



101 Lucas Valley Road, Suite 300
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MANAGEMENT TEAM
General Manager, Vacant
Plant Operations, Mel Liebmann
Collections/Safety/Maintenance, Greg Pease
Engineering, Michael P. Cortez
Administrative Services, Dale McDonald

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

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

BOARD MEETING AGENDA

January 20, 2022

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health, which was due to end on September 30, 2021 (Exec. Ord. N-08-21). However, the Legislature passed AB 361 which provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's previous Executive Orders. - In light of this – the January 20, 2022 meeting of the LGVSD Board will be held via Zoom electronic meeting. There will be NO physical location of the meeting. Due to the current circumstances, there may be limited opportunity to provide verbal comments during the meeting. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged, but not required, to submit comments in writing to the Board Secretary (tlerch@lgsd.org) by 5:00 pm on Wednesday, January 19, 2022. In addition, Persons wishing to address the Board verbally must contact the Board Secretary, by email (tlerch@lgsd.org) and provide their Name; Address; Tel. No.; and the Item they wish to address by the same date and time deadline for submission of written comments, as indicated above. Please keep in mind that any public comments must be limited to 3 minutes due to time constraints. Any written comments will be distributed to the LGVSD Board before the meeting.*

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

REMOTE CONFERENCING ONLY

Join Zoom Meeting online at: <https://us02web.zoom.us/j/85047618158> OR

By teleconference at: +16699009128 Meeting ID: 850 4761 8158

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

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

Estimated
Time

OPEN SESSION:

4:00 PM

1. PUBLIC COMMENT

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

CLOSED SESSION:

4:05 PM

2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code § 54956.9: Two cases.

OPEN SESSION:

4:30 PM

1. PUBLIC COMMENT

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

4:45 PM

2. CONSENT CALENDAR:

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

- A. Approve Resolution 2022-2235 Remote Meetings
- B. Approve the Board Minutes for December 16 and January 4, 2022
- C. Approve the Warrant List for January 20, 2022
- D. Approve Board Member compensation for December 2021

Possible expenditure of funds: Yes, Item C and D

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

4:55 PM

3. INFORMATION ITEMS:

STAFF/CONSULTANT REPORTS:

- 1. Acting General Manager’s Report – Verbal
- 2. District Correspondence - Written
- 3. Quarterly Financial Reports and Treasurer’s Report as of December 31, 2021- Written

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- 5:15 PM** **4. DRAFT ORDINANCE 189 ORGANIC RECYCLING SB1383 AND SET PUBLIC HEARING**
Board to discuss draft Ordinance 189 and set Public Hearing date.
- 5:45 PM** **5. AWARD CONTRACT FOR GENERAL MANAGER EXECUTIVE SEARCH**
Board to review and approve award of contract for General Manager Executive search.
- 6:00 PM** **6. INTERIM GENERAL MANAGER'S AGREEMENT**
Board to review and approve the Interim General Manager's Agreement and Resolution 2022-2236.
- 6:15 PM** **7. APPROVE RESOLUTION 2022-2037 AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS**
Board to review and authorize Dale McDonald, Acting General Manager to submit application for SB1383 local assistance grant program.
- 6:25 PM** **8. APPROPRIATE VEHICLE RESERVE FUNDS FOR FY 2021-2022 SERVICE TRUCK PURCHASE**
Board to discuss the purchase of a Service Truck in the amount of \$220,000.
- 6:35 PM** **9. APPROVE AWARD OF CONTRACT FOR THE DEVELOPMENT OF AN EMERGENCY MANAGEMENT SYSTEM**
Board to review the award of contract for the development of an Emergency Management System.
- 6:45 PM** **10. APPROVE SECONDARY TREATMENT PLANT UPGRADE AND RECYCLED WATER EXPANSION PROJECT CHANGE ORDER AUTHORIZATION – CLEARWELL BYPASS**
Board to review the STPURWE change order for Clearwell Bypass.
- 6:55 PM** **11. 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 Board Secretary before the meeting.
- 7:00 PM** **12. BOARD MEMBER REPORTS:**
1. CLARK
 - a. NBWA Board Committee, NBWA Conference Committee, 2022 Operations Control Center Ad Hoc Committee, Other Reports
 2. FORD
 - a. NBWRA, Gallinas Watershed Council, Marin Special Districts Association, 2022 Ad Hoc Engineering Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 Human Resources Committee, 2022 Ad Hoc CSA 18 Ad Hoc Review committee, Other Reports
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3. MURRAY

- a. Marin LAFCO, CASA Energy Committee, 2022 GM Recruitment Ad Hoc Committee, Other Reports

4. SCHRIEBMAN

- a. Miller Creek Watershed Council, JPA Local Task Force
2022 Legal Services Ad Hoc committee, 2022 Biosolids Ad Hoc Committee, 2022 Human Resources Ad Hoc committee, Other Reports

5. YEZMAN

- a. Flood Zone 7, CSRMA, 2022 Ad Hoc Engineering Committee re: STPURWE Engineering Subcommittee, 2022 Legal Services Ad Hoc Committee, 2022 GM Recruitment Ad Hoc Committee, Marin Special Districts, 2022 Biosolids Ad Hoc committee, 2022 Ad Hoc CSA 18 Ad Hoc Review committee, Other Reports

7:10 PM

13. BOARD REQUESTS:

- A. Board Meeting Attendance Requests – Verbal
- B. Board Agenda Item Requests – Verbal
- C. Pending Board Agenda Item Requests
 - i. ACTION – Measure A Discussion
 - ii. ACTION – Parliamentary Procedures
 - iii. ACTION – Recycled Water Signage
 - iv. ACTION – Public Use of Reclamation
 - v. ACTION – Invasive Species in Reclamation
 - vi. ACTION – Low Income Sewer Service Charge Discount

7:15 PM

14. VARIOUS INDUSTRY RELATED ARTICLES

7:20 PM


15. ADJOURNMENT

FUTURE BOARD MEETING DATES: FEBRUARY 3, FEBRUARY 10, 2022

AGENDA APPROVED:	Judy Schriebman, Board President	Patrick Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, District Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before January 17, 2022, 4:00 p.m., I posted the Agenda for the Board Meeting of said Board to be held January 20, 2022 at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: January 14, 2022



 Teresa L. Lerch
 District Secretary

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

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

AGENDA ITEM 1

1/20/2022

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.

AGENDA ITEM 2

1/20/2022

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

1/20/2022

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.

Agenda Item 2A
Date January 20, 2022

RESOLUTION NO. 2022-2235

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S ORDER, DATED MARCH 4, 2020, IN CONTINUING EXECUTIVE ORDERS, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT FOR THE PERIOD OF JANUARY 20, 2022 THROUGH FEBRUARY 19, 2022 PURSUANT TO BROWN ACT PROVISIONS.

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

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

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

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

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

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

WHEREAS, the Board of Directors previously adopted a Resolution, Number 2021-2233 on December 16, 2021, finding that the requisite conditions exist for the Board of Directors of the LAS GALLINAS VALLEY SANITARY DISTRICT to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

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

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

WHEREAS, the California Department of Public Health has issues Health Orders, as of August 5, 2021, noting that California is currently experiencing the fastest increase in COVID-19 cases during the entire pandemic with 18.3 new cases per 100,000 people per day, with case rates increasing ninefold within two months. The Delta variant is highly transmissible and may cause more severe illness. In fact, recent data suggests that viral load is roughly 1,000 times higher in people infected with the Delta variant than those infected with the original coronavirus strain, according to a recent study. And that the Delta variant is currently the most common variant causing new infections in California; and

WHEREAS, effective, August 3, 2021, the Public Health Officer of The County of Marin ("Health Officer"), in keeping with Health Orders from the California Department of Public Health, required all individuals to wear face coverings when indoors in workplaces and public settings, with limited exemptions, and recommends that businesses make face coverings available to individuals entering the business on the basis Since April 2021, the SARS-CoV-2 B.1.617.2 (Delta) variant has been circulating in Marin County. This variant is highly transmissible in indoor settings and requires multi-component prevention strategies to reduce spread. Despite high vaccination rates, Marin County is experiencing substantial levels of community transmission due to the Delta variant. While most COVID-19 cases are among unvaccinated residents, the proportion of breakthrough cases is increasing. Hospitalizations have also increased, primarily among unvaccinated persons. Marin County is also seeing a concerning uptick in cases among staff and residents in long-term care facilities; and

WHEREAS, the Delta variant continues to pose a significant risk to the health and safety of attendees at an in-person meeting of the Board of Directors of the District; and

WHEREAS, on December 1, 2021 the State of California and the San Francisco Department of Public Health have confirmed a case of the Omicron variant in California which poses a new significant risk to the health and safety of attendees of an in-person meeting of the Board of Directors of the District; and

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

state of emergency by the Governor of the State of California, the California Department of Public Health and the Public Health Officer of The County of Marin; and
and

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

WHEREAS, the District will continue to:

1. Clearly advertise the means by which members of the public can observe a public meeting or offer comment during a meeting remotely, via either a call-in or internet-based option;

2. Provide the relevant remote access information to members of the public looking to attend a meeting of a local agency legislative body. This information includes, but is not limited to: phone numbers, passwords, URLs, email addresses, etc., such that members of the public are able to attend the meeting remotely;

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

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

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

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

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

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020 and continuing through follow-up Executive Orders, the most recent being Executive Order N-08-21, issued June 11, 2021.

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

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 19, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of LAS GALLINAS VALLEY SANITARY DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

* * * * *

I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a regular meeting thereof held on January 20, 2022, by the following vote of the members thereof:

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

Teresa Lerch, District Secretary

APPROVED:

Judy Schriebman, President of Board of Directors

Las Gallinas Valley Sanitation District Warrant List 1/20/2022 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	1/20/2022	EFT1	ADP Payroll	128,495.26		128,495.26	1/14/2022 Payroll & Processing Charges
2	1/20/2022	ACH	A and P Moving	84.70		84.70	Document Storage - January
3	1/20/2022	N/A	Able Tire & Brake	2,845.00		2,845.00	Full Service Oil Change on F250 Super Duty Truck, Ford F550 New Set of Tires
4	1/20/2022	N/A	Aramark Uniform Service	225.27		225.27	Laundry Service for 1/3/22
5	1/20/2022	N/A	ArcSine Engineering	1,787.10		1,787.10	Engineering Services for Marin Lagoon Pump Station
6	1/20/2022	ACH	Cal Microturbines	10,878.00		10,878.00	Capstone Factory Protection Plan for Microturbines, Year 4 of the 5-Year Contract
7	1/20/2022	N/A	California Dept. of Tax and Fee Admin.	1,949.00		1,949.00	Use Tax for 2021
8	1/20/2022	N/A	California Water Environment Association	91.00		91.00	Pease Cert Renewal
9	1/20/2022	EFT	CalPERS 457 Plan	6,003.00		6,003.00	EE's Deferred Comp Plan -Paydate 12/31/2021
10	1/20/2022	EFT	CalPERS CERBT-OPEB	11,630.00		11,630.00	Pre-Fund CERBT Payment - January
11	1/20/2022	EFT	CalPERS Required Contribution	520.75		520.75	Pre-Fund GASB Payment -January
12	1/20/2022	EFT	CalPERS Retirement	19,237.09		19,237.09	EE & ER Payment to Retirement-Paydate 12/31/2021
13	1/20/2022	ACH	Caltest Analytical Labs	4,843.11		4,843.11	Outside Lab Testing
14	1/20/2022	N/A	Caselle	5,633.00		5,633.00	Implementation Kickoff Phase (AP/Budget Software Replacement)
15	1/20/2022	N/A	Comet Building Maintenance	1,959.71		1,959.71	Janitorial Services and Supplies-Dec
16	1/20/2022	ACH	Contractor Compliance & Monitoring	4,911.00		4,911.00	Labor Compliance for December
17	1/20/2022	ACH	Core Utilities	2,220.00		2,220.00	IT Services for December
18	1/20/2022	N/A	CPM Construction	5,775.00		5,775.00	STPURWE-On-Call Estimating Support - December
19	1/20/2022	N/A	Cropper Accountancy Corp.	1,700.00		1,700.00	Final Process Billing for the 2021 Fiscal Year Audit.
20	1/20/2022	ACH	CSRMA	133,845.00		133,845.00	Pooled Liability Insurance
21	1/20/2022	N/A	Danadjieva Hansen Architects	65,633.50		65,633.50	Consulting & Architectural Design of OCC Building- Nov & Dec
22	1/20/2022	EFT	Direct Dental	1,564.26		1,564.26	Monthly Billing-January, EE Payments for Dental Claims
23	1/20/2022	ACH	Downing Heating, Inc.	2,484.70		2,484.70	Preventative Maintenance, Replaced Return Air Filters Upon M. Liebmann Request
24	1/20/2022	ACH	Du-All Safety	4,728.00		4,728.00	Safety and Training for LGVSD-December 2021
25	1/20/2022	N/A	Electrical Equipment Company	366.77		366.77	Power Supply
26	1/20/2022	ACH	EOA, Inc.	20,480.92		20,480.92	Technical Assistance for Regulatory Permits -November
27	1/20/2022	ACH	Gardeners Guild	1,179.00		1,179.00	Grounds Maintenance- January
28	1/20/2022	N/A	Garton Tractor	223.13		223.13	Parts for Tractor Mower
29	1/20/2022	ACH	Grainger	1,794.65		1,794.65	Misc. Supplies for Plant

Agenda Item 2B
Date January 20, 2022

MEETING MINUTES OF DECEMBER 16, 2021

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON DECEMBER 16, 2021 AT 4:04 PM AND STAFF BY ZOOM CONFERENCE AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

BOARD MEMBERS PRESENT: M. Clark, C. Murray, J. Schriebman and C. Yezman

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Teresa Lerch, Board Secretary; Dale McDonald, District Treasurer

OTHERS PRESENT: Patrick Richardson and Dave Byers, District Counsel

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

1. PUBLIC COMMENT: None.

ACTION:

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON DECEMBER 16, 2021 , AT 4:07 PM, BY ZOOM CONFERENCE AND AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch left at 4:07 pm.
McDonald left at 4:15 pm

CLOSED SESSION:

PUBLIC EMPLOYMENT - INTERIM GENERAL MANAGER: pursuant to subdivision (b)(1) of Government Code Section 54957.

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of Government Code § 54956.9: Two potential cases.

ADJOURNMENT:

ACTION:

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on December 16, 2021 at 5:10 pm.

BOARD MEMBERS PRESENT: (By Roll Call): M. Clark , C. Murray, J. Schriebman, C. Yezman

STAFF PRESENT: Dale McDonald, District Treasurer; Teresa Lerch, District Secretary; Mike Cortez, District Engineer

OTHERS PRESENT: Pat Richardson, District Counsel; Patty Garbarino from Marin Sanitary Service; Garth Schultz from R3 Consulting Group;

PUBLIC COMMENT: None.

REPORT ON CLOSED SESSION: REPORT ON CLOSED SESSION: President Yezman reported that there were no reportable actions in Closed Session.

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 November 18, 2021
- B. Approve the Warrant List for December 16, 2021
- C. Approve Board Compensation for November, 2021
- D. Approve Resolution 2021- 2233 – Remote Meetings
- E. Approve Managers' and Unrepresented Employee Contracts and Resolution 2021-2234 Adopting a Pay Scale

Item E was discussed.

ACTION:

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

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

Item E was discussed. Clark requested a separate future agenda item to review the Board Secretary Salary.

ACTION:

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

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

3. INFORMATION ITEMS:

STAFF / CONSULTANT REPORTS:

- 1. Acting General Manager's Report – McDonald reported.
- 2. Department Reports – Administration and Engineering – McDonald and Cortez reported.

4. PUBLIC HEARING FOR ORDINANCE NO. 188 AMENDING TITLE 4, CHAPTER 1 – REGULATING SOLID WASTE, RECYCLABLE AND ORGANIC MATERIALS, AND THE COLLECITON, REMOVAL AND DISPOSAL THEREOF INCLUDING THE GARBAGE AND REFUSE RATE ADJUSTMENT FOR 2022

Garth Schultz from R3 Consulting and Patty Garbarino from Marin Sanitary Service were available to answer questions from the Board or the public.

OPENED PUBLIC HEARING – President Yezman opened the public hearing at 6:06 p.m.
No members of the Public attended.

CLOSED PUBLIC HEARING – President Yezman closed the public hearing at 6:07 p.m.

ACTION:

Board approved (M/S Murray/Schriebman 4-0-0-0) the adoption of Ordinance No 188, An Ordinance Amending Title 4, Chapter 1 of the District Ordinance Code and adjusting the garbage and refuse rate by 0.64% and directing its publication.

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

5. PRESENTATION AND RECEIPT OF THE ANNUAL FINANCIAL STATEMENT AND AUDITOR'S REPORT FOR THE YEAR ENDED JUNE 30, 2020

John Cropper of Cropper Accountancy presented the results of the Annual Financial Audit for the year ending June 30, 2021. Discussion ensued.

ACTION:

Board received (M/S Schriebman/Murray 4-0-0-0) the Annual Financial Statement and Auditor's report as presented for the year ending June 30, 2021.

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

6. BROWN AND CALDWELL CONTRACT EXTENSION

Board reviewed the Contract Amendment 2 for the Brown and Caldwell contract pertaining to the Secondary Treatment Plant Upgrade and Recycled Water project.

ACTION:

Board approved (M/S Murray/Schriebman 4-0-0-0) Contract Amendment 2 to the Brown and Caldwell Contract in the amount of \$39,202.

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

7. CONSIDER RESOLUTION 2021-2235 RECOGNIZING EMPLOYEES

Board reviewed Resolution 2021-2235 recognizing the dedication of the LGVSD employees during the pandemic. Discussion ensued. Board directed staff to work with District Counsel to formulate recognition in 2022. No action was taken by the Board.

8. BOARD TO CREATE A BIOSOLIDS AD HOC COMMITTEE

Board discussed creating a Biosolids Ad Hoc Committee. By consensus, Board created a Biosolids Ad Hoc Committee. Board President Yezman appointed herself and Director Schriebman on the Committee with Yezman as the chair.

9. PUBLIC COMMENT – none.

10. BOARD MEMBER REPORTS

1. CLARK

- a. NBWA Board Committee –verbal report
- b. NBWA Conference Committee – no report
- c. 2021 Employee Climate Survey Ad Hoc Committee- no report
- d. 2021 Operations Control Center Ad Hoc Committee – no report
- e. Other Reports–no report

2. MURRAY

- a. Marin LAFCO – verbal report
- b. CASA Energy Committee– no report
- c. Ad Hoc 2021 GM Recruitment Committee – no report
- d. 2021 Legal Services Ad Hoc Committee – no report
- e. 2021 Employee Climate Survey Ad Hoc Committee- no report
- f. Marin County Special Districts Association – verbal report
- g. Other Reports – verbal report

3. SCHRIEBMAN

- a. Gallinas Watershed Council/Miller Creek Watershed Council– verbal report
- b. JPA Local Task Force– no report
- c. NBWA Tech Advisory Committee– verbal report
- d. Other Reports- no report

4. YEZMAN

- a. Flood Zone 7– no report
- b. CSRMA – no report
- c. 2021 STPURWE Engineering Ad Hoc Committee– no report
- d. 2021 GM Recruitment Ad Hoc Committee – verbal report
- e. 2021 Legal Services Ad Hoc Committee – no report
- f. Other Reports–no report

11. BOARD REQUESTS:

- A. Board Meeting Attendance Requests-none.
- B. Board Agenda Item Requests- Clark requested the following agenda items - the salary disparity between the District Secretary and the Administrative/Financial Specialist, discussion on COVID-19 vaccinations, Grant opportunities, establishing an Ad hoc HR committee, and sewer service charge relief for low income residents.
- C. Board Secretary Lerch reminded the Board of the upcoming meetings:

January 4, 2022	3 PM	Special Board Meeting
January 6, 2022	4 PM	Regular Board Meeting
January 20, 2022	4 PM	Regular Board Meeting

 The Celebration of Rabi Elias's 8 years as Board director will be on December 20, 4 PM at Crave Restaurant in Novato.

12. VARIOUS INDUSTRY RELATED ARTICLES – discussion ensued.

13. ADJOURNMENT:

ACTION:

Board approved (M/S Schriebman/Murray 4-0-0-0) the adjournment of the meeting at 7:37 pm.

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

The next Board Meeting is scheduled for Tuesday, January 4th at 3 pm by Zoom meeting.

ATTEST:

Teresa Lerch, District Secretary

APPROVED:

Crystal J. Yezman, Board Vice-President

MEETING MINUTES OF JANUARY 4, 2022

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION BY ZOOM CONFERENCE ON JANUARY 4, 2022 AT 3:03 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, SAN RAFAEL, CALIFORNIA.

BOARD MEMBERS PRESENT: M. Clark, Murray, J. Schriebman and C. Yezman

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Dale McDonald, District Treasurer

OTHERS PRESENT: Patrick Richardson, District Counsel

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

1. PUBLIC COMMENT: None

2. BOARD APPLICATION REVIEW AND DISCUSSION

The Board reviewed the applications submitted and selected their interview questions. Discussion ensued.

3. BOARD MEMBER APPLICANT INTERVIEWS

The Board conducted interviews based upon submitted applications to fill the vacancy on the Board in accordance with Government Code 1780. The candidates were interviewed in the order as follows:

1. Ronald Ford
2. Russ Greenfield

Following the interviews, the Board began deliberations in order to appoint a person to fill a vacant position on the Board. Discussion ensued.

ACTION:

Board approved (M/S Schriebman/Clark 3-1-0-0) selecting candidate Ronald Ford effective immediately as a recommendation to the Marin County Board of Supervisors as their choice to fill the vacant LGVSD Board position.

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

4. ADJOURNMENT:

ACTION:

Board approved (M/S Schriebman/Clark 4-0-0-0) the adjournment of the meeting at 4:10 PM

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

The next Board Meeting is scheduled January 6, 2022 4:00 PM at the District office and by Zoom meeting.

ATTEST:

Dale McDonald, Treasurer

APPROVED:

Crystal Yezman, Board Vice-President

SEAL

Las Gallinas Valley Sanitation District
Warrant List 1/20/2022 DRAFT

Agenda Item 2C
Date January 20, 2022

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	1/20/2022	N/A	GraphicSmith LLC	109.20		109.20	Internet Website Design- December
31	1/20/2022	ACH	Hanford ARC	5,061.00		5,061.00	Lower Miller Creek Weed Management and Irrigation Maintenance- December
32	1/20/2022	N/A	Hazen & Sawyer	13,200.00		13,200.00	Engineering Support Services, Digester Room MCC-2 Upgrades, Flow Equalization System- December
33	1/20/2022	N/A	IEDA, Inc.	7,919.00		7,919.00	Labor Relations Consulting 1/1/22 - 6/30/22 Per Contract
34	1/20/2022	N/A	Jefferson Security	255.00		255.00	Alarm Service at 300 Smith Ranch Rd. 1/1 - 3/31
35	1/20/2022	ACH	Kenwood Energy	4,031.25		4,031.25	Solar Panel Replacement Assistance - December
36	1/20/2022	N/A	Kyocera Document Solutions	50.00		50.00	Consulting on New Copy Machines
37	1/20/2022	N/A	Marin Ace	6.86		6.86	Misc. Supplies
38	1/20/2022	N/A	Marin Fence Company	175.00		175.00	Remove Wiring on Existing Photobeam and Service Gate as Requested
39	1/20/2022	N/A	Marin Water	6,140.84		6,140.84	Water Use at Plant and Pump Stations - 10/19 - 12/17
40	1/20/2022	ACH	Murray, Craig	125.00		125.00	Medical Reimbursement
41	1/20/2022	N/A	North Bay Petroleum	1,445.12		1,445.12	Unleaded Fuel Delivery
42	1/20/2022	N/A	Novato Toyota	376.12		376.12	Service on Rav4 (GM Vehicle)
43	1/20/2022	N/A	Pace Supply	149.80		149.80	Flanges & Gaskets for Grit Washers
44	1/20/2022	N/A	Pacific Gas & Electric	6,987.73		6,987.73	Electricity at Plant - 11/29 - 12/26
45	1/20/2022	N/A	Pacific Gas & Electric	7,970.04		7,970.04	Electricity at Pump Stations - 11/17- 12/16
46	1/20/2022	N/A	Rathlin Properties	9,071.00		9,071.00	Office Rentals at 101 Lucas Valley Rd.- Feb
47	1/20/2022	N/A	ReinTech	350.00		350.00	Annual RC10 Satellite Subscription
48	1/20/2022	ACH	Retiree Augusto	145.65		145.65	Retiree Health - Feb
49	1/20/2022	ACH	Retiree Burgess	153.53		153.53	Retiree Health - Feb
50	1/20/2022	ACH	Retiree Cummins	153.53		153.53	Retiree Health - Feb
51	1/20/2022	ACH	Retiree Cutri	440.30		440.30	Retiree Health - Feb
52	1/20/2022	ACH	Retiree Emanuel	232.94		232.94	Retiree Health - Feb
53	1/20/2022	ACH	Retiree Gately	158.44		158.44	Retiree Health - Feb
54	1/20/2022	ACH	Retiree Guion	158.44		158.44	Retiree Health - Feb
55	1/20/2022	ACH	Retiree Johnson	1,404.80		1,404.80	Retiree Health - Feb- Re-Enrolled with CalPERS in December. Includes January Payment.
56	1/20/2022	ACH	Retiree Kermoian	153.53		153.53	Retiree Health - Feb
57	1/20/2022	ACH	Retiree Mandler	153.53		153.53	Retiree Health - Feb

**Las Gallinas Valley Sanitation District
Warrant List 1/20/2022 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
58	1/20/2022	ACH	Retiree McGuire	625.00		625.00	Retiree Health - Feb
59	1/20/2022	ACH	Retiree Memmott	153.53		153.53	Retiree Health - Feb
60	1/20/2022	ACH	Retiree Petrie	145.65		145.65	Retiree Health - Feb
61	1/20/2022	ACH	Retiree Pettey	153.53		153.53	Retiree Health - Feb
62	1/20/2022	ACH	Retiree Reetz	456.06		456.06	Retiree Health - Feb
63	1/20/2022	ACH	Retiree Reilly	153.53		153.53	Retiree Health - Feb
64	1/20/2022	ACH	Retiree Vine	153.53		153.53	Retiree Health - Feb
65	1/20/2022	ACH	Retiree Wettstein	667.00		667.00	Retiree Health - Feb
66	1/20/2022	ACH	Retiree Williams	667.00		667.00	Retiree Health - Feb
67	1/20/2022	N/A	Satcom Global	160.57		160.57	SIM Cards for Satalite Phones
68	1/20/2022	ACH	Schriebman, Judy	200.00		200.00	Medical Reimbursment
69	1/20/2022	N/A	T&T Valve and Instrument	2,933.25		2,933.25	Pneumatic Actuator X 3
70	1/20/2022	N/A	United Site Services	602.55		602.55	Porta Potties for Water Stopages - Dec/Jan
71	1/20/2022	ACH	Univar	17,681.75		17,681.75	Sodium Bisulfite & Sodium Hypochlorite
72	1/20/2022	N/A	USA Blue Book	371.42		371.42	"Sludge Judge" Polycarbonate Tube
73	1/20/2022	EFT	Verizon Wireless	2,397.14		2,397.14	Cell Phones, Pump Stations & SCADA Nov 26- Dec 26
74	1/20/2022	EFT	Vision Service Plan	433.80		433.80	EE Vision for January
75	1/20/2022	N/A	Water Components & Building Supply	601.84		601.84	Misc. Flanges & Gaskets
76	1/20/2022	ACH	WECO	603.04		603.04	Manhole Roller Safety Cover
77	1/20/2022	EFT	WEX Health	50.00		50.00	FSA Administration Fee - December
78	1/20/2022	ACH	Yezman, Crystal	200.00		200.00	Medical Reimbursment

Las Gallinas Valley Sanitation District Warrant List 1/20/2022 DRAFT						
Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items

Do not change any formulas below this line.

TOTAL \$ 539,075.76 \$ - \$ 539,075.76

EFT1	EFT1 = Payroll (Amount Required)	128,495.26		128,495.26	Approval:
EFT2	EFT2 = Bank of Marin loan payments	0.00		0.00	Finance
PC	Petty Cash Checking	0.00		0.00	
>1	Checks (Operating Account)	0.00		0.00	GM
N/A	Checks - Not issued	147,063.82		147,063.82	
EFT	EFT = Vendor initiated "pulls" from LGVSD	41,836.04		41,836.04	Board
ACH	ACH = LGVSD initiated "push" to Vendor	221,680.64		221,680.64	
Total		<u>\$ 539,075.76</u>		<u>\$ 539,075.76</u>	

Difference: \$ -

STPURWE Costs 5,775.00

Agenda Item 2D
Date January 20, 2012

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	4
Rabi Elias	1
Craig Murray	6
Judy Schriebman	3
Crystal Yezman	<u>3</u>
Total	<u><u>17</u></u>

Meeting Date: 12/20/2021
Paydate: 12/28/2021



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Megan Clark Month: December 2021

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/2/21	Regular Meeting	✓	
12/16/21	Regular	✓	
TOTAL		2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/14/21	NBWA Meeting	✓	
12/10/21	NBWA Steering Committee	✓	
TOTAL		2	

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

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

Megan Clark (TC)
 Director Signature

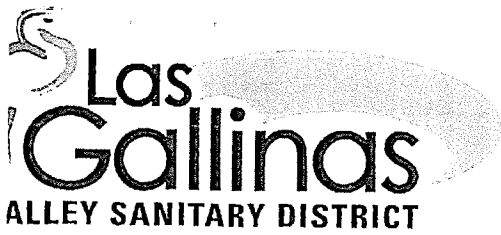
January 12, 2022
 Date

[Signature]
 Administrative Services Manager Approved

1/12/2022
 Date

[Signature]
 Board Secretary Received

1-12-22
 Date



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Rabi Elias Month: Dec. 2021

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/2/21	Regular	✓	
TOTAL		1	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
TOTAL		1	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	1
--	---

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

R. Elias
Director Signature

1-3-22
Date

[Signature]
Administrative Services Manager Approved

1/12/22
Date

[Signature]
Board Secretary Received

1-3-22
Date



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

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MURRAY, Craig K. Month: December 2021

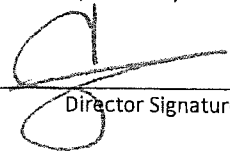
Board Members shall be compensated for up to the legal limit of six (6) meeting per month and one (1) per day. Board members are limited to four (4) conferences or seminars per year. For multi-day conferences, compensation shall be at a maximum of one (1) meeting per day.

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/2/21	Board Meeting	X	
12/7/21	GM Ad Hoc Committee Review	X	
12/16/21	Board Meeting	X	
TOTAL		3/3	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/1/21	Marin County Special Districts Association, Executive Officers Meeting, Marin Co. Finance – Roy Givens; Co. Supv. Rodoni		X
12/5,19,26/21	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 12/5 0.5 hours; 12/19 1.0 hours; 12/26 0.5 hours;		XXX
12/7/21	RCAC Storage & Distribution	X	
12/9/21	Marin LAFCo Commission Meeting		X
12/14/21	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting	X	
12/15/21	RCAC Arsenic	X	
TOTAL		3/8	

Total Meetings for which I am Requesting Payment: Max of six (6) per Health & Safety Code §4733	6/11
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I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.

 Craig K. Murray
Director Signature

December 30, 2021
Date



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

Office: 415.472.1734 Fax: 415.499.7715

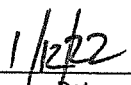
BOARD MEMBER ATTENDANCE FORM



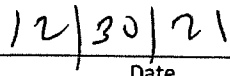
Administrative Services Manager Approved



Board Secretary Received



Date



Date



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Judy Schriebman Month: Dec. 2021

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/2	Reg mtg	x	
12/16	Reg mtg	X	
TOTAL		2:2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/1	GWC Meeting	X	
TOTAL		1:1	

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

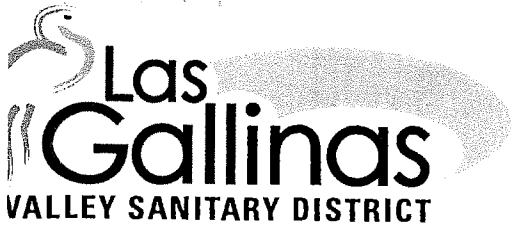
Judy Schriebman
Signature

[Signature]
Approved By/ Date

12/27/2021
Date

1/12/22
Pay Date

[Signature]
28 12/27/21



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

BOARD MEMBER ATTENDANCE FORM

Director's Name: Yezman Month: Dec 2021

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/16/21	Regular Board Mtg	X	
TOTAL		1	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
12/16/21	GM Ad Hoc Meeting	X	
12/30/21	Engineering Subcommittee Meeting	X	
TOTAL		2	

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

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

Director Signature

Administrative Services Manager Approved

01/02/21
 Date

1/12/22
 Date

Board Secretary Received

1/3/22
 Date

1/20/2022

Acting General Manager Report

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



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

MANAGEMENT TEAM	DISTRICT BOARD
General Manager, Vacant	Megan Clark
Plant Operations, Mel Liebmann	Ronald Ford
Collections/Safety/Maintenance, Greg Pease	Craig K. Murray
Engineering, Michael P. Cortez	Judy Schriebman
Administrative Services, Dale McDonald	Crystal J. Yezman

Agenda Item 3.2
Date January 10, 2022

January 10, 2022

The Honorable Dianne Feinstein
 U.S. Senate
 Washington D.C., 20510

Dear Senator Feinstein:

We write to express our concerns about ongoing efforts to address threats posed by per- and polyfluoroalkyl substances (PFAS) and, specifically, proposals to designate PFAS as a hazardous substance under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). As the Senate considers legislation to address PFAS contamination and liability for cleanups, we urge that you explicitly exempt clean water agencies (POTWs) from CERCLA liability and ensure that the polluter pays principle remains the foundation of CERCLA for the reasons discussed below.

