



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

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

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

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

BOARD MEETING AGENDA

February 1, 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

CLOSED SESSION:

- 4:00 PM** **A. CONFERENCE WITH LABOR NEGOTIATOR** – Agency designated representative : Gregory Ramirez, Industrial Employer and Distributors Association; Employee organization : International Union of Operating Engineers Local 3;pursuant to Government Code Section 54957.6

OPEN SESSION:

- 4:15 PM** **1. PUBLIC COMMENT**
This portion of the meeting is reserved for people desiring to address the Board on matters not on the agenda and within the jurisdiction of the Las Gallinas Valley Sanitary District. Presentations are generally limited to three minutes. All matters requiring a response will be referred to staff for reply in writing and/or placed on a future meeting agenda. Please contact the General Manager before the meeting.

- 4:20 PM** **2. CONSENT CALENDAR:**
These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.
- A. Approve the Board Minutes for January 18, 2024
 - B. Approve the Warrant List for February 1, 2024
 - C. Approve Murray attending CSDA Essential Best Practices of Board Members Jan 24-25, 2024
 - D. Approve Robards attending the WateReuse Symposium Conference in Denver on March 11-14, 2024

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

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

4:30 PM

3. INFORMATION ITEMS:

STAFF/CONSULTANT REPORTS:

1. Advanced Clean Fleet Regulations – Presentation by Sarah Deslauriers, California Association of Sanitation Agencies
2. General Manager’s Report – verbal
3. Collections/Maintenance/Safety Department Report – written
4. Operations Department Report – written

5:45 PM

4. BOARD MEMBER REPORTS:

1. CLARK

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

2. FORD

- a. NBWRA, Operations Control Center Ad Hoc Committee, Flood Zone 6, McInnis Marsh Ad Hoc Committee, Fleet Management Ad Hoc Committee, San Francisco Bay Trail Ad Hoc Committee, CASA TRIG Committee, Other Reports

3. 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

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek, 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, GM Salary Negotiation Ad Hoc Committee, Other Reports

5:55 PM

5. BOARD REQUESTS:

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

6:00 PM 6. VARIOUS INDUSTRY RELATED ARTICLES

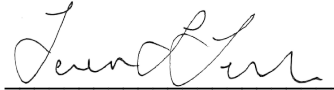
6:05 PM 7. ADJOURNMENT

FUTURE BOARD MEETING DATES: FEBRUARY 15 AND MARCH 7, 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 January 29, 2024 4:00 pm I posted the Agenda for the Board Meeting of said Board to be held on February 1, 2024, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: January 25, 2024



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

2/2/2024

CLOSED SESSION

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

AGENDA ITEM 1

2/1/2024

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 JANUARY 18, 2024

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION AT 4:00 P.M. AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

- BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford, Craig Murray, Gary Robards and Crystal Yezman.
- BOARD MEMBERS ABSENT:** None.
- STAFF PRESENT:** Curtis Paxton, General Manager; Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer; Mel Liebmann, Plant Manager (by zoom), Greg Pease, Collections/Safety/Maintenance Manager (by zoom); Mike Cortez, District Engineer (by zoom).
- OTHERS PRESENT:** Patrick Richardson, District Counsel; Ben Horenstein, Marin Water.
- ANNOUNCEMENT:** President Murray announced that the agenda had been posted as evidenced by the certification on file in accordance with the law.
- PUBLIC COMMENT:** None.

1. 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 January 4, 2024
- B. Approve the Warrant List for January 18, 2024
- C. Approve Board Compensation for December 2023
- D. Approve Murray attending CSDA Prevailing Wage Update Webinar January 16, 2024
- E. Approve Murray attending CSDA Keeping up with the Brown Act Webinar January 23, 2024
- F. Approve Murray attending CSDA Annual Employment Law Update Webinar January 30, 2024
- G. Approve appointment of Gregory Ramirez from Industrial Employers Distributors Association (IEDA) as the Agency Designated Representative

Items B and G were pulled for discussion.

ACTION:

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

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

2. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

1. Marin Water Presentation – Ben Horenstein, General Manager of Marin Water gave a presentation to the Board. Discussion ensued.
2. General Manager’s Report – Paxton reported..
3. Mid Year Budget Review – McDonald reported. Discussion ensued.

3. BOARD REPORTS

1. CLARK

- a. NBWA Board Committee – no report
- b. 2024 Operation Control Centers Ad Hoc Committee – no report
- c. 2024 GM Salary Negotiation Ad Hoc Committee – no report
- d. 2024 Fleet Management Ad Hoc Committee – no report
- e. 2023 FutureSense Ad Hoc Committee – no report
- f. CASA Workforce Committee – no report
- g. Other Reports – none

2. FORD

- a. NBWRA – no report
- b. Flood Zone 6 – no report
- c. 2024 Operations Control Center Ad Hoc Committee – no report
- d. 2024 McInnis Marsh Ad Hoc Committee – verbal report
- e. 2024 Fleet Management Ad Hoc Committee – no report
- f. 2024 Bay Trail Ad Hoc Committee – verbal report
- g. CASA TRIG Committee – no report
- h. Other Reports – none

3. MURRAY

- a. Marin LAFCO – verbal report
- b. Flood Zone 6 – no report
- c. CASA Energy Committee – no report
- d. 2024 Biosolids Ad Hoc Committee – no report
- e. 2024 Development Ad Hoc Committee – no report
- f. 2024 SF Bay Trail Ad Hoc Committee – no report
- g. Other Reports– none

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek – no report
- b. 2024 STPURWE Engineering Ad Hoc Committee – no report
- c. 2024 McInnis Marsh Ad Hoc Committee – no report
- d. 2024 Development Ad Hoc Committee – no report
- e. 2024 FutureSense Ad Hoc Committee – no report
- f. Other Reports – none

5. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. Marin Special District Association – no report
- d. 2024 STPURWE Engineering Ad Hoc Committee – no report
- e. 2024 Biosolids Ad Hoc Committee – no report
- f. 2024 GM Salary Negotiation Ad Hoc Committee – no report
- g. Other Reports– none

4. **BOARD REQUESTS:**
A. Board Meeting Attendance Requests – none.
B. Board Agenda Item Requests – none.

5. **MISCELLANEOUS DISTRICT CORRESPONDENCE**

Discussion ensued.

6. **ADJOURNMENT:**

ACTION:

The board approved (M/S Clark/Robards 5-0-0-0) the adjournment of the meeting at 6:16 p.m.

AYES: Clark, Ford, Murray, Robards and Yezman.

NOES: None.

ABSENT: None.

ABSTAIN: None.

The next Board Meeting is scheduled for February 1, 2024 at 4:00 pm at the District office.

ATTEST:

Teresa Lerch, Board Secretary

APPROVED:

