



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.

DISTRICT BOARD
Megan Clark
Rabi Elias
Craig K. Murray
Judy Schriebman
Crystal J. Yezman

DISTRICT ADMINISTRATION
Mike Prinz,
General Manager
Michael Cortez,
District Engineer
Mel Liebmann,
Plant Manager
Greg Pease,
Collection System/Safety Manager
Robert, Ruiz,
Administrative Services Manager

BOARD MEETING AGENDA

March 19, 2020

Estimated
Time

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

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

LOCATION OF MEETING: DISTRICT OFFICE - 101 LUCAS VALLEY ROAD, EAST LOBBY, SUITE 301, SAN RAFAEL

4:15 PM

1. PUBLIC COMMENT

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

CLOSED SESSION:

4:20 PM

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

OPEN SESSION:

4:30 PM

1. PUBLIC COMMENT

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

4:35 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 March 5, 2020
- B. Approve the Warrant List for March 19, 2020
- C. Approve Board Compensation for February 2020
- D. Approve Application of Allocation of Capacity for APN 180-033-07, 28 Vendola Drive

Possible expenditure of funds: Yes, Items B through C

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

4:45 PM

3. SELECTION AND AWARD OF WASTEWATER USER RATE STUDY

Board and staff to discuss the final proposal for the Sewer Rate Study and authorize the General Manager to execute the contract.

5:05 PM

4. APPROVE RESOLUTION 2020-2181 – A RESOLUTION FIXING THE TIME AND PLACE FOR PUBLIC HEARING ON BUDGET FOR THE FISCAL YEAR 2020-2021

Board to approve Resolution 2020-2181 – Fixing the time and place for hearing on Budget – June 4, 2020.

5:10 PM

5. APPROVE RESOLUTION 2020-2182 – A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING ON SEWER SERVICE CHARGE RATES FOR THE FISCAL YEAR 2020-2021

Board and staff to Resolution 2020-2182 – fixing the time and place for hearing on Sewer rates – July 16, 2020.

5:15 PM

6. APPROVAL OF MISCELLANEOUS FEES SCHEDULE AS REFERRED TO BY ORDINANCE 180 AND APPROVE RESOLUTION 2020-2183

Board and to review the Miscellaneous fee schedule and Resolution 2020-2183

5:25 PM

7. POTENTIAL TEMPORARY MODIFICATIONS OF DISTRICT PROTOCOLS RELATED TO COVID-19 EXPOSURE CONCERNS

Board and staff to discuss temporary modifications of District protocols related to COVID-19 exposure concerns.

- 5:55 PM** **8. INFORMATION ITEMS:**
A. STAFF/CONSULTANT REPORTS:
1. General Manager Report – Verbal
- 6:05 PM** **9. BOARD MEMBER REPORTS:**
1. CLARK
a. NBWA Board Committee, NBWA Conference Committee, Ad Hoc HR Sub-Committee re: 2019 GM Evaluation, Ad Hoc HR Sub-Committee re: 2019 Employee Climate Survey, Other Reports
2. ELIAS
a. NBWRA, Ad Hoc Engineering Sub-Committee re: STPURWE, Other Reports
3. MURRAY
a. Marin LAFCO, CASA Energy Committee, Ad Hoc HR Sub-Committee re: 2019 GM Evaluation Other Reports
4. SCHRIEBMAN
a. Gallinas Watershed Council/Miller Creek Watershed Council, JPA Local Task Force NBWA Tech Advisory Committee, Ad Hoc HR Sub-Committee re: 2019 Employee Climate Survey, Other Reports
5. YEZMAN
a. Gallinas Watershed Council/Miller Creek Watershed Council Flood Zone 7,CSRMA, Ad Hoc Sub- Engineering Committee re: STPURWE, Other Reports
- 6:20 PM** **10. BOARD REQUESTS:**
A. Board Meeting Attendance Requests – Verbal
B. Board Agenda Item Requests – Verbal
- 6:25 PM** **11. VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE**
- 6:30 PM** **12. ADJOURNMENT**

FUTURE BOARD MEETING DATES: APRIL 2 , APRIL 16, AND MAY 7, 2020

AGENDA APPROVED:	Rabi Elias Board President	Patrick Richardson, Legal Counsel
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CERTIFICATION: I, Teresa Lerch, District Secretary of the Las Gallinas Valley Sanitary District, hereby declare under penalty of perjury that on or before March 16, 2020 at 4:15 p.m., I posted the Agenda for the Board Meeting of said Board to be held March 19, 2020 at the District Office, located at 101 Lucas Valley Road, Suite 300, San Rafael, CA.



Teresa L. Lerch
District Secretary

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

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

MINUTES OF MARCH 5, 2020

1
2
3 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN
4 SESSION ON MARCH 5 AT 4:03 PM AT THE DISTRICT OFFICE, 101 LUCAS VALLEY ROAD, SUITE
5 300 CONFERENCE ROOM, SAN RAFAEL, CA. 94903
6

7 **BOARD MEMBERS PRESENT:** M. Clark, C. Murray, J. Schriebman and
8 C. Yezman (arrived at 4:30 pm)
9

10 **BOARD MEMBERS ABSENT:** R. Elias
11

12 **STAFF PRESENT:** Mike Prinz , General Manager; Robert Ruiz, District
13 Treasurer, Teresa Lerch, District Secretary
14

15 **OTHERS PRESENT:** Patrick Richardson, District Counsel, Kathy Wood, Right
16 of Way Consultant
17

18 **ANNOUNCEMENT:** Vice President Schriebman announced that the agenda
19 had been posted as evidenced by the certification on file
20 in accordance with the law.
21

22 **PUBLIC COMMENT:** None.
23

24 **ACTION:**
25

26 THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO
27 CLOSED SESSION ON MARCH 5, 2020 , AT 4:04 PM, AT THE DISTRICT OFFICE, 101 LUCAS VALLEY
28 ROAD, SUITE 300, CONFERENCE ROOM, SAN RAFAEL, CALIFORNIA.
29

30 Lerch left at 4:04 pm.
31

32 **CLOSED SESSION:**
33

34 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code
35 § 54956.5; Regarding real property located at 405 Vendola Drive, San Rafael. Real Property Negotiator
36 Is Mike Prinz, General Manager.
37

38 **ADJOURNMENT:**
39

40 **ACTION:**

41 The Board of Directors of the Las Gallinas Valley Sanitary District reconvened the Regular Session on
42 March 5, 2020 at 4:57 pm.
43

44 **STAFF PRESENT:** Teresa Lerch, District Secretary, Mike Cortez, District
45 Engineer, Mel Liebman, Plant Manager
46

47 **OTHERS PRESENT:** Tom Gorman, Kennedy Jenks
48

49 **PUBLIC COMMENT:** None.
50

51 **REPORT ON CLOSED SESSION:** Vice President Schriebman reported that there were no reportable
52 actions in Closed Session.
53
54
55

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

- 59 A. Approve the Board Minutes for the February 20, 2020 Special Meeting and the February 20,
60 2020 Regular Meeting
61 B. Approve the Warrant List for March 5, 2020
62

63 **ACTION:**

64 Board approved (M/S Murray/Schriebman 4-0-1-0) the Consent Calendar items A and B.

65 AYES: Clark, Murray, Schriebman and Yezman.

66 NOES: None.

67 ABSENT: Elias.

68 ABSTAIN: None.
69

70 **ORGANIZATION REVIEW STATUS UPDATE**

71 This item was pulled by the General Manager, Mike Prinz and will be on a future agenda.
72

73 **TOPICS FOR THE SPRING 2020 NEWSLETTER**

74 Board and staff discussed the topics for the Spring Newsletter.
75

76 **INFORMATION ITEMS:**

77 **STAFF / CONSULTANT REPORTS:**

- 78 1. Departmental Reports July-Dec 2019 – Written – Cortez, Liebman, Prinz and Ruiz reported.
79 2. Secondary Treatment Plant Upgrade and Recycled Water Expansion Project Update Presentation – Tom
80 Gorman from Kennedy Jenks and Cortez presented.
81 3. General Manager’s Report – Verbal – Prinz reported.
82 4. LGVSD Award – Historical Information – Written – Ruiz reported
83

