlighted why the Expected Annual Loss was low, but further discussion is required. As a County, we know Marin City should not be classified as “Very Low” on the NRI. Marin City residents, for example, only have one way in and out of their community and this road floods frequently, making it unsafe to cross and leave the community for work, school, medical resources. Additionally, there is only one “grocery” store, a Target, in Marin City. Both of these elements contribute to the vulnerability of residents as they may be unable to leave or return home and have limited access to groceries, relying on a single store’s supply chain. At the local elementary school in Marin City, 47% of students are eligible for free and reduced-price meals (2022–2023 school year), a reflection of the financial capacity of local families. All this means, we can expect the social and built capacity of Marin City to be limited.

Although, customers within the Las Gallinas Valley Sanitary District reside within census tracts that have a Social Vulnerability Index of “Relatively Moderate” to “Very High”, the Las Gallinas Valley Sanitary District’s ability to serve this community is limited to the sanitary services they provide. Their influence may be realized during an emergency by ensuring the continued delivery of sanitary services which are considered a community lifeline. They may also work with these impacted customers to provide fee relief through local, state, and or federal programs

where appropriate. The majority of socially vulnerable population services are provided through the county, state, and federal government or other non-governmental or volunteer agencies or organizations.

1.9 CRITICAL FACILITIES

Collection System

LGVSD provides wastewater collection and treatment services through its own infrastructure supported by an approximate 112-mile collection system with 28 pump stations leading to an advanced secondary-level treatment facility. The collection system is divided between 105 miles of gravity lines and 7 miles of force mains. There are 2,985 manholes and approximately 52.5 miles of privately owned laterals within the District.

Treatment Plant

The District operates a sewage treatment plant with a permitted dry weather average capacity of 2.92 million gallons per day (MGD). The treatment facility was initially constructed in 1955. Major plant expansions were completed in 1958, 1972, 1984 and most recently in 2023. The latter increased treatment capacity to 3.2 million gallons per day. Treated effluent is discharged to Miller Creek, stored, or further processed by LGVSD's recycled water facility.

Recycled Water

The expanded recycled water treatment facilities located at the LGVSD treatment plant allows the District to produce recycled water year-round to meet increasing demand during the dry months in summer and fall. In the past, recycled water was predominately used during the summer months, which aligned with the District's non discharge period of June through October. The District has a water reclamation project on 385 acres of diked bay lands located to the northeast of the treatment plant. The reclamation area includes a 20-acre wildlife marsh pond, 40 acres of storage ponds, 200 acres of irrigated pasture, and 3.5 miles of public trails which are part of the San Francisco Bay Trail. The ponds that are used to hold treated wastewater and the spray fields allow the District to withhold discharge in summer months to San Francisco Bay via Miller Creek.

LGVSD delivers recycled water effluent to two nearby agencies, Marin Municipal Water District and North Marin Water District, which further treats it so that it can be used for irrigation of landscapes, including golf courses and playing/ recreation fields, dual plumbing for toilet flushing, cooling water uses, and car washes within the District's jurisdictional boundaries.

The following list of facilities has been determined to be critical to the ability of the Las Gallinas Valley Sanitary District to fulfill the requirements of its mission during an emergency:

Table 11: Las Gallinas Valley Sanitary District Critical Facilities

	Category	Name	Address	Fire Severity Zone	Flood Zone
1.	Wastewater Facilities	Wastewater Treatment Plant	300 Smith Ranch Rd, San Rafael, CA 94903	None	X
2.	Wastewater Facilities	Recycled Water Facility	300 Smith Ranch Rd, San Rafael, CA 94903	None	None
3.	Wastewater Facilities	Operations & Shop Buildings	300 Smith Ranch Rd, San Rafael, CA 94903	None	None
4.	Wastewater Facilities	Laboratory	300 Smith Ranch Rd, San Rafael, CA 94903	None	AE
5.	Wastewater Facilities	Administration Building	101 Lucas Valley Rd, Suite 300 San Rafael, CA 94903	High	None
6.	Wastewater Facilities	Northgate Industrial Park Pump Station	Near: 153 Paul Dr San Rafael, CA 94903	None	X
7.	Wastewater Facilities	John Duckett Pump Station	Near: 4238 Redwood Hwy, San Rafael, CA 94903	Moderate	X
8.	Wastewater Facilities	Rafael Meadows Pump Station	Near: 401 Merrydale Rd, San Rafael, CA 94903	None	None
9.	Wastewater Facilities	Civic Center North Pump Station	Near: 111 McInnis Pkwy, San Rafael, CA 94903	None	X
10	Wastewater Facilities	Marin Lagoon #1 Pump Station	Near: 33 Waterside Cir, San Rafael, CA 94903	None	AE
11	Wastewater Facilities	Marin Lagoon #2 Pump Station	Near: 92 Waterside Cir, San Rafael, CA 94903	None	AE
12	Wastewater Facilities	Marin Lagoon #3 Pump Station	Near: 156 Waterside Cir, San Rafael, CA 94903	None	AE
13	Wastewater Facilities	Marin Lagoon #4 Pump Station	Near: 216 Waterside Cir, San Rafael, CA 94903	None	AE
14	Wastewater Facilities	Marin Lagoon #5 Pump Station	Near: 264 Waterside Cir, San Rafael, CA 94903	None	AE
15	Wastewater Facilities	Marin Lagoon #6 Pump Station	Near: 99 Mariners Cir, San Rafael, CA 94903	None	AE
16	Wastewater Facilities	Marin Lagoon #7 Pump Station	Near: 14 Bridgewater Dr, San Rafael, CA 94903	None	AE
17	Wastewater Facilities	Marin Lagoon #8 Pump Station	Near: 14 Mariners Cir, San Rafael, CA 94903	None	AE
18	Wastewater Facilities	Marin Lagoon #9 Pump Station	Near: 56 Mariners Cir, San Rafael, CA 94903	None	AE
19	Wastewater Facilities	Mulligan Pump Station	47 Meadow Dr, San Rafael, CA 94903	None	None
20	Wastewater Facilities	Venetia Harbor Pump Station	85 Vendola Dr, San Rafael, CA 94903	None	AE
21	Wastewater Facilities	Hawthorne Pump Station	403 Vendola Dr, San Rafael, CA 94903	None	AE
22	Wastewater Facilities	Adrian Pump Station	Near: Candy's Park, 601 Adrian Way, San Rafael, CA 94903	None	AE
23	Wastewater Facilities	Descanso Pump Station	807 Descanso Way, San Rafael, CA 94903	None	AE
24	Wastewater Facilities	McPhail's Pump Station	Near: 1590 Vendola Dr, San Rafael, CA 94903	None	AE

25	Wastewater Facilities	Captain's Cove Flow Meter	Near: Corner of Yosemite Rd & Sailmaker Ct, San Rafael, CA 94903	Moderate	X
26	Wastewater Facilities	Captain's Cove #1 Pump Station	Near: 159 Captains Cove Dr, San Rafael, CA 94903	None	X
27	Wastewater Facilities	Captain's Cove #2 Pump Station	128 Captains Cove Dr, San Rafael, CA 94903	None	X
28	Wastewater Facilities	Captain's Cove #3 Pump Station	30 Wharf Cir, San Rafael, CA 94903	None	X
29	Wastewater Facilities	Captain's Cove #4 Pump Station	89 Dockside Cir, San Rafael, CA 94903	None	X
30	Wastewater Facilities	Captain's Cove #5 Pump Station	28 Dockside Cir, San Rafael, CA 94903	None	X
31	Wastewater Facilities	Captain's Cove #6 Pump Station	16 Keel Ct, San Rafael, CA 94903	None	X
32	Wastewater Facilities	Marinwood Pump Station	Adjacent to LGVSD Maintenance Shop: 300 Smith Ranch Rd, San Rafael, CA 94903	None	None
33	Wastewater Facilities	McInnis Park Pump Station	North Corner of McInnis Golf Course: 350 Smith Ranch Rd, San Rafael, CA 94903	None	None
34	Wastewater Facilities	Saint Vincent's Pump Station	Intersection: St Vincent's Dr and Levee Road, San Rafael, CA 94903	Moderate	AE
35	Wastewater Facilities	Reclamation Pump Station	Approx. 1,300 NE of 300 Smith Ranch Rd, San Rafael, CA 94903	Moderate	AE
36	Wastewater Facilities	Smith Ranch Road Pump Station & CNG Fueling Station	SWC Silveira Parkway & Smith Ranch Road, SWC near railroad tracks and Airport Rd, San Rafael, CA 94903	None	None
37	Electrical Power Facilities	Solar PV System	3 Miles NE of 300 Smith Ranch Road, San Rafael, CA 94903	Moderate	AE
38	Communication Facilities	Emergency Radio Communication Tower	San Rafael, CA 94903	High	None

Table 133: Las Gallinas Valley Sanitary District Critical Facilities

Source: Las Gallinas Valley Sanitary District

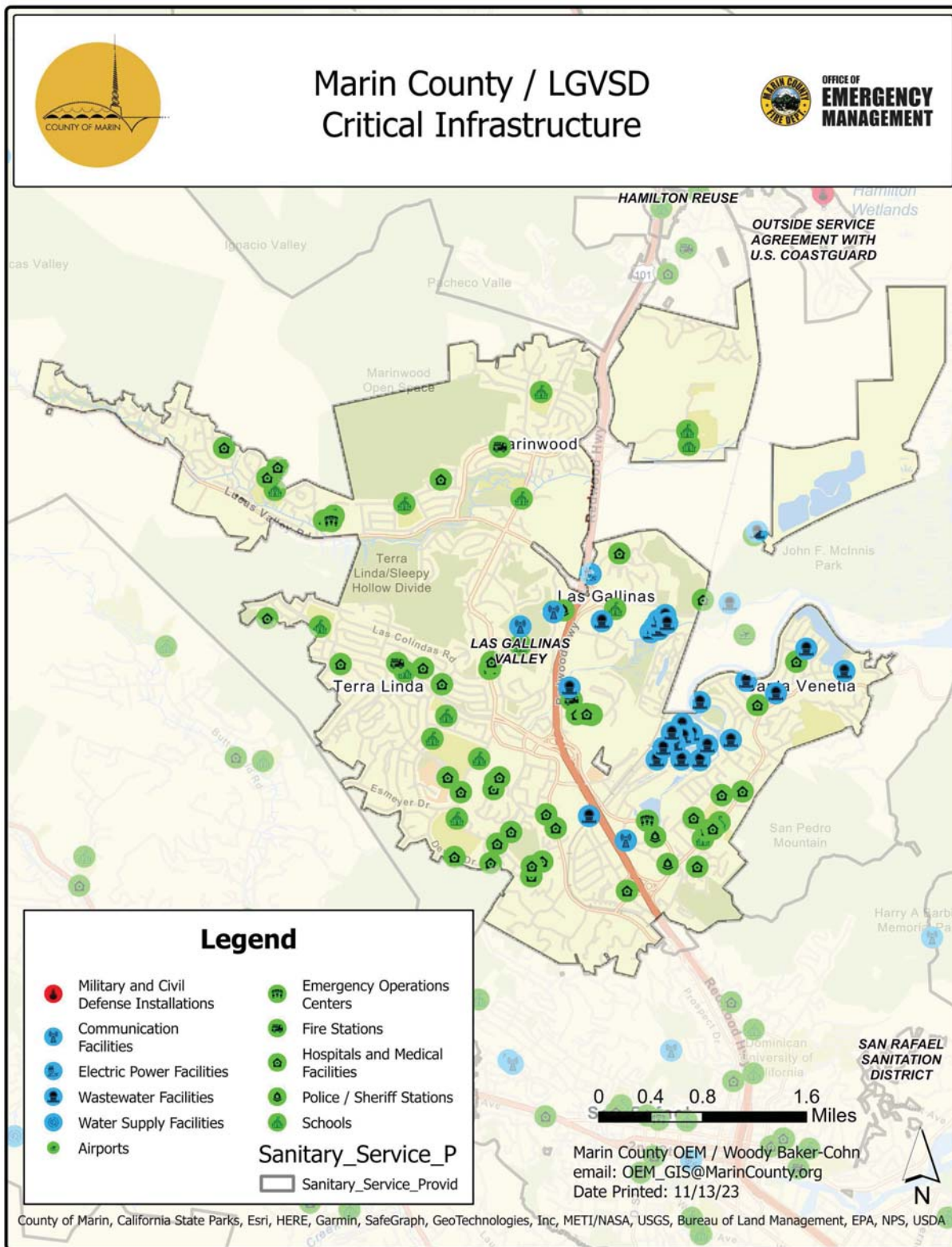


Figure 257: Map of the Las Gallinas Valley Sanitary District and Critical Facilities and Infrastructure within the District

Source: Marin County OEM

SECTION 2.0: HAZARD IDENTIFICATION AND RISK ASSESSMENT

The Las Gallinas Valley Sanitary District identified hazards that affect the District and developed natural hazard profiles based upon the countywide risk assessment, past events and their impacts. Figure 16 shows the top hazards that the Jurisdiction is at risk from according to the hazard mitigation Steering Committee.

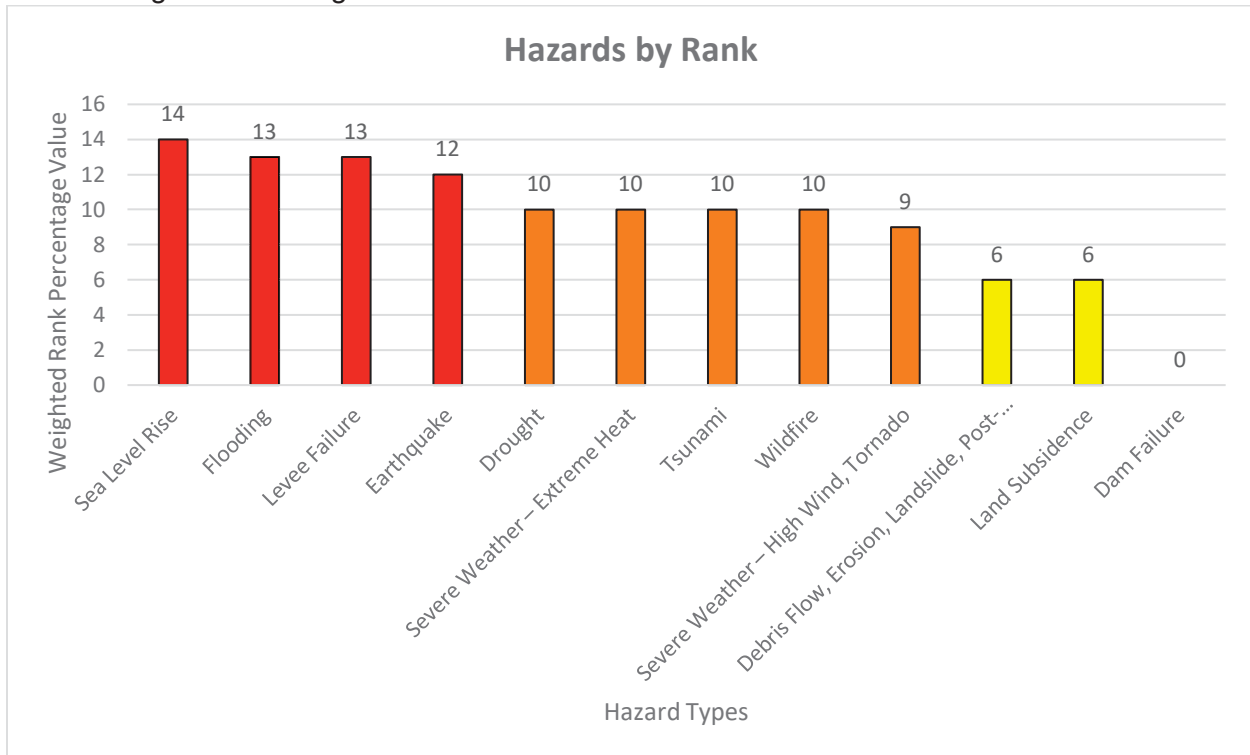


Figure 258: LGVSD Risk Assessment – Planning Team Top Hazards

Figure 17: Risk Rank Categorization	
Risk Level	Risk Numerical Score
High Risk	12 - 16
Serious Risk	8 - 11
Moderate Risk	4 - 7
Low Risk	1 - 3

Figure 259: Hazard Risk Categorization

Each Marin County OA MJHMP participating jurisdiction and organization reviewed and approved the Top Hazards identified by the Planning Team. Each participating jurisdiction and organization then completed a more complex assessment tool to further develop their hazard assessment and prioritization.

The planning process used the available FEMA tools to evaluate all the possible threats faced. The primary tool selected was the Hazard Assessment and Prioritization Tool. This matrix allowed the participating jurisdiction or organization to assess their own level of vulnerability and mitigation capability. Each participating Jurisdiction and organization assessed the top hazards for:

- Probability/ Likelihood of Future Events
- Geographic Extent
- Magnitude/ Severity
- Climate Change Influence
- Significance

Probability/ Likelihood of Future Events

- **Unlikely:** Occurs in intervals greater than 100 years - Less than 1% probability of occurrence in the next year or a recurrence interval greater than 100 years.
- **Occasional:** Occurring every 11 to 100 years - 1-10% probability of occurrence in the next year or a recurrence interval of 11 to 100 years.
- **Likely:** Occurring every 1 to 10 years - 10-90% probability of occurrence in the next year or recurrence interval of 1 to 10 years.
- **Highly Likely:** Occurring almost every year - 90-100% probability of occurrence in the next year or a recurrence interval of less than 1 year.

Geographic Extent

- **Negligible:** Less than 10% of the planning area
- **Limited:** 10-25% of the planning area
- **Significant:** 25-75% of planning area
- **Extensive:** 75-100% of planning area

Magnitude/ Severity

- **Weak:** Limited classification on scientific scale, slow speed of onset or short duration of event, resulting in little to no damage.
- **Moderate:** Moderate classification on scientific scale, moderate speed of onset or moderate duration of event, resulting in some damage and loss of services for days.
- **Severe:** Severe classification on scientific scale, fast speed of onset or long duration of event, resulting in devastating damage and loss of services for weeks or months.
- **Extreme:** Extreme classification on scientific scale, immediate onset or extended duration of event, resulting in catastrophic damage and uninhabitable conditions.

Table 12: Select Hazards Magnitude and Severity Scale					
Hazard	Scale/Index	Weak	Moderate	Severe	Extreme
Drought	Palmer Drought Severity Index	+1.99 to -1.99	-2.00 to -2.99	-3.00 to -3.99	-4.00 and below
Earthquake	Modified Mercalli	I to IV	V to VII	VIII	IX to XII
	Richter Magnitude	2,3	4,5	6	7,8
Tornado	Fujita Tornado Damage Scale	FO	F1, F2	F3	F4, F5

Table 134: Select Hazards Magnitude/ Severity Scale or Index

Climate Change Influence

- **Low:** Minimal potential impact
- **Medium:** Moderate potential impact

- **High:** Widespread potential impact

Significance

- **Low:** Minimal potential impact - Two or more criteria fall in lower classifications, or the event has a minimal impact on the planning area. This rating is sometimes used for hazards with a minimal or unknown record of occurrences or for hazards with minimal mitigation potential.
- **Medium:** Moderate potential impact - The criteria fall mostly in the middle ranges of classifications and the event's impacts on the planning area are noticeable but not devastating. This rating is sometimes used for hazards with a high extent rating but very low probability rating.
- **High:** Widespread potential impact - The criteria consistently fall in the high classifications and the event is likely/highly likely to occur with.

2.1 CLIMATE CHANGE

The County of Marin and associated jurisdictions profiled jointly recognize that the earth's climate is forcibly being augmented due to humans' reliance on fossil fuels and non-natural resources which pose negative impacts on the earth's climate. Reliance on fossil fuels and non-natural products results in the climate shifting to include unseasonable temperatures, more frequent and intense storms, prolonged heat and cold events, and a greater reliance on technological advancements to maintain the wellbeing of community members and balance of the environment. The forced adaptation to climatic shifts is necessary for the County and jurisdictions to understand and include with these assessments.

Locally to Marin, drought and rain events have already had devastating impacts to critical infrastructure, agriculture, and water resources; and globally, unseasonable temperatures have been identified as the cause for enhanced wildfires, severe droughts, ice sheets and glaciers disappearing, and persons emigrating from their countries due to a lack of sustainable, local resources. Melting land ice contributes additional water to the oceans and as ocean temperatures rise the water expands, both of which contribute to increase rates of sea level rise. Marin is bordered on the west by the Pacific Ocean and on the east by San Francisco Bay, making it particularly vulnerable to flooding and erosion caused by sea level rise.

The cause of current climate change is largely human activity, burning fossil fuels, natural gas, oil, and coal. Burning these materials releases greenhouse gases into Earth's atmosphere. Greenhouse gases trap heat from the sun's rays inside the atmosphere causing Earth's average temperature to rise. This rise in the planet's temperature was formerly called, "global warming", but climate change has shown to include both intense heat and cold shifts. The warming of the planet impacts local and regional climates. Throughout Earth's history, climate has continually changed; however, when occurring naturally, this is a slower process that has taken place over hundreds and thousands of years. The human influenced climate change that is happening now is occurring at an abnormally faster rate with devastating results.

GLOBAL OBSERVED AND PROJECTED IMPACTS AND RISKS

Source: Intergovernmental Panel on Climate Change, Headline Statements from the Summary for Policymakers, 2022

- Human-induced climate change, including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people, beyond natural climate variability.
- Global warming, reaching 1.5°C in the near-term, would cause unavoidable increases in multiple climate hazards and present multiple risks to ecosystems and humans.
- Beyond 2040 and depending on the level of global warming, climate change will lead to numerous risks to natural and human systems.
- The magnitude and rate of climate change and associated risks depend strongly on near-term mitigation and adaptation actions, and projected adverse impacts and related losses and damages escalate with every increment of global warming.
- Multiple climate hazards will occur simultaneously, and multiple climatic and non-climatic risks will interact, resulting in compounding overall risk and risks cascading across sectors and regions.

FUTURE TRENDS/ IMPACTS

Source: [Study Confirms Climate Models are Getting Future Warming Projections Right – Climate Change: Vital Signs of the Planet \(nasa.gov\)](#)

Global Warming

- If global warming transiently exceeds 1.5°C in the coming decades or later, then many human and natural systems will face additional severe risks.
- An estimated 60% of today's methane emissions are the result of human activities. The largest sources of methane are agriculture, fossil fuels, and decomposition of landfill waste.
- The concentration of methane in the atmosphere has more than doubled over the past 200 years. Scientists estimate that this increase is responsible for 20 to 30% of climate warming since the Industrial Revolution (which began in 1750).
- According to the most recent National Climate Assessment, droughts in the Southwest and heat waves (periods of abnormally hot weather lasting days to weeks) are projected to become more intense, and cold waves less intense and less frequent.
- The last eight years have been the hottest years on record for the globe.

**ATMOSPHERIC METHANE CONCENTRATIONS
SINCE 1984**

Data source: Data from NOAA, measured from a global network of air sampling sites

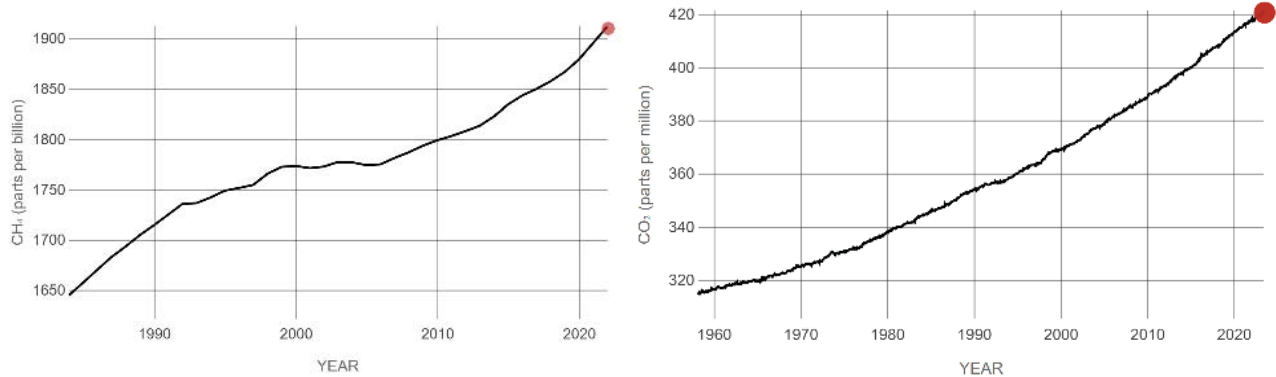


Figure 260: NASA Global Temperature Change CO2 Gas
Source: NASA Global Climate Change, 2022

TIME SERIES: 1884 TO 2022

Data source: NASA/GISS
Credit: [NASA's Scientific Visualization Studio](#)

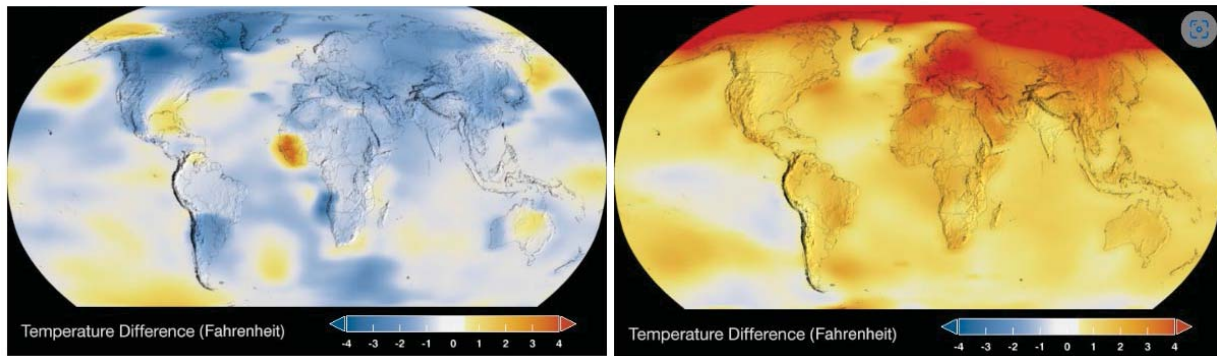


Figure 261: NASA Global Temperature Change 1884 to 2022
Source: NASA Global Climate Change, 2022

Drought

- A NASA-led study in 2022 concluded that the 22-year-long megadrought in southwestern US was the driest the territory had experienced in at least 1,200 years and was expected to persist through at least 2022.

Sea Level Rise

- Global sea levels are rising as a result of human-caused global warming, with recent rates being unprecedented over the past 2,500-plus years.
- U.S. Sea Level Likely to Rise 1 to 6.6 Feet by 2100.
- Global sea level has risen about 8 inches (0.2 meters) since reliable record-keeping began in 1880. By 2100, scientists project that it will rise at least another foot (0.3 meters), but possibly as high as 6.6 feet (2 meters) in a high-emissions scenario.

- Sea ice cover in the Arctic Ocean is expected to continue decreasing, and the Arctic Ocean will very likely become essentially ice-free in late summer if current projections hold. This change is expected to occur before mid-century.
- An indicator of changes in the Arctic sea ice minimum over time. Arctic sea ice extent both affects and is affected by global climate change.

SATELLITE DATA: 1993-PRESENT

RISE SINCE 1993

Data source: Satellite sea level observations.
Credit: NASA's Goddard Space Flight Center

↑ **98.5**
millimeters

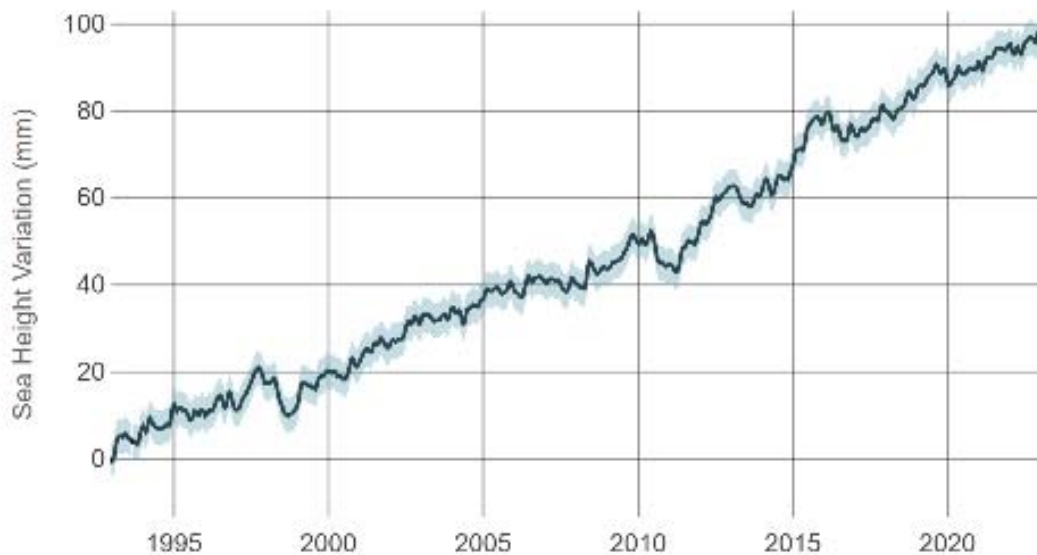


Figure 262: NASA Global Temperature Change Sea Level
Source: NASA Global Climate Change, 2022

Wildfire

- Warming temperatures have extended and intensified wildfire season in the West, where long-term drought in the region has heightened the risk of fires.
- Scientists estimate that human-caused climate change has already doubled the area of forest burned in recent decades. By around 2050, the amount of land consumed by wildfires in Western states is projected to further increase by two to six times.
- Even in traditionally rainy regions like the Southeast, wildfires are projected to increase by about 30%.

Flooding (Precipitation)

- Climate change is having an uneven effect on precipitation (rain and snow) in the United States, with some locations experiencing increased precipitation and flooding, while others suffer from drought.
- On average, more winter and spring precipitation is projected for the northern United States, and less for the Southwest, over this century.

- Projections of future climate over the U.S. suggest that the recent trend toward increased heavy precipitation events will continue. This means that while it may rain less frequently in some regions (such as the Southwest), when it does rain, heavy downpours will be more common.

Extreme Cold

- The length of the frost-free season, and the corresponding growing season, has been increasing since the 1980s, with the largest increases occurring in the western United States.

According to the California Natural Resource Agency (CNRA), climate change is already affecting California and is projected to continue to do so well into the foreseeable future. Current and projected changes include increased temperatures, sea level rise, a reduced winter snowpack, altered precipitation patterns, and more frequent storm events. Over the long term, reducing greenhouse gases can help make these changes less severe, but the changes cannot be avoided entirely. Unavoidable climate impacts result in a variety of secondary consequences including detrimental impacts on human health and safety, economic continuity, ecosystem integrity and provision of basic services. Climate change is being profiled in the 2023 Marin County Hazard Mitigation Plan as a standalone hazard while addressing each of the other natural hazards. Marin County is considering climate change issues when identifying future mitigation actions.

California is experiencing a climate crisis that is increasingly taking a toll on the health and well-being of its people and on its unique and diverse ecosystems. Every Californian has suffered from the effects of record high temperatures, dry winters, prolonged drought, and proliferating wildfires in recent years. California's biodiversity is threatened as alterations to habitat conditions brought about by a changing climate are occurring at a pace that could overwhelm the ability of plant and animal species to adapt.