Ron Ford, Vice-President

Agenda Item 25
Date February 1, 2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Able Tire & Brake								
115	Able Tire & Brake	678601	Collections Truck- new tires	01/12/24	2,524.31	.00		
Total Able Tire & Brake:					2,524.31	.00		
Aqua Engineering Inc								
240	Aqua Engineering Inc	26891	STPURWE- Amendment 10- Bidding & construc	01/16/24	3,075.00	.00		
Total Aqua Engineering Inc:					3,075.00	.00		
Aramark Uniform Service								
250	Aramark Uniform Service	5080363002	Laundry Service week ending 1/7/2024	01/09/24	125.66	.00		
250	Aramark Uniform Service	5080363002	Laundry Service week ending 1/7/2024	01/09/24	125.65	.00		
Total Aramark Uniform Service:					251.31	.00		
Aries Industries Inc								
260	Aries Industries Inc	426887	ITV Truck Tire Assembly	01/22/24	568.55	.00		
Total Aries Industries Inc:					568.55	.00		
AT&T								
270	AT&T	1.6.24 - 2.6.24	Phone lines @ pump stations	01/07/24	690.09	.00		
Total AT&T:					690.09	.00		
Bank of Marin Cardmember Services								
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	40.60	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Lunch for Interview panel - AMATORI,PAM	12/06/23	31.11	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	AutoCad Subscription - CORTEZ,MICHAEL P	12/06/23	440.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	AutoCad Subscription - HUANG,YI YING	12/06/23	440.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	AutoCad Subscription - HUANG,YI YING	12/06/23	440.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Raingear for J. Waters - MOORE,DONALD E	12/06/23	272.68	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Water Service -AMY SCHULTZ;	12/06/23	154.05	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Shipping costs to return item for repair - CAMP	12/06/23	94.65	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Internet Service for 101 LVR - AMY SCHULTZ	12/06/23	598.99	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Quanti-Tray/2000 -GOLSHANI,SAHAR	12/06/23	1,534.56	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Door Stoppers - GOLSHANI,SAHAR	12/06/23	17.46	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	ELAP Application Fee - GOLSHANI,SAHAR	12/06/23	1,950.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	ELAP Service app Fee - GOLSHANI,SAHAR	12/06/23	53.63	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Raingear for J. Waters - MOORE,DONALD E	12/06/23	272.68	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Rain boots for J. Waters - MOORE,DONALD E	12/06/23	164.73	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Grit Piping -ROGERS,NORMAN	12/06/23	37.09	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Security Service 300 SRR -AMY SCHULTZ	12/06/23	25.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Bridge toll transponder - AMY SCHULTZ	12/06/23	40.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Water Service -AMY SCHULTZ;	12/06/23	83.44	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	24.57	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	15.97	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	6.23	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	122.03	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Shipping chrges - GOLSHANI,SAHAR	12/06/23	237.74	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Ammoia TNT - GOLSHANI,SAHAR	12/06/23	563.84	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Food For Board Meeting - LERCH,TERESA	12/06/23	196.02	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	PDF Viewer/Editor Software Annual License - LI	12/06/23	99.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Virtual Meeting service - AMY SCHULTZ	12/06/23	134.99	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Internet Host - AMY SCHULTZ	12/06/23	19.95	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	A Field Guide to Freshwater Fishes - GOLSHA	12/06/23	147.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	TKN TNT, KI Refill Vial - GOLSHANI,SAHAR	12/06/23	347.98	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Bridge toll transponder - AMY SCHULTZ	12/06/23	40.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Supplemental Microbes for Secondary Systems	12/06/23	2,380.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Unlimted Car wathing for District car - PAXTON,	12/06/23	40.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Online training & education - LERCH,TERESA	12/06/23	594.15	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Doc recordings @ County - AMATORI,PAM	12/06/23	62.50	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Bubble waters & Creamer AMATORI,PAM	12/06/23	45.57	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Varity of lab items needed - GOLSHANI,SAHAR	12/06/23	257.26	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Weather App - PEASE,GREG	12/06/23	4.99	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Food For Board Meeting - LERCH,TERESA	12/06/23	189.07	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Distirct Xmas party - PAXTON,CURTIS D	12/06/23	1,655.47	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	CSMFO Management Membership - MCDONA	12/06/23	135.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Office Supplies - GOLSHANI,SAHAR	12/06/23	220.74	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	GFOA Annual Conference - MCDONALD,DALE	12/06/23	685.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 - SCHULTZ,AMY	12/06/23	635.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 - SCHULTZ,AMY	12/06/23	199.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 -AMY SCHULTZ	12/06/23	199.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Water Service -AMY SCHULTZ;	12/06/23	219.85	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Water Service -AMY SCHULTZ;	12/06/23	77.44	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	18.60	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	CWEA Membership - CAMPBELL,CHRIS	12/06/23	221.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 - MCDONALD,D	12/06/23	205.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 - SCHULTZ,AMY	12/06/23	199.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Job Posting Operator Grade 3 - SCHULTZ,AMY	12/06/23	175.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Coffee for both locations - SCHULTZ,AMY	12/06/23	189.95	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	A new key - STARNES,DANIEL	12/06/23	6.83	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	43.58	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	21.54	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	37.52	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Various office supplies for both locations - AMAT	12/06/23	61.77	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Casa DC Policy Form Reg - PAXTON,CURTIS	12/06/23	745.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Subscription to Fleeeio for vehical inventory -PE	12/06/23	192.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Monthly Licensensing Fees - AMY SCHULTZ	12/06/23	16.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Monthly Licensensing Fees -AMY SCHULTZ	12/06/23	2.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Logitech Keyboard - MCDONALD,DALE	12/06/23	75.38	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Internet Service for Pump Station - AMY SCHUL	12/06/23	266.31	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Dec	Airfare to GFOA Conference - MCDONALD/DA	12/06/23	631.95	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Ink Stamp - GOLSHANI,SAHAR	01/02/24	16.28	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	SHRM Membership -MCDONALD,DALE	01/02/24	244.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Training - PAXTON,CURTIS D	01/02/24	397.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Security Service 300 SRR -HUNT,BRANDON G	01/02/24	25.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Anserwing Service - AMY SCHULTZ	01/02/24	47.60	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Various office supplies for both locations - AMAT	01/02/24	132.05	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	1700 Laser Rangefinder - GILL,CHRISTOPHER	01/02/24	216.26	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Calif State Sales & Use Tax processing Fee - H	01/02/24	10.72	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Calif State Sales & Use Tax Fee -HUNT,BRAND	01/02/24	466.00	.00		
300	Bank of Marin Cardmembe	CC 1-4-24 Jan	Front Gate Security Camera - LIEBMANN,ROB	01/02/24	171.32	.00		
Total Bank of Marin Cardmember Services:					20,682.69	.00		
Bellecci & Associates Inc								
355	Bellecci & Associates Inc	230140.00 - 00	On-Call Inspection Services for Collection Syste	01/15/24	522.00	.00		
Total Bellecci & Associates Inc:					522.00	.00		
California Water Environment Association								
545	California Water Environme	G PEASE	Cert Renewal G. Pease Lab Analyst Grade 1	01/09/24	98.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
545	California Water Environme	ROBERT BUC	Cert Renewal B. Buchholz Collection System PI	01/09/24	98.00	.00		
Total California Water Environment Association:					196.00	.00		
Chem-Dry of Marin								
3390	Chem-Dry of Marin	2621484	Cleaning of McGinnins Park	01/13/24	2,384.34	.00		
Total Chem-Dry of Marin:					2,384.34	.00		
Cintas Uniforms								
3185	Cintas Uniforms	4180135962	Uniform Landry Services 1/14/2024	01/15/24	346.00	.00		
3185	Cintas Uniforms	4180135962	Uniform Landry Services weekending 1/14/2024	01/15/24	346.00	.00		
Total Cintas Uniforms:					692.00	.00		
EOA Inc								
1050	EOA Inc	LG34-1123	Technical support for NPDES Permits	01/04/24	11,819.46	.00		
1050	EOA Inc	LG34-1123	Technical support for NPDES Permits	01/04/24	2,085.79	.00		
Total EOA Inc:					13,905.25	.00		
FedEx								
1090	FedEx	8-382-1655	Misc. Mailings	01/19/24	31.80	.00		
Total FedEx:					31.80	.00		
Hansel Auto Group Henry Curtis Ford								
1270	Hansel Auto Group Henry	238273	F450 Maintenance	01/17/24	281.83	.00		
Total Hansel Auto Group Henry Curtis Ford:					281.83	.00		
HASA Inc.								
3055	HASA Inc.	937391	Chemicals	01/05/24	14,905.91	.00		
Total HASA Inc.:					14,905.91	.00		
IDEXX Distribution Inc								
1355	IDEXX Distribution Inc	3144290585	ENTEROLERT 100ML - 20 PACK	01/18/24	323.72	.00		
Total IDEXX Distribution Inc:					323.72	.00		
Jackson's Hardware Inc								
1385	Jackson's Hardware Inc	146341	Misc Supplies	01/12/24	284.04	.00		
1385	Jackson's Hardware Inc	146599	Fastner	01/17/24	65.33	.00		
1385	Jackson's Hardware Inc	146986	Misc Supplies	01/23/24	141.65	.00		
Total Jackson's Hardware Inc:					491.02	.00		
Liebert Cassidy Whitmore								
1500	Liebert Cassidy Whitmore	258201	Professional rules review	12/31/23	5,689.00	.00		
Total Liebert Cassidy Whitmore:					5,689.00	.00		
Linscott Engineering Contractors Inc								
1510	Linscott Engineering Contr	4229	Aeration Basin Underdrain Investigation & Repa	01/15/24	38,010.64	.00		
1510	Linscott Engineering Contr	4232	30-In Inlet FM Valve Investigation & Repair	01/19/24	1,852.89	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total Linscott Engineering Contractors Inc:					39,863.53	.00		
Marin Ace								
1560	Marin Ace	70959	Misc. Supplies	01/17/24	37.11	.00		
1560	Marin Ace	71077	Misc Supplies	01/23/24	27.30	.00		
Total Marin Ace:					64.41	.00		
Medical Center of Marin								
1655	Medical Center of Marin	00179334-00	Pre Employment Testing - B. Hunt	01/09/24	215.00	.00		
1655	Medical Center of Marin	00179334-00	Pre Employment Testing - J. Etienne	01/09/24	242.00	.00		
Total Medical Center of Marin:					457.00	.00		
Orion Protection Services Group Inc								
1860	Orion Protection Services	12750	Patrol Services Smith Ranch	01/17/24	369.61	.00		
Total Orion Protection Services Group Inc:					369.61	.00		
PACE Supply								
1880	PACE Supply	049217885	Misc Supplies	01/19/24	161.89	.00		
Total PACE Supply:					161.89	.00		
Platt Electric Supply								
1995	Platt Electric Supply	4T32719	Misc. Supplies	01/22/24	152.84	.00		
1995	Platt Electric Supply	4T66676	Misc. Supplies	01/18/24	54.88	.00		
1995	Platt Electric Supply	4T80711	Bulk Electrical Supplies	01/19/24	102.99	.00		
1995	Platt Electric Supply	4T86306	Bulk Electrical Supplies	01/22/24	6.85	.00		
Total Platt Electric Supply:					317.56	.00		
Proforma								
2040	Proforma	B939002300A	LGVSD Baseball caps	01/23/24	572.43	.00		
Total Proforma:					572.43	.00		
Rafael Lumber								
2065	Rafael Lumber	35961	Misc. Supplies	01/12/24	20.25	.00		
Total Rafael Lumber:					20.25	.00		
Regional Government Services								
2090	Regional Government Serv	16171	Contract services for December	12/31/23	2,144.02	.00		
Total Regional Government Services:					2,144.02	.00		
Roy's Sewer Service								
2260	Roy's Sewer Service	226465	Vacuumed Out Wet Well and Flushed Sewer Pi	01/12/24	450.00	.00		
Total Roy's Sewer Service:					450.00	.00		
SiteOne Landscape Supply								
2370	SiteOne Landscape Supply	137591492-00	Degree Elbow 3" socket	01/12/24	114.76	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total SiteOne Landscape Supply:					114.76	.00		
Synagro-WWT, Inc.								
3050	Synagro-WWT, Inc.	42887	Biosolids Land Application Services	11/14/23	377,102.51	.00		
Total Synagro-WWT, Inc.:					377,102.51	.00		
Univar USA Inc.								
2655	Univar USA Inc.	517773622	Sodium Bisulfite	01/12/24	8,578.82	.00		
Total Univar USA Inc.:					8,578.82	.00		
Water Components & Building Supply								
2740	Water Components & Build	30628069	Tape Measure	01/12/24	34.30	.00		
2740	Water Components & Build	30628071	Misc. Supplies	01/12/24	89.80	.00		
Total Water Components & Building Supply:					124.10	.00		
WECO Industries								
2765	WECO Industries	0052833-IN	Belt Gaurd	01/11/24	298.97	.00		
Total WECO Industries:					298.97	.00		
Woodland Center Auto Supply Inc.								
2805	Woodland Center Auto Sup	839985	Misc. Fleet Supplies	01/12/24	93.14	.00		
Total Woodland Center Auto Supply Inc.:					93.14	.00		
Grand Totals:					497,947.82	.00		

Board Member: _____

General Manager: _____

Finance Manager: _____

AGENDA ITEM 2c
DATE February 1, 2024



BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 1/24-25/24 Name: MURRAY, Craig K.
I would like to attend the Board Member Best Practices

Meeting of CSDA

To be held on the 24th day of Jan.2024 from 900 am

a.m. / p.m. to 25th day of Jan.2024 from to 12:00pm a.m. / p.m.

Location of meeting: Online

Actual meeting date(s): Jan.24-25 2024

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

Purpose of Meeting: Essential Best Practices of Board Member

Meeting relevance to District: Roles, Policies, Procedures and Law Overview

Board Members to register for Webinars and Meetings *No Asst. Requested*
YES NO

Request assistance from Board Secretary to register for Conference only:

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

Frequency of Meeting: 1x

Estimated Costs of Travel (if applicable): \$230

Date submitted to Board Secretary: 1/23/2024

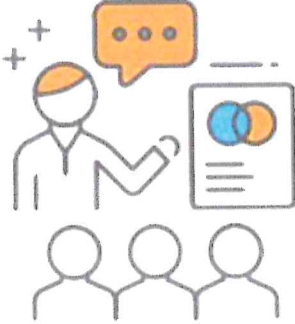
Board approval obtained on Date: _____

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

My Webinars/Events - California x Event Program Display x CSDA x

members.csdanet/EventDetail?EventKey=WORK012424

Virtual Workshop: Board Member Best Practices



Presenters:
David Aranda, CSDM
Mustafa Hessabi, CSDA

This fast paced and informative session covers all of the essential best practices of serving as a board member or trustee of a special district: the roles of board members and staff, policies and procedures your district should consider to ensure effective governance, and general ethics principles related to special districts, including an overview of the laws affecting special districts.

9:00 a.m. - 12:00 p.m., each day

1,250 CSDA Member
5,745 Non-member

Price 230.00

When 1/24/2024 9:00 AM - 1/25/2024 12:00 PM
Pacific Standard Time

REGISTER MYSELF

REGISTER SOMEONE ELSE



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

Date: 1/15/24 Name: GARY ROBARDS

I would like to attend the 2024 Water Reuse Symposium Meeting
of Water Reuse Association

To be held on the 11 day of March from 1 a.m. (p.m.) to
14 day of March from 12 (a.m.) p.m.

Location of meeting: Denver Colorado

Actual meeting date(s): 11 March → 14 March 2024

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

Purpose of Meeting: Attend Symposium

Meeting relevance to District: Learn about innovations in water reuse

Board Members to register for Webinars and Meetings

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

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

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): \$1500

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.

2/1/2024

Advanced Clean Fleet Regulations

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

2/1/2024

General Manager Report

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



SSO SPILL SUMMARY

- No Spills to Report

KEY MAINTENANCE PROJECTS - Maintenance was completed on the following:

Bio-wheels Repairs

- 22 Pin replacements
- 41 Link replacements
- 3 Barrel replacements
- 2 Complete chain failures
- 4 New personnel gates installed in the Bio-wheel basins for safe enter and exit.

Emergency Repair

- Headworks - channel one influent Parkson screen failure. Removed, and repaired.
- Recycled water- train four's 10" influent line break. Removed, repaired, and replaced.

Key Maintenance Projects

- Completed 366 Routine Preventative Maintenance Work Orders for the Treatment Plant, Pump Stations, and Reclamation areas.
- Installed a concrete pad and the Memorial bench for Judy Schriebman
- Installed New water separator for digester gas line to the digester flare.
- Headworks replaced old electrical conduit run with new electrical conduit.
- Fabricated new flanged 4" spool on the wasted activated sludge line for installation of new pressure meters.
- (400) Fleet Maintenance Inspections

SAFETY ISSUES AND TRAINING

- Heavy Equipment Training – Du-All
- Lockout/Tagout Refresher Training – Du-All
- Lead/Asbestos Awareness Training – Du-All
- Annual Fire Extinguisher Certification
- Hoist/Overhead Crane Annual Certification

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 = 140,984 feet; Percent of District = 25.4%.
- CCTV Inspected = 55,328 feet; Percent of District = 10.0%
- Manhole inspections performed = 533
- USA Ticket Work Orders = 637

CNG Fueling Stations

- Smith Ranch Fuel Station
 - 13 Fill-ups
 - Total Diesel Gallon Equivalent (DGE) = 320 DGE
 - Average MPG = 5.95 MPG/3-month miles driven = 1,731.8

Pump Station Highlight – Duckett Pump Station (2 – 100hp pumps + 2 – 35 hp pumps)

