



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

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

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

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

## BOARD MEETING AGENDA

**May 4, 2023**

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

Estimated Time

**4:30 PM**

**1. PUBLIC COMMENT**

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

**4:35 PM**

**2. CONSENT CALENDAR:**

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

- A. Approve the Board Minutes for April 20, 2023
- B. Approve the Warrant List for May 4, 2023
- C. Approve Clark attending CSDA Legislative Days Conference in Sacramento May 16 -17
- D. Approve Murray attending the IRWA Spring Educational Seminar April 14, 2023
- E. Approve Aqua Contract Amendment 10 for Bidding Construction Services for the TWAS Enclosure/Sludge Basin and Reception Pad Project
- F. Approve Contract with West Yost for Grant Support

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

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

**4:40 PM**

**3. INFORMATION ITEMS:**

STAFF/CONSULTANT REPORTS:

- 1. Board Policy B-180 Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure review with Liebert Cassidy Whitmore
- 2. General Manager's Report – verbal
- 3. State Wide General Order for Sanitary Sewer Systems and Sewer System Management Plan – presentation

- 4. Review Draft Proposition 218 Notice – written

6:00 PM

**4. EXPAND LOW INCOME SEWER RATE ASSISTANCE TO MOBILE HOME OWNERS**

Board to consider adopting Resolution No. 2023-2303 expanding the Low-Income Sewer Rate Assistance Program (LISRAP) to recognize mobile homeowners as eligible households under LISRAP and to continue the program in fiscal year 2023-24 at a cost not to exceed \$25,000 in fiscal year 2023-24.

6:10 PM

**5. BOARD MEMBER REPORTS:**

1. CLARK

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

2. FORD

- a. NBWRA, 2023 Operations Control Center Ad Hoc Committee, 2023 McInnis Marsh Ad Hoc Committee, 2023 Fleet Management Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, Other Reports

3. MURRAY

- a. Marin LAFCO, 2023 Biosolids Ad Hoc Committee, CASA Energy Committee, 2023 Development Ad Hoc Committee, Other Reports

4. ROBARDS

- a. Gallinas Watershed Council/Miller Creek, 2023 Engineering Ad Hoc Committee re: STPURWE, 2023 McInnis Marsh Ad Hoc Committee, 2023 Development Ad Hoc Committee, 2023 GM Evaluation Ad Hoc Committee, Other Reports

5. YEZMAN

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

6:20 PM

**6. BOARD REQUESTS:**

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

6:25 PM

**7. VARIOUS INDUSTRY RELATED ARTICLES**

**CLOSED SESSION:**

6:30 PM

**8. CONFERENCE WITH LABOR NEGOTIATOR – Agency designated representative : Gregory Ramirez IEDA; Employee organization : IUOE Local 3;pursuant to Government Code Section 54957.6**

**OPEN SESSION:**

7:30 PM

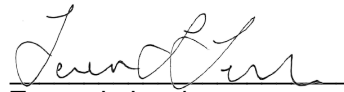
**9. ADJOURNMENT**

**FUTURE BOARD MEETING DATES: MAY 8 AND MAY 18, 2023**

AGENDA APPROVED:	Megan Clark, President	David Byers, Legal Counsel
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**CERTIFICATION:** I, Teresa Lerch, Board Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before May 1, 2023 4:30 p.m., I posted the Agenda for the Board Meeting of said Board to be held on May 4, 2023, at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.

DATED: April 27, 2023



Teresa L. Lerch  
Board Secretary

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

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

## AGENDA ITEM 1

**5/4/2023**

### **PUBLIC COMMENT**

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



**MEETING MINUTES OF APRIL 20, 2023**

THE BOARD OF DIRECTORS AND STAFF OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION ON APRIL 20, 2023 AT 4:31 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903

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

**BOARD MEMBERS ABSENT:** None

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

**OTHERS PRESENT:** Patrick Richardson, District Counsel; Gregory Ramirez, IEDA.

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

**CLOSED SESSION:**

**ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON APRIL 20, 2023, AT 4:32 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.

Lerch left the meeting at 4:32 pm.

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

**ADJOURNMENT:**

**ACTION:**

The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on April 20, 2023 at 6:15 pm.

**BOARD MEMBERS PRESENT:** Megan Clark, Ron Ford, Craig Murray, Gary Robards, Crystal Yezman

**STAFF PRESENT:** Curtis Paxon, General Manager, Teresa Lerch, District Secretary; Dale McDonald, District Treasurer; Mike Cortez, District Engineer; Mel Liebmann, Plant Manager; Greg Pease, Collections/Safety/Maintenance Manager

**OTHERS PRESENT:** Mark Hildebrand, Hildebrand Consulting

**PUBLIC COMMENT:** None.

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

1. **PUBLIC COMMENT:** None.

2. **CONSENT CALENDAR:**

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

- A. Approve the Board Minutes for March 29 and April 6, 2023
- B. Approve the Warrant List for April 20, 2023
- C. Approve Board Compensation for March 2023
- D. Approve Murray attendance at EESI's Investments in Clean Energy webinar on April 13, 2023
- E. Approve Robards attending WEF Residuals and Biosolids Conference May 16-19, North Carolina
- F. Approve Regulatory Compliance Consulting Services Contract for July 1, 2023 to June 30, 2026
- G. Approve Spring 2023 Heron Newsletter

Items C,E,F and G were pulled for discussion.

**ACTION:**

Board approved (M/S Ford/Murray (5-0-0-0) the Consent Calendar items A through G with Board suggested modifications to item G.

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

3. **INFORMATION ITEMS:**

STAFF / CONSULTANT REPORTS:

- 1. General Manager's Report – Paxton reported.
- 2. Discuss the impact of the District's Capital Improvement Program on pending Sewer User Charge Cost of Service and Rate Study –Mark Hildebrandt from Hildebrand Consulting presented alternatives to the Sewer User Charge Cost for Service. Discussion ensued. A special Board meeting workshop will be held on 9 am – 11 am on May 8, 2023.
- 3. District Remembrance of Director Schriebman – Lerch reported. Discussion ensued.

4. **EXPAND LOW INCOME SEWER CHARGE TO MOBILE HOMEOWNERS, BOARD MEMBER REPORTS AND MISCELLANEOUS DISTRICT CORRESPONDENCE ARE POSTPONED UNTIL THE NEXT BOARD MEETING.**

5. **BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – Clark would like to attend CSDA Legislative Days May 15 and 16<sup>th</sup> in Sacramento.
- B. Board Agenda Item Requests – none.

6. **ADJOURNMENT:**

**ACTION:**

Board approved (M/S Robards/Yezman 5-0-0-0) the adjournment of the meeting at 9:12 PM.

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

The next Board Meeting is scheduled for May 4, 2023 at 4:30 pm in person at the District Office.

ATTEST:

\_\_\_\_\_  
Teresa Lerch, Board Secretary

APPROVED:

\_\_\_\_\_  
Craig K. Murray, Vice-President

Agenda Item 2B  
Date May 4, 2023

Las Gallinas Valley Sanitation District  
Warrant List 5/04/2023 DRAFT

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	5/4/2023	EFT1	ADP Payroll	0.00		0.00	5/5/2023 Payroll & Processing Charges
2	5/4/2023	N/A	Aramark Uniform Service	226.43		226.43	Laundry Service w/e 4/17
3	5/4/2023	N/A	Aries Industries	686.69		686.69	ITV Truck- Tires and Strap
4	5/4/2023	EFT2	Bank of Marin	27,723.45		27,723.45	Recycled Water Loan Payment-May
5	5/4/2023	EFT	Bank of Marin Cardmember Services	14,904.17		14,904.17	Credit Card Purchases - 3/7- 4/5
6	5/4/2023	ACH	Buck's Saw Service	119.33		119.33	Tree Trimmer
7	5/4/2023	EFT	CalPERS CERBT-OPEB	11,630.00		11,630.00	Pre-Fund CERBT Payment -May
8	5/4/2023	N/A	Cintas Corp	179.54		179.54	Safewasher & Filter Service
9	5/4/2023	N/A	Cintas Fire & Safety	1,873.11		1,873.11	Purchase 6 Fire Extinguishers, Restock First Aid Kits
10	5/4/2023	EFT	Direct Dental	3,044.41		3,044.41	Dental Payments
11	5/4/2023	N/A	East Bay Municipal Utility Dist./BACWA	1,288.50		1,288.50	Bay Area Chemical Consortium
12	5/4/2023	ACH	EOA	10,986.50		10,986.50	Tech Support for NPDES Regulatory Permits
13	5/4/2023	ACH	GHD	5,219.90		5,219.90	Regional Biosolids Compost Feasibility, Biosolids Research Project Support Services
14	5/4/2023	ACH	Grainger	1,520.99		1,520.99	Utility Pump, Coated Gloves
15	5/4/2023	ACH	Hach	364.22		364.22	Lab Supplies- Ammonia
16	5/4/2023	N/A	Instrument Technology Corp	3,011.64		3,011.64	Repair on Aries Camera Head
17	5/4/2023	N/A	McMaster-Carr	1,098.65		1,098.65	Misc. Supplies- Maintenance
18	5/4/2023	N/A	Novato Toyota	2,980.21		2,980.21	Repairs on Camry
19	5/4/2023	ACH	Orion Protection Services	353.20		353.20	Nightly Patrol at 300 Smith Ranch Rd.- May
20	5/4/2023	N/A	Piazza Construction	227,817.51		227,817.51	N. San Pedro Pipe Bursting Project, Emergency Point Repair on T&M
21	5/4/2023	ACH	Regional Government Services	1,438.00		1,438.00	Financial Consulting & GM Evaluation Services - March
22	5/4/2023	ACH	RelaDyne	2,540.45		2,540.45	Unleaded & Diesel Fuel
23	5/4/2023	ACH	Univar	6,572.62		6,572.62	Sodium Bisulfite
24	5/4/2023	EFT	WEX Health	70.00		70.00	FSA Payments

**Las Gallinas Valley Sanitation District  
Warrant List 5/04/2023 DRAFT**

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

TOTAL \$ 325,649.52 \$ - \$ 325,649.52

EFT1	EFT1 = Payroll (Amount Required)	0.00		0.00	Approval:
EFT2	EFT2 = Bank of Marin loan payments	27,723.45		27,723.45	Finance
PC	Petty Cash Checking	0.00		0.00	
>1	Checks (Operating Account)	0.00		0.00	GM
N/A	Checks - Not issued	239,162.28		239,162.28	
EFT	EFT = Vendor initiated "pulls" from LGVSD	29,648.58		29,648.58	Board
ACH	ACH = LGVSD initiated "push" to Vendor	29,115.21		29,115.21	
	<b>Total</b>	<b>\$ 325,649.52</b>		<b>\$ 325,649.52</b>	

Difference: \$ -

STPURWE Costs 0.00

**Las Gallinas Valley Sanitary District**  
**Reconciliation Detail**  
6204 - Credit Card at Elan Financial, Period Ending 04/05/2023

Type	Date	Name	Memo	Amount	Balance
Beginning Balance					0.00
<b>Cleared Transactions</b>					
<b>Charges and Cash Advances - 98 items</b>					
Credit Card C	03/07/2023	Comcast	Business Internet AMY SCHULTZ;	-579.30	-579.30
Credit Card C	03/07/2023	Evoqua Water Technologies, LLC	Lab Supplies SAHAR GOLSHANI;	-539.05	-1,118.35
Credit Card C	03/07/2023	Amazon.com	Office Supplies PAM AMATORI;	-19.67	-1,138.02
Credit Card C	03/08/2023	Amazon.com	Office Supplies PAM AMATORI;	-165.48	-1,303.50
Credit Card C	03/08/2023	Miscellaneous	Lunch Meeting CURTIS D PAXTON;	-66.72	-1,370.22
Credit Card C	03/08/2023	Fastrak	Bridge Tolls AMY SCHULTZ;	-25.00	-1,395.22
Credit Card C	03/08/2023	Staples	Office Supplies DONALD E MOORE;	-21.54	-1,416.76
Credit Card C	03/08/2023	Amazon.com	Office Supplies SAHAR GOLSHANI;	-14.72	-1,431.48
Credit Card C	03/08/2023	Target	Misc. Supplies STEVEN INSKEEP;	-10.91	-1,442.39
Credit Card C	03/08/2023	Amazon.com	Office SuppliesPAM AMATORI;	-9.82	-1,452.21
Credit Card C	03/09/2023	Home Depot	Backpack Sprayer STEVEN INSKEEP;	-248.80	-1,701.01
Credit Card C	03/09/2023	Zoom	Online Meeting Software AMY SCHULTZ;	-134.99	-1,836.00
Credit Card C	03/10/2023	Miscellaneous	Public Works Construction Manual YI YING HUANG;	-486.63	-2,322.63
Credit Card C	03/10/2023	Miscellaneous	Maintenance Supplies DONALD E MOORE;	-111.89	-2,434.52
Credit Card C	03/13/2023	Miscellaneous	SAM Renewal Support DALE MCDONALD;	-449.00	-2,883.52
Credit Card C	03/13/2023	Napa Valley Car Wash	Car Wash ServiceCURTIS D PAXTON;	-40.00	-2,923.52
Credit Card C	03/13/2023	Sonic.net	Internet Site Host AMY SCHULTZ;	-19.95	-2,943.47
Credit Card C	03/13/2023	Zoom	Online Meeting Software AMY SCHULTZ;	-15.99	-2,959.46
Credit Card C	03/13/2023	Safeway	Creamer TERESA LERCH;	-4.09	-2,963.55
Credit Card C	03/14/2023	IDEXX Distribution, Inc	Lab Supplies SAHAR GOLSHANI;	-298.31	-3,261.86
Credit Card C	03/14/2023	Amazon.com	Microphone TERESA LERCH;	-109.24	-3,371.10
Credit Card C	03/14/2023	Amazon.com	Zipper Tools Bags GREG PEASE;	-31.07	-3,402.17
Credit Card C	03/15/2023	California Water Environment Association	Job Posting AMY SCHULTZ;	-305.00	-3,707.17
Credit Card C	03/15/2023	Miscellaneous	Lunch Meeting CURTIS D PAXTON;	-61.01	-3,768.18
Credit Card C	03/15/2023	County of Marin, County Clerk	Recording of docs w/county PaperPAM AMATORI;	-35.50	-3,803.68
Credit Card C	03/15/2023	Amazon.com	Office Supplies SAHAR GOLSHANI;	-34.94	-3,838.62
Credit Card C	03/15/2023	The Weather Company	Weather App GREG PEASE;	-4.99	-3,843.61
Credit Card C	03/16/2023	County of Marin Auditor-Controller	Assessors Secured Tax Roll DALE MCDONALD;	-272.50	-4,116.11
Credit Card C	03/16/2023	Amazon.com	Rain Gear for Lab Assistant SAHAR GOLSHANI;	-252.14	-4,368.25
Credit Card C	03/16/2023	ReadyRefresh	Bottled Water Service AMY SCHULTZ;	-102.60	-4,470.85
Credit Card C	03/16/2023	Amazon.com	Phone Charger CURTIS D PAXTON;	-59.25	-4,530.10
Credit Card C	03/16/2023	Amazon.com	Office Supplies PAM AMATORI;	-41.81	-4,571.91
Credit Card C	03/17/2023	Envirotech	Training Course CA Constr. General Permit YI YING HUANG;	-500.00	-5,071.91
Credit Card C	03/17/2023	Amazon.com	Meeting Recorder TERESA LERCH;	-86.31	-5,158.22
Credit Card C	03/17/2023	Amazon.com	Office Supplies PAM AMATORI;	-53.92	-5,212.14
Credit Card C	03/17/2023	Miscellaneous	Lunch Meeting CURTIS D PAXTON;	-50.49	-5,262.63
Credit Card C	03/17/2023	Marin Ace	Misc. Supplies ROGELIO TAPIA;	-3.81	-5,266.44
Credit Card C	03/20/2023	California Water Environment Association	ELAP Training SAHAR GOLSHANI;	-1,022.00	-6,288.44
Credit Card C	03/20/2023	Federal Express	Shipping SAHAR GOLSHANI;	-198.23	-6,486.67
Credit Card C	03/20/2023	Panera Bread	Board Meeting Dinner TERESA LERCH;	-150.66	-6,637.33
Credit Card C	03/20/2023	Safeway	Budget Meeting- Food PAM AMATORI;	-38.94	-6,676.27
Credit Card C	03/20/2023	Amazon.com	Prime Fee PAM AMATORI;	-16.38	-6,692.65
Credit Card C	03/21/2023	California Water Environment Association	ELAP Training SAHAR GOLSHANI;	-200.00	-6,892.65
Credit Card C	03/21/2023	Amazon.com	Water Hose x 2 GREG PEASE;	-96.14	-6,988.79
Credit Card C	03/21/2023	Miscellaneous	Lock and Keys ROGELIO TAPIA;	-42.01	-7,030.80
Credit Card C	03/22/2023	Amazon.com	Air Mover/Blower GREG PEASE;	-688.14	-7,718.94
Credit Card C	03/22/2023	ReadyRefresh	Bottled Water Service AMY SCHULTZ;	-70.44	-7,789.38
Credit Card C	03/23/2023	Amazon.com	Office Supplies SAHAR GOLSHANI;	-132.08	-7,921.46
Credit Card C	03/23/2023	Postal Palace	Shipping- Return Item ROBERT M LIEBMANN;	-11.60	-7,933.06
Credit Card C	03/24/2023	Miscellaneous	CWEA Conference Hotel SAHAR GOLSHANI	-319.22	-8,252.28
Credit Card C	03/24/2023	Miscellaneous	CWEA Conf. Hotel SAHAR GOLSHANI	-213.19	-8,465.47
Credit Card C	03/24/2023	Miscellaneous	CWEA Conf.- Hotel SAHAR GOLSHANI	-213.19	-8,678.66
Credit Card C	03/24/2023	Amazon.com	Office Supplies PAM AMATORI;	-151.96	-8,830.62
Credit Card C	03/24/2023	Amazon.com	Stand for Recorder TERESA LERCH;	-21.74	-8,852.36
Credit Card C	03/27/2023	Miscellaneous	CWEA Conf. Flight SAHAR GOLSHANI; MALEKI/GHAZALE; 04/1	-213.80	-9,066.16
Credit Card C	03/27/2023	Miscellaneous	CWEA Conf. Flight SAHAR GOLSHANI; GOLSHANI/SAHAR	-213.80	-9,279.96
Credit Card C	03/27/2023	FLeetio	Vehicle Maint. Software GREG PEASE;	-192.00	-9,471.96
Credit Card C	03/27/2023	Amazon.com	Die Grinder GREG PEASE;	-181.23	-9,653.19
Credit Card C	03/27/2023	Amazon.com	Office Supplies PAM AMATORI;	-88.77	-9,741.96
Credit Card C	03/27/2023	Microsoft	Computer Licenses AMY SCHULTZ;	-85.89	-9,827.85
Credit Card C	03/27/2023	Amazon.com	Grinding Wheels GREG PEASE;	-75.26	-9,903.11
Credit Card C	03/27/2023	Miscellaneous	CWEA- Flight Fee SAHAR GOLSHANI;	-29.00	-9,932.11
Credit Card C	03/27/2023	Miscellaneous	CWEA- Flight Fees SAHAR GOLSHANI;	-29.00	-9,961.11
Credit Card C	03/27/2023	Miscellaneous	CWEA Flight Fees SAHAR GOLSHANI;	-29.00	-9,990.11
Credit Card C	03/27/2023	Miscellaneous	CWEA- Flight fees SAHAR GOLSHANI;	-29.00	-10,019.11
Credit Card C	03/27/2023	Miscellaneous	Shipping Parts ANTHONY J ASARO JR;	-23.65	-10,042.76
Credit Card C	03/27/2023	Amazon.com	Office Supplies PAM AMATORI;	-23.48	-10,066.24
Credit Card C	03/27/2023	Microsoft	Licenses AMY SCHULTZ;	-16.00	-10,082.24
Credit Card C	03/27/2023	Amazon.com	Cable for Recorder TERESA LERCH;	-8.73	-10,090.97
Credit Card C	03/27/2023	Microsoft	Encrypted Email AMY SCHULTZ;	-2.00	-10,092.97
Credit Card C	03/28/2023	Miscellaneous	VFD Return ANTHONY J ASARO JR;	-1,444.00	-11,536.97
Credit Card C	03/28/2023	Comcast	Internet @ Pump Station AMY SCHULTZ;	-266.62	-11,803.59
Credit Card C	03/28/2023	Call Center Sales	After hours phone service AMY SCHULTZ;	-45.41	-11,849.00
Credit Card C	03/29/2023	PB Leasing	Stamp Machine Lease AMY SCHULTZ;	-378.41	-12,227.41
Credit Card C	03/29/2023	Miscellaneous	Caselle Training Flight- Pam AMY SCHULTZ; SCHULTZ/AMY	-234.95	-12,462.36
Credit Card C	03/29/2023	Miscellaneous	Caselle Training- Flight AMY SCHULTZ; AMATORI/PAMELA;	-234.95	-12,697.31
Credit Card C	03/29/2023	Chevron	Dist. Vehicle Fuel GREG PEASE;	-50.00	-12,747.31
Credit Card C	03/29/2023	Miscellaneous	Caselle Training- Parking AMY SCHULTZ;	-42.40	-12,789.71
Credit Card C	03/29/2023	Miscellaneous	Caselle Training Flight Fees AMY SCHULTZ;	-15.00	-12,804.71
Credit Card C	03/29/2023	Miscellaneous	Caselle Training Flight Fees AMY SCHULTZ;	-15.00	-12,819.71
Credit Card C	03/29/2023	Miscellaneous	Caselle Training Flight Fees AMY SCHULTZ;	-15.00	-12,834.71
Credit Card C	03/29/2023	Miscellaneous	Caselle Training Flight Fees AMY SCHULTZ;	-15.00	-12,849.71
Credit Card C	03/30/2023	Miscellaneous	Hotel Rooms for Caselle Training PAM AMATORI;	-1,055.76	-13,905.47