84 Cortez and Liebman left at 7:00 pm.

85 **BOARD MEMBER REPORTS:**

- 86 1. CLARK
87 a. NBWA Board Committee – verbal report
88 b. NBWA Conference Committee– no report
89 c. Ad Hoc HR Committee re: 2019 GM Evaluation-verbal report
90 d. Ad Hoc HR Committee re: 2019 Employee Climate Survey – verbal report
91 e. Other Reports– no report
92 2. ELIAS
93 a. NBWRA– no report
94 b. Ad Hoc Engineering Committee— no report
95 c. Other Reports– no report
96
97 3. MURRAY
98 a. Marin LAFCO– verbal report
99 b. CASA Energy Committee– verbal report
100 c. Ad Hoc HR Committee re: GM Evaluation – Clark reported
101 d. Other Reports– Biosolids verbal report
102 4. SCHRIEBMAN
103 a. JPA Local Task Force– will report next meeting
104 b. NBWA Tech Advisory Committee– no report
105 c. Ad Hoc HR Committee re: 2019 Employee Climate Survey – no report
106 d. Other Reports– no report
107 5. YEZMAN
108 a. Gallinas Watershed Council/Miller Creek Watershed Council– verbal report
109 b. Flood Zone 7– no report
110 c. CSRMA– no report

- 111 d. Ad Hoc Engineering Committee— no report
112 e. Other Reports– verbal report on AWWA Utility Management conference
113

114 **BOARD REQUESTS:**

- 115 A. Board Meeting Attendance Requests –None
116 B. Board Agenda Item Requests – Clark requested a Corona Virus update and Board administrative
117 support be on the next agenda.
118

119 **VARIOUS ARTICLES AND MISCELLANEOUS DISTRICT CORRESPONDENCE:**

120 Discussion ensued.
121

122 **ADJOURNMENT:**

123 **ACTION:**

124 Board approved (M/S Murray/Yezman 4-0-1-0) the adjournment of the meeting at 7:20 pm.

125 AYES: Clark, Murray, Schriebman and Yezman.

126 NOES: None.

127 ABSENT: Elias

128 ABSTAIN: None.
129

130
131 The next Board Meeting is scheduled for March 19, 2020 at the District Office.
132

133

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136

137 ATTEST:

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Teresa Lerch, District Secretary

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144 APPROVED:

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146

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148

Rabi Elias, President

SEAL

149

Las Gallinas Valley Sanitation District
Warrant List 3/19/2020 DRAFT

Agenda Item 2B
Date March 19, 2020

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
1	3/19/2020	ACH	A & P Moving	84.70		84.70	Records Retention (storage) for March
2	3/19/2020	EFT1	ADP Payroll	106,355.29		106,355.29	03/13/2020 Paydate
3	3/19/2020	ACH	Asaro, Anthony	193.00		193.00	Safety Glasses Per MOU
4	3/19/2020	N/A	Aqua Engineering	23,832.57		23,832.57	Secondary Treatment Plant Upgrades
5	3/19/2020	N/A	Banner Bank	151,401.10		151,401.10	Retention for Myers & Sons Construction Project payment of \$2,876,620.86
6	3/19/2020	N/A	Bartley Pump	5,635.00		5,635.00	Reclamation Pump Rebuild
7	3/19/2020	N/A	Brandon Tire	1,196.17		1,196.17	Tires, Alignment & Balance on Collections Camera Truck
8	3/19/2020	ACH	Brown & Caldwell	1,856.76		1,856.76	RIN and LCFS Credit Evaluation Tech Memo
9	3/19/2020	EFT	CalPERS 457 Plan	4,367.30		4,367.30	Deferred Comp for EE's for Paydate 2/14/2020
10	3/19/2020	N/A	Centricity GIS	375.00		375.00	Cityworks Assistance for Greg Pease
11	3/19/2020	ACH	Contractor Compliance & Monitoring Inc.	4,415.75		4,415.75	Labor Compliance Services on various Construction Projects
12	3/19/2020	ACH	CORE Utilities	1,308.52		1,308.52	February IT Services
13	3/19/2020	N/A	CPM Construction Inc.	15,300.45		15,300.45	On Call Scheduling & Estimating Support
14	3/19/2020	N/A	CWEA	188.00		188.00	Binder - Certificate Renewal (2)
15	3/19/2020	N/A	Dave Lehman Trucking Inc.	520.00		520.00	Rock Delivery - 3/4 ABCLS 2
16	3/19/2020	ACH	Diego Truck Repairs	2,741.41		2,741.41	Repairs/Maintenance to the Ford F-750 & 2016 Freightliner M-2
17	3/19/2020	ACH	Du-All Safety	2,408.00		2,408.00	LGVSD Safety Compliance
18	3/19/2020	N/A	Durkin Signs & Graphics	1,389.05		1,389.05	Fabrication & Installation of Public Notification Board
19	3/19/2020	ACH	Edelstein, Daniel	1,500.00		1,500.00	Canada Goose Project
20	3/19/2020	ACH	Elias, Rabi	200.00		200.00	Health insurance Reimb
21	3/19/2020	N/A	Empire Earthworks	8,775.00		8,775.00	Solar Panel Replacement Project
22	3/19/2020	ACH	EOA Inc.	17,302.48		17,302.48	Regulatory Compliance Consulting Services for (January 2020)
23	3/19/2020	N/A	Federal Express	27.37		27.37	Various Mailing
24	3/19/2020	N/A	Hazen & Sawyer	8,167.50		8,167.50	Flow Equalization System Design Contract
25	3/19/2020	N/A	Jackson's Hardware	169.17		169.17	Misc Supplies
26	3/19/2020	N/A	Kennedy/Jenks Consulting	184,438.23		184,438.23	STPURWE - Construction Management & Inspection Service (Through 02/21/2020)
27	3/19/2020	ACH	Kenwood Energy	731.25		731.25	Sharp Solar Panel Replacement Project Consulting Services - February 2020
28	3/19/2020	N/A	Marin Ace	25.19		25.19	Misc Supplies
29	3/19/2020	N/A	Marin Independent Journal	598.56		598.56	Public Ads: Notice of Public Hearings

Las Gallinas Valley Sanitation District Warrant List 3/19/2020 DRAFT							
	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
30	3/19/2020	N/A	Marin Municiple Water District	558.49		558.49	Water bills for pump stations
31	3/19/2020	N/A	Marin Recycling HHW	945.06		945.06	E-Waste/Recycling
32	3/19/2020	N/A	MuniQuip	10,002.50		10,002.50	Reclamation Pumps - Rebuild
33	3/19/2020	ACH	Murray, Craig	125.00		125.00	Health insurance Reimb
34	3/19/2020	N/A	MWA Architechts	5,497.82		5,497.82	Administration Building Site Evaluation
35	3/19/2020	N/A	Myers & Sons Construction	2,876,620.86		2,876,620.86	STPURWE Construction Contract (Ret #11)
36	3/19/2020	N/A	Operating Engineers (OE3)	480.00		480.00	Union Dues for Paydate 3/13/2020
37	3/19/2020	N/A	PG&E	9,261.74		9,261.74	Electricity Bills- Pump Stations
38	3/19/2020	N/A	PG&E	24.64		24.64	Solar Bill
39	3/19/2020	N/A	Rathlin Properties	8,596.00		8,596.00	Rent for 101 Lucas Valley - Office & Conference Room
40	3/19/2020	N/A	Regional Government Services	2,089.05		2,089.05	Organizational Analysis
41	3/19/2020	ACH	Retiree Augusto	188.03		188.03	Retiree Health
42	3/19/2020	ACH	Retiree Burgess	188.03		188.03	Retiree Health
43	3/19/2020	ACH	Retiree Cummins	200.43		200.43	Retiree Health
44	3/19/2020	ACH	Retiree Cutri	515.06		515.06	Retiree Health
45	3/19/2020	ACH	Retiree Emanuel	245.78		245.78	Retiree Health
46	3/19/2020	ACH	Retiree Gately	212.39		212.39	Retiree Health
47	3/19/2020	ACH	Retiree Guion	212.39		212.39	Retiree Health
48	3/19/2020	ACH	Retiree Johnson	664.55		664.55	Retiree Health
49	3/19/2020	ACH	Retiree Kermoian	200.43		200.43	Retiree Health
50	3/19/2020	ACH	Retiree Mandler	200.43		200.43	Retiree Health
51	3/19/2020	ACH	Retiree McGuire	591.50		591.50	Retiree Health
52	3/19/2020	ACH	Retiree Memmott	200.43		200.43	Retiree Health
53	3/19/2020	ACH	Retiree Petrie	188.03		188.03	Retiree Health
54	3/19/2020	ACH	Retiree Pettey	184.74		184.74	Retiree Health
55	3/19/2020	ACH	Retiree Provost	245.78		245.78	Retiree Health
56	3/19/2020	ACH	Retiree Reetz	539.86		539.86	Retiree Health
57	3/19/2020	ACH	Retiree Reilly	200.43		200.43	Retiree Health
58	3/19/2020	ACH	Retiree Vine	200.43		200.43	Retiree Health