Location: 4238 Redwood Highway

Parcel 155-171-07

Date Constructed: 1987

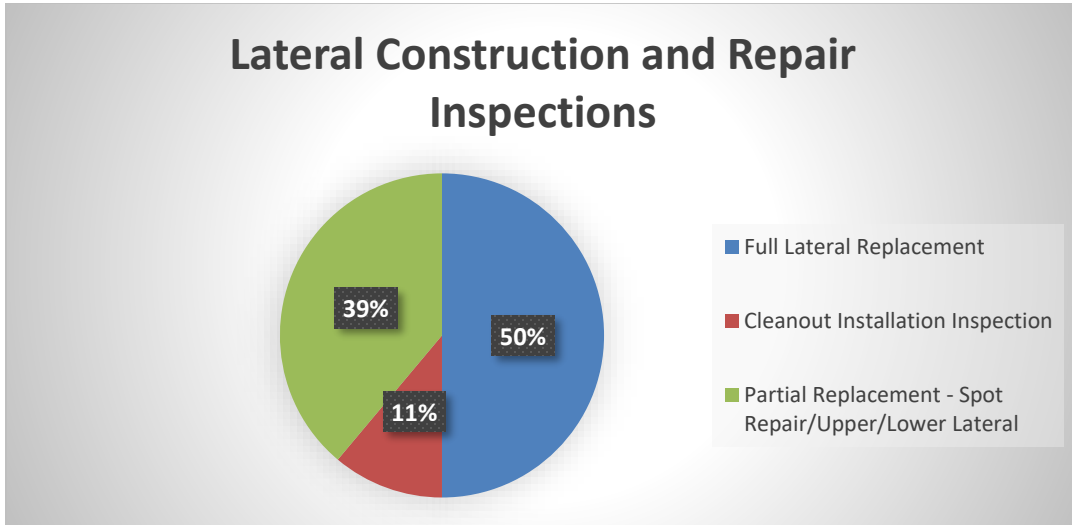
Expansions: 1995

Estimated wet well capacity: approximately 13,730 gallons per side (2)



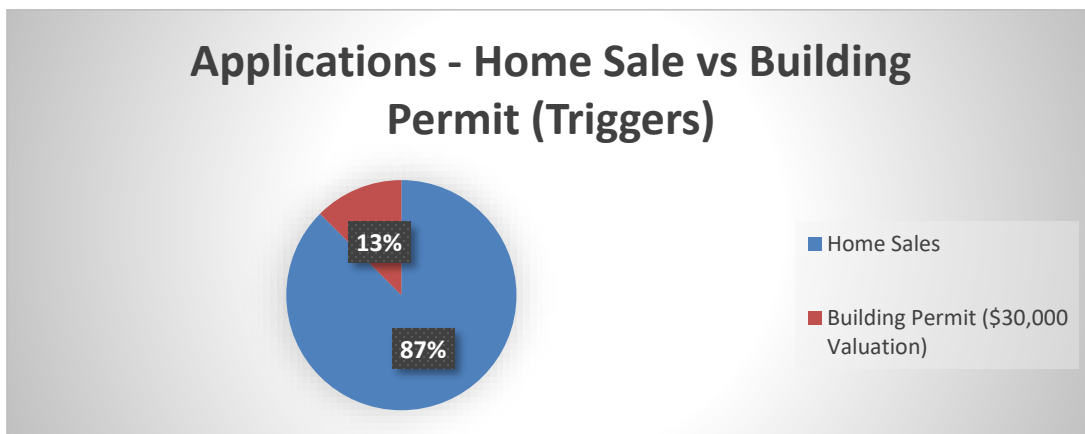
Lateral Construction and Repair Inspections

- Applications received = 17
- Full Replacement Inspections Performed = 9 Full Replacements
- Cleanout Installation Inspections Performed = 2 Cleanout Installations
- Spot Repairs/Upper/Lower Replacements Performed = 7 partial replacements or spot repairs



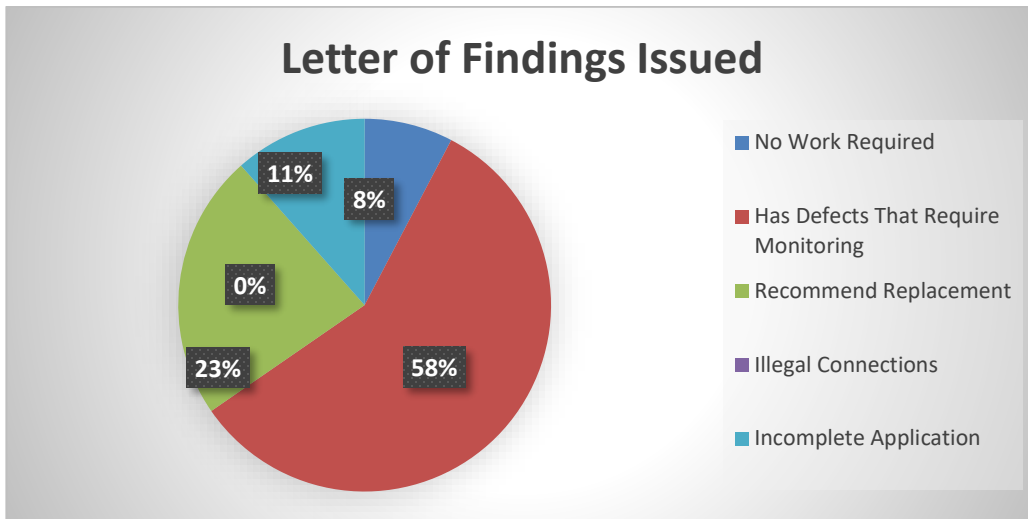
Sewer Lateral Ordinance No. 180 - Number of Applications Processed

- Home Sale Applicants = 21 received
- Building Permit (\$30,000 valuation) Applicants = 3 received



Sewer Lateral Ordinance No. 180 - Letter of Findings

- Home Sale Letter of Findings Issued = 23; 6 - recommend replacement, 15 - have defects that require monitoring, 2 - no work or monitoring required, 0 – Incomplete Applications, 0 – Illegal connection



CRITICAL PROCESS

- Treatment plant effluent was discharged to the reclamation storage ponds in October and then to Miller Creek from November 1st in accordance with the NPDES permit.
- Three Biowheel aeration trains were in operation for most of October and the fourth train was put into service in November and December. During an October 30th inspection, all but one axle bolt was found to be missing on the non-driven side of Biowheel 2200's axle fasteners. Train 2 remained unavailable for about a month until repairs allowed the train to be returned to service at the end of November.
- Persistent Biowheel drive chain link failures were observed by operations staff and replaced by maintenance staff throughout the quarter.
- October – A substantial leak was found in the secondary treatment structure underdrain system. Repairs were completed by a contractor in early December.
- October - 280 dry metric tons of Class B biosolids were dewatered and land applied at an agronomic rate in the District's dry farm pasture by a contract firm. Additionally, 652,410 gallons of biosolids were disposed of in the dedicated land disposal site.
- December 29th - An 11-minute blending event occurred during a period of high rainfall.

NON-CRITICAL PROCESS

- November- Jeff Waters, fills vacant Plant Operator III position in the Operations group.
- November - Contract sewer service provider vacuumed out settled grit and debris in the headworks influent channel.
- December- PG&E Biowheel Retrofit Project energy efficiency incentive payment approved in the amount of \$16,592.59
- December- Stephen Inskeep is promoted to Lead Plant Operator.

PERFORMANCE METRICS

Sewage Treated

- 2.31 million gallons per day average daily influent flow from October through December.

Recycled Water Production

- 7 million gallons of recycled water was pumped to North Marin Water District
- 47 million gallons of recycled water was pumped to Marin Municipal Water District

Reclamation

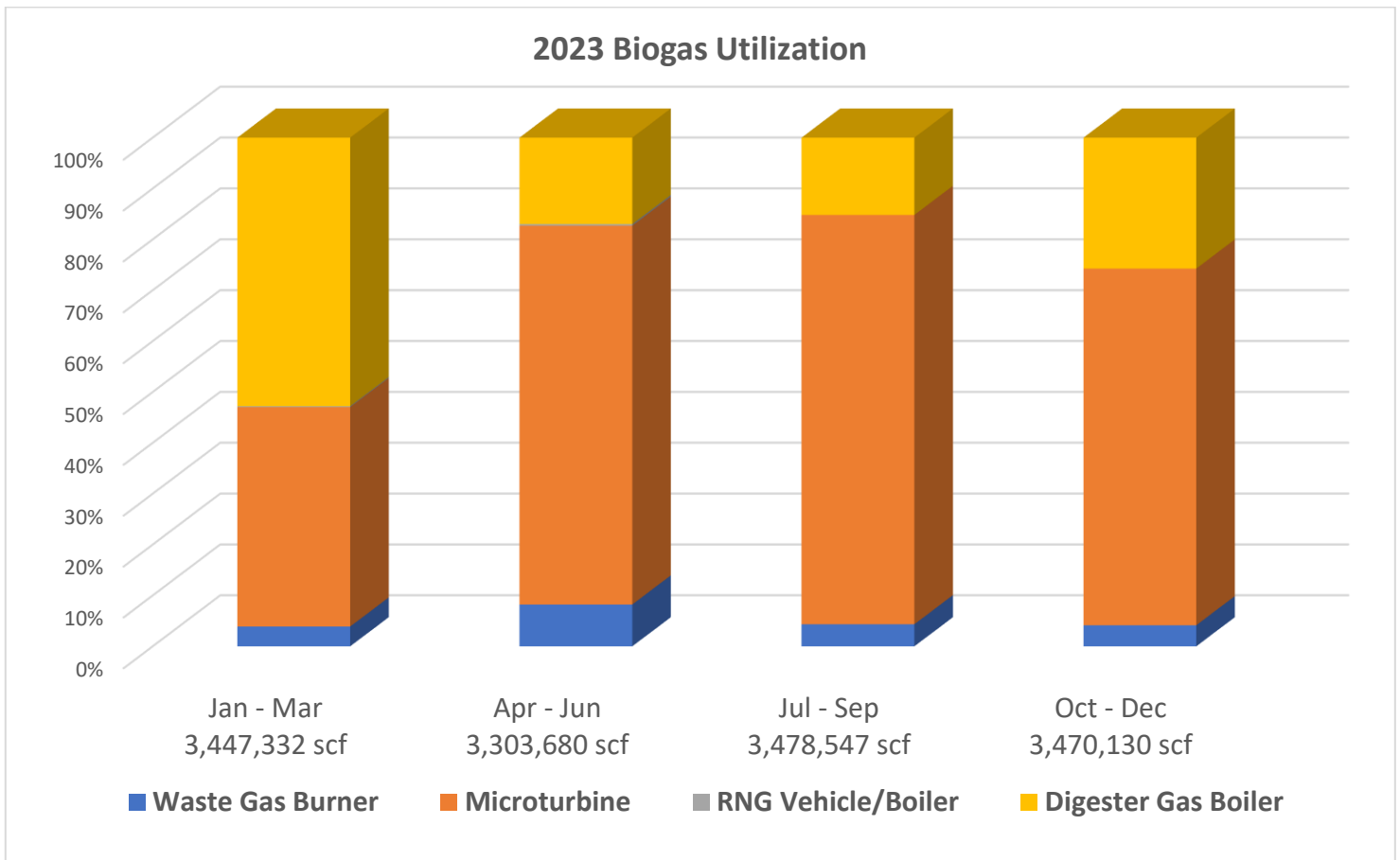
- Pond Levels Beginning of October – Pond #1 = 6.1' - Pond #2 = 6.1' ~ 67% of Capacity
- Pond Levels at the End of December – Pond #1 = 5.7' - Pond #2 = 5.5' 62% of Capacity

Solar Power Generation

- 12,019 kWh offsetting approximately \$3,005 in PG&E/MCE electrical consumption costs using an average rate of \$0.25/kWh. Inverters A & B were shut down 12/2021 for safety.

Biogas Utilization

- Total Digester Gas Produced – 3,470,130 scf – Microturbines at 93% uptime producing a total of 85,266 kWh, offsetting approximately \$21,315 in PG&E/MCE electrical consumption costs using an average rate of \$0.25/kWh.



NPDES PERMIT COMPLIANCE

All water quality parameters met or exceeded permissible limits for this period. Monthly reports were submitted to their respective regulatory agencies in accordance with permit requirements. On average, laboratory staff perform 138 process control and 25 regulatory compliance analyses per week during this reporting period.

2/1/2024

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, CASA Workforce Committee, Operations Control Centers Ad Hoc Committee, GM Salary Negotiation Ad Hoc Committee, Fleet Management Ad Hoc Committee, FutureSense Ad Hoc Committee, Other Reports

FORD

NBWRA, Flood Zone 6, Operations Control Centers Ad Hoc Committee, McInnis Marsh Ad Hoc Committee, Fleet Management Ad Hoc Committee, SF Bay Trail Ad Hoc Committee, CASA TRIG 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

ROBARDS

Gallinas Watershed Council/Miller Creek, 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, GM Salary Negotiation Ad Hoc Committee, Other Reports

Agenda Item 4.3
Date February 1, 2024

CA Special Districts Association
Districts Stronger Together
Craig K. Murray
January 16, 2024
Professional Development – Prevailing Wage Update 2024
CSDA.net

CSDA

Sign Out

Courses » Live Webinars » Prevailing Wage Update 2024...