**Las Gallinas Valley Sanitary District**  
**Reconciliation Detail**  
6204 - Credit Card at Elan Financial, Period Ending 04/05/2023

Type	Date	Name	Memo	Amount	Balance
Credit Card C	03/30/2023	ReadyRefresh	Bottled Water Service AMY SCHULTZ;	-74.56	-13,980.03
Credit Card C	03/30/2023	ReadyRefresh	Bottled Water Service AMY SCHULTZ;	-67.44	-14,047.47
Credit Card C	03/30/2023	Safeway	Drinks for Board Meeting PAM AMATORI;	-59.95	-14,107.42
Credit Card C	03/31/2023	Hansel Auto Group/ Henry Curtis Ford	Part for Collections Truck CHRISTOPHER J GILL;	-103.03	-14,210.45
Credit Card C	03/31/2023	Amazon.com	Office Supplies PAM AMATORI;	-59.24	-14,269.69
Credit Card C	03/31/2023	Amazon.com	USB Adapter Cable GREG PEASE;	-42.49	-14,312.18
Credit Card C	03/31/2023	County of Marin, County Clerk	Recording of docs w/county PAM AMATORI;	-28.50	-14,340.68
Credit Card C	04/03/2023	Amazon.com	Office Supplies - Copy Paper PAM AMATORI;	-406.90	-14,747.58
Credit Card C	04/03/2023	Miscellaneous	Lunch Meeting CURTIS D PAXTON;	-48.04	-14,795.62
Credit Card C	04/03/2023	Treasury Software	ACH Software AMY SCHULTZ;	-39.95	-14,835.57
Credit Card C	04/04/2023	Zoom	Online Meeting Software YI YING HUANG;	-149.90	-14,985.47
Credit Card C	04/04/2023	Miscellaneous	Memory Upgrade- SCADA Workstation ROBERT M LIEBMANN;	-138.26	-15,123.73
Credit Card C	04/05/2023	Amazon.com	Emergency Lights GREG PEASE;	-85.26	-15,208.99
Credit Card C	04/05/2023	Chevron	Dist. Vehicle Fuel GREG PEASE;	-30.07	-15,239.06
Credit Card C	04/05/2023	Amazon.com	Telflon Tape GREG PEASE;	-30.04	-15,269.10
Total Charges and Cash Advances				-15,269.10	-15,269.10
<b>Payments and Credits - 3 items</b>					
Credit Card C	03/27/2023	Costco	Item return ROBERT M LIEBMANN;	133.43	133.43
Credit Card C	03/30/2023	Amazon.com	Merchandise Return SAHAR GOLSHANI;	13.00	146.43
Credit Card C	04/04/2023	Muck Boot Company	Merchandise Return STEVEN INSKEEP;	218.50	364.93
Total Cleared Transactions				-14,904.17	-14,904.17
Cleared Balance				14,904.17	14,904.17
<b>Uncleared Transactions</b>					
<b>Payments and Credits - 2 items</b>					
Transfer	03/29/2023	Bank of Marin Cardmember Services	WEB AUTOMTC; 00000;	0.00	0.00
Bill	04/05/2023	Bank of Marin Cardmember Services	Credit Card Purchases	14,904.17	14,904.17
Total Uncleared Transactions				14,904.17	14,904.17
Register Balance as of 04/05/2023				0.00	0.00
<b>Ending Balance</b>				<b>0.00</b>	<b>0.00</b>

AGENDA ITEM 2C  
DATE May 4, 2023



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

Date: 4-20-23 Name: MEGAN CHARK

I would like to attend the LEGISLATIVE DAYS Meeting  
of CSDA

To be held on the 15<sup>th</sup> day of MAY from 9:00 a.m./p.m. to  
17<sup>th</sup> day of MAY from 11:45 a.m./p.m.

Location of meeting: SACTO

Actual meeting date(s): MAY 15 + ~~16~~ 17

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

Purpose of Meeting: INFO

Meeting relevance to District: LEGAL TRENDS

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

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

Frequency of Meeting: ONCE

Estimated Costs of Travel (if applicable): \$100-

Date submitted to Board Secretary: 4-20-23

Board approval obtained on Date: \_\_\_\_\_

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





# SPECIAL DISTRICTS LEGISLATIVE DAYS

## EARLY BIRD PRICING – REGISTER ON OR BEFORE APRIL 21, 2023

- **CSDA Member - \$300 Early Registration / \$375 Regular Registration**
- **Non-Member - \$450 Early Registration / \$560 Regular Registration**

### Three Ways to Register

- *Online:* Visit [legislatedays.csdanet.net](http://legislatedays.csdanet.net)
- *Fax number:* 916.520.2465. All faxed forms must include credit card payment.
- *Mail:* CSDA, 1112 I Street, Suite 200, Sacramento, CA 95814. Please include registration form and payment. Checks should be made payable to: California Special Districts Association.

### Not sure if you are a member?

Simply contact Eric Spencer at [erics@csda.net](mailto:erics@csda.net) or call toll-free at 877-924-2732. It's not too late to become a CSDA member!

<p><b>Full registration includes the evening reception and meals as indicated in the agenda.</b>  <b>Payment must accompany registration in order to process.</b></p>		
<input type="checkbox"/> CSDA Member: \$300/EARLY BIRD		<input type="checkbox"/> Non-Member: \$450/EARLY BIRD
<input type="checkbox"/> CSDA Member: \$375/AFTER APRIL 21		<input type="checkbox"/> Non-Member: \$560/AFTER APRIL 21
		Total \$: <input style="width: 100px;" type="text"/>
Name/Title:		
District:		
Address:		
City:	State:	ZIP:
Phone:	Fax:	
Email:		
Emergency Contact Name/Phone Number:		
<b>PAYMENT</b>		
Payment type: <input type="checkbox"/> Check <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover <input type="checkbox"/> American Express		
Acct. name:	Acct. Number:	
Expiration date:	CVC:	Authorized Signature:
<b>SPECIAL NEEDS</b>		
<input type="checkbox"/> Vegetarian <input type="checkbox"/> Other:		
<p><b>Cancellations must be made in writing and received via fax, mail, or email no later than April 21, 2023, at 5:00 p.m. All cancellations made within the specified time will be refunded less a \$75 processing fee. There will be no refunds for cancellations made after April 21, 2023. Substitutions are acceptable and must be done in writing no later than May 5, 2023 at 5:00 p.m. Please submit any cancellation notice or substitution requests to <a href="mailto:meganh@csda.net">meganh@csda.net</a> or fax to 916-520-2465. Our Anti-Discrimination and Harassment Policy can be found under "CSDA Transparency" at <a href="http://www.csdanet.net/about-csda/who-we-are">www.csdanet.net/about-csda/who-we-are</a>.</b></p>		



California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, CA 95814

*A proud California Special Districts Alliance partner.*

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Sacramento, CA

## Agenda At A Glance

*Agenda subject to change*

### DAY ONE: May 16, 2023 – 9:00 a.m. - 6:30 p.m.

Learn more about the most pressing issues facing special districts and interact with California's leading policymakers.

- State Senator John Laird, Chair of Senate Working Group on Climate Change, Member of Senate Natural Resources and Water Committee, and former Secretary of California Natural Resources Agency
- Keynote from one of California's top leaders. Past speakers have included State Constitutional Officers and Cabinet Secretaries
- Lunch with leading state and local officials confronting drought, floods, and other natural disasters
- State legislative update from CSDA lobbyists
- Time for attendees to independently schedule meetings with legislative offices (2:00 – 5:00 p.m.)
- Private legislative reception with Legislators and Capitol staff

### DAY TWO: May 17, 2023 – 7:30 a.m. - 11:45 a.m.

Explore how decisions are really made in the Capitol and help shape the outcome of special districts' priorities.

- Brunch with Legislators and Capitol staff
- Federal legislative briefing from National Special Districts Coalition Federal Advocacy Director
- Legal update on court cases impacting special districts

## HOTEL INFORMATION

### SHERATON GRAND SACRAMENTO HOTEL

1230 J Street  
Sacramento,  
CA 95814

Room reservations are available at the CSDA rate of \$205 plus tax for Traditional King.

The room reservation cut-off is April 21, 2023; however, space is limited and may sell out. The link for reservations will be emailed following registration.



@CSDAdistricts #DistrictsAdvocate



California Special Districts Association

*Districts Stronger Together*

# SPECIAL DISTRICTS LEGISLATIVE DAYS

**Gain the edge on policy changes impacting your agency and exchange ideas** with California's top decision-makers at the 2023 Special Districts Legislative Days, an interactive and informative two-day legislative conference in our State's Capitol.

Fully one-third of the State Legislature turned over this year, making the 2023 Special Districts Legislative Days a **MUST-ATTEND EVENT!**

**EARLY BIRD DISCOUNT!** Register and find the latest details at [legislativedays.csda.net](http://legislativedays.csda.net).

**May 16-17, 2023**

SHERATON GRAND SACRAMENTO HOTEL

1230 J Street • Sacramento, CA 95814



AGENDA ITEM 2D  
DATE May 4, 2023



## BOARD MEMBER CONFERENCE/ MEETING/WEBINAR ATTENDANCE REQUEST

Date: 4/18/23 Name: Murray, Craig K.

I would like to attend the Spring Educational Seminar Bay Area Chapter

2 Meeting of IRWA

To be held on the 14th day of April from 830am a.m. /

p.m. to 14th day of April from to 430pm a.m. / p.m.

Location of meeting: Oakland CA

Actual meeting date(s): April 14, 2023

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

Purpose of Meeting: Eminent Domain, Utilities and Permits.

Meeting relevance to District: Real Property and Right of Way Work

YES NO

Request assistance from Board Secretary to register for Conference:

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

Frequency of Meeting: 1x

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

Date submitted to Board Secretary: 4/18/23

Board approval obtained on Date: \_\_\_\_\_

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





## *IRWA Chapter 2, Bay Area*

is proud to host

### **2023 SPRING EDUCATIONAL SEMINAR**

---

Oakland, CA

April 14, 2023

**April 14<sup>th</sup> - Educational Seminar** - 8:00am- 4:30pm

- PG&E Headquarters, 300 Lakeside Drive, Oakland, CA 94612
- IRWA Continuing Education Approved

**Register**  
**Here**

**Chapter 2 Sponsored Evening Event-**  
**Oakland A's vs. New York Mets Game**

- 7000 Coliseum Way, Oakland CA 94621

**\$125.00\*** *plus processing fees*

**April 15<sup>th</sup> - 2023 Region 1 Spring Forum** - 8:00am- 4:30pm

- BART Headquarters, 2150 Webster Street, Oakland, CA 94612

***Additional Details & Recommended Accommodations  
can be found on IRWA Chapter 2 Website***

***\*\$125.00 pricing valid for registrations through March 31, 2023. Registration includes: full seminar registration with CE credit (no host lunch), evening A's entry ticket with food and non-alcoholic beverages provided. Transportation and / or parking costs not included. Registration on or after April 1, 2023 is subject to availability and pricing increases.***

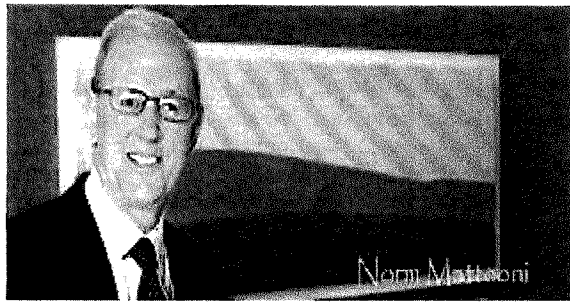




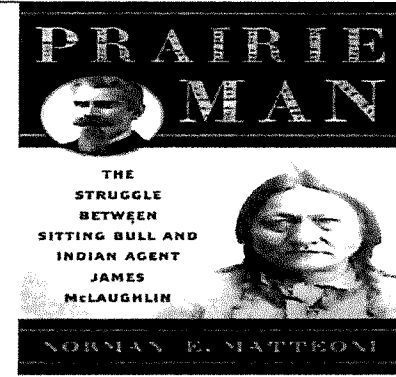
## 2023 SPRING EDUCATIONAL SEMINAR

8:00 – 8:30 a.m.	Registration and Welcome!	Chapter Two Representatives
8:30 – 9:45 a.m.	The Taking of Native American Property Rights: A History	Norm Matteoni, Esq.; Matteoni, O’Laughlin & Hechtman
9:45 a.m. – 10:00 a.m.	Networking Break	
10:00 – 11:00 a.m.	PG&E Undergrounding, A Look into Right of Way and Making the System Safer	Chadwick Wyler, SR/WA and Lisa Hunter, SR/WA; Pacific Gas & Electric
11:00 – 12:00 p.m.	Invaded by the Army: Why is USACE Involved in my Project?	Eric Roman, MAI, SR/WA, AI-GRS, R/W-AC; U.S. Army Corps of Engineers
12:00 – 1:10 p.m.	Lunch (On Your Own) and Networking Break	
1:10 – 2:30 p.m.	Bias in Appraisal: A Discussion of the Past, Present, and Future	Eric C. Schneider, MAI, SRA, AI-GRS, R/W-AC, Jones, Roach & Caringella, Inc.; Jacinto “Jay” Munoz, MAI, SRA, AI-GRS, AI-RRS, Cogito Realty Partners
2:30 – 2:40 p.m.	Networking Break	
2:40 - 3:40 p.m.	Getting Ahead of the Ball: Practical Tips for When You Are Considering Eminent Domain	Chad Herrington, Esq. and Nick Muscolino, Esq., Burke, Williams, Sorensen, LLP
3:40 – 4:30 p.m.	Corridor Acquisitions: Rail & Utility Products for Success	Dennis Rose, PLS; GIS Surveyors, Inc.

**8:30-9:45 am | The Taking of Native American Property Rights: A History**



**Norm Matteoni, Esq.; Matteoni, O'Laughlin & Hechtman**



**Norm Matteoni**

As a Deputy County Counsel, Mr. Matteoni tried condemnation cases for the County, school districts and the Santa Clara County Flood Control District for 8 years—trying over 40 cases. In private practice, he has primarily represented property owners regarding the taking and damaging of urban and rural lands. He has represented certain public agencies such as the County of San Diego, City of Carlsbad and Community Development Agency of Half Moon Bay on special assignments.