Indicators of Climate Change in California

Source: [2022 Report: Indicators of Climate Change in California | OEHHA](#)

- Since 1895, annual average air temperatures in California have increased by about 2.5 degrees Fahrenheit (°F). Warming occurred at a faster rate beginning in the 1980s.
- Recent years have been especially warm: Eight of the ten warmest years on record occurred between 2012 and 2022; 2014 was the warmest year on record.
- Of all the Western states, California endured the hottest temperatures for the longest time, driving the average statewide temperature to the second warmest over the past 128 years.
- Extreme heat ranks among the deadliest of all climate-driven hazards in California, with physical, social, political, and economic factors effecting the capacity of individuals, workers, and communities to adapt, and with the most severe impacts often on communities who experience the greatest social and health inequities.
- Glaciers have essentially disappeared from the Trinity Alps in Northern California
- In 2020, wildfire smoke plumes were present in each county for at least 46 days.
- The 2022 fire season saw more fires than the previous fire season along with continued extreme drought and heat conditions.

- The drought, begun in 2019, was the third statewide drought declared in California since 2000.
- This drought has been marked by extreme swings; the state received record-breaking amounts of precipitation in October and December 2021 that were offset by the driest January, February, and March 2022 dating back more than 100 years. The year 2023 opened with California simultaneously managing both drought and flood emergencies.
- A series of storms in late December 2022 and early January 2023 broke rural levees, disrupted power, flooded roads, downed trees, and eroded coastal land.
- Sea level rise accelerates coastal erosion, worsens coastal flooding during large storms and peak tidal events, and impacts important infrastructure positioned along our state’s 1,100-mile coast.
- The western drought which impacted all of California and the western United States was nearly lifted due to unseasonably heavy rains in late 2022 and early 2023.

The graph below shows the relative change, in millimeters, in sea levels at Crescent City (1933-2020), San Francisco (1900-2020), and La Jolla (1925-2020).

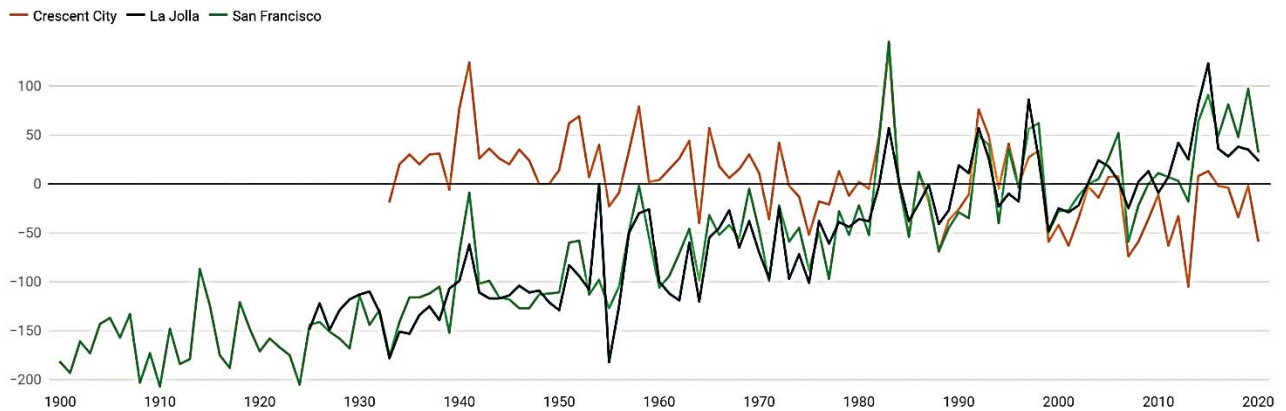


Chart: OEHHA Climate Change Indicators of California 2022 • Source: NOAA • [Get the data](#) • [Download image](#) • Created with [Datawrapper](#)

Figure 263: Annual Mean Sea Level Trends
Source: 2022 Report: Indicators of Climate Change in California | OEHHA

Climate Change in the Marin County Operational Area

Climate change is already having significant impacts across California. Temperatures are warming, heat waves are more frequent, and precipitation has become increasingly variable. Climate change will continue to alter Marin County OA ecosystems as a result of rising temperatures, changes in precipitation, and sea level rise, which will increase the severity and occurrence of natural hazards across the Marin County OA well into the future. Coastal cooling processes that keep temperatures down, such as fog, will continue to decrease. Rising temperatures will exacerbate drought conditions and raise the potential for significant wildfires and associated smoke as vegetation becomes drier and tree mortality increases. Forested woodlands that play a major role in carbon reduction will gradually transition into chaparral and shrublands. There will be more extreme storms and weather events, including expanded heat waves and increased rain events with changes in precipitation. Significant rain events will lead to an increase in flooding and the potential for severe landslides. Shoreline communities will become inundated with sea level rise, storm surge, and high tide events. Marshlands and wetlands that act as natural storm barriers will disappear as they transition into open water. Notable impacts from climate change that are already evident in the Marin County OA and surrounding region as identified in a 2020 Marin County Civil Grand Jury Report include:

- From 1895-2018, the average temperature in Marin County increased by 2.3 degrees Fahrenheit.
- Over the past century, sea level rise in the San Francisco Bay Area rose by eight inches and has accelerated rapidly since 2011.
- The threat of wildfires in 2019 was so severe that Pacific Gas and Electric shut off electric power to the County for multiple days.

Climate change will continue to affect homes, businesses, infrastructure, utilities, transportation systems and agriculture across the Marin County OA. The risk to socially vulnerable populations will increase as they feel the immediate impacts of climate change more significantly and are less able to adapt to climate change and recover from its impacts.

The Marin County OA has adopted numerous planning initiatives and mitigation measures to help combat the effects of climate change across the OA. The Marin Climate Energy Partnership (MCEP), which is a partnership program of Marin County jurisdictions, the County, and Marin County regional agencies, adapted a model Climate Action Plan (CAP) that is intended to support countywide implementation efforts and is currently being used to update additional climate action plans for other jurisdictions in Marin County. The CAP supports the Climate Action Plan for the unincorporated County, which was completed in 2020. The MCEP also collects data and report on progress in meeting each County jurisdictions' individual greenhouse gas emission targets. In October 2022, the County published the Greenhouse Gas Inventory for Unincorporated Community Emissions for the Year 2020. Marin County OA jurisdictions have already met their greenhouse reduction goals for 2020 and are about halfway to meeting the statewide goal to reduce emissions 40% below 1990 levels by the year 2030. Marin County also formed a Sea Level Marin Adaptation Response Team in 2018 and had a Sea Level Rise Vulnerability Assessment and associated Adaptation Report completed for the County and each of its jurisdictions in 2017 as part of their Bay Waterfront Adaptation and Vulnerability Evaluation. Additional Marin County OA climate change mitigation initiatives

include Marin Clean Energy, Electrify Marin, the Marin Solar Project, the Marin Energy Watch Partnership, Resilient Neighborhoods, and Drawdown: Marin.

2.2 HAZARDS

Of the hazards profiled in the Marin County OA MJHMP, those noted in the table are specific for the Las Gallinas Valley Sanitary District as per the planning team.

Table 13: LGVSD Hazard Risk Assessment						
Hazard	Probability/ Likelihood of Future Events	Extent	Magnitude/ Severity	Climate Change Influence	Significance	Risk Score
Debris Flow	Occasional	Negligible	Weak	Low	Low	6.00
Drought	Likely	Limited	None	High	Medium	10.00
Earthquake	Occasional	Extensive	Extreme	None	Medium	12.00
Flooding	Likely	Significant	Moderate	Medium	High	13.00
Land Subsidence	Occasional	Negligible	Weak	Low	Low	6.00
Levee Failure	Unlikely	Significant	Severe	High	High	13.00
Sea Level Rise	Likely	Significant	Moderate	High	High	14.00
Severe Weather – Extreme Heat	Highly Likely	Negligible	Weak	High	Low	10.00
Severe Weather – High Wind/Tornado	Likely	Negligible	Weak	Medium	Medium	9.00
Tsunami	Unlikely	Extensive	Severe	None	Medium	10.00
Wildfire	Likely	Negligible	Moderate	Medium	Medium	10.00

Table 135: LGVSD Hazard Risk Assessment
Source: Las Gallinas Valley Sanitary District

Omitted Hazards

Dam Failure: There are no dams that a failure of which would impact the Las Gallinas Valley Sanitary District Service. The District is not in any dam inundation zone.

Table 14: County of Marin Hazard Risk Assessment						
Hazard	Probability/ Likelihood of Future Events	Geographic Extent	Magnitude/ Severity	Climate Change Influence	Significance	Risk Score
Dam Failure	Unlikely	Negligible	Extreme	Low	Medium	9.00
Debris Flow	Occasional	Extensive	Severe	Medium	Medium	13.00
Drought	Highly Likely	Extensive	Moderate	High	High	16.00
Earthquake	Highly Likely	Extensive	Extreme	None	High	15.00
Flooding	Highly Likely	Limited	Severe	High	Medium	14.00
Land Subsidence	Occasional	Limited	Moderate	Medium	Medium	10.00
Levee Failure	Unlikely	Negligible	Moderate	Medium	High	9.00
Sea Level Rise	Highly Likely	Limited	Extreme	High	High	16.00
Severe Weather – Extreme Heat	Highly Likely	Extensive	Moderate	High	Medium	15.00
Severe Weather – Wind, Tornado	Highly Likely	Extensive	Moderate	High	Medium	15.00
Tsunami	Highly Likely	Limited	Extreme	Medium	High	15.00
Wildfire	Highly Likely	Significant	Severe	High	High	16.00

Table 136: County of Marin Hazard Risk Assessment
Source: Marin County

2.2.1 DEBRIS FLOWS

For the purposes of the Marin County OA MJHMP, debris flows are classified as landslides (including rockslides) and mud flows.

A landslide is the breaking away and gravity-driven downward movement of hill slope materials, which can travel at speeds ranging from fractions of an inch per year to tens of miles per hour depending on the slope steepness and water content of the rock/soil mass. Landslides range from the size of an automobile to a mile or more in length and width and, due to their sheer weight and speed, can cause serious damage and loss of life. The rate of a landslide is affected by the type and extent of vegetation, slope angle, degree of water saturation, strength of the rocks, and the mass and thickness of the deposit. Some of the natural causes of this instability are earthquakes, weak materials, stream and coastal erosion, and heavy rainfall. In addition, certain human activities tend to make the earth materials less stable and increase the chance of ground failure. These activities include extensive irrigation, poor drainage or groundwater withdrawal, removal of stabilizing vegetation and over-steepening of slopes by undercutting them or overloading them with artificial fill. These activities can cause slope failure, which normally produce landslides.

Landslide material types are often broadly categorized as either rock or soil, or a combination of the two for complex movements. Rock refers to hard or firm bedrock that was intact and in

place prior to slope movement. Soil, either residual or transported material, means unconsolidated particles. The distinction between rock and soil is most often based on interpretation of geomorphic characteristics within landslide deposits, but can also be inferred from geologic characteristics of the parent material described on maps or in the field. Landslide movements are also based on the geomorphic expression of the landslide deposit and source area, and are categorized as falls, topples, spreads, slides, or flows. Falls are masses of soil or rock that dislodge from steep slopes and free fall. Topples move by the forward pivoting of a mass around an axis below the displaced mass. Lateral spreads move by horizontal extension and shear or tensile fractures. Slides displace masses of material along one or more discrete planes and can either be rotational or transitional. Flows mobilize as a deforming, viscous mass without a discrete failure plane.

Natural conditions that contribute to landslide include the following:

- Degree of slope
- Water (heavy rain, river flows, or wave action)
- Unconsolidated soil or soft rock and sediments
- Lack of vegetation (no stabilizing root structure)
- Previous wildfires and other forest disturbances
- Earthquake

In addition, many human activities tend to make the earth materials less stable and, thus, increase the chance of ground movement. Human activities contribute to soil instability through grading of steep slopes or overloading them with artificial fill, by extensive irrigation, construction of impermeable surfaces, excessive groundwater withdrawal, and removal of stabilizing vegetation.

Another hazard related to landslide and erosion is the fall of a detached mass of rock from a cliff or down a very steep slope (rockfall). Weathering and decomposition of geological materials produce conditions favorable to rockfalls. Other causes include ice wedging, root growth, or ground shaking (earthquake). Destructive landslides and rockfalls usually occur very suddenly with little or no warning time and are short in duration.

Landslide susceptibility can be characterized by looking at both slope class and rock strength. Landslide susceptibility classes express the generalization that on very low slopes, landslide susceptibility is low even in weak rock, and that landslide susceptibility increases with slope and in weaker rocks. Very high landslide susceptibility includes very steep slopes in hard rocks and moderate to very steep slopes in weak rocks. Figure 22 shows landslide susceptibility classes.

Landslides can cause high mortality and injuries from rapidly flowing water and debris. The most common cause of death in a landslide is trauma or suffocation by entrapment. Broken power, water, gas or sewage pipes can also result in injury or illness in the population affected, such as water-borne diseases, electrocution or lacerations from falling debris. People affected by landslides can also have short- and long-term mental health effects due to loss of family, property, livestock or crops. Landslides can also greatly impact the health system and essential services, such as water, electricity or communication lines.

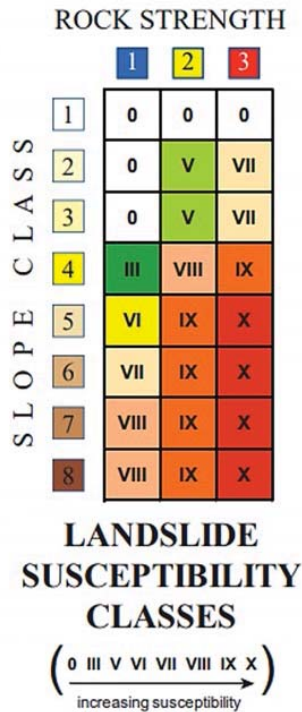


Figure 264: Landslide Susceptibility Classes

Source: USGS

A mud flow is a general term for a mass-movement landform and process characterized by a flowing mass of fine-grained earth material with a high degree of fluidity. Heavy rainfall, snowmelt, or high levels of groundwater flowing through cracked bedrock may trigger a movement of soil or sediments. Floods and debris flows may also occur when strong rains on hill or mountain slopes cause extensive erosion and/or what is known as "channel scour". Some broad mud flows are rather viscous and therefore slow; others begin very quickly and continue like an avalanche. Mud flows are composed of at least 50% silt and clay-sized materials and up to 30% water.

The point where a muddy material begins to flow depends on its grain size and the water content. Fine grainy material or soil has a smaller friction angle than a coarse sediment or a debris flow, but falling rock pieces can trigger a material flow, too. When a mud flow occurs it is given four named areas, the 'main scarp', in bigger mud flows the 'upper and lower shelves', and the 'toe'. See Figure 25 for the typical areas of a mud flow, with shelves (right) and without (left). The main scarp will be the original area of incidence, the toe is the last affected area(s). The upper and lower shelves are located wherever there is a large dip (due to mountain or natural drop) in the mud flow's path. A mud flow can have many shelves.

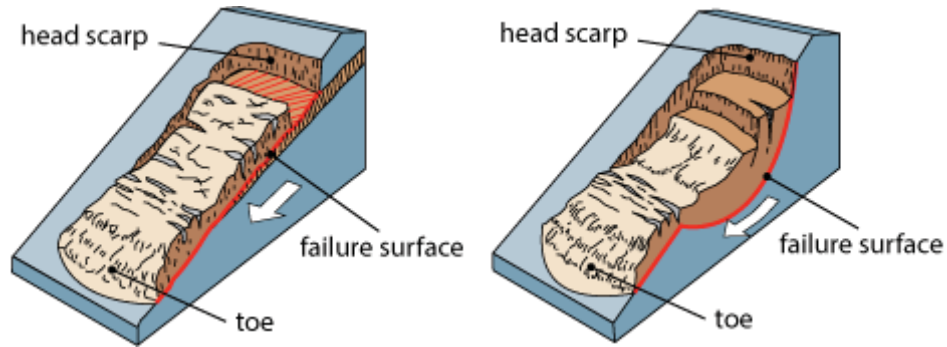


Figure 265: Mud Flow Areas

Source: Washington Department of Natural Resources

If large enough, mud flows can devastate villages and country-sides. Mud flows are common in mountain areas prone to wildfire, where they have destroyed many homes built on hillsides without sufficient support after fires destroy vegetation holding the land. The area most generally recognized as being at risk of a dangerous mud flow are:

- Areas where wildfires or human modification of the land have destroyed vegetation
- Areas where landslides have occurred before
- Steep slopes and areas at the bottom of slopes or canyons
- Slopes that have been altered for construction of buildings and roads
- Channels along streams and rivers
- Areas where surface runoff is directed

A landslide in the LGVSD would most likely occur in any of the open spaces throughout the District where the terrain is steeper and is more susceptible to movement of hill slope materials. Most of the critical facilities in the District lie outside these areas, with the exception of the John Duckett Pump Station which lies in an area of high landslide susceptibility. The McInnis Park Pump Station and the six Captain Cove Pump Stations lie in area with some landslide susceptibility.

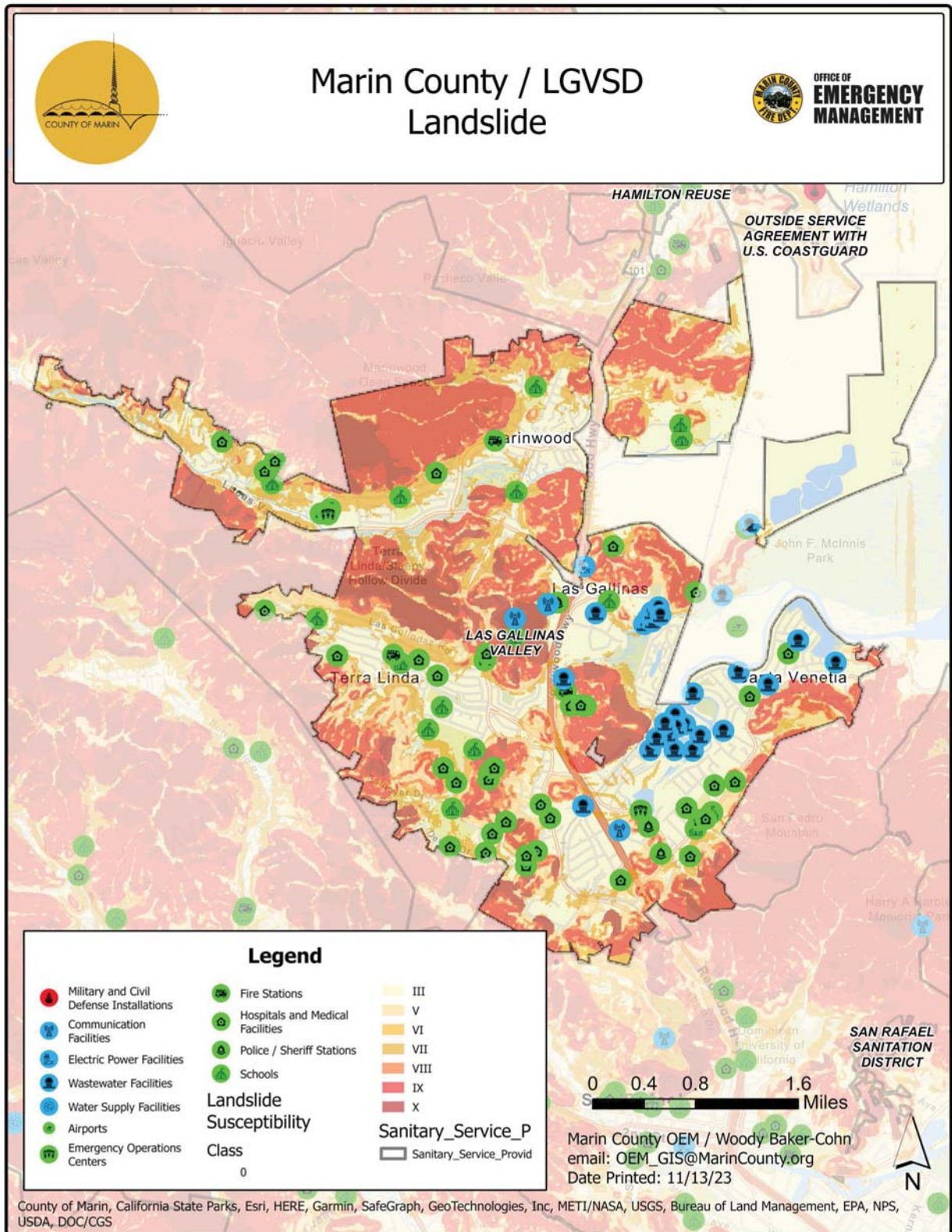


Figure 266: LGVSD Debris Flow Critical Facilities and Infrastructure

Source: Marin County OEM

A landslide having major impacts on any of the critical facilities in the District could affect the provision of District services. An earthquake has the potential to cause landslides throughout this area. A wildfire and subsequent rain event in any of the open spaces in the District could contribute to debris flows throughout the District, including along Gallinas Creek and the South Fork of Gallinas Creek. There have been no recorded debris flows in the District.

Climate Change and Future Development Considerations

Extreme storm events and more frequent wildfires as a result of climate change have the potential to increase the amount and severity of landslides, including disastrous debris flows. Climate change is leading to more volatile precipitation patterns around the world with very dry stretches punctuated by storms that drop large amounts of rain in a short amount of time. Landslides in wetter regions of California, including the Marin County OA, move on average faster and farther downhill during rainy periods compared to drought years, according to a 2022 study by the American Geophysical Union (AGU)¹⁸, showing the increased potential for landslides in the Marin County OA in rainy years. As development increases in the numerous canyons and around the many open spaces of the Marin County OA, the potential for significant impacts from a landslide and/or mudflow increases. Further development of the residential areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent that have a higher landslide susceptibility will expose more people and property to landslide risk. With increased wildfire potential as a result of climate change, more residents in the District service area could be susceptible to post-fire debris flows. This includes Miller Creek in the unincorporated County areas of Lucas Valley and Marinwood. Future development should take into account the movement of mud and debris in waterways after a major rain event. Adequate space adjacent to susceptible waterways should be maintained free of development to allow for the passage of mud and debris, and catchment basins should be built in these areas to help capture any excess mud and debris.

2.2.2 DROUGHT

A drought is a deficiency in precipitation over an extended period, usually a season or more, resulting in a water shortage causing adverse impacts on vegetation, animals, and/or people. It is a normal recurrent feature of climate that occurs in virtually all climate zones, from very wet to very dry. Drought is a temporary aberration from normal climatic conditions and can thus vary significantly from one region to another. Droughts occur slowly, over a multi-year period, and it is often not obvious or easy to quantify when a drought begins and ends. Drought is a complex issue involving many factors—it occurs when a normal amount of moisture is not available to satisfy an area's usual water-consuming activities.

There are several types of drought which can often be defined regionally based on its effects:

- Meteorological drought is usually defined by a period of below average water supply, based on the degree of dryness (in comparison to normal or average) and the duration of the dry period. Drought onset generally occurs with a meteorological drought.

¹⁸ Landslide Sensitivity and Response to Precipitation Changes in Wet and Dry Climates.
<https://agupubs.onlinelibrary.wiley.com/doi/10.1029/2022GL099499>

- Agricultural drought occurs when there is an inadequate water supply to meet the needs of the state's crops and other agricultural operations such as livestock. Agricultural drought links various characteristics of meteorological (or hydrological) drought to agricultural impacts, focusing on precipitation shortages, soil water deficits, reduced ground water or reservoir levels needed for irrigation.
- Hydrological drought is defined as deficiencies in surface and subsurface water supplies. It is generally measured as stream flow, snowpack, and as lake, reservoir, and groundwater levels. Hydrological drought usually occurs following periods of extended precipitation shortfalls.
- Socioeconomic drought occurs when a drought impacts health, well-being, and quality of life, or when a drought starts to have an adverse economic impact on a region.

Drought can occur in all areas of the LGVSD, though its effects would be most felt in the mountainous areas where the risk of wildfire would increase. There are no District critical facilities in these areas. The wetland areas of the District, particularly the marshlands in Las Gallinas and Santa Venetia, could become drier during prolonged period of drought and experience marshland fires that could impact the District's critical facilities. Low water levels due to drought could impact the operability of the District's critical facilities, including its pump stations.

Climate Change and Future Development Considerations

Climate change increases the odds of worsening drought. Warmer temperatures enhance evaporation, which reduces surface water and dries out soils and vegetation. This makes periods with low precipitation in the summer drier than they would be in cooler conditions. Climate also alters the timing of water availability as warmer winter temperatures cause less precipitation to fall. During droughts, communities in the Marin County OA including in the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent may have limited access to water for household use, including drinking, cooking, cleaning, and watering plants, as well as for agriculture, transportation, and power generation. Drought may lead to higher water costs, rationing, or even the decimation of important water sources like wells in the Marin County OA. As more people move into the Marin County OA, including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent additional strain will be placed on the OA's water supply. Drought can affect livestock and crops in the Marin County OA, impacting its economy. Drought can increase the occurrence and severity of wildfires and tree mortality in the Marin County OA including in the open spaces in and around the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. Impacts to residents and infrastructure from wildfire as a result of drought will increase as more development occurs in the mountainous areas of the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent where wildfires are more likely to occur. Drought also has the potential to dry out the marshlands along the shoreline of the District in the City of San Rafael and the unincorporated County areas of Santa Venetia St. Vincent, increasing the chances of brush fires there. Future development in this area and in the mountainous areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent could expose people to drier summer conditions that could increase

their vulnerability to wildfire. Drought also increases the amount of carbon dioxide in the atmosphere, including by decreasing land productivity, which reduces the amount of vegetation storing carbon dioxide. In addition, increases in drought-related wildfire and soil erosion can release carbon dioxide sequestered in trees and plants back into the atmosphere. This will only worsen climate change for the Marin County OA into the future. When considering future development, the Marin County OA including the LGVSD, the City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent can help prepare for both future droughts and climate change by practicing and promoting water conservation and enhancing water efficiency throughout landscapes, city plans, and water infrastructure. The Marin County OA can also identify alternative water supplies, create drought emergency plans, and encourage farmers to plant drought-resistant crops.

2.2.3 EARTHQUAKE

Earthquakes are sudden rolling or shaking events caused by movement under the earth’s surface. Earthquakes happen along cracks in the earth's surface, called fault lines, and can be felt over large areas, although they usually last less than one minute.

The amount of energy released during an earthquake is usually expressed as a magnitude and is currently measured by seismologists on the Moment Magnitude (Mw Scale). The Mw Scale was developed to succeed the previously used Richter Scale and is measured on a scale of zero to ten with increasing values reflecting increasing intensity.

The other commonly used measure of earthquake severity is intensity, which is an expression of the amount of shaking at any given location on the ground service. Intensity is most commonly measured on the Modified Mercalli Intensity (MMI) Scale (see Figure 27).

Intensity	Shaking	Description/Damage
I	Not felt	Not felt except by a very few under especially favorable conditions.
II	Weak	Felt only by a few persons at rest, especially on upper floors of buildings.
III	Weak	Felt quite noticeably by persons indoors, especially on upper floors of buildings. Many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibrations similar to the passing of a truck. Duration estimated.
IV	Light	Felt indoors by many, outdoors by few during the day. At night, some awakened. Dishes, windows, doors disturbed; walls make cracking sound. Sensation like heavy truck striking building. Standing motor cars rocked noticeably.
V	Moderate	Felt by nearly everyone; many awakened. Some dishes, windows broken. Unstable objects overturned. Pendulum clocks may stop.
VI	Strong	Felt by all, many frightened. Some heavy furniture moved; a few instances of fallen plaster. Damage slight.
VII	Very strong	Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable damage in poorly built or badly designed structures; some chimneys broken.
VIII	Severe	Damage slight in specially designed structures; considerable damage in ordinary substantial buildings with partial collapse. Damage great in poorly built structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned.
IX	Violent	Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb. Damage great in substantial buildings, with partial collapse. Buildings shifted off foundations.
X	Extreme	Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations. Rails bent.

Figure 267: Modified Mercalli Intensity Scale

Source: USGS

Figure 28 gives intensities (measured on the MMI scale) that are typically observed at locations near the epicenter or earthquakes of different magnitudes.

Richter Magnitude Scale	Typical Maximum Modified Mercalli Intensity Scale
1.0 – 2.9	I
3.0 – 3.9	II – III
4.0 – 4.9	IV – V
5.0 – 5.9	VI – VII
6.0 – 6.9	VII – IX
7.0 or higher	VIII or higher

Figure 268: Mercalli Scale vs. Magnitude

Source: USGS

The extent of ground shaking also depends in large part on how soft the underlying soil is. Soft soils amplify ground shaking (see Figure 29). This was observed during the 1989 Loma Prieta Earthquake when the most significant damages experienced in San Francisco were in the Marina District, which was built on fill.

Soil type A	Vs > 1500 m/sec	Includes unweathered intrusive igneous rock. Occurs infrequently in the bay area. We consider it with type B (both A and B are represented by the color blue on the map). Soil types A and B do not contribute greatly to shaking amplification.
Soil type B	1500 m/sec > Vs > 750 m/sec	Includes volcanics, most Mesozoic bedrock, and some Franciscan bedrock. (Mesozoic rocks are between 245 and 64 million years old. The Franciscan Complex is a Mesozoic unit that is common in the Bay Area.)
Soil Type C	750 m/sec > Vs > 350 m/sec	Includes some Quaternary (less than 1.8 million years old) sands, sandstones and mudstones, some Upper Tertiary (1.8 to 24 million years old) sandstones, mudstones and limestone, some Lower Tertiary (24 to 64 million years old) mudstones and sandstones, and Franciscan melange and serpentinite.
Soil Type D	350 m/sec > Vs > 200 m/sec	Includes some Quaternary muds, sands, gravels, silts and mud. Significant amplification of shaking by these soils is generally expected.
Soil Type E	200 m/sec > Vs	Includes water-saturated mud and artificial fill. The strongest amplification of shaking due is expected for this soil type.

Figure 269: Soil Types

Source: USGS

An earthquake fault is defined as “a fracture or fracture zone in the earth’s crust along which there has been displacement of the sides relative to one another.” For the purpose of planning there are two types of faults, active and inactive. Active faults have experienced displacement in historic time, suggesting that future displacement may be expected. Inactive faults show no evidence of movement in recent geologic time, suggesting that these faults are dormant.

Two types of fault movement represent possible hazards to structures in the immediate vicinity of the fault: fault creep and sudden fault displacement. Fault creep, a slow movement of one side of a fault relative to the other, can cause cracking and buckling of sidewalks and foundations even without perceptible ground shaking. Sudden fault displacement occurs during an earthquake event and may result in the collapse of buildings or other structures that are found along the fault zone when fault displacement exceeds an inch or two. The only protection against damage caused directly by fault displacement is to prohibit construction in the fault zone.

An earthquake could occur anywhere in and around the LGVSD due to the number of active faults within and near Marin County.

Earthquake Shake Intensity

The colors on Figures 30 and 31 represent the level of ground shaking intensity of a potential future earthquake. The result is expressed as the level of ground shaking (**expressed as a percentage of gravity**) that on average occurs every 500 years.