Prevailing Wage Update 2024: Jan. 16

Overview Resources

DESCRIPTION

Presenter: Deborah Wilder, Contractor Compliance and Monitoring, Inc.

Each year the California Legislature and Department of Industrial Relations change something in prevailing wage law. This year is no exception, join us to learn about the new changes and also how the DIR is enforcing fines against public agencies for failure to file timely PWC-100, having unregistered contractors on a project and more. Review the expansion of skilled and trained workforce requirements. Learn about the most common errors your contractors make and how you can best help them to comply.

Free CSDA Member
\$110 Non-member
Cancellation Policy

January 16, 2024

Tue 10:00 AM PST

Audio Options:

Use Your Computer

DURATION: 1H 00M

[Join Live Web Event](#)

System Requirements

Cancel Registration

Rachael Poppino, CSDA
Deborah Wilder, Presenter

Presentation converted to PDF on website and BlueSky Learning at 8am email and link to the handout. Will also attach in chat. On-Demand Webinar Library will have 2023 from last year and this will update. Certificate from CSDA in about 48 hours. Can select language in preference and subtitles for presentation. Deborah in Airport presenting.

What's New and Trending in Prevailing Wages

Presented by Deborah Wilder

635 Mariners Island Blvd, #200
San Mateo, CA 94404
650-522-4403

dwilder@ccmilcp.com

© Deborah Wilder 2024



Deborah is an attorney and not giving legal advice.

What's New in California Prevailing Wages

- Labor Code 1771.1- Contractor Registration
- Overview Projects which exceed \$15,000/\$25,000
 - Registration Language must be included in bid specs and contract
 - Contract may not be awarded unless prime and listed subcontractors are all registered at time of bid
 - Option to allow contractors to cure within 24 hour and pay fine

Can't award unless Prime and Sub registered at time of bid. If not, can reject bid as non-responsive (law since 2014) or can provide 24 hours to cure the defect. XYZ is not registered and give 1 day to fix. Go to DIR site, register, put in credit card and takes about 5 min.

- Labor Code 1771.1- Contractor Registration
- Overview
 - Contractors must continue to be registered during their time on the project
 - Contractors may not work if not registered
 - Contractors, Prime and Agency can be fined \$100 per day by the DIR for each day a non-registered contractor works on the project

Important in pre const. mtg. or bid docs for every sub contractor otherwise everyone gets fined \$100/day. Eg sub, contractor and special district get fined. Get before they step on project.

- Labor Code Section 1776- Production of CPRs
- Overview -Members of the public or interested parties may request CPRs from the Awarding Agency by identifying: project, contractor and specific time frame for CPRs
 - Members of the general public receive CPRs with name, address and social security number redacted
 - Members of a Joint Labor Management Committee receive CPRs with only social security numbers redacted

Production of certified payroll is change this year. Private citizen ask don't get employee name, SSN, address. But if joint legal get name and address but not SSN. Only if trust fund ask then get last 4 of SSN but no one gets all of SSN.

- Labor Code Section 1776- Production of CPRs
 - Members of Taft Hartley Trust requesting CPRs for member contractors have only the first 5 numbers of the social security number redacted
 - Contractors who are requested to provide this information in response to a request by a 3rd party may request reimbursement of costs as set for in the California Code of Regulations , Title 8 Section 16402

(\$10 handling + \$1 first pg. + \$.25 each page thereafter)

Contractor has to respond within 10 bus. Days if get a request.

- Labor Code Section 1776- Production of CPRs
- New Change
 - State will not reimburse public agencies for any cost incurred in providing these documents to a 3rd party requesting these records

Note Agency may be able to request reasonable costs of producing documents under the California Public Records Act form the 3rd party requesting the documents.

Change State will not reimburse from DIR to special district. Often get copies of contracts, perf. Bonds under CA Public Records Act and you do have ability to req. reimbursement costs to collect, copy. Consult with your attorney what you can ask for reimbursement. ? Who pays contractor A: requesting party pays contractor. ? member of public asking payroll last 3 years. A: no fishing expedition such as certified payrolls last 3 years. They are req. to specify specific time frame, contractor as a proper request. Improper request overly burdensome and does not meet requirements of labor code. ? can for electronic copies A: yes. Slide before ref. CA code of regulations to Tile 8 and talks about fees one gets to ask.

- **Redefining covered work relating to material deliveries to job site for paving**
 - **Paving Material Supplies such as gravel, rock, asphalt and related projects are covered by prevailing wage on haul/off haul rates if the materials are incorporated into the project at or about the time it is delivered to the project as opposed to stockpiling for future use.**
 - **Recommended rule of thumb (within the same day)**

Last of the new items. Next 30 minutes what trending in CA in 2023. Fine everyone including Agency if DIR finding such as 4th Tier contractor found and kicked them off the project. You need to be diligent can't say general contractor will take care of it. Trucking co. went on site, truck broker dispatched not to City request. City show all steps in order to comply with contractor registration.

In Jan. 2023, supplier delivery (typically not covered) eg cabinet manufacturer, deliver to site storage but different if controlled by contractor or contractor employees and on haul/off haul rate is included. Now cover sand, gravel, asphalt for on haul/off haul prevailing rates only if "near the time" it was delivered. If incorporated in day delivered (covered w/On haul, off haul) versus stock piled. Napa, Solano, Yolo DIR Shows that there are 5 counties that must use Teamster \$50-\$60/hr. rate includes truckers. ? Maintain records of CPR if Agency does not want to keep, can contractor? A over \$15k maint. \$25 const. ECPR payroll req. 1776. So if you chose not too it is fine. But can not say go get ECPR so if get request go to contractor and all incl. DAS forms. Lot of agencies take letter and send to us and we respond. ? if less 1/2 of 1% performance (subcontractor listing law or \$10k whatever is greater but if on job req prevailing wage absolutely have to have them registered. Skilled and trained workforce does exclude some people. ? Firefighter wage and request v. prevailing wage. A: public is allowed to request, don't believe have to give names.

- **Contractor Registration with fees imposed on contractors, prime and agency \$100 per day**
 - **Most prevalent were:**
 - **Independent truckers assigned to project through Broker**
 - **3rd and 4th Tier Subcontractors who are not on the prime's or agency's radar until the work is already performed.**

Applies to surveyors, trucking, material testing, employment agencies (temp agency as workforce), anytime you have someone resp. (even though not contractor) have to register as a contractor.

- **Best Practices**
 - Include language in bid specification about contractor registration
 - Verify that all bidders and “listed subcontractors” are registered
 - Can reject bid if not registered or give 24 hours to fix
 - Create Protocol to get list of all sub-tier subcontractors on the project BEFORE they start work on the project and verify their registration as well

CA Labor Code requires to include standard clauses (email to Deborah, language req. and those recommended). When bids in, someone has to go in and determine if contractors registered with DIR. Typically, I create document to give to contractor name, address, lic. # and public works lic # and every sub tier contractor and no one allowed on site if not provided 48 hours prior to get on site so you can run that check. Send Deborah email show how to do it. 4 hour seminar in April. Put in contractor, CSLB #, address. ?Are veg mgt by fire prev contractors considered public works A: most are considered, there was some consideration in legislation. 9x out of 10, fire clearing is considered. Can draft letter with all kinds info. About project, how awarded and legal counsel with knowledge of prev.wage draft and at least 60 days prior to put bid out. ? Salary, seasonal employees A: employees exempt from payment of prevailing wage but Temp Workers are not yours and must be paid prevailing wage. Exemption does not apply. ? mobile tire company A: if coming to your corporate yard, then not affiliated with specific project then NOT covered by prevailing wage v. coming out to specific project to service tire and DEIR req. to pay prevailing wage. ? AB3338 A; discuss offline, not this presentation.

What was Trending in 2023 STW

- Skilled and Trained Workforce – 15 different statutes which trigger this requirement
- <https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-Chart-without-New-PRC-Provision.pdf>
- Most Common:
 - Design Build Projects over \$1 million

15 different statutes that trigger Skilled and Trained workforce. \$1M or more best value or design bid.

- **Skilled and Trained Workforce – 15 different statutes which trigger this requirement**
- **2 requirements**
 - **#1 ALL workers must be skilled**
 - Graduates of an apprenticeship program
 - Equivalent Experience
 - **#2 Either 30% or 60% of all JM must be "trained" and graduates of an apprenticeship program**

Dfn. Of Skilled: Apprenticeship at least 4 years. Prevents contractor from hiring off street. Either 30 or 60% of all journeymen need to be trained (apprenticeship program). Frankly not enough Journeyman to fill this need. Very few able to meet this req. REC: put in protocol to document compliance, non-compliance. April CSDA webinar with forms. Email if have problems, Deborah is one of the companies with CSDA and consultation free of charge for 15 minutes.

What was Trending in 2023 PWC-100

- Agency or owner or developer or non profit will need to file PWC-100 form for a project \$15,000 or more in maintenance and \$25,000 or more for construction
- Agency must file on DIR website
- **Must be filed**
 - **Within 30 days of contract award,
BUT NOT LATER THAN**
 - **The 1st date work is performed the project**

Agency files on DIR website within 30 days not later than first day of work on project. Contractor can't register unless you open PWC-100 on website. DIR does have ability to fine you if don't file in timely manner, \$100/day that it wasn't filed. Won't come after if week late. Some agencies that have refused to file and DIR go after.

What was Trending in 2023 DIR penalizing for DAS

- **DIR assessment of penalties (even when no prevailing wage violation)**
 - For failure to file complete DAS forms
 - Up to \$100 per calendar day from the first day a contractor worked until the last day worked (and all dates in between)

Contract with Prime exceed \$30k: requires to file. DAS 142 is formal request for apprentices. If contractor fails to file. Fine \$100/day from first to last day work and each day in between. Eg Temp fencing, 365 days x \$100 for not doing this paperwork correctly. More contractors fined under these DAS Apprenticeship programs. ? Anytime using public funds, prevailing wage applies. ? contractor registration also req. these ECPRs. ? Don't. see correct trades need to file PWC 100. A do y

- **Most Common Errors by Contractors with DAS forms**

- **DAS-140**

- Failure to complete form on time (not later than first day worked on the project)
- Failure to have confirmation of delivery
- Failure to file form with ALL approved committees if checking Box 2 or 3

our best eg forgot plumber on trade.

- **Most Common Errors by Contractors with DAS forms**

- **DAS-142**

- Failing to provide 72 hours notice (excluding weekends and holidays)
- Failure to provide proof of delivery
- Failure to request apprentices from all committees if contractor not meeting apprenticeship ratio (this includes union contractors)

If not getting apprentices from one program have to ask from other programs but in county if no others then that is it.

- **More agencies are engaging in providing on- line training for contractors because of the increased complexities of the laws and regulations and fines issued against contractors**

Some agencies contractor training 1x year.

Federal Changes

- **New Davis Bacon Regulations**
 - Effective October 2023
 - Changing SF1444 form
 - Emailing request
 - Check back in 30 days

Federal Davis Bacon not changed in 30 years. Changes on request conformance.

Additional Resources

- **Trade Association Training**
 - Specialized Agency Associations like CSDA CAPPO, NAHRO, PHADA and others
 - Builder's Exchange
 - Associated Builders and Contractors
- **LCPtracker Academy**
 - Agency Training on California Prevailing Wage Monitoring and Enforcement
 - Contractor Training on California Prevailing Wage Compliance

Many use webbased LCPTracker for certified payrolls.