He is the primary author of *Condemnation Practice in California*—the comprehensive book used by California attorneys and cited by California courts since 1973 as the standard reference for direct and inverse condemnation cases. In 2005, the State Bar of California and the University of California published the third edition. In addition, Mr. Matteoni served as a consultant to the California Law Revision Commission on Eminent Domain in the early 1970's and chaired the State Bar Committee on Condemnation for two years. He was a consultant for the CACI jury instructions on eminent domain.

BA Santa Clara University; JD University of Notre Dame Law School.

Author of CEBs *Condemnation Practice in California*; *Prairie Man – The Struggle between Sitting Bull and Indian Agent James McLaughlin* .

**NOTES:**

**10:00-11:00 am | PG&E Undergrounding, A Look into Right of Way and Making the System Safer**



**Chadwick Wyler, SR/WA, Pacific Gas & Electric**

Chadwick Wyler, SR/WA, Principal Right of Way Agent at PG&E.

2011 B.S., UC Davis EBS Graduate. Chadwick is a Senior Right of Way Professional that has worked as a Right of Way Consultant. He utilizes his degree on a daily basis to both understand and explain public agency infrastructure projects to commercial, residential, and agricultural property owners and tenants. Having a background in Bio and Ag Engineering from UC Davis has been an incredibly valuable tool in understanding the processes and challenges faced by agricultural operators and how to assess the value of their crops and land when impacted by public projects. Chadwick served as the International Right of Way Association Chapter 2 President for the 2020-2021 years and current Education Committee Chair. City of Pleasant Hill, Planning Commission | Former R/W Agent with AR/WS | Currently Principal R/W Agent in Undergrounding Systems for PG&E

**10:00-11:00 am | PG&E Undergrounding, A Look into Right of Way and Making the System Safer**



**Lisa Hunter, SR/WA, R/W-NAC, Pacific Gas & Electric**



Lisa Hunter, SR/WA, CA Office of Energy Infrastructure Safety (OEIS) Compliance, Pacific Gas & Electric Company, Compliance and Risk Consultant. Lisa Hunter is a Compliance and Risk Expert at PG&E focused on the annual audit of PG&E's Wildfire Mitigation Plan. At PG&E, Lisa has lead and supported multiple initiatives focused on both gas and electric infrastructure within both PG&E's Land Management and Environmental Management Departments. Lisa began her Right of Way career at the California Department of Transportation (DOT) District 4 in Excess Lands Sales and Acquisitions. She then worked for Central Contra Costa Sanitary District involved in all phases of right of way (Project scoping, appraisal/appraisal review, acquisition, negotiation, relocation assistance and property (asset) management. BA Economics, UC Berkeley and MBA, St Mary's College. Lisa also holds a Broker's licenses with the State of California. Lisa is a Chapter 2 Past President and International Director. Lisa has also served in multiple other roles for Chapter 2 including, Young Professionals, Education, and Hospitality.

**NOTES:**

**11:00-12:00 pm | Invaded by the Army: Why is USACE Involved in my Project?**



**Eric Roman, MAI, SR/WA, AI-GRS, R/W-AC; U.S. Army Corps of Engineers**

Eric E. Roman  
 Chief Appraiser, Sacramento District, U.S. Army Corps of Engineers |BS University of California, Berkeley|State Certified General Real Estate Appraiser| Holds MAI and AI-GRS from the Appraisal Institute| SR/WA and R/W-AC from IRWA |Has over 30 years of professional appraisal and valuation experience including 12 years as the Appraisal Department Manager at Associated Right of Way Services, Inc. (AR/WS); Senior Real Estate Appraiser with CB Richard Ellis, Inc.; A Portfolio Associate with AMB Property Company; Property Tax Services Manager with KPMG, LLP and Deloitte & Touche, LLP and Senior Consultant, Valuation Service with Arthur Andersen, LLP. Mr. Roman's current scope of work includes appraisals of improved and unimproved properties for flood control, transportation improvement, and pipeline projects, and assessment of impact fees and property disposition.

**NOTES:**

**1:10-2:30 pm | Bias in Appraisal: A Discussion of the Past, Present and Future****Eric C. Schneider, MAI, SRA, AI-GRS, R/W-AC, Jones, Roach & Caringella, Inc.**

Eric Schneider is a Senior Appraiser with Jones, Roach, & Caringella, Inc., a real estate valuation and consulting firm that specializes in litigation support throughout the United States. Mr. Schneider has extensive experience with the appraisal of commercial and residential real estate, as well as review experience for litigation matters. His clients include government agencies, law firms, corporations, and private clients. An active member of the valuation community, Mr. Schneider serves on various committees and boards related to the appraisal profession, including the Appraisal Institute and the International Right of Way Association. He has served as chapter president for both organizations, and recently served as chair of AI's national designation committee. He is a member of *The Appraisal Journal* review panel, an instructor for the Appraisal Institute, and a frequent speaker at valuation, legal, and university events. Mr. Schneider's designations include the MAI, SRA, and AI-GRS from the Appraisal Institute, as well as the R/W-AC designation from the IRWA and received a bachelor's degree in business administration with an emphasis in real estate from San Diego State University.

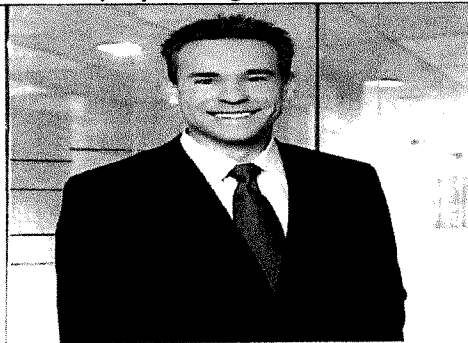
**1:10-2:30 pm | Bias in Appraisal: A Discussion of the Past, Present and Future****Jacinto "Jay" Munoz, MAI, SRA, AI-GRS, AI-RRS, Cogito Realty Partners**

Jacinto Munoz, MAI, SRA, AI-GRS, AI-RRS is the managing director and principal of Cogito Realty Partners. Mr. Munoz has over 25 years of real estate experience that includes valuation, development, and lending, among others. His valuation experience includes a variety of asset types for various matters that include condemnation, tax appeals, and loan underwriting. In addition, Mr. Munoz has worked on assignments both nationally and internationally.

Mr. Munoz is an adjunct professor at Cal Poly Pomona, a USPAP instructor with the Appraiser Qualifications Board and an instructor for the Appraisal Institute. A past president of the Appraisal Institute's Southern California Chapter, he currently serves on the AI's national board of directors and has been involved in a variety of national committees that include AI's Bias Research Project Team, the Women's Initiative Committee, and the Diversity Panel. In addition to serving as managing director for Cogito, Mr. Munoz is a consultant for financial institutions, serving as an "Outsourced Chief Appraiser" to establish sound appraisal and banking protocols.

**NOTES:**

2:40-3:40 pm | **Getting Ahead of the Ball: Practical Tips for When You Are Considering Eminent Domain**



**Chad Herrington, Esq., Burke, Williams, Sorensen, LLP**

Chad Herrington provides advisory, transactional, and litigation services on a broad range of municipal law issues for cities, counties, and other public agencies throughout California. He currently serves as the Assistant City Attorney for the City of Eastvale and the Town of Yucca Valley, and Deputy General Counsel for the SunLine Transit Agency. In addition to his advisory practice, Chad's other area of specialty includes municipal law litigation, with a focus on eminent domain, inverse condemnation, and property disputes. His litigation experience includes the successful representation of public entity clients at all stages of litigation, including trial and appeals.

**2:40-3:40 pm | Getting Ahead of the Ball: Practical Tips for When You Are Considering Eminent Domain**



**Nick Muscolino, Esq., Burke, Williams, Sorensen, LLP**

Nick Muscolino is a partner in the firm's Oakland office. Nick has specialized in representing California cities, counties, housing authorities, joint powers authorities, and special districts in eminent domain and inverse condemnation proceedings for nearly 15 years. He has assisted clients in complex infrastructure projects involving dozens of acquisitions, and smaller projects involving partial and full takes. Nick works develops and executes acquisition strategies, attends project meetings, negotiates with property owners, drafts acquisition documents, and conducts the necessary due diligence to close voluntary acquisitions. When a voluntary acquisition is not possible, Nick drafts staff reports and resolutions of necessity, gives presentations at hearings and closed sessions, drafts pleadings, and handles all aspects of litigation through the final order in condemnation and appeal (if necessary). At all stages, Nick leverages his subject matter expertise and relationships to best position his cases for settlement, and if necessary, trial. BA, UC Santa Barbara; JD, UC Davis.

**NOTES:**

**3:40-4:30 pm | Corridor Acquisitions: Rail & Utility Products for Success**



**Dennis Rose, PLS; GIS Surveyors, Inc.**

Dennis Rose is Chief Operating Officer of GIS Surveyors Inc. and is responsible for guiding operations for all essential business functions. He is a California licensed Professional Land Surveyor with more than 21 years of experience in the land survey industry and was successful in his project work for the San Diego Gas & Electric Fire Risk Mitigation Program, Southern California Edison's West of Devers Project, and Sempra Energy's Pipeline Safety Enhancement Plan. Prior to this, Dennis was a field surveyor for 14 years where he combined his innovative skills of surveying with mapping quality assurance and quality control for clients in the cellular industry. Dennis holds a Bachelor of Science degree in Computer Information Systems from Missouri State University.

**3:40-4:30 pm | Corridor Acquisitions: Rail & Utility Products for Success**



**Shawn Bondly; GIS Surveyors, Inc.**

Shawn Bondly is a Survey Project Manager for GIS Surveyors Inc. and is responsible for all general survey tasks, such as mapping, writing legal descriptions and calculating field data. He is a certified Land Surveyor In Training (LSIT) and has over 20 years of experience within the land surveying industry. He also has been a Right-of-Way agent with the IRWA and project manager for seven years. He has worked on many projects, including the Fargo flood diversion and the latest Tejon Pass undergrounding. Shawn holds an Associate Degree in Design and Drafting from ITT Technical Institute and an AutoCAD Civil 3D Certification.

NOTES:

A large rectangular box with a thin black border, intended for handwritten notes. The interior of the box is currently blank.



Item Number \_\_\_\_\_ 2E \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

**To:** Board of Directors  
**From:** Michael P. Cortez, PE, District Engineer  
 (415) 526-1518; [mcortez@lqvsd.org](mailto:mcortez@lqvsd.org)  
**Mtg. Date:** May 4, 2023  
**Re:** Approve Aqua Contract Amendment 10 for Bidding and Construction Services for the TWAS Enclosure/Sludge Basin and Reception Pad Project  
**Item Type:** Consent  Action \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_  
**Standard Contract:** Yes  No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

## STAFF RECOMMENDATION

Board to approve Contract Amendment 10 with Aqua Engineering for engineering support services during bidding and construction of the TWAS Enclosure/Sludge Basin and Reception Pad project in the amount of \$156,280.

## BACKGROUND

To avoid unnecessary delays towards completion and acceptance of the Secondary Treatment Plant Upgrade and Recycled Water Expansion (STPURWE) project, the District removed from the project scope and advertised the TWAS Enclosure/Sludge Basin and Reception Pad separately for public bidding as a single project. Aqua Engineering completed the design of these project components under the STPURWE project, and District staff anticipates the award of a construction contract in June 2023.

In response to District staff request, Aqua Engineering submitted a proposal for engineering services during bidding and construction, on a time-and-expense basis not to exceed \$156,280.

Scope of services includes the following:

1. Bid Phase
  - a) The Sludge Basin and Reception Pad component of the project requires process shutdowns and proper construction phasing involving the TWAS facility, primary clarifiers, grit separators, digesters, and sludge pumps in the Equipment Building. Similarly, the TWAS Enclosure component requires installation of new piping and electrical modifications to the MCC-3 Building. Aqua will discuss the requirements during the pre-bid meeting and provide clarifications via bid addendum as necessary, so that bidders would understand the project requirements, develop efficient workplans, and prepare competitive bid pricing.
  - b) Aqua will assist in the evaluation of bids to ensure reasonableness of pricing relative to engineer’s estimate, and that a contract will be awarded to the lowest responsive and responsible bidder capable of satisfactorily performing the work.
2. Construction Phase
  - a) The project requires installation of submersible mixer, flow meter, air release valve, check valves, plug valves, progressive cavity pumps, and select building components, all of which will require review and approval for compliance with the

technical specifications. Aqua will review and prepare responses to contractor submittals and RFIs and operations related questions during construction.

- b) Aqua will attend construction progress meetings to assist District staff in ensuring that construction is in accordance with the contract documents.

As discussed during the Board Meeting on March 2, 2023, District staff is hereby resubmitting Aqua’s proposal as a contract amendment to the original design services agreement for the STPURWE project dated April 8, 2015. As such, the current proposal’s terms and conditions have been removed and that of the original agreement shall govern. Staff further discussed Aqua’s proposal with the Engineering Subcommittee on April 5, 2023.

**PREVIOUS BOARD ACTION**

1. Board approved design contract with Aqua Engineering for the STPURWE project on February 26, 2015.
2. Board approved Call for Bids for TWAS Enclosure/Sludge Basin and Reception Pad Project on February 2, 2023.

**ENVIRONMENTAL REVIEW**

N/A

**FISCAL IMPACT**

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

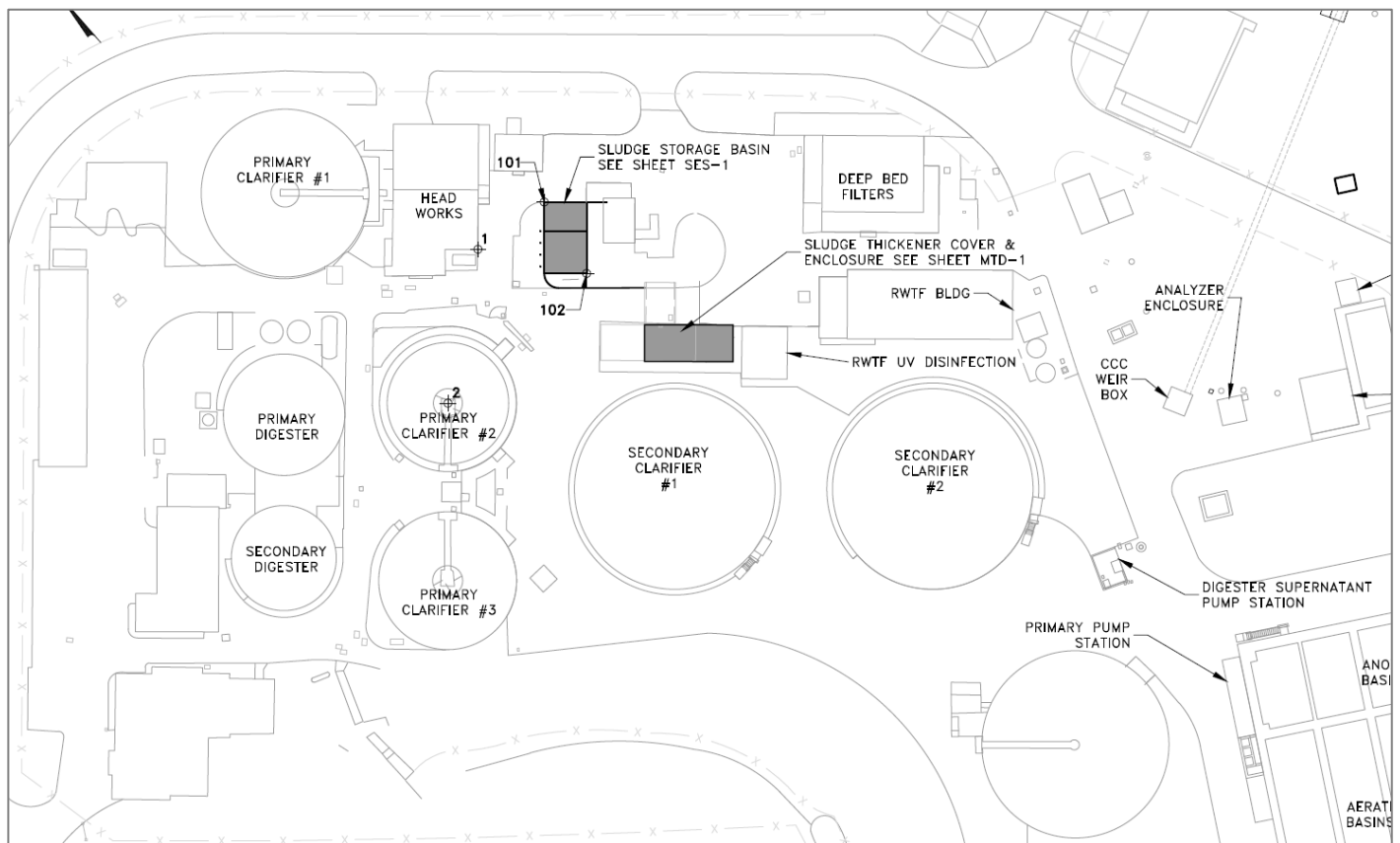


Figure 1. Site Map





February 28, 2023

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

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

Dear Mr. Cortez:

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

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

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

**Exclusions & Assumptions**

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

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

If additional information is required, please contact me.

Sincerely,



Eric Sahm, Project Engineer  
**AQUA Engineering**

Accepted by:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

Attest: (If Required)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

**EXHIBIT A**

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

**EXHIBIT B**

**2023 BILLING RATE SCHEDULE**

**Civil Engineering  
 Hourly Billing Rates**

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

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

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

**Reimbursable Expenses Schedule**

Additional expenses will be handled in the following manner:

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



Item Number \_\_\_\_\_ 2F \_\_\_\_\_  
GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

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To: Board of Directors  
From: Curtis Paxton, General Manager [cpaxton@lqvsd.org](mailto:cpaxton@lqvsd.org) 415-526-1511  
Mtg. Date: May 4, 2023  
Re: Contract Award – Grant Funding Identification, Tracking, and Application Services  
Item Type: Consent  Discussion \_\_\_\_\_ Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes  No \_\_\_\_\_ (See attached) Not Applicable \_\_\_\_\_

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## STAFF RECOMMENDATION

Board to award a contract to West Yost to provide Grant Funding Identification, Tracking, and Application Services through the end of calendar year 2023 in the not-to-exceed amount of \$74,960.