This map shows the expected relative intensity of ground shaking and damage in California from anticipated future earthquakes. The shaking potential is calculated as the level of ground motion that has a 2% chance of being exceeded in 50 years, which is the same as the level of ground-shaking with about a 2500 year average repeat time. The relatively long-period (1.0 second) earthquake shaking is shown here. Long period-shaking affects tall, relatively flexible buildings, but also correlates well with overall earthquake damage.

Earthquake Shaking Potential Maps for California depict expected intermediate period (1s or 1hz) ground motions with 2% exceedance probability in 50 years.

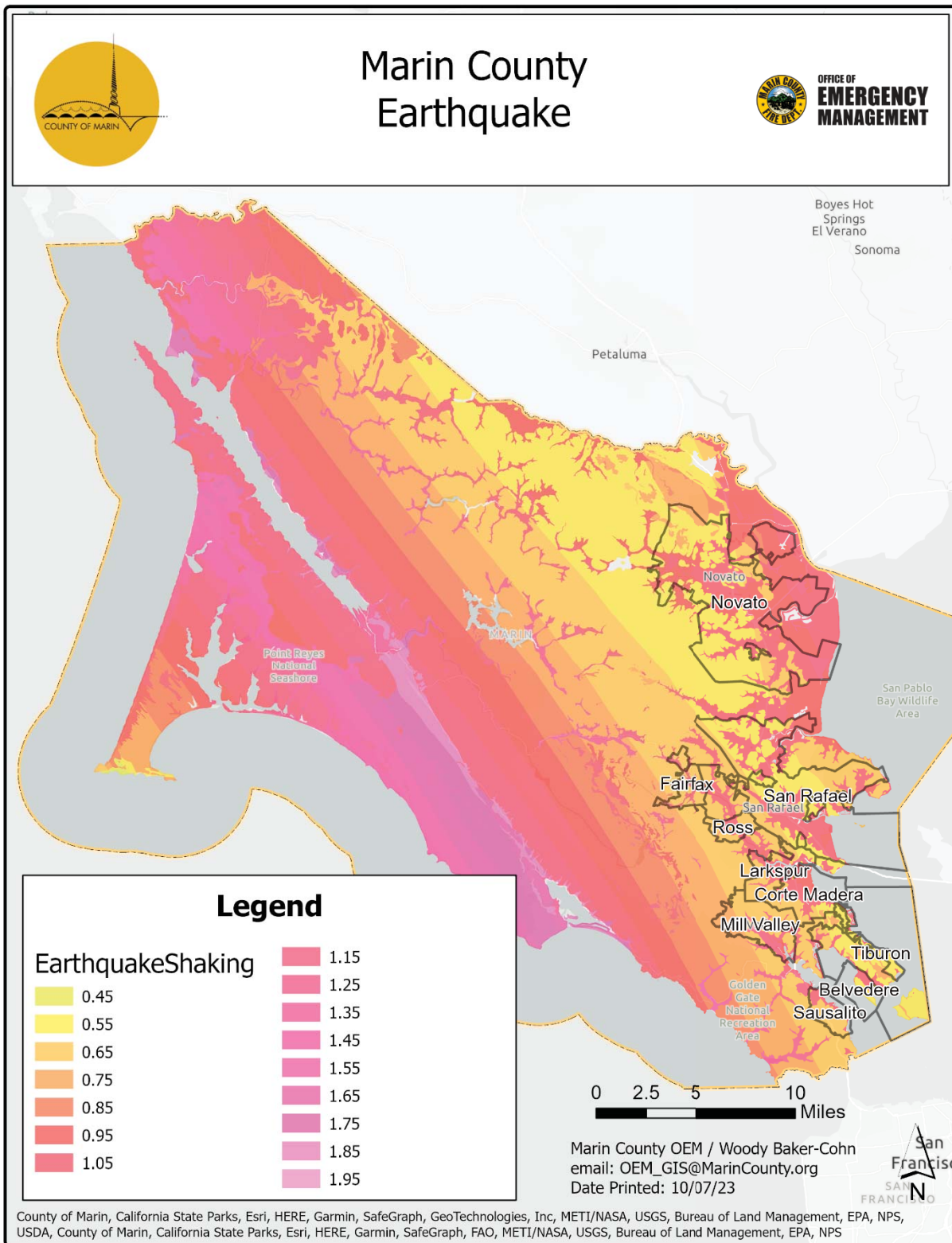


Figure 270: Marin County Earthquake Impact
Source: Marin County OEM

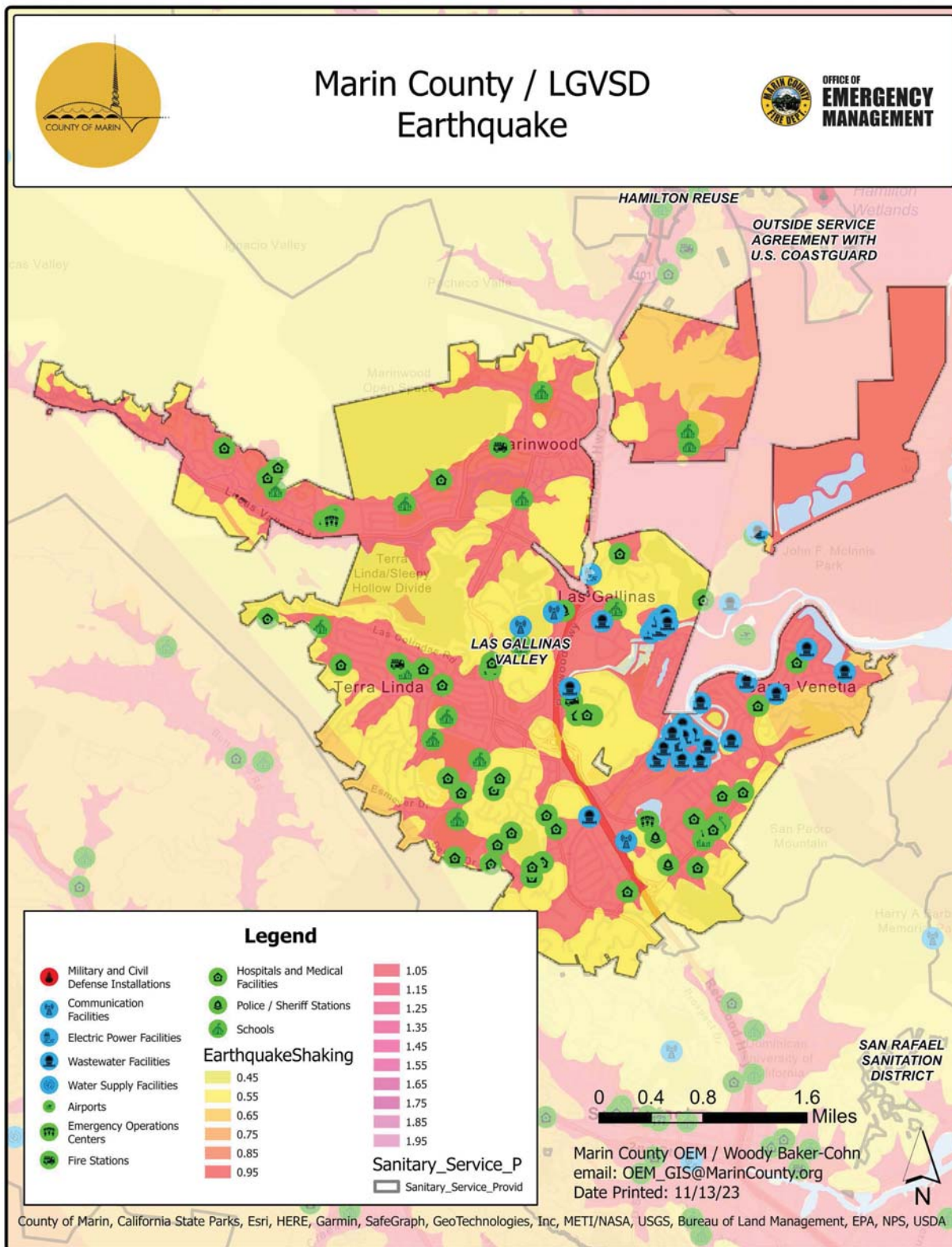


Figure 271: LGVSD Earthquake Critical Facilities and Infrastructure
Source: Marin County OEM

The District is located directly between the San Andreas and Hayward faults. A moderate to extreme earthquake originating from either of these major faults or any of the other faults in the region could have major impacts to the District. There is increased risk of shaking and liquefaction in the District from an earthquake, particularly in the central and eastern lowland areas where superficial deposits and fill are more prevalent. All of the Districts critical facilities lie in these areas and have a moderate susceptibility to earthquake shaking. Vulnerable structures include District infrastructure and facilities that have not undergone major seismic retrofitting. Utility infrastructure throughout the District could be impacted by an earthquake, disrupting service to District customers.

The LGVSD has not experienced a major earthquake. Marin County was sparsely populated at the time of the 1906 San Francisco Earthquake, and the effects across the County were relatively minimal. Likewise, the 1989 Loma Prieta Earthquake caused minimal impacts across Marin County as the epicenter of the quake was further south in Santa Cruz County. Smaller earthquakes with minimal to no impacts are routinely felt in the District.

Climate Change and Future Development Considerations

There is no direct link between climate change and seismic activity that could impact the Marin County OA including LGVSD, so climate change is not expected to cause any changes to the frequency or intensity of seismic shaking. According to a 2018 study by the Institute of Physics (IOP)¹⁹, climate change could result in “isostatic rebounds,” or a sudden upward movement of the crust because of reduced downward weight caused by glaciers. As glaciers are known to melt when overall global temperatures increase, climate change could indirectly lead to an increase in seismicity in the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. Climate change could also impact earthquakes felt in the Marin County OA as droughts can further deteriorate existing fault lines and pumping groundwater can put further pressure on the earth’s crust. Future development in the populated areas of Marin County OA where seismic shaking and subsidence are more prevalent could exacerbate the impacts of an earthquake. This includes the lowland and creek side areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent where the risk of subsidence and subsequent earthquake shaking are higher. Future development in these areas could expose more people and infrastructure to earthquake shaking as a result of climate change.

¹⁹ An Enhanced Seismic Activity Observed Due to Climate Change: Preliminary Results from Alaska.
<https://iopscience.iop.org/article/10.1088/1755-1315/167/1/012018>

2.2.4 FLOODING

Flooding is the rising and overflowing of a body of water onto normally dry land. Floods are among the costliest natural disasters in terms of human hardship and economic loss nationwide. The area adjacent to a channel is the floodplain. Floodplains are illustrated on inundation maps, which show areas of potential flooding and water depths. In its common usage, the floodplain most often refers to that area that is inundated by the 100-year flood, the flood that has a one percent chance in any given year of being equaled or exceeded. The 100-year flood is the national minimum standard to which communities regulate their floodplains through the National Flood Insurance Program. The 200-year flood is one that has 0.5% chance of being equaled or exceeded each year. The 500-year flood is the flood that has a 0.2 percent chance of being equaled or exceeded in any given year. The potential for flooding can change and increase through various land use changes and changes to land surface, which result in a change to the floodplain. A change in environment can create localized flooding problems inside and outside of natural floodplains by altering or confining natural drainage channels. These changes are most often created by human activity such as construction of bridges or channels. In areas where flow contains high sediment load, such as Easkoot Creek in Stinson Beach (due to an active landslide upstream), the flow carrying capacity of the channel may be reduced dramatically during a single flood event. Coastal floodplains may also change over time as waves and currents alter the coastline (especially wetlands) and sea levels rise.

Flooding can occur in several ways:

Riverine flooding – Riverine flooding, defined as when a watercourse exceeds its “bank-full” capacity, generally occurs as a result of prolonged rainfall, or rainfall that is combined with snowmelt and/or already saturated soils from previous rain events. This type of flood occurs in river systems whose tributaries may drain large geographic areas and include one or more independent river basins. The onset and duration of riverine floods may vary from a few hours to many days and is often characterized by high peak flows combined with a large volume of runoff. Factors that directly affect the amount of flood runoff include precipitation amount, intensity and distribution, the amount of soil moisture, seasonal variation in vegetation, snow depth, and water-resistance of the surface due to urbanization. In the Marin County OA, riverine flooding can occur anytime from November through April and is largely caused by heavy and continued rains, sometimes combined with snowmelt, increased outflows from upstream dams, and heavy flow from tributary streams. These intense storms can overwhelm the local waterways as well as the integrity of flood control structures. Flooding is more severe when antecedent rainfall has resulted in saturated ground conditions. The warning time associated with slow rise riverine floods assists in life and property protection.

Flash flooding – Flash flooding describes localized floods of great volume and short duration. This type of flood usually results from a heavy rainfall on a relatively small drainage area. Precipitation of this sort usually occurs in the winter and spring. Flash floods often require immediate evacuation within the hour and thus early threat identification and warning is critical for saving lives.

Localized/Stormwater flooding – Localized flooding problems are often caused by flash flooding, severe weather, or an unusual amount of rainfall. Flooding from these intense weather events usually occurs in areas experiencing an increase in runoff from impervious surfaces associated with development and urbanization as well as inadequate storm drainage systems.

Tidal flooding – Tidal flooding develops when high tides exceed either the top of bank elevation of tidal sloughs and channels, or the crest of bay levees. An especially high tide event that occurs during alignment of the gravitational pull between the sun and the moon, causing tidal water levels to rise to higher-than normal levels. King tides are normal, predictable events that occur semi-annually during winter months. Typically storms in which high tides coincide with peak stormwater flow may be damaging to municipal infrastructure and private property.

The area is also at risk to flooding resulting from levee failures and dam failures. Dam failure flooding is discussed separately in the Dam Failure Section of this document; levee failure flooding is discussed separately in the Levee Failure Section of this document. Regardless of the type of flood, the cause is often the result of severe weather and excessive rainfall, either in the flood area or upstream reach.

A weather pattern called the “Atmospheric River” contributes to the flooding potential of the area. An Atmospheric River brings warm air and rain to the West. A relatively common weather pattern brings southwest winds to the Pacific Northwest or California, along with warm, moist air. The moisture sometimes produces many days of heavy rain, which can cause extensive flooding. The warm air also can melt the snowpack in the mountains, which further aggravates the flooding potential. In the colder parts of the year, the warm air can be cooled enough to produce heavy, upslope snow as it rises into the higher elevations of the Sierra Nevada or Cascades. Forecasters and others on the West Coast often used to refer to this warm, moist air as the “Pineapple Express” because it comes from around Hawaii where pineapples are grown. A diagram of an atmospheric river event is shown in Figure 32.

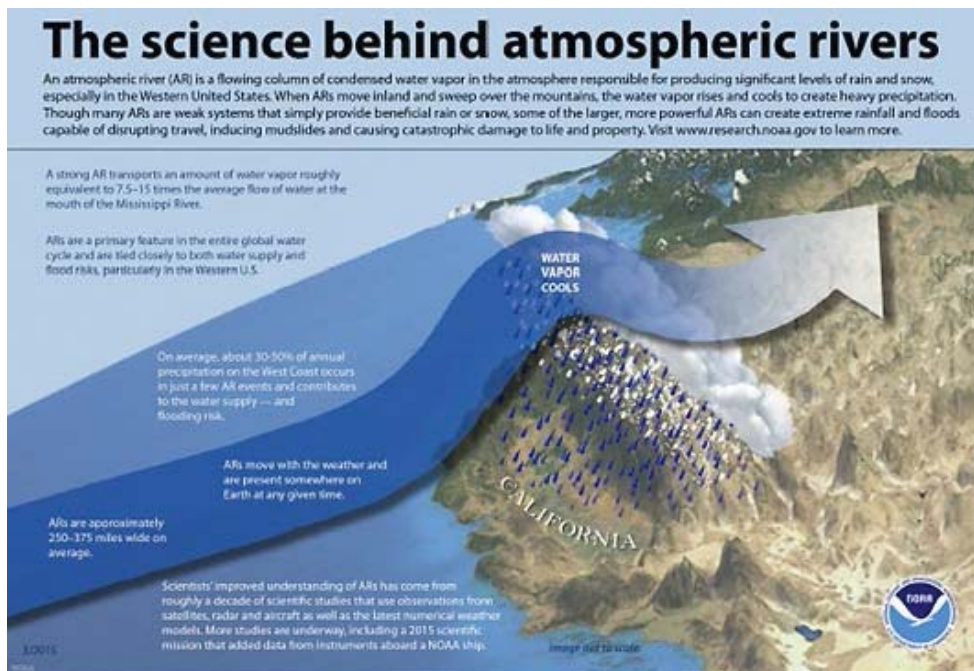


Figure 272: Diagram of an Atmospheric River Event
Source: NOAA

The Marin County OA is susceptible to various types of flood events. In coastal areas, flooding may occur when strong winds or tides result in a surge of seawater into areas that are above the normal high tide line. Other types of flooding in Marin include isolated ponding and stormwater overflow. Isolated ponding is when pools form on the ground and can occur in any area that doesn't drain effectively – for example, in a natural depression in the landscape. Stormwater overflow is when storm drains back up. Stormwater drainage systems quickly convey rainwater through underground culverts (pipes) to creeks and the Bay. When the storm drains are obstructed or broken or when the water bodies to which they lead are already full, water backs up onto the streets and into the riparian area surrounding the drainage way. Although stormwater overflow and isolated ponding also occur throughout the County, the effects are typically not widespread or significantly damaging.

Flooding in the LGVSD generally results from creek flooding in low-lying areas. Approximately half of the lowland areas in the District are in the 100-year floodplain, with the other half in the 500-year floodplain.

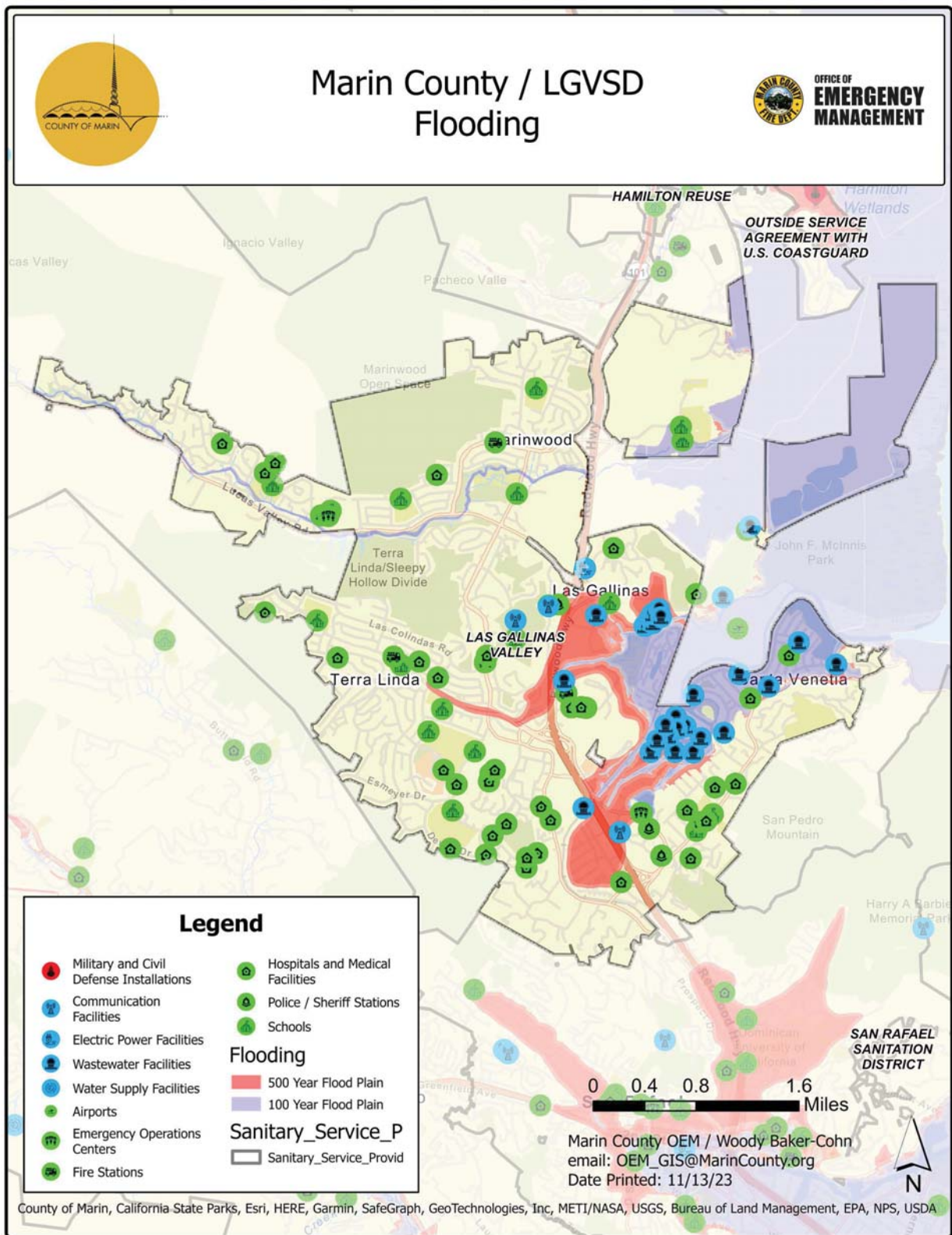


Figure 273: LGVSD Flooding Critical Facilities and Infrastructure

Source: Marin County OEM

Table 15 shows the number of Las Gallinas Valley Sanitary District critical facilities by flood zone.

Table 15: Las Gallinas Valley Sanitary District Critical Facilities By Flood Zone			
Category	Name	Address	Flood Zone
Wastewater Facilities	Wastewater Treatment Plant	300 Smith Ranch Rd, San Rafael, CA 94903	X
Wastewater Facilities	Laboratory	300 Smith Ranch Rd, San Rafael, CA 94903	AE
Wastewater Facilities	Northgate Industrial Park Pump Station	Near: 153 Paul Dr San Rafael, CA 94903	X
Wastewater Facilities	John Duckett Pump Station	Near: 4238 Redwood Hwy, San Rafael, CA 94903	X
Wastewater Facilities	Northgate Industrial Park Pump Station	Near: 153 Paul Dr San Rafael, CA 94903	X
Wastewater Facilities	John Duckett Pump Station	Near: 4238 Redwood Hwy, San Rafael, CA 94903	AE
Wastewater Facilities	Northgate Industrial Park Pump Station	Near: 153 Paul Dr San Rafael, CA 94903	AE
Wastewater Facilities	John Duckett Pump Station	Near: 4238 Redwood Hwy, San Rafael, CA 94903	AE
Wastewater Facilities	Northgate Industrial Park Pump Station	Near: 153 Paul Dr San Rafael, CA 94903	AE
Wastewater Facilities	John Duckett Pump Station	Near: 4238 Redwood Hwy, San Rafael, CA 94903	AE
Wastewater Facilities	Marin Lagoon #6 Pump Station	Near: 99 Mariners Cir, San Rafael, CA 94903	AE
Wastewater Facilities	Marin Lagoon #7 Pump Station	Near: 14 Bridgewater Dr, San Rafael, CA 94903	AE
Wastewater Facilities	Marin Lagoon #8 Pump Station	Near: 14 Mariners Cir, San Rafael, CA 94903	AE
Wastewater Facilities	Marin Lagoon #9 Pump Station	Near: 56 Mariners Cir, San Rafael, CA 94903	AE
Wastewater Facilities	Venetia Harbor Pump Station	85 Vendola Dr, San Rafael, CA 94903	AE
Wastewater Facilities	Hawthorne Pump Station	403 Vendola Dr, San Rafael, CA 94903	AE
Wastewater Facilities	Adrian Pump Station	Near: Candy's Park, 601 Adrian Way, San Rafael, CA 94903	AE
Wastewater Facilities	Descanso Pump Station	807 Descanso Way, San Rafael, CA 94903	AE
Wastewater Facilities	McPhail's Pump Station	Near: 1590 Vendola Dr, San Rafael, CA 94903	AE
Wastewater Facilities	Captain's Cove Flow Meter	Near: Corner of Yosemite Rd & Sailmaker Ct, San Rafael, CA 94903	X

Wastewater Facilities	Captain's Cove #1 Pump Station	Near: 159 Captains Cove Dr, San Rafael, CA 94903	X
Wastewater Facilities	Captain's Cove #2 Pump Station	128 Captains Cove Dr, San Rafael, CA 94903	X
Wastewater Facilities	Captain's Cove #3 Pump Station	30 Wharf Cir, San Rafael, CA 94903	X
Wastewater Facilities	Captain's Cove #4 Pump Station	89 Dockside Cir, San Rafael, CA 94903	X
Wastewater Facilities	Captain's Cove #5 Pump Station	28 Dockside Cir, San Rafael, CA 94903	X
Wastewater Facilities	Captain's Cove #6 Pump Station	16 Keel Ct, San Rafael, CA 94903	X
Wastewater Facilities	Saint Vincent's Pump Station	Intersection: St Vincent's Dr and Levee Road, San Rafael, CA 94903	AE
Wastewater Facilities	Reclamation Pump Station	Approx. 1,300 NE of 300 Smith Ranch Rd, San Rafael, CA 94903	AE
Electrical Power Facilities	Solar PV System	3 Miles NE of 300 Smith Ranch Road, San Rafael, CA 94903	AE

Table 137: Las Gallinas Valley Sanitary District Critical Facilities in the Flood Zones
Source: Marin County/FEMA DFIRM

Significant waterways that contribute to flooding within the District include Miller Creek, Gallinas Creek and the South Fork of Gallinas Creek. Most of the critical facilities in the District, including the LGVSD Treatment Plant and numerous pump stations, lie within the 100-year floodplain of these creeks. Numerous pump stations, including all six of the Captain Cove Pump Station's, the Northgate Industrial Park Pump Station and the John Duckett Pump Station lie in the 500-year floodplain.

Floodwaters can be deep enough to drown people and move fast enough to sweep people and vehicles away, lift buildings off foundations, and carry debris that smashes into buildings and other property. Flood waters can cause significant erosion which can lead to slope instability, severely damaging transportation and utility infrastructure by undermining foundations or washing away pavement. If water levels rise high enough to get inside buildings, flooding can cause extensive damage to personal property and the structure itself. Flood events that develop very quickly are especially dangerous because there may be little advance warning. Flooding may occur when strong winds or tides result in a surge of seawater into areas that are above the normal high tide line. A breach and/or overtopping of the levees throughout the District could contribute to flooding in the lowland areas of the District where most of the District critical facilities lie.

Climate Change and Future Development Considerations

Climate change is expected to affect California's precipitation patterns, which are likely to influence future flood events. A 2017 study²⁰ found that the number of very intense precipitation days in California is projected to more than double by the end of the century, increasing 117 percent, making it likely that flood events will become more frequent in the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. Climate change is expected to alter rainfall patterns in Northern California, including the Marin County OA. As the climate warms, rain events are predicted to become more intense. The Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent will likely experience more rain inundation events that lead to flooding and increase the potential threat of dam and levee failure, tree mortality, and other potential hazards. Sea level rise as a result of climate change will exacerbate the impacts of tidal flooding in the lowland areas of the Marin County OA including the shoreline areas of the City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent. Future development in these areas will expose more people and infrastructure to the effects of flooding. Development in the marshland area of the City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent would expose additional people and infrastructure to flooding as marshlands act as a natural buffer to storm surge. Development along Miller Creek, Gallinas Creek and the North Fork of Gallinas Creek would expose more people, structures and infrastructure including major roads to creek flooding and storm surge as a result of climate change.

2.2.5 LAND SUBSIDENCE

Land subsidence is a gradual settling or sudden sinking of the Earth's surface owing to subsurface movement of earth materials. The principal causes are aquifer-system compaction, drainage of organic soils through groundwater pumping, underground mining, hydro-compaction, natural compaction, sinkholes, and thawing permafrost. More than 80 percent of the identified subsidence in the United States is a consequence of underground water exploitation. The increasing development of land and water resources threatens to exacerbate existing land-subsidence problems and initiate new ones.

Sinkholes can form in three primary ways. Dissolution sinkholes form when dissolution of the limestone or dolomite is most intensive where the water first contacts the rock surface. Aggressive dissolution also occurs where flow is focused in preexisting openings in the rock, such as along joints, fractures, and bedding planes, and in the zone of water-table fluctuation where groundwater is in contact with the atmosphere. See Figure 34 for a picture and description of how dissolution sinkholes form.

²⁰ Precipitation in a Warming World: Assessing Projected Hydro-Climate Changes in California and other Mediterranean Regaions. <https://www.nature.com/articles/s41598-017-11285-y>

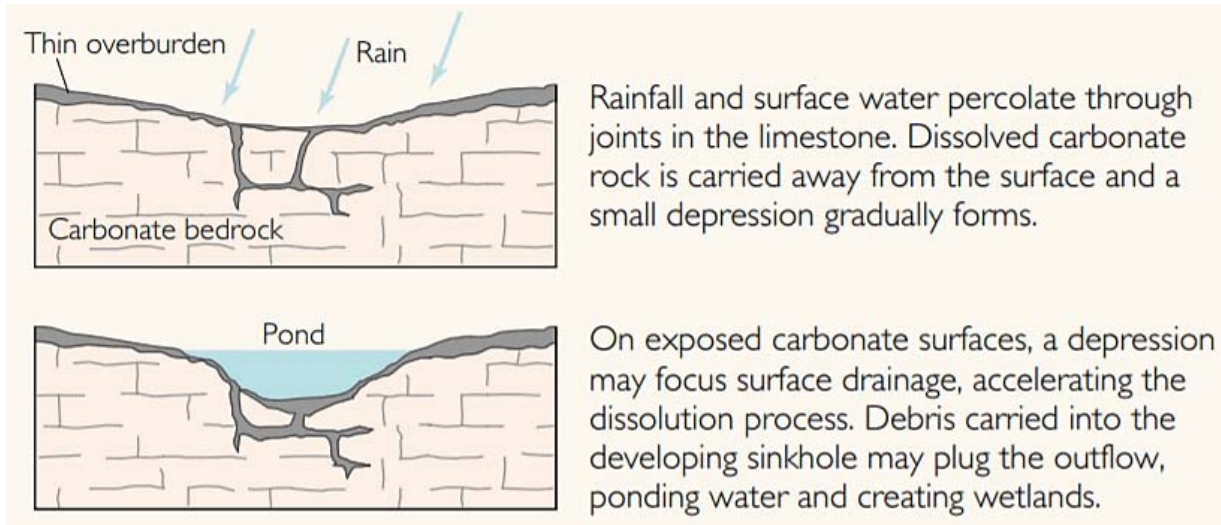


Figure 274: Dissolution Sinkhole Formation

Source: USGS

Cover-subsidence sinkholes tend to develop gradually where the covering sediments are permeable and contain sand. In areas where cover material is thicker, or sediments contain more clay, cover-subsidence sinkholes are relatively uncommon, are smaller, and may go undetected for long periods. See Figure 35 for a picture and description of how cover-subsidence sinkholes form.