Additional Resources

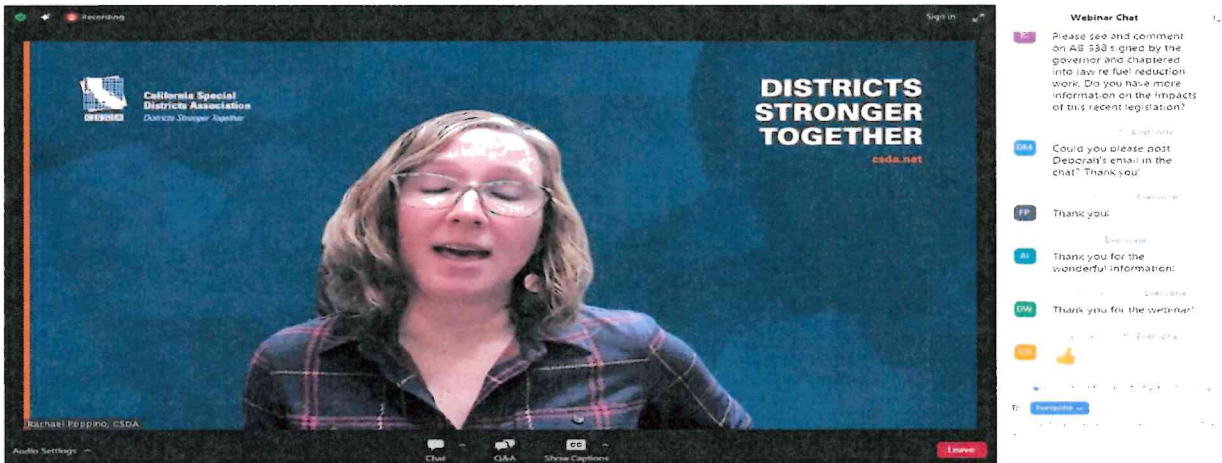
- CCMi has three books relating to prevailing wage compliance- Visit www.ccmilcp.com
 - What Every Contractor Should Know About Prevailing Wages (can be helpful to agencies too)
 - AGC of America's Davis Bacon Compliance Manual 5th Edition
 - Davis Bacon Handbook for Public Agencies
- CCMi also customizes training for agencies and contractors
- Sign up for our free newsletter www.ccmilcp.com

Wrote 3 books. If want a copy of Davis Bacon (if get federal dollars) shoot email by Friday and send one complimentary book per agency. Also have a newsletter.

Credentials- Deborah Wilder

- 40+ years as a practicing attorney
- Author of *What Every Contractor Should Know About Prevailing Wages* © 3rd Edition 2021
- Author of *AGC of America's Davis Bacon Compliance Manual* 4th Edition © 2012
- Author of *Davis Bacon Handbook for Public Agencies* © 2013; 2nd Edition 2016
- Nationally recognized speaker on the subject of state and federal prevailing wage compliance:
 - Workshops, Webinars, and presentations before World of Concrete, APWA-American Public Works Association, CLE Workshops for Continuing Legal Education, Webinars with

Listed contractor at bid put on PWC 100 but contractor does not have ability to go in and amend. Contract has to exceed \$30k and every contractor that employees apprenticeship trade (trucking, asbestos abatement eg that don't) but everyone else req. to comply with those forms. ? can share slides with contractors A: yes. Deborah: under Davis Bacon have not had chance to update the conformance issues. ?if buying equip. A: no, it has to do with "works of public improvement"



April 16 and 17 9-Noon CSDA Webinar on Prevailing Wage Projects and deeper dive and go on DIR website.

###



Marin LAFCO Brown Act and Levine Act

January 12, 2024



Intent of the Brown Act

- The Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business.
- It is the intent of the law that their actions be taken openly and that their deliberation be conducted openly.

Brown Act



- The Brown Act applies to:
 - Local agencies
 - Legislative bodies
 - Persons elected to legislative bodies, prior to assuming office

Legislative Body Includes:

- LAFCO Commission
- Committee or Other Body (Permanent, Temporary, Decision-Making or Advisory, Created by Formal Action of the Legislative Body)
- Private Board, LLC, or other entity that:
 - Is created by the governing body; or
 - Receives funds and a designated member from the legislative body

Ad Hoc Committees vs. Standing Committees



- Ad Hoc Committee – temporary advisory committees that are **solely** less than a quorum of the legislative body and serve a limited purpose and will dissolve when the task is completed
- Standing Committee – continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of a legislative body

Meeting

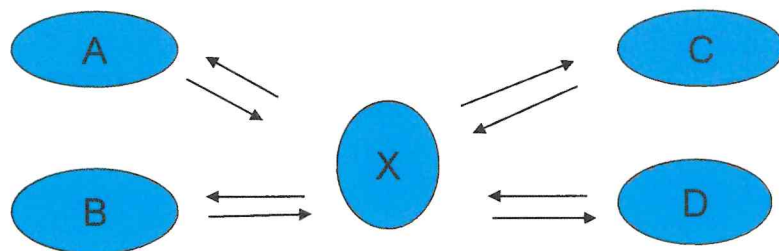
- Gathering of Majority – to hear, discuss, deliberate or take action on any item that is within the subject matter jurisdiction of the legislative body
- Serial Meeting – series of communications to discuss, deliberate, or take action on an item of business that is within the subject matter jurisdiction of the legislative body

Brown Act – Serial Meetings

- Chain



- Hub and Spoke





The Brown Act does not apply:

- Contacts with public
- Conferences open to the public on issues of general interest to the public
- Open and publicized meeting on local topic originated by person or organization other than the agency

The Brown Act does not apply:

- Open and noticed meeting of another government agency
- Purely social or ceremonial occasions
- Committee of solely less than a quorum of the legislative body, without continuing jurisdiction (ad hoc committees)

No Action Allowed

- No action or discussion allowed for any item not listed on agenda except for:
 - Adding items by 2/3 vote because of need for immediate action that came to the attention after the agenda is posted
 - Adding items by majority vote for emergency situation
 - Item continued from another meeting within 5 calendar days



No Action Allowed (cont'd)

- No action or discussion allowed for any item not listed on agenda except for:
 - Brief response to statement or question from public
 - Questions to staff for clarification of a matter based upon public comment
 - Brief announcement or report on member's or staff's own activities

No Action Allowed (cont'd)

- No action or discussion allowed for any item not listed on agenda except for:
 - Provide reference or information to staff
 - Ask staff to report back at a future meeting on any matter

Brown Act and Social Media AB 992



- You can post on social media about the Commission
- You can answer questions, provide information to the public, or solicit information from the public regarding the Commission

Brown Act and Social Media

AB 992



- Requirements to Avoid Serial Meetings
 - Must be open and accessible to the public – cannot block or deny access to post
 - You cannot discuss amongst yourselves Commission business on social media
 - No direct responses to other Commissioners – such as emojis or likes that express a reaction

Teleconferencing and the Brown Act



- Traditional Teleconference Rules – identify location on agenda, post at the location, location is available to the public, quorum participates within the jurisdiction of the agency, roll call votes
- AB 361– Response to COVID-19 pandemic, no longer in effect
- AB 2449 – State of emergency provisions of AB 361 recodified and new hybrid meeting option for just cause and emergency circumstances

AB 2449 – Just Cause

- Allows for hybrid video meetings (less than a quorum participating remotely) for just cause for no more than 2 meetings per calendar year
- Just Cause
 - Childcare or caregiving need for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
 - Contagious illness that prevents in-person attendance
 - Physical or mental disability need
 - Travel while on official Commission business or another state or local agency

AB 2449 – Just Cause



- Official must notify the legislative body at the earliest opportunity possible, including at the start of the meeting, of their need to participate remotely for just cause and give a general description of the circumstances of why they need to participate remotely.

AB 2449 – Emergency Circumstances



- Allows for hybrid video meetings (less than a quorum participating remotely) under emergency circumstances.
- Emergency circumstances is a physical or family medical emergency that prevents in-person attendance.
- The official must request to participate remotely and provide a general description of the circumstances relating to the need to participate remotely. No requirement to disclose medical diagnosis, disability or confidential medical information.

AB 2449 – Emergency Circumstances



- The Commission must vote on the member's request.
- The official should make the request to participate as soon as possible, if the request occurs after the posting deadlines, the Commission can still take action on it at the beginning of the meeting.

AB 2449 Requirements

- Camera must be on the official at all times
- If an individual 18 years or older is in the room at the remote location, the relationship with that individual must be disclosed publically
- All votes must be by roll call
- If a disruption to the Commission's online meeting occurs, the Commission cannot take any further action until the online meeting is restored
- Only less than a quorum can participate remotely using AB 2449

AB 2449 Requirements



- Cannot be used more than 20% of regular meetings in a calendar year, or more than 2 meetings if meeting less than 10 times per year. It cannot be used more than 3 consecutive months.

The Levine Act (Gov. Code § 84308)

- **Previous Rule:**

- Political Reform Act – A campaign contribution is not a source of income and therefore does not give rise to a conflict
- Levine Act (Part of PRA) – If the board is *appointed*, not *elected*, then there is a conflict of interest in those who made a campaign contribution of more than \$250
- Applies to proceedings for licenses, permits, entitlements and most contracts
 - ❖ Contract exceptions: competitively bid, labor and personal employment

- **New Rule (SB 1439):**

- The Levine Act applies to *both* elected and appointed boards

The Levine Act - SB 1439

- While a proceeding is pending, and for 12 months following the final decision, an officer **must not accept, solicit, or direct a contribution of more than \$250** from a party, party's agent, or participant or participant's agent (if the officer knows the participant has a financial interest)
 - Applies to contributions to the officer and to contributions to others directed by the officer
 - For contributions following the final decision, the official can cure the violation if contribution is returned within 14 days if certain conditions are met

The Levine Act - SB 1439

- Officer must **disclose** on the record any contributions of more than \$250 received within the prior 12 months from a party or participant in the proceeding, or their agents
- Officer must **not participate** in any proceeding if the officer has willfully or knowingly received a contribution of more than \$250 from a party, party's agent, or participant or participant's agent (if the officer knows the participant has a financial interest) within past 12 months
 - Does not apply if the contribution is returned within 30 days



The Levine Act – SB 1439

- “Party” means any person who files an **application for, or is the subject of**, a proceeding involving a license, permit, or other entitlement for use.
- “Participant” means any person who is not a party but who **actively supports or opposes** a particular decision in a proceeding involving a license, permit, or other entitlement for use **and who has a financial interest in the decision**
- “License, permit, or other entitlement for use” means all business, professional, trade, and **land use licenses and permits** and all other entitlements for use, including all entitlements for land use, **all contracts** (other than competitively bid, labor, or personal employment contracts), and **all franchises**.

(Gov. Code § 84308)

The Levine Act – SB 1439

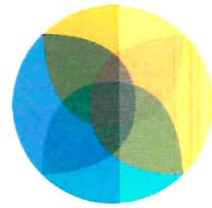
- A person is the “agent” of a party to, or a participant in, a pending proceeding involving a license, permit or other entitlement for use **only if**:
 - the person represents that party or participant **for compensation** and
 - **appears before or otherwise communicates** with the governmental agency for the purpose of influencing the pending proceeding.
- If an individual acting as an agent is also acting as an employee or member of a law, architectural, engineering or consulting firm, or a similar entity or corporation, both the entity or corporation and the individual are “agents.”

(2 Cal. Code Regs. § 18438.3)



The Levine Act - SB 1439

- Party to a proceeding must disclose a contribution of more than \$250 made within the past 12 months by the party or party's agent
- Party and participant (and their agents) must not make a contribution of more than \$250 to any officer of the agency while the proceeding is pending and for 12 months following the proceeding



BBK

BEST BEST & KRIEGER^{LLP}
ATTORNEYS AT LAW

Questions?

Mala Subramanian, General Counsel

DISCLAIMER: BBK prese
facts, facts specific to your sit
See the advice of an attorney
recording of presentation

legal advice. With that
in mind, contact your att
or herein. Avoid or disc
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Keeping up with the Brown Act: An Overview of the Public Meeting Law

CSDA

January 23, 2024

Craig K. Murray

Presenter: Oliver Yee, Liebert Cassidy Whitmore.(LCW) Specializes in public agency work and labor and employment law. AB 361 no longer being effective



Public agency board members, and the employees who support them, must understand the complex public meeting and transparency laws established by the Brown Act. In this webinar, we will walk through practical scenarios to identify the common pitfalls, and best practices, in Brown Act compliance. Topics include agendas, closed sessions, administrative decisions, litigation, and settlements. Bring your questions, experiences, and challenges to this interactive, skills-based session!



www.csda.net. Webinar in a few weeks will be available in the on demand

library including last years that was 2 hours and 40 minutes on the Brown Act.

Agenda:

Brown Act – Public Meeting Law

- Who is covered?
- Meetings and agendas
- Closed Sessions
- Remedies for violations of the Act

Background: The Brown Act is contained in Gov. Code section 54950, et seq.; Enacted to respond to the then increasing utilization of secret and informal meetings by legislative bodies; Generally requires for meetings of legislative bodies to be open and public – “open meeting requirement”

Transparency in Government: Presumption: Government business is conducted in the open, subject to limited exceptions. **“The people in delegating authority do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.” Ralph M. Brown Act, 1953**

Key Principles: Transparency in government: Presumption in favor of public meetings, subject to limited, specific exceptions. Public access/participation: Protected by requirements relating to posting and content of agenda and public right to participate. Within Context of a “Business Meeting” Get comfortable with public, collegial debate; Public transparency; Running an efficient meeting; approving transaction, regulations and agreements; Protect confidentiality of closed session.