**Las Gallinas Valley Sanitation District
Warrant List 3/19/2020 DRAFT**

	Date	Num	Vendor	Original Amount	Addition and Adjustment	Total Amount	Description for items
59	3/19/2020	ACH	Retiree Wettstein	628.00		628.00	Retiree Health
60	3/19/2020	ACH	Retiree Williams	628.00		628.00	Retiree Health
61	3/19/2020	ACH	Schriebman, Judy	200.00		200.00	Health insurance Reimb
62	3/19/2020	N/A	Southern Counties Lubricants	185.57		185.57	Chevron Cetus Hipsyn 220
63	3/19/2020	N/A	T&T Valve and Instrument	3,443.04		3,443.04	
64	3/19/2020	N/A	Terminix	165.00		165.00	General Pest Control
65	3/19/2020	ACH	US Bank	1,719,300.00		1,719,300.00	Revenue Bonds Payment
66	3/19/2020	EFT	US Bank Equipment Finance	1,455.15		1,455.15	Copy Machines- Finance Payment
67	3/19/2020	N/A	Verizon Wireless	1,009.20		1,009.20	Monthly Cell phone bills
68	3/19/2020	N/A	Water Components & Building Supply	148.06		148.06	Couplers, Misc Supplies
69	3/19/2020	N/A	Woodland Center Auto Supply	203.09		203.09	Battery Charger, Misc. Supplies
70	3/19/2020	ACH	Yezman, Crystal	200.00		200.00	Health insurance Reimb

Do not change any formulas below this line.

TOTAL \$ 5,192,447.81 \$ - \$ 5,192,447.81

EFT1	EFT1 = Payroll (Amount Required)	106,355.29	106,355.29	Approval:
EFT2	EFT2 = Bank of Marin loan payments	0.00	0.00	
PC	Petty Cash Checking	0.00	0.00	Finance
>1	Checks (Operating Account)	0.00	0.00	
N/A	Checks - Not issued	3,321,268.48	3,321,268.48	GM
EFT	EFT = Vendor initiated "pulls" from LGVSD	5,822.45	5,822.45	
ACH	ACH = LGVSD initiated "push" to Vendor	1,759,001.59	1,759,001.59	Board
Total		<u>\$ 5,192,447.81</u>	<u>\$ 5,192,447.81</u>	

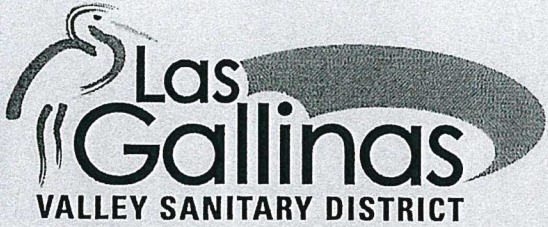
Difference: \$ -

Agenda Item 2C
Date March 19, 2020

Directors' Meeting Attendance Recap

<u>Name</u>	<u>Total Meetings</u>
Megan Clark	6
Rabi Elias	3
Craig Murray	6
Judy Schriebman	3
Crystal Yezman	<u>6</u>
Total	<u><u>24</u></u>

Meeting Date: 3/19/2020
Paydate: 3/27/2020



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE

Director's Name: MEGAN CLARK Month: FEBRUARY 2020

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
6 th	Reg.	✓	
20 th	Reg.	✓	
20 th	Harassment prevention		X
TOTAL		2	

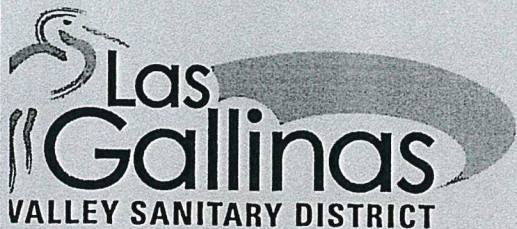
OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
7 th	NBWA - REG	✓	
12 th	NBWA - CONF.	✓	
18 th	HR - mtng.	✓	
24 th	Core values mtng.	✓	
TOTAL		4	

TOTAL MEETINGS CHARGED: 6

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

Megan Clark
Signature
Robert P. Rees
Approved By/ Date

2-24-20
Date
3-13-20
Pay Date



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Rabi Elias Month: Feb 2020

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/6	Regular meeting	X	
2/20	Regular meeting	X	
2/7	Engineering subcommittee	X	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
TOTAL			

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

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

Amy Schwartz for Rabi Elias 3/13/2020
signature Date
[Signature] 3-20-20
Approved By/ Date Pay Date



300 Smith Ranch Road, San Rafael, CA 94903
 Office: 415-472-1734 Fax: 415-499-7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: MURRAY, Craig K. Month: February 2020

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/6/20	Board Meeting	X	
2/19/20	Special Board Meeting – HR Ad Hoc Committee – GM Eval. Doc. Review, RGS Bobbi Bennett		X
2/20/20	Board Meeting	X	
2/20/20	Special Board Meeting – Anti-Harassment Training, Liebert Cassidy + Whitmore Morin Jacobs		X
TOTAL		2/4	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/12, 19, 29/20	Merrydale Road/Las Gallinas Creek Headwater Litter Removal c/o City of San Rafael: 2/12: 2.0 hours; 2/19: 0.5 hours; 2/29: 1.5 hours		XXX
2/1/20	Travel Day – IRWA Principles of Real Estate Negotiations	X	
2/3/20	City of San Rafael City Council – 350 Merrydale Road Project		X
2/5/20	City of San Rafael BPAC Meeting		X
2/6/20	American Public Works Association (APWA): Comparing Approaches to Inflow & Infiltration Mitigation		X
2/10/20	City of Richmond BPAC Meeting – SF Bay Trail Agenda discussion		X
2/13/20	LAFCo – Regular Board Meeting		X
2/19/20	LAFCo Vice Chair EO Coordinating Meeting		X
2/21/20	LGVSD Board Member General Manager Coordinating Meeting		X
2/21/20	Travel Day	X	



300 Smith Ranch Road, San Rafael, CA 94903

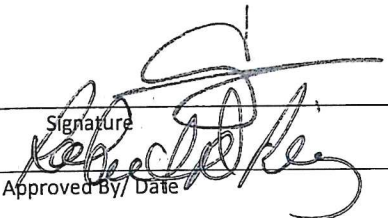
Office: 415-472-1734 Fax: 415-499-7715

BOARD MEMBER ATTENDANCE FORM

2/24,25,26/20	CASA DC	XXX	
2/27/20	CASA Air Quality, Climate Change & Energy (ACE) Workgroup Meeting	X	
2/27/20	BCDC Webinar – Implementing the Environmental Justice (EJ) and Social Equity Policies recently adopted by the Commission		X
TOTAL		6/17	

Total Meetings for which I am Requesting Payment/Approved: Board Members maximum of six (6) per Health & Safety Code §4733	8/21
--	-------------

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

 Signature

 Approved By/ Date

 March 2, 2020
 Date
 3-13-2020
 Pay Date



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE

Director's Name: Judy Schriebman Month: Feb. 2020

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/6	Regular Meeting	x	
2/20	Regular Meeting	x	
TOTAL		2:2	

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/3	MCSTOPPP Citizens Advisory Committee		x
2/5	GWC Meeting	x	
2/20	1-on-1 with GM		x
2/20	Anti-Harassment training		x
TOTAL		1:4	

TOTAL MEETINGS CHARGED:	3
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I hereby certify that the meetings as set forth above are true and correct and are for the purpose of conducting official business for the Las Gallinas Valley Sanitary District.