## BACKGROUND

There are a number of State and Federal funding/grant opportunities for infrastructure projects that have been recently identified. Although the District will be considering the addition of a finance/grant position in the Fiscal Year 2023/2024 Budget, the position would most likely not be filled until early 2024 while District staff prepares the job classification and recruits for the position. Management shares the concern the Board has expressed about missing opportunities for the available State and Federal grants and other financing options. The highly-qualified team of funding specialists from West Yost will help the District minimize the risk of missing opportunities.

A Request for Proposals (RFP) was not developed for the services this time due to the critical nature of the timing to get support for the District to identify and apply for the various funding opportunities available. The District prepared an RFP in September 2020 for these services, but had no responses to the RFP. The District subsequently awarded a contract to Kennedy Jenks in early 2021 for approximately \$50,000 for grant support services. District Management is pleased with the quality and breadth of experience the West Yost funding specialist team brings to the table.

The Project Management and Grant Identification portion of the proposal is estimated to be approximately \$34,350. The remaining amount of \$40,700 would be allocated Grant Application Development once the opportunities for the District have been identified. Monthly updates to the Funding Matrix and Projects Matrix will be provided to the Board.

## PREVIOUS BOARD ACTION

N/A

## ENVIRONMENTAL REVIEW:

N/A

## FISCAL IMPACT:

\$74,960 (Funding will be included in the FY 2023/2024 Budget)



2020 Research Park Drive  
Suite 100  
Davis CA 95618

530.756.5905 phone  
530.756.5991 fax  
westyost.com

April 13, 2023

SENT VIA: EMAIL

Curtis Paxton  
General Manager  
Las Gallinas Valley Sanitary District  
300 Smith Ranch Rd  
San Rafael, CA 94903

**SUBJECT: Proposal to Perform Funding Identification, Tracking, and Application Services**

Dear Curtis:

West Yost is pleased to present this letter proposal to the Las Gallinas Valley Sanitary District (District) to provide strategic grant support services for the District's wastewater-related infrastructure projects. Per our discussion on March 24, 2023, we understand that the District is interested in receiving funding services for tracking grant opportunities for prioritized wastewater projects and assistance in preparing grant applications. We believe that the development of a funding strategy and tracking opportunities specifically for the District will enhance the ability to proactively identify and position for grant opportunities aligned with the District's capital projects. This approach will also help to ensure that the District's resources are allocated to funding pursuits that have the greatest return on investment. West Yost is currently tracking grant funding opportunities for many clients related to water, recycled water, wastewater, and distributed energy resources projects. A sample list of these clients includes Alameda County Water District, Moulton Niguel Water District, City of Modesto, City of Cloverdale, and Stanislaus Regional Water Authority. Our funding research for these clients enhances our ability to provide the District with cost-effective funding services.

Our Funding Team offers full service from grant tracking and strategy to application preparation and grant administration, including labor compliance. Our senior Funding Team members are Monique Day, PE, Sheri Lasick, and Hawkeye Sheene. Bios for each of these key Funding Team members are included in Attachment A. Each team member has provided grant strategy, funding application, and grant administration support for over 30 municipal and water agency clients in California over the past 18 years or more. Monique and Sheri have worked together on several funding strategy, pursuit, and administration projects in the past ten years. On the grant administration side, Sheri has a wealth of experience with documenting labor compliance and assisting clients with grant audits. Hawkeye has 18 years of funding experience in the field of water resources, with an emphasis on watershed funding and management.

The first step to providing a customized funding strategy will include reviewing the District's Wastewater Master Plan, currently in development, as well as the proposed list of planned Capital Improvement Projects (CIP) projects to gain an understanding of the District's priorities and upcoming future challenges. With this insight, our team will identify an initial list of projects or project types that are well-suited for grant funding opportunities and then will match these projects/project types to relevant funding programs. If directed by District staff, we will coordinate our review and assessment of CIP priorities with the Climate-Energy-Reliability team at West Yost, who has been asked to prepare a Strategic Vision

Scoping Plan for the District. With this information, West Yost will then develop a funding strategy in coordination with District staff that is aligned with the proposed Strategic Vision Scoping Plan. Once the strategy is in-place, our support effort will shift to grant program tracking to identify when application periods are open, application requirements, and application timing. This scope includes an allowance for writing grant applications, however, depending on the number and type of applications prepared, additional budget may be needed. A detailed description of the proposed activities is provided in the scope of services in the following section.

## **SCOPE OF SERVICES**

The proposed scope of services includes:

- Task 1. Meetings and Project Management
- Task 2. Grant Identification and Tracking
- Task 3. Grant Application Development (as-needed)

### **Task 1. Meetings and Project Management**

Task 1 entails general project management and communications, as well a kickoff meeting and monthly check-in meetings. These activities are described in further detail below.

#### ***Task 1.1. Project Communications and Management***

This task includes the regular project management that will occur throughout the duration of the project. Project management includes the preparation of monthly invoices with detailed work descriptions, and typical project budget, schedule, and resource management activities.

#### ***Task 1.2. Kickoff Meeting***

West Yost will initiate this work by participating in a kickoff meeting with District staff to gain a better understanding of the District's project planning and implementation goals. We will agree on communication protocols, both internal to the project team (West Yost and the District), and external (communications with potential funding agencies), and progress reporting. During the kickoff meeting, we will also begin developing the funding strategy by reviewing the District's prioritized list of projects to be potentially grant funded and project status. This strategy initiation will assist West Yost in matching projects to funding opportunities. The budget assumes a virtual kickoff meeting and coordination with the Climate-Energy-Reliability team should the District choose to fund the Strategic Vision Scoping Plan.

#### ***Task 1.3 Monthly Check-in Meetings***

Following the kickoff meeting, West Yost will conduct monthly video conference calls with District staff to inform the District of any new relevant funding opportunities, discuss upcoming grant application deadlines, receive District updates on projects identified for funding, and discuss the top priority grant pursuits. During these meetings, we will gather additional information from the District, including the urgency for potential projects, institutional knowledge and background information regarding these projects, and existing project documentation. We will review and discuss the prioritization of projects for future grant activities based on potential/value for funding and timing with existing funding programs. A key component of these meetings will be updates to the grant programs where draft and final guidelines have been released, as this will signal to the District the need for timely decisions for moving forward with funding applications. Monthly updates to the Funding Matrix and Projects Matrix will also be submitted to

the District as part of the meeting materials. The proposed budget assumes six months of virtual monthly grant tracking meetings with attendance by two members of our Funding Team.

### **Task 1 Deliverables**

- West Yost will provide kickoff meeting agenda and meeting notes
- West Yost will provide monthly invoices with a summary of work
- West Yost will provide monthly agenda and notes with brief list of action items and decisions made during the conference calls

## **Task 2. Grant Identification and Tracking**

West Yost will identify existing grant programs relevant to the projects discussed during the kickoff meeting. The grant identification task will include:

- Obtaining an understanding of the types of high priority projects the District has included as part of its CIP Program;
- Researching and identifying grant opportunities applicable to the District's high priority projects;
- Providing opinions regarding how projects might be combined and/or expanded to make them more competitive for grant funding; and
- Identifying potential opportunities to partner with neighboring agencies to determine if similar projects can be packaged together to compete within watershed-based or region-based grant opportunities.

This work will be accomplished through the following subtasks, which include preparing a Projects Matrix, developing a Grant Funding Matrix, and preparing monthly funding pursuit status reports.

### **Task 2.1. Projects Matrix**

West Yost staff will review the District's current CIP and will develop a Projects Matrix to include relevant high priority CIP projects based on the criteria defined at the kickoff meeting in Task 1. With regular input from District staff, the Projects Matrix will be updated throughout the contract term as part of the ongoing grant tracking efforts (Task 2.3).

Other elements that will be included in the Projects Matrix include:

- **Overall Ranking for Grant Funding Potential:** Initial early assessment of project potential for grant funding, providing a relative "A", "B", "C" ranking for each project ("A" having the best chances for success), early in the process will allow our funding team to focus initial grant research on those projects with the greatest expected potential.
- **Identification of Initial Grant Funding Opportunities:** Based on the technical review of the District's CIP projects, specific known grant opportunities that fit a project's objectives will be identified. Information about each specific grant opportunity will include the stage and time frame (and scheduled dates as available) to assist in prioritizing which opportunities should be addressed first and to assure near-term deadlines for potential funding are not overlooked. The actual preparation of individual project funding applications can be conducted under Task 3.



### ***Task 2.2. Grant Funding Matrix***

West Yost will develop a Grant Funding Matrix which will provide details of the funding programs identified for projects in the Projects Matrix. This matrix will be in both a simple, graphical form as well as in a more detailed table format. This matrix will be updated throughout the contract term as part of the ongoing grant tracking efforts (Task 2.3). The Grant Funding Matrix will include the following information regarding each funding program:

- Summary information
- Funding Agency, including contact information
- Quantity of funds available
- Eligible Project Types (e.g., planning, design, and construction/implementation).
- Matching funds requirements, if applicable
- Eligibility conditions
- Competitiveness of the funding (i.e., percentage of projects funded), if available
- Deadlines including dates for public workshops, comment deadline on draft guidelines, comment deadline on final guidelines, and application deadline
- Key dates and other information regarding draft and final guidelines
- Grant reporting requirements
- Project elements compared to the grant agency's ranking criteria
- Pros and cons of pursuing the opportunity
- District projects being considered
- Project highlights compared to ranking criteria
- Decisions/status on development of grant applications for specific District projects

### ***Task 2.3. Grant Tracking***

Once the initial grant identification subtasks (2.1 and 2.2) are complete, West Yost will move into the grant tracking phase. During this phase, West Yost will track grant programs and provide updates on the status of active/open grants, as well as other pending relevant programs. Grant tracking may include, but is not limited to, reviewing funding program websites, attending funding program webinars, attending regional water group meetings as appropriate (e.g., an Integrated Regional Water Management (IRWM) or Groundwater Sustainability Agency (GSA)) and meeting with funding agency staff as needed. This task will include monthly updates to the Projects Matrix and Grant Funding Matrix.

### ***Task 2.4. Monthly Funding Pursuit Status Reports***

In advance of each monthly check-in meeting, West Yost will prepare monthly Funding Pursuit Status Reports to highlight new information, including new opportunities and pending go/no-go decisions. These status reports will include recommendations for cost-effective grant opportunities and on-going grant reporting requirement considerations. These reports will document decisions made during the past month, including those made at the most recent check-in meeting. The most recent Projects Matrix and Grant Matrix will be included with status reports, and major changes to these matrices will be noted in the report.

**Task 2 Deliverables**

- West Yost will prepare a PDF Projects Matrix
- West Yost will provide a PDF Grant Funding Matrix (graphic and detailed versions)
- West Yost will provide monthly Funding Pursuit Status Reports

**Task 3. Grant Application Development (As-Needed)**

On an as-needed and as-requested basis, the West Yost team will support the District in preparing funding application packages and/or provide QA/QC on draft applications should District staff take the lead in drafting grant applications. The West Yost team is also available, as needed, to gather additional information to better position the District for funding, fill out application forms, format the application, and attend funding agency pre-submittal workshops. The West Yost team can meet with funding agencies, participate in regional meetings, or meet with groups such as an IRWM or GSA.

The budget assumes that the West Yost team will provide up to approximately 200 hours of grant application support.

**Task 3 Authorization**

- This task will proceed only as requested and when authorized by the District Project Manager

**Task 3 Deliverables**

- Deliverables will be determined when this task is authorized

**PROJECT BUDGET**

West Yost’s proposed level of effort and budget for the tasks described above is shown in Table 1. West Yost will perform the Scope of Services described above on a time-and-expenses basis, at the billing rates set forth in West Yost’s 2023 billing rate schedule (Attachment B), with a not-to-exceed budget of \$74,960. Any additional services not included in this Scope of Services will be performed only after receiving written authorization and a corresponding budget augmentation.

Table 1. Estimated Project Hours and Budget							
Task	Principal Engineer II, hours	Principal Engineer II Cost at \$307/hour	Grant Specialist (Technical Specialist III), hours	Grant Specialist (Technical Specialist III) Cost at \$228/hour	Grant Specialist (Technical Specialist I), hours	Grant Specialist (Technical Specialist I) Cost at \$178/hour	Estimated Staff Cost, dollars
Task 1. Meetings and Project Management	16	4,912	42	9,576	8	1,424	15,912
Task 2: Grant Identification and Tracking	10	3,070	42	9,576	32	5,696	18,342
Task 3: Grant Application Development (as-needed)	14	4,298	66	15,048	120	21,360	40,706
<b>Project Budget Total</b>							<b>\$74,960</b>

## SCHEDULE

The kickoff meeting in Task 1 and the initial matrices in Task 2 are expected to take about eight weeks to complete from Notice to Proceed (NTP). Assuming the NTP from the District is provided by May 1, 2023, these initial tasks will be completed by late June 2023. The budget specified in this letter covers 6 monthly check-in meetings (part of Task 1) as well as 6 months of grant tracking (Task 2). The monthly check-in meetings and grant tracking activities are recommended to continue indefinitely to optimally maintain the District's awareness of relevant funding opportunities. Therefore, if the District wants to continue this grant tracking service after the term of this contract, a contract amendment would be needed.

The term of the agreement is anticipated to last for eight months (May 1, 2023 through December 31, 2023). Once under contract, West Yost will coordinate with the District's Project Manager to perform project-specific services within a mutually agreed upon timeline.

West Yost will schedule a kickoff meeting upon receipt of NTP from the District.

Thank you for providing West Yost the opportunity to be of service to the Las Gallinas Valley Sanitary District. Our team looks forward to working with you on this important endeavor. Please call if you have any questions or require additional information.

Sincerely,  
WEST YOST



Monique Day, PE  
Project Manager  
RCE #69793

Attachments: A: Bios for Funding Specialists  
B: West Yost's 2023 Billing Rate Schedule

## Attachment A

### Bios for Funding Specialists

**Monique Day, PE**  
**FUNDING PRACTICE AREA LEAD/  
PROJECT MANAGER**



Monique has 19 years of experience in civil and environmental engineering and has provided funding services to many clients throughout her career. Most of her project work has involved multi-stakeholder planning and implementation processes and funding pursuits. She is the project manager and strategist for providing grant strategy services for the Alameda County Water District, Moulton Niguel Water District, Stanislaus Regional Water Authority, Placer County Water Agency, Sacramento Area Sewer District, the City of Whittier Utility Authority, and the City of Modesto. She works closely with West Yost's funding team members on these projects to inform clients of relevant upcoming grant opportunities, to pursue funding opportunities, and to manage awarded opportunities.

**Sheri Lasick**  
**SENIOR GRANT FUNDING SPECIALIST**



Sheri has over 20 years of dedicated experience in grant writing, funding research, and funding management for public and non-profit entities. Sheri has a passion for assisting local public agencies in meeting the needs of the communities they serve by locating alternative funding sources and providing analytical services. Sheri has assisted cities, special districts, and counties in receiving over \$100 million in grants and \$12 million in low-interest loans for water and wastewater infrastructure projects, park and transportation improvement projects, and public safety activities. She has managed grant reporting requirements for multi-million-dollar projects with multiple funding sources. Sheri provides grant strategy and identification support, as well as application preparation and/or grant management. One of Sheri's specialties is providing labor compliance monitoring services post-grant award with 15 years of experience with California prevailing wage and Federal Davis-Bacon Act. After working with West Yost for more than a decade as a contract employee or subconsultant, Sheri joined West Yost full-time in 2022.

**Hawkeye Sheene**  
**GRANT FUNDING SPECIALIST**



Hawkeye Sheene has 18 years of environmental experience in the field of water resources, specifically watershed funding and management. She has been working with NPDES compliance since 2002 and has developed and implemented city and region-wide compliance, monitoring, reporting and outreach activities; guided the development of stormwater and urban runoff mitigation projects for municipalities, universities, and private developments; developed grant projects that were awarded over \$14 million; and managed large-scale grant projects to successful completion. As part of the West Yost Funding Team, Hawkeye prepares grant applications and provides grant management services to multiple clients.

## West Yost's 2023 Billing Rate Schedule

# 2023 Billing Rate Schedule

(Effective January 1, 2023 through December 31, 2023)\*



POSITIONS	LABOR CHARGES (DOLLARS PER HOUR)
<b>ENGINEERING</b>	
Principal/Vice President	\$338
Engineer/Scientist/Geologist Manager I / II	\$319 / \$334
Principal Engineer/Scientist/Geologist I / II	\$288 / \$307
Senior Engineer/Scientist/Geologist I / II	\$259 / \$272
Associate Engineer/Scientist/Geologist I / II	\$215 / \$231
Engineer/Scientist/Geologist I / II	\$173 / \$201
Engineering Aide	\$101
Field Monitoring Services	\$125
Administrative I / II / III / IV	\$92 / \$115 / \$138 / \$152
<b>ENGINEERING TECHNOLOGY</b>	
Engineering Tech Manager I / II	\$332 / \$334
Principal Tech Specialist I / II	\$305 / \$315
Senior Tech Specialist I / II	\$279 / \$291
Senior GIS Analyst	\$252
GIS Analyst	\$239
Technical Specialist I / II / III / IV	\$178 / \$203 / \$228 / \$254
Technical Analyst I / II	\$128 / \$152
Technical Analyst Intern	\$103
Cross-Connection Control Specialist I / II / III / IV	\$133 / \$144 / \$162 / \$180
CAD Manager	\$201
CAD Designer I / II	\$156 / \$176
<b>CONSTRUCTION MANAGEMENT</b>	
Senior Construction Manager	\$322
Construction Manager I / II / III / IV	\$197 / \$211 / \$224 / \$283
Resident Inspector (Prevailing Wage Groups 4 / 3 / 2 / 1)	\$172 / \$191 / \$213 / \$221
Apprentice Inspector	\$156
CM Administrative I / II	\$83 / \$112
Field Services	\$221

- Hourly rates include Technology and Communication charges such as general and CAD computer, software, telephone, routine in-house copies/prints, postage, miscellaneous supplies, and other incidental project expenses.
- Outside Services such as vendor reproductions, prints, shipping, and major West Yost reproduction efforts, as well as Engineering Supplies, etc. will be billed at actual cost plus 15%.
- The Federal Mileage Rate will be used for mileage charges and will be based on the Federal Mileage Rate applicable to when the mileage costs were incurred. Travel other than mileage will be billed at cost.
- Subconsultants will be billed at actual cost plus 10%.
- Expert witness, research, technical review, analysis, preparation and meetings billed at 150% of standard hourly rates. Expert witness testimony and depositions billed at 200% of standard hourly rates.
- A Finance Charge of 1.5% per month (an Annual Rate of 18%) on the unpaid balance will be added to invoice amounts if not paid within 45 days from the date of the invoice.