Agencies and Legislative Bodies Subject to the Act. Local Agencies covered by the Act:

Counties, cities, city and county towns, school districts, municipal corporations, districts, political subdivisions, community college districts, joint power authorities

Boards, commissions and agencies within the above listed agencies

Agencies and Legislative Bodies Subject to the Act. Governing body of local agency or other local body created by state or federal statute; Other bodies of local agencies created by charter, ordinance resolution or formal action of a legislative body. Example: boards of trustees and personnel commissions.

Efficient and compliant meetings. In public discipline, treat as if they do not know rules and use a warning first, then advise individual here are the consequences. Harassment: can immediately halt the discussion. Stop Mtg., clear Room and individual can no longer participate and needs to be removed. AB 2449: Teleconference must be video conference participation by Board Member (not by public, non-Board Member). In Closed Session you are weighing the risks.

Legislative bodies covered by the Act:

- Governing body of local agency or other local body created by state or federal statute
- Other bodies of local agencies created by charter, ordinance resolution or formal action of a legislative body
- Example: boards of trustees and personnel commissions

Legislative bodies covered by the Act:

- Bodies that govern private corporations or similar entities that are created by the legislative body or receive funds from a local agency

Who is a Member of a Legislative Body?

- Any individual who is elected or appointed to sit on a legislative body and vote on and make decisions with other such individuals
- Applies to individuals who have not yet assumed elected office

What is NOT a Legislative Body?

- Advisory committees composed solely of the members of the legislative body which are less than a quorum of the legislative body for a specific purpose
- BUT there are exceptions...
 - Standing committee
 - Continuing subject matter jurisdiction
 - Meeting fixed by statute or rule

What is a Meeting Covered by the Act?

- Congregation of a majority of the Board/Council members
 - Same time and place
 - To "hear, discuss or deliberate"
 - On any item within its subject matter jurisdiction
- Meeting of a committee created by formal action
 - Permanent or temporary
 - Decision making or advisory

* Gov. Code § 54952.2

What is NOT a Meeting Covered by the Act?

- Attendance of a majority at conferences, seminars, community meetings, social events
 - If subdivision of district board
- Meetings of an advisory committee composed solely of members less than a quorum, unless...
 - Standing committee
 - Executive Board
 - Ad Hoc Committee
 - Continuing subject matter jurisdiction
 - Meeting fixed by statute or rule

Example: 11/11/11, 11/11/11

Meeting at Ribbon Cutting Ceremony?

The district held a ribbon cutting ceremony for the newly constructed campus student center. Five of the seven school board members attended. The members did not discuss any particular issues related to the center's approval, but one of the members commented that he was elated by the fact that the new center will be located near the major street in town.

Did a "meeting" under the Brown Act occur at the ribbon cutting ceremony?

Meeting at Diner?

At the Board's meeting held earlier in the day, the Board discussed potential changes for the use of the recreation room at the District. After the meeting, four of the five Board members went to the local diner for dinner. At dinner, they discussed the latest blockbuster movie. During dessert, one of the members briefly recalled an issue related to his personal use of the recreation room and how it affects his opinion regarding the potential changes to its use.

Did a meeting under the Brown Act occur at the diner?

Be Careful – Serial Meetings Prohibited!

- No communication between Board members that:
- Comes to include a majority through email, telephone, intermediaries, etc.
 - To hear, discuss or deliberate on any item within the subject matter jurisdiction of the district.

NOTE: Prohibition no longer limited to communications to develop a "collective concurrence" *

*[Gov. Code § 54952.2(b)]

Email String

Jane, one of the five board members sends an email to another board member, Joe, regarding ideas she has for a funding proposal that was discussed at the last board meeting.

Has a serial meeting occurred?

Email String

Joe likes Jane's ideas in her email and forwards Jane's email to Mike, another board member. Jane is not cc'd on this email.

Has a serial meeting occurred?

Email String

Mike is confused by one of Jane's ideas and replies to both Joe and Jane in his reply email, which includes Jane's original email. In his email, he tells Jane that Joe forwarded to him her email, and asks Jane to clarify the idea she posed in her email to Joe.

Has a serial meeting occurred?

Agendas: Tools for a Well Run Meeting

- Agenda items contain brief description
 - Enough to inform the public
- Provide focus to the Board & the public
- Help legislative bodies plan & prioritize
- Improve communication
- Build institutional memory

Public Access: Agenda is Key

- **Is The Meeting Properly Agendized?**
 - Timely
 - Accessible to public, regardless of time of day
 - States date, time and location
 - Provides brief general description of each item
 - Reflects all meetings commence in public session
 - Includes opportunity for public comment.
 - on any matter of public concern
 - within subject matter jurisdiction of the board
 - before or during board's consideration of the item
 - including closed session items
 - States where public may inspect records

Public Access: Agenda is Key

- **Agendas Should NOT:**
 - Use "place holders" for closed session (i.e. list generic closed session items to cover things that may come up)
 - Misuse closed session exceptions to cloak what should be part of the public discourse
 - Require members of the public to provide identifying information to attend [Gov. Code § 54953.3]
 - Prohibit public criticism of policies, procedures, programs services, or acts or omission of the Board

Items NOT on Agenda

- **General rule – no action or discussion on an item that is not on the posted agenda**
- **BUT there are exceptions...**
 - Brief response
 - Emergency
 - Immediate action
 - Item from agenda of prior meeting
 - if within 5 days

To Discuss or Not Discuss?

During closed session, the Board discusses the single item on the agenda, a computer product with vendor XYZ. In the middle of the discussion, Tony, one of the Board members mentions that since they are altogether, they might as well discuss the viability of a special events program involving vendor ABC that is up for renewal soon.

Is it okay for the Board to discuss the second program?
Why or why not?

Types of Meetings

- Regular meetings
- Special meetings
- Emergency meetings

Government Code Section 54953(c)(3)

- Legislative body required to **orally report** in open session summary of recommendations for final actions on:
 - Salaries, salary schedules or compensation paid in the form of fringe benefits
 - For "local agency executives"
 - Includes executive officers and assistants and deputies

What is a Regular Meeting?

- Meeting held at a time & place specified by applicable bylaw/rule
- Occurs at a regularly scheduled time
- Agenda posted at least **72 hours** prior
- Posting location freely accessible + on agency website (if any)
- Agenda encompasses notice

What is a Special Meeting?

- Meeting called at any time by the presiding officer of the legislative body or by a majority of the members
 - Notice posted at least **72 hours** before the meeting
 - Notice delivered to members and press at least **24 hours** before the meeting
 - Date, time and location of meeting
 - Brief description of matter to be discussed
 - Only matters in notice may be discussed at meeting
 - No special meetings regarding compensation for any local agency executive (Gov. Code section 54953(b))

What is an Emergency Meeting?

- Emergency = work stoppage, crippling activity, disaster, or other activity that severely impairs or threatens public health and/or safety
 - No written notice required
 - Notice to media
 - Posting of minutes
 - Limited closed sessions

Running Efficient (and Brown Act Compliant) Meetings

- Time Management
 - Permissible Communications With Administrators:
 - Between administrators and individual members or group less than a quorum;
 - To convey information or answer questions; if
 - Staff does not communicate Board's comments/positions or act as intermediaries.

[Gov. Code § 54952.2(b)(2)]

Running Efficient (and Brown Act Compliant) Meetings

- Disorderly Conduct During Meetings
 - Remind disruptive individual(s) of rules re: willful interruption, proper decorum
 - If disruption continues, may clear the room
 - Media remains if did not participate in disruption
 - Apply procedure for re-admittance of non-disturbing individuals

Brown Act - Teleconferenced Meetings

- Effective January 1, 2023, the Brown Act permits teleconferencing under any of the three options:
 - Brown Act ("Traditional"/ Pre-pandemic)
 - Assembly Bill 361 (State of Emergency/Pandemic – through end of 2023)
 - Assembly Bill 2449 (amending Gov. Code section 54953)(through end of 2025)

Rights of the Public under Brown Act – Teleconferenced Meetings

- Public Attendance at Meetings
 - Registries, attendance lists may not be required but voluntary lists okay
 - Teleconference locations must be identified and held in a place accessible by public
 - All locations must be identified on the agenda, including the teleconference location
 - Agenda must be posted at all locations, including remote locations
 - Each location (including teleconference) must be open and accessible to the public so that they may attend the (remote) location
 - All votes must be made by roll call
 - Public comment must be allowed at each site
 - A majority of the Board must be located within the territory of the district

Qualifying Circumstances Permitting Teleconferencing under AB 361 and AB 2449

- AB 361: Only applies during a proclaimed state of emergency, where state or local officials have imposed or recommended measure to promote social distancing
- AB 2449: Individual board members may participate in board meetings remotely, if they notify the Board at their earliest opportunity, and have either Just Cause or Emergency Circumstances

Agenda Requirements for Teleconferencing

- Traditional Brown Act: Each teleconference location from which a member will be participating must be specifically identified in the meeting notice and agenda, including full address and room number
- AB 361: Public agency must only give notice and post agenda in accordance with the Brown Act provisions for in-person meetings
- AB 2449: There is no requirement to disclose the teleconferencing location

Teleconferencing Location

- Traditional Brown Act: Each teleconference location must be physically accessible to the public
- AB 361: Public agencies do not have to let members of the public attend at each teleconference location, but must allow the public to access the meeting via a call-in or an internet-based service option
- AB 2449: Teleconferencing members must participate with both audio and visual, i.e. only via videoconference

Rights of the Public

- Right to record meeting
- Right to broadcast meeting
- Right to inspect documents and recordings
 - Agendas and attached documents
 - Writings distributed at meetings
 - Tapes/films that record meetings

Rights of the Public

- Right to Inspect Documents
 - Open session backup agenda documents are public records
 - Where public documents are provided to a majority of body less than 72 hours before a regularly scheduled meeting, they must be made available for public inspection at the time the writing is distributed to all, or a majority, of the members of the body. (Gov. Code § 54957.5)
 - Agenda must advise where they may be inspected

Rights of the Public

- Disorderly Conduct during Meeting
 - Willful interruption may result in clearing of the meeting room
 - Establish procedure for re-admission of non-disturbing persons
 - Media may remain if did not participate in disruption

Public Right to Participate in Meetings

- Must permit the public to address items on the agenda before they are voted on
- Tip: If agency begins with closed session must first have public comment

Limits on Public Comment

- May adopt reasonable regulations for public comment
 - Time limit on particular issues and for each speaker
 - May **not** prohibit public criticism of the staff policies, procedures, programs, services, or acts of the legislative body
 - May prohibit making comments about issues outside of the body's jurisdiction

Closed Session

- Closed sessions are generally prohibited
- Presumption in favor of open session
- Statutory exceptions in Government Code section 54954.5: pending litigation, personnel, labor negotiations/relations, real property transactions
 - Safe harbor language for agendas
- Reporting out varies by exception

Announcement Before Closed Session

- Before conducting a closed session, the legislative body must announce in open session the items to be discussed in closed session and state the general reasons for the closed session
 - Refer to agenda or make announcement orally
 - Make sure to cite statute for closed session

Conducting Closed Session Meetings

- Closed session meetings should usually involve only the members of the legislative body of the agency, plus any additional support staff required or any witnesses required
- Individuals not necessary to the meeting should be excluded

Pending Litigation Exception

- Legislative body confers with or receives advice from its legal counsel
- "Pending Litigation" includes: ongoing litigation, significant exposure to litigation, decisions to initiate litigation, settlement discussions
- "Pending Litigation" can be before a court, administrative body, hearing officer or arbitrator

Pending Litigation Exception

- Settlement discussions – typically discussed during closed session
- BUT, may not decide matters in closed session that must be decided after a public hearing (e.g. granting zoning variances) even if part of settlement

Personnel Matters Exception

- Closed session permitted for:
 - Appointment
 - Employment
 - Evaluation of performance
 - Discipline/dismissal/release
 - Includes release of probationary & high level employees
 - Complaints/charges
 - Compensation – but only if it is a reduction due to discipline

Personnel Matters Exception

- Closed Session Not Permitted for:
 - Dispute, censure, termination, evaluation of Board member
 - Independent contractors or consultants (e.g. architects, law firms)
 - Discussions relating to broad classifications of employees (Only discussions at specific employees permitted)
 - Employee compensation/salary setting (Unless a disciplinary reduction in pay)

Personnel Matters Exception

- 24-Hour Notice Requirement (the exception to the exception)
 - Complaints or charges against employees
 - 24 hours written notice of right to open session
 - No notice – salary action taken
 - Hearings do not pertain on complaints/charges
- Written notice delivered 24 hours before session
- If employee does not request open session, it is heard in closed

Personnel Matters Exception

- Performance evaluations – on its own does not constitute hearing of complaints or charges
 - May take disciplinary action following review of adverse performance...BUT watch out for accusations made during closed session
 - >>> Provide 24 hours notice that addresses performance evaluation and complaints/charges

Labor Negotiations Exception

- Purpose of closed session meetings
 - To review matters and act on the legislative body's behalf
 - To discuss any other matter related to represented employees within the scope of bargaining
- Closed session can take place before the commencement of negotiations and throughout negotiations to confer with the agency's representative
- Board may not act on proposed compensation in closed session

Real Property Transaction Exception

- The legislative body may meet in closed session with an agency's real property negotiator *prior to* the purchase, sale, exchange or lease of property
 - To discuss price and term of payment
 - Must identify property, negotiator and party negotiating with on public agenda

Closed Session Agenda Description

- The format for describing closed session items vary and depend on the item
- Government Code section 54954.5 provides descriptions for the various closed session items
 - No violation so long as the closed session items are described in "substantial compliance" with the section 54954.5 descriptions

Closed Session Agenda Description

- Pending litigation – state name of pending litigation
 - If litigation is anticipated – state “potential action involving significant exposure to litigation pursuant to...”
- Personnel matters – “Public employee discipline/dismissal/release”

Closed Session Agenda Description

- Labor negotiations/relations – specify names of designated representative and employee organization
- Real property transaction – specify location of property, agency negotiator, negotiating parties and what will be instructed to the negotiator (e.g. price, terms of payment, etc.)