 Signature

 Approved By/ Date

3/12/2020

 Date
 3-13-20

 Pay Date



300 Smith Ranch Road, San Rafael, CA 94903

Office: 415.472.1734 Fax: 415.499.7715

BOARD MEMBER ATTENDANCE FORM

Director's Name: Crystal Yezman Month: February 2020

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

REGULAR and SPECIAL MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/6	Regular Board Mtg	X	
2/20	Regular Board Mtg	X	
TOTAL			

OTHER MEETINGS		CHARGING DISTRICT	
Date	Description of meeting	Yes	No
2/7	Engineering Subcommittee	X	
2/25-2/28	WEF/AWWA Utility Management Conference (4 days – charging only 3)	X	
TOTAL			

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

Crystal J Yezman
Signature
Robert A. Key
Approved By/ Date

03/12/2020
Date
3-13-20
Pay Date



Item Number 20

Agenda Summary Report

To: Mike Prinz, General Manager *MP*
From: Michael P. Cortez, PE, District Engineer
Mtg. Date: March 19, 2020
Re: Application of Allocation of Capacity for APN 180-033-07, 28 Vendola Dr
Item Type: Consent Discussion Information Other
Standard Contract: Yes No (See attached) Not Applicable

BACKGROUND:

The property owner of 26 Vendola Dr plans to construct a new 1,178 square-foot prefabricated accessory dwelling unit (ADU) adjacent to the existing 1,220 square-foot single-family residence. The new ADU has been assigned as 28 Vendola Dr by the County of Marin. For ADUs greater than 750 square feet, SB 13 allows special districts to ministerially assess impact fees proportional to the square footage of the primary dwelling unit. District Staff has reviewed the plans and based on the information provided, a Will Serve Letter has been drafted and a connection fee of \$6,010 has been assessed.

STAFF RECOMMENDATION:

Board approve the issuance of a Will Serve Letter to 28 Vendola Dr.

FISCAL IMPACT:

No connection fee revenue.

PERSON(S) TO BE NOTIFIED:

Property Owner



DISTRICT BOARD
 Megan Clark
 Rabi Elias
 Craig K. Murray
 Judy Schriebman
 Crystal Yezman

DISTRICT ADMINISTRATION
 Mike Prinz,
 General Manager
 Michael Cortez,
 District Engineer
 Mel Liebmann,
 Plant Manager
 Robert Ruiz,
 Administrative Services Manager
 Greg Pease,
 Collection System/Safety Manager

Date: March 4, 2020
 Property Owner: Andrew Frierson
 Property Owner Address: 26 Vendola Dr
 San Rafael, CA 94903
 Applicant: Andrew Frierson
 Project Name: 28 Vendola Dr (Second Unit)
 Project Address: 28 Vendola Dr
 San Rafael, CA 94903
 Project APN: APN 180-033-07

Re: Will-Serve Letter

You have requested a **Will-Serve Letter** from the Las Gallinas Valley Sanitary District (“LGVSD”) at the March 19, 2020 Board Meeting.

Subject to the terms and conditions in this letter, LGVSD will serve the project with the equivalent dwelling unit capacity (EDU) of 1, or the equivalent to 200 gallons per day. This letter may be used to submit to another local agency to satisfy a condition for either tentative subdivision map approval or any other permit approval.

The standard terms and conditions of approval are as follows:

Initial	Item	Condition of Approval
	1	You pay for the facility capacity fee (new connection fee) in accordance with LGVSD ordinances and policies. Please note payment date obligation and amount obligation.
	2	You agree to abide by all conditions of approval of the Board of Directors.
	3	This Will Serve approval terminates three (3) years from the Board meeting date unless all building permits have been issued for the project.
	4	After the lateral inspection is completed and the connection verified, the property will be added to the sewer user charge and will receive a charge for this service.

A complete summary of the project specific conditions of approval is included in the Board Meeting minutes.

The Connection Fee approved by the Board is as follows:

Capital Facilities Charge for One (1) Second Unit:	\$	6,009.73
Application Fee:	\$	250.00
Engineering Review and Inspection Fees:	\$	0.00
Total Fee:	\$	6,259.73

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

1. 10% of the Connection Fee is due within thirty days of Board approval of final plans and specifications;
2. 40% of the Connection Fee is due within one year, March 4, 2021; or upon the date of building permit issuance, whichever occurs first;
3. 50% of the Connection Fee is due within two years, March 4, 2022; or upon the date of building permit issuance, whichever occurs first;

Please remit **\$6,259.73**. Make the check payable to Las Gallinas Valley Sanitary District. Please note if payment schedule as above is not followed, you risk losing your allocation.

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

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

Sincerely,

Mike Prinz, General Manager

AGREED:

Date: _____

Project Applicant

Cc: Michael P. Cortez, District Engineer
Robert Ruiz, Administrative Services Manager



Agenda Summary Report

To: Mike Prinz, General Manager *MJP*
From: Robert D. Ruiz, Administrative Services Manager
Mtg. Date: March 19, 2020
Re: Selection and Award of Wastewater User Rate Study.

Item Type: Consent _____ Discussion X Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

BACKGROUND:

The last required rate study was awarded at the September 12, 2013 Board meeting. That rate study was effective July 1, 2014 through June 30, 2020.

An RFP was sent out for proposals to be returned to LGVSD by March 13, 2020. (Please see the attached RFP). While these proposals will be evaluated during the week before the March 19th Board meeting, it would be too late to include a decision as to who will be awarded the contract until the Board meeting.

Since time is a major component in the getting a rate study completed, we are notifying the Board that the information will be forthcoming and is, therefore, not included in this packet.

Staff solicited proposals from the following consultants:

- Bartle Wells
- Brown and Caldwell
- HDR
- Municipal Financial Services
- NBS
- Jacob Engineering
- Mark Hilderbrand

As of the date of this staff report, only Bartle Wells, HDR and Mark Hilderbrand have sent in a proposal.

Below are the is historical rates that LGVSD has charged. This coming year we expect that the increase may be approximately 6%, which calculates to an annual rate of \$983 (an increase of \$56/ year or \$4.67/month). We will budget revenue accordingly.

**DISTRICT BOARD**

Megan Clark
Rabi Elias
Craig K. Murray
Judy Schriebman
Crystal J. Yezman

DISTRICT ADMINISTRATION

Mike Prinz,
General Manager
Michael Cortez,
District Engineer
Mel Liebmann,
Plant Manager
Greg Pease,
Collection System/Safety Manager
Robert Ruiz
Administrative Services Manager

Las Gallinas Valley Sanitary District

Request for Proposal

Sewer User Charge Cost for Service and Rate Study and

Sewer Connection Fee Rate Study

The Las Gallinas Valley Sanitary District is requesting proposals from qualified consultants to conduct a sewer user charge cost of service and rate study as well as a sewer connection fee rate study. The purpose of the study is to assess and evaluate the District's existing rate structure and rate policies and make recommendations for potential alternative methods. The broader objective of the study is to provide the necessary information and analysis to the District's Board of Directors for it to set rates and a rate structure to adequately fund the operating, capital costs and debt service associated with the collection, treatment and disposal of waste water. In addition, the District needs to determine the appropriate capacity fee to charge for new or expanded connections.

The study will be based on a comprehensive review of the District's current rate structure including the application eligible dwelling units to multi-family units, the application of the strength factor for various rate classifications, and the basis for converting non-residential users into Equivalent Dwelling Units for purposes of calculating the sewer user charge. The study will also consider future capital related to expansion of the facilities related to connection fees.