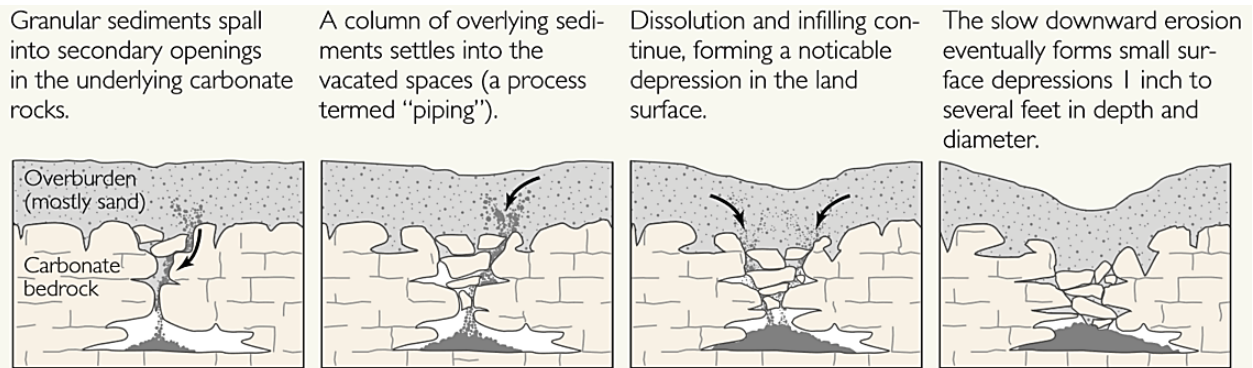


Figure 275: Cover-Subsidence Sinkhole Formation

Source: USGS

Cover-collapse sinkholes may develop abruptly over a period of hours and cause catastrophic damages. They occur where the covering sediments contain a significant amount of clay. Over time, surface drainage, erosion, and deposition of sediment transform the steep-walled sinkhole into a shallower bowl-shaped depression. See Figure 36 for a picture and description of how cover-collapse sinkholes form.

Sediments spall into a cavity. As spalling continues, the cohesive covering sediments form a structural arch. The cavity migrates upward by progressive roof collapse. The cavity eventually breaches the ground surface, creating sudden and dramatic sinkholes.

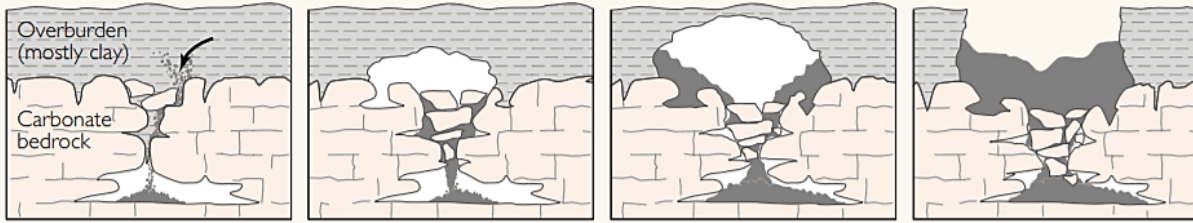


Figure 276: Cover-Collapse Sinkhole Formation
Source: USGS

New sinkholes have been correlated to land-use practices, especially from groundwater pumping and from construction and development practices that cause land subsidence. Sinkholes can also form when natural water-drainage patterns are changed and new water-diversion systems are developed. Some sinkholes form when the land surface is changed, such as when industrial and runoff-storage ponds are created. The substantial weight of the new material can trigger an underground collapse of supporting material, thus causing a sinkhole.

The overburden sediments that cover buried cavities in the aquifer systems are delicately balanced by groundwater fluid pressure. The water below ground helps to keep the surface soil in place. Groundwater pumping for urban water supply and for irrigation can produce new sinkholes in sinkhole-prone areas. If pumping results in a lowering of groundwater levels, then underground structural failure, and thus, sinkholes, can occur.

Land subsidence and sinkholes would most likely occur in the central and eastern lowland areas of the LGVSD where superficial deposits and fill are more prevalent. This includes the areas around Las Gallinas and Santa Venetia where all of the District critical facilities lie. These areas could anticipate increased rates of subsidence as bay waters saturate the soil from below. Land subsidence could have numerous impacts for the District, including the settling of District facilities as well as the shifting of District infrastructure.

Climate Change and Future Development Considerations

Climate change could indirectly influence land subsidence as more severe and prolonged periods of drought may encourage more groundwater withdrawals. In coastal areas like the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent, land subsidence leads to higher sea levels and increased flood risk. The rate of land subsidence could increase across the Marin County OA including the lowland areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent as a result of climate change. The impacts of land subsidence on infrastructure, including roads and underground utilities in the District could increase with future development in the lowland populated areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent where land subsidence is more likely to occur.

2.2.6 LEVEE FAILURE

Levee failure is the overtopping, breach or collapse of the levee. Levees can fail in the event of an earthquake, internal erosion, poor engineering/construction or landslides, but levees most commonly fail as a result of significant rainfall or very high tides. During a period of heavy rainfall, the water on the water-body side of the levee can build up and either flow over the top (“overtopping”) or put pressure on the structure causing quickening seepage and subsequent erosion of the earth. The overflow of water washes away the top portion of the levee, creating deep grooves. Eventually the levee weakens, resulting in a breach or collapse of the levee wall and the release of uncontrollable amounts of water. Figure 37 shows a levee and the multiple ways it can fail.

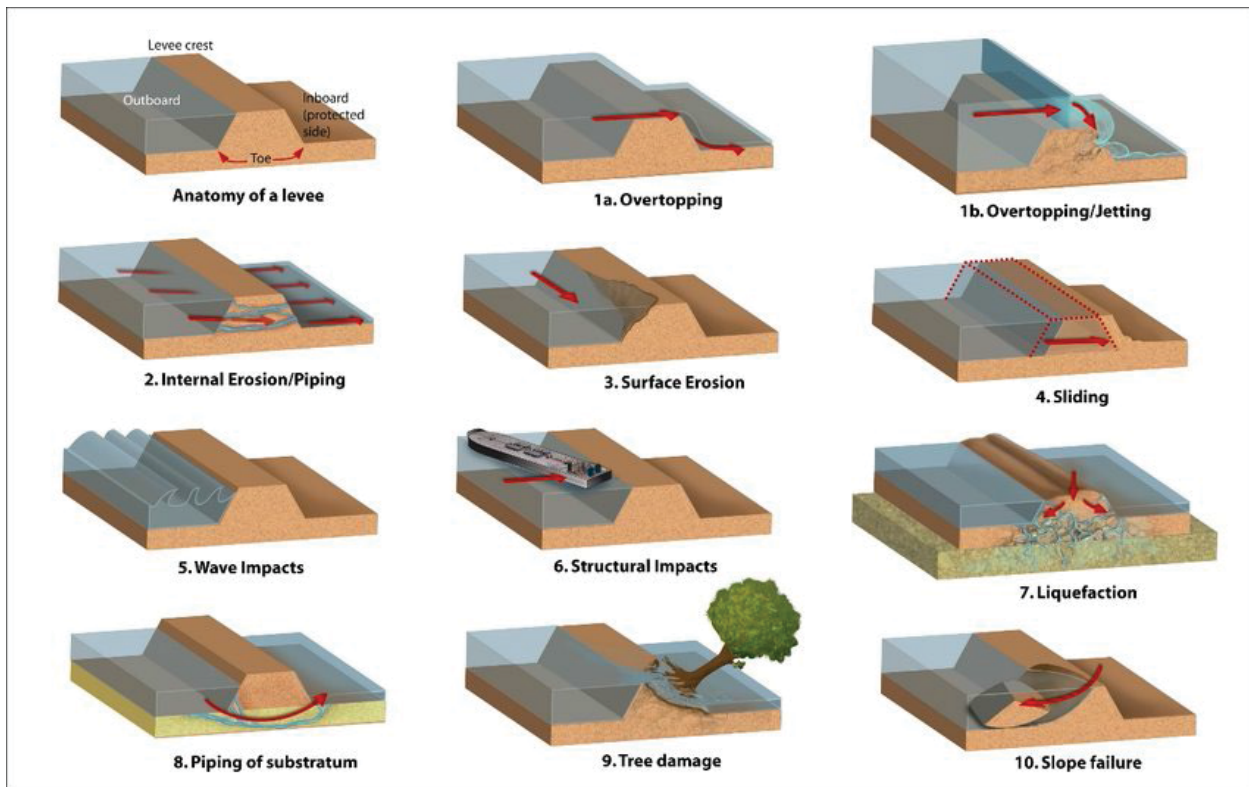


Figure 277: Levee Failure Mechanisms
Source: University of California

The LGVSD is protected by levees along Miller Creek, Gallinas Creek and the South Fork of Gallinas Creek. A failure of any of these levees during a high rain event could cause flooding into the District, with property and critical infrastructure within the 100-year floodplain being most susceptible.

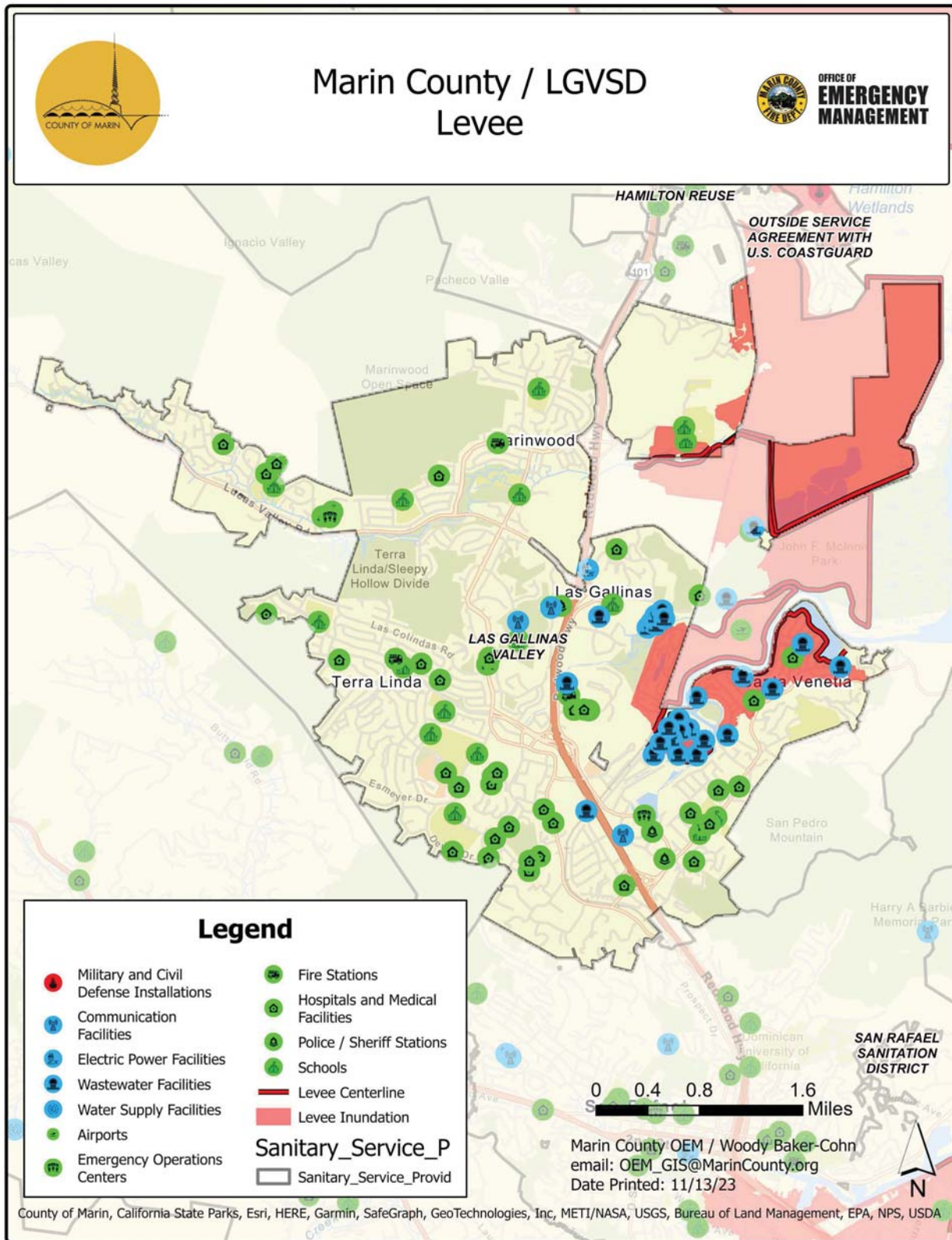


Figure 278: LGVSD Levee Inundation Map
Source: Marin County OEM

Three levee systems exist in St. Vincent. Two of them, Marin County Levee 33 and Marin County Levee 24, are located along the north bank of Miller Creek. Marin County Levee 33 is 0.25 miles long with an undocumented height and Marin County Levee 24 is 0.2 miles long with an undocumented height. The third levee is the LGVSD Levee which extends along the north and east bank of Miller Creek before diverging north to the Hamilton Wetlands and west to Long Point. It is 3.63 miles long with an undocumented height and protects the LGVSD Treatment Plant from flooding. Figure 39 shows the three levees in St. Vincent.

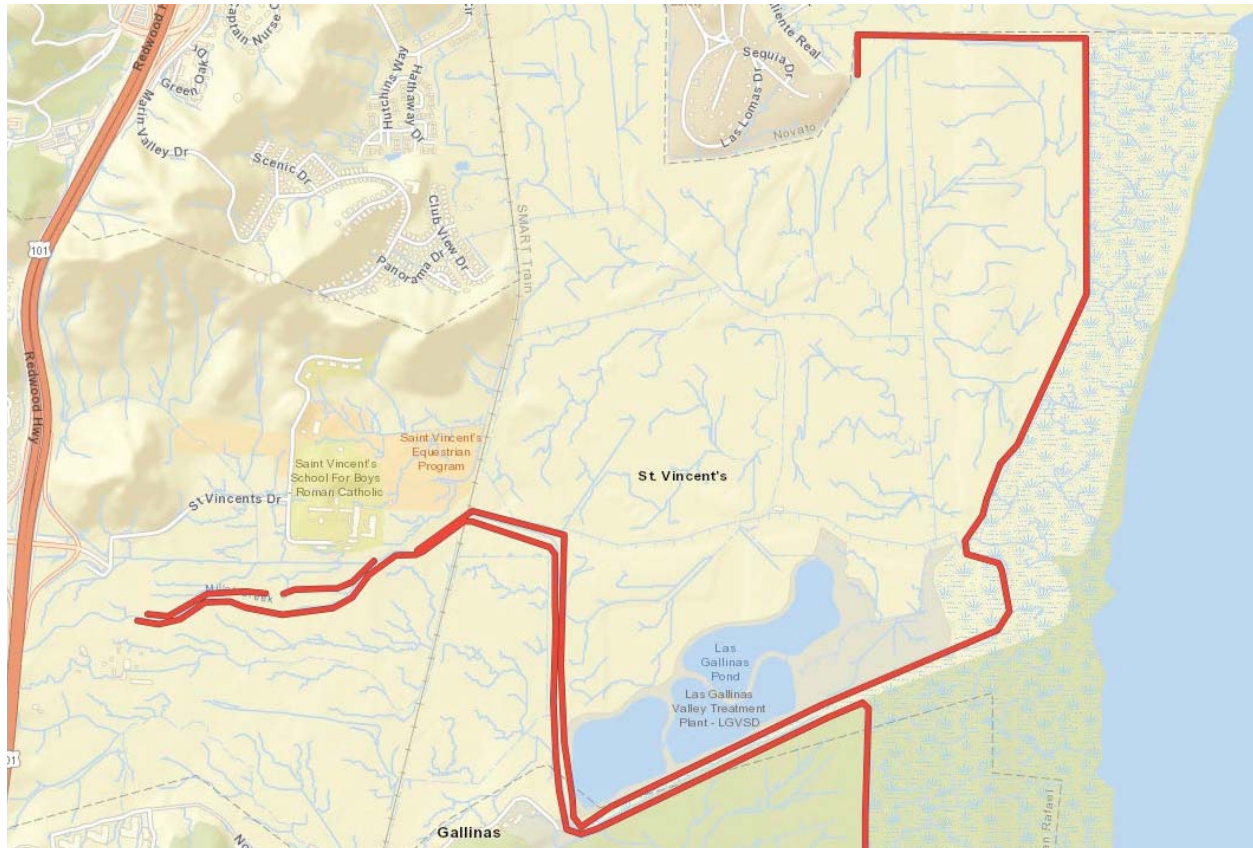


Figure 279: Marin County Levees 33 and 24 and the LGVSD Levee in St. Vincent

Source: U.S. Army Corps of Engineers

One levee system exists in Santa Venetia and is located along the South Fork of Galinas Creek. The Santa Venetia Levee is 1.45 miles long with an undocumented height. It protects six District pump stations in Santa Venetia from flooding. Figure 40 shows the Santa Venetia Levee in Santa Venetia.

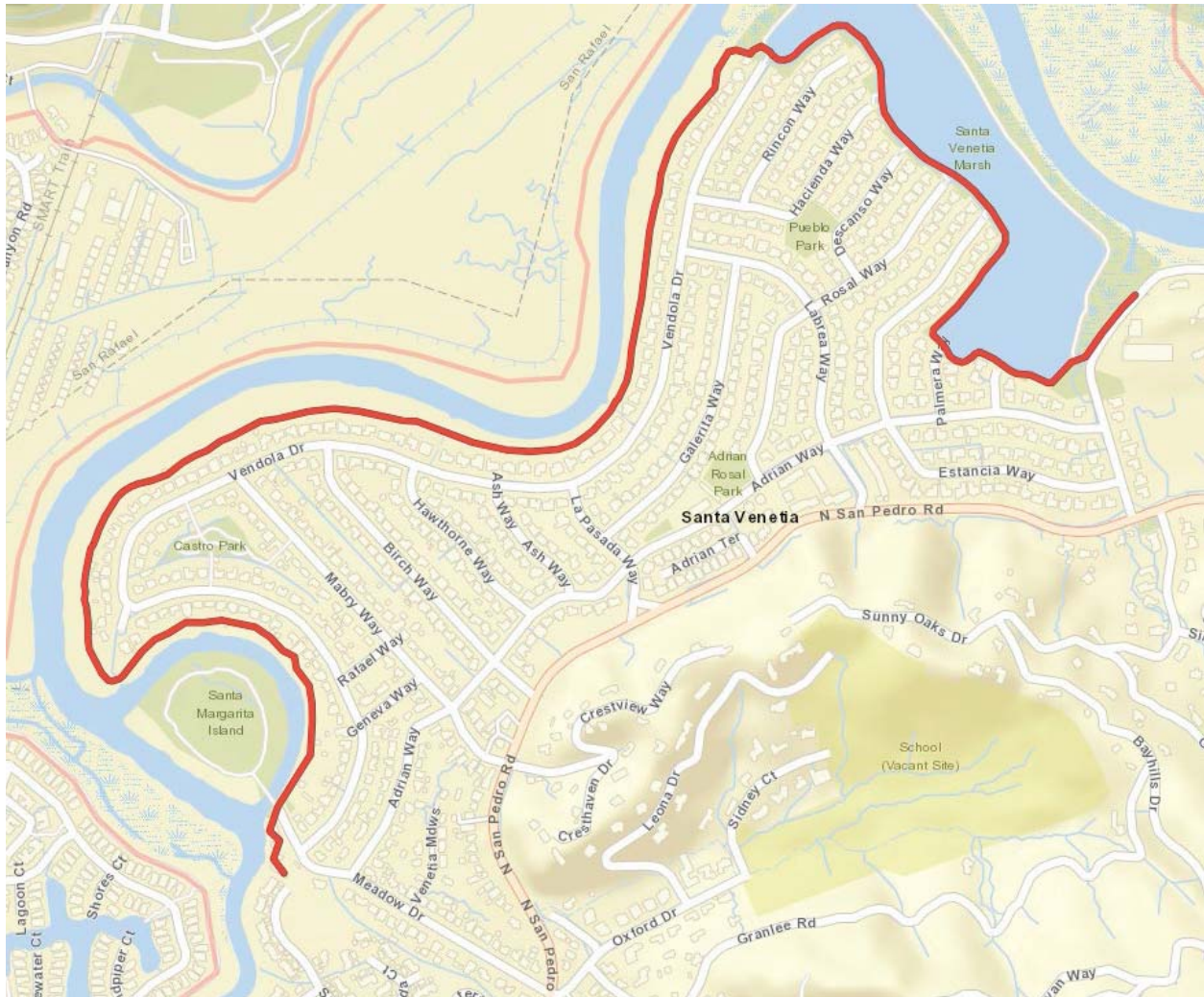


Figure 280: Santa Venetia Levee in Santa Venetia

Source: U.S. Army Corps of Engineers

Marin County Levee #3 is located on the south bank of the South Fork of Gallinas Creek. Marin County Levee #3 is 0.9 miles long with an undocumented height and protects the Marin Lagoon area of the District, including nine of its pump stations. Figure 41 shows the Marin County Levee #3.



Figure 281: Marin County Levee #3

Source: U.S. Army Corps of Engineers

The Smith Ranch Airport Levee is located along the north bank of the South Fork of Gallinas Creek and the South Bank of Gallinas Creek. It is 2.26 miles long with an undocumented height. No District critical facilities are protected by the Smith Ranch Airport Levee. Figure 42 shows the Smith Ranch Airport Levee.

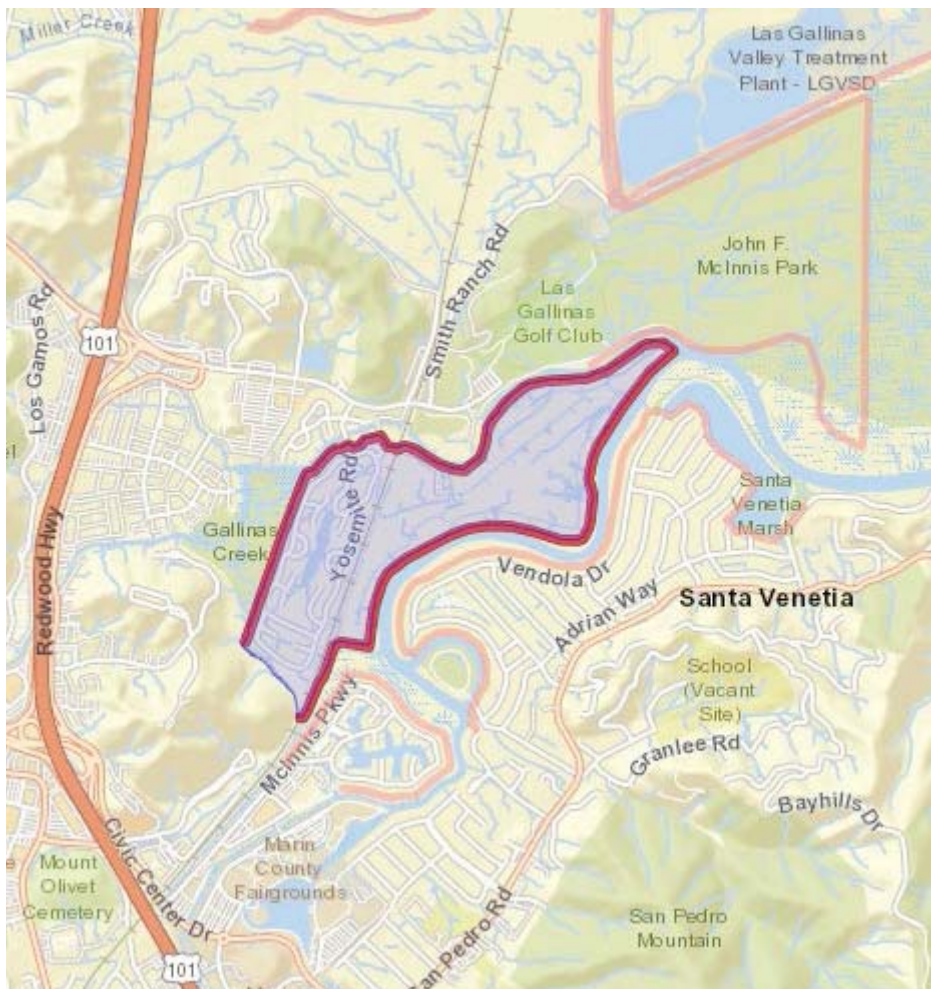


Figure 282: Smith Ranch Airport Levee
Source: U.S. Army Corps of Engineers

There has never been a documented levee failure in the District.

Climate Change and Future Development Considerations

Climate change is expected to lead to an increase in the frequency and severity of major storm events, which can place added strain on levee systems. An increase in rainfall and runoff as a result of climate change will increase the potential for higher water levels in leveed areas across the Marin County OA including in the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent, increasing the potential for a levee failure. Rising seas will lead to increased stress on the levees around the Marin County OA shoreline including in the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent, particularly during a major tidal event and potential tsunami. As development increases in the populated areas of the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent protected by its levees, particularly along Gallinas Creek and the South Fork of Gallinas Creek and around their marshlands, the potential for significant impacts to residents and infrastructure will only increase.

2.2.7 SEA LEVEL RISE

Climate change is the distinct change in measures of weather patterns over a long period of time, ranging from decades to millions of years. More specifically, it may be a change in average weather conditions such as temperature, rainfall, snow, ocean and atmospheric circulation, or in the distribution of weather around the average. While the Earth's climate has cycled over its 4.5-billion-year age, these natural cycles have taken place gradually over millennia, and the Holocene, the most recent epoch in which human civilization developed, has been characterized by a highly stable climate until recently.

The Marin County OA MJHMP is concerned with human-induced climate change that has been rapidly warming the Earth at rates unprecedented in the last 1,000 years. Since industrialization began, the burning of fossil fuels (coal, oil, and natural gas) at escalating quantities has released vast amounts of carbon dioxide and other greenhouse gases responsible for trapping heat in the atmosphere, increasing the average temperature of the Earth. Secondary impacts include changes in precipitation patterns, the global water cycle, melting glaciers and ice caps, and rising sea levels. According to the Intergovernmental Panel on Climate Change (IPCC), climate change will "increase the likelihood of severe, pervasive and irreversible impacts for people and ecosystems" if unchecked.

Through changes to oceanic and atmospheric circulation cycles and increasing heat, climate change affects weather systems around the world. Climate change increases the likelihood and exacerbates the severity of extreme weather – more frequent or intense storms, floods, droughts, and heat waves. Consequences for human society include loss of life and injury, damaged infrastructure, long-term health effects, loss of agricultural crops, disrupted transport and freight, and more. Climate change is not a discrete event but a long-term hazard, the effects of which communities are already experiencing.

Climate change adaptation is a key priority of the State of California. The 2013 State of California Multi- Hazard Mitigation Plan stated that climate change is already affecting California. The State has also seen increased average temperatures, more extreme hot days, fewer cold nights, a lengthening of the growing season, shifts in the water cycle with less winter precipitation falling as snow, and earlier runoff of both snowmelt and rainwater in the year. In addition to changes in average temperatures, sea level, and precipitation patterns, the intensity of extreme weather events is also changing.

Rising sea levels are considered a secondary effect of climate change due to warming ocean temperatures and melting glacial ice sheets into the ocean. The California coast has already seen a rise in sea level of four to eight inches over the 20th century due to climate change. Sea level rise impacts can be exacerbated during coastal storms, which often bring increased tidal elevations called "storm surge." The large waves associated with such storm surges can cause flooding in low-lying areas, erosion of coastal wetlands, saltwater contamination of drinking water, disruption of septic system operations, impacts on roads and bridges, and increased stress on levees. In addition, rising sea levels results in coastal erosion as shoreline sediment is re-deposited back into the ocean. Evidence shows that winter storms have increased in frequency and intensity since 1948 in the North Pacific, increasing regional wave heights and water levels during storm events.

According to the 2017 “Rising Seas in California, An Update on Sea-Level Rise Science” report Marin County may experience impacts from Sea Level Rise over defined periods of time, to include long-term changes (second half of this century and beyond), and short- to mid-term projections (within the next two or three decades).

Much of the District lies at a lower elevation and most of its critical facilities, including the LGVSD and all of its pump stations in Santa Venetia and the Marin Lagoon are susceptible to sea level rise between one and five feet of inundation.