# 2023 Billing Rate Schedule

(Effective January 1, 2023 through December 31, 2023)\*



## Equipment Charges

EQUIPMENT	BILLING RATES
2" Purge Pump & Control Box	\$300 / day
Aquacalc / Pygmy or AA Flow Meter	\$28 / day
Emergency SCADA System	\$35 / day
Field Vehicles (Groundwater)	\$1 / mile
Gas Detector	\$80 / day
Generator	\$60 / day
Hydrant Pressure Gauge	\$10 / day
Hydrant Pressure Recorder, Impulse (Transient)	\$55 / day
Hydrant Pressure Recorder, Standard	\$40 / day
Low Flow Pump Back Pack	\$135 / day
Low Flow Pump Controller	\$200 / day
Powers Water Level Meter	\$32 / day
Precision Water Level Meter 300ft	\$30 / day
Precision Water Level Meter 500ft	\$40 / day
Precision Water Level Meter 700ft	\$45 / day
QED Sample Pro Bladder Pump	\$65 / day
Stainless Steel Wire per foot	\$0.03 / day
Storage Tank	\$20 / day
Sump Pump	\$24 / day
Transducer Components (per installation)	\$23 / day
Trimble GPS – Geo 7x	\$220 / day
Tube Length Counter	\$22 / day
Turbidity Meter	\$30 / day
Vehicle (Construction Management)	\$10 / hour
Water Flow Probe Meter	\$20 / day
Water Quality Meter	\$50 / day
Water Quality Multimeter	\$185 / day
Well Sounder	\$30 / day

\* This schedule is updated annually





Item Number \_\_\_\_\_ 3.1 \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

**To:** Board of Directors

**From:** Teri Lerch, Executive Assistant/Board Secretary  
(415) 526-1510; tlerch@lgsd.org

**Mtg. Date:** May 4, 2023

**Re:** Board Policy B-180 (Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure)

**Item Type:** Consent \_\_\_\_\_ Action \_\_\_\_\_ Information X Other \_\_\_\_\_.

**Standard Contract:** Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

## STAFF RECOMMENDATION

Board to review and discuss updated Board Policy B-180 Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure with Employment Legal Counsel Lisa Charbonneau from Liebert Cassidy Whitmore.

## BACKGROUND

Board Policy B-180 was given to the District’s Labor and Employment Legal Counsel, Morin Jacob of Liebert Cassidy Whitmore, to update. Enclosed are Legal Counsel’s red-lined revision, a draft final version and the original policy.

## PREVIOUS BOARD ACTION

On February 16, 2023, the Board reviewed updated Policy B-180 (Harassment Prevention Policy and Complaint Procedure) with staff and requested it come back to the Board for approval.

At the March 2, 2023, Board meeting, the Board had further questions about the policy revisions and requested that Labor and Employment Legal Counsel Morin Jacob attend a future meeting to clarify the updated changes to the policy.

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

N/A

**B-180 HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE**

**Purpose**

Las Gallinas Valley Sanitary District (“District”) is committed to preventing harassment, discrimination and retaliation in the workplace.

The purpose of this Harassment, Discrimination and Retaliation Prevention Policy and Complaint Procedure (“Policy”) is to establish a strong commitment to prohibit and prevent harassment and retaliation by and against the District's elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints of harassment, discrimination and retaliation. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment, discrimination and retaliation by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures, up to and including termination.

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

This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.

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

**B-180-10 Covered Individuals and Scope of Policy.**

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

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

**B-180-20 Definitions.**

**B-180-20-1 Protected Classification.** This Policy prohibits harassment, discrimination or retaliation because of an individual's protected classification. "Protected Classification" includes race, religion or religious creed, color, sex (including gender, gender identity, gender expression, transgender identity, pregnancy, and breastfeeding), sexual orientation

<b>Resolution No. 2009-1872</b>	<b>Date Approved: July 9, 2009</b>
President of the Board	<b>Supersedes:</b> <b>Last Reviewed: February 16, 2023</b>

(including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, marital status, age (40 or over), medical condition, genetic characteristics or information, military and veteran status, physical or mental disability, or any other basis protected by law.

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

**B-180-20-2 Protected Activity.** This Policy prohibits harassment, discrimination and retaliation because of an individual’s protected activity.

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

**B-180-20-3 Policy Coverage.** This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual’s protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

This Policy expressly prohibits elected officials from harassing, discriminating against, or retaliating against applicants, officers, officials, employees, contractors, or members of the public for any of the reasons enumerated above.

**B-180-20-4. Harassment.** This Policy prohibits harassment of a covered individual because of the individual’s actual or perceived protected classification. Note that harassment is not limited to conduct that the District’s employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, persons providing services under contracts, or even members of the public. Harassment may include, but is not limited to, the following types of behavior:

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

Physical acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes, but is not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

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

Unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct

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is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

**B-180-20-5 Discrimination.** This Policy prohibits treating a covered individual differently and adversely because of the individual’s actual or perceived protected classification; because the individual associates with a person who is or is perceived to be a member of a protected classification; or because the individual participates in a protected activity as defined in this Policy.

**B-180-20-6 Retaliation.** Retaliation occurs when an employer takes adverse action against a covered individual because of the individual’s protected activity as defined in this Policy.

“Adverse action” may include, but is not limited to, the following actions: (1) disciplinary action; (2) counseling; (3) taking sides because an individual has reported harassment or discrimination; (4) spreading rumors about a complainant or about someone who supports or assists the complainant or who participates in the investigation; (5) shunning or avoiding an individual who reports harassment or discrimination; or (6) making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

**B-180-30 Guidelines for Identifying Harassment.** Harassment includes conduct that another individual who is a member of the protected classification would find unwelcome or unwanted. Harassment may include the following:

**B-180-30-1** Harassment includes conduct which would be unwelcome or unwanted to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.

**B-180-30-2** Conduct that is not intended to harass. Conduct may violate this Policy if the conduct is directed at, or implicates a protected classification and the recipient finds the conduct to be offensive or inappropriate, even if its well-intentioned conduct (e.g., gifts, over-attention, endearing nicknames, hugs).

**B-180-30-3** Conduct to which the recipient appears to have consented. The District does not recognize as a defense that the recipient appeared to have "consented" to the conduct at issue by failing to protest about the conduct. A recipient may not protest offensive or inappropriate conduct for many legitimate reasons, including the need to avoid being perceived as insubordinate or to avoid being ostracized or subjected to retaliation.

**B-180-30-4** Conduct about which no employee has previously complained. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment or substantially similar conduct does not mean that the conduct is welcome, inoffensive, or appropriate. The fact that no one previously complained does not preclude anyone from complaining if the conduct is repeated.

**B-180-30-5** Conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct.. Visual, verbal or physical conduct between two people who do not find such conduct offensive or inappropriate can constitute harassment if a third party witnesses such conduct or learns about the conduct later and finds the conduct

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to be offensive or inappropriate. Conduct can constitute harassment even if it is not explicitly or specifically directed at a particular individual.

**B-180-30-6** Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification, and if the individual or an individual of the recipient's same protected classification would find it inappropriate or offensive (e.g., gifts, over attention, endearing nicknames, hugs).

**B-180-40 Complaint Procedure.** A covered individual who believes they have been subjected to harassment, discrimination or retaliation may make a complaint to any supervisor, manager, District Counsel, or the General Manager without regard to any chain of command.

Any supervisory or management employee who receives a harassment, discrimination or retaliation complaint should immediately notify the General Manager. Upon receiving notification of a complaint regarding discrimination, harassment or retaliation, the General Manager or their designee will complete and/or delegate the following steps:

**B-180-40-3** Within 24 hours of submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, the District Counsel.

**B-180-40-4** Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will usually include interviews with the following individuals: 1) the complainant; 2) the accused (i.e., the subject of the investigation); 3) witnesses to the conduct at issue in the complaint; and 4) other persons who have relevant knowledge concerning the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity of the investigation, including, but not limited to, refraining from actions that may intimidate potential witnesses.

The complainant and the accused have the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.

**B-180-40-5** Review the factual information gathered during the investigation to determine whether the alleged conduct violated the Policy giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

**B-180-40-6** Prepare a summary report of the determination as to whether the conduct violated this Policy and, if necessary, provide such report to the appointing authority (i.e., District Counsel or General Manager). If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.

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**B-180-40-7** If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.

**B-180-40-8** Take reasonable steps to protect the complainant from further harassment, discrimination or retaliation.

If the General Manager or District Counsel is the accused, or is a witness to the events at issue, an individual with higher authority will complete and/or delegate the steps enumerated above.

The District takes a proactive approach to potential violations of this Policy and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination or retaliation occurred or may be occurring, regardless of whether the recipient or third party reports a potential violation.

**B-180-50 Disciplinary Procedures and Sanctions.** Upon conclusion of the investigation of alleged harassment, discrimination or retaliation, appropriate action shall be taken against the appropriate party where a violation of this Policy is found, including legal actions where appropriate.

**B-180-40-1** Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment, discrimination or retaliation.

**B-180-40-2** Action taken to remedy a harassment, discrimination or retaliation situation shall be done in a manner so as to prevent further violations.

**B-180-40-3** Elected officials and employees complaining of harassment shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant, employee, elected official or contractor has reported harassment, or has participated in the complaint and investigation process described herein, is prohibited. This Policy protects those who make good faith reports of harassment, and those who associate with an individual who is involved in reporting harassment or who participates in the complaint or investigation process, from retaliation.

**B-180-60 Confidentiality.** The District will make every effort to assure the confidentiality of complaints made under this Policy to the greatest extent allowed by law. However, complete confidentiality may not be possible because of the District's need to investigate the complaint and provide the subject of the complaint their due process rights, which include providing the subject of the investigation a copy of the complaint after the initial investigatory interview, if requested.

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

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

**B-180-70 Responsibilities.**

**B-180-70-10** Each non-supervisor or non-manager is responsible for the following:

1. Treating all individuals in the workplace or on District worksites with respect and consideration.
2. Modeling behavior that conforms to this Policy.
3. Participating in periodic trainings on personnel matters.
4. Cooperating with the District’s investigations pursuant to this Policy by responding fully and truthfully and in a timely manner to all questions posed during the investigation.
5. Taking no actions to influence the complainant or any potential witness while the District’s investigation is ongoing.
6. Reporting any act they believe in good faith constitutes harassment, discrimination or retaliation as defined in this Policy, to their immediate supervisor or manager, District Counsel, or the General Manager.

**B-180-70-20** In addition to the responsibilities listed above, each manager and supervisor is responsible for the following:

1. Informing employees under their supervision of this Policy.
2. Taking all steps necessary to prevent harassment, discrimination and retaliation from occurring, including, but not limited to, monitoring the work environment and taking immediate and appropriate action to stop violations (e.g., removing inappropriate pictures or correcting inappropriate language).
3. Receiving and responding to complaints in a uniformly fair and serious manner.
4. Documenting the steps taken to resolve such complaints.
5. Following up with those who have complained to ensure that the offensive conduct about which they complained has stopped and that there have been no reprisals or retaliation or threats of reprisals or retaliation.
6. Informing those who complain about harassment and/or discrimination of their option to contact the Equal Employment Opportunity Commission or California Civil Rights Department and file a complaint about such activity.

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- 7. Assisting and/or advising employees regarding this Policy.
- 8. Assisting in the investigation of complaints involving subordinate employee(s).
- 9. Where a complaint is substantiated, assisting in the development of a recommendation concerning an appropriate corrective or disciplinary action in accordance with these policies.
- 10. Implementing appropriate corrective or disciplinary actions.
- 11. Reporting potential violations of this Policy to the District Counsel or the General Manager, regardless of whether an employee complained about such conduct.
- 12. Participating in periodic training and scheduling employees for training.

**B-180-80 Right to File Report with Outside Administrative Agencies.** An individual possesses the right to report workplace harassment, discrimination or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Civil Rights Department (CRD). These administrative agencies provide a complaint process as well as certain legal remedies where the applicable agency determined that a violation of the law occurred. The nearest EEOC and CRD offices are listed in the government section of the telephone book, or employees can check the posters that are located on District bulletin boards for EEOC and CRD office locations and telephone numbers.

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## B-180 HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY AND COMPLAINT PROCEDURE

### Purpose

Las Gallinas Valley Sanitary District ("District") is committed to preventing harassment, discrimination and retaliation in the workplace.

The purpose of this Harassment, Discrimination, and Retaliation Prevention Policy and Complaint Procedure ("Policy") is to establish a strong commitment to prohibit and prevent harassment and retaliation by and against the District's elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints of harassment, discrimination and retaliation. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment, discrimination and retaliation by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures, up to and including termination.

~~This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.~~

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

### Policy

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

~~This Policy establishes a complaint procedure by which the District will investigate and resolve complaints of harassment, discrimination and retaliation by and against covered individuals.~~

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

~~Harassment against an applicant or employee by a supervisor, management, employee, elected official, co-worker, member of the public or contractor on the basis of race, religion, sex (including gender, gender identify, gender expression, transgender, pregnancy, and breastfeeding), national origin, ancestry, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other protected classification will not be tolerated.~~

**Policy**

~~This Policy applies to all terms and conditions of service as an elected District official and governs elected officials' conduct with each other, District employees, volunteers, interns, members of the public, and contractors.~~

~~Appropriate sanctions will be instituted for prohibited behavior as defined below.~~

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

**B-180-10 Covered Individuals and Scope of Policy.**

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

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

**B-180-40-20 Definitions.**

**B-180-40-20-1 Protected Classification.** This ~~p~~Policy prohibits harassment, discrimination or retaliation because of an individual's protected classification. "Protected Classification" includes race, religion or religious creed, color, sex (including gender, gender ~~identify~~identity, gender expression, transgender identity, pregnancy, and breastfeeding), sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, citizenship status, marital status, ~~pregnancy~~, age (40 or over), medical condition, genetic characteristics or information, military and veteran status, ~~and~~ physical or mental disability, or any other basis protected by law.

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

**B-180-20-2 Protected Activity.** This Policy prohibits harassment, discrimination and retaliation because of an individual's protected activity.

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

**B-180-4020-2-3 Policy Coverage.** This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual's protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.

This Policy expressly prohibits elected officials from harassing, discriminating against, or retaliating against applicants, officers, officials, employees, contractors, or members of the public for any of the reasons enumerated above. because of: 1) an individual's protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.

**B-180-4020-34. Harassment.** This Policy prohibits harassment of a covered individual because of the individual's actual or perceived protected classification. Harassment may include, but is not limited to, the following types of behavior that is taken because of a person's protected classification. Note that harassment is not limited to conduct that the District's employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, persons providing services under contracts, or even members of the public. Harassment may include, but is not limited to, the following types of behavior:

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

Physical Acts, such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement. This includes, but is not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

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

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

**B-180-20-5 Discrimination.** This Policy prohibits treating a covered individual differently and adversely because of the individual's actual or perceived protected classification; because the individual associates with a person who is or is perceived to be a member of a protected classification; or because the individual participates in a protected activity as defined in this Policy.

**B-180-20-6 Retaliation.** Retaliation occurs when an employer takes adverse action against a covered individual because of the individual's protected activity as defined in this Policy.

"Adverse action" may include, but is not limited to, the following actions: (1) disciplinary action; (2) counseling; (3) taking sides because an individual has reported harassment or discrimination; (4) spreading rumors about a complainant or about someone who supports or assists the complainant or who participates in the investigation; (5) shunning or avoiding an individual who reports harassment or discrimination; or (6) making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination.

**B-180-20-30 Guidelines for Identifying Harassment.** Harassment includes conduct that another individual who is a member of the protected classification would find unwelcome or unwanted. Harassment may include the following:

~~To help clarify what constitutes harassment in violation of this Policy, use the following guidelines:~~

**B-180-2030-1** ~~Harassment includes any conduction conduct which would be "unwelcome or unwanted" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.~~

**B-180-30-2** Conduct that is not intended to harass. Conduct may violate this Policy if the conduct is directed at, or implicates a protected classification and the recipient finds the conduct to be offensive or inappropriate, even if its well-intentioned conduct (e.g., gifts, over-attention, endearing nicknames, hugs).

**B-180-2030-32** ~~It is no Conduct to which the recipient appears to have consented can still constitute harassment. The District does not recognize as a defense that the recipient appeared eds to have voluntarily "consented" to the conduct at issue by failing to protest about the conduct. A recipient may not protest offensive or inappropriate conduct for many legitimate reasons, including the need to avoid being perceived as insubordinate or to avoid being ostracized or subjected to retaliation.~~

**B-180-2030-43** Conduct about which no employee has previously complained can still constitute harassment. Simply because no one has complained about a joke, gesture, picture, physical contact, or comment or substantially similar conduct does not mean that the conduct is welcome, inoffensive, or appropriate. Harassment can evolve over time. The fact that no one is complaining now previously complained does not preclude anyone from complaining if the conduct is repeated in the future.

**B-180-2030-54** Conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct, can be harassment. Even visual, verbal, or physical conduct between two elected officials who appear to welcome the conduct people who do not find such conduct offensive or inappropriate can constitute harassment of a third applicant, officer, official, employee, intern, volunteer, or contractor party witnesses such he observes the conduct or learns about the conduct later and finds the conduct to be offensive or inappropriate.

Conduct can constitute harassment even if it is not explicitly or specifically directed at a particular individual.

**B-180-2030-65** Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates sd a protected classification, and if an the individual or an individual of the recipient's same protected classification would find it inappropriate or offensive (e.g., gifts, over attention, endearing nicknames, hugs).