In addition to the treatment plant, other aspects of LGVSD include solar generation, a garbage franchise and a multi-faceted reclamation project which includes a freshwater marsh, irrigated pastures, storage ponds and saltwater marsh – all of which are home to area wildlife, and provide access and recreation for the public. Given the unique low-lying creek and bayside location of the District’s service area, strict attention is given to the treatment process and green practices are an ongoing goal of LGVSD. Approximately 2/3’s of the District’s treated water (effluent) is recycled. The LGVSD/MMWD recycled water is utilized within the LGVSD boundaries.

PFAS are a group of man-made chemicals used in a plethora of everyday commercial products, including cookware, food packaging, carpets, textiles, and cosmetics to name a few. POTWs provide essential public health and environmental services through the treatment of wastewater, which allows water and biosolids to be safely recycled and returned to the environment. POTWs receive and reflect what is used in society. As a result, POTWs are passive recipients of PFAS: we neither produce nor use them.

In October, the U.S. Environmental Protection Agency (USEPA) published the Strategic PFAS Roadmap, elements of which were included in the PFAS Action Act of 2021 (H.R. 2467). We note that the House passed the PFAS Action Act in August, and the Senate has yet to act on the legislation. We strongly support addressing PFAS through source control and sound science as articulated in some of the elements of H.R. 2467. This includes the disclosure of the introduction of PFAS into a POTW by owners and operators of industrial sources. Unfortunately, H.R. 2467 also includes a mandate to designate PFAS chemicals as hazardous substances under CERCLA. We are concerned that this could have a range of potentially serious consequences for agencies that recycle their wastewater, discharge their effluent, and/or land apply biosolids that are a beneficial byproduct of the wastewater treatment process.



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

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

It is uncertain how many groundwater basins or surface water bodies receiving wastewater effluent or recycled water could be deemed a Superfund site. However, it remains a very real possibility that CERCLA designation of this family of chemicals would impose significant and unwarranted liability on local wastewater agencies and their ratepayers. Designating PFAS chemicals as hazardous substances under CERCLA would trigger strict, joint and several joint liability for those entities that contribute any PFAS to a particular site. Even if such the contribution by the POTW is de minimis and entirely unavoidable, as is generally the case of clean water agencies, that agency could potentially be subject to being included in litigation to clean up the site or to pay for any damages.

As such, we strongly request an exemption from CERCLA liability for clean water agencies be provided to safeguard POTWs and biosolids managers from unreasonable and unwarranted liability simply because these agencies are receivers of PFAS while delivering critical public health services

Additionally, we endorse recent congressional actions that would provide federal assistance to clean water agencies to implement pretreatment programs related to PFAS management and discharge. Source control of these chemicals is the most appropriate and effective approach to protect public health and the environment. A clean water agency that complies with applicable and appropriate federal management and treatment standards must not be responsible for current and future costs associated with PFAS cleanup.

It is vital that you secure an exemption for these agencies from CERCLA, no less than that contemplated in H.R. 2467 for our nation's airports. Assigning liability and responsibility to Las Gallinas Valley Sanitary District, our ratepayers and similar agencies is simply not good public policy.

Please do not hesitate to contact Dale McDonald, Acting District Manager, 415-526-1519 should you have any questions.

Thank you,

A handwritten signature in black ink, appearing to read "Dale McDonald", written over a white background.

Dale McDonald
Acting District Manager
415-526-1519



101 Lucas Valley Road, Suite 300
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MANAGEMENT TEAM
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DISTRICT BOARD
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Judy Schriebman
Crystal J. Yezman

January 10, 2022

The Honorable Alex Padilla
U.S. Senate
Washington D.C., 20510

Dear Senator Padilla:

We write to express our concerns about ongoing efforts to address threats posed by per- and polyfluoroalkyl substances (PFAS) and, specifically, proposals to designate PFAS as a hazardous substance under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). As the Senate considers legislation to address PFAS contamination and liability for cleanups, we urge that you explicitly exempt clean water agencies (POTWs) from CERCLA liability and ensure that the polluter pays principle remains the foundation of CERCLA for the reasons discussed below.

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PFAS are a group of man-made chemicals used in a plethora of everyday commercial products, including cookware, food packaging, carpets, textiles, and cosmetics to name a few. POTWs provide essential public health and environmental services through the treatment of wastewater, which allows water and biosolids to be safely recycled and returned to the environment. POTWs receive and reflect what is used in society. As a result, POTWs are passive recipients of PFAS: we neither produce nor use them.

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Judy Schriebman
Crystal J. Yezman

It is uncertain how many groundwater basins or surface water bodies receiving wastewater effluent or recycled water could be deemed a Superfund site. However, it remains a very real possibility that CERCLA designation of this family of chemicals would impose significant and unwarranted liability on local wastewater agencies and their ratepayers. Designating PFAS chemicals as hazardous substances under CERCLA would trigger strict, joint and several joint liability for those entities that contribute any PFAS to a particular site. Even if such the contribution by the POTW is de minimis and entirely unavoidable, as is generally the case of clean water agencies, that agency could potentially be subject to being included in litigation to clean up the site or to pay for any damages.

As such, we strongly request an exemption from CERCLA liability for clean water agencies be provided to safeguard POTWs and biosolids managers from unreasonable and unwarranted liability simply because these agencies are receivers of PFAS while delivering critical public health services

Additionally, we endorse recent congressional actions that would provide federal assistance to clean water agencies to implement pretreatment programs related to PFAS management and discharge. Source control of these chemicals is the most appropriate and effective approach to protect public health and the environment. A clean water agency that complies with applicable and appropriate federal management and treatment standards must not be responsible for current and future costs associated with PFAS cleanup.

It is vital that you secure an exemption for these agencies from CERCLA, no less than that contemplated in H.R. 2467 for our nation's airports. Assigning liability and responsibility to Las Gallinas Valley Sanitary District, our ratepayers and similar agencies is simply not good public policy.

Please do not hesitate to contact Dale McDonald, Acting District Manager, 415-526-1519 should you have any questions.

Thank you,

Dale McDonald
Acting District Manager
415-526-1519



Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
 (415) 526-1519 dmcDonald@lgvSD.org
Meeting Date: January 20, 2022
Re: Quarterly Financial Reports & Treasurer’s Report as of December 31, 2021
Item Type: Consent _____ Action _____ Information X Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

STAFF RECOMMENDATION

Information only

BACKGROUND

Treasurer’s Report:

Pursuant to the State of California Government Code Section 56300, and the District’s investment policy adopted on February 23, 2017, and industry best practices, staff prepares a quarterly report on the District’s cash position, investments, and liquidity.

As specified in California Government Code Section 53646(e), if all funds are placed in Local Agency Investment Fund (LAIF), FDIC-insured accounts and/or in a county investment pool, the reporting elements may be replaced by copies of the latest statements from such institutions.

The attached Treasurer’s Report presents the District’s bank and investment account balances as of December 31, 2021. Total Cash and Investments of \$40.3 million, including California Infrastructure and Economic Development Bank (IBank) Infrastructure State Revolving Fund (ISRF), reflect a decrease of \$7.0 million during the previous twelve-month period. This decrease is the result of major capital project expenditures from funds that were accumulated specifically for those capital projects.

Included with the Treasurer’s Report are the LAIF remittance advices from the State Controller’s Office which includes report on earnings ratio, interest rate, and current market value. The LAIF report for the quarter ending September 30, 2021 shows the interest rate of 0.24%, down from 0.33%. The LAIF report for the quarter ending December 31, 2021 is pending as of this writing and will be distributed prior to the Board meeting.

The District’s investments comply with its investment policy and the District has sufficient funds available to meet its obligations for the next six months.

Quarterly Financial Report:

Quarterly reviews can include comparisons of financial plans and budgets, current forecasts, and actual results. Highlights and summaries of financial activities can be provided. The following items are highlights as of December 31, 2021:



Treasurer's Report on Operating and Investment Accounts

- Operating accounts total \$11,481,842 as of December 31, 2021. The operating account balance is higher than previous year because the property tax and sewer use charge assessments from the County received in December were not transferred to the Local Agency Investment Fund (LAIF) until mid-January. The operating account fluctuates based on operating needs.
- An internal audit adjustment of the Marin Lagoon and Captains Cove accounts is pending. Quarterly billing and fund transfer reconciliations have not been completed since March 2019. Funds that should have been allocated to these two special operating accounts have remained in the primary Operating account. Based on prior historical fund transfers it is estimated that \$51,000 will be transferred to the Captains Cove account and \$92,000 will be transferred to the Marin Lagoon account.
- Two disbursements from IBank in the amount of \$4,004,055.39 were received this quarter with a remaining balance in the account of \$2,086,86.48 as of December 31, 2021. The remaining funds will be used over the next few months towards construction progress payments for the Secondary Treatment Plant Upgrade Recycled Water Expansion (STPURWE) project.
- Capital Project Reserve Fund Money Market account 3983 at the Bank of Marin holds the Marin Municipal Water District (MMWD) buy-in and debt service payments reserved for the STPURWE Project. Annual Percentage Yield earned is 0.07%. The reserve increase of \$1,031,893 over last year is primarily attributable to MMWD buy-in and debt service payment that have been transferred into the fund. The fund will begin to be drawn down in early 2022 to pay for ongoing STPURWE project costs.

Other Highlights

Cropper Accountancy completed the District's annual Financial Audit and Auditor's Report for 2020-21 on December 10, 2021.

Profit & Loss Budget vs. Actual Summary through December 31, 2021 is being provided for the Board's review. A detailed mid-year budget review will be undertaken and presented to the Board in February.

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

None

**Las Gallinas Valley Sanitary District
Treasurer's Report - Operating and Investment Accounts
December 31, 2021**

I. Account Summary: Bank and Investment Accounts Accounts Summary	December		Change from Previous Year
	2021	2020	
Summary of Bank and Investment Accounts OPERATIONS:			
Bank of Marin			
Operating Accounts	11,481,842	4,036,493	7,445,349
Liquid Savings	225,596	225,269	327
Private Sewer Lateral Rehab	380,241	180,674	199,568
Surcharge-Marin Lagoon	84,656	84,534	123
Surcharge-Captains Cove	17,279	17,254	25
Connection Fee	766,370	122,603	643,767
Capital Project Reserve Fund Money Market 3983	3,643,430	2,611,199	1,032,231
Petty cash	932	708	224
Investment Accounts			
Debt Service Reserve-Recycled Water	600,419	598,205	2,214
Debt Service Reserve-SRF Loan	300,828	299,719	1,109
Local Agency Investment Fund	<u>19,455,004</u>	<u>28,304,541</u>	<u>(8,849,536)</u>
Cash and Investments	<u>\$ 36,956,599</u>	<u>\$ 36,481,199</u>	<u>\$ 475,401</u>
IBANK ISRF AGREEMENT:	3,369,841	10,856,714	(7,486,873)
RESTRICTED 2017 BOND			
US Bank Bond & Cost of Issuance Funds	<u>\$ 116</u>	<u>\$ 112</u>	<u>\$ 4</u>
TOTAL CASH AND INVESTMENTS	<u>\$ 40,326,557</u>	<u>\$ 47,338,024</u>	<u>\$ (7,011,468)</u>


II. Account Activity for Bank of Marin Accounts

Bank of Marin operating account activity is for paying regular operating expenses of the District. Funds are transferred from the Liquid Savings to the Operating account as needed.

Statement of Compliance:

The investments accounts are invested in compliance with the District's investment policy, adopted at the February 23, 2017 Board meeting and California Government Code Section 53600. In addition, the District does have the financial ability to meet its cash flow requirements for the next six months.

Prepared by: 
Dale McDonald, Administrative Services Manager

Approved by: 
Dale McDonald, Acting General Manager



BETTY T. YEE

California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name

LAS GALINAS VLY SANITARY DIST

Account Number

70-21-005

As of 10/15/2021, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 09/30/2021.

Earnings Ratio		.00000661958813242
Interest Rate		0.24%
Dollar Day Total	\$	2,256,226,261.56
Quarter End Principal Balance	\$	22,223,043.99
Quarterly Interest Earned	\$	14,935.29



PO Box 2039
Novato, CA 94948-2039

00008175 BOMB1110010122064509 01 0000

LAS GALLINAS VALLEY SANITARY DISTRICT
101 LUCAS VALLEY RD SUITE 300
SAN RAFAEL CA 94903-1795

Account Number: 3983
Statement Period: 11/30/21 - 12/31/21
Page: 1 of 1

Customer Service Information

Branch: 415-472-2265
Touch Tone Banking: 800-654-5111

Lost or Stolen Card:
24 hours 7 days per week 866-626-6004

Written Inquiries:
5800 NORTHGATE MALL, SUITE #51
SAN RAFAEL CA 94903

Visit us Online: www.bankofmarin.com

Account Summary for PUBLIC FUNDS MMKT 3983

Beginning Balance as of 11/30/21	\$3,643,229.27	Annual Percentage Yield Earned	0.07%
+ Deposits and Credits (1)	201.12	Average Balance for APY	\$3,643,229.27
- Withdrawals and Debits (0)	0.00	Interest Earned	\$201.12
Ending Balance as of 12/31/21	\$3,643,430.39	Interest Paid Year to Date	\$2,209.23
		Interest Bearing Days	31

Credits

Date	Description	Additions
12/31	Interest	201.12

Daily Balances

Date	Balance	Date	Balance
11/30	3,643,229.27	12/31	3,643,430.39

Overdraft/Return Item Fees

Description	Total This Period	Total Year to Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



Bank of Marin Launches Zelle® for Personal Banking

Personal banking customers can now enroll for Zelle® to send and receive money using a U.S. mobile number or email address.

For more information, speak to one of our bankers or scan the QR code to go to bankofmarin.com/zelle



Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual July through December 2021

Ordinary Income/Expense	Jul - Dec 21	Budget	\$ Over Budget	% of Budget
Income				
Total 9011 · Sewer Use Charge	8,945,546.37	15,648,637.00	-6,703,090.63	57.17%
9880 · Recycled Water	9,979.75	529,400.00	-519,420.25	1.89%
9022 · Permits and Inspection Fees	28,500.00	82,650.00	-54,150.00	34.48%
9024 · Application Fees	0.00	4,660.00	-4,660.00	0.0%
9101 · Private Sewer Lateral Program	61,815.34	138,800.00	-76,984.66	44.54%
9773 · Miscellaneous Income	500.00	750.00	-250.00	66.67%
Total 9000 · Property Tax Revenue	726,612.63	1,130,170.00	-403,557.37	64.29%
Total 9040 · Supp. Assmnts - Property Tax	7,525.45	18,976.00	-11,450.55	39.66%
9046 · ERAF	319,907.55	451,000.00	-131,092.45	70.93%
9280 · HOPTR	648.42	3,733.00	-3,084.58	17.37%
9021 · Franchise Revenue	81,133.94	151,938.00	-70,804.06	53.4%
9010 · Federal and State Grants	5,000.00	5,000.00	0.00	100.0%
9033 · Insurance Dividends	0.00	23,261.00	-23,261.00	0.0%
9023 · Connection Fees CapX	449,126.10	35,341.00	413,785.10	1,270.84%
9881 · MMWD Reimbursement CapX	103,274.26	694,294.00	-591,019.74	14.88%
9100 · Reimbursements	0.00	41,000.00	-41,000.00	0.0%
Total 9200 · Interest Income	19,203.02	153,482.00	-134,278.98	12.51%
Total Income	10,758,772.83	19,113,092.00	-8,354,319.17	56.29%
Expense				
1001 · Employee Costs				
1001.1 · Salaries				
1003 · Regular Staff Salaries	1,575,255.13	4,159,900.00	-2,584,644.87	37.87%
1008 · Overtime	55,976.11	118,140.00	-62,163.89	47.38%
1011 · Doubletime	18,195.91	0.00	18,195.91	100.0%
1010 · Stand By (pre-2008 Sick Pay)	41,885.76	82,340.00	-40,454.24	50.87%
1005 · Contract Personnel	97,679.00	0.00	97,679.00	100.0%
1004 · Extra Hire	0.00	21,980.00	-21,980.00	0.0%
1036 · Director's Compensation	58,988.30	72,590.00	-13,601.70	81.26%
Total 1001.1 · Salaries	1,847,980.21	4,454,950.00	-2,606,969.79	41.48%
1001.2 · Employee Benefits				
1009 · Vacation/Sick Accrual	0.00	64,000.00	-64,000.00	0.0%
1037 · Directors Health Benefits	7,058.44	9,950.00	-2,891.56	70.94%
1404 · Social Security Expense	109,406.42	338,600.00	-229,193.58	32.31%
1502 · Group Life Insurance	3,744.61	9,440.00	-5,695.39	39.67%
Total 1506 · Pension Expense	437,690.10	750,300.00	-312,609.90	58.34%
Total 1509 · Health Insurance	359,159.62	750,530.00	-391,370.38	47.85%
1510 · Dental Insurance	5,953.34	25,800.00	-19,846.66	23.08%
1514 · Vision Services	1,389.63	4,410.00	-3,020.37	31.51%
1516 · Long Term Disability	12,624.68	30,090.00	-17,465.32	41.96%
2006 · Auto Allowance	4,790.76	14,700.00	-9,909.24	32.59%
2007 · Commute Stipend	78,096.40	36,470.00	41,626.40	214.14%
Total 1001.2 · Employee Benefits	1,019,914.00	2,034,290.00	-1,014,376.00	50.14%
1006 · Payroll Processing Fees	11,576.25	22,150.00	-10,573.75	52.26%
Total 1001 · Employee Costs	2,879,470.46	6,511,390.00	-3,631,919.54	44.22%

Las Gallinas Valley Sanitary District Profit & Loss Budget vs. Actual July through December 2021

	<u>Jul - Dec 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Total 2059 · Insurance	127,574.40	308,500.00	-180,925.60	41.35%
2080 · Repairs and Maintenance				
2083 · Vehicle Parts & Repairs	16,571.89	42,500.00	-25,928.11	38.99%
2096 · Building Maintenance	10,845.55	47,300.00	-36,454.45	22.93%
2097 · Grounds Maintenance	35,453.00	67,400.00	-31,947.00	52.6%
2538 · Power Generation Maint.& Rep	10,445.00	30,700.00	-20,255.00	34.02%
2365 · Equipment Maint	14,949.18	66,200.00	-51,250.82	22.58%
2366 · Equipment Repair	68,106.73	227,000.00	-158,893.27	30.0%
2367 · Capital Repalcement	28,152.98	318,500.00	-290,347.02	8.84%
Total 2080 · Repairs and Maintenance	184,524.33	799,600.00	-615,075.67	23.08%
Total 2331 · Reclamation Expenses	142,744.50	198,300.00	-55,555.50	71.98%
Total 2101 · Chemicals and Lab Supplies	102,663.99	213,700.00	-111,036.01	48.04%
Total 2111 · Pollution Prevention	2,048.95	22,800.00	-20,751.05	8.99%
2117 · Lab Contract Services	15,304.30	47,000.00	-31,695.70	32.56%
2249 · Small Tools	3,301.01	28,100.00	-24,798.99	11.75%
2320 · Outside Services				
2321 · Personnel	37,369.35	133,100.00	-95,730.65	28.08%
2322 · General	12,705.67	0.00	12,705.67	100.0%
2323 · Labor Relations	7,919.00			
2324 · Janitorial	12,518.54	17,700.00	-5,181.46	70.73%
2326 · Other Outside Services	15,338.00	0.00	15,338.00	100.0%
2327 · Uniform Maintenance	6,560.26	11,700.00	-5,139.74	56.07%
2360 · Other Consultants	61,537.48	131,200.00	-69,662.52	46.9%
2320 · Outside Services - Other	0.00	88,200.00	-88,200.00	0.0%
Total 2320 · Outside Services	153,948.30	381,900.00	-227,951.70	40.31%
2330 · Damage Claims	0.00	20,000.00	-20,000.00	0.0%
2356 · Engineering				
2357 · Environmental	62,232.01	146,500.00	-84,267.99	42.48%
2358 · General Small Projects	0.00	63,200.00	-63,200.00	0.0%
2359 · Feasibility Studies	55,270.41	55,000.00	270.41	100.49%
Total 2356 · Engineering	117,502.42	264,700.00	-147,197.58	44.39%
2362 · General Operating Supplies	40,906.29	45,300.00	-4,393.71	90.3%
Total 2530 · Utilities	165,805.76	411,700.00	-245,894.24	40.27%
Total 2501 · Fuels	11,212.71	41,100.00	-29,887.29	27.28%
2389 · Misc Safety Exp - Lgvsd only	32,882.49	35,700.00	-2,817.51	92.11%
2397 · Safety Contractor Services	28,948.00	69,500.00	-40,552.00	41.65%
2801 · Lateral Rehab Assistance Prog	26,400.00	100,000.00	-73,600.00	26.4%
2400 · General and Administrative				
2133 · Office Supplies & Expense	19,669.52	33,100.00	-13,430.48	59.43%
2134 · Meeting Supplies	1,096.24	1,600.00	-503.76	68.52%
2135 · Bank Charges	0.00	1,500.00	-1,500.00	0.0%
2137 · Donations - Prop 218 Compliant	10,500.00			
2221 · Publications & Legal Ads	6,112.31	16,300.00	-10,187.69	37.5%
2223 · Public Education	27,981.60	61,200.00	-33,218.40	45.72%
2246 · Rents & Leases - Office & Equip	118,028.00	171,900.00	-53,872.00	68.66%

Las Gallinas Valley Sanitary District
Profit & Loss Budget vs. Actual
July through December 2021

	<u>Jul - Dec 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
2264 · Taxes, Other	0.00	900.00	-900.00	0.0%
2272 · Memberships	62,114.54	49,200.00	12,914.54	126.25%
2363 · Permits and Fees	44,728.16	96,500.00	-51,771.84	46.35%
2477 · Conferences	2,960.69	51,600.00	-48,639.31	5.74%
2479 · Mileage & Travel	864.87	5,200.00	-4,335.13	16.63%
2713 · Legal	70,221.67	115,000.00	-44,778.33	61.06%
2716 · Computer Software & Services	58,128.54	110,900.00	-52,771.46	52.42%
2717 · Audit	26,700.00	25,100.00	1,600.00	106.38%
2718 · Financial Services	0.00	16,000.00	-16,000.00	0.0%
9778 · User Chg / Collection Fee Exp.	21,758.69	41,200.00	-19,441.31	52.81%
9786 · Employee Recognition	1,341.50	9,000.00	-7,658.50	14.91%
9787 · Employee Education & Training	3,528.00	25,700.00	-22,172.00	13.73%
9999 · Miscellaneous expense	3,046.13	1,300.00	1,746.13	234.32%
Total 2400 · General and Administrative	478,780.46	833,200.00	-354,419.54	57.46%
9800 · Debt Service				
9810 · Principal Payments				
9811 · 2004 COP/Refunded Principal	610,000.00	610,000.00	0.00	100.0%
9812 · IBank Principal	349,178.75	349,179.00	-0.25	100.0%
9813 · State Revolving Fund Loan Princ	0.00	207,351.00	-207,351.00	0.0%
9814 · 2011Bank of Marin Loan Principa	132,022.50	219,917.00	-87,894.50	60.03%
9815 · 2012Bank of Marin Loan Principa	133,189.04	222,485.00	-89,295.96	59.86%
9816 · 2017 Revenue Bonds Principal	0.00	1,070,000.00	-1,070,000.00	0.0%
Total 9810 · Principal Payments	1,224,390.29	2,678,932.00	-1,454,541.71	45.7%
9820 · Interest Payments				
9821 · 2004 COP/Refunded Interest	45,496.00	99,125.00	-53,629.00	45.9%
9822 · IBank Loan Interest	193,069.80	334,718.00	-141,648.20	57.68%
9823 · State Revolving Fund Loan Inter	-6,042.89	78,113.00	-84,155.89	-7.74%
9824 · 2011Bank of Marin Loan Interest	56,121.66	112,765.00	-56,643.34	49.77%
9825 · 2012Bank of Marin Loan Interest	3,610.61	12,861.00	-9,250.39	28.07%
9826 · 2017 Revenue Bonds Interest	-344,450.00	1,377,800.00	-1,722,250.00	-25.0%
9820 · Interest Payments - Other	688,900.00			
Total 9820 · Interest Payments	636,705.18	2,015,382.00	-1,378,676.82	31.59%
9830 · Loan Annual Fees - IBank	33,995.57	33,996.00	-0.43	100.0%
Total 9800 · Debt Service	1,895,091.04	4,728,310.00	-2,833,218.96	40.08%
Total Expense	6,409,109.41	15,060,800.00	-8,651,690.59	42.56%
Net Ordinary Income	4,349,663.42	4,052,292.00	297,371.42	107.34%

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcDonald@lgvSD.org
Meeting Date: January 20, 2022
Re: Introduction of Ordinance No. 189 Amending Title 4 Regulating Solid Waste, Establishing Organic Recycling, and Setting a Public Hearing
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Introduce and waive first reading of Ordinance No. 189 amending Chapter 1 of Title 4 of the Las Gallinas Valley Sanitary District Code regulating solid waste, recyclable and organic materials, and the collection, removal, and disposal thereof in accordance with Senate Bill (SB) 1383. If introduced at this meeting, a public hearing should be scheduled for the regular Board meeting of February 17, 2022 where the ordinance can be considered for adoption.

BACKGROUND

Senate Bill 1383, the Short-Lived Climate Pollutant Reduction Act of 2016, is part of a statewide effort to reduce the emissions of short-lived climate pollutants (like methane gas) in various sections of California's economy. SB 1383 sets a target to divert 75% of organic waste from landfills and recover 20% of edible food for human consumption by 2025.

SB 1383 requires all jurisdictions throughout the State to adopt a mandatory organics recycling ordinance by January 1, 2022. CalRecycle created a model ordinance to satisfy this requirement and staff worked with R3 Consulting Group (R3) and legal counsel to customize the model ordinance for the Las Gallinas Valley Sanitary District ("District"). The District was advised that if the ordinance is adopted prior to April 1, 2022, the deadline for filing the initial compliance report containing ordinances or other enforceable mechanisms listed in the annual reporting section (14 CCR 18994.1), it would be considered compliant. The proposed ordinance supports establishment of enforceable SB 1383 related requirements for organic waste generators, haulers, and others and contains similar language to other jurisdictions in Marin County.

DISCUSSION

The proposed ordinance imposes new waste disposal requirements on residents and businesses within the District as required by SB 1383. The ordinance designates the District as the enforcement agency, but allows flexibility for the District to delegate enforcement responsibility for certain portions of the ordinance to other entities. Staff is continuing to work

with R3, Marin Sanitary Service (MSS) and other jurisdictions to determine whether certain SB 1383 responsibilities can be shared through written agreements, however the District itself remains responsible for SB 1383 compliance.

Key provisions of the proposed ordinance identified by staff and R3 are highlighted below (*the list is not comprehensive*):

- Single-family, multi-family and businesses must subscribe to solid waste, recyclables and organics collection service and properly sort these materials.
- Businesses and multi-family buildings must acquire and supply, through MSS (*or any subsequent franchised waste hauler*), an adequate number of labeled, color-coded containers for employees, contractors, tenants, and customers, consistent with the 3-container program provided by MSS (or self-haul) and educate employees and tenants about proper sorting.
- Businesses (*excluding multi-family*) must provide additional labeled or color-coded containers for organic waste and recyclable materials generated by that business in all areas where the business provides disposal containers ("user disposal containers") for employees, tenants, customers, and other users of the premises.
- MSS must take organic materials to facilities that recover source-separated organic waste and recyclables to facilities that recover recyclable materials.
- Self-haulers of organic materials must source-separate organics, take them to a facility that recovers organics and keep specified records.
- Large, commercial edible-food generators must divert edible food through a written agreement with food recovery organizations and keep specified records.
- Food recovery organizations and services must maintain certain records, including written agreements with edible food generators.
- The District's right to inspect and enforce the requirements are contained in the Ordinance, as are penalties for violations.
- Beginning in 2024, violation of any provision of the Ordinance may result in a notice of violation and assessment of penalties in amounts consistent with those specified in SB 1383.

The District and regulated entities (*with the exception of Tier 2 commercial edible food generators*) need to comply with nearly all SB 1383 requirements by January 1, 2022, with the exception that enforcement actions do not need to commence until January 1, 2024.

An Amendment to the Franchise Agreement is also required due additional requirements related to SB 1383. The amendment will be brought to the Board at an upcoming meeting in February.

More information regarding SB 1383 can be found at: <https://www.calrecycle.ca.gov/organics/slcp>



PREVIOUS BOARD ACTION

Ordinance No. 28 regulating garbage, rubbish, waste matter and refuse, and the collection removal and disposal thereof was adopted by the District Board on December 14, 1961.

Ordinance No. 188 amending Appendix A of Title 4, Chapter 1 to increase the refuse collection rates effective January 1, 2022 by 0.64% was adopted by the District Board on December 16, 2021.

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

There is no direct fiscal impact as a result of adopting this ordinance. However, the financial impact of implementing SB 1383 may range from small to significant for the District and its solid waste ratepayers as a result of implementation and enforcement costs and future franchise agreements with waste haulers.

Attachments:

1. Ordinance No. 189

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

ORDINANCE NO. 189

**AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 4 OF THE LAS GALLINAS
VALLEY SANITARY DISTRICT CODE
REGULATING SOLID WASTE, RECYCLABLE AND
ORGANIC MATERIALS, AND THE COLLECTION, REMOVAL
AND DISPOSAL THEREOF**

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

Section 1. TITLE 4, CHAPTER 1, OF THE ORDINANCE CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT is hereby amended in its entirety as follows:

ARTICLE I. DEFINITIONS

Section 101. ACT means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016], the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle.

Section 102. AUTHORIZED COLLECTOR means such persons, firms or corporations collecting and delivering for disposal, recycling or processing solid waste (other than solid waste generated by a permitted building project) originating in the District and doing so under a contract or franchise agreement with the District,

Section 103. BOARD is the Sanitary Board of said District.

Section 104. CCR means the California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

Section 105. MANAGER means the General Manager of the Las Gallinas Valley Sanitary District, or their Designated Entity, which may include District employees.

Section 106. DISTRICT is Las Gallinas Valley Sanitary District, Marin County, California.

Section 107. COLLECTION means to take physical possession of solid waste at, and remove from, the place of generation for transport to a solid waste facility or other recovery activity.

Section 228. COMMERCIAL BUSINESS or COMMERCIAL means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multi-family dwelling, or as otherwise defined in 14 (CCR) Section 18982(a)(6). A multi-family dwelling that consists of (5) or more dwelling units is “Commercial”, for the purposes of this Chapter.

Section 109. COMMERCIAL EDIBLE FOOD GENERATOR means a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). Food recovery organizations and food recovery services are not commercial edible food generators.

Section 110. CONSTRUCTION AND DEMOLITION DEBRIS or C&D means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation or construction clean-up operations on any pavement or structure.

Section 111. CONTAINER or COLLECTION CONTAINER means, for the purpose of this Chapter, any bin, box or cart used for the purpose of holding solid waste for collection.

Section 112. COUNTY is the County of Marin.

Section 113. DEBRIS shall mean and include any and all material resulting from construction, demolition or temporary clean-up operations collected and transported on an occasional basis.

Section 114. DISPOSAL means the final disposition of Solid Waste at a Solid Waste Facility permitted for disposal.

Section 115. EDIBLE FOOD means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12

requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Section 116. ENFORCEMENT ACTION means an action of the District to address non-compliance with this ordinance including, but not limited to, issuing administrative notices, citations, fines, penalties, or using other remedies.