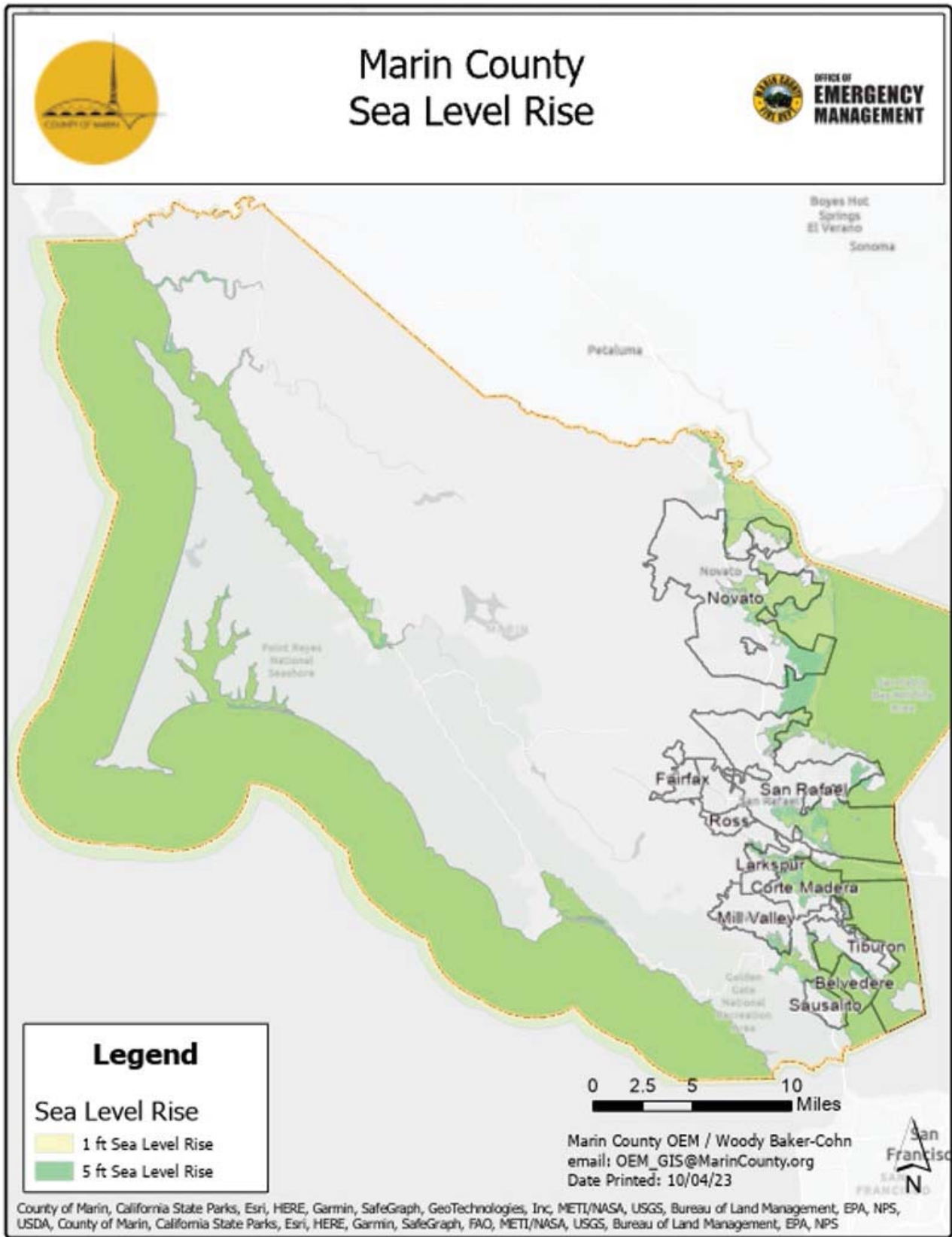


Figure 283: Marin County Sea Level Rise Impact
Source: Marin County OEM

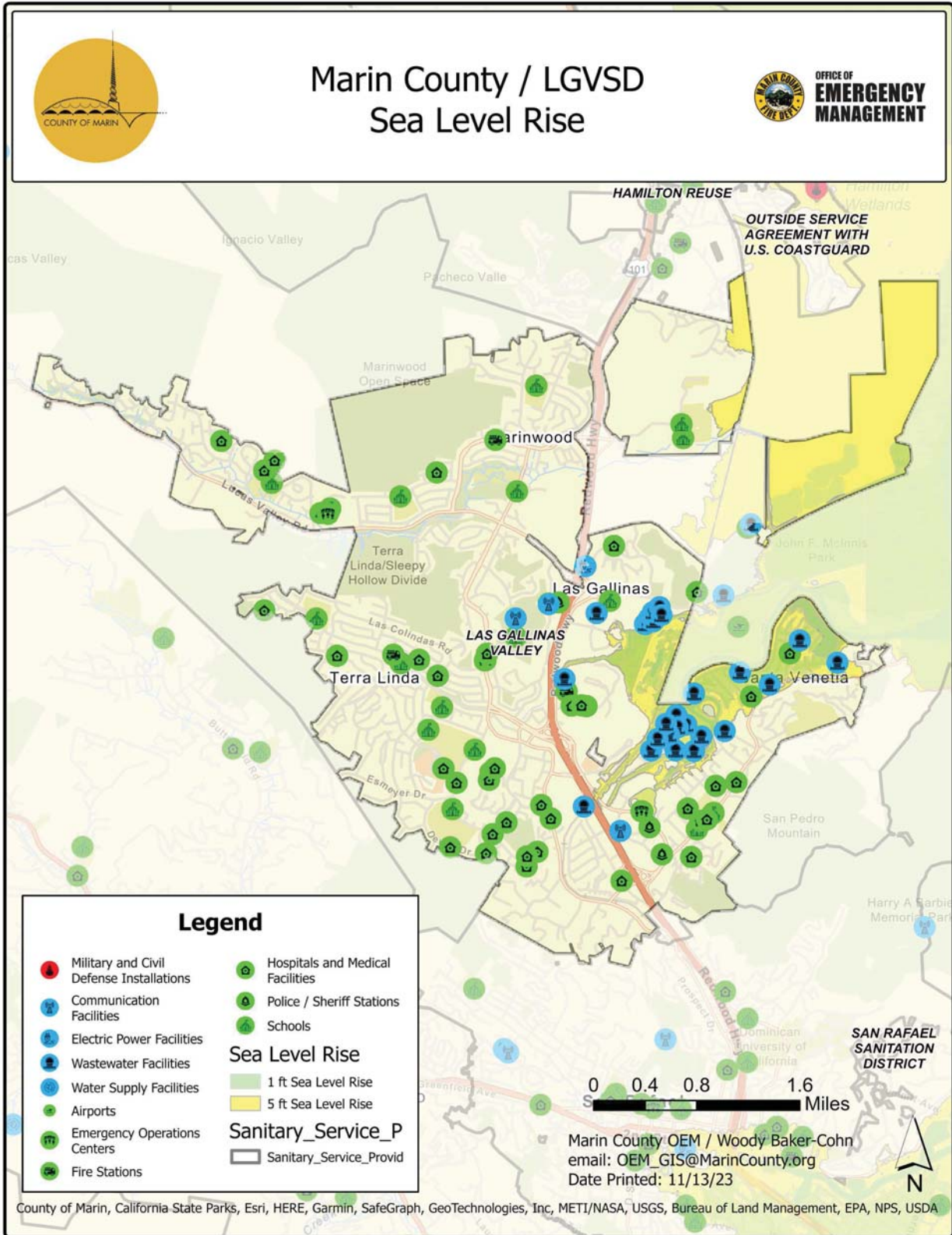


Figure 284: LGVSD Sea Level Rise Impact on Critical Facilities
Source: Marin County OEM

Critical facilities throughout the District can become damaged extensively with their foundations compromised over time. Of particular concern are those facilities that have not been elevated to projected sea level rise heights over the next century. Sea level rise in the District has the potential to exacerbate inland flooding when a significant rain or tidal event occurs, pushing water from local creeks over their banks and into areas where critical facilities lie. Sea level rise can also cause increased subsidence in the District, which may damage underground water and wastewater pipelines and disrupt services.

Climate Change and Future Development Considerations

The two major causes of global sea level rise are thermal expansion of warming oceans and the melting of land-based glaciers and polar ice caps. Climate change is affecting natural and built systems around the world, including the California coast. In the past century, average global temperature has increased about 1.4°F, and average global sea level has increased 7 to 8 inches. Sea level rise in the San Francisco Bay Area is projected to increase by eight inches MHW in 2050 and could reach 4.5 to eight feet by 2100 if greenhouse gas emissions aren't reduced.

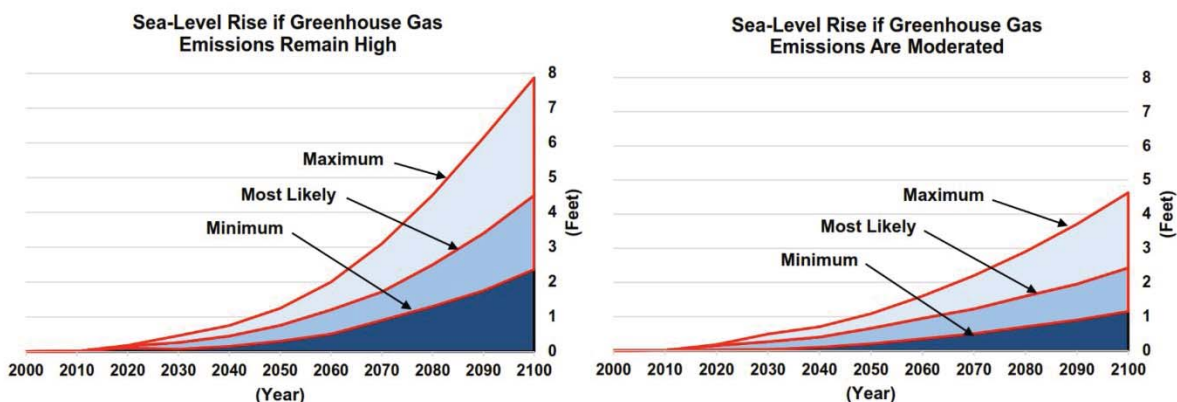


Figure 285: Projections of Sea Level Rise in the San Francisco Bay Area, 2000-2100
Source: 2019–2020 Marin County Civil Grand Jury, Climate Change: How Will Marin Adapt?

While the Marin County OA shoreline including around the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent already experiences regular erosion, flooding, and significant storm events, sea level rise will exacerbate these natural processes, leading to significant social, environmental, and economic impacts. The third National Climate Assessment cites strong evidence that the cost of doing nothing exceeds the costs associated with adapting to sea level rise by 4 to 10 times. Sea level rise will continue to affect the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent with increased tidal flooding and storm surge during severe weather events, and future development along the Marin County OA shoreline including around the northern City of San Rafael and the unincorporated County areas of Lucas Santa Venetia and St. Vincent will only amplify these impacts. Sea level can also lead to increased land subsidence and the potential of levee failure. The impacts of a tsunami would also be magnified with rising seas. Future development in the coastal and lowland areas of the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent will put more people and property at risk from flooding as a result of sea level rise. Roads and utility infrastructure across the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent will continue to become inundated.

2.2.8 SEVERE WEATHER – EXTREME HEAT

Extreme heat is defined as temperatures that hover 10 degrees or more above the average high temperature for the region and last for several weeks. A heat wave is an extended period of extreme heat, often with high humidity. When relative humidity is factored in, the temperature can feel much hotter as reflected in the Heat Index (see Figure 46):

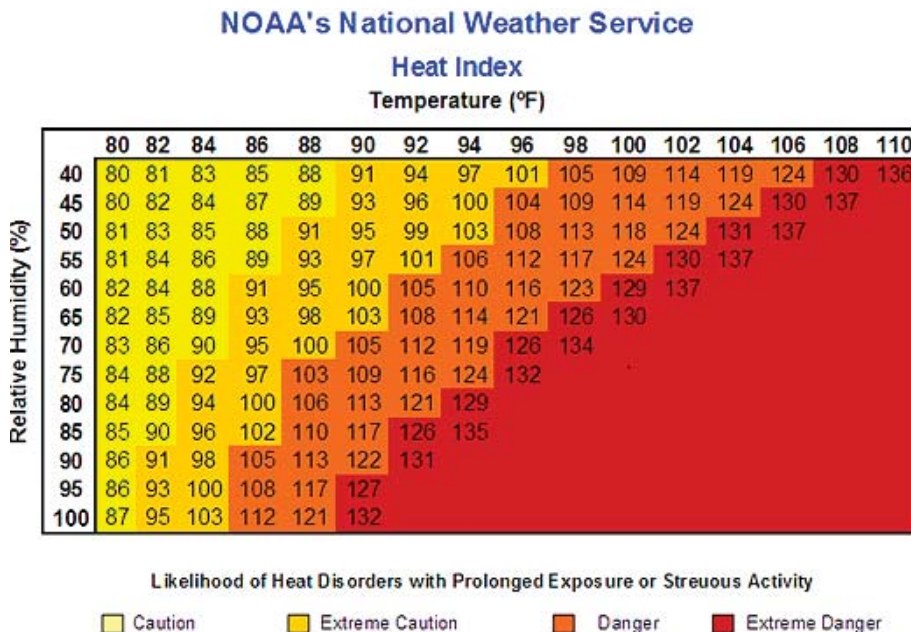


Figure 286: Heat Index
Source: NOAA

Heat kills by taxing the human body beyond its abilities. In a normal year, about 1,300 Americans succumb to the demands of summer heat. Heat is the leading weather-related cause of mortalities in the US. In 2006, California reported a high of 204 heat related deaths, with 98 reported in 2017 and 93 deaths reported in 2018.

Extreme heat has the potential to impact all areas of Mill Valley and would be felt more in areas where there is a widespread presence of concrete and asphalt, which stores heat longer. This includes most of the downtown and commercial area of the city between Miller Avenue and E. Blithedale Avenue. There are dozens of residences in this area. Heat waves can cause power outages and can sicken people who are exposed to high temperatures too long, particularly infants and the elderly.

In September 2022 the Marin County OA experienced an Extreme Heat Event with temperatures exceeding 103 degrees.

Climate Change and Future Development Considerations

The primary effect of climate change is warmer average temperatures. The annual average daily high temperatures in California are expected to rise by 2.7°F by 2040, 5.8°F by 2070, and 8.8°F by 2100 compared to observed and modeled historical conditions. At the current rate, annual average temperatures in the Marin County OA region and Bay Area will likely increase by approximately 4.4 degrees by 2050 and 7.2 degree by the end of the century unless significant efforts are made to reduce greenhouse emissions according to California’s latest climate change assessment.

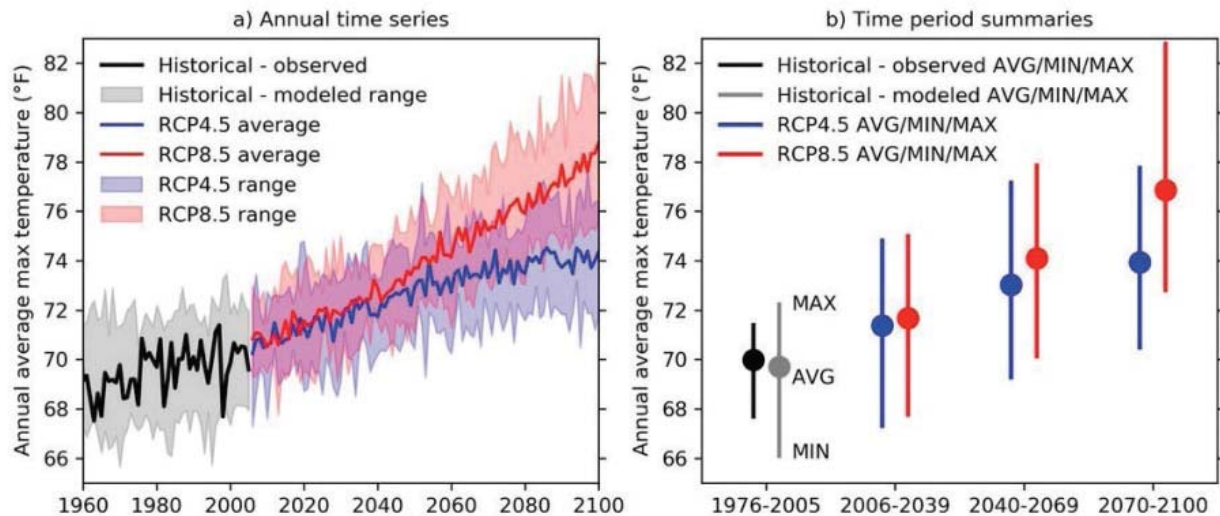


Figure 287: Annual Average Temperatures in the San Francisco Bay Area, 2000-2100
 Source: California Climate Change Assessment (Fourth Edition)

As climate change accelerates in the 21st century, it is anticipated that extreme heat events will become more frequent and intense across the Marin County OA including in the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. There will be increased residential and business needs for cooling and addressing heat-related issues. These effects would primarily be felt in the lowland areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent where heat builds in developed areas. Heat waves also tax the energy grid. Future development in the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent could exacerbate the impacts from heat related events, particularly in electricity provision and water delivery. Increased temperatures will also lead to an increase in the occurrence and severity of wildfires across the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent as conditions become hotter and drier. These effects will primarily be felt in the mountainous areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent; and the marshland areas of the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent where hotter and drier conditions are more apt to lead to wildfires. Future development near the many open spaces around the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent could expose more people and infrastructure to the threat of a major wildfire as a result of increasing temperatures.

2.2.9 SEVERE WEATHER – HIGH WIND & TORNADO

High Wind

High wind is defined as a one-minute average of surface winds 40 miles per hour or greater lasting for one hour or longer, or winds gusting to 58 miles per hour or greater regardless of duration that are either expected or observed over land. These winds may occur as part of a seasonal climate pattern or in relation to other severe weather events such as thunderstorms. The Beaufort scale is an empirical measure that relates wind speed to observed conditions on land and is a common measure of wind intensity (see Figure 48).

Beaufort number	Description	Wind speed		Land conditions
		kts	km/h	
0	Calm	< 1	< 1	Calm. Smoke rises vertically.
1	Light air	1 – 2	1 – 5	Wind motion visible in smoke.
2	Light breeze	3 – 6	6 – 11	Wind felt on exposed skin. Leaves rustle.
3	Gentle breeze	7 – 10	12 – 19	Leaves and smaller twigs in constant motion.
4	Moderate breeze	11 – 15	20 – 28	Dust and loose paper raised. Small branches begin to move.
5	Fresh breeze	16 – 20	29 – 38	Branches of a moderate size move. Small trees begin to sway.
6	Strong breeze	21 – 26	39 – 49	Large branches in motion. Whistling heard in overhead wires. Umbrella use becomes difficult. Empty plastic garbage cans tip over.
7	High wind, Moderate gale, Near gale	27 – 33	50 – 61	Whole trees in motion. Effort needed to walk against the wind. Swaying of skyscrapers may be felt, especially by people on upper floors.
8	Gale, Fresh gale	34 – 40	62 – 74	Some twigs broken from trees. Cars veer on road. Progress on foot is seriously impeded.
9	Strong gale	41 – 47	75 – 88	Some branches break off trees, and some small trees blow over. Construction/temporary signs and barricades blow over. Damage to circus tents and canopies.
10	Storm, Whole gale	48 – 55	89 – 102	Trees are broken off or uprooted, saplings bent and deformed. Poorly attached asphalt shingles and shingles in poor condition peel off roofs.
11	Violent storm	56 – 63	103 – 117	Widespread vegetation damage. Many roofing surfaces are damaged; asphalt tiles that have curled up and/or fractured due to age may break away completely.
12	Hurricane	≥ 64	≥ 118	Very widespread damage to vegetation. Some windows may break; mobile homes and poorly constructed sheds and barns are damaged. Debris may be hurled about.

Figure 288: Beaufort Wind Scale

Source: NOAA

Windstorms in the Marin County OA are typically straight-line winds. Straight-line winds are generally any thunderstorm wind that is not associated with rotation (i.e., is not a tornado). It is these winds, which can exceed 100 mph, which represent the most common type of severe weather and are responsible for most wind damage related to thunderstorms.

Tornado

Tornadoes are rotating columns of air marked by a funnel-shaped downward extension of a cumulonimbus cloud whirling at destructive speeds of up to 300 mph, usually accompanying a thunderstorm. Tornadoes are the most powerful storms that exist, and damage paths can be in excess of one mile wide and 50 miles long. The Enhanced Fujita Scale (see Figure 49) is commonly used to rate the intensity of tornadoes in the United States based on the damages that they cause.

Enhanced Fujita Scale	
EF-0	65-85 mph winds
EF-1	86-110 mph winds
EF-2	111-135 mph winds
EF-3	136-165 mph winds
EF-4	166-200 mph winds
EF-5	>200 mph winds

Figure 289: Enhanced Fujita Scale
Source: NOAA

Tornadic waterspouts are tornadoes that form over water or move from land to water. They have the same characteristics as a land tornado. They are associated with severe thunderstorms, and are often accompanied by high winds and seas, large hail, and frequent dangerous lightning.



Figure 290: Waterspout Formation

Source: MarineInsights

All of the LGVSD is susceptible to storms and damage from wind and tornadoes, though the hilly and mountainous areas throughout the District have increased susceptibility due to a higher presence of trees. Drought can increase the susceptibility of trees toppling over in a high wind event. Fallen trees could damage critical facilities and infrastructure. Power lines could be impacted by fallen trees and wind, causing power outages. Roadways could also become blocked by fallen trees, affecting the delivery of services and access to critical facilities.

Climate Change and Future Development Considerations

It is anticipated that the atmospheric rivers that deliver storms to Northern California may intensify because of climate change. This increase in storm intensity may bring more intense winds and potential tornados to Northern California, including the Marin County OA and the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. Significant wind events and tornados can topple trees, particularly those that may be saturated, or drought stressed as a result of climate change. An increase in fallen trees in the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent as a result of increased storms due to climate change can lead to an increase in power outages. Future development in any of the forested areas of the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent including in the southern and western mountainous residential areas will increase the effects of severe wind events.

2.2.10 TSUNAMI

Tsunamis consist of waves generated by large disturbances of the sea floor, which are caused by volcanic eruptions, landslides or earthquakes. Shallow earthquakes along dip slip faults are more likely to be sources of tsunami than those along strike slip faults. The West Coast/Alaska Tsunami Warning Center (WC/ATWC) is responsible for tsunami warnings. Tsunamis are often incorrectly referred to as tidal waves. They are actually a series of waves that can travel at speeds averaging 450 (and up to 600) miles per hour with unusual wave heights. Tsunamis can reach the beach before warnings are issued.

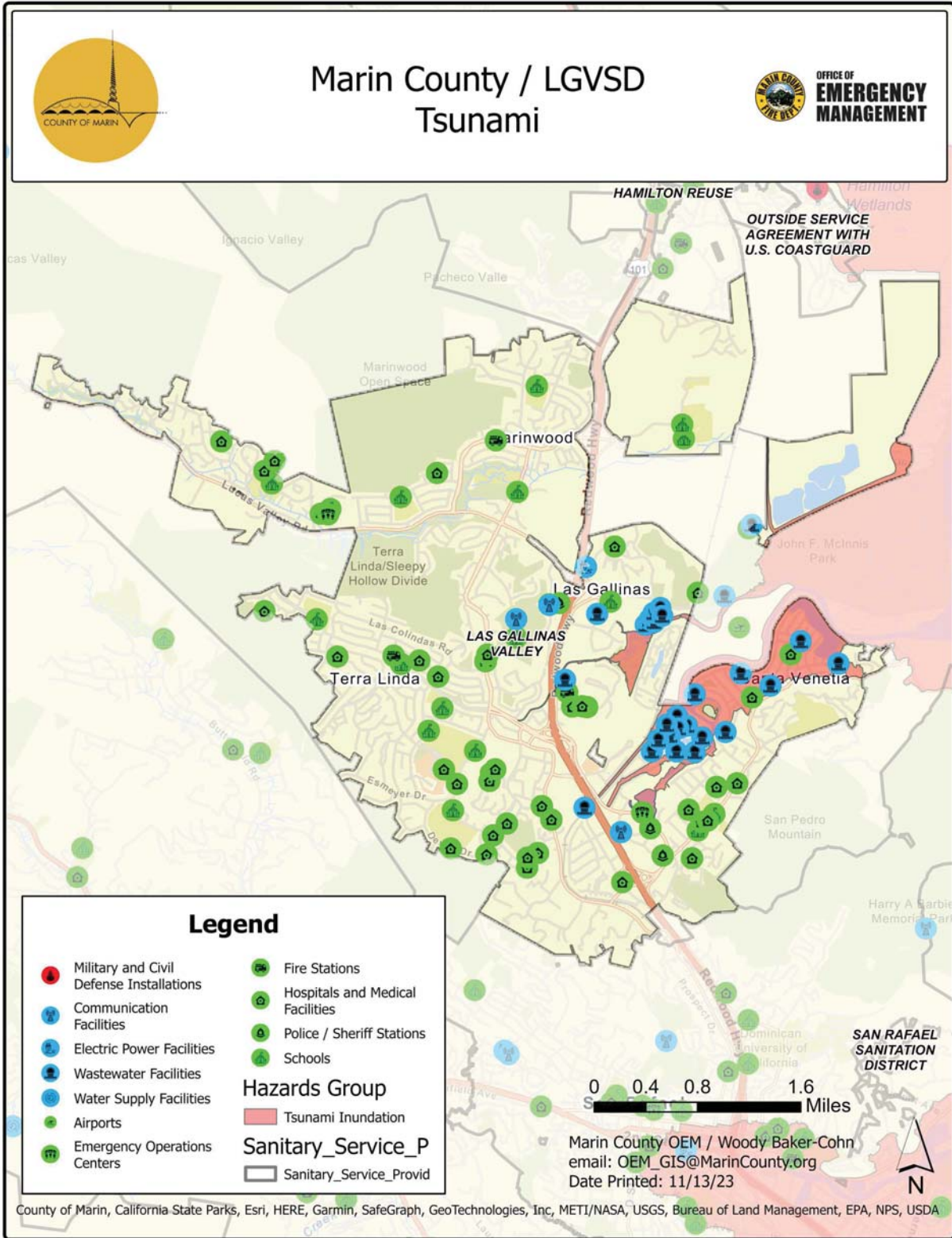


Figure 291: LGVSD Tsunami Critical Facilities and Infrastructure
Source: Marin County OEM

A tsunami experienced by the LGVSD would most likely occur from an earthquake, the location of which would determine the amount of time that the tsunami waves would reach the District. Most of the eastern half of the District is at a lower elevation. Most of this area, including around the LGVSD Treatment Plant, is protected by levees and does not lie in a tsunami hazard area. The Santa Venetia area, while protected by a levee, does lie in a tsunami hazard area. There are five pump stations in this area that could be susceptible to a tsunami and could be inundated with floodwater in the event of a tsunami.

The LGVSD has never experienced a tsunami.

Climate Change and Future Development Considerations

The biggest threat to tsunamis is sea level rise which is a direct result of climate change. Sea level rise can make tsunamis worse than they already are because higher sea levels allow for tsunamis to travel further inland and cause even more damage. Sea level rise results in more vulnerable coastlines which make coastal communities even more vulnerable to an incoming tsunami as the natural buffer to absorb the energy of an incoming tsunami will cease to exist. This is particularly true in the Marin County OA including LGVSD, where a large segment of the developed population lies in an area vulnerable to sea level rise. Furthermore, it has been theorized that ocean warming, caused by climate change, can impact the tectonic plates that rest below large bodies of water. Ultimately, this can result in more geological activities and worse tsunamis. Climate change has also affected ocean patterns, which could eventually lead to tsunamis distributing themselves across the ocean and impacting areas that are currently not susceptible to a tsunami. Tsunamis as a result of climate change and associated sea level rise will exacerbate the impacts of flooding in the lowland areas of the Marin County OA including the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent. This is particularly true along Gallinas Creek and the South Fork of Gallinas Creek and around the marshland areas of the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent where additional storm surge as a result of a larger tsunami could cause greater impacts. Future development in these areas will expose more people and infrastructure to the effects of flooding in the Marin County OA as tsunami inundation areas expand with climate change. Development in marshland in the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent would expose additional people and infrastructure to flooding as marshlands act as a natural buffer to a tsunami. Flooding could be exacerbated in areas where levees could fail along Gallinas Creek and the South Fork of Gallinas Creek and along the shoreline of the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent as a result of high wave heights associated with a more significant tsunami.

2.2.11 WILDFIRE

A wildfire is a fire that occurs in an area of combustible vegetation. The three conditions necessary for a wildfire to burn are fuel, heat, and oxygen. Fuel is any flammable material that can burn, including vegetation, structures, and cars. The more fuel that exists and the drier that fuel is, the more intense the fire can be. Wildfires can be started naturally through lightning or combustion or can be set by humans. There are many sources of human-caused wildfires including arson, power lines, a burning campfire, an idling vehicle, trains, and escaped controlled burns. On average, four out of five wildfires are started by humans. Uncontrolled wildfires fueled by wind and weather can burn acres of land and everything in their path in mere minutes and can reach speeds up to 15 miles per hour or faster depending upon wind speed and ember distribution. On average, more than 100,000 wildfires burn 4 to 5 million acres of land in the United States every year. Although wildfires can occur in any state, they are most common in the Western states including California where heat, drought, and thunderstorms create perfect wildfire conditions.

Wildfires are of primary concern when they occur in the Wildland Urban Interface (WUI), which is defined as areas where homes are built near or among lands prone to wildfire. Even relatively small acreage fires may result in disastrous damages. Most structures in the WUI are not destroyed from direct flame impingement, but from embers carried by wind. The damages can be widely varying, but are primarily reported as damage to infrastructure, built environment, and injuries to people.

The pattern of increased damages is directly related to increased urban spread into historical forested areas that have wildfire as part of the natural ecosystem and climate change. Many WUI fire areas have long histories of wildland fires that burned only vegetation in the past. However, with new development, a wildland fire following a historical pattern may now burn these newly developed areas. WUI fires can occur where there is a distinct boundary between the built and natural areas or where development or infrastructure has encroached or is intermixed in the natural area. WUI fires may include fires that occur in remote areas that have critical infrastructure easements through them, including electrical transmission towers, railroads, water reservoirs, communications relay sites or other infrastructure assets.

Consequently, wildland fires that burn in natural settings with little or no development are part of a natural ecological cycle and may actually be beneficial to the landscape. Century old policies of fire exclusion and aggressive suppression have given way to better understanding of the importance fire plays in the natural cycle of certain forest types.

Warning times are usually adequate to ensure public safety, provided that evacuation recommendations and orders are heeded in a timely manner. While in most cases wildfires are contained within a week or two of outbreak, in certain cases, they have been known to burn for months, or until they are completely extinguished by fall rains.

Wildfire poses the greatest risk to human life and property in the Marin County OA's densely populated WUI, which holds an estimated 69,000 living units. Marin County is home to 23 communities listed on CAL FIRE's Communities at Risk list, with approximately 80% of the total land area in the county designated as having moderate to very high fire hazard severity ratings. The county has a long fire history with many large fires over the past decades, several of which have occurred in the WUI. To compound the issue, national fire suppression policies and practices have contributed to the continuous growth (and overgrowth) of vegetation resulting in

dangerous fuel loads. The Community Wildfire Protection Plan (CWPP) provides a scientifically based assessment of wildfire threat in the WUI of the Marin County OA.

Fire protection in California is the responsibility of either the federal, state, or local government depending upon the location of the incident. On federally owned land, or federal responsibility areas (FRA), fire protection is provided by the federal government, and or in partnership with local agreements. In state responsibility areas (SRA), CAL FIRE typically provides fire protection. However, in some counties CAL FIRE contracts with county fire departments to provide protection of the SRA – this is the case in the Marin County OA, where CAL FIRE contracts with MCFD. Local responsibility areas (LRA) include incorporated cities and cultivated agriculture lands, and fire protection is typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government.

CAL FIRE contracts with MCFD to provide wildland fire protection and associated fire prevention activities for lands designated by the State Board of Forestry as SRA.. The MCFD is responsible for the protection of approximately 200,000 acres of SRA within the county and is the primary agency that handles wildland fires. MCFD also provides similar protection services to approximately 100,000 acres of FRA in the Golden Gate National Recreation Area (GGNRA), the Muir Woods National Monument, and the Point Reyes National Seashore.

Figure 52 indicates the federal responsibility areas, state responsibility areas and local responsibility areas in the Marin County OA.

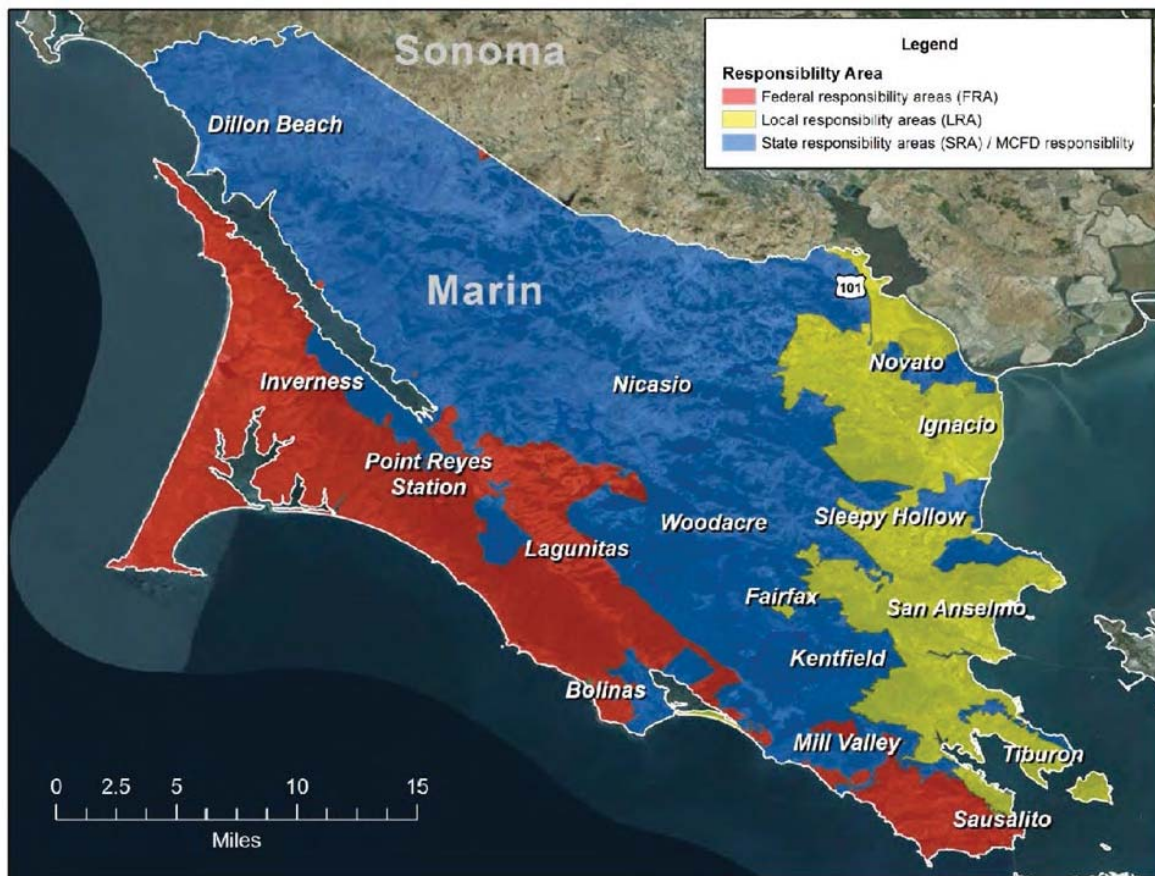


Figure 292: Federal, State and Local Responsibility Areas in the Marin County OA
Source: Marin Community Wildfire Protection Plan

The mix of weather, diverse vegetation and fuel characteristics, complex topography, and land use and development patterns in the Marin County OA are important contributors to the fire environment. The MCFD Woodacre ECC currently manages the data from four Remote Automated Weather Stations (RAWS) for predicting fire danger utilizing the National Fire Danger Rating System (NFDRS) during the fire season. The RAWS are located in Woodacre, Middle Peak, Barnabe, Big Rock and a new station will be coming online in Novato.