**B-180-30 40 Complaint Process Procedure.** ~~A n employee, job applicant, volunteer, intern, elected official, or contractor covered individual who believes he/she is they have been subjected to the victim of harassment, discrimination or retaliation may file a formal or informal make a complaint without fear of reprisal or embarrassment to any supervisor, manager, District Counsel, or the General Manager without regard to any chain of command.~~

~~**B-180-40-1** An informal complaint is made verbally to District Counsel or the General Manager, or with any supervisory employee.~~

~~**B-180-40-2** A formal complaint is made in writing. It is preferred that a written complaint be submitted to the District Counsel or the General Manager, but it may also be submitted to any supervisory employee.~~

~~Any supervisory or management employee who receives a harassment, discrimination, or retaliation complaint should immediately notify the General Manager. Upon receiving notification of a complaint regarding discrimination, harassment or retaliation, the General Manager or their designee will complete and/or delegate the following steps:~~

~~**B-180-30-1** An informal complaint is made verbally to District Counsel or the General Manager, or with any supervisory employee.~~

~~**B-180-30-2** A formal complaint is made in writing. It is preferred that a written complaint be submitted to the District Counsel or the General Manager, but it may also be submitted to any supervisory employee~~

~~**B-180-30-3** Any supervisor who receives a harassment complaint should notify the General Manager immediately. If the harassment complaint is made by or against the General Manager, the supervisor should notify District Counsel.~~

~~**B-180-3040-4 3** Within 24 hours of the submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, the District Counsel.~~

~~**B-180-3040-5 4** Upon receiving notification of a harassment complaint, the General Manager or District Counsel shall authorize Authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will usually include interviews with the following individuals: 1) the complainant; 2) the accused (i.e., the subject of the investigation) harasser; 3) witnesses to the conduct at issue in the complaint; and 34) other persons who have relevant knowledge concerning~~

the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity of the investigation, including, but not limited to, refraining from actions that may intimidate potential witnesses.

~~B-180-30-6~~ The ~~person initiating the complaint~~ complainant and the ~~person accused of the alleged harassment~~ accused ~~has~~ have the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.

B-180-40-5 Review the factual information gathered during the investigation to determine whether the alleged conduct violated the Policy giving consideration to all factual information, the totality of the circumstances, including the nature of the conduct, and the context in which the alleged incidents occurred.

B-180-40-6 Prepare a summary report of the determination as to whether the conduct violated this Policy and, if necessary, provide such report to the appointing authority (i.e., District Counsel or General Manager). If discipline or sanctions are imposed, the level of discipline or sanctions will not be communicated to the complainant.

B-180-40-7 If conduct in violation of this Policy occurred, take or recommend to the appointing authority prompt and effective remedial action. The remedial action will be commensurate with the severity of the offense.

B-180-40-8 Take reasonable steps to protect the complainant from further harassment, discrimination or retaliation.

If the General Manager or District Counsel is the accused, or is a witness to the events at issue, an individual with higher authority will complete and/or delegate the steps enumerated above.

The District takes a proactive approach to potential violations of this Policy and will conduct an investigation if its supervisory or management employees become aware that harassment, discrimination or retaliation occurred or may be occurring, regardless of whether the recipient or third party reports a potential violation.

**B-180-40-50 Disciplinary Procedures and Sanctions.** Upon conclusion of the investigation of ~~an~~ alleged harassment, discrimination or retaliation, appropriate action shall be taken against the ~~harasser~~ appropriate party where a violation of this Policy is found, including legal actions where appropriate.



**B-180-40-1** Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment, discrimination or retaliation.

**B-180-40-2** Action taken to remedy a harassment, discrimination or retaliation situation shall be done in a manner so as to prevent further violations.

**B-180-40-3** Elected officials and employees complaining of harassment shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant, employee, elected official or contractor has reported harassment, or has participated in the complaint and investigation process described herein, is prohibited. ~~"Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment, or real or implied threats of intimidation to prevent an individual from reporting harassment. The following individuals are protected from retaliation:~~ This Policy protects those who make good faith reports of harassment, and those who associate with an individual who is involved in reporting harassment or who participates in the complaint or investigation process, from retaliation.

**B-180-60 Confidentiality.** The District will make every effort to assure the confidentiality of complaints made under this Policy to the greatest extent allowed by law. However, complete confidentiality may not be possible because of the District's need to investigate the complaint and provide the subject of the complaint their due process rights, which include providing the subject of the investigation a copy of the complaint after the initial investigatory interview, if requested.

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

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

### **B-180-70 Responsibilities.**

**B-180-70-10** Each non-supervisor or non-manager is responsible for the following:

1. Treating all individuals in the workplace or on District worksites with respect and consideration.
2. Modeling behavior that conforms to this Policy.
3. Participating in periodic trainings on personnel matters.

4. Cooperating with the District's investigations pursuant to this Policy by responding fully and truthfully and in a timely manner to all questions posed during the investigation.

5. Taking no actions to influence the complainant or any potential witness while the District's investigation is ongoing.

6. Reporting any act they believe in good faith constitutes harassment, discrimination or retaliation as defined in this Policy, to their immediate supervisor or manager, District Counsel, or the General Manager.

**B-180-70-20** In addition to the responsibilities listed above, each manager and supervisor is responsible for the following:

1. Informing employees under their supervision of this Policy.

2. Taking all steps necessary to prevent harassment, discrimination and retaliation from occurring, including, but not limited to, monitoring the work environment and taking immediate and appropriate action to stop violations (e.g., removing inappropriate pictures or correcting inappropriate language).

3. Receiving and responding to complaints in a uniformly fair and serious manner.

4. Documenting the steps taken to resolve such complaints.

5. Following up with those who have complained to ensure that the offensive conduct about which they complained has stopped and that there have been no reprisals or retaliation or threats of reprisals or retaliation.

6. Informing those who complain about harassment and/or discrimination of their option to contact the EEOC or DFEHCRD and file a complaint about such activity.

7. Assisting and/or advising employees regarding this Policy.

8. Assisting in the investigation of complaints involving subordinate employee(s).

9. Where a complaint is substantiated, assisting in the development of a recommendation concerning an appropriate corrective or disciplinary action in accordance with these policies.

10. Implementing appropriate corrective or disciplinary actions.

11. Reporting potential violations of this Policy to the District Counsel or the General Manager, regardless of whether an employee complained about such conduct.

12. Participating in periodic training and scheduling employees for training.



**B-180-5080- Right Option to File Report with Outside Administrative Agencies.** An individual ~~possesses~~has the ~~option-right~~ to report workplace harassment, discrimination or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California ~~Department of Fair Employment and Housing (DFEH)~~Civil Rights Department (CRD). These administrative agencies ~~provide offer legal remedies and~~ a complaint process as well as certain legal remedies where the applicable agency determined that a violation of the law occurred. The nearest EEOC and DFEHCRD offices are listed in the government section of the telephone book, or employees can check the posters that are located on ~~employer-District~~ bulletin boards for EEOC and DFEHCRD office locations and telephone numbers.

## B-180 HARASSMENT PREVENTION POLICY AND COMPLAINT PROCEDURE

### Purpose

The purpose of this Policy is to establish a strong commitment to prohibit and prevent harassment and retaliation by and against the District's elected officials; to define those terms; and to set forth a procedure for investigating and resolving internal complaints. The District encourages all covered individuals to report—as soon as possible—any conduct that is believed to violate this Policy. Acts of harassment by anyone affiliated with the District, including its elected officials, are strictly prohibited and are subject to sanctions and disciplinary measures.

### Policy

The District has zero tolerance for any conduct that violates this Policy. Conduct need not arise to the level of a violation of law to violate this Policy. Instead a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions.

Harassment against an applicant or employee by a supervisor, management, employee, elected official, co-worker, member of the public or contractor on the basis of race, religion, sex (including gender, gender identify, gender expression, transgender, pregnancy, and breastfeeding), national origin, ancestry, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation (including homosexuality, bisexuality, or heterosexuality), or any other protected classification will not be tolerated.

This Policy applies to all terms and conditions of service as an elected District official and governs elected officials' conduct with each other, District employees, volunteers, interns, members of the public, and contractors.

Appropriate sanctions will be instituted for prohibited behavior as defined below.

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

### B-180-10 Definitions.

**B-180-10-1 Protected Classification.** This policy prohibits harassment because of an individual's protected classification. "Protected Classification" includes race, religion, color, sex (including gender, gender identify, gender expression, transgender, pregnancy, and breastfeeding, sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, citizenship status, marital status, pregnancy, age, medical condition, genetic characteristics or information, military and veteran status, and physical or mental disability.

**B-180-10-2 Policy Coverage.** This Policy prohibits elected officials from harassing against applicants, officers, officials, employees, contractors, or members of the public

because of: 1) an individual's protected classification; 2) the perception that an individual has a protected classification; or 3) the individual associates with a person who has or is perceived to have a protected classification.

**B-180-10-3. Harassment.** Harassment may include, but is not limited to, the following types of behavior that is taken because of a person's protected classification. Note that harassment is not limited to conduct that the District's employees take. Under certain circumstances, harassment can also include conduct taken by those who are not employees, such as elected officials, persons providing services under contracts, or even members of the public:

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

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

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

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

**B-180-20 Guidelines for Identifying Harassment.** To help clarify what constitutes harassment in violation of this Policy, use the following guidelines:

**B-180-20-1** Harassment includes any conduction which would be "unwelcome" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.

**B-180-20-2** It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.

**B-180-20-3** Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.



**B-180-20-4** Even visual, verbal, or physical conduct between two elected officials who appear to welcome the conduct can constitute harassment of a third applicant, officer, official, employee, intern, volunteer, or contractor who observes the conduct or learns about the conduct later. Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual.

**B-180-20-5** Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicated a protected classification, and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, over attention, endearing nicknames).

**B-180-30 Complaint Process.** An employee, job applicant, volunteer, intern, elected official, or contractor who believes he/she is the victim of harassment may file a formal or informal complaint without fear of reprisal or embarrassment.

**B-180-30-1** An informal complaint is made verbally to District Counsel or the General Manager, or with any supervisory employee.

**B-180-30-2** A formal complaint is made in writing. It is preferred that a written complaint be submitted to the District Counsel or the General Manager, but it may also be submitted to any supervisory employee

**B-180-30-3** Any supervisor who receives a harassment complaint should notify the General Manager immediately. If the harassment complaint is made by or against the General Manager, the supervisor should notify District Counsel.

**B-180-30-4** Within 24 hours of the submitting the complaint to the General Manager, the General Manager shall inform, in a means designed to retain confidentiality, District Counsel.

**B-180-30-5** Upon receiving notification of a harassment complaint, the General Manager or District Counsel shall authorize and supervise the investigation of the complaint and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser; and 3) other persons who have relevant knowledge concerning the allegations in the complaint. Those informed of the investigation shall conduct themselves in a manner that will not compromise the integrity

of the investigation. including but not limited to refraining from actions that may intimidate potential witnesses.

**B-180-30-6** The person initiating the complaint and the person accused of the alleged harassment has the right to be accompanied by an advocate(s) when discussing alleged incidents. Said persons shall be advised of this right prior to the commencement of such discussions.

**B-180-30-7** The party responsible for the supervision of the investigation should review the factual information gathered through the investigation to determine whether the alleged conduct constitutes a violation of this Policy and report a summary of the determination as to whether a Policy violation occurred to appropriate persons, including the complainant, the alleged harasser, and the supervisor. If discipline is imposed, the level of discipline will not be communicated to the complainant.

**B-180-40 Disciplinary Procedures and Sanctions.** Upon conclusion of the investigation of an alleged harassment, appropriate action shall be taken against the harasser where a violation of this Policy is found, including legal actions where appropriate.

**B-180-40-1** Appropriate action shall be taken to remedy the victim's loss, if any, resulting from the harassment.

**B-180-40-2** Action taken to remedy a harassment situation shall be done in a manner so as to prevent further violations.

**B-180-40-3** Elected officials and employees complaining of harassment shall be protected thereafter from any form of reprisal and/or retaliation. Any adverse conduct taken because an applicant, employee, elected official or contractor has reported harassment, or has participated in the complaint and investigation process described herein, is prohibited. "Adverse conduct" includes but is not limited to: taking sides because an individual has reported harassment, spreading rumors about a complaint, shunning and avoiding an individual who reports harassment, or real or implied threats of intimidation to prevent an individual from reporting harassment. The following individuals are protected from retaliation: those who make good faith reports of harassment, and those who associate with an individual who is involved in reporting harassment or who participates in the complaint or investigation process.

**B 180-50- Option to Report to Outside Administrative Agencies.** An individual has the option to report harassment to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on employer bulletin boards for office locations and telephone numbers.

**5/4/2023**

**General Manager Report**

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

**5/4/2023**

**State Wide General Order for Sanitary Sewer Systems and  
Sewer System Management Plan**

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



Item Number \_\_\_\_\_ 3.4 \_\_\_\_\_

GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

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To: Board of Directors  
From: Dale McDonald, Administrative Services Manager  
(415) 526-1519 [dmcDonald@lgvSD.org](mailto:dmcDonald@lgvSD.org)  
Meeting Date: May 4, 2023  
Re: Review Draft Proposition 218 Notice  
Item Type: Consent \_\_\_\_\_ Action \_\_\_\_\_ Information X Other \_\_\_\_\_  
Standard Contract: Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X

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## STAFF RECOMMENDATION

Board to review the draft Notice to Property Owners and recommend any changes to the language in the notice.

## BACKGROUND

The District is required by Proposition 218 to notify the public regarding an impending rate change and to set a Public Hearing date no less than 45 days prior to the Public Hearing where the increases in rates are to be considered. Due to Marin County filing requirements, any Ordinance that would increase sewer rates must be adopted by the Board no later than July 5.

The 45-day requirement requires the District to accelerate the timeline for receiving the draft sewer rate study and finalizing the Notice to Property Owners, which now will be presented on May 8, so that the Notice can be mailed by May 15.

Today, staff is seeking Board input on the language in the Notice. Next week the Board will receive the Notice to Property Owners with recommended rate increases for final consideration.

## PREVIOUS BOARD ACTION

None

## ENVIRONMENTAL REVIEW

N/A

## FISCAL IMPACT

None

## Attachments:

1. Draft Notice to Property Owners – Public Hearing on Sewer Service Charge Increase





# NOTICE TO PROPERTY OWNERS

## June 29, 2023 Public Hearing on Sewer Service Charge Increase

The District is proposing a schedule of sewer service charge increases for a four-year period (from fiscal year 2023-24 through fiscal year 2026-27) to become effective on July 1, 2023. A public hearing on these proposed sewer rate increases will be held on Thursday, June 29, 2023 at 4:30 PM in the San Rafael City Schools Board Room, 310 Nova Albion Way, San Rafael, on the 2nd Floor.

### Rate Change Explained

The District is proposing to increase rate revenue over a four year period, with increases of x% in the first year, and then x%, x%, and x% in the subsequent years. For single family homes, this will result in a \$X per month increase in the first year; another \$X per month increase in the second year; a \$X per month increase in the third year; and finally a \$X per month increase in the fourth year. These increases are necessary in order to ensure the District continues providing high quality services and protection of the environment.

Sewer service charges are primarily used for the wide variety of activities that ensure the District is up-to-date in critical regulatory, operational, and maintenance areas, and that our facilities meet the community's needs for today and the future. The proposed increases will help fund:

- Replacement of the District's outdated operations control center, built in 1958 and renovated in 1985 and 1992
- Construction of needed improvements to the District's largest collection system pump station
- Construction of the Smith Ranch combined force main sewer
- Ultraviolet (UV) disinfection system, flow equalization basin, and primary clarifier improvements
- Biosolids program to move from disposal to beneficial use

To cover the cost of these critical services and upgrades, the District proposes the following increases per year per sanitary sewer unit:

<u>Effective</u>	<u>Current</u>	<u>Proposed</u>	<u>Monthly increase</u>
July 1, 2023	\$x	\$x	\$x
July 1, 2024	\$x	\$x	\$x
July 1, 2025	\$x	\$x	\$x
July 1, 2026	\$x	\$x	\$x

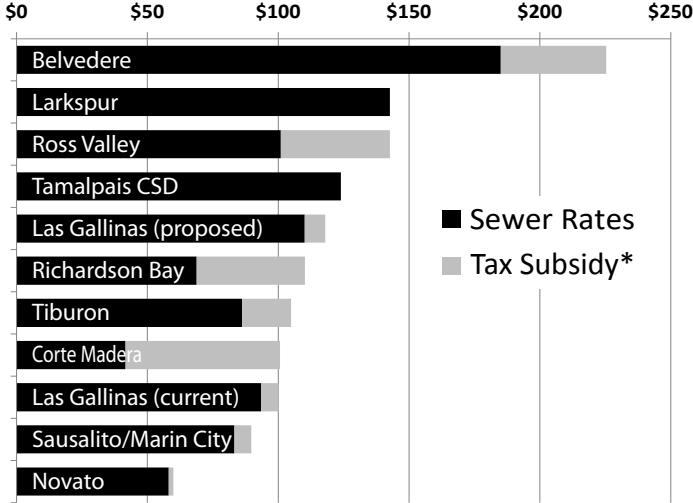
### Why LGVSD is Proposing Increases in Sewer Service Charges

The proposed increases in sewer service charges will allow the Las Gallinas Valley Sanitary District to continue its long-term capital improvement plan to modernize and upgrade its aging infrastructure and facilities, safeguard public health, protect the environment, and comply with increasing State and Federal regulatory requirements. For the past decade, the District's Board of Directors has focused much of its attention on renovating and upgrading the District's aging collection and treatment infrastructure.

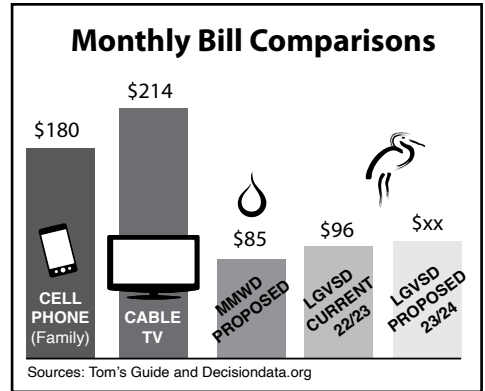
The District recently completed its Secondary Treatment Plant Upgrade and Recycled Water Expansion Project, increasing treatment and water recycling capacity to meet permit requirements. It was the largest project at the District since the original treatment plant was built in the 1950s. The next phase of upgrades identified at the treatment plant require additional infrastructure

# Monthly Bill Comparisons in Marin County as of April 2023

## Monthly Sewer Rate Comparisons



\* The value of tax subsidies have been estimated based on publically available financial data. The exact subsidy by customer class may materially deviate from the assumptions of our methodology.