Section 117. ENFORCEMENT AGENCY means an entity with the authority to enforce part or all of this chapter as specified herein. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this chapter. Nothing in this chapter authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the District. The Las Gallinas Sanitary District is an Enforcement Agency for all Sections of this chapter. The District may choose to additionally delegate enforcement responsibility for certain sections, to other public entities or joint powers authority, including but not limited to Zero Waste Marin, and the County of Marin.

Section 118. ENFORCEMENT OFFICER means a person or entity the District Manager designates to enforce part or all of this chapter, or a Designated Entity by another Enforcement Agency authorized by the District Manager to enforce part or all of this chapter. The issuance of civil penalties or other penalties or fines will remain the authority of public enforcement entities and will not be delegated to a private entity.

Section 119 EXEMPT WASTE means biohazardous or biomedical waste, Hazardous Waste, medical waste, regulated radioactive waste, waste that is volatile, corrosive, or infectious, waste treatment or processing sludge, contaminated soil and dirt, contaminated concrete, contaminated asphalt, automobiles, automobile parts, boats, boat parts, boat trailers, internal combustion engines, lead-acid batteries, any matter or materials which are not acceptable for disposal at a solid waste landfill as defined in AB 939 and subsequent legislation, and those wastes under the control of the Nuclear Regulatory Commission.

Section 120. FOOD RECOVERY ORGANIZATION means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- (a) A food bank as defined in Section 113783 of the Health and Safety Code;

(b) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,

(c) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

Section 121. FOOD RECOVERY SERVICE means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

Section 122. FOOD WASTE means food scraps and trimmings and other putrescible waste that result from food production, preparation, cooking, storage, consumption or handling. Food Waste includes but is not limited to meat, fish and dairy waste, fruit and vegetable waste and grain waste. Food Waste does not include Exempt Waste.

Section 123 GARBAGE means all non-recyclable packaging and other waste attributed to normal activities of a service unit. Garbage must be generated by and at the service unit wherein the garbage is collected. Garbage does not include recyclable materials, organic materials, debris from construction and demolition, large items, e-waste, universal waste, hazardous waste, household hazardous waste or exempt waste.

Section 124. GENERATORS for the purpose of this Chapter, means a person or entity, including commercial generators and residential generators, that is responsible for the initial creation of organic materials, or as otherwise defined as “organic waste generator” in 14 CCR Section 18982(a)(48).

Section 125. HAULER means a person who collects material from a generator and delivers it to a reporting entity, end user, or a destination outside of the state. Hauler includes public contract haulers, authorized collectors, food waste self-haulers, and self-haulers. A person who transports material from reporting entity to another person is a transporter, not a hauler.

Section 126. HAZARDOUS WASTE shall mean all substances defined as Hazardous Waste, acutely Hazardous Waste, or extremely Hazardous Waste by the State of California in Health and Safety Code Sections 25117, 25110.02, and 25115, or in the future amendments to or recodifications of such statutes, or identified and listed as Hazardous Waste by the U.S.

Environmental Protection Agency, pursuant to the Federal Resource Conservation and Recovery Act (42 USC Section 6901, et seq.), all future amendments thereto and all rules and regulations promulgated thereunder.

Section 127. "HEALTH OFFICER" means the health officer of the county, acting as health officer for the District.

Section 128. "INSPECTION" means a site visit where the District or its Designated Entity, reviews records, containers, and an entity's collection, handling, recycling, or disposal of solid waste or edible food handling to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

Section 129. MANAGER means the General Manager of the Las Gallinas Sanitary District.

Section 130. ORGANIC MATERIAL OR ORGANIC WASTE means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46).

Section 131. ORGANIC MATERIAL PROCESSING FACILITY means any facility selected by the Authorized Collector that is approved by the District, or specifically designated by the District, operated and legally permitted for the purpose of receiving and processing organic materials.

Section 132. PERSON means any person or persons, firm, association, corporation or other entity acting as principal, agent or officer, servant or employee, for themselves or for any other person, firm or corporation.

Section 133. PREMISES includes a tract or parcel of land with or without habitable buildings or appurtenant structures. (CCR, Section 17225.50) For purposes of this chapter the word premises includes residential and commercial uses of the land, whether owned, leased, rented or subrented, including every dwelling house, dwelling unit, apartment house or multiple-dwelling building, trailer or mobile home park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides, or any business is carried on or conducted within the District.

Section 134. PROHIBITED CONTAINER CONTAMINANTS means (1) discarded materials placed in the designated Recyclables container that are not identified as acceptable source separated recyclables for the District's designated recyclables collection container; (2) discarded materials placed in the designated organic materials collection container that are not identified as acceptable source separated organic materials for the District's designated organic materials collection container; and (3) discarded materials placed in the garbage container that are acceptable source separated recyclables and/or source separated organic materials to be placed in District's designated organic materials collection container and/or designated recyclables collection container, and (4) Exempt Waste placed in any container.

Section 135. RESIDENTIAL means, for the purposes of this chapter, any premise consisting of between one (1) and four (4) dwelling units, and onsite domestic uses accessory to these dwelling units. A multi-family dwelling that consists of fewer than (5) dwelling units is "Residential", for the purposes of this Chapter.

Section 136. SELF-HAUL means a person who hauls solid waste, organic waste or recovered material they have generated to another person. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). "Back-haul" means generating and transporting organic materials to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 189881(a)(66)(A).

Section 137. SOLID WASTE means all putrescible and nonputrescible solid and semisolid wastes, including garbage, recyclable materials, organic materials, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes. (PRC, Section 49503) Solid waste does not include any of the following wastes: (1) Hazardous waste, as defined in the Public Resources Code Section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be solid waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic materials are a part of solid waste.

Section 138. SOLID WASTE COLLECTION SERVICE means collection of solid waste originating in the District, by a persons, firms or corporations, and doing so under a contract or franchise agreement with the District.

Section 139. SOLID WASTE FACILITY OR FACILITY means a solid waste transfer or processing station including Material Recovery Facilities, a recycling facility, a composting facility, a gasification facility, a transformation facility, an Engineered Municipal Solid Waste conversion facility, and a disposal facility. Solid waste facility additionally includes a solid waste operation that may be carried out pursuant to an enforcement agency notification, as provided in regulations adopted by CalRecycle, or otherwise set forth in the Act.

Section 140. SOURCE SEPARATE means the process of removing recyclable materials and organic materials from Solid Waste at the place of generation, prior to Collection, and placing such materials into separate containers designated for recyclable materials and organic materials, or as otherwise defined in 14 CCR Section 17402.5(b)(4).

Section 141. SOURCE REDUCTION means any action which causes a net reduction in the generation of solid waste. Source reduction includes, but is not limited to, reducing the use of nonrecyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce the amount of wastes that generator produce, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials. Source reduction does not include steps taken after the material becomes solid waste or actions which would impact air or water resources in lieu of land, including, but not limited to, transformation.

Section 142. TIER ONE COMMERCIAL EDIBLE FOOD GENERATOR means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

- (a) Supermarkets with gross annual sales of \$2,000,000 or more
- (b) Grocery store with a total facility size equal to or greater than 10,000 square feet.
- (c) Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

(d) Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

(e) Food Distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

Section 143. TIER TWO COMMERCIAL EDIBLE FOOD GENERATOR means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

(a) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

(b) Hotel with an on-site food facility and 200 or more rooms.

(c) Health facility with an on-site food facility and 100 or more beds.

(d) Large Venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

(e) Large Event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event..

(f) A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

(g) A local education agency facility with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

ARTICLE II. OPERATION

Section 201. Dumping or Burying. No Person shall dump, place or bury in any lot, land or street or alley within the District any Garbage or any other deleterious or offensive substance under any circumstances whatsoever, nor shall any Person dump, place or bury within the District any Waste Matter without first having obtained a permit from the District so to do.

Section 202. Accumulation. No Person owning or occupying any building, lot or premises within the District shall allow any Garbage or other deleterious or offensive substance to accumulate or remain in or upon said building, lot or premises, except as otherwise provided in Section 210 hereof.

Section 203. Burning. No Garbage or other deleterious or offensive substance shall be burned.

Section 204. General. It is the intent of the District that every person residing or conducting business in this District shall subscribe to and participate in solid waste collection service approved by the District and provided by an Authorized Collector. Nothing in this chapter shall prevent generators from self-hauling to an authorized solid waste facility in addition to their solid waste collection service, consistent with self hauling requirements in this Chapter or from utilizing a temporary debris box service.

Section 205. Obligation of solid waste collection service.

(a) Except as otherwise provided by this Chapter, all occupied premises shall subscribe for solid waste collection service with the Authorized Collector as herein specified, and for such service a charge shall be collected as per a schedule of rates as shall be set by resolution of the District.

(b) A mandatory obligation is imposed on each person occupying any premise to separate and recycle all recyclable material and organic materials from the garbage generated on the premises.

(c) Every property owner, commercial generator, residential generator, or other organic material generator within the District shall have the obligation for disposal of solid waste

as provided in this chapter through the designated Authorized Collector and shall pay the Authorized Collector for the solid waste collection service at the rates provided therefor. Failure of receipt of a bill does not obviate responsibility for payment. In each instance, the property owner shall be primarily responsible for the payment of the charges provided for herein.

(d) Generators shall arrange for a size, quantity and collection frequency of collection containers to adequately store all solid waste generated in connection with the premise between the times designated for collection service. The District shall have the right to review the number and size of such collection containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the District in order to meet the standards set forth in this chapter.

(e) Generators shall place source separated organic materials, including food waste, in the organic materials collection container; place source separated recyclable materials in the recyclable material collection container; and place garbage in the approved garbage collection container. Generators shall not place prohibited container contaminants into the garbage collection container, organic materials collection container or recyclable material collection container.

(f) If any person should fail to subscribe for the collection and disposal of solid waste or violate any other provision of this Chapter, said violation shall be presumed to be a nuisance upon the premises and shall be subject to enforcement actions.

(g) The Authorized Collector shall give written notice to the District Manager of the address of any occupied premise within the District which is not subscribing to the collection and disposal service provided by the Authorized Collector.

(h) The owner of each occupied premise shall subscribe for solid waste disposal services within 7 days of the occupancy of the premises. If the owner fails to subscribe for service, the authorized collector shall give the owner written notification that such service is required.

(i) Generators shall provide or arrange for access during all inspections and investigations (with the exception of a private residential dwelling unit) and cooperate with the District Manager or Authorized Collector during such inspections and investigations.

(j) Nothing in this section prohibits generators from preventing or source reducing waste generation, or otherwise diverting recyclable material and organic material as described in Section 222.

Section 206 . Residential generator requirements. Each residential generator shall subscribe to a level of solid waste collection service with the Authorized Collector that is sufficient to handle the volume garbage, recyclable material, and organic materials generated or accumulated on the premises and comply with requirements of those collection services.

Section 207. Commercial generator requirements.

(a) Commercial generators shall comply with the following requirements.

(1) Each commercial generator, including all multi-family dwellings that consist of five dwelling units or more, large events and large venues shall be responsible for compliance with the requirements of this Section.

(2) Each commercial generator shall subscribe to a level of service with an Authorized Collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated on the premises. Additionally, each commercial generator shall ensure the proper separation of solid waste, as established by the Authorized Collector, by placing each type of material in designated collection containers, and ensure that employees, contractors, volunteers, customers, visitors, and other persons on-site conduct proper source separation of solid waste.

(3) Supply and allow access to adequate number, size, and location of collection containers with sufficient labels or colors, conforming with requirements of this section, for employees, contractors, tenants, and customers, consistent with the solid waste collection service.

(4) Annually provide information to employees, contractors, tenants, and customers about organic materials recovery requirements and about proper sorting of solid waste.

(5) Provide educational information before, or within, fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep source separated organic materials and source separated recyclable materials separate from garbage (when applicable) and the location of collection containers and the rules governing their use at each property.

(6) Accommodate and cooperate with the Authorized Collector's monitoring program for inspection of the contents of containers for prohibited container contaminants, to evaluate generator's compliance.

(7) If a commercial generator self-hauls, the commercial generator shall meet the self-haul requirements of this Chapter.

(b) Commercial generators, excluding multi-family dwellings consisting of five or more dwelling units, shall comply with the following requirements.

(1) Provide containers for the collection of source separated organic materials and source separated recyclable materials in all indoor and outdoor areas where garbage disposal containers are provided for customers, for materials generated onsite. Such containers do not need to be provided in restrooms. If a commercial generator does not generate any of the materials that would be collected in one type of collection container, then it is not required to provide that type of collection container in all areas where disposal collection containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the collection containers shall have either:

(2) A body or lid that is gray or black for collection of garbage, blue for collection of recycling, and green for collection of organic materials. A commercial generator is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

(3) Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

(4) To the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a collection container not designated for those materials per the solid waste collection service.

(5) Periodically inspect organic materials, recycling, and garbage collection containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).

(6) Commercial generators that are commercial edible food generators, as defined, shall comply with commercial edible food generator requirements.

Section 208. Storage. Generators shall store solid waste on their property or premises or shall require it to be stored or handled in such manner so as not to promote the propagation, harborage or attraction of animals or the creation of nuisance. (CCR, Section 17312). Each person who has a collection container shall keep the area where the collection container is located in a clean, safe and sanitary condition.

Section 209. Solid waste collection areas. Each commercial business shall:

(a) Designate space on the property to be used for storage of collection containers for all solid waste generated on the property.

(b) Commercial businesses which receive communal solid waste collection services shall provide and maintain space within or adjacent to each waste enclosure, or adjacent to each approved garbage collection container(s) for placement of sufficient approved organic materials collection container(s) and recyclable material collection container(s).

(c) Post a sign clearly identifying all garbage, recyclable material, and organic materials collection areas and the materials accepted therein shall be posted adjacent to all points of access to the collection area(s).

Section 210. Collection containers. It shall be the duty of every property owner, occupant and tenant of any premises within the District to store all solid waste in collection containers supplied by the Authorized Collector. These collection containers shall be constructed of metal or an approved plastic material and type which shall be watertight, nonabsorbent, animal resistant, durable, easily cleanable, equipped with handles, and having tight fitting covers such that the containers hold the solid waste without spillage and leakage, escape of odors or access of flies to the contents thereof (adapted from CCR, Section 17315).

Section 211. Collection container maintenance. Each collection container and its cover shall be kept clean, and the cover shall not be removed except to place solid waste therein or to empty the same. The Authorized Collector will maintain or replace collection containers as needed.

Section 212. Collection container placement.

(a) No collection container, other than those owned or rented by the District or Authorized Collector, shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, or remain in public view from any public right-of-way except as herein provided, but shall be maintained on the premises, except as may be provided for removing and emptying by the Authorized Collector on the day(s) and in the location designated for collection. No person shall place a collection container so that either the sidewalk or street gutter is obstructed.

(b) Collection containers are permitted to be placed in public view and on a public street, sidewalk or footpath only during the forty-eight-hour period commencing at 12:01 a.m. on the day preceding the day of scheduled pick-up and terminating at 12:01 a.m. on the day following such pick-up.

(c) For curbside collection service, the approved location for collection shall be the street curb line adjacent to such premises and collection containers shall be placed in the location by the occupant of such premises for collection by the Authorized Collector.

Section 213. Ownership of solid waste. Solid waste subject to collection by the Authorized Collector shall become the property of the Authorized Collector subject to this chapter after such time as the Authorized Collector takes possession of the wastes (CCR, Section 17334).

Section 214. Unauthorized removal and ownership of recyclable materials and organic materials.

(a) All recyclable materials and organic materials, upon being placed by the generator into a collection container and placed at an approved location for collection, shall become the property of the Authorized Collector owning the collection container, unless otherwise provided in a contract, license, or franchise agreement.

(b) No person, other than the Authorized Collector or District shall remove recyclable material or organic materials from a collection container placed at the location for collection.

Section 215. Tampering. No person shall tamper with, modify, remove from or deposit solid waste in any collection container which has not been provided for their use at a collection site, without the permission of the collection container owner. Nor shall any person

tamper with any collection container or any recyclable materials on any premises, or collect, remove or dispose of the same, other than in the manner specified by this chapter.

Section 216. Collection Intervals. All solid waste accumulated at any residential generator or commercial generator's property or premise shall be collected at regular intervals of at least once each week, except that from any place which has solid waste from which foul odors arise, or which is a menace to public health, such solid waste shall be collected at such intervals as necessary for proper sanitation. Nothing in this chapter shall be deemed to prohibit the removal and hauling by any person of materials ordered by the health officer, fire chief or code enforcement officer to be removed upon the ground that the same constitute a health menace, fire hazard or public nuisance.

Section 217. Collection Schedule. Solid waste shall be collected as provided by this chapter at regular intervals on a schedule established by the Authorized Collector and approved by the District. The schedule may be changed as deemed necessary by the Authorized Collector and/or the District.

Section 218. Waivers.

(a) Pursuant to 14 CCR Section 18984.11, the District may grant waivers to commercial businesses for physical space limitations and/or de minimis volumes. Commercial businesses seeking a waiver shall submit their request in a form specified by the District Manager. After reviewing the waiver request, and after an on-site review, if applicable, the District Manager may either approve or deny the following waiver requests.

(1) De Minimis Waivers: The District may waive a commercial business' obligation to comply with some or all the organic waste collection service if the commercial business meets the following requirements:

- A. Submit an application specifying the type of waiver requested and provide documentation as described below.
- B. Provide documentation that either:
 - i. The commercial business receives two cubic yards or more per week of solid waste collection service (including garbage, recyclable material and organic materials) and disposed organic

materials comprises less than 20 gallons per week of the business' total weekly solid waste; or,

- ii. The commercial business receives less than two cubic yards of weekly solid waste collection service (including garbage, recyclable material and organic materials) and disposed organic materials comprises less than 10 gallons per week of the business' total weekly solid waste volume.
- iii. For the purposes of subsections (i) and (ii) above, weekly solid waste collection shall be the sum of weekly garbage collection container volume, recyclable material collection container volume and organic materials collection container volume, measured in cubic yards.

C. Notify the District if circumstances change such that volume of commercial business' s organic materials placed in collection containers exceeds threshold required for waiver, in which case waiver will be rescinded.

D. Provide written verification of eligibility for de minimis waiver every five years if the District has approved de minimis waiver.

(2) Physical Space Waivers: The District may waive a commercial business' obligations (including multi-family dwellings) to comply with some or all of the recyclable materials and/or organic materials collection service requirements if the District has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the organic materials collection requirements. A commercial business or property owner may request a physical space waiver through the following process:

- A. Submit an application form specifying the type(s) of collection services for which they are requesting a waiver from mandatory collection service.
- B. Provide documentation that the premises lacks adequate space for the approved recycling collection containers and approved organic materials collection containers including documentation from its Authorized Collector, licensed architect, or licensed engineer.

C. Provide written verification to the District that it is still eligible for physical space waiver every five years if the District has approved application for a physical space waiver.

Section 219. Commercial Edible Food Generator Requirements.

(a) Tier One Commercial Edible Food Generators must comply with the requirements of this section January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.

(b) Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this section, commencing January 1, 2024.

(c) Commercial Edible Food Generators shall comply with the following requirements:

(1) Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.

(2) Contract with or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for:

(A) the collection of Edible Food for Food Recovery; or

(B) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.

(3) Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

(4) Allow the District's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.

(5) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

A. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

B. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).

C. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:

(i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.

(ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.

(iii) The established frequency that food will be collected or self-hauled.

(iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

(d) Nothing in this Chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

Section 220. Food Recovery Organization and Food Recovery Services requirements.

(a) Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

(1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.

(2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.

(3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.

(4) The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

(b) Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

(1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.

(2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.

(3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

(c) Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the Jurisdiction and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall annually report to the District it is located in the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than April 1.

(d) In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the County, City, special district that provides solid waste collection services, or its designated entity, Food Recovery Services and Food Recovery Organizations operating in the District shall provide information and consultation to the District, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the District and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the District shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the District.

Section 221. Self hauler Requirements.

(a) Self-Haulers shall haul their source separated recyclable materials to a facility that recovers those materials; and haul their source separated organic materials to a solid waste

facility, operation, activity, or property that processes or recovers source separated organic materials.

(b) Self-haulers that are commercial businesses shall keep a record of the amount of organic materials delivered to each solid waste facility, operation, activity, or property that processes or recovers organic materials; this record shall be subject to inspection by the District. The records shall include the following information:

(1) Delivery receipts and weight tickets from the entity accepting the waste. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic materials.

(2) The amount of material in cubic yards or tons transported by the generator to each entity.

(3) Complete and retain on-site a self-hauling form certifying that all self-hauling activities will be completed in accordance with this chapter or any other applicable law or regulation. The Manager may restrict or prohibit self-hauling by a Generator if the Manager determines, after providing notice and an opportunity for a hearing, that the Generator's self-hauling activities violate the provisions of this section or any other applicable law or regulation.

Section 222. Right to divert recyclable material and organic materials.

(a) Nothing in this chapter limits the right of any person to donate, sell, or otherwise remove their recyclable materials so long as the removal otherwise complies with this Chapter.

(b) Organic materials may be fed to animals on the premises where such organic materials is produced, provided that the premises are always kept in a sanitary condition to the satisfaction of the District Manager; and provided further that the keeping and feeding of such animals shall at all times conform to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

(c) Organic materials may be used in on-site composting or community composting, pursuant to 14 CCR Section 18984.9(c), provided that such operation conforms to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

Section 223. Collector Requirements

(a) A Collector providing Single-Family, Commercial, or industrial Organic Waste collection service to Generators within the District shall meet the following requirements and standards in connection with collection of Organic Waste:

(1) Through written notice to the District annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Organic Waste.

(2) Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

(3) Obtain approval from the District to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

(b) Any person providing any service, function or activity governed by this chapter who has obtained a business license from, or entered into a contract or franchise agreement with the District shall fully comply with the terms of such franchise agreement, contract, business license as well as with the provisions of this Chapter, and the administrative rules promulgated herein. Nothing contained in, or absent from, the provisions of this chapter shall relieve any such person of any obligation contained in such franchise agreement, contract, or business license, nor shall the fact of such franchise agreement, contract, or business license in any way relieve such person from the obligation to comply with the District's Municipal Code and other applicable law.

Section 224. Receptacles Provided by Collector. Collector must provide color coded, labeled solid waste containers to Single Family, Multi-family and Commercial Generators per the requirements in 14 CCR Section 18984.1, 18984.7 and 18984.8.

(a) Residential Service (Four or Fewer Units in a Single Structure):

(1) Garbage: Collector shall provide semi-automated tipper carts (Garbage Container) in 20, 32, 64, and 96-gallon capacities to be placed at the curb or Collector-designated location for one time per week collection at the rates and fees listed in Section 236. Twenty-gallon carts shall be available for smaller households and intensive recyclers. Carts should be placed at the designated collection by 6:00 a.m. the day of service. On-site collection for cans not at the curb

is available for an extra charge. Items placed outside the cart or overflowing carts will incur an additional charge. Carts are the property of Collector. Collector will determine the appropriate collection location. Customers may set out additional containers or bags not to exceed 32 gallons in size for a fee listed in Section 219. Low-income rates referenced in Section 236 are available for qualifying customers.

(2) **Recyclable Materials:** Collector shall provide all residential customers with one 64-gallon dual sort recycling cart, (Recycling Container) one side for paper and fiber products, one side for glass, metal and plastic (#1 - #7) bottles and containers excluding polystyrene and compostable plastics, and may set out unlimited additional customer-owned containers for each commodity. Cardboard may be broken down and tied into 24" by 24" bundles and left beside the recycling container. Carts or containers must be placed at the curb or, upon approval of Collector, the designated collection location next to their Garbage container for one time per week collection by 6:00 a.m. the day of service. Customers may set out additional containers of acceptable Recyclable Material at no charge. Dual Sort Carts are the property of Collector. All residential customers must be offered recycling collection. Recyclable Material placed in Collector containers or at the curb for collection is the property of Collector, and the theft thereof is a crime.

(3) **Organics:** Collector shall provide all residential customers with one 64 gallon cart for Organics (Compost Container) to be placed at the curb or Collector-approved designated collection location next to their Garbage container for one time per week collection by 6:00 a.m. the day of service. Customers may, for a fee listed in Section 236, have up to two additional 64-gallon carts to be set out on the regularly scheduled day. Individual carts should not weigh more than 65 pounds. Carts are the property of the Collector. All residential customers must be offered Organics collection.

(4) **Additional Services:** Special pickups of large, hard to handle, or bulky items may be requested for an additional fee listed in Section 236. Estimates shall be provided by Collector. These bulky items will be collected in non-compaction vehicles and taken into Marin Recovery Center (MRRC) for sorting resulting in greater re-use and recycling. Extra material can be collected for a fee listed in Section 236 in cans or bags not greater than 32 gallons when placed next to the regular container on collection day. Holiday trees will be collected curbside on the regularly scheduled pickup day during the month of January. If trees are greater than six (6) feet

in length, they must be cut in half. All metal stands, plastic tree bags, and ornaments must be removed. Flocked trees will not be accepted.

(b) Commercial Service:

(1) Garbage: Collector shall provide semi-automated or automated tipper carts in 32, 64, and 96-gallon capacities to be placed for collection at the curb, or upon approval of Collector, the designated collection location. On-site collection for cans not at the curb is available for an extra charge. Collector will also provide bins from 2-, 3-, 4-, 5-, 6-, 10-, or 18-yard capacities for large volumes of material. Service levels shall range from one time per week to six times per week. Customers may set out additional containers or bags not to exceed 32 gallons in size for a fee as listed in Section 219. Collector retains approval of all service locations for bins. Collector also services customer-owned compactor units for the fees listed in Section 236. For safety and equipment purposes, Collector retains right of approval as to the type of compactor to be serviced and service location.

(2) Recycling: Collector shall provide unlimited commercial recycling collection of glass bottles and jars; aluminum and metal cans and containers; all plastic bottles and containers marked #1 - #7 (except polystyrene and compostable plastics); newsprint; office paper; and, fiber or cardboard. These materials will be collected in source-separated color coded carts, currently: blue for paper and paper-fiber products and brown for accepted commingled glass, metal and plastics, but will need to meet required color coding for new containers by 2036. Collector shall provide semi-automated tipper carts in 32 and 64-gallon capacity for collection from one time per week to six times per week. Collector may provide 3 yard, rear-loading bins for cardboard collection with the Collector approval of the size and location. Collector will evaluate the appropriate container sizes on an individual customer basis. Pickups can be scheduled from one time per week to six times per week. Collector is to perform a simple visual waste audit at least one time per year for each commercial account to provide an estimate of the of recyclables still in the Garbage to help guide the customer in service changes to increase recycling. For an additional fee per Section 236,, the Collector may perform a detailed waste audit to determine composition and characterization of waste and will provide and will provide a detailed report with photos showing waste streams. This report will provide a detailed plan with recommendations regarding recycling service changes as well as an outreach and education plan. Recycling services must be offered to all commercial customers. Collector will provide services to comply with the State's mandatory commercial recycling law.

(3) Organics: [Reserved.]

(4) Additional Services: Special pickups of large, hard to handle, or bulky items may be requested for an additional fee listed in Section 236. Estimates can be provided. These bulky items will be collected in noncompaction vehicles and taken into MRRC for sorting resulting in greater re-use and recycling. Extra material can be collected for a fee listed in Section 236 in cans or bags not greater than 32 gallons when placed next to the regular container on collection day.

(c) Multi-Family (Five or more Unit Structures):

(1) Garbage: Collector provides semi-automated or automated tipper carts in 32, 64, and 96-gallon capacities at the curb or designated collection location. Minimum service for all multi-family units is 32 gallons per unit, or the equivalent bin service. On-site collection for cans not at the curb is available for an extra charge. Collector will also provide bins from 2-, 3-, 4-, 5-, 6-yard capacities for large volumes of material. Service levels range from one time per week to six time per weeks. Collector retains approval of service locations for bins. Collector also services customer-owned compactor units for the fees listed in Section 236. For safety and equipment purposes, Collector retains right of approval as to compactor type and service location. Apartments or multi-family complexes which have cart service for Garbage (no bin service) and fewer than 10 units, may be eligible to waive the 32 gallon per unit minimum in exchange for 20-gallon minimum service at the discretion of Collector based on the history of material collected at that location. Each complex would be required to have a 20-gallon cart for each unit. Complexes must have in place and make use of all available recycling services to be considered eligible for the waiver.

(2) Recycling: Collector provides unlimited multi-family recycling collection of glass bottles and jars; aluminum and metal cans and containers; all plastic bottles and containers marked #1 – 7 (except polystyrene and compostable plastics); newsprint, office paper, and fiber or cardboard. These materials will be collected in source-separated color-coded carts, currently: blue for paper and paper-fiber products and brown for accepted commingled glass, metal and plastics, but will need to meet required color coding for new containers by 2036. Cardboard or fiber not able to fit in containers may be broken down and tied into 24" x 24" bundles and placed alongside the recycling containers for collection. The list of acceptable Recyclable Materials is defined in this Chapter. Collector is to perform a simple visual waste audit at least one time per year for each commercial account to provide an estimate of the amount of recyclables still in the

Garbage to help guide the customer in service changes to increase recycling. For an additional fee per Section 236, the Collector can perform a detailed waste audit to determine composition and characterization of waste and will provide a detailed report with photos showing the waste streams. This report will provide a detailed plan with recommendations regarding recycling service changes as well as an outreach and education program. Collector provides semi-automated tipper carts in 32 and 64-gallon capacity for collection from one time per week to six times per week. Recycling services must be offered to all multi-family customers. Recyclable Materials placed in Collector containers or at the curb for collection is the property of Collector, and the theft thereof is a crime. Collector will provide services to comply with the State's mandatory commercial recycling law.

(3) Organics: [Reserved.]

(4) Additional Services: Special pickups of large, hard to handle or bulky items may be requested for an additional fee as listed in Section 236. Estimates can be provided. These bulky items will be collected in noncompaction vehicles and taken into MRRC for sorting resulting in greater re-use and recycling. Extra material can be collected for a fee listed in Section 236 in cans or bags not greater than 32 gallons when placed next to the regular container on collection day.

(d) Containers or Debris Boxes used by Collectors shall be cleaned daily with an approved disinfectant or by the application of live steam, except Debris Boxes which shall be cleaned as often as is necessary to keep same in a clean and sanitary condition.

Section 225. Contract. Should the governing body of District enter into an exclusive contract with any Person for the right and privilege of collecting Garbage within the District, said contract may provide that such exclusive right shall not include debris-Box services for construction, demolition, and/or temporary clean-up purposes. Any such exclusive contract entered into as herein provided may be entered into upon such terms and conditions, consistent with this Ordinance, as the governing board may deem for the best interests of the District, for such period as District may determine and at rates to be hereinafter determined, which said contract shall incorporate this Ordinance therein and make it a part of such contract.

Section 226. ID - Disposal and Fee. Any such contract shall provide that the Collector shall collect and dispose of all Garbage at the rates herein fixed and determined; that the Collector will dispose of said Garbage at such place or places and by such means or methods as

the governing board shall determine and pursuant to this Ordinance and all laws and ordinances of County applicable thereto; that the Collector shall pay to the District such fee annually as may be determined by the Board.

Section 227. Periodic Service. The Collector shall collect all Garbage, Recyclable Materials and Organic Waste as often as may be required by either District or any owner, resident or tenant; provided, however, that Collector shall provide not less than weekly service to each owner, resident or tenant within the District utilizing a Debris Box or Cart can as herein provided.

Collector may terminate service to any owner, resident or tenant for non-payment of the rates hereinafter established for a period of two (2) months from and after the date such payment is due. Prior to termination of such service, Collector shall notify District, in writing, of the date of termination and the reason thereof. Such notice shall be given by Collector to District not less than ten (10) days prior to the date of termination of service.

Section 228. Regulations. It shall be unlawful for any Person to collect or carry Garbage through the streets of the District without first having entered into a contract or obtaining a permit from the District so to do. The Collector shall not permit any Garbage to fall or remain on any public street or private premises in the District; shall close all gates used by it in collection service; shall operate quietly; and shall not damage the Container of any Person and shall place it in the position where found after emptying it. It shall also abide by any and all laws of the state, ordinances of the County, regulations and orders of the County Health Department or officer, and ordinances and general regulations of the District, now or hereafter adopted.

Section 229. Solid Waste Facility. The location of the disposal site intended to be used by the Collector in performing the contract must be approved by the County Health Officer of Marin County. No such solid waste facility may be located within two (2) miles of any city without its consent expressed by resolution of its City Council. No such solid waste facility may be located within two(2) miles of the District without its consent expressed by resolution of the Board.