Marin County is bounded by the cool waters of the Pacific Ocean to the west, the San Francisco and Richardson Bays to the southeast, the San Pablo Bay to the east, and Sonoma County agricultural lands to the north. The combination of these large bodies of water, location in the mid-latitudes, and the persistent high pressure over the eastern Pacific Ocean results in several micro-climates. Weather in the OA consists of warm, dry summers and cool, wet winters. The climate in early fall and late spring is generally similar to the summer, and late fall is similar to winter. Spring is generally cool, but not as wet as the winter. While these general weather conditions are fairly representative of the typical Marin County weather, complex topography, annual variability of weather patterns, and less frequent and transient weather patterns are important to fire conditions.

In the late spring through early fall, the combination of frequent and strong high-pressure systems (known as the Pacific High) over California combined with the cool waters of the ocean/bays results in persistent fog and low clouds along the coast (including over southern Marin County near the San Francisco Bay). The fog often penetrates into the inland valleys of northern and central Marin County, especially during overnight hours. At the coastline, mist from fog can keep the land surfaces modestly moist while inland land surfaces above the fog or inversion are often very dry.

The Pacific High that persists from late spring through early fall over the eastern Pacific, combined with a thermal low pressure over the Central Valley of California, results in an almost continuous sea breeze. These winds usher in cool and moist air and can be strong (15 to 25 mph), especially over the ridge tops and through northwest to southeast lying valleys, including San Geronimo/Ross, Hicks, and Lucas Valleys. These westerly winds are usually highest in the afternoon, decrease in the evening, and are light overnight before increasing again in the late morning/early afternoon.

Occasionally in the summer and more often in the fall, the Pacific High moves inland and centers over Oregon and Idaho, while low pressure moves from the Central Valley of California to southern California and Arizona. The resulting north-to-south pressure gradient can be strong enough to retard the typical sea breeze and can even result in winds blowing from the land to the ocean (offshore winds). As the offshore winds move air from the Great Basin to the coastal areas of California, the air descends and compresses, which greatly warms and dries the air. Under these “Diablo” wind conditions, temperatures in the Marin County OA can reach 100°F in the inland areas and even 80°F at the coast, and relative humidity can be very low. In addition, wind speeds can be high (20 to 40 mph) and gusty and are often much faster over the mountains and ridge tops such as Mt. Tamalpais, Loma Alta, and Mt. Burdell compared to low-lying areas. Wind speeds can be high over the ridges and mountains at all times of day under this “offshore” wind pattern and are often much slower or even calm at night in low-lying areas because nighttime cooling decouples the aloft winds from the surface winds. It is during these Diablo wind events that there is a high potential for large, wind-driven fires should there be an

ignition. Historically, the largest and most destructive fires have occurred during these offshore (also known as Foehn) wind events including the Angel Island and the Vision fires.

A few times per year in the summer and early fall, monsoonal flow from Mexico brings in moist and unstable air over central and northern California, which can result in thunderstorms with or without precipitation. With the otherwise dry summer conditions, the lightning can ignite fires. These monsoonal flow patterns are usually only one to two-day events.

Beginning in late November and lasting through the end of March, the Pacific High moves south and weakens, allowing storms that originate in the Gulf of Alaska to move over California.

These storms bring precipitation and, at times, strong winds out of the south. Each storm usually results in one fourth inch to several inches of rain over a day or so. Near Mt. Tamalpais, rainfall amounts are enhanced by orographic lifting, resulting in higher rain amounts in the Kentfield and Fairfax areas compared to the rest of the county. Typically, after the first rain in November, the cool weather and occasional storm keeps the ground wet through late Spring. However, in some years, significant rain does not occur until later in the year (e.g., early-to-late December) and there can be several weeks without any storms and rain. During storms, temperatures are usually mild.

When there are no storms over California, a land-breeze typically forms (i.e., winds blowing from the Central Valley to the Pacific Ocean). These winds can reach 30 mph, and travel through the southeast to northwest lying valleys, over low-lying ridges such as the Marin Headlands, and through the Golden Gate. These winds are usually highest in the mid-morning hours and decrease in the afternoon as the Central Valley warms during the day. The winds are associated with cold and modestly moist air.

In late February/early March through late April, the Pacific High strengthens and moves north, and storms impacting the county become less frequent. During this time of year there is often a low-pressure area over the desert in southwest California. The combination of the Pacific High to the north and low-pressure to the southwest results in strong winds blowing from the northwest to the southeast. Like the sea breeze, these winds bring in cool, moist air and are usually highest in the afternoon hours. Because of winter and spring rains, the land is wet and there is little danger of wildland fire despite the strong winds and only occasional precipitation. There is often little coastal fog this time of year.

Vegetation, which is also known as fuel, plays a major role in fire behavior and potential fire hazards. A fuel's composition, including moisture level, chemical make-up, and density, determines its degree of flammability. Of these, fuel moisture level is the most important consideration. Generally, live trees contain a great deal of moisture while dead logs contain very little. The moisture content and distribution of fuels define how quickly a fire can spread and how intense or hot it may become. High moisture content will slow the burning process since heat from the fire must first eliminate moisture.

In addition to moisture, a fuel's chemical makeup determines how readily it will burn. Some plants, shrubs, and trees such as chamise and eucalyptus (both present in the Marin County OA) contain oils or resins that promote combustion, causing them to burn more easily, quickly, and intensely.

Finally, the density of a fuel influences its flammability; when fuels are close together but not too dense, they will ignite each other, causing the fuel to spread readily. However, if fuels are so close that air cannot circulate easily, the fuel will not burn freely.

The Marin County OA has extensive topographic diversity that supports a variety of vegetation types.

Environmental factors, such as temperature, precipitation, soil type, aspect, slope, and land use history, all help determine the existing vegetation at any given location. In the central and eastern parts of the county, north facing slopes are usually densely wooded from lower elevations to ridge peaks with a mixture of mostly hardwood tree species such as coast live oak, California bay, Pacific madrone, and other oak species. Marshlands are also present throughout the county; once ignited marsh fires can be difficult to contain and extinguish.

Grasslands with a mixture of native and nonnative annual and perennial plant species occur most often in the northern and western parts of the county due to a combination of soil type, lower rainfall, and a long history of ranching. The southern and western facing slopes tend to have a higher percentage of grasslands, which in turn have the potential to experience higher rates of fire spread. Grassland fires are dangerous even without extreme fire weather scenarios due to the rapid rate of fire spread; in some cases, fires spread so quickly that large areas can burn before response resources are able to arrive.

In the west portion of the county closer to the coast, where precipitation is higher and marine influence is greater, most areas are densely forested with conifer species (i.e., Bishop pine, Douglas-fir, and coast redwood) and associated hardwood species. Chaparral vegetation also occurs in parts of the county, especially on steeper south and west facing slopes. This mix of densely forested areas mixed with chaparral results in higher fuel loads and potentially higher fire intensity. Expansion of the residential community into areas of heavier vegetation has resulted in homes existing in close proximity to dense natural foliage; these homes are often completely surrounded by highly combustible or tall vegetation, increasing the potential that wildland fires could impact them.

As part of the development of the CWPP, an updated vegetation map layer was created using the most recent vegetation information available from a variety of state and local data sources.

Vegetation distribution in the Marin County OA is characterized by approximately 20 different types of vegetation which have been classified into 15 fire behavior fuel models.

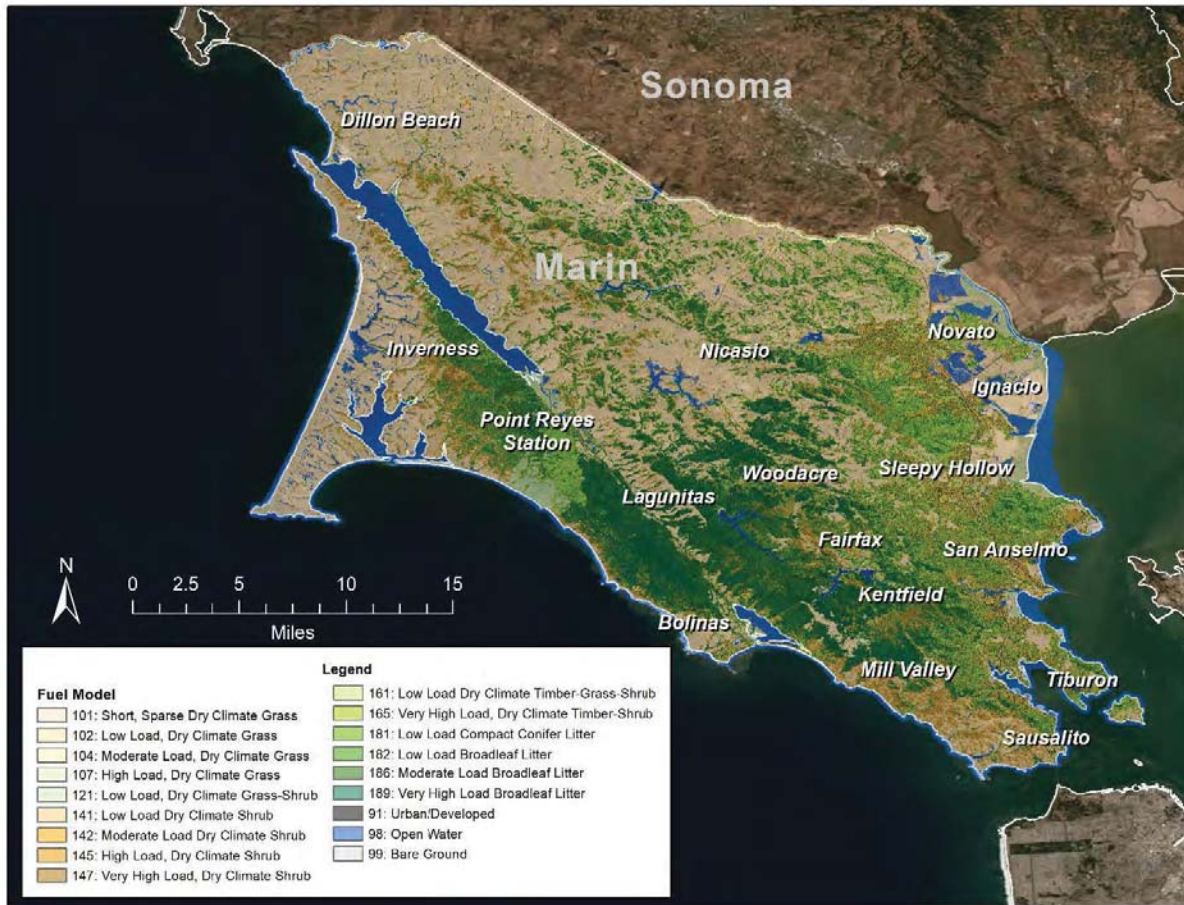


Figure 293: Fuel Model Map for the Marin County OA
Source: Unknown

Insect infestations and plant diseases, such as California oak mortality syndrome (sudden oak death), are increasing and threaten to change the structure and overall health of native plant communities in the Marin County OA. Sudden oak death has no known cure and is a concern since this specific disease can impact vegetation through Marin including the WUI ; this syndrome is caused by the fungus-like *Phytophthora ramorum*, which has led to widespread mortality of several tree species in California since the mid-1990s; the tanoak (*Lithocarpus densiflorus*) in particular, appears to have little or no resistance to the disease. Sudden oak death has resulted in stands of essentially dead trees with very low fuel moistures

Studies examining the impacts of sudden oak death on fire behavior indicate that while predicted surface fire behavior in sudden oak death stands seems to conform to a common fuel model already in use for hardwood stands, the very low moisture content of dead tanoak leaves may lead to crown ignitions more often during fires of “normal” intensity.

Two other plant diseases prevalent in the Marin County OA are pitch canker (which affects conifers such as Bishop pine and other pine species), and madrone twig dieback (which affects Pacific madrones). Pitch canker is caused by the fungus *Fusarium circinatum* (*F. subglutinans*, *F. sp. pini*), which enters the tree through wounds caused by insects. While some trees do recover, most infected trees are eventually killed by the fungus. Management of this disease

largely focuses on containment to reduce the fungus spreading to other trees. Pitch canker is a particular issue in the NPS lands of Pt. Reyes National Seashore, where many acres of young Bishop Pines that were seeded on the Inverness Ridge by the Mount Vision Fire of 1995 have been infected.

These dead and dying trees have created large swaths of land with dense and dry fuel loads. Madrone twig dieback is caused by the native fungus *Botryosphaeria dothidea* and appears to be getting worse throughout the county due to drought effects on Pacific madrones. Three additional threats to trees common to the Marin County OA include:

- Bark and ambrosia beetles (*Monarthrum dentiger* and *monarthrum scutellare*), which target oak and tanoak trees. Sudden oak death may be exacerbating the effects of beetle infestations which prey on trees already weakened by this disease.
- Root rot, caused by oak root fungus (*Armillaria mellea*), is primarily associated with oaks and other hardwoods but also attacks conifers. These fungal infestations cause canopy thinning and branch dieback and can kill mature trees. As with the beetle infestations, sudden oak death may be exacerbating the effects of root rot fungus in the county forests.
- Velvet-top fungus (*Phaeolus schweinitzii*) is a root rot fungus affecting Douglas-fir and other conifers, with the infection typically occurring through a wound.

Topography characterizes the land surface features of an area in terms of elevation, aspect, and slope. Aspect is the compass direction that a slope faces, which can have a strong influence on surface temperature, and more importantly on fuel moistures. Both elevation and aspect play an important role in the type of vegetation present, the length of the growing season, and the amount of sunlight absorbed by vegetation. Generally, southern aspects receive more solar radiation than northern aspects; the result is that soil and vegetation on southern aspects is warmer and dryer than soil and vegetation on northern aspects. Slope is a measure of land steepness and can significantly influence fire behavior as fire tends to spread more rapidly on steeper slopes. For example, as slope increases from 20 – 40%, flame heights can double and rates of fire spread can increase fourfold; from 40 – 60%, flame heights can become three times higher and rates of spread can increase eightfold.

The Marin County OA is topographically diverse, with rolling hills, valleys and ridges that trend from northwest to southeast. Elevation throughout the county varies considerably, with Mt. Tamalpais' peak resting at 2,574 feet above sea level and many communities at or near sea level. Correspondingly, there is considerable diversity in slope percentages. The San Geronimo Valley slopes run from level (in the valley itself) to near 70%. Mt. Barnabe has slopes that run from 20 to 70%, and Throckmorton ridge has slopes that range in steepness from 40 – 100%. These slope changes can make fighting fires extremely difficult.

In the WUI where natural fuels and structure fuels are intermixed, fire behavior is complex and difficult to predict. Research based on modeling, observations, and case studies in the WUI indicates that structure ignitability during wildland fires depends largely on the characteristics and building materials of the home and its immediate surroundings.

The dispersion of burning embers from wildfires is the most likely cause of home ignitions. When embers land near or on a structure, they can ignite near-by vegetation or accumulated

debris on the roof or in the gutter. Embers can also enter the structure through openings such as an open window or vent and could ignite the interior of the structure or debris in the attic.

Wildfire can further ignite structures through direct flame contact and/or radiant heat. For this reason, it is important that structures and property in the WUI are less prone to ignition by ember dispersion, direct flame contact, and radiant heat.

Public Safety Power Shutoff (PSPS) Events

As a result of the 2017 Northern California Wildfires, the 2018 Camp Fire in Butte County and other wildfires caused by power line infrastructure, Pacific Gas & Electric (PG&E) began initiating Public Safety Power Shutoff (PSPS) events in their service areas (including Marin County) to help prevent the start of future wildfires. PG&E will initiate a PSPS if conditions indicate potentially dangerous weather conditions in fire-prone areas due to strong winds, low humidity, and dry vegetation. During these events, PG&E will proactively turn off power in high fire risk areas to reduce the threat of wildfires. The most likely electric lines to be considered for a public safety power outage will be those that pass through areas that have been designated by the California Public Utilities Commission (CPUC) High Fire-Threat District at elevated (Tier 2) or extreme risk (Tier 3) for wildfire. Customers outside of these areas could have their power shut off, though, if their community relies upon a line that passes through a high fire-threat area or an area experiencing severe weather. PG&E will consider numerous factors and analyze historical data to help predict the likelihood of a wildfire occurring, and closely monitoring weather watch alerts from the National Weather Service (NWS). These factors generally include, but are not limited to:

- A Red Flag Warning declared by the National Weather Service
- Low humidity levels, generally 20 percent and below
- Forecasted sustained winds generally above 25 mph and wind gusts in excess of approximately 45 mph, depending on location and site-specific conditions such as temperature, terrain and local climate
- Condition of dry material on the ground and live vegetation (moisture content)
- On-the-ground, real-time observations from PG&E's Wildfire Safety Operations Center and field crews

Pacific Gas & Electric Company (PG&E) operates a total of 1,179 miles of overhead electricity transmission and distribution lines in the Marin County OA. Overhead electricity lines and poles can be damaged or downed under severe weather conditions, particularly severe wind conditions, which increases the potential for wildfire ignition. 52 percent of PG&E's overhead distribution lines and 41 percent of its overhead transmission lines are located in CPUC-identified High-Fire Threat Districts subject to elevated or extreme fire risk. PG&E is currently planning and implementing safety measures to prevent wildfires and reduce the impacts of Public Safety Power Shutoff (PSPS) events on communities in the Marin County OA and throughout California.

These measures include installing weather stations; installing high-definition cameras; installing sectionalizing devices on its overhead lines to separate the grid into smaller sections; hardening the system by installing stronger power poles, covering lines, and undergrounding lines in targeted areas; creating temporary microgrids to provide electricity during PSPS events; and enhancing existing vegetation management activities. From 2018 to July 2021, PG&E hardened

three miles of overhead lines, installed 68 transmission and distribution sectionalizing devices, completed enhanced vegetation management on approximately 51 of overhead line miles, installed 28 weather stations, and installed 12 high-definition cameras in the Marin County OA.

A wildfire in the LGVSD would most likely occur in the areas of the District where there is more forested terrain. There are no District critical facilities in these areas. District critical facilities, including the LGVSD Treatment Plant and the McInnis Park Pump Station are in a high FHSZ and could be impacted by a brush fire in the vegetated marshland areas of the District adjacent to San Pablo Bay. As wildland areas around the District become drier due to climate change and drought, the risk of a wildfire or brush fire occurring and impacting the City will continue to increase as open spaces experience drier conditions.

The District has never experienced a major wildfire or brush fire.

Climate Change and Future Development Considerations

Climate change can lead to an increase in wildfire events. Climate change has been a key factor in increasing the risk and extent of wildfires in the western United States. Changes in climate create warmer, drier conditions. Increased drought, and a longer fire season are boosting these increases in wildfire risk.

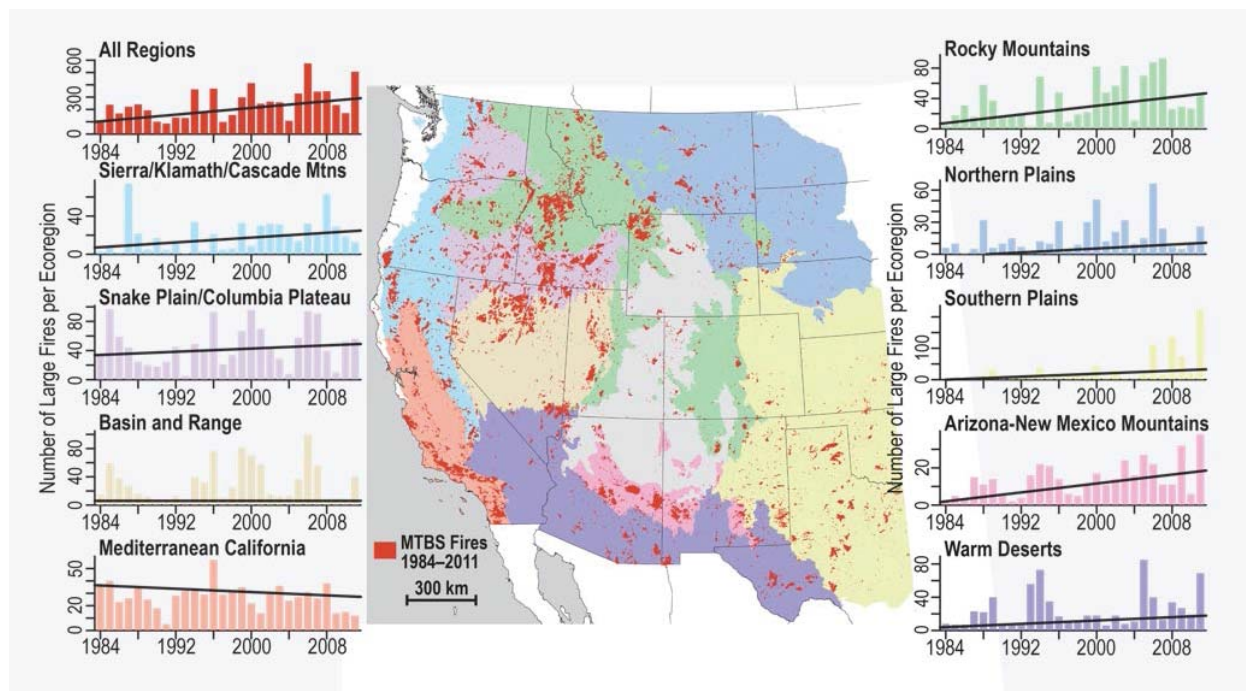


Figure 294: Trends in the Annual Number of Large Wildfires in the United States
Source: Fourth Climate Change Assessment, 01/04/23

As summer conditions in Northern California become hotter and drier due to climate change, the occurrence and severity of wildfires will only increase. The Marin County OA including the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent is particularly susceptible to these future impacts of climate change on wildfire, as the OA’s climate has generally been wet enough historically to avoid major wildfires. Extreme heat events and high wind events could cause electrical systems to become overloaded and fail, sparking wildfires. An increase in wildfires as a result of climate

change could lead to more significantly burned areas that could contribute to debris flows after a significant storm event, particularly in the open space areas around the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent. Future development in the WUI throughout the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent will expose more people and property to the impacts of a potentially significant wildfire. The growing number of people in the northern City of San Rafael and the unincorporated County areas of Lucas Valley, Marinwood, Santa Venetia and St. Vincent WUI can increase risk to life, property and public health as a result of a wildfire. Future development around the northern City of San Rafael and the unincorporated County areas of Santa Venetia and St. Vincent marshlands would expose more people to the effects of brush fires as the marshlands dry out in the summer due to climate change.

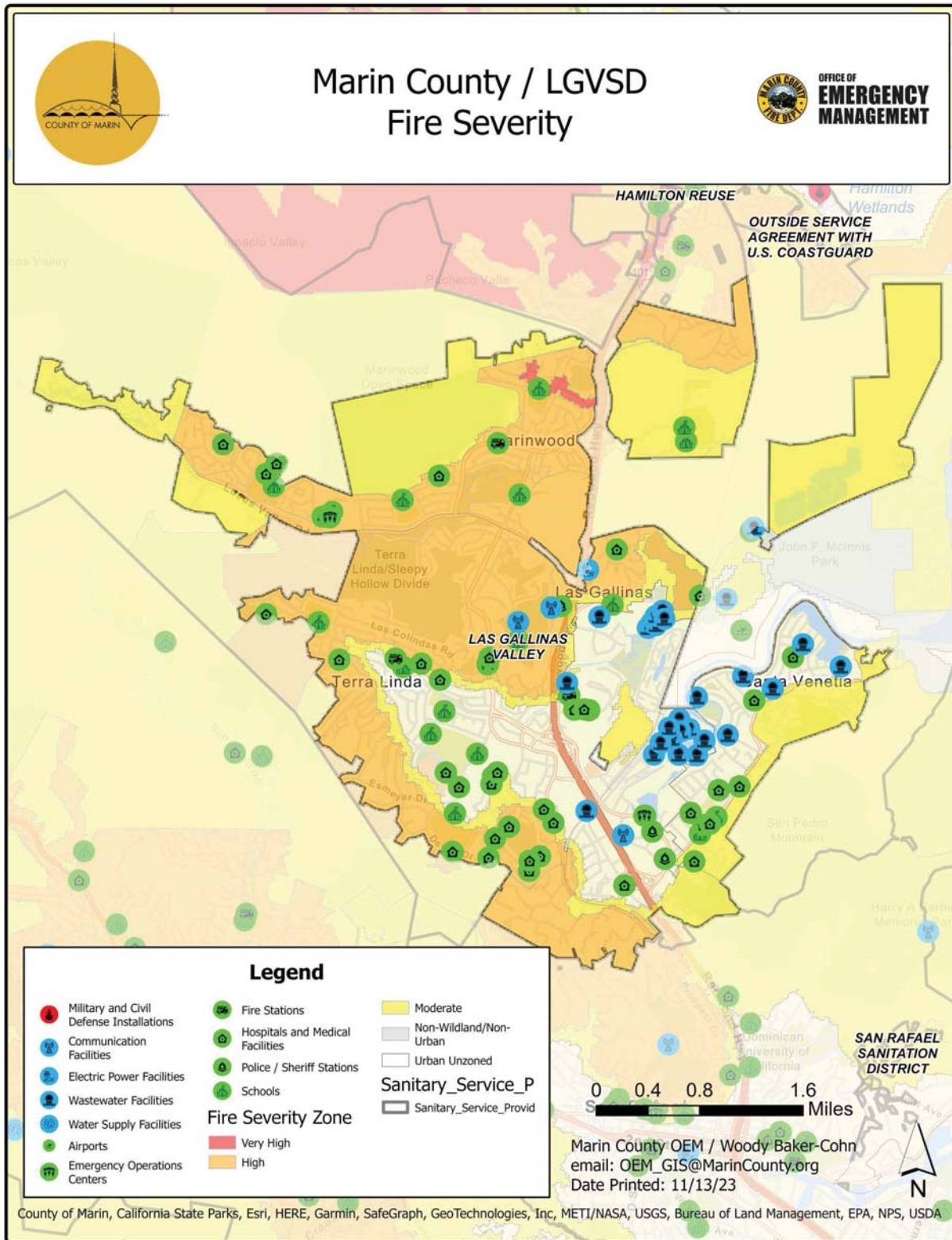


Figure 295: LGVSD Wildfire Critical Facilities and Infrastructure
Source: Marin County OEM

SECTION 3.0: MITIGATION STRATEGY

3.1 CHANGES IN DEVELOPMENT

The various Marin County Jurisdiction's General Plans guide growth and development across the County based on maintaining the County's small communities with their own unique character. Future large development in the County is not expected within the next 5 years, however, some managed development has been identified, approved, or submitted.

There has been a significant amount of development within the Las Gallinas Valley Sanitary District since the last plan update in 2018. However, the development has been within the City of San Rafael or Marin County jurisdictions, and to existing facilities or within the facility footprint of the LGVSD. There has not been any increased risk to the District as a result of new development since the last plan update in 2018.

Future land use and growth management strategies in the Las Gallinas Valley Sanitary District are consistent with priorities detailed in the 2023 Marin County MJHMP and aim to concentrate future development into and toward existing areas away from locations where natural characteristics may limit development (e.g., steep slopes or sensitive habitats), and to areas that have, or can readily be supplied with, adequate public facilities and services. This is done through various policies relating to zoning and minimum development standards and requirements. No further development is planned for the next five years.

3.2 CAPABILITY ASSESSMENT

The Las Gallinas Valley Sanitary District did not participate in the 2018 Marin County MJHMP. However, the strategies which support the overall District priorities are reflected in the sections below. Several current and future mitigation actions are identified to coincide with priorities, progress in local mitigation efforts and changes in development.

Capabilities are the programs and polices currently in use to reduce hazard impacts or that could be used to implement hazard mitigation activities. The capability assessment identifies the local planning mechanisms and hazard mitigation information from this 2023 MJHMP will be incorporated once approved. The capability assessment is divided into four sections: regulatory, administrative and technical, fiscal, and outreach and partnerships.

3.2.1 REGULATORY CAPABILITIES

The legal and regulatory capabilities include existing ordinances and codes that affect the District's physical or built environment. Examples of legal and/or regulatory capabilities can include: a jurisdiction's building codes, zoning ordinances, subdivision ordinances, special purpose ordinances, growth management ordinances, site plan review, general plans, capital improvement plans, economic development plans, emergency response plans, and real estate disclosure plans. The table below lists regulatory mitigation capabilities, including planning and land management tools, typically used by local jurisdictions to implement hazard mitigation activities and indicates those that are in place.

Opportunities for Enhancement

The 2023 Marin County OA MJHMP update provided the LGVSD an opportunity to review and update the capabilities currently in place to mitigate hazards. This also provided an opportunity to identify where capabilities could be improved or enhanced. Specific opportunities could include:

- **Community Wildfire Protection Plan:** The district may consider taking an active role in mitigation actions to enhance wildfire protection.
- **StormReady certification and Firewise Communities certification:** The district may consider participation in these programs.