Reporting After Closed Session

- After the closed session, the legislative body must reconvene into open session and report the actions taken in the closed session
- The nature of the report depends on the type of action taken

Reporting After Closed Session

- Real property negotiations – approval and substance of final agreement
- Disposition of claim or settlement of litigation – parties involved, monetary amount, substance of claim

Reporting After Closed Session

- Personnel decisions
 - Shall be reported at the public meeting during which the closed session is held
 - Identify the title of the position
 - Report of a dismissal or non-renewal of employment contract must be deferred until the first public meeting following the exhaustion of administrative remedies

Reporting After Closed Session

- Labor negotiations
 - Report approval of final and ratified agreement
 - Report items approved and parties to the negotiation

Confidentiality of Closed Session

- No disclosure of personal recollection of closed session discussions
- A person may not disclose confidential information that was acquired by being present in a closed session
- Sanctions
- Exceptions
 - Informing DA/grand jury re violation
 - Questioning propriety/legality of actions

Remedies for Violations of the Brown Act

- District attorney or other interested person may:
 - Bring an action to prevent violations or threatened violations
 - Determine the applicability of the Act to actions or future actions
- Legislative body must be provided the opportunity to cure the violation
- Remedies include attorney fees and costs

Oliver Yee

Partner | Los Angeles Office

310.981.2044 | oyee@lcwlegal.com

<https://www.lcwlegal.com/people/oliver-ye/>

Q/A: ? Training qualify for Brown Act Training A; up to CSDA ? Elected but not sworn in. A: Person is covered. ? Director serial email full board, what remedies A: limitations to remedies, can do is remind and inform person not to do that. ? comments on closed session during mtg A: seen prior to public comment. Notice posted and visible all times? A: website down, notice torn down cautionary approach to cancel mtg. can have it later in week and cover business. ? Salaries that the Board A: Salaries under Board decision is reported out, all compensation is reported out. ? public comments Agenda or random A: Can't be random. Seen participants use

strategies like talking about this and then go off. Seen Boards just let person have 3 minutes. ? Brown Act teleconference # of times A: not off top of my head under Brown Act, how many per year v. the 2/year with temp. conferences. ? Present auditor do have to present notice A: not understand question. If have someone remote participation, if they are public then do not have to post, we are talking about board members and others presenting are not subject to. Can participate remotely if within district jurisdiction to vote. Do need to have in person quorum. ? on AB 2449 in rural area and members of public may not be able to join A: video is only for governing body. ? Minutes A: not minutes until approved. Can alternates participation in closed session? A: Don't often see. Unless in a roll appropriate for closed session. Closed session names of those involved? A: if pending, already a court case YES but if case not filed (ie employee alleging a claim) where I say NO. Don't want to compromise integrity of discussion. Weighing the confidentiality if naming actual position A: seen putting a 5 number code so internally can track it. Take under consideration if a single person position. Lisa Silva 11:13 AM So according to the Traditional Brown Act, can Directors still join via Teleconference if they post their location? or did AB2449 take its place? Also, I thought AB557 went into effect and took the place of AB361 in regards to a state of emergency? A: AB 557 need emergency based teleconference. LCW does blog posts on public comments. AB 2449 needs to be on Agenda to participate for just cause.? A: Not per se but see and more so in minutes. Some agencies don't get public comments and others develop policies, internal procedures of the governing body. 2 areas you typically see. ? Board member hire a relative and req. to abstain? A: not topic of today, go to political reform act on conflict of interest to see if there should be participation and if perceived then should not participate. ? Standing committee date and needs to be rescheduled is it now a special meeting? A: yes, but with 24 hr not 72 hr notice. Comment on multiple items A: be even handed, we do have a reserved time for our board members to speak and address board comments and leave it at that. Press notification? A: emergency mtg and 24 hrs kiosk, website and that is what press notification is about. ? Board member declare to another office, violation? A: tricky area, we have limitations what we can do. We can't physically remove someone elected, have censure if get to that point. Consult with legal counsel with that what ever person is saying will rise to censure or occasionally off base than go down more formal path of censure. ?if person still no longer a board member bound by confidentiality A: yes Compensation for Board not allowed for special meetings? A: yes. Spirit of provision is best interest to look at regular mtg. ?Board member be compensated for adhoc A: more for legal counsel, not Brown Act. Emergency Mtg.? A: example we want to move more swiftly with governance is not talking about but more like a natural disaster and decision w/legal counsel. ? Ad hoc committee form on policies A: if formed by board, yes does fit Brown Act req. ? employee entitled to closed session for compensation A: no entitlement to it. Doc distribution? A Board members don't distribute documents if not and can be public disclosure. Have you seen limitations on public comments? A: yes on times on a particular item. Total time for a person yeah. 3 minutes for public comment. General Open Session public comment. Closed session public comment. If doing itemized public comment but not can't speak b/c you spoke on another item. ?closed session minutes on consent, release? A: no, not public distributed. I take notes in closed session. Agenda have to define action item if action is taken? A: be careful if not stated as action item. Should be doing during action item on the agenda. ? Do you need a motion to receive information items A: not as req. but a standard practice. By Laws, Robt Rules of Order set protocols, localized procedures, best practices that are not really Brown Act. Rachael: Free link to Roberts Rules of Order:



On-Demand Webinar on
Parliamentary Procedure:

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BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: _____ Name: _____

I would like to attend the _____ Meeting
of _____

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

Location of meeting: _____

Actual meeting date(s): _____

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

Purpose of Meeting: _____

Meeting relevance to District: _____

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

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): _____

Date submitted to Board Secretary: _____

Board approval obtained on Date: _____

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

2/1/2024

BOARD AGENDA ITEM REQUESTS

Agenda Item 5B

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

ENVIRONMENT

Agenda Item 6
Date February 1, 2024

'Seeing the future'

Marin king tides illustrate looming sea-level risks



A jogger and cyclist share a narrowed path as a king tide floods the Sausalito area on Friday. Projections estimate that the Bay Area sea level could rise by approximately 2 feet by 2050. PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



Pedestrians walk near the elevated waters of Richardson Bay in Mill Valley on Friday. King tides are expected to return on Feb. 9.

BY ADRIAN RODRIGUEZ

ARODRIGUEZ@MARINIJ.COM

King tides returned to the Bay Area on Thursday, and although flooding was mild, the phenomenon raised the specter of an increasingly tenuous relationship between water and infrastructure in the region.

“It’s a little less than we expected, but it’s still scary that the water is rising,” said Diane Livia, a volunteer with the environmental nonprofit Bay Keeper.

King tides happen three to four times a year when, in conjunction with the moon’s cycles, the tide rushes in farther and with more power than normal. They generally occur in January and December. Low-lying areas are flooded, and the water poses a minor nuisance at best, a heavy flooding threat at worst.

In Marin, the king tides reached just under 7 feet at the tidal gauges near the Golden Gate Bridge and in Point Reyes Station, according to National Weather Service.

The high waters flooded portions of San Pedro Road at China Camp State Park in San Rafael. The lower half of the Manzanita Park and Ride lot in Mill Valley, a common site for flooding, will reopen Tuesday after a weeklong closure, according to Caltrans.

Kate Hagemann, climate adaptation and resilience planner for the city of San Rafael, said that on the bay side of Marin, the king tides peaked at just over 7 feet.

“King tides are the best way to see what sea level rise will look like in the future,” Hagemann said.

As climate change pushes sea levels higher, the flooding apparent during king tides could soon become permanent, she said. Projections estimate that the Bay Area sea level could rise by approximately 2 feet by 2050, which would put the permanent shoreline at the water level seen during king tides.

“The king tides are higher, and the lows are lower, too,” Hagemann said.

“One of the things that makes it more challenging is that the ground is subsiding slightly,” Hagemann said. “Everything on the hillside is stable, but a lot of the coastal areas are built on fill, which is subsiding, which is part of why it’s flooding more frequently.”

Jeremy Smith, a coastal engineer with the California Coastal Commission, said the agency is encouraging residents to participate in the California King Tides Project by snapping photos of the high tides and uploading them to be displayed on a tide map online.

“The whole idea is that if you snap these pictures of the shores, you’re seeing the future,” Smith said. “Right now, the high tides are representing what the average high tides will be in 25 years.”

The tides are a reminder that the region is enormously affected by the power of water, with much of the region’s critical infrastructure concentrated along the shoreline. In recent weeks, the region’s coast has seen powerful waves, flooding, and abnormally high king tides.

“Our coastal communities are vulnerable to king tides, storm surges, sea level rise, flooding, and emergent groundwater,” said Ashley Eagle-Gibbs, executive director of the Environmental Action Committee of West Marin.

Eagle-Gibbs said the nonprofit is working to get the word out about king tides and coastal resiliency.

“The king tides are a reminder that we need to raise local awareness around safety measures and take action to reduce greenhouse gases,” Eagle-Gibbs said. “Our communities must be not only informed but also prepared for the challenges posed by climate impacts. We believe that through informed planning using the best available science and inclusive

community engagement, we can better equip ourselves to face these environmental challenges proactively.”

King tides are expected to return to Marin on Feb. 9, said Matt Mehle, a meteorologist with the National Weather Service.

“The big wild card with that event is whether there is a storm,” Mehle said. “If there is a storm off the coast, that could influence the intensity of the tides.”

The day after the king tides retreat, Hagemann said a crew will be out assessing damage on the San Rafael shoreline.

“Sea level rise is going to make them more frequent,” she said. “That’s why adaptation planning is great.”

Bay Area News Group contributed to this report.

SAN RAFAEL MALL

Environmental concerns raised in Northgate plan

Report flags emissions, noise; reduction of housing urged



Shoppers stroll through The Mall at Northgate in San Rafael. The Northgate construction plan includes apartments, townhomes and a renovated movie theater, shopping and restaurants. ALAN DEP — MARIN INDEPENDENT JOURNAL



An architectural rendering of the proposed redevelopment of the Mall at Northgate in San Rafael. MERLONE GEIER PARTNERS

BY ADRIAN RODRIGUEZ

ARODRIGUEZ@MARINIJ.COM

Greenhouse gas emissions and noise generated by the proposed redevelopment of San Rafael's Northgate mall would be "significant and unavoidable," according to a new report.

The draft environmental impact report, which was released this month, concluded that trimming 63 homes from the 1,422-home plan and redistributing the below-market rate residences throughout the complex could lessen those disturbances. The diminished version of the plan is called the "reduced residential alternative" in the report.

"Due to its slight reduction in environmental impacts," the report says that project alternative "is considered the environmentally superior alternative."

Mall owners Merlone Geier propose that the 20-year construction project proceed in two phases on the 45-acre site west of Highway 101. In addition to offering transit-oriented housing, the project calls for a mix of restaurants, shops and gathering space.

Ross Guehring, spokesperson for firm, said the publication of the draft EIR "is a major step forward in the project."

“The reduced alternative was naturally identified within the document because it’s a slightly smaller project,” Guehring said. “However, our preferred plan remains the same because it includes our EAH Housing partnership to provide meaningful affordable housing through a full-service approach in the initial phase.”