Section 230. Assignment. Neither the contract, nor any part thereof, shall be assigned either voluntarily or by operation of law except upon the consent of the District expressed by resolution of its Board.

Section 231. Termination. Said contract shall provide that if the Collector fails, refuses or neglects to comply with the terms of the contract or of any laws, ordinances or regulations above referred to, for a period of thirty (30) days after being notified in writing so to do on the order of the Board of the District, then after hearing upon ten (10) days written notice to the Collector, the District is entitled to terminate the contract.

Section 232. Notice. Any notices provided in the contract shall be given personally or by mail to the business address of the addressee. If given by mail, time shall be computed from the date of deposit in a United States Post Office or box in the District.

Section 233. Private Removal. The franchise collector has been designated the exclusive Authorized Collector for Single Family and Commercial Garbage, Recyclable Materials and Organic Waste collection services. No Single Family or Commercial Generator may contract with another commercial enterprise or person for the collection of such materials. No person may collect, transport, or convey discarded Single Family or Commercial Garbage, Recyclable Materials or Organic Waste where any fee or other remuneration whatsoever is charged or accepted for the collection, transportation, conveyance, processing or disposal of such material without holding a franchise from the District.

Section 234. Payment of Rates. It shall be unlawful for any Person to refuse to pay the rates herein fixed for the collection of Refuse.

Section 235. Disputed Rates. In any case where a dispute shall arise as to the rate to be paid Collector, the District shall have the power of final determination of such dispute, and both the Collector and owner, resident or tenant shall be bound thereby. In no event shall District be obligated in any way to Collector or any owner, resident or tenant for the collection of disputed accounts.

Section 236. Rates to Be Charged, Unincorporated Portion of District. The maximum monthly charges that shall be collected for all occupied premises within the unincorporated portion of the District for the collection, removal, and disposal of Garbage, shall be specified in Appendix A as follows:

(a) Single and Multiple Dwelling Premises: rates shall be as specified in Appendix A. One can of compacted Garbage will be charged at the two-can rate. Should the Collector elect to furnish Debris Boxes or Containers for multi-residential premises in lieu of the containers specified, the commercial box rate schedule shall apply. If any gallon can is placed five (5) feet

to fifty (50) feet from the nearest street, an additional distance charge as specified in Appendix A will be collected for each can so placed. If any can is placed over fifty (50) feet from the nearest street, the additional distance charge specified in Appendix A will apply for each additional fifty (50) feet for each container so placed. A single removal of Garbage, if removed with a regular collection and on an occasional basis, shall be charged at the rate specified in Appendix A.

(b) Commercial and/or Industrial Premises: The maximum monthly charges that shall be collected by Collector for Debris Boxes, including the cost of rental thereof, provided for the regular and continuing use of owners, occupants, or tenants of premises classified as commercial and/or industrial, shall be specified in Appendix A. Boxes containing non-recyclable material weighing more than three hundred (300) pounds/cu.yd., shall be subject to a surcharge as specified in Appendix A.

(c) Commercial and/or Industrial Container Service: In the event Containers are used by the owners, occupants, or tenants of premises classified as commercial and/or industrial, the maximum monthly charge as specified in Appendix A shall apply.

(d) On-Call Collection Service: In the event that a customer requests and the Collector elects to furnish Debris Boxes to be retained at the premises of the customer for less than a regular and continuing term, the maximum rates per pickup in addition to the monthly rental charges are as specified in Appendix A. NOTE: This service is a discontinued service that is not available to new customers but only to grandfathered accounts as designated by the current Collector. It is not to be confused with the unregulated Debris Box service which does not include a regular monthly fee and is covered under section "Special Services" below. In addition, these containers must not contain any putrescible waste.

(e) Locked Boxes: For locked boxes, there will be an additional charge as specified in Appendix A.

(f) Loose Garbage: For loose Garbage removed by Collector upon special request of the owner, occupant or tenant of any premises, the maximum rate shall be as specified in Appendix A.

(g) Compacted Garbage: All of the above rates for collection of Garbage, which has been compacted by mechanical, electrical, or hydraulic means, shall be multiplied by two and one-half (2-1/2) times if such Garbage does not include recyclables, and two (2) times if such Garbage does include recyclables.

(h) Special Services: Should the owner, occupant, or tenant of any premises request Collector to provide a Debris Box for a single removal of Debris, on an occasional basis, Collector may provide such special service, and the charge to be paid to Collector therefor shall be agreed upon in advance between the Collector and the owners, occupant, or tenant of such premises and such charge shall be at the reasonable nondiscriminatory rate. In any case where the monthly charge for the collection, removal and disposal of Garbage is not hereinabove established, such charge may be agreed upon between the Collector and the owner, occupant or tenant, in advance, and with the approval of the General Manager of such official thereof as may be delegated the responsibility of approving such rates.

For Commercial Services as specified in Section 224(b)(2) and Multi-Family (Five or More Unit Structures) as specified in Section 224(c)(2), the Collector can perform a detailed waste audit to determine the composition and characterization of waste and will provide a detailed report with photos showing the waste stream for an additional fee. This fee will vary depending on the size of and complexity of the customer's service however the fee charged shall be agreed upon in advance between the Collector and the owner, occupant, or tenant of such premises and such charge shall be at the reasonable nondiscriminatory rate.

(i) Overloading: No container for receiving and holding Garbage, Organic Materials or Recyclable Materials or debris which is to be collected by Collector shall be overloaded. Such container shall be considered to be overloaded when the contents thereof will not fit within the confines of the container.

Section 237. Rates to Be Charged, City of San Rafael Portion of District. Rates established by the City of San Rafael.

Section 238. Inspections.

(a) The District Manager, Authorized Collector, or designee is authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws. This may include inspections and investigations, at random or otherwise, of any collection container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this chapter, subject to applicable laws. This section does not allow entry in a private residential dwelling unit for inspection. For the purposes of inspecting collection containers for compliance, the District Manager or Authorized Collector may

conduct container inspections for prohibited container contaminants using remote monitoring, and generators shall accommodate and cooperate with the remote monitoring.

(b) A Person subject to the requirements of this chapter shall provide or arrange for access during all inspections (with the exception of a private residential dwelling unit) and shall cooperate with the District Manager or Authorized Collector during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in collection containers, inspection of edible food recovery activities, review of required records, or other verification or inspection to confirm compliance with any other requirement of this chapter. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if a remote monitoring program is adopted; or (iii) access to records for any inspection or investigation is a violation of this chapter and may result in penalties.

(c) Any records obtained by the District Manager, Authorized Collector, or designee, during inspections, investigations, remote monitoring and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code Section 6250 et seq.

(d) The District, Authorized Collector or designee shall accept written complaints from persons regarding an entity that may be potentially non-compliant with this chapter.

Section 239. Violation—Penalty.

(a) Violation of any provision of this chapter shall constitute an infraction and will be grounds for issuance of a Notice of Violation and assessment of an administrative citation and penalty by the District's Enforcement Officer or its Designated Enforcement Agency.

(b) Enforcement Actions under this chapter are issuance of an administrative citation and assessment of a fine. The District's procedures on imposition of administrative citations and fines as contained in Chapter 1 shall govern the imposition, enforcement, collection, and review of administrative citations and fines issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter. Any section of this chapter may be enforced by the District or, if agreed to, by its designated Enforcement Agency.

(c) A violation may be punishable by:

(1) A fine not exceeding one hundred dollars for a first violation;

(2) A fine not exceeding two hundred dollars for a second violation of the same provision of this code within any twelve consecutive month period;

(3) A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within any twelve consecutive-month period. Any citation issued after the issuance of a third citation or violation of the same provision of this code within any twelve consecutive-month period may be charged as a misdemeanor pursuant to the provisions of Chapter 1 of this code.

(d) The District Manager or designated Enforcement Agency may issue a Notice of Violation requiring compliance within 60 days or sooner of issuance of the notice.

(e) Absent compliance by the respondent within the deadline set forth in the Notice of Violation, the District Manager or designated Enforcement Agency shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the District's standard procedures or the standard procedures of its designated Enforcement Agency.

(f) Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The District may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, and fines. The District may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of District staff and resources.

Section 240. Constitutionality. If any section, sub-section, sentence, clause or phase of this Ordinance be, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Section 241. Posting. [Reserved.]

Section 242. Repeal of Ordinances. Ordinance No. 28, adopted by the Sanitary Board of said District on December 14, 1961, and Ordinance No. 188, adopted by the Sanitary Board of said District on December 16, 2021 are hereby repealed. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

APPENDIX A
LAS GALLINAS VALLEY SANITARY DISTRICT
SCHEDULE OF RATES

RESIDENTIAL REFUSE COLLECTION RATES			
Rate increase:		0.64%	
Effective date:		01/01/2022	
<i>Residential Service (Bundled service includes 1 landfill (garbage) cart, 1 organics cart, & 1 recycling split cart)</i>			
REOCCURING CHARGES	Weekly Service Rates (Billed Quarterly)	2022 Flat rate	
		Monthly Rate	Quarterly Rate
	20 gallon cart	\$35.18	\$105.54
	32 gallon cart	\$41.38	\$124.14
	64 gallon cart	\$82.76	\$248.28
	96 gallon cart	\$124.14	\$372.42
	Low income - 20 gal* cart	\$28.14	\$84.42
	Low income - 32 gal* cart	\$33.10	\$99.30
	Low income - 64 gal* cart	\$66.21	\$198.63
	Low income - 96 gal* cart	\$99.31	\$297.93
	Additional Organics Cart Rental (35 or 64 gallon cart)	\$2.44	\$7.32
	Additional Split Cart Rental (64 or 96 gallon cart)	\$2.44	\$7.32
	Additional Monthly Charges	Monthly Fee	Quarterly Fee
		(per cart, each way)	
	Distance 5' - 50'	\$5.68	\$17.04
Distance Over 50'	\$7.31	\$21.93	

*Must meet PG&E CARE program eligibility requirements.

NOTE: We may not be able to accommodate any collection requests NOT at the curb due to a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

ONE TIME SERVICE FEES	Additional Service Fees per Occurrence	Fee
	Return Fees - Off day	\$25.00
	Return Fees - Same day	\$10.00
	Resume Service/Late Fee	\$35.00
	Contamination (cart) any size cart	\$30.00
	Overload/Overweight (cart)	\$25.00
	Extra bag garbage	\$15.00
	Extra bag yard waste	\$10.00
	Steam Clean (cart)	\$15.00
	Special Collection	\$35.00
	Special Handling (Bulky items)	\$30.00
	Bulky item fees per item	Fees Vary
	Cart Strap Set-up Admin Fee	\$25.00
	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
96 Gal Split Cart Replacement Fee	\$100.00	

**LAS GALLINAS VALLEY SANITARY DISTRICT
SCHEDULE OF RATES COMMERCIAL REFUSE**

COLLECTION RATES

Rate Increase: 0.64%
Effective date: 01/01/2022

RECURRING CHARGES	COMMERCIAL CARTS, BINS, ROLL-OFFS							Additional One Time Empty
	Collections per Week							
Garbage	1	2	3	4	5	6		
20 gallon cart*	\$35.98	\$71.96	\$107.94	\$143.92	\$179.90	\$215.88	\$8.30	
32 gallon cart	\$42.32	\$84.64	\$126.96	\$169.28	\$211.60	\$253.92	\$9.77	
64 gallon cart	\$84.64	\$169.28	\$253.92	\$338.56	\$423.20	\$507.84	\$19.53	
96 gallon cart	\$126.96	\$253.92	\$380.88	\$507.84	\$634.80	\$761.76	\$29.30	
1 yard bin	\$296.25	\$593.23	\$889.49	\$1,185.74	\$1,482.64	\$1,778.83	\$68.37	
2 yard bin	\$447.85	\$864.73	\$1,281.29	\$1,697.80	\$2,114.68	\$2,531.20	\$103.35	
3 yard bin	\$599.44	\$1,136.22	\$1,673.07	\$2,209.86	\$2,746.70	\$3,283.55	\$138.33	
4 yard bin	\$791.47	\$1,551.55	\$2,311.80	\$3,071.81	\$3,831.92	\$4,592.27	\$182.65	
5 yard bin	\$983.51	\$1,966.90	\$2,950.54	\$3,933.78	\$4,917.16	\$5,901.03	\$226.96	
6 yard bin	\$1,138.94	\$2,158.83	\$3,178.84	\$4,198.73	\$5,218.74	\$6,238.75	\$262.83	
10 yard roll-off	\$1,809.50	\$3,431.24	\$5,052.60	\$6,674.13	\$8,295.99	\$9,917.45	\$417.58	
18 yard roll-off	\$2,969.61	\$5,564.59	\$8,159.49	\$10,754.53	\$13,349.71	\$15,944.62	\$685.29	
20 yard roll-off	\$3,619.00	\$6,862.47	\$10,105.20	\$13,348.26	\$16,591.97	\$19,834.90	\$835.15	
25 yard roll-off	\$4,523.76	\$8,578.10	\$12,631.50	\$16,685.33	\$20,739.96	\$24,793.63	\$1,043.94	
Organics (F2E or Compost)	1	2	3	4	5	6	Additional One Time Empty	
32 gallon	\$19.99	\$39.98	\$59.97	\$79.96	\$99.95	\$119.94	\$4.61	
64 gallon	\$39.98	\$79.96	\$119.94	\$159.92	\$199.90	\$239.88	\$9.23	
1 yard	\$139.87	\$279.74	\$419.61	\$559.48	\$699.35	\$839.22	\$32.28	
2 yard	\$279.74	\$559.48	\$839.22	\$1,118.96	\$1,398.70	\$1,678.44	\$64.56	
3 yard	\$419.61	\$839.22	\$1,258.83	\$1,678.44	\$2,098.05	\$2,517.66	\$96.83	
10 yard roll-off	\$1,266.65	\$2,533.30	\$3,799.95	\$5,066.60	\$6,333.25	\$7,599.90	\$292.30	
18 yard roll-off	\$2,279.97	\$4,559.94	\$6,839.91	\$9,119.88	\$11,399.85	\$13,679.82	\$526.15	
20 yard roll-off	\$2,533.30	\$5,066.60	\$7,599.90	\$10,133.20	\$12,666.50	\$15,199.80	\$584.61	
25 yard roll-off	\$3,166.63	\$6,333.26	\$9,499.89	\$12,666.52	\$15,833.15	\$18,999.78	\$730.76	
Garbage Compactors (Per empty)								
Roll-off Compactor Tipping fee per ton	\$143.61		Roll-off Compactor Hauling charge			\$291.69		
Stationary FL (Per Compacted Yard)	\$121.64		Roll-off Compactor Special handling			Rates Vary		
Other Charges	Service	Fee	Details					
	Lock	\$25.00	Monthly fee					
	Box rental	Fees Vary	Minimum Bimonthly fee					
	Distance < 50ft	\$5.68	Monthly fee per cart, each way					
	Distance > 50ft	\$7.29	Monthly fee per cart, each way					

* Customers must have a sufficient level of service for the volume of material generated. Requests for 20gal carts require assessment and approval of a Route Manager.
NOTE: All container types and sizes may not be available at all locations depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

ONE TIME SERVICE FEES	Commercial Service Fees	Fee
	Return Fee - BIN	\$75.00
	Return Fee - CART -same day	\$10.00
	Return Fee - CART -off day	\$25.00
	Late Fee/Resume Service Fee	\$35.00
	Contamination (BIN)	\$50.00
	Contamination (CART)	\$30.00
	Overload/Compaction (BIN)	\$60.00
	Overload/Compaction (CART)	\$25.00
	Extra Bag Garbage	\$15.00
	Additional Empty BIN	Fees vary
	Extra Bag Yard Waste	\$15.00
	Steam Clean (1-6 yard BIN)	\$95.00
	Steam Clean (CART)	\$15.00
	Steam Clean (COMPACTOR/ROLL-OFF)	\$225.00
	Lock Set-up Admin Fee	\$25.00
	Lock Single Use Fee	\$5.00
	Lock Purchase Fee	\$20.00
	Lock Bar Bin Set-up Fee	\$75.00
	Overweight Charge Per Ton*	\$205.00
	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
	96 Gal Split Cart Replacement Fee	\$100.00

Bin Repair/Replacement Fee**	Fees vary
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*Boxes exceeding 300lbs/yard

**Fees vary by size up to \$1,200, not to exceed current replacement value.

**LAS GALLINAS VALLEY SANITARY DISTRICT
SCHEDULE OF RATES**

MULTI-FAMILY DWELLING REFUSE COLLECTION RATES

Rate Increase: 0.64%
Effective date: 01/01/2022

MFD CARTS, BINS, ROLL-OFFS	Collections per Week						Additional One Time Empty
	1	2	3	4	5	6	
Garbage							
20 gallon cart*	\$95.17	\$70.34	\$105.51	\$140.68	\$175.85	\$211.02	\$8.12
32 gallon cart	\$41.38	\$82.76	\$124.14	\$165.52	\$206.90	\$248.28	\$9.55
64 gallon cart	\$82.76	\$165.52	\$248.28	\$331.04	\$413.80	\$496.56	\$19.10
96 gallon cart	\$124.14	\$248.28	\$372.42	\$496.56	\$620.70	\$744.84	\$28.65
1 yard bin	\$273.62	\$474.04	\$674.40	\$874.81	\$1,075.23	\$1,275.67	\$63.14
2 yard bin	\$447.85	\$864.73	\$1,281.29	\$1,697.80	\$2,114.68	\$2,531.20	\$103.35
3 yard bin	\$599.44	\$1,136.22	\$1,673.07	\$2,209.86	\$2,746.63	\$3,283.40	\$138.33
4 yard bin	\$791.47	\$1,551.55	\$2,311.80	\$3,071.81	\$3,831.92	\$4,592.27	\$182.65
5 yard bin	\$983.51	\$1,966.90	\$2,950.54	\$3,933.78	\$4,917.16	\$5,901.03	\$226.96
6 yard bin	\$1,138.94	\$2,158.83	\$3,178.84	\$4,198.73	\$5,218.74	\$6,238.75	\$262.83
10 yard roll-off	\$1,809.50	\$3,431.24	\$5,052.60	\$6,674.13	\$8,295.99	\$9,917.45	\$417.58
18 yard roll-off	\$2,969.61	\$5,564.59	\$8,159.49	\$10,754.53	\$13,349.71	\$15,944.62	\$685.29
20 yard roll-off	\$3,619.00	\$6,862.47	\$10,105.20	\$13,348.26	\$16,591.97	\$19,834.90	\$835.15
25 yard roll-off	\$4,523.76	\$8,578.10	\$12,631.50	\$16,685.33	\$20,739.96	\$24,793.63	\$1,043.94
Organics	1	2	3	4	5	6	Additional One Time Empty
Additional Organics Cart Rental (35 gallon cart) after 4 TOTAL carts per cart per month	\$2.44	\$4.88	\$7.32	\$9.76	\$12.20	\$14.64	NA
Additional Organics Cart Rental (64 gallon cart) after 4 TOTAL carts per cart per month	\$2.44	\$4.88	\$7.32	\$9.76	\$12.20	\$14.64	NA
1 yard	\$139.87	\$279.74	\$419.61	\$559.48	\$699.35	\$839.22	\$32.28
2 yard	\$279.74	\$559.48	\$839.22	\$1,118.96	\$1,398.70	\$1,678.44	\$64.56
3 yard	\$419.61	\$839.22	\$1,258.83	\$1,678.44	\$2,098.05	\$2,517.66	\$96.83
Garbage Compactors (Per empty)							
Roll-off Compactor Tipping fee per ton		\$143.61		Roll-off Compactor Hauling charge		\$291.69	
Stationary FL (Per Compacted Yard)		\$121.64		Roll-off Compactor Special handling		Rates Vary	
Other Charges	Service	Fee		Details			
	Lock		\$25.00	Monthly fee			
	Box rental		Fees Vary	Minimum Bimonthly fee			
	Distance < 50ft		\$5.68	Monthly fee per cart, each way			
	Distance > 50ft		\$7.29	Monthly fee per cart, each way			

NOTE: Minimum service level is 32 gallons per unit or equivalent volume. Decrease to 20 gallon per unit is subject to company review and approval.

NOTE: Up to four (4) Organics carts provided at no additional charge. Additional carts may be rented for a nominal monthly fee.

NOTE: All container types and sizes may not be available depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

ONE TIME SERVICE FEES	MFD One Time Service Fees	Fee
	Return Fee - BIN	\$75.00
	Return Fee - CART -same day	\$10.00
	Return Fee - CART -off day	\$25.00
	Late Fee/Resume Service Fee	\$35.00
	Contamination (BIN) Per Yard	\$50.00
	Contamination (CART)	\$30.00
	Overload/Compaction (BIN)	\$60.00
	Overload/Compaction (CART)	\$25.00
	Additional Empty Bag	\$15.00
	Extra Bag Yard Waste	\$10.00
	Additional Empty Garbage	Fees vary
	Steam Clean (BIN)	\$95.00
	Steam Clean (CART)	\$15.00
	Steam Clean (COMPACTOR/ROLL-OFF)	\$225.00
	Lock Set-up Admin Fee	\$25.00
	Lock Single Use Fee	\$5.00
	Lock Purchase Fee	\$20.00
	Lock Bar Bin Set-up Fee	\$75.00
	Overweight Charge Per Ton*	\$205.00
	20 Gal Cart Replacement Fee	\$55.00
	32 Gal Cart Replacement Fee	\$60.00
	64 Gal Cart Replacement Fee	\$65.00
	96 Gal Cart Replacement Fee	\$75.00
	64 Gal Split Cart Replacement Fee	\$90.00
	96 Gal Split Cart Replacement Fee	\$100.00
	Bin Repair/Replacement Fee**	Fees vary by size up to

*Boxes exceeding 300lbs/yard

**Fees vary by size not to exceed current replacement value.

I hereby certify that the foregoing is full, true, and correct copy of the Ordinance duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on February 17, 2022, by the following vote of members thereof:

AYES:

NOES:

ABSTAIN:

ABSENT:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Judy Schriebman, President
Las Gallinas Valley Sanitary District

(seal)

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
 (415) 526-1519 dmcDonald@lgvsd.org
Meeting Date: January 20, 2022
Re: Executive Search Services for General Manager
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Board to approve entering into agreement with firm as recommended by the GM Ad Hoc Committee to provide Executive Recruitment for the vacant General Manager position.

BACKGROUND

The District issued a Request for Proposals (RFP) on December 10, 2021 seeking services of an executive search firm to identify potential candidates for the position of the General Manager. The RFP was posted on our District website and twelve firms were invited to submit proposals.

Three (3) proposals were received and are summarized below:

Firm	Summary
CPS HR Consulting	\$25,000 flat fee; 4-month timeline (<i>they previously performed the Executive Search in 2018</i>).
Bob Murray & Associates	\$19,500 flat plus reimbursable expenses of up to \$6,500, total NTE \$26,000 with optional services; 4-month timeline.
Total Employee Sourcing LLC	\$30,000 flat fee plus expenses NTE \$4,500 with additional one-time fees listed; 4-month timeline.

The GM Ad Hoc Committee met on January 7 and reviewed proposals including the profiles and qualifications of recruiters. It was the consensus of the Ad Hoc Committee that a senior recruiter work with the District to provide the best results in the search for the District's new General Manager. Two firms, CPS HR Consulting and Bob Murray & Associates, were chosen as finalists and staff performed reference checks for both firms.

Both CPS HR Consulting and Bob Murray & Associates senior recruiters were invited for interviews with the Ad Hoc Committee.

Submitted proposals have been provided electronically to the Board in advance of the meeting and are available to the public on request.



PREVIOUS BOARD ACTION

None

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

The apparent low bidder is CPS HR Consulting based on their flat fixed fee of \$25,000.

Other recruitment firm's total expenses are estimated to be higher and range from \$26,000 to \$35,500.

Attachments:

- a. CPS HR Consulting Cost Proposal (3 pages)
- b. Bob Murray & Associates Costs and Guarantee (pages 7 and 8 from proposal)

COST PROPOSAL

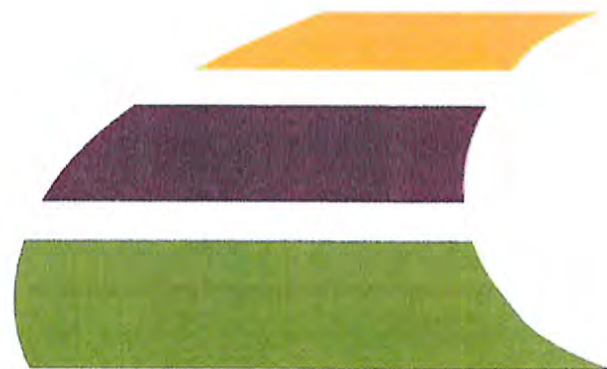
Las Gallinas Valley Sanitary District

Executive Recruitment for General Manager

Due Date: January 4, 2022
3:00 P.M. PST

SUBMITTED BY:
MELISSA ASHER
Sr. Practice Leader, Products and Services

CPS HR Consulting
2450 Del Paso Rd, Suite 220
Sacramento, CA 95834
P: 916-471-3358
masher@cpshr.us
Tax ID: 68-0067209
www.cpshr.us



Your Path to Performance

Professional Fees Guarantee

Professional Services

Our professional fixed fee covers all CPS HR services and deliverables associated with **Phases I, II, and III** of the recruitment process.

Travel expenses for candidates who are invited forward in the interview process are not included. However, should the District desire CPS HR's Travel Team to assist with these arrangements, we are happy to do so. This might require an amount be added to our contract.

Professional Fixed Fee*	
Professional Services for Full Recruitment (Fixed Flat Fee)	\$25,000

*Professional fees would be billed and paid monthly.

Optional: Recruitment Video

In addition to the standard recruitment brochure, CPS HR can develop a recruitment video to attract a wider range of applicants. More than 63% of organizations are now using visual media to attract the attention of job seekers, convey the culture of the organization, and effectively expand the talent pool. When comparing searches that include a video with searches that do not include a video, our data indicates that those with a video garner over 40% more applications. For this approximately three-minute video, CPS HR will arrive onsite to film footage of the work place and community, as well as conduct onsite interviews with selected employees. This video is optional and costs **\$3,500**.

One-Year Service Guarantee

If the employment of the candidate selected and appointed by the District as a result of a full executive recruitment (Phases I, II, and III) comes to an end before the completion of the first year of service, CPS HR will provide the District with professional services to appoint a replacement. Professional consulting services will be provided at no cost. The District would be responsible only for expenses such as re-advertising, consultant travel, additional background checks, etc. **This guarantee does not apply to situations in which the successful candidate is promoted or re-assigned within the organization during the one-year period.** Additionally, should the initial recruitment efforts not result in a successful appointment, CPS HR will extend the aggressive recruiting efforts and screen qualified candidates until an offer is made and accepted. CPS HR does not provide a guarantee for candidates placed as a result of a partial recruitment effort.

Itemized List of Professional Fees

The following tasks will be performed by the assigned project manager. Our executive recruitment team members will serve as additional resources as needed. The following table is a break-down of our \$25,000 flat fee based on a recruiters' time @ \$125 per hour including the cost of all deliverables – recruitment brochure, advertising, consultant travel, printing/shipping, background checks, and miscellaneous expenses.

Task/Consultant Role	Total
Phase I. Develop Candidate Profile and Recruitment Strategy	
Task 1 – Review and Finalize Executive Search Process and Schedule	\$1,000
Tasks 2 & 3 – Development of Candidate Profile and Recruitment Strategy including comprehensive stakeholder engagement	\$3,000
Tasks 4 & 5 – Development and Creation of Recruitment Brochure and Place Advertisements	\$6,000
Phase II. Recruitment	
Task 1 – Identify and Contact Potential Candidates	\$3,000
Task 2 – Resume Review and Screening Interviews	\$3,000
Task 3 – Finalists Selected – Preparation and Provision of Final Report	\$2,000
Phase III. Selection	
Task 1 – Design Selection Process	\$1,000
Task 2 – Administer Selection Process – Preparation and Provision of Evaluation Materials	\$3,000
Task 3 – Final Preparation for Appointment: Arrange Follow-up Interviews, Final Assessment Process, In-Depth Reference and Background Check	\$3,000
Professional Fees Total	\$25,000



We thank you for your consideration of our proposal. We are committed to providing high quality and expert solutions and look forward to partnering with the Las Gallinas Valley Sanitary District in this important endeavor.

COSTS AND GUARANTEE

PROFESSIONAL FEE AND EXPENSES

The fixed, flat professional services fee for conducting the General Manager recruitment on behalf of the Las Gallinas Valley Sanitary District is \$19,500. Services provided for in this fee consist of all steps outlined in this proposal, including two (2) days of meetings on site. The professional fee does not limit the amount of time invested by Bob Murray & Associates in promoting a successful outcome for this project. In fact, our mission for this project is to ensure we assist in identifying the right candidate for the Las Gallinas Valley Sanitary District. Therefore, Mr. Phillips will contact the District at the first anniversary of the placement to confirm an effective transition has occurred.

The Las Gallinas Valley Sanitary District will also be responsible for reimbursing expenses Bob Murray & Associates incurs on your behalf. We estimate expenses for this project not to exceed \$6,500. Reimbursable expenses include (but are not limited to) such items as the cost of recruiter travel; clerical support; brochure development; placement of ads; credit and civil background checks; education verification; and public records searches. Postage, printing, photocopying, and telephone charges are allocated costs and included in the expense estimate. *In no instance will expenses exceed this estimate without prior approval from the Las Gallinas Valley Sanitary District.*

Expense reimbursement for candidate travel related to on-site interviews will be the responsibility of the Las Gallinas Valley Sanitary District.

Professional Fees and Reimbursable Expenses	
Professional Services (Fixed Flat Fee)	\$19,500
Reimbursable Expenses	
<i>Example costs and approximate amounts include:</i>	
Brochure Design and Printing (\$1,275)	
Advertising (\$2,800)	\$6,500
Background Checks – 3 candidates (\$550)	
Consultant Travel (\$1,300)	
Other expenses – supplies, shipping, clerical (\$575)	
Not-to-Exceed Total	\$26,000

Optional Services

- Community/Staff Input Forum: \$1,500/day, plus travel expenses
- Online survey with analysis of results: \$250
- Additional on-site meeting days: \$1,500/day, plus travel expenses
- Additional background checks: \$250/candidate
- Additional reference checks: \$500/candidate
- Other services: \$250/hour or \$1,500/day

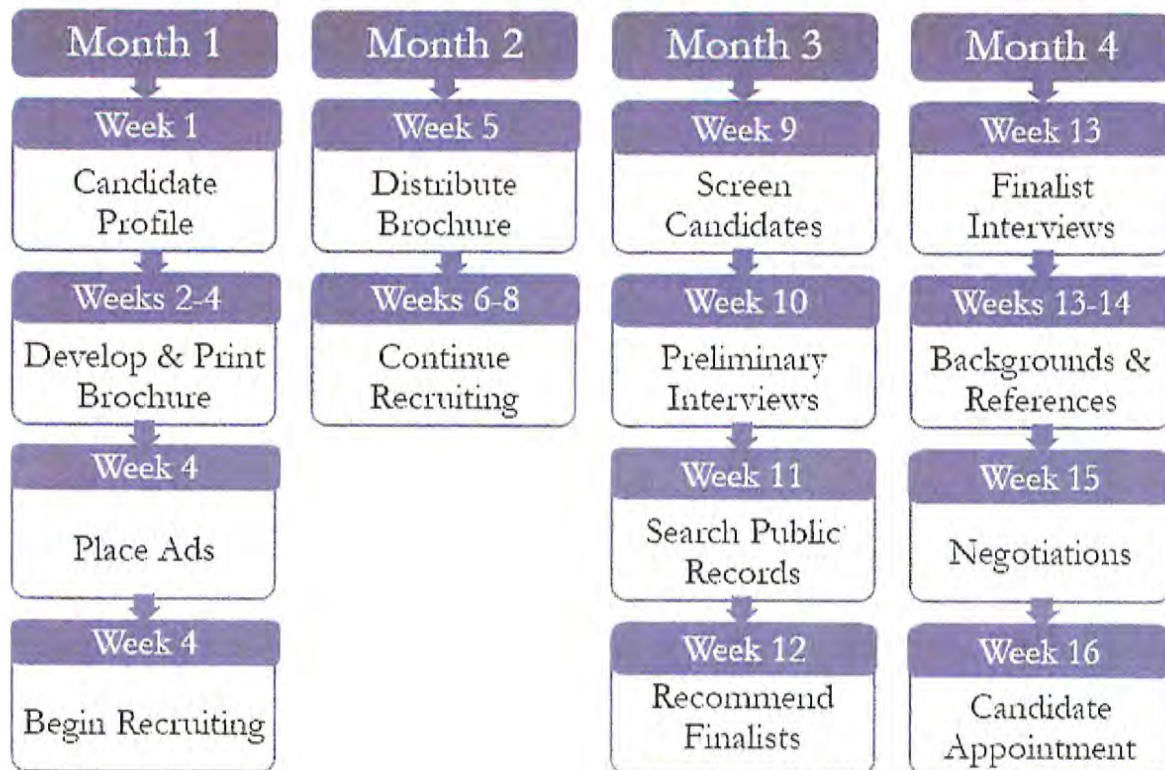
GUARANTEE

Should a candidate recommended by our firm position resign or be terminated within the first 12 months of employment, we will provide the Las Gallinas Valley Sanitary District with professional services to secure a replacement. Services will be provided at no cost, aside from expenses incurred on the Las Gallinas Valley Sanitary District's behalf during the new search. We are confident in our ability to recruit outstanding candidates and do not expect the District to find it necessary to exercise this provision of our proposal.