The amount of property tax revenue a sanitary district receives can depend on a variety of factors, including the size of the district, the types of properties within the district, and local tax policies. An equitable comparison of the financial burden for providing sanitary sewer services requires consideration of both property taxes and sanitary sewer assessments imposed.

*"Why LGVSD is Proposing Increases" continued from page 1...*

investment. Primary clarification and UV disinfection projects at the plant will allow the District to meet increasingly stringent water quality regulations. Flow Equalization and Treatment Plant Headworks projects will help the District weather large storm events during periods of heavy rain and prolonged ground saturation by allowing the extra wastewater that enters the sewer collection system, a process known as Infiltration & Inflow (I&I), to be held for treatment until the wastewater flow to the treatment plant subsides. Replacement of the digester and improving the solids process will round out the major improvements currently identified.

Plans are being considered for replacement of the original Administrative and Operations Building, which was built in the 1950s, as well as the laboratory, and needs to be brought up to current standards. The District is in the process of planning for a new Operations Control Center to be located at the

treatment plant, pending design, regulatory, and environmental approvals. The project will be financed with the debt service expected to be between 20 and 30 years.

The District operates a sanitary sewer collection system comprised of approximately 105 miles of gravity sewer lines, 6.7 miles of force mains, and 28 pump stations. There are 2,985 manholes and approximately 52.5 miles of privately owned laterals. The State Water Resources Control Board has ordered that the District implement a Sewer System Management Plan (SSMP) which requires funding for and rehabilitation of the sewer collection system to maintain its usefulness. Along with a program of sewer main rehabilitation and replacement, the District is funding a sewer I&I reduction program as part of its SSMP. Key projects in the collection system also include electrical system and communication upgrades for 7 pump stations, Lower Marinwood Trunk Sewer and Upper Terra Linda Truck Sewer and Siphon improvements, and Hwy 101 undercrossing projects.

# Summary of LGVSD Sewer Service Charges for July 1, 2023 through June 30, 2027

## Residential Rates Effective July 1, 2023

**Residential Rates:** This is the annual sewer service charge for single family homes or similar residential units such as condominiums and mobile homes. Multi-family residential units such as apartments are calculated at 90% of the annual single family home sewer service charge.

Current Basic Rate:	\$x per year (\$x per month)
Proposed Basic Rate:	2023/24 - \$x per year (\$x per month)
	2024/25 - \$x per year (\$x per month)
	2025/26 - \$x per year (\$x per month)
	2026/27 - \$x per year (\$x per month)

## Non-Residential Rates Effective July 1, 2023

**Non-Residential Rates:** The rates for non-residential customers are proportional to the increase in residential rates. Rates are calculated individually for each type of non-residential use as described below.

User Classes	Rate Calculation	Water Use Calculation
<b>Domestic strength users:</b> Commercial, office buildings, retail, churches, halls, public agencies, laundromats, service stations, medical offices, hospitals, convalescent/nursing homes, barber/beauty shops, and car washes	<b>The annual sewer service charge rate times the average summer and winter water use times a strength factor of:</b>  1.0	To calculate water use, the District obtains the average of winter and summer water usage for each non-residential customer from the Marin Municipal Water District. This data is then converted to equivalent single family residential units (or sanitary sewer units). Water used solely for irrigation and recycled water which does not enter the sewer system, i.e. water not used for toilet flushing, laundry, commercial car washes, etc., is excluded from the calculation.
<b>High strength users:</b>  Bakeries	3.2	
Markets with disposals	2.6	
Restaurants/Cafes	2.4	
Mortuaries, mixed uses/ other, hotels with restaurants	2.0	
<b>Industrial and other high-strength users</b>	Contact the District for information and assistance	
<b>Schools without showers or cafeteria facilities</b>	0.01 times the annual sewer service charge rate per average daily attendance for students, faculty, and employees	
<b>Schools with showers or cafeteria facilities</b>	0.02 times the annual sewer service charge rate per average daily attendance for students, faculty, and employees	



Because of legal noticing requirements, you may receive more than one copy of this notice. This notice applies to all properties receiving service from Las Gallinas Valley Sanitary District.

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

Presorted  
Standard  
US Postage  
PAID  
Unicorn Group

#### **Board of Directors**

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

#### **District Administration**

Curtis Paxton, *General Manager*

## **Our Commitment to Excellence**

**District Transparency Certificate of Excellence by the Special District Leadership Foundation, 2022**

**Excellence in Financial Reporting, Certificate of Achievement, 2021**

## **How the District Keeps Costs Down**

The District strives to keep costs down by making timely investments in its infrastructure and maintaining existing facilities. Compliance with regulatory requirements helps the District avoid costly fines.

## **To Protest the Proposed Changes**

Protests against the proposed changes in the sewer service charge must be submitted in writing to the District before the end of the public hearing to be held on June 29, 2023 at 4:30 PM. Protests may be mailed/delivered to the District in advance to 101 Lucas Valley Road, Suite 300, San Rafael, CA 94903. Protests must identify the owner(s) of the property or properties for which the protest is entered, and be signed by the property owner. If a majority of owners of affected parcels within the District submit written protests against the proposed changes, the District will not approve the sewer service charge increases. Please be advised that pursuant to Government Code Section 53759(d) there is a 120-day statute of limitation for any challenge to the new, increased or extended fee or charge.

## **PARTICIPATE IN THE RATE HEARING:**

**Thursday, June 29, 2023 at 4:30 PM** in the San Rafael City Schools Board Room  
310 Nova Albion Way, San Rafael, 2nd Floor  
Go to [www.lgvsd.org/218](http://www.lgvsd.org/218) for more information

**WEB:** [www.lgvsd.org](http://www.lgvsd.org) **PHONE:** 415-472-1734 **EMAIL:** [info@lgvsd.org](mailto:info@lgvsd.org)


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.



Item Number \_\_\_\_\_ 4 \_\_\_\_\_  
GM Review \_\_\_\_\_ CP \_\_\_\_\_

# Agenda Summary Report

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To: Board of Directors  
From: Dale McDonald, Administrative Services Manager   
(415) 526-1519 [dmcDonald@lqvsd.org](mailto:dmcDonald@lqvsd.org)  
Meeting Date: May 4, 2023  
Re: Resolution 2023-2303 Expanding the Low-Income Sewer Rate Assistance Program and Continuing the Program for Fiscal Year 2023-24  
Item Type: Consent \_\_\_\_\_ Action X Information \_\_\_\_\_ Other \_\_\_\_\_  
Standard Contract: Yes \_\_\_\_\_ No \_\_\_\_\_ (See attached) Not Applicable X .

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## STAFF RECOMMENDATION

Approve Resolution No. 2023-2303 expanding the Low-Income Sewer Rate Assistance Program (“LISRAP” or “Program”) to qualified manufactured homes and mobile homeowners.

Continuing the program in fiscal year 2023-24 and allocate \$25,000 in Ad Valorem Property Taxes for use towards the program, authorizing staff to include funding in the budget.

## BACKGROUND

In early 2022, the Board expressed interest in providing rate relief to low-income residents of the District. Research was undertaken and it was determined that the District has the authority to implement a low-income rate assistance program as long as the District does not use Sewer Service Charge (SSC) rate revenue, which is subject to the substantive limitations under Article XIII D, Section 6 (Proposition 218) proportionality requirements under the California Constitution. Non-SSC revenue sources, such as ad valorem property tax revenues, were identified which can be used to fund the program. The Board approved LISRAP and allocated \$50,000 for use in the program’s first fiscal year 2022-23. The program requires that any unused funds at the end of the fiscal year be released back to the general fund.

The program was established to benefit single-family residential ratepayers who own their home. The District classifies manufactured homes or mobile homes as single-family residential property subject to the same SSC as a single-family residential property. Although they may generally have the same meaning, for California property taxation purposes, the term mobile home is now obsolete and was changed to manufactured home in Revenue and Taxation Code section 5801 in January 1992.

As part of the LISRAP application, homeowners in our District are required to provide a copy of their most recent Marin County property tax bill showing they were billed for the SSC in that year. It is the owners of the mobile home parks that pay the SSC for all manufactured or mobile homes on their property. Manufactured and mobile homeowners pay a monthly rental invoice to the mobile home park which includes other services such as sewer service. It is not the intent of the program to provide rate reduction relief to a private corporation.



District staff has identified a simple solution to allow low-income manufactured or mobile homeowners the opportunity to participate in LISRAP. For manufactured homes originally purchased new on or after July 1, 1980, they were automatically subject to local property taxes and are billed separately by the county assessor as property. If the manufactured home was purchased prior to the above date, homeowners are charged an In-Lieu License Fee (annual vehicle license fee) by the State of California Housing & Community Development. Allowing the submittal of the annual local property tax statement or the annual vehicle license fee statement will show proof of ownership. Providing a copy of the billing statement from the mobile home park showing SSC assessed will show proof they are receiving service from the District. Rebate checks will be issued in May to residential customers who meet the requirement. The current program rebate amount is \$112.

Adoption of the attached resolution will allow staff to make these minor revisions to the program and application form.

### **Report on LISRAP for Fiscal Year 2022-2023**

The program was announced in the Spring 2022 Heron newsletter and linked to the District's home webpage. Few applications were being received and an article was added to the Fall 2022 Heron newsletter reminding homeowners about the program.

To date, the program has been utilized by 14 homeowners for a total cost of \$1,568. There are 6 applications pending and 2 of them are from mobile homeowners. If all 6 applications are approved, it would result in an additional cost of \$672.

### **PREVIOUS BOARD ACTION**

On April 21, 2022, the District Board of Directors established a Low-Income Sewer Rate Assistance Program ("LISRAP") by Resolution No. 2022-2250, establishing a 10% sewer rate reduction to benefit single-family residential ratepayer households who participate in the PG&E California Alternate Rates for Energy (CARE) Program.

### **ENVIRONMENTAL REVIEW**

N/A

### **FISCAL IMPACT**

The cost to implement the program is dependent upon the number of PG&E CARE customers that utilize the program. There are 1,835 CARE customers in the District comprised of both renters and homeowners. Based on the inquiries received, it is anticipated that less than 10% of the eligible PG&E CARE customers are homeowners who would qualify for LISRAP.

While the SSC for FY 2023-24 has not yet been determined, staff believes that the maximum annual program cost for next year will not exceed \$25,000.

### **Attachment:**

1. Resolution No. 2023-2303

**RESOLUTION NO. 2023-2303**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
EXPANDING THE LOW-INCOME SEWER RATE ASSISTANCE PROGRAM  
TO QUALIFIED MOBILE HOMEOWNERS  
AND CONTINUING THE PROGRAM IN FISCAL YEAR 2023-24  
WITHIN THE LAS GALLINAS VALLEY SANITARY DISTRICT**

**WHEREAS**, Las Gallinas Valley Sanitary District (“District”) is authorized by the Sanitary District Act of 1923 (Health & Safety Code §6400 et seq.) to provide public services and facilities related to the acquisition, construction, replacement, maintenance and operation of wastewater collection facilities within the District’s service area; and

**WHEREAS**, the District is empowered to prescribe, revise and collect fees, rates and charges related to said wastewater collection facilities pursuant to Health & Safety Code §6520.5; and

**WHEREAS**, the District imposes Sewer Service Charges (“SSC”) in accordance with Government Code §66013; and

**WHEREAS**, on April 21, 2022, the District Board of Directors established a Low-Income Sewer Rate Assistance Program (“LISRAP or Program”) by Resolution No. 2022-2250 to benefit single-family residential ratepayer households; and

**WHEREAS**, the Program is funded by non-SSC rate revenue such as Ad Valorem Property Taxes; and

**WHEREAS**, Title 3 Chapter 1, Article 1(f) of the Las Gallinas Valley Sanitary District Sewer Service Charge Ordinance classifies manufactured homes or mobile homes as single-family residential property subject to the same Sewer Service Charge as a single-family residential property; and

**WHEREAS**, the Board now wishes to confirm expansion of the Program and make it available to eligible low-income manufactured or mobile home owner ratepayer households.

**NOW, THEREFORE**, the Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, hereby expands the Low-Income Sewer Rate Assistance Program (“LISRAP”), providing a ten percent (10%) Sewer Service Charge rate discount to manufactured home or mobile home owner ratepayer households, demonstrated by being enrolled in the PG&E CARE Program (California Alternate Rates for Energy Program) and for which the rate payer household must also include a customer of the District who pays the District Sewer Service Charges on their property tax bill or as billed by their mobile home park, beginning with fiscal year (“FY”) 2022-23.

**BE IT FURTHER RESOLVED**, that \$25,000 of Ad Valorem Property Tax revenue received from Marin County in FY 2023-24 be allocated to fund the program, subject to Final Budget approval, with any unused funds at the end of the fiscal year being released to the general fund. Continuation of the program and any adjustment to the program or funding allocation will be reviewed annually as part of the budget process.

**BE IT FURTHER RESOLVED**, that implementation of the LISRAP, including updating the application process and oversight of the program to include manufactured homes or mobile homes, is hereby delegated to the General Manager or designee.

\* \* \* \* \*

I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 4<sup>th</sup> day of May, 2023, by the following vote of the members thereof:

AYES, and in favor thereof, Members:

NOES, Members:

ABSTAIN, Members:

ABSENT, Members:

\_\_\_\_\_  
Teresa L. Lerch, Board Secretary

Approved:

(seal)

\_\_\_\_\_  
Megan Clark, Board President



5/4/2023

## **BOARD MEMBER REPORTS**

### **CLARK**

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

### **FORD**

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

### **MURRAY**

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

### **ROBARDS**

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

### **YEZMAN**

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

EESI Investments in Clean Energy and Transportation Innovations in the Federal and Private Sectors,  
Briefing, Washington DC

April 13, 2023

Craig K. Murray

Daniel Bressette, The Environmental and Energy Study Institute (EESI) founded in 1984 by Members of Congress to provide educational resources to Congress and their Staff. Also produces biweekly newsletter called Climate Solutions and also lot of writing with issue briefs and fact sheets and active online at [www.eesi.org](http://www.eesi.org).



**Alejandro Moreno**

Assistant Secretary (Acting),  
Deputy Assistant Secretary for  
Renewable Power, Office of  
Energy Efficiency and  
Renewable Energy Department  
of Energy

Dept. of Energy (DOE) Office of Energy Efficiency and Renewable Energy (EERE) Alejandro Moreno, Acting Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Directs the Office of Energy and Renewable Energy, Applied Research and Development and Demonstration Activities for Geothermal, Solar Energy, Wind and Water Power Technologies Offices. EESI FY 2024 Budget Briefing.

## EERE Guiding Principles

**EERE Mission Program Priorities**

- 100% decarbonized electric grid by 2035
- Reduce the carbon footprint of buildings
- Decarbonizing the agriculture sector, specifically focused on the nexus between energy and water
- Decarbonize transportation across all modes
- Decarbonize energy intensive industries

**Keys to Ensure the Greatest Impact**

- Environmental Justice and Equity
- Diversity in STEM
- Workforce Development
- State and Local Partnerships



# Renewable Energy

FY 2024 RDD&D efforts in solar, wind, water, and geothermal power focused on helping reduce costs and accelerating the use and integration of renewables as part of a reliable, secure, and resilient grid.

Reduce Costs for Renewable Energy Technologies



Address Barriers to Utilization



Provide Technology, Data, and Tools



Support Supply Chains



Ensure Reliability and Resilience



Create Regional Energy Water Testing and Validation



\$ in thousands	FY 2023 Enacted	FY 2024 Request	\$ Change	% Change
Renewable Energy Grid Integration	45,000	59,066	14,066	31.2%
Solar Energy Technologies	318,000	378,908	60,908	19.1%
Wind Energy Technologies	132,000	385,000	253,000	191.6%
Water Power Technologies	179,000	229,769	50,769	28.3%
Geothermal Technologies	118,000	216,000	98,000	83.0%

U.S. DEPARTMENT OF ENERGY

OFFICE OF ENERGY EFFICIENCY & RENEWABLE ENERGY



Moreno: US has the largest Offshore Wind Load in the World but it requires bigger turbines that have been manufactured and requires floating platforms that we have never done. If we do this, US will be the global leader in offshore wind. Solar: more work needed to increase the efficiency and durability. Most PV now by Chinese or Chinese companies.

# Sustainable Transportation & Fuels

FY 2024 RDD&D efforts focused on decarbonizing transportation across all modes and enabling vehicle electrification, commercially viable hydrogen fuel cell trucks, and sustainable aviation fuels.

Mode-specific Decarbonization Plans



Improve Customer Charging Experience



Drive Down Battery Costs



Scale-up Sustainable Aviation Fuels



Reduce GHG for Biofuels



Focus on Hydrogen Production and Delivery



\$ in thousands	FY 2023 Enacted	FY 2024 Request	\$ Change	% Change
Vehicle Technologies	455,000	526,942	71,942	15.8%
Bioenergy Technologies	280,000	323,000	43,000	15.3%
Hydrogen and Fuel Cell Technologies	170,000	163,075	-6,925	-4.0%

Vehicles Office continuing to improve batteries technologies: Last longer, charge faster, be smaller. Lot of work with DOT to develop networks of charging stations and work for underserved communities and medium and heavy duty vehicles. Mission is to development heavy duty vehicle charging stations in corridors of heavy duty vehicles. Commitments recv. From most major airlines as technology comes online for new Aviation fuels via biomass. Hardest transportation sector to decarbonize. Buildings & Industry program. EERE history with buildings making more efficient. Industry req. often heat levels higher than can't provide through electrification. More of the energy sector is getting more integrated, can not plan one without the other. Focus on systems level solutions.