As proposed, EAH Housing, an affordable housing development and management firm, is set to construct 96 designated low-income apartments within a four-story building with on-site resident support services, including summer and after-school programs and adult programs. The complex is part of phase one of the project, planned to begin as early as 2025, pending approvals.

Phase one would include the construction of 822 apartments in three buildings and another 100 for-sale townhomes. Market-rate apartments would be placed in one six-story building and one seven-story building.

Phase one would also include an approximately 50,000-square-foot town square gathering space at the center of the complex.

Phase two, which is planned for 2040, would include one five-story building with 251 apartments and one seven-story building with 249 apartments. There would be 51 affordable residences in the two buildings.

The project proposes 2,899 parking spaces, bike parking, several bike and pedestrian paths, all-electric residential buildings, a renovated movie theater and shopping.

The draft environmental impact report faulted the project for failing to meet requirements of the Bay Area Air Quality Management District to ban the use of natural gas. The project seeks to use natural gas lines for commercial kitchens and fire pits.

However, the city determined that banning natural gas would be inconsistent with its municipal code, which allows the energy source for commercial kitchens.

“That doesn’t make sense to us,” said Bill Carney, chair of Sustainable San Rafael advocacy group, who said his organization is generally supportive of the project because it will add needed housing.

“Since we’re told all other energy in the project will be electric — and emission-free electricity is readily available in Marin — we’re asking that the final EIR include additional analysis showing how close Northgate gets to achieving net-zero greenhouse gas emissions by 2045, which is the goal of local, regional and state climate plans,” he said.

The report also said that noise levels generated by heating, ventilation and air conditioning systems might exceed the city’s noise ordinance threshold. Noise reduction efforts might not be able to completely reduce the sound.

The report also identifies impacts to cultural resources, geology and soils, hydrology and water quality, hazards and hazardous materials, transportation, air quality and utilities. The effect in these areas could be reduced to “less than significant” if the contractor and developer follow recommended mitigations to offset the impact.

The draft report says the preferred “reduced development alternative” could also lessen greenhouse gas emissions by reducing the population and vehicle miles traveled, which would in effect also reduce noise.

Jeff Bialik, chair of the Housing Crisis Action Marin steering committee, said Marin employers struggle to fill positions because of the lack of housing and many workers commute from other counties.

“These are significant impacts to our environment, economy and quality of life that can only be mitigated by building much-needed housing,” Bialik said.

“Housing Crisis Action Marin supports the mixed-use development of Northgate mall combining housing with retail as a critical component of addressing our housing crisis,” he said. “We are pleased that the extremely comprehensive draft EIR finds that the potential impacts under the control of the developer are not significant either as currently designed or with mitigation.”

In general, residents say they support adding more homes, but many say they are worried about the size and visual impact of the proposed complex.

“I’m concerned about the towers,” resident Patrick Gannon said. “We want the town center open space area to have as much room as possible.”

The project is proposed under the state density bonus, stifling the city’s discretion to require the applicant change the height.

David Smith, president of Responsible Growth in Marin, said his group is reviewing the document. He said he hopes the San Rafael Planning Commission will consider the recommendations made by the city’s Design Review Board when it signed off on the project in the fall.

In July and September, Design Review Board members expressed concern that the project was too big. They said they would recommend fewer parking spaces and an expansion of the town square feature and park area. They were also concerned about the distribution of affordable apartments in the first phase of the project.

A public meeting to discuss the report is set for 7 p.m. Feb. 13 at San Rafael City Hall. The report is open for public comment through Feb. 19. The draft is available at [bit.ly/3tS3SuY](https://www.marinij.com/html5/reader/production/default.aspx?pubna=86&edid=36125c5c-1764-4327-8253-31426df41c0d).

Water agency goal focuses on employees, customers

Improved culture for workers, more connection with public



Unionized employees at the Marin Municipal Water District rally over contract negotiations in July. A new district goal calls for improving organizational culture and values for employees. PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL, FILE



A union worker addresses the Marin Municipal Water District board in July.

BY ADRIAN RODRIGUEZ

ARODRIGUEZ@MARINIJ.COM

The Marin Municipal Water District is proposing ways to enhance its workplace culture and customer experience as managers continue to develop a five-year strategic plan.

A presentation at the Jan. 9 meeting of the district's board reviewed four objectives that officials said are key to "organizational excellence," one of five goals that will be packaged into the strategic plan. Other focus areas of the plan include water supply, fiscal responsibility, watershed stewardship and creating a resilient water system.

Each area has been broken out for separate discussions with the district's board over the past two months.

"It's important to note that Marin Water is a 24/7, 365-day-a-year operation," said Adriane Mertens, the district's communications manager. "This goal is really about how we can continuously evolve and elevate the organization as it aligns with our values to ensure we can be at our best 24/7."

The district employs nearly 250 workers in 25 departments who are responsible for getting water to more than 191,000 people, according to the utility. The draft plan says the complex water system requires specialized expertise, modern technology, efficient operations and customer engagement.

"To perform at its best, staff must understand the key priorities of the organization and feel job satisfaction, so they are inspired to provide excellent service," the draft plan says.

The planning comes after a period of labor tensions in the district that prompted demonstrations over raises and benefits. In November, the board approved a 5.4% pay raise for employees represented by Service Employees International Union Local 1021. The raise matches the hike approved in August for non-union employees.

For its “organizational excellence” plan, the district outlined four objectives, each with a subset of tasks.

The first objective involves improving organizational culture and values. It includes tasks such as creating career opportunities through partnerships with organizations in underserved communities; making the hiring process more welcoming; diversity, equity and inclusion training; and increasing employee engagement by including staff comments in decisions, among other efforts.

Board members said they would like to see an educational track in partnership with community organizations that could potentially lead to district employment. They proposed adding some measurability into the plan so they could track progress.

“This is quite comprehensive and it really covers a lot of really important facets of our organization and what will make us stronger and better into the future,” board member Monty Schmitt said.

Schmitt said he would like to see the plan detail what the district is trying to accomplish through its diversity, equity and inclusion training. He said one goal of the work should be “to ensure that everybody feels like they belong.”

The second objective centered around customer experience, including performing an accessibility audit of public facilities; broadening customer awareness with advertising; holding open houses; and being host to school field trips.

Board members said they liked the idea of field trips. Matt Samson suggested adding online tours for those who can't make the trip.

The third objective includes work around industry growth and leadership. Mertens said ensuring participation in industry associations will enable staff to learn best practices from peers. Other options would be participating in professional development opportunities and collaborating with other water districts.

“This all looks really good,” Samson said.

Lastly, the fourth objective is focused on technology, innovation and process improvements, including internal communication upgrades, employee incentive programs and research partnerships with schools.

“The nexus between water management and the health of the watershed is an incredibly important area of research,” Schmitt said. “There’s value in just learning.”

Other tasks include strengthening succession planning; converting to advanced metering equipment; and updating the online customer bill pay system.

The full draft plan will be submitted for approval on Jan. 30.

Housing mandate planning near end

2023-31 requirement for 14,405 units countywide

BY GIUSEPPE RICAPITO

GRICAPITO@MARINIJ.COM

Marin County and its cities and towns are closing out their required zoning updates and preparing to implement updated housing elements.

Housing elements are development blueprints the state requires as part of community general plans. The updated documents will guide the production of new housing over the eight-year period through 2031.

The state is aiming to build 2.5 million new homes by 2030, including 1 million affordable at lower-income levels. The California Housing and Community Development Department has required Bay Area communities to prepare for 441,176 additional residences during the 2023-31 period. For the previous period, the number was 187,990.

In Marin, the 2023-31 requirement is 14,405 new residences countywide, compared to 2,298 in the prior cycle. The state rejected appeals to reduce the number.

To prepare, Marin jurisdictions are preparing zoning amendments to bring local ordinances into alignment with housing elements. If a housing element was certified by May 31, 2023, the rezoning must happen by May 31, 2026. If the housing element was not certified by May 31, the rezoning must be completed by the end of this month, which is the case for many of Marin's cities and towns.

Jillian Zeiger, a county planner, said its housing element, which covers unincorporated portions of Marin, was certified by the state on June 19. The county covered rezoning during the adoption process last January.

Zeiger said she oversees a planning group that includes staff and planning directors of Marin's cities and towns. She said she and others are bullish about implementation.

"I'm really pleased in how well all the jurisdictions are doing with implementation of getting over the hump with certification, it's not easy," she said. "Overall, I think everyone is going to make it."

The state's mandate for the county's unincorporated areas is 3,569 more dwellings. The county has projected approximately 5,000 as a buffer.

Alicia Murillo, a communications specialist with the state housing agency, identified Tiburon and Mill Valley as two municipalities that must conduct rezoning before the end of the month.

"Tiburon completed its rezone, and HCD is evaluating for compliance with the housing element," she said, using the acronym for the department. "Mill Valley has indicated to HCD that it is in the process of completing its rezones."

Mill Valley's planning and building director, Patrick Kelly, said the city Planning Commission will consider the zoning changes on Jan. 23. Mill Valley received certification from the state this month. The housing element accommodates more than 850 new dwellings.

Tiburon was notified by the state in October that its housing element was largely in compliance, but that it must complete rezoning at a controversial opportunity site on Paradise Drive by Jan. 31. Dina Tasini, the town's community

development director, said the town has adopted the zoning updates as required and the state has the ordinance for review.

Fairfax and San Anselmo must update their housing elements and zoning by the end of the month, Murillo said.

Heidi Scoble, the San Anselmo planning director, said the town adopted its housing element on Dec. 12. The town held a public hearing and first reading of the zoning amendments on Jan. 9. The amendments are expected to be approved at a meeting on Jan. 23.

San Anselmo is required to show it can accommodate 833 new residences during the eight-year period. The town is projecting 959 new dwellings to be developed in its housing element.

Fairfax adopted its housing element on Dec. 13, said Town Manager Heather Abrams. The town's zoning changes are under review for adoption this month, she said. Fairfax must allow 490 more homes in the eight-year cycle, and its plan includes 598.

Larkspur City Manager Dan Schwarz said the city is waiting for the state to provide comments on its element, which was submitted on Nov. 30. The city made some zoning changes in August related to fair housing requirements.

In its housing element, Larkspur has to show it can accommodate 979 new residences over the eight-year cycle. The town is planning for 1,279 additional dwellings that can be built during the time period, according to the plan.

Corte Madera Community Development Director Amy Lyle said the state confirmed that the town's housing element was in compliance on Aug. 15. On Jan. 13, the Town Council adopted an ordinance to rezone housing sites for greater density and larger buildings. Corte Madera must accommodate 725 new residences.

In Belvedere, City Manager Robert Zadnik said the city was set to consider zoning changes at a meeting on Tuesday. . A second reading is planned for Jan. 22, he said. The city has submitted its element to the state for review, again, this month. Belvedere is required to show it can develop 160 new residences, and it has projected 213.

Sausalito Community and Economic Development Director Brandon Phipps said the city has adopted a compliant housing element. The city has not yet implemented its zoning updates and is required to within the three-year extended deadline, he said. Sausalito must accommodate at least 724 new residences over the eight-year cycle. The housing element outlines a potential capacity of 908.

San Rafael must accommodate 3,220 new homes in the 2023-31 period. The city's plan, approved in May, showed 782 dwellings are approved but not yet built, and 1,175 homes are proposed. The plan outlines a capacity of 4,858.

City planning official Chad Hess said no zoning changes are planned before the end of the month.

Novato adopted its housing element on Jan. 24, said Clare Hartman, community development director. The city plans to pass rezoning requirements at a meeting this month, she said. The city is poised to meet its requirement for 2,090 new residences, she said.

Ross submitted its housing element in June to meet a requirement of 111 new dwellings. A representative of the town did not return requests for comment on the status of its zoning updates.

Strategic plan hearing date changed

BY ADRIAN RODRIGUEZ

ARODRIGUEZ@MARINIJ.COM

The Marin Municipal Water District will hold a public hearing Tuesday on its draft five-year strategic plan.

The plan was set to be aired Jan. 30, but that meeting has been canceled, the district said Friday.

The strategic plan divides district goals into five major focus areas as part of its mission to provide reliable service and clean water through 2030. The focus areas include reliable water supply, a resilient water system, watershed stewardship, fiscal responsibility and organizational excellence.

The district's board has been meeting since September to draft the plan and fine-tune the objectives.

The district employs nearly 250 workers in 25 departments who are responsible for getting water to more than 191,000 people, according to the utility. The district manages about 19,800 acres of watershed land in the county.

The meeting is set for 6:30 p.m. Tuesday at the district headquarters at 220 Nellen Ave. in Corte Madera. Teleconference access instructions and meeting information are at marinwater.org.