RECRUITMENT SCHEDULE

We are prepared to start work on this assignment upon receipt of a signed professional services agreement or other written, authorized notification. A full search can be completed in 13-16 weeks from the date of initial meetings with our client.

The final recruitment schedule will be determined in collaboration with Las Gallinas Valley Sanitary District. A typical timeline of tasks and events is included here for reference.





Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
 (415) 526-1519 dmcdonald@lqvsd.org
Meeting Date: January 20, 2022
Re: Employment of Chris DeGabriele as Interim General Manager
Item Type: Consent _____ Action X Information _____ Other _____
Standard Contract: Yes _____ No X (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board to approve Resolution No. 202-2236 entering into Employment Agreement for Interim General Manager with Chris DeGabriele, to commence on January 31, 2022.

BACKGROUND

On November 18, 2021, the General Manager position of the Las Gallinas Valley Sanitary District became vacant. The District formed a General Manager Ad Hoc Committee to address the vacancy. Candidates were identified and interviewed.

An active recruitment to appoint a permanent General Manager began on December 10, 2021 with the Requests for Proposals for Executive Search Services released.

Whereas there is a need to fill the vacant position to prevent stoppage of public business while the executive search is underway, the General Manager Ad Hoc Committee recommends appointing Chris DeGabriele to serve as the Interim General Manager of the District.

The term is anticipated to be for approximately 4-6 months or until a permanent General Manager is hired.

PREVIOUS BOARD ACTION

None

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

The cost is anticipated to be \$126,564 or \$21,094 per month, the same monthly salary as is on the District approve Salary Pay Scheduled for the General Manager.

Attachments:

1. Resolution No. 2022-2236 and Employment Agreement for Interim General Manager

RESOLUTION NO. 2022-2236

**RESOLUTION OF BOARD OF DIRECTORS OF LAS GALLINAS VALLEY
SANITARY DISTRICT APPOINTING CHRIS DEGABRIELE AS
AN INTERIM GENERAL MANAGER
Government Code Section 21221(h)**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, Government (Gov.) Code section 21221(h) of the Public Employees' Retirement Law permits the governing body to appoint a CalPERS retiree to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the General Manager position at the Las Gallinas Valley Sanitary District ("District") became vacant on November 18, 2021; and

WHEREAS, the Las Gallinas Valley Sanitary District Board of Directors ("Board") desires to appoint Chris DeGabriele as an interim appointment retired annuitant to this vacant position of General Manager for the District under Gov. Code section 21221(h), effective January 31, 2022 and

WHEREAS, the Board, the District and Chris DeGabriele certify that Chris DeGabriele has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, an appointment under Gov. Code section 21221(h) requires the retiree is appointed into the interim appointment during recruitment for a permanent appointment; and

WHEREAS, an active recruitment began on December 10, 2021 with the announcement of and publication of a Request for Proposals for Executive Search Services to identify potential candidates for the position of the General Manager; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once to fill this vacant position and therefore will end on upon the District hiring of a permanent General Manager or until it is terminated by either party; and

WHEREAS, the entire employment agreement, contract or appointment document between Chris DeGabriele and the District has been reviewed by this body and is attached herein; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$21,094 per month and the hourly equivalent is \$121.70 the minimum base salary for this position is \$21,094 per month and the hourly equivalent is \$121.70 as reflected on the Salary Pay Schedule of the District; and

WHEREAS, the hourly rate paid to Chris DeGabriele will be \$121.70 per hour; and

WHEREAS, Chris DeGabriele has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW THEREFORE IT IS HEREBY RESOLVED that the Las Gallinas Valley Sanitary District hereby certifies the nature of the employment of Chris DeGabriele as described herein and detailed in the attached employment agreement document and that this appointment is necessary to fill the critically needed position of General Manager for the Las Gallinas Valley Sanitary District by January 31, 2022 because there is a need to fill the vacant position to prevent stoppage of public business while the executive search is underway.

* * * * *

I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on January 20, 2022, by the following vote of the members thereof:

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

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Judy Schriebman, Board President
Las Gallinas Valley Sanitary District

(SEAL)

EMPLOYMENT AGREEMENT FOR INTERIM GENERAL MANAGER

This Employment Agreement is entered and effective as of _____ by and between the LAS GALLINAS VALLEY SANITARY DISTRICT ("Employer" or "District") and CHRIS DEGABRIELE ("Employee") subject to the following terms and conditions.

RECITALS

This Agreement is made and entered with respect to the following facts:

A. Employer is a public agency and sanitary district organized and existing under and pursuant to the Sanitary District Act of 1923 (California Health and Safety Code § 6400 et seq.).

B. Employer desires to retain Employee as its Interim General Manager beginning *January 31, 2022* subject to the following terms and conditions.

C. Employee desires to accept such employment subject to the following terms and conditions.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals and of the mutual promises and conditions in this Agreement, Employer and Employee agree as follows:

1. **Employment and Title.** Employer hereby hires Employee as its Interim General Manager beginning *January 31, 2022*. Employee accepts such employment subject to the terms and conditions of this Agreement.

2. **Term of Employment.** The term of this Agreement shall commence on *January 31, 2022*, and shall continue until District hires a permanent General Manager or until it is terminated by either party as hereinafter provided.

3. **Duties.** Employee shall serve as Employer's Interim General Manager, shall perform the duties described in the job description attached as Exhibit A to this Agreement, and shall be subject to the policies, restrictions and directions provided by Employer's Board of Directors from time-to-time and subject to the consent of said Board of Directors. Employer specifically reserves management and control of all aspects of the District and its business. Employee acknowledges that the position of Interim General Manager is a position of high visibility before the public. Employee shall conduct himself before the public, both during and outside of regular working hours, in a manner that reflects favorably upon Employer. The District shall, at District expense, supply Employee with sufficient personnel and equipment to allow Employee to perform Employee's duties and obligations under this Agreement, including without limitation a cellphone and laptop computer for Employee's use while performing the services under this Agreement.

4. **Compensation.** In consideration of Employee's performance of the foregoing duties, Employer shall compensate Employee as noted below, unless and until this Agreement is terminated as hereinafter provided. Employee is a California Public Employees Retirement System (CalPERS) annuitant. It is anticipated that Employee will continue to be a retired CalPERS annuitant subject to all CalPERS laws, rules, regulations and restrictions applicable to retired CalPERS annuitants.

Compensation and Benefits

Employee shall receive the following salary for services provided under this Agreement while Employee remains a retired CalPERS annuitant:

a. Hourly Compensation

District shall pay Employee at the rate of \$121.70 for each hour of service Employee provides to the District until Employee is reinstated to active CalPERS service. This hourly rate is calculated in accordance with CalPERS regulations as follows: $\$253,136./2080 \text{ hrs.} = \121.70 (rounded). Employee's compensation shall be payable biweekly (every other week) at the same time as all District employees receive their regular paychecks. Employee shall not be entitled to receive payment or credit for, and District shall not pay or credit Employee for, overtime, compensated time off in lieu of overtime or other compensation except as expressly provided in this Agreement.

b. Employee Benefits

The status of Employee's principal as a retired CalPERS annuitant precludes Employee from receiving any benefits, incentives, compensation in lieu of benefits or other form of compensation in addition to hourly pay. Therefore, while Employee remains a retired CalPERS annuitant, Employee shall receive no benefits, incentives, compensation in lieu of benefits or other form of compensation in addition to hourly pay under this Agreement.

c. Deferred Compensation Plan

As of the date of this Agreement, the District provides a Deferred Compensation Plan pursuant to an agreement or agreements with financial institution(s) qualified to provide such plans under applicable provisions of the Internal Revenue Code. Subject to the terms and conditions of such agreement(s) and the Deferred Compensation Plan thereby established, the District and Employee acknowledge that Employee shall be eligible to participate in said plan while serving as Interim General Manager. All contributions to that Plan shall be made by Employee.

d. Expense Reimbursement

Subject to the policies, restrictions and direction of the District, the District shall pay or reimburse Employee for all reasonable expenses incurred by the Employee in the performance of Employee's duties and obligations pursuant to this Agreement including, without limitation, reimbursement of Employee's personal vehicle expenses, based on actual mileage for such use, payable at the rate established by the United States Internal Revenue Service.

e. No Other Benefits.

Except as expressly provided in this Agreement, Employee shall not be entitled to enjoy or be paid for any other benefits available to other employees of Employer.

5. At-Will Employment; Termination.

a. It is specifically understood and agreed that Employee serves at the pleasure of Employer's Board of Directors. This Agreement and the relationship hereby created may be terminated at any time at the will of Employer, in its sole discretion, with or without cause, subject

to the following provisions of this paragraph.

b. Unless Employer terminates Employee for cause as defined below, if Employer determines to terminate Employee, Employer will first provide Employee with written notice of its decision to terminate or not to further retain Employee. Employer shall not be required to state any reasons for its decision to terminate Employee or not to further extend Employee's employment in said written notice or otherwise. Said written notice shall provide either (A) that Employee's employment and this Agreement shall expire one month after provision of said written notice to Employee, or (B) that Employee's employment and this Agreement are terminated immediately upon provision of said written notice. If said written notice provides that Employee's employment and this Agreement shall expire one month after provision of said written notice to Employee, then during said one month period, Employer shall pay Employee the hourly rate in effect for all hours worked in that ensuing month. Employer shall have the right, in its discretion, to decide whether to terminate Employee's employment and this Agreement on one month written notice or immediately as aforesaid. If requested by Employer, Employee shall continue to perform the duties of Employer's Interim General Manager until the effective date of termination. If Employee is terminated for cause, Employee's employment and this Agreement will be terminated effective immediately and Employee shall receive pay only through the effective date of termination. As used in this agreement, "cause" shall include but not be limited to gross insubordination, dishonesty, embezzlement, violation of State or local requirements pertaining to conflicts of interest or otherwise, or the conviction of a felony or any offense involving a violation of his duties as General Manager.

c. Employee may terminate this Agreement and resign his employment at any time, for any reason, upon one month prior written notice to Employer. This Agreement and Employee's employment shall terminate upon the expiration of the month after Employer's receipt of such written notice. Once Employee gives Employer such written notice, Employee shall not have the right to rescind it without an affirmative vote of the majority of Employer's elected directors in office as of the date Employee requests, in writing, that said written notice be rescinded. Upon receipt of Employee's written notice of resignation and termination of this Agreement, Employer shall have the right to immediately remove Employee from his position as Interim General Manager, or to permit Employee to remain in the position of Interim General Manager for all or any part of the one-month notice period. If Employer elects to immediately remove Employee from his position as Interim General Manager, or to remove Employee from his position as Interim General Manager before the expiration of the one-month notice period, then Employer shall pay Employee the hourly rate in effect for all hours worked in that ensuing period. If Employer requests that Employee continue to perform the duties of Interim General Manager during the one-month notice period and Employee fails or refuses to do so, then Employee shall receive no compensation after the last date upon which Employee actually performs the duties required of him as Interim General Manager pursuant to this Agreement.

6. **Employer Property.** All correspondence, memoranda, records, files, plans, papers, notes, notebooks, reports, manuals, ideas, intellectual property, trademarks, copyrights, patents, computer software or hardware and other materials (regardless of their form) that Employee receives, creates or produces in connection with this Agreement or with Employee's employment by Employer shall be and remain the exclusive property of Employer. Employee shall immediately deliver all originals of any such materials or matters that are either in Employee's possession or under Employee's control to Employer upon termination of this Agreement or upon request of any officer of Employer. In addition to the foregoing, immediately upon termination of Employee's employment, Employee shall cease using and shall surrender to Employer any vehicle provided for Employee's use pursuant to this Agreement, all keys thereto, all keys to Employer's building, all methods of gaining access to Employer's premises, property

or information, all cellular telephones and radios and all other property of Employer. The foregoing notwithstanding, Employee shall be permitted to retain copies of records prepared by Employee that would be available to any member of the public pursuant to a bona fide request under the Public Records Act, Government Code Section 6250 et seq.

7. **Time And Attention.** Subject to any restrictions upon CalPERS annuitants ~~before Employee is retroactively reinstated to active CalPERS service,~~ Employee agrees to devote sufficient, attention and energy to the performance of his duties under this Agreement, subject to the direction and control of District.

8. **Assignment.** This Agreement is personal in nature and the parties hereto shall not assign or transfer this Agreement or any rights or obligations hereunder without the prior written consent of the other party, which consent shall not be unreasonably withheld.

9. **Attorney's Fees.** If any arbitration, or any action at law or in equity, including but not limited to an action for declaratory relief, is brought between the parties to this Agreement, each party will pay their own attorney expenses.

10. **Entire Agreement.** This Agreement supersedes any and all other agreements and amendments to agreements, either oral or in writing, between the parties hereto with respect to the relationship between Employer and Employee, and contains all of the covenants and agreements between them with respect to that relationship. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, oral or otherwise, have been made by any party, or anyone acting on behalf of any party, which is not embodied herein, and that no agreement, statement, or promise not contained in this Agreement shall be valid or binding on either party.

11. **Modification.** Any modification of this Agreement will be effective only if it is in writing and signed by Employer and Employee.

12. **Partial Invalidity.** If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

13. **Law Governing.** This Agreement shall be governed and construed in accordance with the laws of the State of California. Jurisdiction for any dispute arising out of or relating to this Agreement shall be exclusively with the Superior Court of the State of California. Venue for any such dispute shall be exclusively within Marin County, California. Any dispute between the parties that relates to or arises from this Agreement shall be resolved within the County of Marin, California, by an arbitrator or arbitrators selected or appointed from the list of arbitrators of the Superior Court of California, County of Marin, or by an independent hearing officer hired through the Marin County, California branch office of the Judicial Arbitration and Mediation Service (JAMS).

14. **Headings.** The headings used throughout this Agreement are used for convenience of reference only and shall not in any way limit or be deemed to construe or interpret the provisions of this Agreement.

15. **Cooperation.** Each party hereto agrees to execute and deliver any documents and to take any other actions that may be reasonably requested by the other party to accomplish the purposes of this Agreement.

16. **Waiver of Breach.** No waiver of any breach of this Agreement shall be effective unless in writing and no waiver shall constitute a waiver of any subsequent breach.

17. **Indemnification.** Pursuant to the requirement of the California Government Code, including but not limited to Sections 825, 995, 995.2, 995.8 and 996.4, as amended from time to time, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim and demand or other claim or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the course and scope of Employee's duties as Interim General Manager. Said defense shall be provided by Employer until such time as all legal action on the matter is concluded.

Date: _____

LAS GALLINAS VALLEY SANITARY DISTRICT

Judy Schriebman, President of the Board

Date: _____

Chris DeGabriele, Interim General Manager

Las Gallinas Valley Sanitary District Job Description

POSITION: INTERIM GENERAL MANAGER

LAST REVISION: JANUARY 2022

SALARY STEP RANGE: by Employee Contract. This is a Retired Annuitant Position.

SCOPE: Directs and manages the administrative, financial, engineering, operating, maintenance and construction functions of the District during the absence of a regular, full-time General Manager.

MINIMUM QUALIFICATIONS:

Education & License: Bachelor of Science Degree in Engineering from an accredited college or university and Civil Engineering Registration in the State of California or Operator's Certification: A Grade V Wastewater Treatment Plant Operator Certificate issued by the State of California State Water Resources Control Board is desirable.

And in addition to the above:

Ten years of increasing responsible relevant experience including at least five years in a supervisory or management position with a wastewater agency along with a valid California driver's license.

ESSENTIAL JOB FUNCTIONS – BOARD AND GENERAL MANAGER

1. Act as Board representative with District employees.
2. Supervise preparation of Board Meeting agenda and attend all Board meetings.
3. Provide recommendations to Board on all agenda matters.
4. Represent Board and District in discussions with regulatory agencies, other agencies, community representatives, developers, and public.
5. Supervise coordinate of individual Board member participation at various functions requiring Board member attendance.
6. Implement all Board actions as well as Board approved ordinances, resolutions, rules, regulations, policies, and procedures.
7. Advise and consult with the Board on the development of proposed ordinances, resolutions, rules, regulations, policies, and procedures.
8. Conduct special studies and surveys and prepare reports as directed by the Board.
9. Prepare annual budget, annual sewer service report, and quarterly finance reports for Board review/approval.
10. Manage District personnel matters in a manner consistent with District personnel procedures and in a manner to ensure Board's position of Personnel Appeals Board.
11. Perform other responsibilities, assignments, and special projects as needed.

ESSENTIAL JOB FUNCTIONS –GENERAL MANAGER AND DISTRICT STAFF

1. Supervise and coordinate the daily functions of the District and manage and prioritize the daily workload.
2. Manage the District's financial transactions including collection of revenue, payment of expenditures, investment of reserves, and audit of District financial system.
3. Supervise the operation and maintenance of the District's wastewater collection, treatment, disposal, and reclamation facilities.
4. Interpret and implement federal, state, and regional wastewater quality control requirements and programs and ensure compliance with applicable laws and regulations.
5. Manage the District's personnel matters including staffing, employee relations, training, discipline, salary negotiations, and benefits programs.
6. Review and supervise the work of consultants and contractors engaged by District.
7. Maintain up to date recordkeeping systems for the affairs of the District.
8. Perform other responsibilities, assignments, and special projects as needed.

WORK ENVIRONMENT AND CONDITIONS

Performance of job functions may involve extended work days to attend meetings and conferences, or to meet project deadlines.

KNOWLEDGE, SKILLS, ABILITIES

Knowledge of the principles and practices of public administration.

Knowledge of the principles and practices of civil or sanitary engineering as they apply to the planning, design, construction, and operation of wastewater facilities.

Knowledge of federal, state, and local laws and regulations governing the operation and maintenance of a sanitary district's facilities.

Knowledge of and skill in project management contract administration.

Ability to communicate effectively with staff, the Board, community groups or representatives, and regulatory agencies.

Ability to prepare concise written reports.

Ability to apply problem-solving skills to a variety of technical and non-technical situations.

Ability to effectively plan, organize, and direct the work of staff.

Ability to maintain effective employee relations

OTHER REQUIREMENTS

United States citizenship or legal eligibility to work in the United States.

Medical evaluation to determine physical fitness for the job.

Acceptable driving record consistent with the standards established by the District.

Participation in job training or professional development programs.

Agenda Summary Report

To: Board of Directors
From: Dale McDonald, Administrative Services Manager *DM*
(415) 526-1519 dmcDonald@lqvsd.org
Meeting Date: January 20, 2022
Re: Submittal of Application for SB 1383 Local Assistance Grant Program
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Approve Resolution No. 2022-2237 authorizing submittal of application for payment programs and related authorizations with CalRecycle.

BACKGROUND

The Department of Resources Recycling and Recovery (CalRecycle) recently announced SB 1383 Local Assistance Grant Program pursuant to Chapter 395, Statutes of 2016. This non-competitive grant program will provide one time funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB1383.

This non-competitive grant program provides \$57,000,000 of funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383, including but not limited to:

- Capacity Planning
- Collection
- Edible Food Recovery
- Education and outreach (*includes organic waste & edible food recovery*)
- Enforcement and Inspection
- Program Evaluation/Gap Analysis
- Procurement Requirements
- Record Keeping"

As a special district that provides solid waste collection services, through our franchisee Marin Sanitary Service, our District is an eligible applicant. Base award is \$20,000 with the distribution of remaining funds to eligible entities based on a per capita calculation, which for our District could increase the total grant amount up to approximately \$40,000.

Applications are due by February 1, 2022. One of the requirements is a resolution of the governing body authorizing submittal of the application.



PREVIOUS BOARD ACTION

None

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

Any grant funding would offset expenses related to implementation of SB 1383 regulatory requirements.

RESOLUTION NO. 2022-2237

RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Las Gallinas Valley Sanitary District is authorized to submit an application to CalRecycle for any and all payment programs offered; and

BE IT FURTHER RESOLVED that the General Manager and/or Administrative Services Manager, or his/her designees, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this authorization is effective for five years from the date of this resolution or until rescinded by the Signature Authority of this governing body.

* * * * *

I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on January 20, 2022, by the following vote of the members thereof:

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

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Judy Schriebman, Board President
Las Gallinas Valley Sanitary District

(SEAL)



Agenda Summary Report

To: Board of Directors
From: Greg Pease, Collection System/Maintenance/Safety Manager
 415.526.1513 gpease@lgvsd.org
Meeting Date: January 20, 2022
Re: Appropriate Vehicle Reserve Funds for FY 2021-2022 Service Truck Purchase
Item Type: Consent _____ Action X Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board to approve the use of Vehicle Reserve Funds in the amount of \$220,000 for the purchase of a service truck to be added to the LGVSD Fleet in FY 2021-2022 and authorize the acting/interim General Manager to authorize the purchase if the vehicle becomes available on a sales lot.

BACKGROUND

During FY 2018-2019, the District established a vehicle reserve fund in the amount of \$1 million. The purpose of this fund is to ensure that there are sufficient funds for vehicle and equipment replacement.

An additional service truck is requested to meet the demands of the District Operations and Maintenance divisions. The service truck is a vital, daily use vehicle and used by Maintenance, Collections and Plant Operations staff. The service truck is our only means to pull/install pumps, valves, pipes and other heavy equipment throughout the District. The current service truck is a model year 2008 and was not available to Staff, due to required repair and services, multiple times over the course of the previous 2 years and during these times, the District relied on mutual aid agreements to borrow equipment from neighboring Districts. The existing service truck would be designated as the "Pump Station Service Vehicle" primarily used by the Collections staff, however it will serve as a backup in the event the new vehicle needs to be repaired/serviced.

Procurement was originally anticipated to occur through Sourcwell, a cooperative purchasing organization frequently used by governmental agencies and the District to minimize procurement costs. A competitive quote was provided by Sourcwell (attached) for the amount \$192,978.93 but due to Covid related manufacturing delays, the estimated acquisition time is a year and a half. For this reason, we are asking for the ability to purchase from a dealership if a truck becomes available. We have increased the amount requested to ensure the allocated funds are sufficient to allow for a dealer purchase.

PREVIOUS BOARD ACTION

On June 17, 2021, the Board approved Resolution 2021-2220 approving the budget for FY 2021-2022.

ENVIRONMENTAL REVIEW

N/A



FISCAL IMPACT

The appropriation of funds represents anticipated spending from the vehicle reserve account. Restoration of used funds will be included with the aforementioned long term vehicle replacement funding strategy review.



National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com

11/4/2021

Quote ID: 18998

Order Cut Off Date: 11/12/2021

Mr Greg Pease
Las Gallinas Valley Sanitation District
300 Smith Ranch Road
San Rafael, California, 94903

Dear Greg Pease,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.

One (1) New/Unused (2022 Ford Super Duty F-550 DRW (F5H) XL 4WD Reg Cab 169" WB 84" CA, Knapheide 6132DLR-44K 11' Crane + Chassing Handling \$2,000.00) and delivered to your specified location, each for

	One Unit (MSRP)	One Unit	Total % Savings	Total Savings
Contract Price	\$61,705.00	\$55,048.14	10.788 %	\$6,656.86
Knapheide 6132DLR-44K 11' Crane + Chassing Handling \$2,000.00		\$121,582.00		
Tax (9.2500 %)		\$16,338.29		
Tire fee		\$10.50		
Total		\$192,978.93		

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell (Formerly Know as NJPA) Contract 120716-NAF** . Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 20 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper
Account Manager
Email: Fleet@NationalAutoFleetGroup.com
Office: (855) 289-6572
Fax: (831) 460-8497

Quoting Department
Account Manager
Fleet@NationalAutoFleetGroup.com
(855) 289-6572



GMC

Purchase Order Instructions & Resources

In order to finalize your purchase please submit this purchase packet to your governing body for a purchase order approval and submit your purchase order in the following way:

Email: Fleet@NationalAutoFleetGroup.com

Fax: (831) 480-8497

Mail: National Auto Fleet Group

490 Auto Center Drive

Watsonville, CA 95076

We will send a courtesy confirmation for your order and a W-9 if needed.

Additional Resources

Learn how to track your vehicle: www.NAFGETA.com

Use the upfitter of your choice: www.NAFGpartner.com

Vehicle Status: ETA@NationalAutoFleetGroup.com

General Inquiries: Fleet@NationalAutoFleetGroup.com

For general questions or assistance please contact our main office at:

1-855-289-6572



Knapheide Truck Eq Co - CA
 405 Gandy Dancer Rd
 Tracy CA 95377
 Phone: 209-855-8400
 Fax: 209-835-2128
 www.tracy.knapheide.com

QUOTATION

Quote ID: HC00000257

Page 1 of 3

Account: 99
 Customer: LAS GALLINAS VALLEY SAN DIS
 300 SMITH RANCH RD
 SAN RAFAEL CA 94903

Quote Number: HC00000257
 Quote Date: 10/27/2021
 Quote valid until: 11/26/2021
 Payment Terms: COD

Contact:
 Phone:
 Fax:

Salesperson: HUNTER CARNEVALE
 Quoted By: hcarnevale
 PO#:

Make: FORD	Model: F-550	Year: 2022	Single/Dual: DRW
Cab Type: REGULAR	VIN#: CUSTOMER SUPPLIED	Cab-to-Axle: 84.0	Wheelbase: 169.0

QTY	DESCRIPTION	AMOUNT
1	<p>KMT1 L4463-21</p> <p>REF: LAS GALLINAS VALLEY SANITARY DISTRICT Knapheide 6132DLR-44K: 11 ft crane body with torq-isolator crane support system. A-40 galvanneal compartments and doors, 3/16" treadplate floor, 1/8" tops and backs, full-seam continuously welded. 12 gauge bottom and end panels of compartments and double panel 14 gauge outside panels. Exclusive 12 stage K-coat protection includes 12 stages of cleaning, pre-treat, electrodeposition prime coat, rinse, and curing. (6) recessed cargo tie-downs in floor - 6,000# capacity, (2) heavy duty aluminum grab handles, and LED stop/tail/turn lights, clearance lights, & backup lights. 21" work surface bumper with thru compartment, vise plate, & 2.5" receiver tube. (2) Grip-Strut flex steps, (1) each side of rear tail shelf. 16" high double panel slam tailgate with center latch and flat space for tailgate graphics.</p> <p>D-Rings: (6) D-rings installed in cargo area, 3 each side</p> <p>KnapLiner: Commercial grade spray-on bed liner applied to cargo floor, sides, compartment tops, bulkhead, tailgate, and rear bumper (no liner on top of rear bumper)</p> <p>Stellar 7621 Service Crane: Max 7,500lb lifting capacity (38,000ft-lbs), 21' hydraulic reach, planetary winch 60'/min speed, and double-acting cylinders w/integral holding valves. Filters, crane hook, snatch block, anti-two block device & hydraulic shutdown, 3/8" cable, boom support, wireless remote control (RF) with back up pendant control, PTO, hydraulic pump for crane, hydraulic reservoir with guard, & remote docking / charge station for crane remote</p> <p>Control Panel: Power Cell, controller and (8) button switch panel in the rear crane compartment. CAN-bus system with continuous working load of 115 amps, features built in overload current protection for the system and operator safety. Control panel with LCD display installed in cab</p> <p>Miller A60 Enpak: Miller EnPak power unit with 24.8 hp Kubota turbocharged diesel engine equipped with 60 CFM rotary screw compressor, variable displacement hydraulic pump, 7,000 watt generator, 150A battery charge/300A crank assist, and integrated 325A multi-process welder with 50' welding leads. Jumper harness to crane control system to allow start/stop, idle up/down and compressor on/off functions from crane wireless remote system. Two 120-volt GFCI-protected</p>	



Knapheide Truck Eq Co - CA
 405 Gandy Dancer Rd
 Tracy CA 95377
 Phone: 209-855-8400
 Fax: 209-835-2128
 www.tracy.knapheide.com

QUOTATION

Quote ID: HC00000257

Page 2 of 3

QTY	DESCRIPTION		AMOUNT
	<p>receptacles and one 120/240-volt receptacle with 60 Hz current. 20 gallon hydraulic oil reservoir plumbed to system. Enpak installed on mounting bracket street side compartment top and tied into chassis fuel system with tap</p> <p>Pressure Washer System: Hydraulic water pressure washer with 50' hose reel installed in street side rear vertical, includes 55 gallon poly tank</p> <p>Side Compartments: 44" high side packs and 60" high right front vertical compartment with automotive quality 3-pt T-handles</p> <p>1st Vertical Side Compartment: 7 drawer unit – 3-3" high drawers, 3-5" high drawers, and 1-7" high drawer (street side) / Gas bottle retainer (2 bottles), vented top & bottom; Full height vertical partition with 3 adjustable divider shelves (curbside)</p> <p>2nd Vertical Side Compartment: 7 drawer unit – 3-3" high drawers, 3-5" high drawers, and 1-7" high drawer (street side) / 2 adjustable divider shelves with 4 dividers each (curbside)</p> <p>1st Horizontal Side Compartment: Bolt bin storage unit (street side) / bolt-in divider shelf with 8 dividers (curbside)</p> <p>3rd Vertical Side Compartment: 7 drawer unit – 3-3" high drawers, 3-5" high drawers, and 1-7" high drawer (street side) / Fixed shelf (curbside)</p> <p>Master Locking System: Secures one entire side of compartments with a padlock in one easy motion and acts as a visual theft deterrent</p> <p>Padlocks: (2) codeable padlocks by OEM ignition key for master locking system stowed in cab</p> <p>Cab Protector: with punched window</p> <p>Auxiliary Lighting: (4) LED work lights installed, LED compartment lights installed per each compartment except bottle gas compartment, & 15" mini LED strobe light bar installed on cab guard</p> <p>Strobe system: S/T/T backup lights with integrated strobes & built in reflectivity; (2) LED strobe lights installed on front grill</p> <p>Outriggers: Hydraulic out / hydraulic down at curbside and hydraulic down at street side</p> <p>Backup Alarm: 97 db audible alarm</p> <p>Backup Camera: OEM backup camera installed</p> <p>Vise: Wilton 746 6" Mechanics vise</p> <p>Trim Package: Full height aluminum rock guards installed on the front end panels and aluminum treadplate trim on slam tailgate in lieu of KnapLiner</p> <p>Tire Retainer: Spare tire retainer installed</p> <p>Cone Holder: Front bumper cone holder installed</p> <p>Trailer Plug: 7-way flat trailer plug installed</p>		



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QUOTATION

Quote ID: HC00000257

Page 3 of 3

QTY	DESCRIPTION	AMOUNT
	Finish Paint: Body interior / exterior painted single stage to match cab	
	PDI AND DELIVERY TO SAN RAFAEL, CA INCLUDED	
Total Due (sales tax not included):		\$119,582.00

The following options may be added:

QTY	DESCRIPTION	PRICE EACH	AMOUNT	ADD TO QUOTE
				Yes / No

Notes:

This Quote is subject to the following terms and conditions:

Credit Card Policy

We do not accept credit cards for payment of any order in excess of \$3,000.00. For other orders, we do accept MasterCard, American Express, Visa and Discover cards for payment.

Pricing Policy

- Price Quotation is good on orders received through the expiration date
- Pricing quoted applies to chassis make/model originally provided and quantity quoted. Any change may result in price change.
- Orders are subject to all applicable state, local and federal excise taxes. Applicable taxes will be applied on final billing to customer upon completion of order.

Payment Policy

- Payment Terms are due upon receipt of signed quote unless prior credit agreement has been established at the time of order.
- Payment terms for customers with an established credit account will be Net 30 from date of invoice.
- Knapheide has right to assess late charges at 1.5% per month on all invoices that are 60 days or more past due.

Return Policy

- All sales are final. Purchased parts or products are non returnable.

Cancellation Policy

- Payment is due in full upon cancellation of any orders for non-stocked parts or products (provided part/product has been ordered by Knapheide) and upon cancellation of installation orders, once product installation has begun.