SCOPE OF WORK

A. STUDY OBJECTIVES

1. Provide a series of rate policies to be used for future management of the sewer user charge and connection fees for the fiscal years July 1, 2020-21, 2021-2022 and 2022-2023.
2. Recommend a baseline rate structure to fund wastewater operations, capital and debt service, considering the following:
 - a. Recommendation for a rate calculation methodology (cash needs method, utility basis method, cash residual method, cost of service, etc.)

- b. Recommendation regarding annual inflationary or other types of annual adjustments to rates or setting the rate as a percentage of some other rates (such as the potable water rate).
2. Develop a methodology that can be applied to future capital budgets to determine the appropriate connection fees for future development.
3. Provide a comparison of current sewer charge rates and connection fees against other sewer collection and treatment service providers in the San Francisco Bay region and throughout California.

B. STUDY CONSIDERATIONS AND ELEMENTS

The study should evaluate and take into consideration the following:

1. Cost of Service- O&M: The cost of providing sewer service could be seen as the total cost to collect sewage, convey it to the treatment plant and to treat it to meet the District's NPDES permit and Title 22 reuse operations. The District's current NPDES permit does not allow creek discharge from May 1 to October 31. This reality means that effluent water must be treated and distributed as recycled water during the summer months to meet the permit requirement. The consultant should be prepared to meet with District staff and the Board of Directors to discuss to what extent, if any, the cost to maintain this non-discharge requirement should be allocated to existing sewer users and not be included in the recycled water rate, and include a recommendation as part of the policy deliverables.
2. Cost of Service- Capital Improvements: There are a number of capital improvements already implemented as necessary to treat wastewater to meet our NPDES permit standards. We also have a significant construction for a secondary treatment plant upgrade. Consultant should be prepared to interview staff to evaluate how these assets are used, and make recommendations on the allocation of these costs within the calculations for cost of service. Consultant should also be prepared to evaluate costs associated with planned system expansion and with existing distribution costs and depreciation or replacement of collection and treatment plant assets in the future.
3. Organizational Changes: We are implementing studies by consultants to prepare an overall Master Plan for the District. We also have a recommendation to add 8 additional staff to be phased in during the rate study period. These future costs need to be added to the study.
4. Strength Factor. The District has three strength factors which it applies to industrial and commercial users: domestic, high and mixed use (high and domestic strength). Consultant should review the types of users in the District and how they are assigned to the existing class to determine 1) if they are in the appropriate class and 2) if the current strength factor is appropriate for all classes.

5. **Connection Fees.** The District's facilities are being upgraded to meet increasingly stringent requirement of its NPDES permit. Connection fees for new users to buy into the current capacity should be set to reflect the current system and future upgrades.
6. **Rate Methodology:** The Consultant should consider a rate methodology that is consistent with industry practice for sewer collection and treatment rates in the state of California. Consultant should also be prepared to discuss with District staff and the Board of Directors whether a combination of methodologies might be appropriate for different customer classes. Currently, commercial and industrial customers are charged based on the average of winter and summer water use with a strength factor applied and residential customers are charged a flat rate per Eligible Dwelling Unit.
7. **Reserves:** Consultant should be prepared to research, evaluate and recommend whether the District's current reserve funding policy is adequate or should be revised.
8. **Public Outreach:** The draft recommendations from the consultant will be presented to various stakeholder groups for input prior to presentation to the Board of Directors. While the consultant will not (necessarily) be a part of those outreach meetings, consideration should be given to the presentation and rationalization of recommendations to the general public and interested stakeholders.

C. STUDY REQUIREMENTS

1. The study should consider revenue needs and recommend methodologies, policies and practices that will ensure adequate revenue generation to meet the projected obligations.
2. The recommended rates and policies shall not result in decreased stability of the revenue stream as compared to the current structure.
3. The recommended rates and policies should be easy to administer and understand and provide a basis for sewer users to estimate or anticipate future rates.
4. The study should include a maximum rate or rate structure that would be legally allowable, as well as a rate or rate structure that takes into consideration any recommended rate policies that result in downward pressure on the rate.
5. The recommended policies and rates shall set the policy direction for the District to be implemented starting in July 2020, when the current rates expire.

D. SERVICES TO BE PROVIDED BY CONSULTANT

1. Conduct a review of the existing sewer charge rates and status of the District's financial position and annual budget.

X:\Sewer Charge Rate Increase\Rate Increase\2019-2024\RFP for Sewer Charge Rate Study-2020-2021-Final-2.docx

2. Meet or confer with District staff as needed.
3. Attend two meetings (Thursday 4:30 pm) of the District Board of Directors, one toward the beginning of the project to discuss policy direction and implications, and one at the end of the project to make recommendations.
4. Conduct analyses as required to address the scope of work.
5. Preliminary Report:
 - a. Prepare a preliminary study report with tentative rate structure including options and a recommended structure, methodology, and comparison to other agencies.
 - b. Submit a PDF copy for distribution to staff and Board members.
 - c. Present preliminary report to staff and committee members for comment.
 - d. Present preliminary report to Board of Directors.
6. Final Report:
 - a. Incorporate changes pursuant to comments received by staff and Board members.
 - b. Submit PDF copy and 5 hard copies of the report.
 - c. Provide any calculated worksheets in Microsoft Excel format, including a listing of all assumptions used in calculations.

E. SERVICES TO BE PROVIDED BY DISTRICT

1. Furnish all reasonably available records and information, including financial reports, budgets, cost data and user data.
2. Provide staff support and assistance as required and agreed to in advance of study.

PROPOSAL CONTENTS

The following information is to be submitted as part of the proposal. The proposal is not to be more than 16 pages in length (8 pages, front and back) including resumes of persons to be assigned to the project.

1. **Project Approach** - Describe your approach to this project and any special ideas, techniques or suggestions that you think might make the project proceed smoothly.

2. **Statement of Experience** - Describe the experience of the firm and of the individuals assigned with related projects of a similar nature. Provide at least three references.
3. **Statement of Qualifications** - Describe your firm's qualifications and training for this type of work. Cite any specific certifications or accreditations.
4. **Schedule** - Provide a schedule for beginning of study and completion dates of deliverables and/or milestones. Consultant should assume a start date for the project within one month of RFP deadline date and complete the study within 90 days of start date.
5. **Budget/Cost** - Provide estimated hours per task and hourly rates for staff working on those tasks, any reimbursed expenses, and the total project cost.

SCHEDULE

• Issue of RFP	Thursday January 23, 2020
• Response Due Date	March 13, 2020
• Staff Review	March 18, 2020
• Interviews if needed	March 23 to 24, 2020
• Select consultant	March 27, 2020
• Execute Professional Services Agreement	March 30, 2020
• Consultant to begin project	March 31, 2020
• Draft report presented to staff	June 1, 2020
• Draft report presented to the Board	June 18, 2020
• Final report approved by the Board	July 2, 2020

PROPOSAL SUBMITTAL

Three hard copies of the proposal, double-sided, using only recyclable printing and binding materials, and one electronic version of the proposal (on flash drive) are to be provided.

Also to be included, electronically only, is a copy of a sewer user charge rate study performed by the applicant that most closely fits the scope of work and considerations outlined above.

Interested firms should submit proposals to be **received** by the Las Gallinas Valley Sanitary District by **2:00 p.m. Friday, March 13, 2020** to:

Las Gallinas Valley Sanitary District
 ATTN: Robert Ruiz
 101 Lucas Valley Road, Suite 300
 San Rafael, CA 94903

PROPOSAL EVALUATION

The proposal shall be evaluated according to the following criteria:

Project Approach	10%
Experience	30%
Qualifications	30%
Schedule	5%
<u>Budget/Cost</u>	<u>25%</u>
Total	100%

SELECTION OF CONSULTANT

Proposals will be evaluated by a committee of District staff. The committee will evaluate on the basis of project approach, experience, qualifications, schedule and cost, and will be weighted based on the percentages in the Proposal Evaluation section of this RFP.

Final selection will be based on the evaluation of proposals unless it is deemed necessary by the committee to conduct interviews of closely scored consultants. The consultant determined best qualified to perform this project will be selected for contract award.