- Building wind plants in water depths greater than 60 meters offers tremendous opportunity for expanded wind deployment
- Floating solutions stretch the capabilities for system design and optimization
- NREL's offshore wind turbine research capabilities focus on the long-term needs of the industry, including developing innovative controls at the turbine and plant levels, advancing modeling and simulation capabilities to assess and optimize novel designs, and supporting standards development.

**Shell Collaboration:**

- Exploring use of active wake steering for US offshore wind projects
- Yield assessment and loads analysis with active wake steering
- New operating regime with large scale (~1GW) bottom-fixed offshore wind plants that use 15-MW class turbines.

Partnering for impact with Industry. Offshore Wind USA Innovations: Floating Platforms, Scaling Solutions for larger turbine design, Advanced Turbine Controls, Light-weight drive trains and supporting grid resiliency through these systems and liability services as frequency control, voltage regulation, and other things like Ramping and fostering a stable sustainable and circular economy by advancing wind turbine component materials and manufacturing methods to improve recycling and recovery and validating technologies at scale. Background in Atmospheric Science, Modeling Validation, Grid innovation, economic analysis, data analytics, advanced materials, workforce development and stakeholder engagement supports DOE's core capabilities for industry needs.

Meyer Seligman, Director Government Relations, National Renewable Energy Laboratory (NREL) [www.NREL.gov](http://www.NREL.gov)



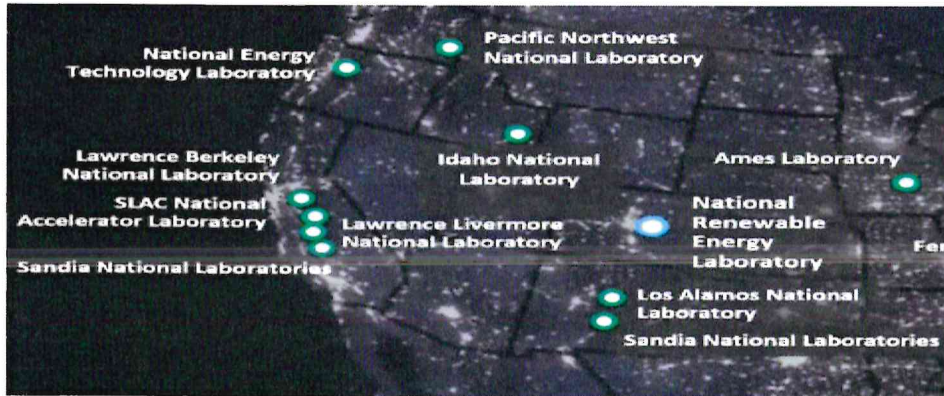
**Meyer Seligman**

Director, Government Relations,  
National Renewable Energy  
Laboratory (NREL)

**National Laboratory System Coast to Coast**

The 17 national laboratories have served as the leading institutions for scientific innovation in the United States for more than 90 years.

**NREL**



NREL is the primary lab for energy efficiency and energy efficiency research. Only FFRDC dedicated to the research development, commercialization and deployment of energy efficiency technologies. As Part of mission, work with private industry in transfer technology in these spaces to marketplace. Government-owned, contractor operated facilities funded and overseen by EERE. NREL has 3 campuses that operate as living laboratories: 2 main sites in CO – Main campus at the south table mountain and Flatirons campus that hosts The National Wind Technology Center and northern most campus in Fairbanks, AK the cold climate housing research center.



High performance computer and super computing at ESEF facility for data and visualization to grid modernization. Industry, Academia partners. Have 1,000 active partners in universities and research centers and other Federal Agencies. LA100 w/City of LA by 2045 to have 100% renewable energy supply, partnered with them on study. Aviation fuels. Full findings at LA100.org. C2C: Clean Energy to Communities. Funded by DOE management includes LBL Labs. Helps communities meet their own targets. NREL more than 1,000 active partnerships with industry, academia and Govt. Support STEM and Solar Decathlon this month and Collegiate Wind Competition in May.



**Steve Csonka**

Executive Director, Commercial Aviation Alternative Fuels Initiative (CAAFI)

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[www.caafi.org](http://www.caafi.org). CAAFI: Public/private partnership working with our Regulator FAA. SAF: Sustainable Aviation Fuel link with work of EERE and BETO. Industry led effort since 2006. Want to move SAF to industry areas such as Solar and Wind and ability to compete on their own. SAF: Synthetic Kerosene, primarily from renewable or circular economy H-C sources. Industry's Sustainable Commitments: Goal is development of non-petroleum, drip-in, jet fuel production with: Equivalent Safety &



Performance; Comparable Cost; Environmental Improvement; Security of Energy Supply for Aviation. Work with USDA, DoD, Energy, Commerce. Aviation Industry has committed from 2020 onward to a Net Zero Carbon Growth and by 2050 a Net Zero CO2 emissions. Primary problem comes from the Medium to Large long-range aircraft. Hybridization, electrification, and hydrogen/ fuel switching does not work across entire space of Aviation. Will work with modestly sized vehicles, urban mobility vehicles, unmanned aerial vehicles and some GA applications. Specifically Electrical Battery powered is off by factor of 50. Need for several decades of continued improvements in some of those technologies before they buy their way onto an airplane and be the primary driver for non-green house gas aviation. Improvements through use of technology, operations and infrastructure, aviation fuels and market based measures. Goal at least 50% reduction in GHG, some now in the 80% reduction level. SAF Goal is 3 B gallons by 2030 and 35 B by 2050. CORSIA: A framework established by international regulators. Fundamental Offtake agreement by 7 airlines to producers before any concrete is put in ground. This is a fundamental agreement. Other technologies in this space: Power to Liquids, Biomass energy, carbon capture and sequestration, direct air capture and sequestration.



SAF is Jet fuel or an aviation turbine fuel. 27,000 large commercial aircraft, don't have to rebuild each airport and each plane with new fuel. Can get Carbon reduction by using a drop in fuel with a lower GHG impact. Looking at different feedstocks: lipids, sugars, lignocellulose, hydrogen & carbon sources, circular economy byproduct streams. Working with existing refineries on how to convert their production to jet fuel. 180 Offtake companies have talked about their ability to produce 1 B gallons themselves. Feedstocks can come from a lot of different sources such as Municipal Solid Waste, Forestry products, ag waste, waste food production, industrial offgasses, oil and cellulosic, crops and further out hydrogen and fuel cells but those require unending amounts of power and clean water that are challenges. Work of EERI/BETO and other offices of DOE are key in bringing down challenges and costs thru conversion technology and processes.



**Abby Campbell Singer**

Senior Director and Head of Climate and Infrastructure Policy. Siemens USA

Siemens US been in US over 160 years, 45k+ employees in all US States and Puerto Rico, support 17k US suppliers and 23 manufacturing sites. Working on advancement of technologies working w/DOE. 30k customers range from cities to states to hospitals: building & electrical products, electrification and automation, eMobility, grid software and regional solutions and services. Siemens from Sub Stations to buildings. Saved \$3.6B in energy costs for customers globally since 2000.

###



## 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.

**5/4/2023**

**BOARD AGENDA ITEM REQUESTS**

**Agenda Item 6B**

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



Agenda Item 7  
Date May 4, 2023

## EDITORIAL

## Proceeding to solutions with proper caution

Only two years ago, as the Marin Municipal Water District scrambled to stave off running out of water, the issue of expanding its reservoirs was repeatedly raised by some of its ratepayers.

The district's leadership, at that time, said that increasing the storage capacity of its seven reservoirs was impractical — too expensive and too environmentally disruptive — to be part of a resiliency plan in the face of current and future droughts.

But the district has new leadership on its board with the November election of three new directors and voters' hope that change would lead MMWD to come up with a better plan to avoid the perilous dilemma it faced in 2020-21 when it was predicted the district could run out of water.

Back-to-back rain-soaked years bought the district relief and time. But the threat of more drought years is real.

The new board is considering all options, rather than the over-reliance on conservation that proved to be a risky strategy.

The board is seeking federal funding for a study into the potential of increasing storage at its three largest reservoirs — Kent, Nicasio and Soulajule.

It has been 40 years since the district either built a new reservoir or expanded its older reservoirs.

At the very least, in response to ratepayers' call for increasing storage, the board should take a hard look at the potential costs and benefits.

Maybe the result will be similar to that voiced in recent years by district staff and the board. But in promising change, the new board is right that the close call of 2020-21 is enough to justify giving the option an even harder look.

Both the costs, the safety of the dams, the potential increase in storage and concerns involving the watershed's streams and environment need to be clearly detailed.

Concern about water rights also needs to be addressed.

The study is estimated to cost almost \$1.4 million, of which a federal grant would cover about half.

This study is expensive, but it is an investment that should be valuable for generations to come. If the potential proves worth the investment, the increased storage also would help MMWD's supply be more resilient to prolonged droughts.

The new board is focused on building a long-term strategy aimed at avoiding the 2020-21 dilemma.

Storage capacity is a fundamental piece to the puzzle that the board is trying to solve.

Conservation, increased recycling and new sources are also pieces to that puzzle.

The board's decision to move forward toward a study is an example of its new members' promise to be more open to possible options, to at least take a look at them.

The board is also considering being part of a regional desalination plant on the Petaluma River, increasing the amount of water imported from the Russian River, creating a regional groundwater bank in Sonoma County and creating new connections between its reservoirs.

Some of those improvements are going to require more storage.

Of course, promoting conservation and advancing new water-saving technologies also needs to be an important part of the district's strategy.

But making the best use of its reservoirs and considering opportunities for increasing their storage capacity are options that need to be explored, evaluated and resolved.

NEW PROPOSAL

## North Marin Water District plans 9.5% Novato rate hike

Conservation impact, increase in operating expenses cited



A cyclist rides near Stafford Lake in Novato on Wednesday. The North Marin Water District receives about 75% of its water from Russian River water imports through the Sonoma Water agency. PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL





Novato area residents could see higher water rates beginning this summer under a proposal by the North Marin Water District.

The district is proposing to increase rates by 9.5% in July, which district staff said would increase the median residential customer's bimonthly water bill by about \$12.

The proposed rate hike is about 3% more than those adopted in recent years.

District General Manager Tony Williams said the larger rate hike is needed to address inflation impacts, lower water sales from continued conservation and a doubling of rates to purchase imported water from the Sonoma Water agency, which is Novato's main source of water.

"We're actually seeing that ripple through our operating expenses," Williams said Wednesday. "Whether we're buying chemicals, whether we're buying equipment or materials — everything has gone up in price."

The district serves about 60,000 residents in the greater Novato area as well as about 1,800 residents in areas of West Marin. The district sets different rates for Novato and West Marin because they are served by different water supply systems.

The district receives about 75% of its water from Russian River water imports through the Sonoma Water agency with the remainder coming from its Stafford Lake reservoir. On Tuesday, the Sonoma Water Board of Directors voted to increase its wholesale water rates, particularly to Marin's two largest agencies.

North Marin will see the largest percentage increase of all Sonoma Water's contractors at 12.5%. Typically, the district's rates were only increased by about 5% to 7% per year on average in recent years and were previously expected to only increase by about 6% annually, Williams said.

"That has a huge impact," he said.

Sonoma Water's wholesale rates are based on how much water a contractor uses, with North Marin's comparatively lower water use resulting in higher rates.

"It's sort of this Catch-22," Williams said. The larger wholesale rates are expected to continue through the next five years, with rate increases expected to range from 7-11.5%, according to Williams.

Sonoma Water board member David Rabbitt said the increase is needed to address tens of millions of dollars worth of deferred repairs and retrofits to its aging water supply system — a problem shared by Marin's largest water suppliers and others.

"It would be foolish to continue doing that and end up with unforeseen consequences of not being able to deliver clean, reliable water 24/7 to all the customers," Rabbitt said.

Rabbitt said the original rate proposal was much higher — around 20% — but was reduced to about 10.5% on average by deferring certain projects, using other fund balances and other reductions.

North Marin plans to respond to the larger wholesale rates, among other factors, with larger rate increases in Novato in the coming years, starting with a proposed 8.5% increase in 2024-25 and a 7% increase during the following three years.

Continued conservation is also impacting Novato's rate proposal. In 2022, customers used about 2.1 billion gallons, which was the lowest annual amount since at least 2014. The district's 10-year average annual use is about 2.3 billion gallons. Williams said the district is expecting water sales to remain flat during the next few years, meaning it will have lower-than-normal water sales revenue.

Inflation is expected to increase operations and maintenance costs for the district by 8.6%, including a 7% increase in pension costs, according to the agency.

Under the five-year rate plan it adopted in 2020, the district planned to only hike rates by 5% for 2023-2024. But given the changes that have occurred since then, from the two-year drought to the state of the economy, Williams said the agency is considering revising its plan.

"Some of the assumptions are just no longer valid," Williams said. "A lot of water contractors who get water from Sonoma are seeing the same thing."

For the district's West Marin service area, rates are proposed to increase by about 6%, which sticks to the rate schedule the agency adopted under a 2021 rate plan. The rate increases would affect the 1,800 residents in Point Reyes Station, Olema, Bear Valley, Inverness Park and Paradise Ranch Estates using water wells in the Lagunitas Creek watershed.

The median residential customer would see about a \$7.60 increase on their bimonthly water bill, according to the district. The district also collects and treats wastewater for Ocean Marin, and proposes to increase its sewage surcharge by \$78 per year for a total of \$1,374. The surcharge is billed on customer property taxes.

# Lot split proposed for apartments on Merrydale Road

BY ADRIAN RODRIGUEZ

[ARODRIGUEZ@MARINIJ.COM](mailto:ARODRIGUEZ@MARINIJ.COM)

A property owner is proposing to construct 12 new apartments on the same lot as a 16-apartment complex the company owns in San Rafael.

August Place LLC wants to split the 1.2-acre lot at 50 Merrydale Road so the new apartment building can be developed on an unused section of the property.

“The overall project does include a subdivision of the lot, which will be reviewed simultaneously but separately, and possibly prior to the actual development being reviewed and approved,” said Renee Nickenig, an assistant city planner.

Nickenig presented the project to the Design Review Board at its April 18 meeting. The first public airing of the project was part of a required conceptual design review.

Board member Stewart Summers recused himself from the discussion because his firm, SKS Architects, is the project applicant.

The site is a hillside property bound by Highway 101 to the east, near the North San Pedro Road exit, and apartments on Merrydale Road to the west across the street.

Two apartment buildings on the northern end of the lot have eight residences each and 25 parking spots.

The project would add a 31-foot-tall building tucked into the hillside. The ground floor would provide a garage with 12 parking spaces and a center courtyard. A new driveway would be constructed from Merrydale Road leading to the southern end of the project where the hill slope is more shallow.

All apartments are proposed to be one-bedroom, ranging from about 530 square feet to 550 square feet. Each will be outfitted with a balcony.

One apartment will be offered at below-market rate, qualifying the project for a state density bonus and waivers.

The applicant has requested a waiver on the usable outdoor space because it cannot meet the city’s requirement with the current design. The city requires 150 square feet of outdoor space per dwelling, which in this case would equal 1,800 square feet. The applicant is providing 642 square feet, or about a third, which includes the courtyard and apartment decks.

“I’m a little disappointed that you’re meeting about one third of the required outdoor space,” board member Jeff Kent told the applicant. “I don’t know where you’re going to find it, but if there’s some there some place, try to find it.”

Kent said he liked the project overall. He said because there is no specific pedestrian access from the street, there should be a way to delineate vehicles from those traveling on foot. He suggested that the new driveway could be paved with different materials so that pedestrians are directed to one side.

Kent also said there should be trees on the east side of the building to act as a buffer from Highway 101.

Board member Sharon Kovalsky agreed.

“Think about the people living there, you want to provide a good environment,” Kovalsky said.

issue for people with disabilities.

The board suggested adding an elevator to the property, and replacing sections of stairs with ramps, among other changes.

Project information is at [cityofsanrafael.org/50-merrydale](http://cityofsanrafael.org/50-merrydale).

# IN YOUR TOWN

fairfax

## **Town board approves permits for Comcast**

The Planning Commission has partially approved a proposal by Comcast to install backup-battery cabinets on several utility poles.

The commission conditionally approved encroachment permits for the equipment on poles near 8 Wood Lane and 12 Wood Lane; 10 Madrone Court; 111 Marinda Drive; 414 Bolinas Road and 418 Bolinas Road; and 445 Cascade Drive, said Linda Neal, a town planner.

The commissioners asked for more information before voting on encroachment permits near 20 and 23 Willow Ave. and 76 Manor Road, Neal said.

The commission held hearings on the applications at its meeting on April 20. It also approved permits and variances for a two-story addition and remodeling work for the home at 97 Forrest Ave.

LARKSPUR

## **Council advances foodware ordinance**

Larkspur will be requiring food service businesses to have reusable foodware for dine-in operations and natural-fiber compostable foodware for takeout orders.

The City Council unanimously approved a first reading of the ordinance at a special meeting Monday. The ordinance will be adopted May 3.

The ordinance stipulates that plastic straws can only be provided on request. Food vendors must charge 25 cents for non-reusable cups.

The ordinance applies to grocery store food counters, restaurants, delis, bakeries, farmers markets, food trucks, carry-out vendors and other food service providers in the city.



The ordinance matches county regulations approved last year. Enforcement will be conducted by Marin County Environmental Health Services when the ordinance takes effect Nov. 10.

ross valley



### **Sewer system utility earns industry award**

The Ross Valley Sanitary District has earned top honors from the California Water Environment Association.

The sewer system won the 2022 “wastewater collection system of the year award” in the category of “small system.” The utility competed against hundreds of systems less than 250 miles in length, according to the district.

Sewer agencies were recognized for outstanding maintenance programs, regulatory compliance and safety and training procedures.

The awards were handed out at the association’s annual conference in San Diego from April 18 to 21.

### **SAUSALITO**

#### **Fundraiser planned for youth nonprofit**

A fundraiser for the Southern Marin nonprofit Play Marin is scheduled for 6 to 11 p.m. Saturday at 2320 Marinship Way.

The event, which is for adults only, will include lawn games, a mechanical bull, food, drinks and an arcade. Tickets are \$100.

Play Marin, which reaches more than 300 youths annually, offers athletic events and activities for Marin students who might not otherwise have access to those sports.

More information is online at [playmarin.org](http://playmarin.org).

**5/4/2023**

**CLOSED SESSION**

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