Customer agrees and understands this Quote is an offer to sell subject to the terms and conditions above and any additional terms or modifications are hereby objected to, unless mutually agreed upon in writing by Customer and Knapheide. The undersigned represents and warrants that he/she is duly authorized to sign below on behalf of Customer and thereby accepts offer and Knapheide will begin processing the order.

Customer must fill out the information below before the order can be processed...

Signature & Printed Accepted by:	
Date:	
P.O. number:	

Vehicle Configuration Options

ENGINE	
Code	Description
99T	ENGINE: 6.7L 4V OHV POWER STROKE V8 TURBO DIESEL B20, -inc: Diesel Exhaust Fluid (DEF) tank, intelligent oil-life monitor and manual push-button engine-exhaust braking, 240 Amp Alternator, 4.10 Axle Ratio, Dual 78-AH 750 CCA Batteries
TRANSMISSION	
Code	Description
44G	TRANSMISSION: TORQSHIFT 10-SPEED AUTOMATIC, -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)
TIRES	
Code	Description
TGJ	TIRES: 225/70RX19.5G BSW A/P, (STD)
PRIMARY PAINT	
Code	Description
Z1	OXFORD WHITE
PAINT SCHEME	
Code	Description
___	STANDARD PAINT
SEAT TYPE	
Code	Description
AS	MEDIUM EARTH GRAY, HD VINYL 40/20/40 SPLIT BENCH SEAT, -inc: center armrest, cupholder, storage and driver's side manual lumbar
AXLE RATIO	
Code	Description
X8L	LIMITED SLIP W/4.88 AXLE RATIO
ADDITIONAL EQUIPMENT	
Code	Description
90L	POWER EQUIPMENT GROUP, -inc: Deletes passenger side lock cylinder, upgraded door-trim panel, Accessory Delay, Advanced Security Pack, SecuriLock Passive Anti-Theft System (PATS) and inclination/intrusion sensors, MyKey, owner controls feature, Power Locks, Remote Keyless Entry, Folding Trailer Tow Mirrors w/Power Heated Glass, manual telescoping, heated convex spotter mirror and integrated clearance lamps/turn signals, Power Front Side Windows, 1-touch up/down driver/passenger window

62R	TRANSMISSION POWER TAKE-OFF PROVISION, -inc: mobile and stationary PTO modes
67B	397 AMP ALTERNATORS
98R	OPERATOR COMMANDED REGENERATION
52B	TRAILER BRAKE CONTROLLER, -inc: smart trailer tow connector, Verified to be compatible w/electronic actuated drum brakes only
535	HIGH CAPACITY TRAILER TOW PACKAGE, -inc: Increases GCW from 32,500 lbs, to 40,000 lbs, axle ratios and model availability, See Supplemental Reference for vehicle height consideration
41P	TRANSFER CASE SKID PLATES
68M	GVWR: 19,500 LB PAYLOAD PLUS UPGRADE PACKAGE, -inc: upgraded frame, rear-axle and low deflection/high capacity springs, Increases max RGAWR to 14, 706, Note: See Order Guide Supplemental Reference for further details on GVWR
67P	EXTRA HEAVY-DUTY FRONT END SUSPENSION - 7,500 GAWR, -inc: upgraded front axle and max 7,500 lbs, Front springs/GAWR rating for configuration selected, Incomplete vehicle package - requires further manufacture and certification by a final stage manufacturer
512	SPARE TIRE, WHEEL & JACK, -inc: Excludes carrier, 6-Ton Hydraulic Jack
63A	UTILITY LIGHTING SYSTEM, -inc: LED side-mirror spotlights
153	FRONT LICENSE PLATE BRACKET
61J	6-TON HYDRAULIC JACK
61L	FRONT WHEEL WELL LINERS (PRE-INSTALLED)
872	REAR VIEW CAMERA & PREP KIT, -inc: Pre-installed content includes cab wiring and frame wiring to the rear most cross member, Upfitters kit includes camera w/mounting bracket, 20' jumper wire and camera mounting/aiming instructions
76C	EXTERIOR BACKUP ALARM (PRE-INSTALLED)
18A	UPFITTER INTERFACE MODULE
43C	110V/400W OUTLET
OPTION PACKAGE	
Code	Description
660A	ORDER CODE 660A

2022 Fleet/Non-Retail Ford Super Duty F-550 DRW XL 4WD Reg Cab 169" WB 84" CA

WINDOW STICKER

2022 Ford Super Duty F-550 DRW XL 4WD Reg Cab 169" WB 84" CA		
CODE	MODEL	MSRP
F5H	2022 Ford Super Duty F-550 DRW XL 4WD Reg Cab 169" WB 84" CA	\$44,940.00
OPTIONS		
99T	ENGINE: 6.7L 4V OHV POWER STROKE V8 TURBO DIESEL B20, -inc: Diesel Exhaust Fluid (DEF) tank, intelligent oil-life monitor and manual push-button engine-exhaust braking, 240 Amp Alternator, 4.10 Axle Ratio, Dual 78-AH 750 CCA Batteries	\$9,325.00
44G	TRANSMISSION: TORQSHIFT 10-SPEED AUTOMATIC, -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)	\$0.00
TGJ	TIRES: 225/70RX19.5G BSW A/P, (STD)	\$0.00
Z1	OXFORD WHITE	\$0.00
—	STANDARD PAINT	\$0.00
AS	MEDIUM EARTH GRAY, HD VINYL 40/20/40 SPLIT BENCH SEAT, -inc: center armrest, cupholder, storage and driver's side manual lumbar	\$0.00
X8L	LIMITED SLIP W/4.88 AXLE RATIO	\$360.00
90L	POWER EQUIPMENT GROUP, -inc: Deletes passenger side lock cylinder, upgraded door-trim panel, Accessory Delay, Advanced Security Pack, SecuriLock Passive Anti-Theft System (PATS) and inclination/intrusion sensors, MyKey, owner controls feature, Power Locks, Remote Keyless Entry, Folding Trailer Tow Mirrors w/Power Heated Glass, manual telescoping, heated convex spotter mirror and integrated clearance lamps/turn signals, Power Front Side Windows, 1-touch up/down driver/passenger window	\$915.00
62R	TRANSMISSION POWER TAKE-OFF PROVISION, -inc: mobile and stationary PTO modes	\$0.00
67B	397 AMP ALTERNATORS	\$115.00
98R	OPERATOR COMMANDED REGENERATION	\$250.00
52B	TRAILER BRAKE CONTROLLER, -inc: smart trailer tow connector, Verified to be compatible w/electronic actuated drum brakes only	\$270.00
535	HIGH CAPACITY TRAILER TOW PACKAGE, -inc: Increases GCW from 32,500 lbs, to 40,000 lbs, axle ratios and model availability, See Supplemental Reference for vehicle height consideration	\$580.00
41P	TRANSFER CASE SKID PLATES	\$100.00
68M	GVWR: 19,500 LB PAYLOAD PLUS UPGRADE PACKAGE, -inc: upgraded frame, rear-axle and low deflection/high capacity springs, Increases max RGAWR to 14, 706, Note: See Order Guide Supplemental Reference for further details on GVWR	\$1,155.00
67P	EXTRA HEAVY-DUTY FRONT END SUSPENSION - 7,500 GAWR, -inc: upgraded front axle and max 7,500 lbs, Front springs/GAWR rating for configuration selected, Incomplete vehicle package - requires further manufacture and certification by a final stage manufacturer	\$285.00
512	SPARE TIRE, WHEEL & JACK, -inc: Excludes carrier, 6-Ton Hydraulic Jack	\$350.00
63A	UTILITY LIGHTING SYSTEM, -inc: LED side-mirror spotlights	\$160.00
153	FRONT LICENSE PLATE BRACKET	\$0.00
61J	6-TON HYDRAULIC JACK	INC

61L	FRONT WHEEL WELL LINERS (PRE-INSTALLED)	\$180.00
872	REAR VIEW CAMERA & PREP KIT, -inc: Pre-installed content includes cab wiring and frame wiring to the rear most cross member, Upfitters kit includes camera w/mounting bracket, 20' jumper wire and camera mounting/aiming instructions	\$415.00
76C	EXTERIOR BACKUP ALARM (PRE-INSTALLED)	\$140.00
18A	UPFITTER INTERFACE MODULE	\$295.00
43C	110V/400W OUTLET	\$175.00
660A	ORDER CODE 660A	\$0.00

Please note selected options override standard equipment

SUBTOTAL	\$60,010.00
Advert/ Adjustments	\$0.00
Manufacturer Destination Charge	\$1,695.00
TOTAL PRICE	\$61,705.00
Est City: N/A MPG	
Est Highway: N/A MPG	
Est Highway Cruising Range: N/A mi	

Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Standard Equipment

MECHANICAL

Engine: 7.3L 2V DEVCT NA PFI V8 Gas
Transmission: TorqShift 10-Speed Automatic -inc: 10R140 w/neutral idle and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery
4.88 Axle Ratio
GVWR: 18,000 lbs Payload Package
50-State Emissions System
Transmission w/Oil Cooler
Electronic Transfer Case
Part-Time Four-Wheel Drive
78-Amp/Hr 750CCA Maintenance-Free Battery w/Run Down Protection
HD 240 Amp Alternator
Towing Equipment -inc: Trailer Sway Control
Trailer Wiring Harness
10950# Maximum Payload
HD Shock Absorbers
Front And Rear Anti-Roll Bars
Firm Suspension
Hydraulic Power-Assist Steering
40 Gal. Fuel Tank
Single Stainless Steel Exhaust
Dual Rear Wheels
Auto Locking Hubs
Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs and Brake Assist
Upfitter Switches

EXTERIOR

Wheels: 19.5" x 6" Argent Painted Steel -inc: Hub covers/center ornaments not included
Tires: 225/70Rx19.5G BSW A/P
Clearcoat Paint
Black Front Bumper w/Black Rub Strip/Fascia Accent and 2 Tow Hooks
Black Fender Flares
Black Side Windows Trim and Black Front Windshield Trim
Black Door Handles
Black Manual Side Mirrors w/Manual Folding

Manual Extendable Trailer Style Mirrors
Fixed Rear Window
Light Tinted Glass
Variable Intermittent Wipers
Aluminum Panels
Front Splash Guards
Black Grille
Autolamp Auto On/Off Aero-Composite Halogen Daytime Running Lights Preference Setting
Headlamps w/Delay-Off
Cab Clearance Lights

ENTERTAINMENT

Radio: AM/FM Stereo w/MP3 Player -inc: 4 speakers
Radio w/Seek-Scan and Clock
Fixed Antenna
SYNC Communications & Entertainment System -inc: enhanced voice recognition, 911 Assist, 4.2" LCD center stack screen, AppLink, 1 smart-charging USB port and steering wheel audio controls
2 LCD Monitors In The Front

INTERIOR

4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement
4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement
Manual Tilt/Telescoping Steering Column
Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer
FordPass Connect 4G Mobile Hotspot Internet Access
Manual Air Conditioning
Illuminated Locking Glove Box
Interior Trim -inc: Chrome Interior Accents
Full Cloth Headliner
Urethane Gear Shifter Material
HD Vinyl 40/20/40 Split Bench Seat -inc: center armrest, cupholder, storage and driver's side manual lumbar
Day-Night Rearview Mirror
Passenger Visor Vanity Mirror
3 12V DC Power Outlets
Front Map Lights
Fade-To-Off Interior Lighting
Full Vinyl/Rubber Floor Covering
Smart Device Remote Engine Start

Instrument Panel Covered Bin and Dashboard Storage
Manual 1st Row Windows
Systems Monitor
Trip Computer
Outside Temp Gauge
Analog Appearance
Seats w/Vinyl Back Material
Manual Adjustable Front Head Restraints
Air Filtration

SAFETY

Driveline Traction Control
Side Impact Beams
Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Dual Stage Driver And Passenger Front Airbags w/Passenger Off Switch
Safety Canopy System Curtain 1st Row Airbags
Outboard Front Lap And Shoulder Safety Belts -inc: Height Adjusters



Agenda Summary Report

To: Board of Directors, LGVSD
From: Greg Pease, Collection System/Maintenance/Safety Manager
 (415) 526-1513; gpease@lqvsd.org
Meeting Date: January 20, 2022
Re: Award of Contract for the Development of an Emergency Management System
Item Type: Consent Action Information Other
Standard Contract: Yes No (See attached) Not Applicable

STAFF RECOMMENDATION

Board to approve the Contract Proposal for the Development of an Emergency Management System to Preparative Consulting.

BACKGROUND

The District reviewed proposals for the development of an Emergency Management System on December 6, 2021. There were (4) proposals submitted, and the results are listed below.

Proposal results:

	Total Cost
1. Claris Strategy (Arcadia)	\$67,366
2. Preparative Consulting (Vacaville)	\$67,661
3. Guidepost Aanko (Oakland/Vacaville)	\$100,000
4. Ewers Engineering Inc. (Roseville)	\$159,656

The contract will ensure the District has an Emergency Operations Plan and Business Continuity of Operations Plan, along with staff training and recommendations for developing an Emergency Operations Center to enhance the emergency preparedness capabilities of the Las Gallinas Valley Sanitary District.

Upon review of the proposals, Preparative Consulting of Vacaville, CA is within \$295 of the lowest proposal submitted and is located within an hour of the District. Also, Preparative Consulting has worked closely with the County of Marin Office of Emergency Services.

PREVIOUS BOARD ACTION

N/A

ENVIRONMENTAL REVIEW

N/A

FISCAL IMPACT

Maximum budget of \$67,661



Emergency Preparedness Proposal for the Las Gallinas Valley Sanitary District



Submitted by:

Preparative Consulting

Vacaville, CA 707.685.2209

Preparative.org

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September 29, 2021



Paul J. Bockrath, Partner
Preparative Consulting
PO Box 143
Vacaville, CA 95696

Greg Pease

Las Gallinas Valley Sanitary District
Collections System/Safety Manager
415.526.1513
GPease@lgsd.org

Dear Mr. Pease,

Thank you for the opportunity to provide this proposal to provide an Emergency Operations Plan and Business Continuity of Operations Plan, along with recommendations for developing an Emergency Operations Center to enhance the emergency preparedness capabilities of the Las Gallinas Valley Sanitary District. The Las Gallinas Valley Sanitary District is committed to ensuring that the District is prepared for and able to respond to and recover from any real or threatened incident, emergency, or disaster. To accomplish this goal, the District must work to formalize planning, organize personnel and resources, acquire the necessary equipment, tools, and technology, and train and exercise to meet this goal.

The first step in this preparedness process is the development of an Emergency Operations Plan and Business Continuity of Operations Plan for the Las Gallinas Valley Sanitary District. District preparedness is fundamental to fulfilling critical infrastructure's role in providing critical services to the community. By providing the necessary knowledge, experience, and planning skills, we seek to enable the Las Gallinas Valley Sanitary District to enhance their emergency preparedness capability.

The Emergency Operations Plan addresses the Las Gallinas Valley Sanitary District's planned response to extraordinary emergency situations. The Business Continuity of Operations Plan ensures the continuation of operations and the performance of essential functions during and after a disaster or other disruption to normal government operations. The Business Continuity of Operations Plan addresses the Las Gallinas Valley Sanitary District planned response to extraordinary emergency situations that would disrupt the operations of the district requiring necessary planned actions to ensure the continued actions required of the district.

Business Continuity programs and operations are fundamental practices that allow critical services to remain operational under all conditions. Business Continuity planning establishes the framework to ensure that each Las Gallinas Valley Sanitary District can carry out its critical



Emergency Preparedness Proposal for the Las Gallinas Valley Sanitary District

mission, regardless of the circumstances that may result from any incident, emergency, or disaster.

This Emergency Operations Plan will also include the provisions for the Business Continuity of Operations and establishes policy and guidance to ensure the execution of essential functions for the Las Gallinas Valley Sanitary District should an incident, emergency, or disaster threaten to or incapacitate operations, and/or requires the relocation of selected personnel and functions.

This Business Continuity of Operations Plan will provide the framework, within Las Gallinas Valley Sanitary District leadership and management structure, necessary to support and guide key departments with continuity operations. Preparative Consulting commends the Las Gallinas Valley Sanitary District for your commitment to ensuring that the district is well prepared for and able to respond to any real or threatened incident, emergency, or disaster. We look forward to partnering with the district to accomplish this goal, through the development of this Emergency Operations Plan and Business Continuity of Operations Plan.

Preparative Consulting provides this proposal for various emergency preparedness projects to include the Emergency Operations and Business Continuity of Operations Plan project estimate which is valid for 90 days. Mr. Paul Bockrath will be the point of contact to negotiate this contract on behalf of Preparative Consulting and has provided contact information on the above letterhead.

Best Regards,

A handwritten signature in black ink that reads "Paul J. Bockrath".

Paul J. Bockrath



PO Box 143 Vacaville, CA 95696
(707) 685-2209
Preparative.org

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DEVELOPMENT OF AN EMERGENCY OPERATIONS PLAN

Consultant will work with representatives from the Las Gallinas Valley Sanitary District to author a current and comprehensive Emergency Operations Plan. The Emergency Operations Plan (EOP) addresses the Las Gallinas Valley Sanitary District 's planned response to extraordinary emergency situations associated with natural, technological, and human caused emergencies or disasters within or affecting the district facilities. This plan is the principal guide for the Las Gallinas Valley Sanitary District 's response to, management of, and recovery from real or potential emergencies and disasters occurring within its designated facilities and geographic boundaries.

The FEMA "Comprehensive Preparedness Guide 101" is the standard for Emergency Operations Plan guidelines and recommends a whole community approach to planning. Consultant will assist the Las Gallinas Valley Sanitary District in establishing a Core Planning Team who will assist in the creation of this Emergency Operations Plan. The Core Planning Team will include representatives of Las Gallinas Valley Sanitary District, key community partners, and other identified stakeholders. This plan will meet all State SEMS and Federal NIMS/NRF requirements.

Project Approach

- Step 1: Development of a Core Planning Team
- Step 2: Analyze and Establish Goals and Objectives
 - Identify EOC Staff Training in a Multi-Year Training and Exercise Plan
- Step 3: Review and Analyze Existing Plans, Policies, and Agreements
 - Identify relevant EOC Forms for Documentation, Resource Tracking, and Cal OES/FEMA Reimbursement
- Step 4: Develop and Present Draft of Plan
- Step 5: Plan Review and Refinement
- Step 6: Presentation and Approval of Final Plan

DEVELOPMENT OF A BUSINESS CONTINUITY OF OPERATIONS PLAN

Preparative Consulting will work with representatives from the Las Gallinas Valley Sanitary District and other select stakeholders to author a current and comprehensive Business Continuity of Operations Plan for the Las Gallinas Valley Sanitary District.

The Business Continuity of Operations Plan is developed as an associated Plan to the Las Gallinas Valley Sanitary District Emergency Operations Plan (EOP). The purpose of this Business Continuity of Operations Plan is to establish policy and guidance to ensure the execution of essential functions of the Las Gallinas Valley Sanitary District should an extraordinary emergency occur, that would disrupt district services, operations, or governance.

Business Continuity of Operations Planning is a critical business practice and is part of the fundamental mission of the Las Gallinas Valley Sanitary District. This Plan will be based on State/Federal guidance, the planning process will be consistent with the Federal Comprehensive Preparedness Guide 101 (CPG 101) and will contain the ten essential elements used to establish Business Continuity of Operations planning.

The ten essential elements of Business Continuity of Operations planning include:

- Essential Functions
- Orders of Succession
- Delegations of Authority
- Continuity Facilities
- Continuity Communications
- Human Capital Management
- Vital Records
- Tests, Training & Exercises
- Devolution
- Reconstitution

The Business Continuity of Operations Plan addresses the Las Gallinas Valley Sanitary District's planned response to extraordinary emergency situations associated with natural, technological, and human caused emergencies or disasters within or affecting the LGVSD. This Plan is the principal guide for LGVSD's Business Continuity of Operations response to any real or threatened emergencies and disasters occurring within its designated geographic boundaries.

Preparative Consulting will use the following outline for the Las Gallinas Valley Sanitary District Emergency Business Continuity of Operations Plan.

BUSINESS CONTINUITY OF OPERATIONS PLAN OUTLINE

The Las Gallinas Valley Sanitary District Business Continuity of Operations Plan will address the planned and coordinated actions of the Las Gallinas Valley Sanitary District, along with County, Regional, and State agencies to ensure continued facility and infrastructure operations during an incident, emergency, or disaster they has impacted district operations. This Plan will also detail the leadership and management structure, necessary to support and guide key departments with continuity operations. The structure of the Business Continuity of Operations Plan will include:

- I. PURPOSE
- II. HAZARD AND RISK ANALYSIS
- III. ESSENTIAL FUNCTIONS
- IV. CONCEPT OF OPERATIONS
- V. PLAN MAINTENANCE
- VI. AUTHORITIES AND REFERENCES

BUSINESS CONTINUITY OF OPERATIONS PLAN OUTLINE

- I. PURPOSE
- II. HAZARD AND RISK ANALYSIS
 - a. Hazard and Risk Analysis/Site Vulnerability
 - b. Policy
 - c. Objectives
 - d. Assumptions
- III. ESSENTIAL FUNCTIONS
- IV. CONCEPT OF OPERATIONS
 - a. Threat Scenarios
 - b. COOP Activation
 - c. COOP Response Team
 - d. Operational Phases
 - i. Phase 1: Readiness & Preparedness
 1. Organization Readiness and Preparedness
 2. Staff Readiness and Preparedness
 - ii. Phase 2: Activation & Relocation
 1. Alert & Notification Procedures
 2. Continuity Facilities
 3. Primary Location
 4. Alternate Location
 - iii. Phase 3: Continuity Operations
 - iv. Phase 4: Reconstitution
 1. Delegations of Authority and Orders of Succession

2. Continuity Communications
 3. Vital Records and Databases
 4. Human Capital Management
 - a. Personnel Relations/Family Preparedness Planning
 - b. Employee Considerations
 - c. Personnel
 - d. Essential Personnel
 - e. Mission Essential Personnel
 - f. Nonessential COOP Personnel
 - g. Disaster Service Workers (DSWs)
 5. Devolution and Reconstitution
- V. PLAN MAINTENANCE
- a. Test, Training & Exercises
 - b. Exercises
 - c. Plan Review, Revisions & Updates
- VI. AUTHORITIES AND REFERENCES
- a. Authorities
 - b. References

Preparative Consulting will work with representatives from the Las Gallinas Valley Sanitary District and other select stakeholders to establish a Core Planning Team. The Core Planning Team will lead the planning process and draft the Las Gallinas Valley Sanitary District Business Continuity of Operations Plan based on the contribution and input from the Collaborative Planning Team who will identify the resources and capabilities they can leverage to assist in a Business Continuity of Operations response effort. Success is best achieved when the Core Planning Team is comprised of key District Department representatives and service providers who would play an instrumental role during an extraordinary emergency condition requiring the activation of the Business Continuity of Operations Plan. Representatives should have the authority and knowledge to identify and commit resources during the planning process.

PROJECT APPROACH

Planning is the first step in the preparedness cycle. The National Preparedness Goal is “to build a secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.” (National Preparedness Goal, 2015)

Planning is how we identify risk associated with threats and hazards and plan our response and recovery based on our resource and training capabilities. Resilience, broadly defined, is the ability to resist, absorb, recover from, or adapt to an adverse occurrence.

Consistent with the Federal Emergency Management Agency (FEMA) Comprehensive Preparedness Guide 101, this planning team will use a six-step planning process to develop the Emergency Operations Plan and the Business Continuity of Operations Plan. The six steps in the emergency planning process are as follows:

Project Approach

- Step 1: Define the Project and Form a Collaborative and Core Planning Team
- Step 2: Threat and Hazard Assessment and Identify Essential Functions
- Step 3: Review and Analyze Protocols
- Step 4: Develop and Present Draft of Plan
- Step 5: Plan Review and Refinement
- Step 6: Presentation and Approval of Final Plan and Training

Each of the planning meetings will be conducted using a combination of in-person and video and audio conferencing. We have found that district employee and other key stakeholder attendance and participation in planning meetings increases when people are provided with an option of attending the meetings in person or virtually through video or audio conferencing. Meetings will be structured where the Preparative Consulting and Core Planning team will attend the entire meeting while district employees and other key stakeholders will only attend a shorter segment of the meeting that pertains to their subject matter expertise or area of concern. We have found that these options allow us to gather the necessary data and information for the plan with the least impact of participants’ valuable time.

The meetings and planning steps will progress according to the following six (6) steps or milestones.

Step 1: Define the Project and Form a Collaborative and Core Planning Team

We will begin the project by providing an overview of the project planning process and goals. This allows senior executives an opportunity to help shape the project, assign the appropriate individuals to the core and collaborative planning team who will represent district departments and serve as Points-of-Contact (POCs), and understand the milestones to be achieved as the project progresses. It also addresses the expectations that are created for the conclusion of the

project and allows for the identification of any potential obstacles that the project management team may encounter during the project.

The Core Planning Team is comprised of a small team of key district department representatives and the district Director of Safety/Risk Management who will lead the planning process and draft the Emergency Operations Plan and the Business Continuity of Operations Plan based on the contribution and input from the Collaborative Planning Team, representing all district departments and other service providers or response partners.

Step 2: Threat and Hazard Assessment and Identify Essential Functions

We will convene the core and collaborative planning teams to identify potential threats and hazards the district may face and examine district operations to determine those that will be defined as “essential functions.” District departments will provide essential functions, coordinate assessment and analysis activities within their department to assign priorities to functions, identify existing work-around provisions, and assess operational vulnerabilities.

Step 3: Review and Analyze Protocols

Core Planning Team leads the senior management and executives in developing the command-and-control structure that will direct a continuity plan when it is activated. This work requires an examination of current provisions for managing crises and responding to emergencies, and analysis of how to integrate command of a continuity plan, which covers essential functions only, with the crisis management or executive team’s responsibilities for all organization functions, disrupted or not. One key goal of this step is to create a decision-making process for activating a continuity plan. In addition, this step addresses how the continuity plan will be staffed and supported on an on-going basis.

Step 4: Develop and Present Draft of Plan

This step is a process of generating, comparing, and selecting possible solutions for achieving success in the jurisdiction’s Emergency Operations and Business Continuity of Operations actions. Planners consider the incident requirements, goals, objectives, and capabilities to develop several response alternatives to the various threats and hazards identified. During this step the planning team develops a rough draft of the Emergency Operations Plan and the Business Continuity of Operations Plan.

Step 5: Plan Review and Refinement

After the planning team develops a rough draft of the Emergency Operations Plan and the Business Continuity of Operations Plan, each member of the core planning team reviews the draft plan. As the planning team works through successive drafts, the members make necessary additions or corrections and add necessary tables, charts, and other illustrations as needed. A final draft is prepared and circulated to organizations that have responsibilities for implementing the plan to obtain their comments.

Step 6: Presentation and Approval of Final Plan and Training

The final draft of the Emergency Operations Plan and the Business Continuity of Operations Plan and associated training is presented to the Collections System/Safety Manager and the District Board for review, approval, and ratification.

PROPOSED PROJECT SCHEDULE

The project start date and the pace of the project are determined by the Core Planning team and is based on the time required for project participants to provide the necessary project data and input. The below proposed project schedule provides a time estimate based on similar projects.

Emergency Operations Plan and Continuity of Operations Plan	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Define the Project and Form a Collaborative and Core Planning Team	→											
Threat and Hazard Assessment and Identify Essential Functions		→										
Review and Analyze Existing Plans, Policies, Protocols, and Agreements			→									
Develop and Present Draft of Plan				→								
Plan Review and Refinement							→					
Presentation and Approval of Final Plan							→					

ORGANIZATION, MANAGEMENT AND TEAM MEMBERS

Preparative Consulting brings a unique perspective to this project. Preparative Consulting is based in the San Francisco Bay Area and has been providing emergency management planning, training, exercising, and evaluating in the San Francisco Bay Area for the last eight years. Because the Bay Area is our home, we have a strong desire to ensure this community is well prepared to respond to and recover from any incident, emergency, or disaster. We are committed to providing the very best planning, training, and exercising to ensure San Francisco Bay Area cities, special districts, institutions of higher education, businesses and the whole community are engaged in this preparedness and are well prepared to carry out their role during an incident, emergency, or disaster.

PLANNING TEAM DESCRIPTION

Lead Planner

Preparative Consulting has identified Paul Bockrath as the Lead Planner, while Candise Bockrath will be the overall Project Manager coordinating meetings and ensuring the project remains on-time, on-budget, is executed professionally.

Paul has a Master's Degree in Public Administration from the University of Southern California. This degree program provided a solid foundation for his role as a public safety manager in municipal governance in both Los Angeles County and the San Francisco Bay Area. Paul worked as a municipal police officer in both Los Angeles County and the San Francisco Bay Area. He rose to the rank of Deputy Police Chief. Paul has worked collaboratively with all city departments as well as the county and other special districts to include water and wastewater districts. During his public safety career, Paul has held a collateral responsibility in emergency management and has been the incident commander and Emergency Operations Center director on several major incidents and disasters.

After retiring from public safety, Paul established Preparative Consulting and began his advanced training and experience in emergency management with FEMA and Cal OES. Paul is a FEMA Certified Master Exercise Practitioner and one of only three FEMA Certified Master Trainers in the nation. Paul is an adjunct instructor for the California Governor's Office of Emergency Services (Cal OES)/ California Specialized Training Institute (CSTI) and provides planning, training, and exercises to cities, counties, and special districts statewide. Paul provides training to the Cal OES State Operations Center staff and the Department of Water Resources. He also teaches a host of other Cal OES/CSTI courses to include a weeklong course on the "Emergency Management Concepts Course" and how to run an emergency operations center. This course culminates with an all-day exercise that tests participants ability to respond to and manage a disaster. This training and real-world deployments help to ensure our planning and mitigation concepts are rooted in current best practices.

Preparative Consulting is an Emergency Management vendor for the Bay Area Urban Area Security Initiative (BA UASI). The Las Gallinas Valley Sanitary District is a Special District within the BA UASI and is eligible to receive Emergency Management training for free. Since Preparative Consulting is a BA UASI vendor we can work with the LGVSD, Marin County OES, and the BA UASI to bring many of the emergency management courses recommended for the LGVSD to attend, to Marin County for you to attend free of charge. This will allow us to bring the recommended Multi-Year Training and Exercise Plan EOC/ emergency management courses to you free of charge through the BA UASI. This is a unique advantage Preparative Consulting brings to this project.

Paul is also an instructor for the California Governor's Office of Emergency Services (Cal OES) in Emergency Planning and has extensive experience in writing emergency plans across the state. His real-world practical experience has made him one of the best emergency planners in the state.

Subject Matter Expert Planner

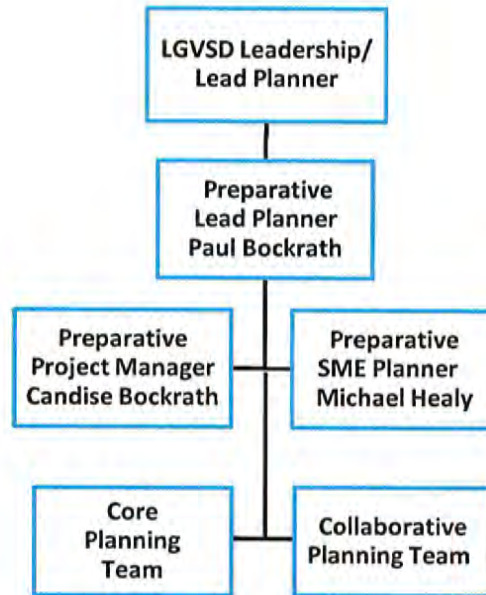
Preparative Consulting will bring a water and wastewater systems subject matter expert to the planning team. Michael Healy brings over 40 years in municipal government management in public works, to include wastewater systems management, to this project. Michael has extensive knowledge in both wastewater systems management and emergency management. Michael has both planning and real-world experience in Incident Management and the operation of an Emergency Operations Center during major disasters. Michael was the 2018 Recipient of the American Public Works Association, Excellence in Disaster Response Award for communities under 100,000 residents. He was also the 2011 Recipient of a Donald C. Stone Fellowship Award Recognizing Excellence in Public Works Leadership awarded by the American Public Works Association (APWA) and was the Former Chairman of the American Public Works Association (APWA) National Water Resources Management Committee.

Project Manager

Preparative Consulting has identified Candise Bockrath as the Project Manager. Candise is a principal partner and has lived in the San Francisco Bay Area for over 28 years. Candise has a Master's Degree in Counseling Psychology and with Preparative Consulting has provided project management for several planning projects throughout the state for over eight years.