PROFESSIONAL SERVICES AGREEMENT – EXCEPTIONS

The consultant selected for contract award will enter into the attached Professional Services Agreement with the Las Gallinas Valley Sanitary District. Any exceptions to this Agreement must be noted in the consultant proposal. District will not entertain contract modifications that are not identified in the proposal.

Attachment: LGVSD Professional Services Agreement



Agenda Summary Report

To: Mike Prinz, General Manager *MSP*
From: Robert D. Ruiz, Administrative Services Manager
Mtg. Date: March 19, 2020
Re: A Resolution Setting Time and Place for Public Hearing on the Budget for the Fiscal Year 2020-21.

Item Type: Consent _____ Discussion X Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

BACKGROUND:

One of the major steps in completing the annual budget is to allow the public an opportunity to review and make comments on the budget itself. While the State of California requires this procedure, it is also in the best interest of the community to be able to hold a public hearing so that the public can review how the District revenue is being calculated how proposed disbursements are being expended.

In that regard, the Board of Directors is requested to approve a date for a public hearing to review the 2020-21 annual budget. If approved, staff will publish once a week for two consecutive weeks a notice regarding this event in the local newspaper. This notice also includes the public hearing date, which is proposed to be held at a District Board of Directors meeting on June 4, 2020.

PREVIOUS BOARD ACTION:

None.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends that the Board approve Resolution 2020- 2181 setting the time and place of the public hearing.

RESOLUTION No 2020-2181

**A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC
HEARING ON THE DISTRICT BUDGET FOR THE FISCAL YEAR
2020-2021**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, this District has reviewed a preliminary budget and invites the public comment on the budget.

NOW, THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District herein shall at the regular meeting place of said Board located at 101 Lucas Valley Road, San Rafael, California, is hereby set on Thursday, June 4, 2020 at 4:30 p.m. as the time and place for a public hearing on the 2020-2021 Budget Report filed with the Secretary of this District, and the District Secretary shall publish notice of said hearing and the filing of said report, once a week for two successive weeks prior to the date set for said hearing, in the Marin Independent Journal, a newspaper of general circulation, printed and published in Marin County, there being no other newspaper of general circulation printed and published in the District; post it at the District's offices at 300 Smith Ranch Road, San Rafael, CA; and post it at its website at www.lgvsd.org.

* * * * *

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 19th day of March 2020, by the following vote of the members thereof:

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

Rabi Elias, President Board of Director

Attest:

(seal)

Teresa L. Lerch, District Secretary



Item Number 5

Agenda Summary Report

To: Mike Prinz, General Manager *MP*
From: Robert D. Ruiz, Administrative Services Manager
Mtg. Date: March 19, 2020
Re: A Resolution Setting Time and Place for Public Hearing on Sewer Service Charge Rates for the Fiscal Year 2020-21.

Item Type: Consent Discussion Information Other
Standard Contract: Yes No (See attached) Not Applicable

BACKGROUND:

The District is required by Prop 218 to notify the public regarding an impending rate change and to set a Public Hearing date. The notification to the public is to be no less than 45 days prior to change in rates. If approved by the board, the change will be effective on July 16, 2020, therefore the required date for the notice to be mailed would be May 21, 2020. This notice also includes the public hearing date, which is proposed to be held at a District Board of Directors meeting on July 16, 2020 at 4:30 PM.

PREVIOUS BOARD ACTION:

None.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends that the Board approve Resolution 2020- 2182 setting the time and place of the public hearing.

RESOLUTION No 2020-2182

**A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC
HEARING ON WASTEWATER SERVICE CHARGE RATES
FOR THE FISCAL YEAR 2020-2021**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, this District has elected to have certain charges for services and facilities furnished by it which have become delinquent and the sewer service charges for the fiscal year 2020-2021 collected on the tax roll of the County of Marin, State of California, in the manner provided pursuant to Section 5470 through 5473.11 of the Health & Safety Code of the State of California; and

WHEREAS, pursuant thereto, a sewer service charge report will be on file with the Secretary of this District, and thereafter provided to the County Assessor prior to August 10, 2020;

NOW, THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District herein shall duly publish legal notice in the Marin Independent Journal, a newspaper of general circulation; post it at the District's offices at 101 Lucas Valley Road, San Rafael, CA; and post it at its website at www.lgvsd.org in accordance with the requirements of the Government Code § 54954.2 and the Sanitary District Act of 1923, Health and Safety Code §§ 6400 *et seq.*, said notice specifying, among other things, that the District will conduct a public hearing on Thursday, July 16, 2020 at 4:30 p.m. at the regular meeting place of said Board of Las Gallinas Valley Sanitary District, located at 101 Lucas Valley Road, San Rafael, California, for hearing on charges for services and facilities furnished by it which have become delinquent and the sewer service charges for the fiscal year 2020-2021 to be collected on the tax roll of the County of Marin, State of California, in the manner provided pursuant to Section 5470 through 5473.11 of the Health & Safety Code of the State of California, and a sewer service charge report will be on file with the Secretary of this District, and thereafter provided to the County Assessor prior to August 10, 2020.

* * * * *

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 19th day of March 2020, by the following vote of the members thereof:

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

Rabi Elias, President Board of Director

Attest:

(seal)

Teresa L. Lerch, District Secretary



Agenda Summary Report

To: Mike Prinz, General Manager *MJP*
From: Robert D. Ruiz, Administrative Services Manager *RD*
Mtg. Date: March 19, 2020
Re: Approval of the Miscellaneous Fees Schedule as Referred to by Ordinance 180.
Item Type: Consent _____ Discussion X Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached) Not Applicable X .

BACKGROUND:

Staff has determined that a Miscellaneous Fees Schedule should be established to consolidate all fees that are being charged to the public on one schedule. In this way when a fee needs to be updated in the schedule, this can be done by resolution as opposed to having a public hearing.

Included in this schedule are fees for day to day operations as well as to cover labor costs for issuing permits and performing inspections. Additional fees were added to cover the immediacy of certain efforts by adding a premium to those fees in order to put that particular job ahead of other jobs already scheduled.

Staff has calculated the fully burdened cost for our staff to coordinate and prepare a report to be approximately \$250.00. This will be done in 10-day turnaround time from the start to the finish. If the customer requests an expedited turnaround, we will then charge them for a 5-day turnaround time. The costs go up and so will the fee to \$500. Staff will need to add more resources to complete the task within the required time.

We have compared our charge to other agencies. Ross Valley Sanitary District charges \$500 for this same process, regardless of turnaround time.

Please see the attached Miscellaneous Fees Schedule (Exhibit A). Since this will be our source for charging fees, more fees will be added to this schedule in the future as warranted.

PREVIOUS BOARD ACTION:

Ordinance 180, Title 2, Chapter 9: A chapter relating to the regulation of inspection, maintenance, and replacement of sewer laterals "Sewer Lateral Ordinance", which was adopted on November 21, 2019.

ENVIRONMENTAL REVIEW:

N/A

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

The Staff request that the Board approve resolution 2020-2183, attached.

RESOLUTION No 2020-2183

A RESOLUTION APPROVAL OF THE MICELLANEOUS FEES SCHEDULE
PURSUANT TO SEC. 708, TITLE 2, CHAP. 9
OF THE ORDINANCE CODE OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, Title 2, Chapter 9 of the Ordinance Code of the Las Gallinas Valley Sanitary District was created to regulate the inspection, maintenance and replacement of sewer laterals within the Las Gallinas Valley Sanitary District (“Sewer Lateral Ordinance”); and

WHEREAS, Section 708 of Title 2, Chapter 9 allows for the assessment of fees for inspection of sewer laterals according to the District’s miscellaneous fees schedule; and

WHEREAS, the Board of Directors finds that the proposed “Miscellaneous Fees” are a reasonably related to the cost of providing the services rendered by District staff.

NOW, THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District herein approves the Miscellaneous Fees schedule, attached hereto as Exhibit “A.”.

* * * * *

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 19th day of March 2020, by the following vote of the members thereof:

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

Rabi Elias, President Board of Director

Attest:

(seal)

Teresa L. Lerch, District Secretary



Exhibit A

MICELLANEOUS FEE SCHEDULE

Sewer Lateral Inspection Report Review-

Standard Review: \$250 10 Business Days Turnaround

Expedited Review: \$500 5 Business Days Turnaround

METHOD OF PAYMENT:

Personal/Business check, cashier's check, PayPal or money order. If the bank for any reason does not honor payment tendered, the full amount plus a ten percent penalty must be paid by a cashier's check to the District immediately to avoid legal action.