Table 16: Legal and Regulatory Capabilities		
Plans	Yes/No Latest Update	Does the plan/program address hazards? Does the plan identify projects to include in the mitigation strategy? Can the plan be used to implement mitigation actions?
Comprehensive /Master Plan	Yes	Integrated Wastewater Master Plan (IWMP) addresses hazards, identifies projects, and it can be used to implement mitigation actions.
Strategic Plan	Yes	Guiding document determining vision including vision to action table. Does not address hazards. Can be used to identify goals but not to implement mitigation actions.
Capital Improvements Plan	Yes	Hazards identified in IWMP are funded based on priority. Mitigation projects could be included in the CIP. If Board approves CIP funding, the plan supports implementation of mitigation actions.
Economic Development Plan	No	N/A
Local Emergency Operations Plan	Yes	Emergency Preparedness Response Plan, District specific. Responds to hazards. Does not identify projects to mitigate.
Continuity of Operations Plan	Yes	Resilience plan for treatment plant required as part of NPDES permit. Sewer System Management Plan (SSMP) for continued operations of the collection system.
Flood Mitigation Plan (FMP)	Yes	District participates in the Marin County Plan.
Engineering Studies for Streams	No	N/A
Open Space Management Plan	No	N/A
Regional Transportation Plan (RTP)	No	N/A
Stormwater Management Plan/Program	Yes	District participates in the San Rafael & Marin County Plan.
Community Wildfire Protection Plan	Yes	District participates in the Marin County WPP
Other special plans (e.g., brownfields redevelopment, disaster recovery, coastal	No	N/A

zone management, climate change adaptation)		
Building Code, Permitting, and Inspections	Y/N	Are codes adequately enforced?
Building Code	Yes	Yes, District adheres to city, county, state, & federal codes.
Building Code Effectiveness Grading Schedule (BCEGS) Score	Yes	Yes, District adheres to city, county, state, & federal codes.
Fire department ISO rating:	No	
Site plan review requirements	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Land Use Planning and Ordinances	Y/N	Is the ordinance an effective measure for reducing hazard impacts? Is the ordinance adequately administered and enforced?
District Code	Yes	District Code allows for collection of sewer service fees and capacity fees to fund mitigation projects. Program is adequately administered. No enforcement.
Zoning ordinance	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Subdivision ordinance	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Floodplain ordinance	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Natural hazard specific ordinance (stormwater, steep slope, wildfire)	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Flood insurance rate maps	Yes	Yes, District participates San Rafael or Marin County plan reviews.
Elevation Certificates	Yes	Yes, District participates San Rafael/Marin County plan review.
Acquisition of land for open space and public recreation uses	No	
Erosion or sediment control program	Yes	Yes, District participates San Rafael or Marin County plan reviews.

Table 138: Las Gallinas Valley Sanitary District Legal and Regulatory Capabilities
Source: Las Gallinas Valley Sanitary District

Las Gallinas Valley Sanitary District Comprehensive Plan or Master Plan

Las Gallinas Valley Sanitary District boundaries overlap unincorporated areas of Marin County and the City of San Rafael, both of which are required to have a General Plan or Master Plan per California Government Code 65300. Please see their respective General Plan or Master Plan for details.

3.2.2 ADMINISTRATIVE AND TECHNICAL CAPABILITIES

The administrative and technical capability identifies the District personnel responsible for activities related to mitigation and loss prevention. Many positions are full time and/or filled by the same person.

Table 17: Administrative and Technical Capabilities		
Administrative	Yes/No	Is coordination effective?
Planning Commission	Yes	Yes, Coordinate & participate with San Rafael & Marin County.
Administrative Services	Yes	Yes, Coordinate with San Rafael & Marin County.
Hazard Mitigation Planning Committee	Yes	Yes, Coordinate & participate with San Rafael & Marin County.
Maintenance programs to reduce risk (e.g., tree trimming, clearing drainage systems)	Yes	Yes, Easements kept clear (trees and unpermitted obstructions) for emergency access
Mutual aid agreements	Yes	Between other local wastewater agencies and Marin OEM
Technical	Yes/No	Has capability been used to assess/mitigate risk in the past?
Warning systems/services (Reverse 911, outdoor warning signals)	Yes	Yes, Coordinate & participate with San Rafael & Marin County.
Hazard data and information	No	
Grant writing	No	
Hazus analysis	No	
Staff/Personnel Resources	Yes/No FT/ PT	Is staffing adequate to enforce regulations? Is staff trained on hazards and mitigation? Is coordination between agencies and staff effective?
Chief Building Official	No	
Floodplain Administrator	No	
Emergency Manager	Yes	General Manger serves in this role by definition. Leads the management team and coordinates with other wastewater agencies as needed during emergencies.
Community Planner	No	
Civil Engineer	Yes	District Engineer and Engineering Department enforce District regulations, have training on hazard mitigation, and coordinates with County and City officials.
Engineer(s), project manager(s), technical staff, equipment operators, and	Yes	Yes, Coordinate with San Rafael & Marin County on projects.

maintenance and construction staff.		
GIS Coordinator	No	
Community Development Staff	No	
City Planning, Building, and Public Works Staff	No	
Police Department Staff	No	
Fire Protection District Staff	No	
Community Development Staff	No	

Table 139: Las Gallinas Valley Sanitary District Administrative and Technical Capabilities
Source: Las Gallinas Valley Sanitary District

3.2.3 FISCAL CAPABILITIES

The fiscal capability assessment shows specific future financial and budgetary tools available to the district such as Hazard Mitigation grants; capital improvements project funding; authority to work with San Rafael and Marin County to levy utility taxes for specific purposes; fees for sewer or impact fees for home buyers or developers for new development; ability to incur debt through general obligations bonds; and withholding spending in hazard-prone areas.

Table 18: Fiscal Capabilities		
Financial	Yes/No	Has the funding resource been used in past and for what type of activities? Could the resource be used to fund future mitigation actions?
Capital improvements project funding	Yes	Feasibility studies, planning, and construction. Resource can be used to fund future mitigation actions.
Authority to levy taxes for specific purposes	No	
Fees for water, sewer, gas, or electric services	Yes	The District has the ability to assess sewer service charge fees and capital facilities charges. If mitigation projects are identified and included in an adopted Sewer Rate Study or Capacity Fee Study, the fees can be use for mitigation project when adopted with the annual budget.
Impact fees for new development	Yes	Development impact fees may be required when permit for connection to the wastewater system is required.
Storm water utility fee	No	
Incur debt through general obligation bonds and/or special tax bonds	Yes	Recent upgrade of the Secondary Treatment Plant facility and expansion of the Recycled Water facility was funding in part by bond.
Incur debt through private activities	Yes	Funding of capital improvements to the sewer collection system to meet the capital financing needs of the District. Funds could be used to fund mitigation actions.

Community Development Block Grant	No	
Other federal funding programs	Yes	Federal grant and infrastructure awards could be used to fund mitigation projects, such as sea-level rise and drought contingency. Regional coordination through North Bay Water Reuse Authority was used to obtain federal grant in for partial funding used towards Secondary Treatment Plant facility and expansion of the Recycled Water facility.
State funding programs	Yes	California Clean Water State Revolving Fund obtained in 2010 to complete primary clarifier system improvements at the treatment plant. Funding can be used to fund future mitigation actions.

Table 140: Las Gallinas Valley Sanitary District Fiscal Capabilities
Source: Las Gallinas Valley Sanitary District

3.2.4 COMMUNITY OUTREACH

The outreach and partnerships capability assessment shows outreach and public education programs available to the Las Gallinas Valley Sanitary District and the Las Gallinas Valley Sanitary District partnerships utilized to promote those programs.

Table 19: Las Gallinas Valley Sanitary District Community Outreach		
Outreach and Partnerships	Yes/No	Could the program/organization help implement future mitigation activities?
Local citizen groups or non-profit organizations focused on environmental protection, emergency preparedness, access and functional needs populations, etc.	Yes	Local groups and non-profits may be able to help spread the word on environmental protection but may be limited by funding challenges. The District supports environmental protection. Educational center is part of the District's plan for new facilities near the District's treatment plant and/or reclamation ponds.
Ongoing public education or information program (e.g., responsible water use, fire safety, household preparedness, environmental education)	Yes	Environmental education related to wastewater and pollution prevention programs are held at various regional events throughout the year. Newsletters round out the education initiative in the District. Both can support future implementation of future mitigation activities.
Natural disaster or safety related school programs	No	
StormReady certification	No	
Firewise Communities certification	No	
Community Rating System	Yes	Local groups and non-profits may be able to help spread the word on environmental protection but may be limited by funding challenges. The District supports

		environmental protection. Educational center is part of the District’s plan for new facilities near the District’s treatment plant and/or reclamation ponds.
Public-private partnership initiatives addressing disaster-related issues	Yes	Environmental education related to wastewater and pollution prevention programs are held at various regional events throughout the year. Newsletters round out the education initiative in the District. Both can support future implementation of future mitigation activities.

Table 141: Las Gallinas Valley Sanitary District Community Outreach
Source: Las Gallinas Valley Sanitary District

3.2.5 PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM

As a Special District the Las Gallinas Valley Sanitary District does not participate in the national flood insurance program (NFIP). However, the City of San Rafael and the County of Marin do participate in the NFIP and have profiled their flood risk in the Flood Profile in this Annex, the Marin County OA MJHMP, and the City of San Rafael Annex. Repetitive loss and severe repetitive loss structures are also addressed in the NFIP portion of the Marin County OA MJHMP, and the City of San Rafael Annex.

3.3 MITIGATION GOALS

44 CFR Requirement § 201.6(c)(3)(i) [The hazard mitigation strategy shall include a] description of mitigation goals to reduce or avoid long - term vulnerabilities to the identified hazards.

The information developed from the risk assessment was used as the primary basis for developing mitigation goals and objectives. Mitigation goals are defined as general guidelines explaining what each jurisdiction wants to achieve in terms of hazard and loss prevention.



Goal statements are typically long-range, policy-oriented statements representing jurisdiction-wide visions. Objectives are statements that detail how each jurisdiction’s goals will be achieved, and typically define strategies or implementation steps to attain identified goals. Other important inputs to the development of jurisdiction-level goals and objectives include performing reviews of existing local plans, policy documents, and regulations for consistency and complementary goals, as well as soliciting input from the public.

The following represents overarching strategic goals associated with the identification and eventual implementation of appropriate and meaningful hazard mitigation efforts in relation to prioritized hazards and threats confronting Marin County. These goals form the basis for specific supporting process objectives and are shown from the highest priority, at the top of the list, to those of lesser importance.

The establishment of hazard mitigation goals represents both individual and collective strategies that have been mutually agreed upon by the Steering Committee and have changed with the 2023 MJHMP update. Objectives were added to Goals 2 and 5. Eventually, these goals have been adopted by Marin County and its participating jurisdictions as the guiding policy behind local hazard mitigation efforts, in conjunction with other associated principles.

Goals were defined for the purpose of this mitigation plan as broad-based public policy statements that:

- Represent basic desires of the community;
- Encompass all aspects of community, public and private;
- Are nonspecific, in that they refer to the quality (not the quantity) of the outcome;
- Are future-oriented, in that they are achievable in the future; and
- Are time-independent, in that they are not scheduled events.

Goals are stated without regard to implementation. Implementation cost, schedule, and means are not considered. Goals are defined before considering how to accomplish them so that they are not dependent on the means of achievement. Goal statements form the basis for objectives

and actions that will be used as means to achieve the goals. Objectives define strategies to attain the goals and are more specific and measurable.

Goal 1: Minimize risk and vulnerability of the community to the impacts of natural hazards and protect lives and reduce damages and losses to property, economy, and environment in Marin County.

- Minimize economic and resource impacts and promote long-term viability and sustainability of resources throughout Marin County.
- Minimize impact to both existing and future development.
- Provide protection for public health.
- Prevent and reduce wildfire risk and related losses.

Goal 2: Provide protection for critical facilities, infrastructure, utilities, and services from hazard impacts.

- Incorporate defensible space and reduce hazard vulnerability.
- Develop redundancies in utilities and services.
- Enhance resilience through enhanced construction.

Goal 3: Improve public awareness, education, and preparedness for hazards that threaten our communities.

- Enhance public outreach and participation in the Alert Marin Emergency Notification System.
- Enhance public outreach, education, and preparedness program to include all hazards of concern.
- Increase public knowledge about the risk and vulnerability to identified hazards and their recommended responses to disaster events, including evacuation and sheltering options.
- Provide planning and coordination for "At-Risk" populations.
- Provide planning and coordination for companion animals, livestock, and other animal populations.
- Increase community awareness and participation in hazard mitigation projects and activities.

Goal 4: Increase communities' capabilities to be prepared for, respond to, and recover from a disaster event.

- Improve interagency (local, state, federal) emergency coordination, planning, training, and communication to ensure effective community preparedness, response and recovery.
- Enhance collaboration and coordination of disaster-related plans, exercises, and training with local, state, and federal agencies, neighboring communities, private partners, and volunteers.
- Enhance the use of shared resources/Develop a strong mutual aid support system.
- Create and maintain a fully functional, interoperable radio and communication system with all regional public safety partners.

Goal 5: Maintain FEMA Eligibility/Position the communities for grant funding.

- Review hazard events and ongoing hazard mitigation projects annually.
- Assess the need to pursue or adjust hazard mitigation projects after significant hazard events.

Goal 6: Reduce exposure to High Hazard Dams that pose an unacceptable risk to the public.

- Improve alert and warning systems to provide residents downstream of a High Hazard Dam to receive timely warning to evacuation when threatened by potential or imminent dam failure.
- Enhance overall community preparedness to respond and evacuate a potential or imminent dam failure.
- Increase public awareness of the risk posed by High Hazard Dams and the potential for relocation of housing outside a possible inundation zone.
- Prioritize High Hazard Dam Mitigation projects and programs.

3.4 STATUS OF PREVIOUS MITIGATION ACTIONS

The Las Gallinas Valley Sanitary District did not participate in the 2018 Marin County MJHMP and therefore, did not have any previous mitigation actions.

3.5 HAZARD MITIGATION ACTIONS

The 2023 Marin County MJHMP was revised to reflect progress in local mitigation efforts. Mitigation projects were selected for each hazard and for the Las Gallinas Valley Sanitary District based off the hazard risk assessment. The projects are supported by the mitigation goals and objectives, and are ranked using the following criteria; approximate cost, timeframe of completion, whether the project requires District Board of Directors regulatory action, and an assumption as to whether or not the project would be subject to CEQA or NEPA requirements. Funding sources are identified for all projects. All projects consider new, future, and existing development. Project worksheets are used by the Planning Team and Steering Committee to describe criteria for each project.

Based on the hazard profiles, threat assessment, capabilities assessment, community survey results, discussions among the Planning Team members, and existing best practices, a set of potential mitigation actions was developed and then evaluated based on the following criteria:

- FEMA requires local governments to evaluate the monetary and non-monetary costs and benefits of potential mitigation actions. Although local governments are not required to assign specific dollar values to each action, they should identify the general size of costs and benefits.
- The Planning Team may elect to include measures with a high cost or low benefits, but such measures should be clearly beneficial to the community and an appropriate use of local resources.

In addition, FEMA directs local governments to consider the following questions as part of the financial analysis:

- What is the frequency and severity of the hazard type to be addressed by the action, and how vulnerable is the community to this hazard?
- What impacts of the hazard will the action reduce or avoid?
- What benefits will the action provide to the community?

The Planning Team also chose to review and revise the potential hazard mitigation actions with consideration for climate impact and social vulnerability. Projects and programs were assessed with consideration of these variables.

Prioritization

As part of the mitigation actions development and review, the Planning Team also prioritized the actions. The prioritization efforts looked at the risks and threats from each hazard; lifesaving, life safety, property protection and lastly environmental protection; financial costs and benefits; technical feasibility; consideration for climate impact, and social vulnerability, and community values. Planning Team members were asked to identify their priority actions using the following criteria.

Implementation priority ratings were assigned as follows:

- **High Priority** - An action that meets multiple objectives, is linked to a high risk hazard, has benefits that exceed costs, and has a potential source of funding. Action can begin within the short term (1 to 5 years).
- **Medium Priority** - An action that meets multiple objectives, is linked to a high or medium risk hazard, has benefits that exceed costs, and is eligible for funding though no funding has yet been secured for it. Action can begin within the short term (1 to 5 years) once funding is secured.
- **Low Priority** - An action that will mitigate the risk of a hazard, has benefits that do not exceed the costs or are difficult to quantify, has no secured source of funding, and is not eligible for any known grant funding. Action can be completed in the long term (1 to 10 years). Low-priority actions may be eligible for grant funding from programs that have not yet been identified.

Table 20 lists the Current Hazard Mitigation Actions for the Las Gallinas Valley Sanitary District.

Table 20: Las Gallinas Valley Sanitary District Current Hazard Mitigation Actions

No.	Mitigation Actions	Hazards Mitigated/ Goals Met	Jurisdiction/ Responsible Agency	New, Existing, Completed, Removed	Estimated Cost and Potential Funding Source	Timeline/ Priority	Comments/ Progress
LGV-1	Encourage participation in Alert Marin and other community alert & warning systems to ensure the public is aware of any potential emergencies or risk.	All Hazards 1, 2, 3, 4, 5	Las Gallinas Valley Sanitary Dist./ Marin County	New (2023)	Cost: General Funds	1 -2 Years/ High	
LGV-2	Flood Protection Plan/Sea Level Rise Mitigation Program Planning. Develop Flood Management Plan to improve flood protection and resilience of biosolids disposal area, reclamation, pump stations, and all critical treatment facilities.	Flooding, Sea Level Rise, Tsunami /1, 2	Las Gallinas Valley Sanitary District	New (2023)	Cost TBD; HMGP, BRIC, FMA, CDAA and Local Grants	1-2 Years/ High	
LGV-3	Standby Generators for Minor Pump Stations. Installation of permanent generators to provide emergency power backup to select wastewater pump stations during PG&E Public Safety Power Shutoff outages.	Wildfire/ 1, 2	Las Gallinas Valley Sanitary District	Existing	Cost \$700k; LGVSD Capital Improvement Program (CIP)	On-going/ High	
LGV-4	John Duckett Pump Station Improvements. Improve sea level rise resiliency; pipeline structural integrity during earthquakes; and increase pumping capacity during major storm events.	Flooding, Sea Level Rise; Earthquake; Severe Weather/1, 2	Las Gallinas Valley Sanitary District	New (2023)	Cost TBD; Loan, LGVSD CIP	1-2 Years/ High	
LGV-5	Administration, lab, and Operations Control Building Construction. Design and construction of a state-of-the-art operations control center incorporating advanced communication and alarm system for pump stations and other facilities during service disruptions, such as major storm events, earthquakes, and other disasters. The administration, lab,	Earthquake; Flooding, Sea Level Rise; Severe Weather Heat and Wind; Tsunami, Wildfire/ 1, 2	Las Gallinas Valley Sanitary District	New (2023)	Cost TBD; SRF Loan, HMGP, BRIC, FMA, CDAA Grants, LGVSD CIP	1-2 Years/ High	

Table 20: Las Gallinas Valley Sanitary District Current Hazard Mitigation Actions

No.	Mitigation Actions	Hazards Mitigated/ Goals Met	Jurisdiction/ Responsible Agency	New, Existing, Completed, Removed	Estimated Cost and Potential Funding Source	Timeline/ Priority	Comments/ Progress
	and control center building(s) shall comply with current Building Code requirements for seismic, flood, and fire.						
LGV-6	Miller Creek Vegetation Maintenance. Maintain vegetated sloped areas because of previous dredging of Lower Miller Creek on LGVSD property to control gravel and debris flow downstream and control landslide and erosion of existing levees.	Debris Flow/ 1, 2	Las Gallinas Valley Sanitary District	Existing	Cost \$50k per year; LGVSD CIP	On-going/ High	
LGV-7	Miller Creek Dredging Project. Dredging Lower Miller Creek on LGVSD property to remove accumulated sediment and increase creek capacity to convey runoff during major storm events.	Flooding, Sea Level Rise; Tsunami, Severe Weather/ 1, 2	Las Gallinas Valley Sanitary District	New	Cost TBD; HMGP, BRIC, FMA, CDAAGrants, LGVSD CIP	2-5 Years High	
LGV-8	Recycled Water Expansion. Expanded capacity of Title 22 recycled water production for distribution by NMWD and MMWD.	Drought/ 1, 2	Las Gallinas Valley Sanitary District	Existing	Cost: \$6M; USBR WaterSmart Grant and LGVSD CIP	On-going/ High	
LGV-9	Sewer Main Rehabilitation. Maintain and improve the wastewater collection system to minimize inflow and infiltration during peak wet weather events.	Flooding; Tsunami, Severe Weather/ 1, 2	Las Gallinas Valley Sanitary District	New (2023)	Cost TBD; LGVSD CIP	1-2 Years/ High	
LGV-10	Integrated Wastewater Master Plan. Address current issues and develop long-term strategies for the wastewater treatment plant, pump stations, force mains, and gravity sewers and reclamation facilities.	All hazards/ 1, 2	Las Gallinas Valley Sanitary District	Existing	Cost: \$1.5M; LGVSD CIP	On-going/ High	

Table 142: Las Gallinas Valley Sanitary District Current Hazard Mitigation Actions

3.6 PROGRESS IN LOCAL MITIGATION EFFORTS

This plan has been created as a “living” document with input from the population and professionals within the Las Gallinas Valley Sanitary District. Based on the planning meetings and the progress monitored by the steering committee members several mitigation actions were accomplished since the last planning cycle. Table 19 provides a brief description of the progress made in the local mitigation efforts and the plan for those mitigation actions that were not completed or are ongoing.

The planning team for the Las Gallinas Valley Sanitary District identified and prioritized the mitigation actions as detailed in Table 20, based on the risk assessment and in accordance with the process outline in Section 3, Mitigation Strategy, of the base plan. Background information and information on how each action will be implemented and administered, such as ideas for implementation, responsible office, potential funding, estimated cost, and timeline are also included. General processes and information on plan implementation and maintenance of this LHMP by all participating jurisdictions is included in Section 4.0: Plan Review, Evaluation, and Implementation.

3.7 PLAN INTEGRATION

For hazard mitigation planning, “integration” means that hazard mitigation information is used in other relevant planning mechanisms, such as master planning, strategic planning, capital facilities planning, emergency management, hazard specific planning, and that relevant information from those sources is also used in hazard mitigation. This section identifies where the 2023 MJHMP will be used for further integration.

The planning team for the Las Gallinas Valley Sanitary District will maintain this plan and will serve as a lead staff for grant project applications on District projects selected for application under the Hazard Mitigation Assistance grant programs.

An important implementation mechanism that is highly effective and low-cost is incorporation of the hazard mitigation plan recommendations and their underlying principles into town plans and mechanisms. Where possible the Las Gallinas Valley Sanitary District will use existing plans and/or programs to implement hazard mitigation actions both directly within the District and through the coordinated efforts with the Cities and Towns they serve.

Mitigation is most successful when it is incorporated into the day-to-day functions and priorities of government and development. As described in this plan’s capability assessment, the Las Gallinas Valley Sanitary District and the Cities and Towns they serve already implement policies and programs to reduce losses to life and property from hazards. This plan builds upon the momentum developed through previous and related planning efforts and mitigation programs and recommends implementing actions, where possible, through these other program mechanisms. These existing mechanisms include Integration opportunities for the 2023 Marin County MJHMP:

District Master & Strategic Plans - Integrates hazard mitigation through the consideration of hazards most likely to impact the district.

District Emergency Operations Plans – Integrates hazard mitigation through the consideration of the Cities and Town’s planned response to hazards most likely to impact the district.

Flood/Storm Water Management/Master Plans - Integrates hazard mitigation through the consideration of strategies to reduce flood risk and storm water management for the protection of life and property.

Community Wildfire Protection Plan - Integrates hazard mitigation through the consideration of strategies to reduce fire hazard and the risk of catastrophic wildfires in the WUI, while promoting the protection and enhancement of the county’s economic assets and ecological resources.

The successful implementation of this mitigation strategy will require review of existing plans and programs for coordination and multi-objective opportunities that promote a safe, sustainable community. A few examples of incorporation of the MJHMP into existing planning mechanisms include:

13. As recommended by Assembly Bill 2140, each community should adopt (by reference or incorporation) this MJHMP into the Safety Element of their General Plans. Evidence of adoption (by formal, certified resolution) shall be provided to CalOES and FEMA
14. Integration of flood actions identified in this mitigation strategy with the actions and implementation priorities established in existing Flood Management Programs
15. Using the risk assessment information to update the hazards section in the County, City and Town Emergency Operations Plans

Efforts should continuously be made to monitor the progress of mitigation actions implemented through these other planning mechanisms and, where appropriate, their priority actions should be incorporated into updates of this hazard mitigation plan.

3.8 FUTURE DEVELOPMENT TRENDS

Marin County and the City of San Rafael have planning and development departments, LGVSD only is involved in issuing will-serve letters allowing connection to the sewer system for plan preliminary approved by the County and City of San Rafael. The LGVSD recently completed major upgrades to existing facilities and is considering the construction of Administration, Laboratory, and Operations Control Buildings on the existing LGVSD footprint. Upsizing of the District’s sewer collection system as needed to support development as outlined in the District’s Integrated Wastewater Master Plan. No other development projects are being considered.

SECTION 4.0: PLAN REVIEW, EVALUATION, AND IMPLEMENTATION

The strategies presented are deemed appropriate and effective by recommendation of the Las Gallinas Valley Sanitary District.

4.1 PLAN ADOPTION

Upon submission to the California Office of Emergency Services (CalOES) for review, and subsequent approval by the Federal Emergency Management Agency (FEMA), the Marin County MJHMP will be presented to local government for formal adoption. As appropriate, the adopted plan and accompanying Las Gallinas Valley Sanitary District Community Profile will then be incorporated into local general plans for integration into organizational policy.

4.2 PLAN MONITORING

The process of hazard mitigation does not end with the completion, approval, and adoption of the Marin County OA MJHMP. During the five-year lifespan the Marin County and LGVSD plan, the County, cities, towns and special districts, along with community-based organizations will ensure that the mitigation goals and strategies identified are exercised and monitored under a collaborative and cooperative umbrella, and that the document itself is properly maintained.

The Marin County Office of Emergency Management, as lead coordinating agency for hazard mitigation planning within the Marin County OA, leads the Marin Operational Area Hazard Mitigation Working Group that meets quarterly to review and manage the plan, projects, and programs. The LGVSD is a participating member of the Marin Operational Area Hazard Mitigation Working Group. The LGVSD Administrative Services Manager will monitor and update the LGVSD Annex to the Marin County OA MJHMP.

The review will identify changing community priorities, updated or new planning documents and the progress or status of the mitigation actions as detailed in the mitigation strategy. Additional questions to complete the review will be considered as follows:

- Do the goals address current and expected conditions?
- Are the goals and objectives consistent with changes in the local, state, and federal policy?
- Status updates on all mitigation actions?
- Have the hazards or risks changed?
- Are current resources appropriate for implementing the MJHMP?
- Have the outcomes occurred as expected?
- Is the County and jurisdictions or districts participating in the plan implementation process as expected?

The Working Group is a subgroup of the Marin Disaster and Citizens Corps Council. During the five-year update cycle, the Marin Operational Area Hazard Mitigation Working Group will have quarterly update meetings with the Hazard Mitigation Planning Committee and local stakeholders to discuss revisions to the plan and progress updates for the hazard mitigation actions. Further, Marin OEM will host an annual one-day mitigation summit to increase engagement and enhance collaboration on the plan and projects. The summit will also have the goal to educate stakeholders on innovative approaches to mitigation, trends, and new plan

requirements. Marin OEM, as the host, will seek subject matter experts, state and federal officials, and representatives from within the Marin OA to speak to mitigation and planning. The knowledge gathered and the coordination facilitated during the summit will be used to update the base plan and annexes.

Marin OEM has the capacity to lead the Working Group and Multi-Jurisdictional Planning with one coordinator assigned with direct maintenance of the plan, a department analyst assigned to support the coordinator with project and grant tracking, and a community preparedness coordinator assigned with conducting regular public outreach on the plan and education on mitigation. Community feedback and integration will continue through outreach events and OEM website, where residents and visitors are invited to provide feedback through a survey, available in English or Spanish.

Specific plan maintenance activities by the Marin County Office of Emergency Management and its participating jurisdictions/special districts may include:

- Hold quarterly update meetings with the Hazard Mitigation Planning Committee and local stakeholders to discuss revisions to the plan and progress updates for the hazard mitigation actions.
 - Annual Hazard Mitigation Summit
 - Holding public meetings after the first quarter and third quarter update meetings.
 - Maintaining the Marin County OEM Hazard Mitigation Website, which provides the public with the ability to access identified hazard impact maps, location address search capability, and a listing of hazard mitigation actions.
 - Monitoring of the Marin County and all participating jurisdiction mitigation project activities and dissemination of status reports.
 - Generation of reports relative to plan status, project management, and revision updates to executive leadership.
- Preparations for the plan's future revision and updating.

4.3 PLAN EVALUATION

Upon approval and adoption by the LGVSD, the prioritized mitigation strategies will be further developed for funding and implementation by the lead agencies. The plan describes the potential sources of hazard mitigation funding, and general procedures to obtain that funding.

The mitigation strategies represented and adopted within this plan are recommendations only and must be approved and funded in order to be implemented as official mitigation solutions. Ultimately, it is the responsibility of jurisdictional and agency officials within the Marin County to undertake project implementation based upon identified mitigation strategies, funding availability, and local need when it arises. The Marin County Office of Emergency Management will meet with the Marin Operational Area Hazard Mitigation Working Group, including the LGVSD, to evaluate the plan after each update meeting.

4.4 PLAN UPDATE

The LGVSD Administrative Services Mgr. will monitor and update the LGVSD Annex to the Marin County OA MJHMP. During the five-year update cycle, the LGVSD and the Marin County Office of Emergency Management will hold quarterly update meetings with the Marin Operational Area Hazard Mitigation Working Group and local stakeholders to discuss revisions to the plan and progress updates for the hazard mitigation actions. The Marin County Office of

Emergency Management and all participating jurisdictions and special districts will continue to hold public meetings after the first quarter and third quarter update meetings annually and will continue to invite public participation in the update process via updated public surveys.