Candise has been a project manager for all Preparative Consulting's projects and has a reputation for being very organized, ensuring all projects are kept on-time and on-budget, a meticulous attention to detail, and ensuring our clients receive an exceptional and very personal experience. Preparative Consulting has always delivered on our projects and has a reputation for high quality work and going above and beyond for our clients. Many of our clients are so impressed with our quality of service that they ask us to provide additional training, exercises, and assistance with developing or enhancing their emergency management program.

Preparative Consulting Project Planning Team Organizational Chart



ESTABLISHMENT OF AN EMERGENCY OPERATIONS CENTER

Consultant will assist the Las Gallinas Valley Sanitary District in locating an appropriate and qualifying space for use as a Primary Emergency Operations Center and a second location to be used as an Alternative Emergency Operations Center. Consultant will assist the Las Gallinas Valley Sanitary District in identifying the necessary items to organize, equip, stock, and prepare an Emergency Operations Center for activation in an emergency. An Emergency Operation Center (EOC) is a location from which centralized emergency management can be performed. EOCs provide overall centralized coordination to ensure that there is an effective response. The EOC may also have a primary role in setting jurisdictional objectives and priorities, which may have an impact on resource allocations and incident level planning.

Project Approach

- Step 1: Meet with District to Assess the Current Capability of the EOC
- Step 2: Identify and Help Establish a Primary and Alternate EOC
- Step 3: Identify the Technical and Communications Equipment Needed
- Step 4: Help Establish the Layout and Functionality of the EOC
- Step 5: Identify the Equipment, Software, and Documents Needed
- Step 6: Help Establish an EOC Personnel Activation List

MULTI-YEAR TRAINING AND EXERCISE PLAN

In order to successfully meet the complex challenges and demands of any incident, disaster, or emergency response and recovery effort, local government must adopt a robust training and exercise program. This training and exercise program must include not only field responders, but also Incident Command Post and Emergency Operations Center personnel. The training must meet State and Federal mandates and be foundationally based in the Incident Command System, SEMS and NIMS.

Once this foundational training has occurred, positional, and core capability specific training should follow. Discussion or operational-based exercises should be the capstone of any training and exercise program. This training and exercises program should be incorporated into the organizational culture and carefully scheduled within a Multi-Year Training and Exercise Program (MYTEP) to ensure proficiency, sustained capability, continued mandate compliance by new employees, and positional succession. The MYTEP should be comprehensive, specific, contain recommended completion dates, be appropriately funded, and structured consistent with Homeland Security Exercise and Evaluation Program guidelines.

Consultant will develop a Multi-Year Training and Exercise Plan to ensure the Las Gallinas Valley Sanitary District meets and exceeds SEMS and NIMS compliance. The purpose of the Multi-Year Training and Exercise Plan is to document an organization's overall training and exercise program priorities for a specific multi-year time period. It is considered to be a living document that should be updated and refined annually. These priorities are linked to corresponding core capabilities, and, if applicable, a rationale based on existing strategic guidance, threat assessments, corrective actions from previous exercises, or other factors. This MYTEP identifies the training and exercises that will help the organization build and sustain the core capabilities needed to address its training and exercise program priorities.

The MYTEP will lay out a combination of progressive exercises, which build in complexity, along with the associated training requirements, which address the priorities identified in the Training and Exercise Planning Workshop (TEPW). A progressive, multi-year exercise program enables organizations to participate in a series of increasingly complex exercises, with each successive exercise building upon the previous one until mastery is achieved. Further, by including training requirements in the planning process, organizations can address known shortfalls prior to exercising capabilities. Included in this Multi-Year Training and Exercise Plan is a training and exercise schedule along with established dates whereby members of the District's Emergency Preparedness Program may meet to review plans, policies, procedures, and agreements to determine their impact and applicability when applied during training and exercises. These meetings also provide a regular forum to review and assess the progress of established training and exercise goals, priorities, and progress. Finally, the MYTEP will provide a graphic illustration of these proposed activities, scheduled for the years 2022 through 2025.

Because Preparative Consulting is an Emergency Management vendor for the Bay Area Urban Area Security Initiative (BA UASI) and LGVSD is in the BA UASI, Preparative Consulting can work with the LGVSD, Marin County OES, and the BA UASI to bring many of the emergency management courses recommended in the Multi-Year Training and Exercise Plan to you free of charge through the BA UASI. This is a unique advantage Preparative Consulting brings to this project.

Project Approach

- Step 1: Review current personnel NIMS and SEMS training compliance.
- Step 2: Conduct a training and exercise workshop to identify needs.
- Step 3: Produce a multi-year training calendar to schedule training for personnel to establish and maintain NIMS and SEMS compliance.
- Step 4: Produce a multi-year training calendar to schedule emergency operation center position specific training.
- Step 5: Produce a multi-year exercise calendar to schedule emergency operations center and core competency related discussion based and operational based exercises.
- Step 6: Presentation and approval of multi-year training and exercise plan.

REFERENCES, RELATED EXPERIENCE AND PROJECTS

Preparative Consulting provides a host of Emergency Management and preparedness services to include Emergency Planning, training, exercises, and development of an emergency operations center. Below I have highlighted four similar projects to the Las Gallinas Valley Sanitary District preparedness proposal. Although the two cities and one county are much larger and more complex emergency planning projects, they all involve a combination of writing an Emergency Operations Plan (EOP), the comprehensive training of Emergency Operations Center (EOC) staff, and the development of an emergency operations center. All three of these emergency Operations Plans have been tested in real-world emergencies and have allowed the jurisdictions to perform well. The fourth project is the Vallejo Flood and Wastewater District Emergency Preparedness. I highlight this project because it is a similar special district structure which have provided emergency management training and are working with to develop an emergency operations center and emergency operations plan and continuity of operations plan. We have also written Local Hazard Mitigation Plans for another Sanitary District and two Water and Power Districts. These references are available upon request.

City of Gardena Emergency Operations Plan

For the first highlighted project, Preparative Consulting worked with the City of Gardena, CA and the whole community to write an Emergency Operations Plan. This project involved an expansive Core and Collaborative Planning Team from throughout the City of Gardena and Los Angeles County. The Plan also included EOC staff training and the development of a City Emergency Operations Center and alternate EOC. This Preparative Consulting planning project was managed and lead by the principal partners Paul Bockrath and Candise Bockrath. The City of Gardena Emergency Operations Plan was completed and implemented on time and on budget. The plan we developed has been successfully used during the COVID-19 pandemic response and local earthquakes.

Reference Contact:

Lieutenant Vincente Osorio
City of Gardena Police Department
vosorio@gardenapd.org
(310) 217-6188

Mariposa County Emergency Operations Plan

For the second highlighted project, Preparative Consulting worked with Mariposa County, CA and the whole community to write an Emergency Operations Plan. This project involved an expansive Core and Collaborative Planning Team from throughout Mariposa County and the Yosemite National Park. The Plan also included EOC staff training and the development of a County Emergency Operations Center and alternate EOC. This Preparative Consulting planning project was managed and lead by the principal partners Paul Bockrath and Candise Bockrath. The Mariposa County Emergency Operations Plan was completed and implemented on time and on budget. The plan we developed has been successfully used during the Mariposa County

and Yosemite National Park response to the Detwiler Fire, Ferguson Fire, and River Fire as well as the COVID-19 pandemic response.

Reference Contact:

Captain Kevin Packard
Mariposa County Sheriff's Office of Emergency Services
kpackard@mariposacounty.org
(209) 626-9944

City of Antioch Emergency Operations Plan

For the third highlighted project, Preparative Consulting worked with the City of Antioch and the whole community to write an Emergency Operations Plan for the City of Antioch, California. This project involved an expansive Core and Collaborative Planning Team from throughout the City of Antioch and Contra Costa County. The Plan also included EOC staff training and the development of a City Emergency Operations Center and alternate EOC. This Preparative Consulting planning project was managed and lead by the principal partners Paul Bockrath and Candise Bockrath. The City of Antioch Emergency Operations Plan was completed and implemented on time and on budget.

Reference Contact:

Lieutenant John Fortner
City of Antioch Police Department
jfortner@antiochca.gov
(925) 779-6942

Vallejo Flood and Wastewater District Emergency Preparedness

For the fourth highlighted project, Preparative Consulting worked with the Vallejo Flood and Wastewater District to provide their staff with Incident Command Systems (ICS), National Incident Management System (NIMS), and Standardized Emergency Management Systems (SEMS) training. Prior to the COVID-19 Pandemic we also began the process to develop their Emergency Operations Center and alternate EOC, as well as write an Emergency Operations Plan and Continuity of Operations Plan for the District. This Preparative Consulting planning project was managed and lead by the principal partners Paul Bockrath and Candise Bockrath. The preparedness training and planning is ongoing, and all contracted aspects of the preparedness training were completed and implemented on time and on budget.

Reference Contact:

Keith Sorsdal, Director of Safety/Risk Management
Project Team Leader
Vallejo Flood and Wastewater District
ksorsdal@vallejowastewater.org
(707) 644-8949

PROPOSED BUDGET

Preparative Consulting proposes to complete this Development of Emergency Management System Project, including all business, travel, meeting, and staffing expenses for **Sixty-Seven Thousand Six Hundred Sixty-one Dollars (\$67,661)** as articulated within the Project Approach and Schedule. The Las Gallinas Valley Sanitary District will provide, at its cost, the facilities necessary for all meetings necessary to complete the projects and the cost of print copies of the Emergency Operations Plan and Business Continuity of Operations Plan.

Overall Project Deliverables	Cost
Creation or Revision of an Emergency Operations Plan and Business Continuity of Operations Plan	\$51,362
Establishment of an Emergency Operations Center	\$11,466
Multi-Year Training and Exercise Plan with Workshop	\$4,833
Total Project Cost	\$67,661

Emergency Operations Plan and Business Continuity of Operations Plan Cost Proposal		
Planning Task	Hours/Rate	Cost
Plan Development:		
Project Lead Planner	400/\$90	\$36,000
Project SME Co-Planner	24/ \$75	\$1,800
Project Manager	144/ \$70	\$10,080
Planning Team Meetings		\$3,132
Printing and Materials		\$350
Sub-Total Plan Costs		\$51,362

Establishment of an Emergency Operations Center Cost Proposal		
Project Task	Hours/Rate	Cost
EOC Development:		
Project Lead	90/\$90	\$8,100
Project Manager	20/ \$70	\$1,400
Site Inspections and Meetings		\$1,566
Printing and Materials		\$400
Sub-Total Project Costs		\$11,466

Multi-Year Training and Exercise Plan Cost Proposal		
Planning Task	Hours/Rate	Cost
Plan Development:		
Project Lead Planner	36/\$90	\$3,240
Project Manager	6/ \$70	\$420
MYTEP Meeting		\$1,023
Printing and Materials		\$150
Sub-Total Plan Costs		\$4,833

PAYMENT BENCHMARKS

The Payment Benchmarks corollate to the Planning and Project timelines for the proposed project schedules. Upon completion of each benchmark and submission of an invoice by Preparative Consulting, the Las Gallinas Valley Sanitary District shall pay Preparative Consulting the amounts indicated for the corresponding benchmark.

Emergency Operations Plan and Business Continuity of Operations Plan Payment Benchmarks	Estimated Completion Date	Payment Amount	Cumulative EOP/COP Plan Sub-Total
Step 1: Form a Collaborative Planning Team Step 2: Threat and Hazard Assessment	Month 1 - 5	\$20,000	\$20,000
Step 3: Review and Analyze Existing Plans, Policies, and Agreements Step 4: Develop and Present Draft of Plan	Month 3 - 10	\$20,000	\$40,000
Step 5: Plan Review and Refinement Step 6: Presentation and Approval of Final Plan	Month 8 - 12	\$11,362	\$51,362

Establishment of an Emergency Operations Center and Multi-Year Training and Exercise Plan Payment Benchmarks	Estimated Completion Date	Payment Amount	Cumulative EOC/MYTEP Sub-Total
Establishment of an Emergency Operations Center	Month 3 – 10	\$11,466	\$11,466
Multi-Year Training and Exercise Plan	Month 1 - 5	\$4,833	\$16,299

PAUL J. BOCKRATH
Preparative Consulting
PO Box 143 Vacaville, CA 95696
paul@preparative.org
(707) 685-2209

EDUCATION:

University of Southern California; Master of Public Administration Degree (M.P.A.)
California State University, Long Beach; Baccalaureate Degree in Criminal Justice (B.S.)

EMPLOYMENT:

Preparative Consulting, Partner

Over 25 years of Law Enforcement and 21 years of Emergency Management Experience.

Fairfield Police Department; Deputy Chief, Fairfield Police Department

- Co-founded the Solano County Mobile Field Force
- Co-founded the Solano County Terrorism Working Group
- Incident Commander for the "Mac Dre Funeral" (Multi-jurisdictional Solano County Incident)
- Incident Commander for the murder investigation of Council Member Matt Garcia
- Incident Commander for a large Solano County Labor Union demonstration and march

Torrance Police Department; Police Officer

- Patrol Officer and Narcotics Officer
- Los Angeles Riots; 1992

Los Angeles Sheriff's Academy; Class 255 Platoon Sergeant

EMERGENCY MANAGEMENT TRAINING CERTIFICATION:

- Certified FEMA Master Exercise Practitioner (MEP)
- Certified FEMA Master Trainer - Master Trainer Program (MTP)
- Certified FEMA Instructor for the Emergency Management Basic Academy
- Graduate of the FEMA Emergency Management Advanced Academy
- Adjunct Instructor - California Governor's Office of Emergency Services/ California Specialized Training Institute

INSTRUCTOR EXPERIENCE:

Cal OES/CSTI Certified Adjunct Instructor and Outreach Instructor (EMOI-191)

Cal OES/CSTI Certified Instructor all Outreach Courses: G191, G606, G626E, G611, G775, ICS 402, ICS 300, ICS 400, ICS 100, IS 700, ICS 200, IS 800.

Cal OES/CSTI Certified Instructor to teach Adjunct Courses: G557 Rapid Assessment Workshop, G235 Emergency Planning, G393 Disaster Mitigation, G205 Disaster Recovery, G418 Mass Care and Emergency Services, FEMA Basic Academy, and the Emergency Management Concepts Course.
Emergency Management Training Vendor for the Bay Area UASI

I deliver all the CSTI Outreach courses monthly through Preparative Consulting directly or as a contract instructor for CSTI. Many clients request customized courses/exercises to align with their Emergency Plan, EOC activation procedures and forms, and their jurisdictional threat profile. I am also an original and primary instructor for the Emergency Management Concepts (EMC) Course and



deliver this custom training and exercise course on average of once a month since it began.

FEMA Master Instructor (One of only three people in the nation to complete this certification)
Certified instructor for FEMA Basic Academy, ICS 100, ICS 200, ICS 300, ICS 400, IS 700, IS 800
I deliver these ICS courses regularly as FEMA in-person deliveries. Since the cancellation of the CSTI SEMS/NIMS Combined Course these courses will replace and fulfill the State and Federal requirement for this training. I am certified to teach them and have participants receive a FEMA Course Certificate.

EXPERIENCE CUSTOM EOC COURSES:

As a FEMA Master Trainer and Master Exercise Practitioner I am trained and certified to design and deliver custom training and exercises. I have completed the extensive FEMA Basic and FEMA Intermediate Instructional Design Courses and frequently design and deliver EOC specific training and exercises. As an emergency planner I have written several full Emergency Operations Plans and have responded in the EOC to train EOC staff on responding to and recovering from Type 1 – 3 Incidents and have used this real-world experience to enhance and customize training courses and create other custom EOC courses for Cities and Counties. Preparative Consulting was asked to develop a Local Shelter Management Course to training cities and counties how to activate and operate a mass care and emergency assistance shelter. This course has been approved for Preparative Consulting’s exclusive delivery by Cal OES, FEMA, and the California Department of Social Services.

PLANNING EXPERIENCE:

Over the last several years I have assisted cities, counties and special district in authoring Emergency Operations Plans (EOP), Various EOP Annexes, Dam Emergency Action Plans, Continuity of Operations Plans, Debris Removal Plans, and Local Hazard Mitigation Plans. Our plans have been tested during several local emergencies and have proven to be effective, comprehensive, focused, and representative of current best practices. A recent Debris Management Plan that we wrote for a County won an International North American Public Works Association award for their response to the various disasters in 2017 and 2018.

PROFESSIONAL EMERGENCY MANAGEMNT EXPERIENCE:

Through CSTI and Preparative Consulting I have deployed to several Type 1-3 Incidents to train EOC staff in-real time how to respond to a major disaster while actually managing the disaster. California Department of Water Resources Department Operations Center for the Oroville Dam Spillway Incident and February 2017 Statewide Storms FEMA-3381-EM-CA. Mariposa County the 2017 Detweiler Fire, Lake County the 2015 Valley Fire, Solano County the 2015 Wragg Fire. I have also provided training and EOC and Public Health Department Operations Center (DOC) Training and COVID-19 Pandemic Incident management for Mariposa County for over 100 operational periods. I also assisted in the development and management of the COVID-19 Pandemic Multi-Agency Coordination Team and Yosemite Gateway Area Coordination Team for Mariposa, Madera, Mono, and Tuolumne Counties and Yosemite National Park. These groups represent the only regional collaboration in the state of this kind to address the Pandemic.



CANDISE BOCKRATH
Preparative Consulting
PO Box 143 Vacaville, CA 95696
candise@preparative.org
(707) 685-2209

EDUCATION:

Master of Arts Degree in Counseling Psychology (M.A.), California State University, Sacramento
Baccalaureate Degree in Psychology (B.A.), University of Southern California

EMPLOYMENT:

Preparative Consulting, Partner

Preparative Consulting Project and Training Course Manager for 8 years

City of Vacaville Police Department - Crisis counseling and psychotherapy for clients associated with the Vacaville PD FIRST Program.

EMERGENCY MANAGEMENT TRAINING CERTIFICATION:

- ICS 100 Introduction to the Incident Command System
- ICS 200 Incident Command System for Single Resources and Initial Action Incident
- ICS 300 Intermediate ICS for Expanding Incidents
- ICS 400 Advanced ICS Command and General Staff- Complex Incidents
- IS 700 An Introduction to The National Incident Management System (NIMS)
- IS 701 Master Mutual Aid (MMA)
- IS 706 Multi-Agency Coordination Systems (MACS)
- IS 800 An Introduction to the National Response Framework (NRF)
- G191 Field to EOC Interface Workshop
- G606 SEMS Introductory Course
- G626 SEMS EOC Action Planning Workshop
- G611 EOC Section/Position Specific Courses – Management, Operations, Planning, Logistics, Finance.
- G775 EOC Management and Operations
- Local Shelter Management Course

PLANNING AND PROJECT EXPERIENCE:

- Over eight years of experience as a project manager and training course manager for all Preparative Consulting projects.
- Core Planning Team and Project Manager for the City of Gardena Emergency Operations Plan, County of Mariposa Emergency Operations Plan, City of Antioch Emergency Operations Plan, City of Antioch Municipal Reservoir and Dam Emergency Action Plan,



City of Benicia Evacuation Plan, Calaveras County Multi-Jurisdictional Hazard Mitigation Plan, and the Union Public Utility District Multi-Jurisdictional Hazard Mitigation Plan.

- Experienced Functional Exercise Simulation Cell Leader.
- Experienced in Discussion Based and Operational Based Exercise Design and Delivery.

Michael T. Healy
3033 Van Ness
Mariposa, CA 95338

Career Objective: To use my forty plus years of municipal management experience to foster a work culture of team building that results in a work unit where achievement and pride in accomplishment reside along side the elements of a healthy and safe workplace promoting productivity, accountability and innovation worthy of the public trust.

Employment History:

Employer: Mariposa County, Department of Public Works

Title: Director of Public Works & Transportation

Duration: February 28, 2017 to Present

Responsibilities: Reporting to the County Board of Supervisors, this position manages the overall operations of a Public Works Department consisting of nine (9) Divisions representing roughly 100 full time staff and an annual budget of approximately \$52,000,000.

Responsibilities of this position include the planning, oversight of maintenance operations of the County infrastructure including 564 miles of traveled roadway, numerous County owned facilities, Public Parks, Playgrounds, Swimming Pools and Trails as well as the development of new infrastructure including Facilities.

Employment History:

Employer: Mariposa County, Department of Public Works

Title: Deputy Director of Public Works (Interim Appointment)

Duration: July 17, 2015 to Present

Responsibilities: As the Deputy Director of Public Works for Mariposa County I have been tasked with performing supervision and oversight of the Utility Operations, Fleet, Engineering and Survey Divisions. I have acted as the Department liaison for hiring of both new staff as well as internal promotional position opportunities and have served as the Departments Hearing Officer in a Workplace Harassment Complainant, and have facilitated both Supervisor and Workplace Conduct/Harassment training and have represented the Department on a Countrywide Employee Recognition Committee. I have been assigned the task of the annual Vehicle Replacement Program and have developed documents for Board of Supervisor Review and Approval. I have undertaken numerous short term assignments at the direction of the Department Director and have when requested rendered thoughts and opinion on the ongoing departmental organization and functional operational structure and have sought to add accountability to many

operations that the department undertakes such as payment processing and procurement as well as offered assistance in the areas of policy and procedure development.

Employment History:

Employer: Global Water FATHOM, Phoenix, AZ

Title: Water Conservation Solutions Specialist

Duration: August 2013 to present

Responsibilities: My direct responsibilities were to meet and consult with Municipal and privately owned Utility Managers and senior staff to communicate successfully field tested Water Conservation and Utility Sustainability Programs.

Employment History:

Employer: City of Grass Valley, CA

Title: Assistant Director, Public Works

Duration: October 2008 thru March 2012 (Retired)

Responsibilities:

My direct responsibilities in this position include the day to day operational supervision of the following divisions: Wastewater Treatment Plant, Wastewater Collections, Water Treatment Plant, Water Distribution, Streets Maintenance, Parks Maintenance, Pool Management and Operation, Facilities Maintenance and Fleet Operations.

These responsibilities also entail Divisional Budget Development, Procurement, Capital Project Planning, Water and Wastewater Permit adherence and reporting, signs and traffic markings standards, procurement, budget development and administration, stormwater management staff safety training and the direct supervision of 24 union and 1 non-union staff members.

Employer: City of Yuba City, CA – Public Works Superintendent

Duration: September 2003 thru October 2008

Responsibilities: The responsibilities of this position included the management and oversight of the following operations: Wastewater Collections, Water Distribution, Street Maintenance and Electrical Maintenance.

The responsibilities of this position included the divisional capital project planning and development, long and short term infrastructure maintenance, stormwater management procurement, right-of-way signs and markings management, the operational maintenance of 32 signalized intersections, hydrant flushing, valve maintenance and collections system video inspection and maintenance flushing.

Employment History:

Employer: City of Columbus, WI – City Administrator / Public Works Director

Duration: February 1997 thru September 2003

Responsibilities: The responsibilities of this combined position included the day to day management of all facets of the management of the municipal government. This included frequent interaction with City Council and Council Committees, Bonding Agencies, the formulation and presentation of the annual budget as well as budget administration for all departments, the goal setting for future municipal needs as well as duties related to economic development. I also had direct responsibility for those traditional public works operations such as a 2MGD wastewater treatment plant and collection system, streets, parks, community aquatic center, and fleet maintenance operations.

Employment History:

Employer: Chicago Transit Authority

Title: Superintendent, Capital Construction

Duration: 1987 - 1997

Responsibilities: Overall responsibilities included the direct staff supervision of staff tasked with the design, construction management and inspection of roughly 230 million dollars of federal and state transit facility rehabilitation investments.

Employment History:

Employer: State of Illinois – Deputy Chief of Staff to the Asst. Majority Leader of the Illinois Senate

Duration: 1985 – 1987

Responsibilities: In very general terms my responsibilities included legislative development on issues concerning transportation, water and wastewater, administrative tracking of various committee and floor legislative calendars, constituent services and subordinate staff assignments.

Employment History:

Employer: City of Chicago – Asst. Airport Manager, O'Hare International Airport

Duration: 1980 – 1985

Responsibilities:

My direct responsibilities included the development of design implementation and construction of both the United Airlines and International Terminal Facilities and management oversight of over eleven hundred (1,100) various trade union staff assigned to the maintenance and operations of the Airport. Examples of these functions include truck drivers, carpenters, plumbers, tinsmiths, stationery engineers, glazers, window washers, parking attendants, exterior post security staffing and custodial staff.

Employment History:

Employer: City of Chicago – Various Positions

Duration: 1971 – 1983

Responsibilities:

I began my career as a laborer with the City of Chicago and thru a demonstration of hard work and a willingness to apply myself progressed over time to positions of increasing authority and responsibility. A sample of the positions I held while with the City of Chicago include, Construction Inspector, Chief Clerk, Assistant Superintendent, Assistant Human Resources Director, Chicago Department of Health, Personnel Director, Chicago Department of Aviation and Assistant Airport Manager, O'Hare International Airport.

Awards and Recognitions:

- 2018 Recipient of the American Public Works Association, Excellence in Disaster Response Award for communities under 100,000 residents.
- 2011 Recipient of a Donald C. Stone Fellowship Award recognizing Excellence in Public Works Leadership awarded by the American Public Works Association (APWA)
- Former Member, APWA Sacramento Chapter Board of Directors
- Former Chairman of the American Public Works Association (APWA) National Water Resources Management Committee;
- Member, APWA Center for Sustainability Task Force;

- 2007 recipient of the APWA Water "Professional Manager of the Year" Award;
- Former nominee to the Federal Environmental Protection Administration (EPA) Water Citizens Advisory Board;
- Striving for Excellence Award recipient, two consecutive years, Chicago Transit Authority;
- 1983 Chicago Junior Chamber of Commerce, Young Manager of the Year, Municipal Sector recipient;
- Recipient of various local awards and recognitions for professional achievement from local community organizations.

Emergency Management Experience:

- 2017 Detwiler Fire – Mariposa County EOC Operations Section Chief
- 2018 Ferguson Fire – Mariposa County EOC Operations Section Chief
 - Awarded the International North American Public Works Association award for their response to the various disasters in 2017 and 2018.



Item Number 10

Agenda Summary Report

To: Board of Directors
 From: Michael P. Cortez, PE, District Engineer *mpc*
 (415) 526-1518; mcortez@lqvsd.org
 Meeting Date: January 20, 2022
 Re: STPURWE Change Order Authorization – Clearwell Bypass
 Item Type: Consent _____ Action X Information _____ Other _____
 Standard Contract: Yes X No _____ (See attached) Not Applicable _____

STAFF RECOMMENDATION

Board to authorize District staff execute a change order for Clearwell Bypass for the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project in the amount of \$253,844.

BACKGROUND

During startup of the expanded Recycled Water Facility in April 2021, staff noted inherent risks of sending off-spec Title 22 Recycled Water to the existing 300,000-gallon Marin Municipal Water District (MMWD) Clearwell. The time required to drain the Clearwell and restart recycled water production was a burden to operations and has reduced the District's ability to provide recycled water to MMWD and North Marin Water District.

Several steps were taken to improve startup such as re-programming, reducing speed of recycled water production during startup, and recalibrating instruments. However, these did not fully address the concern of sending off-spec water to the Clearwell. Accordingly, District staff requested adding a bypass line that would allow continuous production without having to shut down and drain the Clearwell due to off-spec water.

Aqua Engineering has completed the design of a Clearwell bypass line. In response to District's request, Myers & Sons Construction submitted a change order proposal for the installation of 156' of 18" HDPE line with an isolation valve in the amount of \$253,844. CPM Construction (cost estimator) and District staff have reviewed the proposal and deemed the estimate reasonable.

Staff discussed this change order with the engineering subcommittee on December 30, 2021.

PREVIOUS BOARD ACTION

Award of contract to Myers & Sons Construction for construction of Secondary Treatment Plant Upgrade and Recycled Water Expansion project on November 15, 2018.

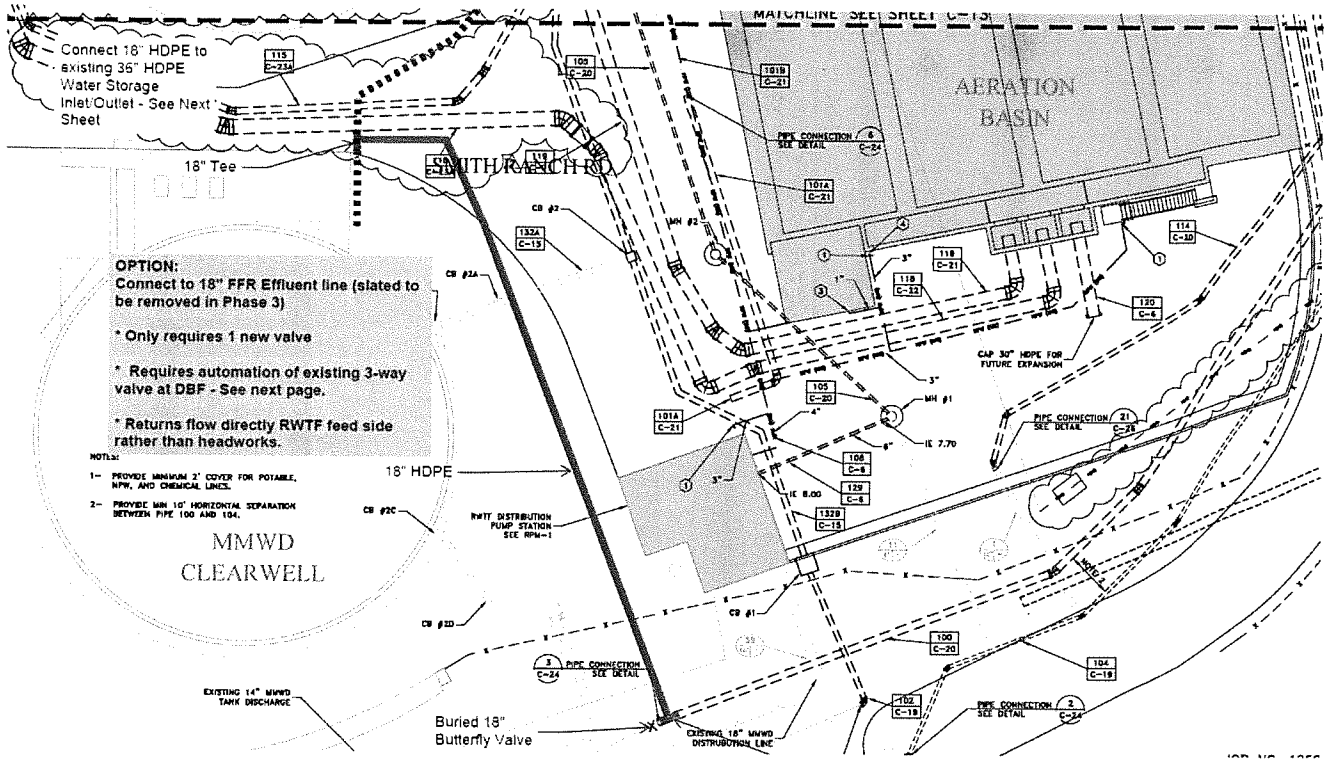
ENVIRONMENTAL REVIEW

N/A



FISCAL IMPACT

\$253,844. This will be funded out of the contingency remaining in the project budget.



AGENDA ITEM 11

1/20/2022

PUBLIC COMMENT

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

1/20/2022

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, NBWA Conference Committee, 2022 Operations Control Center Ad Hoc Committee , Other Reports

FORD

NBWRA, Gallinas Watershed Council, Marin Special Districts Association, 2022 Engineering Ad Hoc Committee re: STPURWE, 2022 Operations Control Center Ad Hoc Committee, 2022 HR Ad Hoc Committee, 2022 CSA 18 Review Ad Hoc Committee, Other Reports

MURRAY

Marin LAFCO, CASA Energy Committee, 2022 GM Recruitment Ad Hoc Committee, Other Reports

SCHRIEBMAN

Miller Creek Watershed Council, JPA Local Task Force, 2022 Legal Services Ad Hoc Committee, 2022 HR Ad Hoc Committee, 2022 Biosolids Ad Hoc Committee, Other Reports

YEZMAN

Flood Zone 7, CSRMA, Marin Special Districts Association, 2022 Ad Hoc Engineering Sub-Committee re: STPURWE, 2022 Legal Services Ad Hoc Committee, 2022 GM Recruitment Ad Hoc Subcommittee, 2022 Biosolids Ad Hoc Committee, 2022 CSA 18 Review Ad Hoc Committee, Other Reports



BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: _____ Name: _____

I would like to attend the _____ Meeting
of _____

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

Location of meeting: _____

Actual meeting date(s): _____

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

Purpose of Meeting: _____

Meeting relevance to District: _____

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

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): _____

Date submitted to Board Secretary: _____

Board approval obtained on Date: _____

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

1/20/2022

BOARD AGENDA ITEM REQUESTS

Agenda Item 13B

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

Composting conversion

CALIFORNIA

Food waste recycling program starts in January

The Associated Press

Banana peels, chicken bones and leftover veggies won't have a place in California trash cans under the nation's largest mandatory residential food waste recycling program that's set to take effect in January.