Exhibit B

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

SUMMARY OF ORDINANCE NO. 180

SEWER LATERAL ORDINANCE

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, did ordain to amend Title 1, Chapter 1, Article II, Definitions, and adding Title 2, Chapter 9, A Chapter Relating To The Regulation Of Inspection, Maintenance, and Replacement Of Sewer Laterals, "Sewer Lateral Ordinance" of the Ordinance Code Of The Las Gallinas Valley Sanitary District.

(1) Purpose. The Las Gallinas Valley Sanitary District ("District") finds and determines that during heavy rains, water is introduced into the District's system from Infiltration and Inflow ("I&I"). A portion of this I&I is believed to be introduced into the District's Sewer Mains from Sewer Laterals or other unpermitted sources or connections. Pursuant to its Discharge Permits the District is required to identify and address I&I from Laterals. More specifically, the Ordinance is designed to prevent Illegal Connections that violate the Ordinance Code of the District.

(2) Under various circumstances outlines in the Ordinance a property owner will be required to obtain a Certification of Compliance following a Notice of Repair from the District.

(3) Prior to constructing a Lateral or connecting a new Building to an existing Lateral, or undertaking a Repair, Replacement or Rehabilitation of a Lateral, the Owner shall apply for and obtain a permit for the work from the District. The District may require plans, specifications or drawings and such other information as may be deemed necessary.

(4) An Owner is responsible to maintained and repair the entire service Lateral, from the Building connection to the Sewer Main. Property Owners must clean, maintain and Repair Laterals serving their property sufficient to keep the Lateral in operable condition at all times.

(5) Mandatory Inspections and/or Pressure Testing: Any structure which has a Sewer Lateral are subject to Mandatory Inspections and/or Pressure Testing.

(a) An Owner is responsible to submit to the District Engineer a sewer service lateral Inspection Report and obtain Certification of Compliance from the District.

(b) A sewer service lateral shall be inspected upon the occurrence of an Overflow or Malfunction; when the lateral has not been properly maintained; when there is a threat to the public health, safety, or welfare due to the condition of a sewer service lateral.

(c) The District may issue a Report of Findings, which shall describe any remedial actions required of the Owner, which may include repair or replacement of the lateral.

(d) In addition, inspection of a sewer service lateral may be required if there is an addition or improvements requiring a county or city building permit and that has a value of

Exhibit B

\$30,000 or greater; or a sale or transfer of property to any person other than the existing owner; or there is a title transfer, excluding transfers to an heir, from one co-owner to another co-owner, or into a revocable trust, or the funding of a trust, or a transfer to a spouse or domestic partner, or a transfer pursuant to a divorce decree or a decree of legal separation, or a transfer to a financial institution.

(e) The District will provide a Report of Findings to the Owner, describing any remedial actions required of the Owner, which will be limited to the elimination of illegal connections (sources of inflow). Repair or replacement of the lateral will not be required as a result of inspections performed pursuant to this section, however additional remedial actions may be described that the owner is advised to take in order to ensure reliable function of the lateral.

(f) An Owner will not be required to perform an inspection if there was an installation of a lateral within the prior 20 Years; an owner received a Certification of Compliance or a Report of Findings indicating the absence of any Illegal Connections within the prior twenty (20) years; or an Owner can provide proof of any prior replacement or repair of a sewer service lateral.

(g) In order to cover District staff time and administrative costs, the District will assess fees according to the Districts miscellaneous fee schedule. Fees shall be payable immediately by the current property upon requesting District services.

(6) The District Engineer is authorized to inspect laterals with notice to the property owner. District employees are allowed to enter in and upon any buildings, industrial facilities, and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing as may be necessary.

(7) Notice to Repair. The District Engineer provide a Notice to Repair for any deficiencies in the operation of the sewer service lateral and may specifically identify the deficiencies to be corrected and set a deadline for completion of the required corrective actions. Failure to make repairs as required may result in the District's recording of a Notice of Violation with the Marin County Recorder or other legal action.

Illegal connections or sources of inflow identified during inspections must be eliminated or otherwise disconnected from the lateral within a 90-day grace period as measured from date of discovery. Failure to comply within this grace period will result in a notice of Violation being filed with Marin County Recorder or pursuit of any other legal remedies. The owner must provide adequate verification of disconnection by a PACP inspector or licensed plumber.

If additional or subsequent violations of this Ordinance are discovered on a property after corrective action, up to and including lateral replacement, has been previously ordered by the District, a Notice of Violation may be filed by the District with the Marin County Recorder, in addition to pursuit of any other legal remedies, until verification of corrective action is supplied to District offices.

(8) Pool Overflow Piping. Except for pools constructed prior to the effective date of this Ordinance, if pool overflow piping is connected to a sewer lateral, is considered an illegal connection and is not allowed.

Exhibit B

(9) It is the policy of the District to require one Sewer Lateral serving one single family home. However, the District recognizes that the District contains groups of two or more properties that are serviced by one pre-existing Sewer Lateral. Where there is no problem with a Sewer Lateral that serves multiple properties, it within the discretion of the District to allow the multiple service Lateral. Owners of the residences served by the Lateral shall jointly be responsible for the Repairs and for allocation of costs between themselves.

(10) A failure to conduct required Repairs upon issuance of a Notice to Repair can result in a determination that a property constitutes a hazard to public health and safety and or action by District to disconnect the sewer lateral from the sewer main.

(11) Any violation of any ordinance, rule or regulation of a sanitary district by any Person is a misdemeanor punishable by imprisonment in the County jail not to exceed 30 days or by a fine not to exceed one thousand dollars (\$1,000) or both. Each and every connection, occupancy, prohibited discharge in violation of this Ordinance shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance, rule or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

(12) Upon adoption of this Ordinance, it shall be entered in full in the minutes of the Board of Directors, shall be posted in one place in the District, shall be published once in the Marin Independent Journal, and shall take effect immediately upon the expiration of one (1) week of said publication and posting.

(13) All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on November 21, 2019, by the following vote of members thereof:

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

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


APPROVED:
/s/Craig K. Murray, Board President

ORDINANCE NO. 180
November 21, 2019



Item Number 7

Agenda Summary Report

To: LGVSD Board of Directors 
From: Mike Prinz, General Manager
Date: February 6, 2020
Re: Potential Temporary Modifications of District Protocols Related to COVID-19 Exposure Concerns
Item Type: Consent _____ Discussion X _____ Information _____ Other _____
Standard Contract: Yes _____ No _____ (See attached)
Not Applicable X _____

BACKGROUND

Concerns have developed amongst Board members and Staff related to the regional and local incidence of COVID-19. These concerns may warrant temporary, formal modification of District functions and protocols such as those pertaining to travel on District business, attending large gatherings of industry professionals, remote attendance of public Board meetings, as well as leave policy changes for Staff who may be either infected with the virus, or who may be required to be quarantined due to potential exposure. The General Manager has recently issued a temporary moratorium on certain types of training, all conference attendance, and all air travel for District business to all Staff and recommended that the Board informally follow the same guidance.

PREVIOUS BOARD ACTION

Not applicable

ENVIRONMENTAL IMPACT

Not applicable

FISCAL IMPACT

Unknown

STAFF RECOMMENDATION

Staff recommends that the Board discuss temporary function and protocol modifications related to COVID-19 concerns as generally described above. Those requiring formal modification of District Policy, if any, will be brought back to the Board for consideration at a future meeting.