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ACRONYMS/ABBREVIATIONS

Acronym	Definition
ABAG	Association Bay Area of Governments
ADU	Accessory Dwelling Units
AMI	Area Median Income
AQI	Air Quality Index
ARP	Address Resolution Protocol
ASL	American Sign Language
ATSDR	Agency for Toxic Substances and Disease Registry
BAAQMD	Bay Area Air Quality Management District
BCDC	Bay Conservation and Development Commission
BCEGS	Building Code Effectiveness Grading Schedule
BCPUD	Bolinas Community Public Utility District
BFE	Base Flood Elevation
BRIC	Building Resilient Infrastructure and Communities
CA	California
CAC	Community Assistance Contact
CAL FIRE	California Department of Forestry and Fire Protection
Cal OES	California Office of Emergency Services
CAP	Climate Action Plan
CASPER	Community Assessment for Public Health Emergency Response - California Department of Public Health
CAV	Community Assistance Visit
CDAA	California Disaster Assistance Act
CDC	Centers for Disease Control and Prevention
CDI	Certified Deaf Interpreter
CEQA	California Environmental Quality Act
CERT	Community Emergency Response Team
CGS	California Geological Survey
CIP	Capital Improvement Plan
CIR	Conservation Incentive Rate
CITR	Conservation Incentive Tier Rate
CMFD	Central Marin Fire District
CMSA	Central Marin Sanitation Agency

CNRA	California Natural Resource Agency
CO	Carbon Monoxide
COVID-19	Coronavirus Disease 2019
COYL	Coyote Creek Left Bank Levee
CPUC	California Public Utilities Commission
CRF	Community Risk Factor
CRI	Community Resilience Index
CRS	Community Rating System
CRT	Community Response Team
CSA	County Service Area
C-SMART	Sea-level Marin Adaption Response Team
CWPP	Community Wildfire Protection Plan
DDoS	Distributed Denial of Service
DMA	Disaster Mitigation Act
DNS	Domain Name System
DOF	California Department of Finance
DoS	Denial-of-Service
DPW	Department of Public Works
DR	Disaster Relief
DSOD	Division of Safety of Dams - California Department of Water Resources
DWR	California Department of Water Resources
EAL	Expected Annual Loss
EAS	Emergency Alert System
ECC	Emergency Command Center
EOC	Emergency Operation Center
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
EPC	Emergency Preparedness Commission
ESHA	Environmentally Sensitive Habitat Areas
FD	Fire Department
FEMA	Federal Emergency Management Agency
FHSV	Fire Hazard Severity Zones
FIRM	Flood Insurance Rate Maps
FMA	Flood Mitigation Assistance

FMP	Flood Mitigation Plan
FOG	Fats, Oils, & Grease
FPA	Floodplain Administrator
FRA	Federal Responsibility Areas
FY	Fiscal Year
GGBHTD	Golden Gate Bridge, Highway and Transportation District
GGNRA	Golden Gate National Recreation Area
GGNRA	Golden Gate National Recreation Area
GIS	Geographic Information System
Gov	Government
GPAC	General Plan Advisory Committee
H2S	Hydrogen Sulfide
HFHSZ	High Fire Severity Zone
HIRA	Hazard Identification and Risk Assessment
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HLR	Historic Loss Ratio
HMGP	Hazard Mitigation Grant Program
IoT	Internet of Things
IP	Intellectual Property
IPAWS	Integrated Public Alert and Warning System
IPCC	Intergovernmental Panel on Climate Change
ISEPA	Identified Site Emergency Planning Application
JPA	Joint Powers Agreement
LCP	Local Coastal Program
LGVSD	Las Gallinas Valley Sanitary District
LHMP	Local Hazard Mitigation Plan
LOMA	Letters of Map Amendment
LOMR	Letters of Map Revision
LRA	Local Responsibility Areas
LRAD	Long-Range Acoustic Device
LSAC	Levee Safety Action Classification
Marin IJ	Marin Independent Journal
MCEP	Marin Climate Energy Partnership
MCFD	Marin County Fire Department

MCOSD	Marin County Open Space District
MCPIO	Marin County Public Information Officers
MCSTOPP	Marin County Stormwater Pollution Prevention Program
MERA	Marin Emergency Radio Authority
MERS	Middle Eastern Respiratory Syndrome
MFHSZ	Moderate Fire Severity Zone
MG	Million Gallons
MGD	Million Gallons Per Day
MHOAC	Medical/Health Operational Area Coordinator
MHW	Mean High Water
MJHMP	Multi-Jurisdictional Hazard Mitigation Plan
MMI	Modified Mercalli Intensity
MMRC	Marin Medical Reserve Corps
MMWD	Marin Municipal Water District
MRZ	Mineral Resource Zones
MV2040	Mill Valley General Plan 2040
Mw Scale	Moment Magnitude Scale
MWPA	Marin Wildfire Prevention Authority
NASA	National Aeronautics and Space Administration
NCDC	National Climatic Data Center
NEPA	National Environmental Policy Act
NFDRS	National Fire Danger Rating System
NFIP	National Flood Insurance Program
NID	National Inventory of Dams
NIH	National Institute for Health
NMWD	North Marin Water District
NPDES	National Pollutant Discharge Elimination System
NPR	Northwestern Pacific Railroad
NR	National Register of Historic Places
NRI	National Risk Index
NWS	National Weather Service
O3	Ozone
OA	Operational Area
OEM	Office of Emergency Management

OHP	Office of Historic Preservation
OWTA	On-Site Wastewater Treatment Systems
PD	Police Department
PG&E	Pacific Gas & Electric
PM10	Particulate Matter Less Than 10 Microns In Aerodynamic Diameter
PSPS	Public Safety Power shutoffs
PtH	Pass the hash
PUD	Public Utility District
PW	Public Works
RACES	Radio Amateur Civil Emergency Service
RAWS	Remote Automated Weather Stations
RCD	Resource Conservation District
RHNA	Regional Housing Needs Assessment
RTP	Regional Transportation Plan
SASM	Sewerage Agency of Southern Marin
SFBRA	San Francisco Bay Restoration Authority
SFHA	Special Flood Hazard Area
SFHA	Special Flood Hazard Areas - FEMA
SFHA	Special Flood Hazard Area
SHMP	State Hazard Mitigation Plan
SHSGP	State Homeland Security Grant Program
SMART	Sonoma Marin Area Rail Transit
SMCSD	Sausalito Marin City Sanitary District
SMFD	Southern Marin Fire District
SOD	Sudden Oak Death
SOX	Sulfur Oxides
SQL	Structured Query Language
SR	State Route
SRA	State Responsibility Areas
SSMP	Sewer System Management Plan
SVI	Social Vulnerability Index
TAM	Transportation Authority of Marin
TBD	To Be Determined
TENS	Telephone Emergency Notification System

UCERF2	Uniform California Earthquake Rupture Forecast, Version 2
UCERF3	Uniform California Earthquake Rupture Forecast, Version 3
USACE	U.S. Army Corps of Engineers
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VHFHSV	Very High Fire Severity Zone
VMP	Vegetation Management Plans
WC/ATWC	West Coast/Alaska Tsunami Warning Center
WHO	World Health Organization
WSCP	Water Shortage Contingency Plan
WUI	Wildland Urban Interface
WWTP	Waste Water Treatment Plant
XSS	Cross-Site Scripting

9/19/2024

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, CASA Workforce Committee, Operations Control Centers Ad Hoc Committee, Fleet Management Ad Hoc Committee, FutureSense Ad Hoc Committee, Other Reports

MURRAY

Marin LAFCO, Flood Zone 6, Biosolids Ad Hoc Committee, CASA Energy Committee, Development Ad Hoc Committee, SF Trail Ad Hoc Committee, Other Reports

NITZBERG

Operations Control Centers Ad Hoc Committee, McInnis Marsh Ad Hoc Committee, Fleet Management Ad Hoc Committee, SF Bay Trail Ad Hoc Committee, Other Reports

ROBARDS

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

YEZMAN

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

Agenda Item 5.2
Date September 19, 2024

Certificate of Attendance for 1.0 Contact Hour

U.S. EPA Small Drinking Water Systems Webinar Series
Consolidation, Partnerships, and Regionalization

August 27, 2024

Craig Murray

This certificate represents participation in the webinar mentioned above as part of U.S. EPA's *Monthly Small Systems Webinar Series: Challenges and Treatment Solutions for Small Water Systems*. The webinar series is a collaboration between U.S. EPA's Office of Research and Development, Office of Water, and the Association of State Drinking Water Administrators. The participant named above met the attendance requirements to receive the listed number of contact hours.



Thomas F. Speth

Thomas F. Speth, PhD
Webinar Series Coordinator
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Michelle L. Latham

Michelle L. Latham
Water Research Webinar Series Coordinator
Immediate Office of the Assistant Administrator
U.S. EPA Office of Research and Development



**BOARD MEMBER
MEETING ATTENDANCE REQUEST**

Date: _____ Name: _____

I would like to attend the _____ Meeting
of _____

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

Location of meeting: _____

Actual meeting date(s): _____

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

Purpose of Meeting: _____

Meeting relevance to District: _____
YES NO

Request assistance from Board Secretary to register for Conference:

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): _____

Date submitted to Board Secretary: _____

Board approval obtained on Date: _____

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

9/19/2024

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

Normal winter rain outlook doesn't ease preparations

Work covers threats of slides, downed trees and flooding



Kerry Koffler reinstalls a storm water pump at one of the pump stations in the Santa Venetia neighborhood of San Rafael. The pump maintenance is part of the county's preparations for the upcoming rainy season. PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL



Rain falls on a visitor to Vista Point, overlooking the Golden Gate Bridge, in February.

BY KRISSY WAITE

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Winter storm preparations have begun across Marin County.

Efforts are underway by the county's Department of Public Works to get ready for the seasonal onslaught of downed trees, landslides, road damage and flooding. The work includes removing sediment buildup from creek beds, replacing pump station equipment, conducting roadside storm drain work and checking and repairing levees.

The work, which launched in late spring, is expected to be wrapped up by mid-October.

"Plain and simple, our annual storm preparation work is a critical piece of flood prevention and public safety," said Laine Hendricks, a county spokesperson. "Clearing debris and obstructions from creeks, storm drains, and culverts helps prevent flooding by ensuring that water can flow freely."

Last year, Marin County weathered numerous powerful storms that rolled in off the Pacific Ocean. According to the Marin Municipal Water District, the Mount Tamalpais watershed received 62.23 inches of rain from July 1, 2023, through June 30. The year prior, it received 76.96 inches of rainfall. The average is 52.25 inches.

The two consecutive wet winters led to overflowing reservoirs. In February, Marin County had two "atmospheric river" storms back to back.

Tracy Clay, an engineer and manager of the Marin County Flood Control District, said the county is not expecting an unusually wet year. Based on the National Weather Service's prediction for the upcoming rainy season, precipitation levels should be normal.

“However, we plan and prepare for intense storm seasons every year,” Clay said. “There can be severe atmospheric rivers in our area on any given year regardless of larger climatic patterns such as El Niño and La Niña.”

“Weather or climate models do not help us predict or plan for specific seasons though,” Clay said. “We prepare for every year as though it is a wet El Niño year.”

Marin County’s eight flood control districts include 37 miles of creek beds, over a mile of flood walls, more than 14 miles of levees, 45 permanent pumps along with seven portable pumps, and several stormwater basins.

Within the creeks, plants and trees are removed to increase water flow capacity. This summer, a few creeks — Rush Creek, Vineyard Creek and Fairfax Creek — are scheduled for sediment removal. According to Hannah Lee, a county water engineer, certain triggers sometimes alert the county to needed creek maintenance.

“For example, Vineyard Creek was designed to have a specific carrying capacity and was modeled to have a bridge under Center Road that has 6 feet of clearance between the creek bottom and the bottom of the bridge,” Lee said. “When there is less than 6 feet of clearance under the bridge it triggers sediment removal.”

Novato Creek requires at least 2 feet of clearance between the sediment level and the barrier across the width of the creek, and less than that necessitates maintenance. Public Works Director Rosemarie Gaglione said creek maintenance alone costs the flood district around \$1 million a year.

Part of the winter storm prep includes pump station maintenance, specifically four pumps in Santa Venetia, two pumps in Richardson Bay, and two in Bel Aire and Strawberry. The work entails removing the pumps and cleaning the machines.

Hendricks said the pump station work, as well as the annual inspection of levees and tide gates, are important because managers need to be sure the structures can handle the increased water flow that comes with storms.

At home, residents should remove any dead leaves and yard waste from their property before the rainy season begins to prevent debris from clogging storm drains and gutters. All of the materials should be placed in the green waste bins.

Sweeping it into the street can cause flooding to the block or even the whole neighborhood, said Julian Kaelon, a public works spokesperson. Kaelon suggested assisting neighbors who might not be able to clean out their yards.

“While we can’t control everything about storm season, such as how severe the storms will be or where mudslides might happen, we can control how well we prepare,” Hendricks said. “Clearing obstructions from waterways and ensuring the integrity of our infrastructure can help us face fewer problems down the line.”

Bay Area sites expanding for empty drink containers

Reverse vending machines to increase ways to recycle



Plastic bottles await sorting before being sent off for recycling at Marin Sanitary Service in San Rafael. ALAN DEP — MARIN INDEPENDENT JOURNAL, FILE



Luis Morell prepares soda cans for recycling at Marin Recycling in San Rafael. FRANKIE FROST — MARIN IJ, FILE

BY NOLLYANNE DELACRUZ

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About 90 new sites for people to recycle empty drink containers will be added to the Bay Area after several counties including Marin received grants from the state's recycling and waste management agency.

The grants will fund some 250 new recycling sites across 30 California counties in total, officials said.

The director of CalRecycle, Zoe Heller, said that the department had been hearing from Bay Area residents and people throughout the state that there was a need for more opportunities and sites for people to bring their beverage containers and redeem them for nickels and dimes.

Marin, Contra Costa, Santa Clara, San Francisco and Monterey counties received grants to implement reverse vending machines. SaveMart and Smart and Final each received \$2 million for reverse vending machines in 19 counties.

Alameda, Sacramento and San Mateo counties will have three disposal methods for recyclable beverage containers — mobile, bag drop and a reverse vending machine. Sonoma County will also be implementing bag drop and reverse vending machine systems.

CalRecycle announced that \$70 million in Beverage Container Redemption Innovation Grants would be used to set up the sites in 30 counties across California.

Heller said that a reverse vending machine works similarly to a traditional vending machine: People can put their bottles and cans in a slot and get cash for those recyclables.

Mobile collection of drink containers uses a truck that moves throughout neighborhoods, notifying residents when the vehicle parks nearby so that they can bring their bottles and cans. Bag drop sites will allow people to bring bags of drink containers to specific locations. After bags are weighed and counted, people can receive some money for their recyclables. These sites are expected to open next year.

Acceptable drink containers include soda cans and water bottles, but the list was recently expanded to include bottles of wine and distilled spirits and large juice containers, Heller said.

One grant recipient was United Cerebral Palsy of the North Bay, an organization that mainly aims to support people with disabilities, but also operates the Petaluma Recycling Center in Sonoma County as a social enterprise.

Jeremy Hogan, director of community employment, said the organization received \$3 million to expand its bag drop services, which includes reaching out more to the community to evaluate its needs and improve efficiency at its recycling center.

Hogan said that it was looking for grants that would help it expand opportunities for clients and get them more employment opportunities. He said that the Petaluma Recycling Center typically has long lines, and it viewed the grant as way to provide clients more job opportunities and expand on a resource for the community “that’s been reduced significantly over the last few decades.”

He acknowledged that many socioeconomically challenged residents would pay the CRV tax on their beverages, but because it’s not as convenient to redeem the bottles for money, most people end up throwing away the bottles and cans in the trash or they recycle curbside and don’t get any money back. He said that expanding services would allow for residents to get some money back and keep recyclables out of landfills.

Another grant recipient was the Tri-Cities Economic Development Corporation, which received just under \$1 million to expand its bag drop services in Alameda County. It is a nonprofit recycling company that works with recyclers to employ formerly incarcerated people. It operates a hauler for curbside recycling pickup, a material recovery facility and a buyback center that lets people redeem their bottles and cans.

Jason Toro, CEO of Tri-CED Community Recycling, said it plans to use the money to launch two backdrops, fancy storage units where people can deposit their bags of empty beverage containers. When the containers are processed, customers can be paid electronically.

Toro said he hopes that these backdrops will be installed in grocery store parking lots to help Alameda County meet the expectation to have 55 recycling centers in the county. He said that the lines at their recycling center are frequently long as they are only one of 10 places where residents can drop off their recyclables.

Toro said the reason for the disparity is because grocers have frequently paid off fines instead of redeeming bottles of cans; a loophole which will be addressed next year with a newly approved law, SB1013. So, the grant will be used to make recycling more convenient for residents.

The grant program was meant to provide for communities that needed more sites for people to redeem their empty bottles and cans for nickels and dimes. Heller said the program started in the 1980s with the goal of keeping bottles and cans from littering waterways and streets.

She added that she hopes to see recycling rates increase and more beverage containers collected statewide. The department also stated that modernized recycling sites would be coming to Butte, Imperial, Lassen, Mendocino and Merced counties.

Drought declaration lifted in Marin, 18 other counties

Local officials say normal water rules will remain



Nicasio Reservoir, part of the Marin Municipal Water District, stands at full capacity on Feb. 9. Gov. Gavin Newsom has officially lifted a drought emergency declaration in 19 counties. ALAN DEP — MARIN INDEPENDENT JOURNAL



Traffic sloshes along Highway 101 in the Larkspur area during a storm on Jan. 31. SHERRY LAVARS — MARIN INDEPENDENT JOURNAL

BY IAN JAMES

LOS ANGELES TIMES

Following two wet winters that boosted California's water supplies, Gov. Gavin Newsom has officially lifted a drought emergency declaration in 19 counties that are home to 70% of the state's population.

The decision will roll back certain drought-related state authorities in Imperial, Inyo, Los Angeles, Marin, Mendocino, Mono, Monterey, Orange, Riverside, San Bernardino, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Sonoma and Ventura counties.

At the same time, Newsom decided to keep the drought state of emergency in effect in 39 counties where state officials say significant effects of the severe 2020-22 drought have persisted, including depleted groundwater supplies and threats to native fish.

These 39 counties include regions across the Central Valley and in the watersheds of the Scott, Shasta and Klamath rivers, among other areas.

Newsom referred to this week's extreme heat wave as he explained why his administration is retaining certain drought authorities in parts of the state.

"As this week's weather makes clear, California and the West experience extreme weather swings that exacerbate our water challenges and make it more important than ever that we build a climate-resilient water system," Newsom said. "This targeted

action is responsive to current conditions while continuing the tools and support for work underway to help future-proof water supplies in the most impacted communities.”

State officials said Newsom’s order responds to the improved conditions in parts of the state while continuing efforts to support drought recovery. They said where certain drought measures remain in place, they will help the state address continued impacts to local water supplies.

“We continue to help local communities recover from drought conditions,” said Wade Crowfoot, California’s natural resources secretary. “In some cases, the powers that we have under these orders are quite helpful to support local communities recovering.”

In Marin, the governor’s new order “didn’t change anything here locally” for Marin Municipal Water District customers, said Adriane Mertens, a spokesperson for the utility.

“The California State Water Resources Board’s statewide water conservation emergency regulations have all already previously expired, ending any of the emergency regulations that had impact to our customers a while ago,” Mertens said. “Marin Water’s normal, ongoing water rules remain in effect and our customers continue to do a great job in using water wisely even outside the drought.”

The measures that will remain in place in 39 counties include suspending environmental requirements for certain groundwater recharge projects, giving the state natural resources secretary the authority to suspend environmental requirements for conservation projects and allowing the Office of Emergency Services to continue providing disaster assistance funding. State agencies will also continue to have the authority to adopt emergency regulations to require minimum flows in the Klamath River and Clear Lake watersheds to protect salmon and other fish.

“We know that our water extremes are getting more extreme. Our dry periods are becoming drier. Our wetter periods are becoming wetter,” Crowfoot said.

“So business as usual is no longer an option. That is in part why we’re maintaining some of these provisions, to enable us to move more quickly to allow communities to recover from these impacts, but also to prepare for what will be worsening droughts and floods over time.”

California suffered through the state’s driest three-year period on record from 2020 through 2022.

Newsom declared a statewide drought emergency in October 2021 and called for Californians to voluntarily reduce water use 15%.

The drought ended dramatically in early 2023 as one of the wettest winters on record unleashed flooding and blanketed the Sierra Nevada in heavy snow.

In March 2023, following that series of storms, Newsom rolled back some of the most stringent drought measures, including an order that had required urban suppliers to activate conservation plans for a shortage of 20%.

The termination of the drought emergency in 19 counties ended provisions that had enabled emergency conservation measures, suspended restrictions on water diversions during storms for groundwater recharge, and suspended requirements of state contracting laws, among other things.

In addition to lifting the drought measures, the governor rescinded provisions of prior executive orders that were aimed at recovery efforts following the flooding in 2023.

During the last two wet years, the governor’s drought executive order effectively became a “drought-flood” executive order, enabling expanded efforts to capture floodwaters and address damage, said Karla Nemeth, director of the state Department of Water Resources. She said it’s now the drought provisions that have a “long tail” and are still needed in parts of the state.

“Even if there isn’t a hydrologic drought, we still have the supply challenges,” Nemeth said.

In the coming decades, climate change is projected to shrink the amount of water California can deliver in an average year. The Newsom administration's long-term water plans call for California to prepare for an estimated 10% decrease in the state's water supply by 2040.

According to the U.S. Drought Monitor website, about 41% of the state is currently classified as being abnormally dry or in a moderate drought. The unusually dry regions include large portions of Northern California and the southeastern corner of the state.

"We have full reservoirs. That's a really good thing. But we also have dry conditions on the horizon. We've had really high temperatures this summer that are kind of reminiscent of the summer of 2020," at the beginning of the last drought, Nemeth said.

"So at the onset of yet another year that may provide a degree of extremes, we know we continue to have these counties that we consider to be kind of drought hot spots still because of supply problems, and we're ready to address those issues as they arise."

Distributed by Tribune News Service. The Independent Journal contributed to this report.

Watershed moment

District to determine if bikers, hikers, equestrians can co-exist on Mt. Tam



Linda Novy, president of the Marin Horse Council, rides her horse down the Canyon Trail in Fairfax. Novy said the speed of bike riders on the Mount Tamalpais watershed compared to other visitors creates a safety hazard. PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



Visitors walk along a trail at Bon Tempe Lake in the Mount Tamalpais watershed in June.

BY KRISSY WAITE

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The Marin Municipal Water District will open nearly 7 miles of trails to cyclists in the Mount Tamalpais watershed.

The district board voted unanimously to approve two pilot programs — an electric bike program and a trail-sharing program — at its meeting on Tuesday. The initiative asks hikers, bikers and equestrians to share a portion of trails for two years as the district assesses the effects.

“I think this is a very conservative first step,” said Matt Samson, the board’s vice president. “In my opinion, this is a responsible look at ways we can include a new popular demographic in a way that makes sense that we can control, that we can understand where they go, and that we can understand what the impacts are so we can either change or make it better.”

Shaun Horne, director of watershed resources, said the project began in 2018, when the district was looking at allowing electric bikes on the trails. The pilot program is the recommended outcome of a recreation management study approved by the district in April.

Bike access on the Mount Tamalpais watershed has been a polarizing issue for over 30 years. The pilot program is controversial, with people citing safety and environmental impacts as their main concerns.

Linda Novy, president of the Marin Horse Council, said the speed of bike riders compared to other visitors creates a safety hazard. She said the fear of an incident happening also negatively affects the ability to recreate on the mountain.

“When you add to the mix, let’s call them foot people, hooves or feet, and you’re going 1 to 2 miles an hour and you mix that with people riding 15 miles per hour and faster, it really diminishes one’s experience of being in nature and it changes the culture of being in nature and participating through passive recreation,” Novy said.

Tracy McDermott of Fairfax said she has been riding her horses on Mount Tamalpais for over 50 years. She said bikers already don’t follow the rules, and none of those trails are wide enough to support horses and bikes. She said combined with hikers, an accident is imminent.

“Not one of those trails is not traveled by bikes today — e-bikes, regular bikes and at speed,” she said. “Believe me, it’s dangerous. One injury and every ratepayer pays because eventually responsibility will be fixed. You will be liable.”

Samson said safety is meant to be adaptively managed. He said he believes the directional approach, weekday limits and other safety considerations are good.

“If we didn’t do that, if we just shut down everything that was quote-unquote unsafe, as a relative term, folks would no longer hike at Cataract Trail,” he said. “There would be a lot of interesting experiences that people do all day long in the mountain that we would have to yank back if we drove with a really strict safety component all the time.”

Before the program begins, district staff will install trail usage signs, do maintenance and prune vegetation, create a new watershed map that is compatible with geolocation, highlight the pilot trails and add watershed biodiversity kiosks.

The trails that will be part of the pilot programs are Sunnyside, Pumpkin Ridge, Upper Fish Gulch, Madrone and Concrete Pipe Road trails. Top and mid-range trails include Mountain Top, Middle Peak Road, Airforce Throughway, Arturo and Lakeview trails. Grassy Slope Road in the Pine Mountain area will also be part of the pilot.

“One of the complicated ones that is being considered is Sunnyside,” Horne said. “That’s where we had the highest level of use on the weekends. We’re recommending that we think about a weekday-only approach on that trail and recommending a directional approach.”

The trails were selected through analysis of terrain difficulty, conflict and enforcement history, hazards, erosion risk, water quality and other criteria. Horne said rare plant data were also overlaid with the trails to make sure there was no threat to them.

Larry Minikes of the Marin Conservation League said the potential for habitat fragmentation and environmental damage by bikes is too great, and the district needs to address the effects the program might have before it begins.

“Particularly the impacts to small creatures, including snakes, lizards and newts who tend to sun on open ground and migrate across these trails, as potentially being crushed in larger numbers by bike tires going across these trails,” Minikes said.

The Sunnyside, Arturo, Lakeview, Mountain Top and Airforce Throughway trails and Middle Peak Road will be closed to equestrians. The rest of the trails will be open to all visitors, and trails will restrict directional access for bikes.

A separate pilot program for class one e-bikes, or pedal-assist bikes, was also approved by the board. Horne said staff will evaluate how these bikes affect visitors’ experiences. Trail counters will be installed at various locations on the watershed to collect data on who is visiting and with what kind of transportation. Two visitor surveys also will be done.

Craig Van Haren, an avid mountain biker, spoke at the meeting against allowing e-bikes on the trails. He said they go too fast.

“They are motorcycles, and you have no idea how powerful they are,” Van Haren said.

Horne said staff won’t differentiate between the impacts between an e-bike or traditional bike, or how different types of visitors may influence the wildlife or habitat. Staff will monitor and collect data on aspects like number of visitors, trail conditions, if invasive species are spreading, visitor frequency, what kind of experience people have, and overall compliance between different types of visitors.

Don Wick, the district’s chief ranger, said educating people on the rules will be essential. While trails were picked for their line of sight and difficulty, adding clear signage and slow zones will be important.

“Our goal is safety for all the visitors,” Wick said. “It’s a big change for everybody. I think the main thing is we want to educate. It’s incumbent on behavior on every visitor’s part for this to be successful.”

Novy said complying with the rules is already an issue. She has heard of, or experienced herself, times where bikers were on trails meant only for equestrians and hikers. She said sometimes bikers are simply going too fast around blind corners, which also causes safety issues. This has led to a lack of trust between groups, she said.

“I think what the public would like to see is an improvement in the culture of compliance,” Novy said. “That would help build trust in the community to show that mountain bike riders are serious about following the rules. Right now there is no trust in that. Why would I trust that?”

Board member Jed Smith said building trust within the community is critical. He said the pilot’s quarterly stakeholder meetings should be informal and emphasized it is essential to build trust between different stakeholders.

“These pilot trails will be the most scrutinized in the history of Marin Water,” Smith said. “I expect there will be lessons that we learn that can apply to the entire trail system. I hope that if we do this right we will come out of it with a much better set of data and policies to protect the systems and be better stewards of it.”

Kelly Bennett of Fairfax said he is a horse owner, mountain biker and hiker, and he supports both the programs. He said he felt like the programs were well thought out.

“I think that everyone and every point of that star has really thought deeply and done their homework and their research,” Bennett said.

Ginger Howard, a senior at Redwood High School and a captain of its mountain bike team, said the notion that modern mountain bikers don’t care about the environment is a false stereotype.

“I speak on behalf of my team that if we get access to these trails, we will put in a great amount of work to maintain these trails and protect the nature around them,” Howard said.

Charlotte Philkill, also a senior on the team, said hikers and bikers have many things in common: They love the outdoors, value their time outside and want to get exercise. Philkill said she has been on many teams, and all of them cover trail-sharing rules.

“I can assure you that trail etiquette is covered right off the bat, that is something we’re tested on,” Philkill said. “We have to be nice. We have to slow down. We do say hello, say thank you, and all the above. Marin is the birthplace of mountain biking and I think that restricting it or not giving access to these trails is honestly doing a disservice.”

Tarrell Kullaway, executive director of the Marin County Bicycle Coalition, applauded those who were keeping an open mind on the topic, and acting out of concern for the next generation rather than fear and resistance to change.

“There are a lot of us who care about these trails,” Kullaway said. “There are a lot of us who have been excluded from them for decades. In the birthplace of mountain biking, it’s a real shame.”

Samson said the point of the pilot program is to see if a new form of recreation can co-exist responsibly, safely and in a non-disruptive way, with older forms and the overall watershed. He said he believes the pilot will help determine this.

“There’s a concern here that this is a revolution,” Samson said. “That we’re having this fundamental shift, or some people say a new paradigm, as we move forward on these aspects, and I don’t think so. I think we’re dealing with a different demographic in the district. We are looking at people who recreate in a different way and it’s not wrong to do that.”

Horne said the district is planning to do maintenance and safety improvements through this month and get both programs running in October.

Promoting a new generation of water workers is essential to our state

By Travis Hinkle

A career building and maintaining California's water and wastewater treatment systems may be unglamorous, failing to spring to mind — at least it did for me — when young people contemplate their future careers. However, the state faces a looming shortage of workers in these critical roles. It is imperative to support local, state and federal policies that help fill them.

Some 17 million workers will be retiring from infrastructure jobs during the next 10 years, taking their skills and institutional knowledge with them, as the workforce ages. According to a U.S. Water Alliance report, approximately one-third of water utility operators are eligible to retire during the next decade. In 2018, Brookings projected that water utilities must fill 9,200 water treatment positions annually.

While President Biden and Congress agreed to spend \$1 trillion on thousands of infrastructure projects, including \$50 billion alone on water resilience projects in the West, California needs to ensure that there are enough workers equipped with the know-how and sweat equity to build and operate these projects.

These are jobs that get your hands dirty. It's work that makes a difference. It typically requires less formal education than many other jobs, but can offer a lifelong career, good pay and solid opportunities for advancement. Infrastructure work pays 30% more to lower-income workers and those just starting their careers, relative to all jobs nationally.

I got my own start after high school by joining my brother's remodeling business — kitchens, bathrooms and the like — in San Jose, where I grew up. But a friend in Sacramento stumbled into wastewater collections for Sacramento County and encouraged me to visit his plant. There I discovered the range of jobs available: electricians, control technicians and treatment and distribution operators.

Even though I pursued online specialty courses, it took a few years for my first job in the water industry to come together.

My work requires lots of on-the-job training, but all of it is teachable and learnable. Once hired, workers can bid through labor unions for other available positions they're qualified for. Even if they decide to go elsewhere, they'll leave the department knowing how a water distribution system works.

I have noticed that more attention is being paid these days to proactively recruit water industry workers, helping them understand the training and skills needed to grow in the industry. Last fall, I even told my story to a joint session of the California Public Utilities Commission and the California Workforce Development Board, as the state seeks to widen doors to infrastructure jobs, especially for disadvantaged workers.

When I entered this field, serendipity was my guide. Today, there are resources such as the Environmental Protection Agency report "Making Water a Career of Choice," with case studies of utility-worker pathways to encourage more people to consider working in water systems. In the years ahead, tens of thousands more workers will be needed to meet California's water delivery and other infrastructure needs, and more effort required to attract new talent into this crucial industry.

While work in the water industry may seem obscure, it is rewarding, meaningful and essential for the wellbeing of communities throughout our state. Promoting community college, state university, private sector and state and federal programs designed to inspire and train the next generation of water infrastructure leaders is vital for California's future.

Encouraging more young people to enter this career field will not only help California meet its mushrooming needs, but will provide important, well-paying work for those who don't mind rolling up their sleeves to keep California's water pipelines flowing.

Travis Hinkle is a distribution system supervisor for San Jose Water. He's worked in the water industry for 13 years. Financial support for this story was provided by the Smidt Foundation and The James Irvine Foundation. Distributed by [CalMatters.org](https://calmatters.org).