The effort is designed to keep landfills in the most populous U.S. state clear of food waste that damages the atmosphere as it decays. When food scraps and other organic materials break down they emit methane, a greenhouse gas more potent and damaging in the short term than carbon emissions from fossil fuels.

To avoid those emissions, California plans to start converting residents' food waste into compost or energy, becoming the second state in the U.S. to do so after Vermont launched a similar program last year.

Most people in California will be required to toss excess food into green waste bins rather than the trash. Municipalities will then turn the food waste into compost or use it to create biogas, an energy source that is similar to natural gas.

"This is the biggest change to trash since recycling started in the 1980s," said Rachel Wagoner, director of the California Department of Resources Recycling and Recovery.

She added that it "is the single easiest and fastest thing that every single person can do to affect climate change."

Marin County waste haulers have already been picking up green waste from residential areas and certain businesses such as restaurants for years. They said the law won't have a significant impact on current operations but now makes food waste disposal in green carts a requirement.

"We're fortunate in Northern California that we have been progressive on these composting and organics services," said Justin Wilcock, general operations director at Marin Sanitary Service.

One of the key changes will be the requirement for all businesses and schools to dispose of food waste separately.

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"I'm hoping they'll view it as an opportunity to help with the climate crisis that we find ourselves in," said Celia Furber, waste zero manager at Recology Sonoma-Marín. "I hope that they can see that it's not that challenging to do." Other changes will come in the form of yearly audits, including green bin inspections, to ensure communities are complying.

"Where the change is coming is there is a lot more reporting, inspections and things of that nature," said Dave Biggio, co-

COMPOSTING»PAGE 2



A pile of food waste is collected at Marin Sanitary Service in San Rafael. California plans to start converting residents' food waste into compost or energy.

PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL



A pineapple top sits on top of a pile of food waste at Marin Sanitary Service.

③

contribute toward a federal goal of cutting food waste in half by 2030.

Davis is among the California cities that already have a mandatory food recycling program. Joy Klineberg, a mother of three, puts coffee grounds, fruit rinds and cooking scraps into a metal bin labeled "compost" on her countertop. When preparing dinners, she empties excess food from the cutting board into the bin.

Every few days, she dumps the contents into her green waste bin outside that is picked up and sent to a county facility. Unpleasant countertop bin smells haven't been a problem, she said.

Composting

FROM PAGE 1

owner of Mill Valley Refuse Service. "And of course outreach and education."

Marin residents can consult zerowastemarin.org/residents/who-is-my-hauler to ensure they are disposing of green waste properly. For instance, most biodegradable trash bags and food utensils are not accepted.

The push by California reflects growing recognition about the role food waste plays in damaging the environment across the United

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States, where up to 40% of food is wasted, according to the U.S. Department of Agriculture.

A handful of states and nations, including France, have passed laws requiring grocery stores and other large businesses to recycle or donate excess food to charities, but California's program targets households and businesses.

The state passed a law in 2016 aimed at reducing methane emissions by significantly cutting down on discarded food. Organic material like food and yard waste makes up half of everything in California landfills and a fifth of the state's methane emissions, according to CalRecycle.

Starting in January, all cities and counties that provide trash services are supposed to have food recycling programs in place and grocery stores must donate edible food that otherwise would be thrown away to food banks or similar organizations.

"There's just no reason to stick this material in a landfill, it just happens to be cheap and easy to do so," said Ned Spang, faculty lead for the Food Loss and Waste Collaborative at the University of California, Davis.

Vermont, home to 625,000 people compared to California's nearly 40 million, is the only other state that bans residents from throwing their food waste in the trash. Under a law that took effect in July 2020, residents can compost the waste in their yards, opt for curbside pick up or drop it at waste stations. Cities like Seattle and San Francisco have similar programs.

California's law stipulates that by 2025 the state must cut organic waste in landfills by 75% from 2014 levels, or from about 23 million tons to 5.7 million tons.

Most local governments will allow homeowners and apartment dwellers to dump excess food into yard waste bins, with some providing countertop containers to hold the scraps for a few days before taking it outside. Some areas can get exemptions for parts of the law, such as rural locations where bears rummage through trash cans.

The food waste will go to facilities for composting or for turning it into energy through anaerobic digestion, a process that creates biogas that can be used like natural gas for heating and electricity.

But California composting facilities face a strict permitting process to take food waste alongside traditional green waste like leaves and only a fifth of the state's facilities may currently accept food waste.

The state also set a 2025 goal of diverting 20% of food that would otherwise go to landfills to feed people in need. Supermarkets must start donating their excess food in January and hotels, restaurants, hospitals, schools and large event venues will start doing so in 2024.

The donation part of California's law will

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"All you're changing is where you're throwing things, it's just another bin," she said. "It's really easy, and it's amazing how much less trash you have." Implementing similar programs in bigger cities is more challenging.

The state's two most populous — Los Angeles and San Diego, which together account for about one of every eight Californians — are among cities that won't have their programs ready for all households next month.

That's because it takes time to buy the necessary equipment, like green waste bins for homes that don't already have them for yard waste and to set up facilities to take the material. Trash collection fees will go up in many places.

Like Davis, CalRecycle wants to focus more on education and less on punishment. Governments can avoid penalties by self-reporting to the state by March if they don't have programs in place and outlining plans for starting them. Cities that refuse to comply could eventually be fined up to \$10,000 per day. At the household level, cities have some discretion on penalties and could eventually fine people who don't follow the rules.

Ken Prue, deputy director of San Diego's environmental services department, said the city put nearly \$9 million in this year's budget to buy more waste bins, kitchen top containers and trucks to haul the additional waste.

Prue hopes San Diego residents will quickly realize the importance of recycling food waste after the program starts next summer.

"Hopefully before they know it, it becomes second nature," he said. *Independent Journal reporter Will Houston contributed to this report.*



A truck drops off yard waste at Marin Sanitary Service in San Rafael. California plans to start converting residents' food waste into compost or energy.

ALAN DEP — MARIN INDEPENDENT JOURNAL

Water district rethinks plan for supply pipeline

MMWD

Steady rain might allow delay in \$100M duct project

By Will Houston

whouston@marinij.com

With its reservoirs nearly refilled, the Marin Municipal Water District is considering delaying a proposed \$100 million project to build an emergency water pipeline across the Richmond-San Rafael Bridge.

The district board was originally set to vote on whether to construct the 8-mile pipeline as soon as February. But now the district staff recommends the board delay that decision by possibly more than a year in order to conduct a full environmental analysis of the project.

The recommendation comes after the district's seven reservoirs refilled from 32% of capacity in October to more than 92% as of Sunday after a series of storms. Normally the reservoirs are 75% full at this time of year.

The district proposed the pipeline last year to pump in purchased Sacramento Valley water after projections showed it depleting its reservoirs as soon as mid-2022. The reservoirs serve 191,000 residents in central and southern Marin.

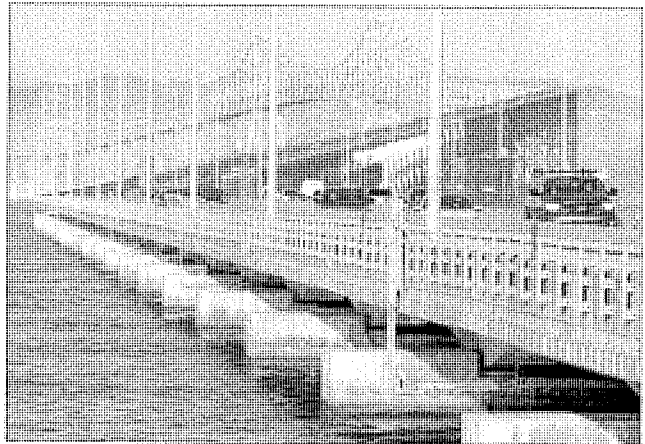
But the rain and the reservoir levels have provided more choices, staff said.

"I look at it as really a good news story, an opportunity to take a more thoughtful approach with the benefit of time to consider how best to develop and implement a project like this," said Ben Horen-

WATER» PAGE 4

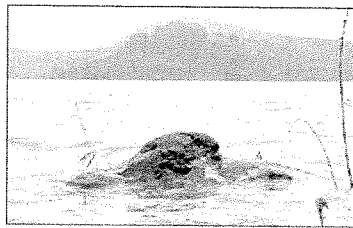
'It's hard to justify this being an emergency any longer. We're close to having all our reservoirs overflowing.'

— Larry Minikes, Marin Conservation League



The Marin Municipal Water District might delay plans for an emergency water pipeline across the Richmond-San Rafael Bridge because its reservoir supplies have improved.

PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL



Water laps against a rock Monday in the Nicolas Reservoir, part of the Marin Municipal Water District system. The reservoir has rebounded to 85% of capacity, according to the latest district data.

Water

FROM PAGE 1

stein, the district's general manager.

The extra time would also allow the district more time to plan out the project, Horenstein said, and address concerns raised by East Bay residents on the location of various pumping stations and construction work.

The board plans to meet at 7 p.m. Tuesday to consider the proposal.

The district previously claimed the pipeline project was exempt from a full environmental review because of the drought emergency. However, recent storms from October through Sunday have dumped 207% of average rainfall for this time of year, or about 41 inches.

Cynthia Koehler, president of the district board, said the improved water supply outlook raises the question of whether the district can continue claiming the project be exempt from environmental review.

3

said. "The important element here is to build water resiliency. The way to do that is to have various options in the future."

In addition to the environmental review, the board will also consider directing Horenstein on Tuesday to hold off on purchasing more construction materials for the project until the environmental review is complete.

In October, the board authorized staff to purchase up to \$23.2 million in construction materials for the pipeline, pump stations and other facilities associated with the project. The intent was to have enough equipment ready and manufactured in time to begin construction in February.

The staff report did not include information on how much money has already been spent. Horenstein did not have the information available on Monday, but said the amount spent so far has been relatively little.

If the pipeline isn't built, the district said it can reuse some purchased equipment like piping for other purposes, such as replacing aging pipes, or sell it.

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"I think it is prudent to continue to proceed with the project," Koehler said. "We know other droughts are coming."

Conducting a full environmental review is estimated to cost \$1 million to \$1.5 million and could take more than a year to complete, according to the district.

The recommendation also comes a few weeks after a local environmental group filed a lawsuit challenging the district's exemption claim. The North Coast Rivers Alliance and its director Frank Egger of Fairfax stated the project required a full review because it could harm endangered fish in the Sacramento- San Joaquin Delta and lead to development of more homes.

Reached Monday, Egger deferred comment on the staff recommendation until after the board makes a decision on Tuesday.

Koehler said the staff recommendation has "nothing to do" with the lawsuit and that the district acted well within the provisions of state law when it claimed the exemption.

Larry Minikes, a district citizens advisory committee member and Marin Conservation League board member, said the recommendation "makes perfect sense."

"It's hard to justify this being an emergency any longer," Minikes said. "We're close to having all our reservoirs overflowing."

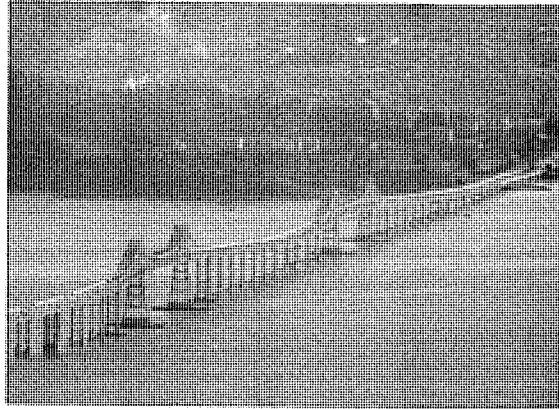
Minikes also agreed with Koehler that the district must continue pursuing the project as well as other options.

"It should not be taken off the table," Minikes

"We haven't wasted anything," Koehler said. "Management was aware when it was making these recommendations that a change in circumstance was possible. The approach was always to allocate funds in a way that they could be redirected."

The board is also set to discuss options for rescinding some existing water use restrictions and penalties on Tuesday in light of the reservoir levels.

More information about the meeting can be found at bit.ly/32FHCHh.



The Marin Municipal Water District's plan for an 8-mile supply pipeline across the Richmond-San Rafael Bridge has an estimated project cost of \$100 million.

ALAN DEP — MARIN INDEPENDENT JOURNAL

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Water district delays pipeline across bridge

MARIN MUNICIPAL

By Will Houston

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With its reservoirs refilling from abundant rain, the Marin Municipal Water District is delaying plans for a \$100 million water pipeline across the Richmond-San Rafael Bridge.

The district had been scrambling for months to plan and design the 8-mile pipeline in order to begin construction in February or March. Last year the district projected it could deplete its main reservoir supplies as soon as mid-2022 should it experience a third consecutive dry winter.

But after receiving more than 200% of its normal rainfall from October through December, the district's seven reservoirs refilled from 32% of capacity in mid-October to now nearly 93%. In response, the district board voted unanimously on Tuesday to delay the pipeline project in order to conduct a full environmental analysis and consider other designs.

Board members and staff said the project should not be taken off the table because the drought has again revealed the vulnerabilities of the water supplies.

"Circumstances have changed and we have to adapt our management to reflect those changes," board member Larry Bragman said on Tuesday. "In spite of our supply situation, we're not out of the woods on long-term supply."

The environmental review could cost up to \$1.5 million and could take more than a year to complete, according to staff.

The district did not conduct an environmental review of the project and claimed an exemption

from doing so because of the drought emergency.

The Fairfax-based North Coast Rivers Alliance filed a lawsuit in December that challenged the exemption. The suit alleged the project would harm endangered fish in the Sacramento-San Joaquin River Delta and lead to more housing development.

While the district said the lawsuit had no influence on its decision to conduct a full environmental review, North Coast Rivers Alliance director Frank Egger claimed otherwise.

"Without our lawsuit, there would not be an (environmental impact report)," Egger wrote in a statement on Wednesday.

The district has an agreement with the Yuba Water Agency through June 2024 to purchase its water if the pipeline is built. The water would travel more than 100 miles through a network of rivers, canals, pump stations and reservoirs before being pumped over the Richmond-San Rafael Bridge into Marin.

The pipeline would be able to pump in as much as 9,000

WATER» PAGE 4

Water

FROM PAGE 3

acre-feet of water per year, about one-third of the district's yearly potable water demand.

The district had previously built a pipeline across the bridge in during the 1976-77 drought, when it last faced running out of water. The pipeline was removed in 1982 after the district constructed the Soulajule Reservoir and began work to double the capacity of Kent Lake, now its largest reservoir. Caltrans also requested the pipeline removal in order to restore a third traffic lane on the top deck of the bridge.

But despite nearly doubling its water supply with the Soulajule Reservoir and Kent Lake projects, the district once again found itself at risk of running out of water decades later.

Unlike the 1970s pipeline, the new pipeline proposal would make it a permanent fixture of the bridge. The pipeline would hang on the underside of the top deck of the bridge.

The pipeline is one of several strategies the district has considered to increase its water supplies.

The East Bay Municipal Utility District, which would be the agency that would ultimately pump the water into Marin, drafted a series of principles last year on how Marin could use the water. It stated it would only support the project if Marin Municipal Water District limited use of the water for vital indoor purposes only and only during drought emergencies.

Ben Horenstein, the district's general manager, said Tuesday that the principles proposed by East Bay Municipal Water District have not been adopted yet and indicated there is room for changes.

"I am absolutely convinced that moving this project forward we will be able to work at a slower pace with East Bay MUD and develop a concept that works much better than the optics of that quick-developed set of principles," Horenstein said.

Last year, Bragman and board member Cynthia Koehler voiced concern about using the water beyond the need to protect the health and safety of residents. In November, Koehler said the "danger" to connecting to the larger state water supply network would be the county abandoning efforts to reduce its water use.

On Wednesday, Koehler said that, should the pipeline be constructed, "its use and specifically Marin Water's decision on when and how to

(2)

The district's seven reservoirs in the Mount Tamalpais watershed contain about two years' worth of water and rely entirely on rainfall. Larry Russell, president of the district board, said most agencies have at least four years' worth of supplies, making Marin vulnerable to other droughts that will likely worsen with the impacts of climate change.

District staff noted that the pipeline would complete the final intertie in a plan, known as Bay Area Regional Reliability, to connect water supplies to weather droughts. The plan was drafted in response to the drought in 2012-2016.

"The pipeline is also a connection to reservoirs outside of Marin," Russell said on Tuesday. "The key point here is to increase the available storage and sustainable yield from those sources. Where they particularly lie is far less important than having them available."

How and when the pipeline could be used has been a topic of debate and will likely be a focus of the new review.

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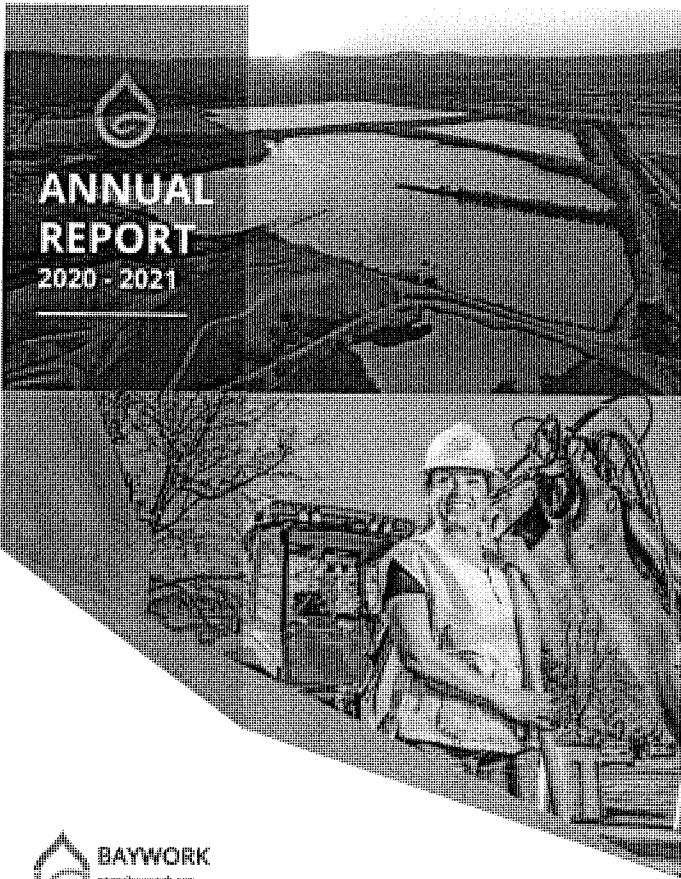
seek water transfers will be determined by the opportunity we now have to engage with both our ratepayers here in Marin as well as with our partners in the East Bay."

Bragman raised concerns about further impacting the Sacramento-San Joaquin River Delta and its wildlife.

On Tuesday, Bragman said the proposed pipeline constraints were rushed due to the emergency nature of the project.

"I think we're going to end up in a better place," he said.

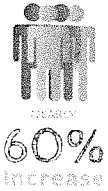
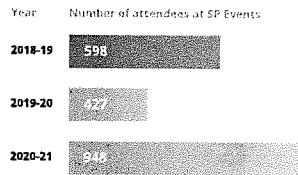
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Staff Preparedness

Our Staff Preparedness program provides education for current staff at water & wastewater utilities.

While we saw a decline in attendees during the first year of the pandemic, we have moved successfully to online training. In FY 2021 the number of attendees at our workshops increased by almost 60% over pre-pandemic numbers. Virtual training allowed us to overcome geographic barriers that prevented in-person attendance in the past.



Training Highlights

Presenters
57 workshop presenters from 30 agencies

Racial Equity Workshop
This was an extraordinary conversation and the audience was far too small for how large of an issue this was...
- Derrick Pearson, DSRSD.

Virtual Workshop on Wheels
The Workshop gave an overview of how other agencies are implementing new ideas for their systems...
- Michael Dela Rosa, Union Sanitary District

2020-2021 CANDIDATE DEVELOPMENT SNAPSHOT

- 283** Applicants on the BAYWORK website.
- 67** High school and middle school students participated in BAYWORK's sponsored virtual internship to help develop the next generation of water workers among their students.
- 15** Virtual Career Fairs Attended.
- 11,000+** Views in the job postings on the BAYWORK website.

"Michelle Keeler was an outstanding intern. She learned quickly and asked the right questions. Her positive attitude, strong work ethic and ability to learn made her easy to train and easy to work with."

"I had the chance to work with the best professionals in our industry and it was a great experience."

Regional Training Programs

BAYWORK and our partners at Jewish Vocational Service (JVS) offer three different training programs for those who want to enter our industry.



Pre-Apprenticeship Program

BAYWORK and JVS supported 19 pre-apprentices in a program designed to prepare them to enter training for maintenance & operations jobs or to take entry-level jobs in the water sector. BAYWORK agencies provided virtual tours, mock interviews and one-on-one mentors.



Skilled Trades Internship

While the COVID pandemic prevented almost all agencies from participating in the BAYWORK Skilled Trades Internship, we appreciate the City of Roseville's willingness to accept an intern from the Los Medanos College ETEC Program.

As pandemic restrictions have eased in the summer/fall 2021 we are seeing a significant increase in the number of BAYWORK Interns.



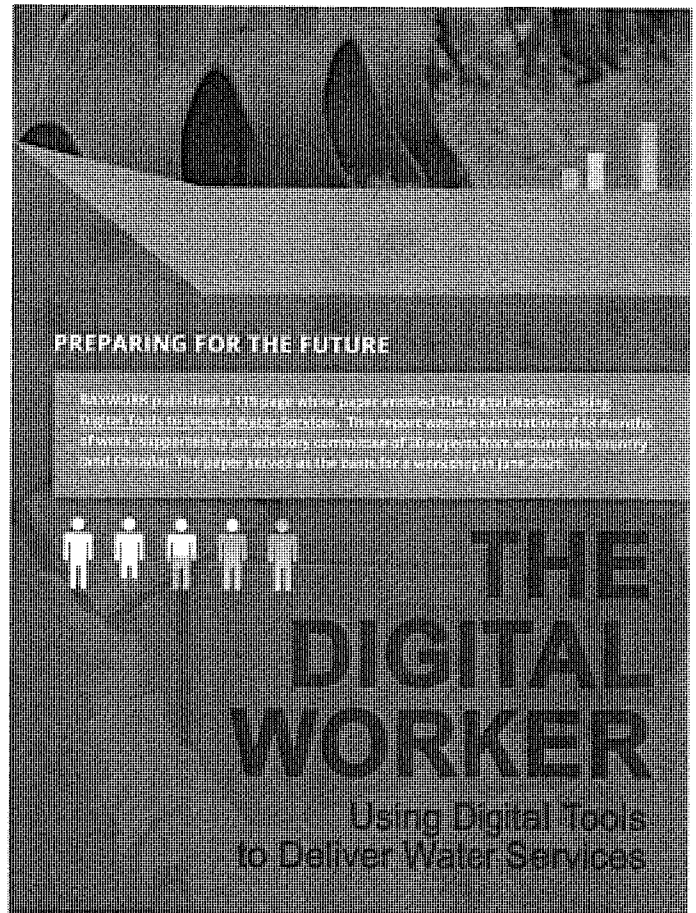
Regional Apprenticeship

BAYWORK led a group of three agencies in the development of a regional apprenticeship standard for Instrument Techs. The standard will be submitted to the US Department of Labor in fiscal year 2022. Participation is open to all BAYWORK agencies.

Programs are funded by the California Workforce Development Board.



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PREPARING FOR THE FUTURE

BAYWORK published a 11th page white paper titled "The Digital Worker: Using Digital Tools to Deliver Water Services". This report was a result of a community of water professionals from various companies and agencies from around the country and Canada. The white paper serves as the basis for a workshop for June 2022.

THE DIGITAL WORKER

Using Digital Tools to Deliver Water Services

6

GROWING BAYWORK

6 new agencies joined BAYWORK in 2020-2021:

- Castro Valley San
- Town of Hillsborough
- Millage Flood and Wastewater District
- City of San Mateo
- West Valley Water District
- Contra Costa Water District

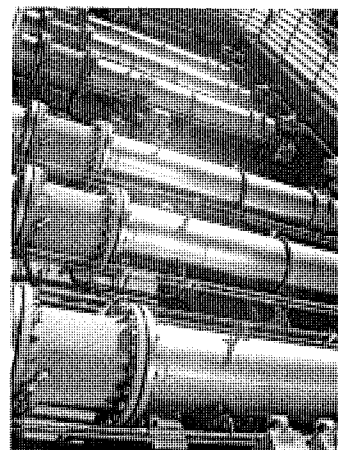
New BAYWORK Members

BAYWORK representatives made presentations to four national and regional gatherings outside of Northern California.

BAYWORK provided technical support for the formation of a new water sector workforce consortium in the Inland Empire of Southern California, IERWA. The California Workforce Development Board provided financial support through grants to our partners at IERWA.

WEF and AWWA are working to replicate the BAYWORK model in New Jersey, with support from BAYWORK Member Cheryl Davis.

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BUILDING THE FUTURE OF WATER

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Water officials consider rolling back restrictions

MARIN MUNICIPAL

Board cautious because of uncertainty of future rainfall

By Will Houston

whouston@marinij.com

Steady rains and refilled reservoirs are prompting the Marin Municipal Water District to consider rolling back water use restrictions and penalties adopted during the worst of the drought last year.

The district board signaled this week that it would prefer a gradual lifting of its drought rules rather than a complete repeal.

"I think repealing them or rolling them back uniformly is kind of sending a bit of a false message of confidence," board director Larry Bragman said Tuesday. "Our district is unique. We run out before other districts and we fill up quicker than other districts do because of our supply, because of our surface reservoirs."

"Our current water supply situation allows rolling back restrictions," said board director Monty Schmitt on Tuesday, "but it does not take us out of that sense of urgency and need to address the situation we now understand better than ever that we are in."

District staff plan to bring options to the board Jan. 18.

Newsha Ajami, an urban water policy specialist at Stanford University, agreed that the district should take a more cautious approach on how its water is used, considering the emergency it faced just months ago.

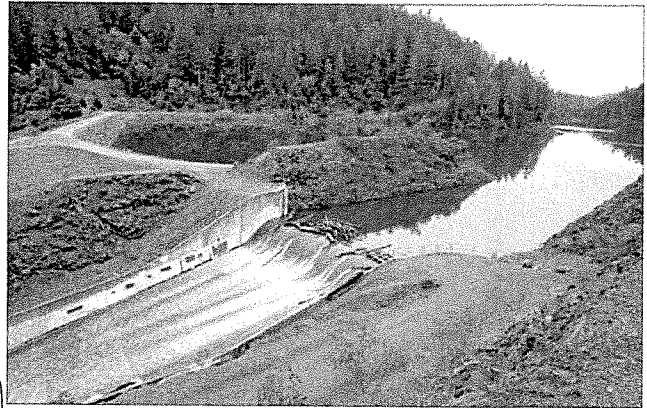
While the rains and snowpack have helped ease drought conditions, Ajami said there is no guarantee the rainfall will continue and the district will be able to weather other droughts.

"These uncertainties are definitely hanging over us and we should be very mindful that every drop of water we save is a drop of water that we can use later," Ajami said. "I think some of these restrictions should become actually routine."

Meanwhile, statewide conservation rules were tightened this week in response to poor conservation efforts and ongoing drought

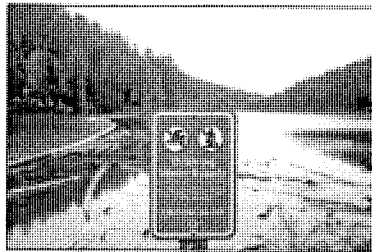
conditions. The restrictions, such as prohibiting hosing down sidewalks and watering lawns 48 hours after significant rainfall, have already been in place in Marin. Violations could result in fines as high as \$500.

WATER > PAGE 2



Water rushes down the spillway at Peters Dam at Kent Lake near Lagunitas on Thursday. Recent winter rains have filled the reservoir to its limit.

PHOTOS BY DOUGLAS ZIMMERMAN — SPECIAL TO THE MARIN INDEPENDENT JOURNAL



A sign at Kent Lake reminds people that the reservoir supplies drinking water to Marin County residents near Lagunitas,

Water

FROM PAGE 1

Last year, the district adopted increasingly stricter conservation rules over several months for the 191,000 residents it serves as the drought worsened and reservoir levels plunged to alarmingly low levels.

After initially asking ratepayers to voluntarily conserve in February, the district moved to a 40% conservation mandate in late April as water supply projections worsened. For most of the year, residents fell far short of the target but were conserving significantly more on average compared to the rest of the state. Ratepayers only reached the target during a few weeks at the end of the year after heavy storms.

Other rules were implemented throughout the year, including limiting landscape irrigation to certain days; a ban on planting most new

Some residents have called for a moratorium on all new water connections to new developments, but such a proposal has not been brought before the board. District staff said water savings from such a move would be minimal compared to landscaping restrictions, and housing advocates say it could prevent development of much-needed affordable homes.

Members of the public who attended Tuesday's meeting had varying opinions, with some favoring a gradual rollback of the rules and others calling for rescinding all drought measures.

Corte Madera resident James Krajieski said the board must be wary of its credibility with the public and not be "willy-nilly micromanaging things" that ultimately would not save much water.

"You want the public to buy in on this so each thing should be backed up with data or some reasoning that the public can accept," Krajieski

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landscaping; a ban on filling new swimming pools; household water use allotments and penalties; and, more recently, a ban on outdoor watering using sprinklers and drip irrigation from Dec. 1 through May 31. Violations can result in fines of up to \$250.

The district also began offering incentives such as rebates to replace turf lawns and install devices at homes to monitor water use, among others.

These measures were meant to buy more time for the district to prepare for a potential third dry winter and to implement projects such as the proposed \$100 million, 8-mile water pipeline across the Richmond-San Rafael Bridge.

But a series of major storms from October through December boosted reservoir supplies from 32% of capacity in mid-October to more than 93% as of Thursday. The district has received more than 210% of its normal rainfall from the start of July through Thursday.

It remains unclear what rules the district plans to repeal. The board seemed to agree on Tuesday that it should repeal all penalties.

“I think those seem unwarranted,” Schmitt said.

The district faces a balancing act with above-average reservoir levels and a two-year water supply vulnerable to future droughts amid climate change.

Board member Jack Gibson said the district’s approach should be less about conservation and more about eliminating water waste.

“I’m also a little worried that if we don’t do it right we lose credibility with our ratepayers,” Gibson said on Tuesday.

Koehler said the most important message to send to the public is that water use will not return to the status quo prior to the drought.

“We’re not going back to the way it used to be because the climate is not the way it used to be,” Koehler said on Tuesday.

Some measures are already in the works. The district is considering implementing a permanent rule that would require all new developments to have a net-zero impact on its potable water supplies. Developers would either need to pay a fee for the district’s water conservation projects, use recycled water, implement water-saving upgrades or plant only drought-tolerant landscaping, for example.



said.

Marin Conservation League board member Roger Roberts favored a case-by-case repeal of rules to provide more time to plan new water supply projects.

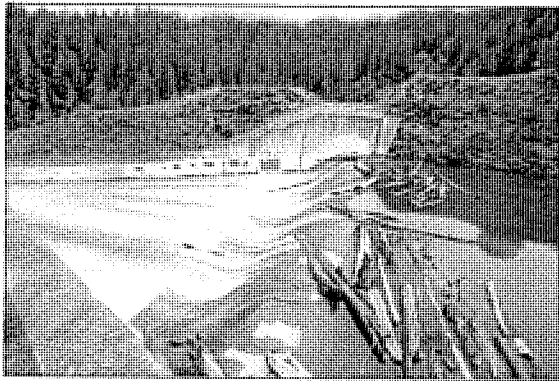
“That means that you should be very selective in terms of what you roll back and reinforce, if you will, at every step of the way that these things are still needed in terms of the long-term water supply issues that you face,” Roberts told the board.

The board is considering new sources of water, including connections to the larger Bay Area supply network and storing Russian River water in wells for droughts.

The district’s main strategy to prevent running out of water was the proposed cross-bay pipeline to pump in purchased water from the Sacramento Valley.

The board voted this week to delay the project by possibly more than a year in order to conduct a full review.

The North Marin Water District, which serves the greater Novato area and West Marin, has not scheduled a discussion yet on whether to repeal some of its own water use restrictions, according to district board member Mike Joly.



Water rushes down the spillway at Peters Dam at Kent Lake near Lagunitas on Thursday.

DOUGLAS ZIMMERMAN — SPECIAL TO THE MARIN INDEPENDENT JOURNAL

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