3/19/2020

General Manager Report

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

3/19/2020

BOARD MEMBER REPORTS

CLARK

NBWA Board Committee, NBWA Conference
Committee, Ad Hoc HR Sub-Committee re: GM Evaluation,
Ad Hoc HR Sub-Committee re: 2019 Employee Climate
Survey, Other Reports

ELIAS

NBWRA , Ad Hoc Engineering Sub-Committee re:
STPURWE, Other Reports

MURRAY

Marin LAFCO, CASA Energy Committee, Ad Hoc HR Sub-
Committee re: GM Evaluation, Other Reports

SCHRIEBMAN

JPA Local Task Force, NBWA Tech Advisory Committee,
AD Hoc HR Sub-Committee re: 2019 Employee Climate
Survey, Other Reports

YEZMAN

Gallinas Watershed Council/Miller Creek Watershed
Council, Flood Zone 7, CSRMA, Ad Hoc Engineering Sub-
Committee re: STPURWE, Other Reports



BOARD MEMBER MEETING ATTENDANCE REQUEST

Date: _____ Name: _____

I would like to attend the _____ Meeting
of _____

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

Location of meeting: _____

Actual meeting date(s): _____

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

Purpose of Meeting: _____

Other meeting attendees: _____

Meeting relevance to District: _____

Frequency of Meeting: _____

Estimated Costs of Travel (if applicable): _____

Date submitted to Board Secretary: _____

Board approval obtained on Date: _____

Please submit to the District Administrative Assistant, no later than 2:00 p.m. on the
Friday prior to the Board Meeting.

3/19/2020

BOARD AGENDA ITEM REQUESTS

Agenda Item 10B

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

Teresa Lerch

Agenda Item 11
Date March 19, 2020

From: WaterReuse Association <info@waterreuse.org>
Sent: Wednesday, March 11, 2020 10:43 AM
To: Teresa Lerch
Subject: House Committee Passes Water Recycling Investment and Improvement Act of 2019



Member Alert

House Natural Resources Committee Passes the Water Recycling Investment and Improvement Act of 2019 (H.R. 1162)

Today, Wednesday, March 11, the House Natural Resources Committee passed a number of water resources bills, including the Water Recycling Investment and Improvement Act of 2019 (H.R. 1162), which was introduced last year by Representative Grace Napolitano (D-CA).

The WaterReuse Association thanks Representative Napolitano for her tireless advocacy in support of water recycling. We also thank Congressman Jared Huffman (D-CA), Chairman of the House Natural Resources Subcommittee on Water, Oceans, and Wildlife, for his co-sponsorship of the bill and for moving the legislation forward through Committee.

H.R. 1162 reauthorizes and increases the authorized funding level for the Bureau of Reclamation's Title XVI-WIIN Water Reclamation and Reuse Program. Title XVI is the only federal program that is uniquely dedicated to supporting water recycling.

In addition to reauthorizing the program and increasing funding authority, the bill removes a requirement that projects be located in sustained drought or disaster areas, streamlines the program by removing a requirement that Congress approve each individual project after it has successfully competed for funding, and modernizes the individual project funding cap by raising it from \$20 million to \$30 million.

WaterReuse has long supported this legislation and looks forward to its continued progression through the House of Representatives.

Alongside passage of H.R. 1162 today, the Natural Resources Committee also approved a number of other bills, including a revised version of the Desalination Development Act (H.R. 3723), which increases funding for desalination projects through the Bureau of Reclamation, as well as an amended version of the Securing Access for the Central Valley and Enhancing

Water Resources Act (H.R. 2473), which increases funding for water recycling, technology development, and broader water infrastructure development.

It is not yet clear whether and when these bills will move to the House floor, though it is possible some of them will be incorporated into a larger legislative vehicle in the months ahead. We will provide additional details as the process progresses.

You are subscribed to Member Alerts



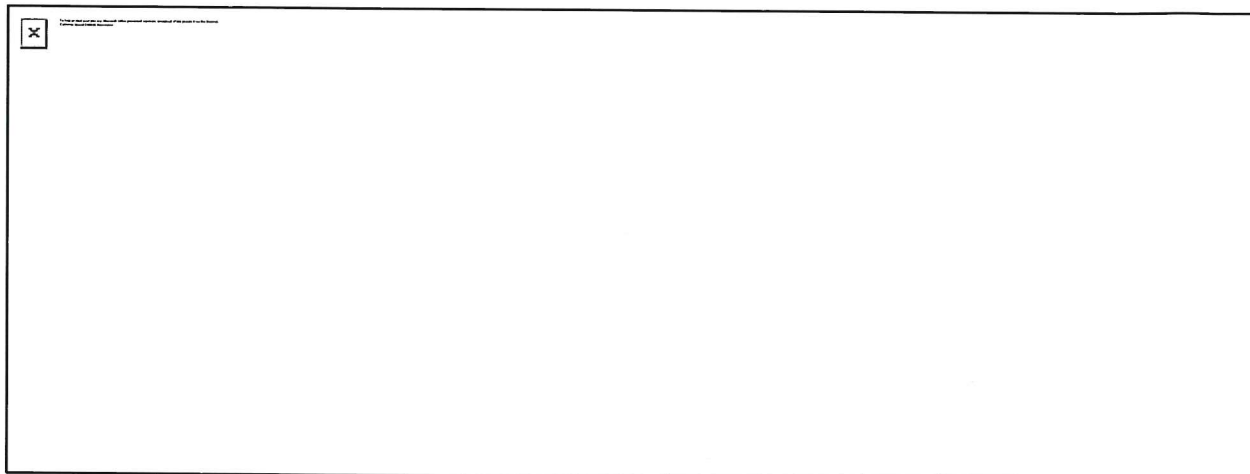
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United States

Teresa Lerch

From: Neil McCormick <neilm@csla.net>
Sent: Thursday, March 12, 2020 12:46 PM
To: Teresa Lerch
Subject: ADV: CSLA Update on COVID-19 & Governor's Executive Order Suspending Certain Brown Act Rules



COVID-19 Update & Governor's Executive Order Suspending Certain Brown Act Rules

Special District Leaders:

Today, Governor Newsom issued an executive order further enhancing State and Local Government's Ability to respond to COVID-19. Among other items, the order *"Allows local or state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically."* The full executive order can be found [here](#). Item #11 in the executive order also addresses suspension of certain Brown Act rules.

Last night, the California Department of Public Health (CDPH) issued an updated policy for public gatherings in response to COVID-19. CSLA is following this policy and encourages all special districts to thoroughly review the policy and consider its application to your district's operations and activities.

In times where the health and safety of our communities are at stake, it is important for public officials at all levels to inform ourselves of the best available facts and provide clear and accurate communication. We want to ensure that we are taking the appropriate steps and that our actions and communications do not lead to worse outcomes than necessary. This means following the guidance of health experts to demonstrate calm and thoughtful leadership.

Please read in full this new policy issued by CDPH, which answers questions such as:

- What will this achieve?
- How long will these limitations apply?
- What is social distancing and how is it achieved?
- What can be done to make a gathering safer if it is essential or small?

The CDPH policy also includes examples of essential events it does not apply to:

“The goal of this recommendation is to prevent people physically coming together unnecessarily, where people who have the infection can easily spread it to others. This guidance does not apply to activities such as attendance at regular school classes, work, or essential services.”

The policy goes on to state, “*Certain activities are essential to the function of our state and must continue. Hence, this does not apply to essential public transportation, airport travel, or shopping at a store or mall.*”

What CSDA is doing:

CSDA has established a [COVID-19 Resources page](#), which includes links to pertinent state and federal resources where members can receive the most current information. Earlier this week, CSDA drafted a document outlining the parameters of the Brown Act with regard to special district board meetings. Governor Newsom’s executive order today offers additional flexibility and CSDA will be revising this document to reflect that new development. CSDA is also in regular communication with state officials and actively discussing the steps that may need to be taken under potential future scenarios.

Status of CSDA Sponsored Events:

The upcoming SDRMA Spring Education Day scheduled for March 24, 2020 is cancelled as are in-person CSDA workshops through March. Currently, all other scheduled CSDA events and conferences are moving forward as planned, however, we will keep members advised of any further changes.

As conditions continue to evolve related to COVID-19, CSDA will continue to serve as a resource and a venue for members to communicate and coordinate with one another and with our state counterparts. Please do not hesitate to contact me with any questions, concerns, or requests you may have in this regard.

When your communities face challenges, be it drought, fire, flood, economic, or health, it is our first responders and local leaders, like you, that we all depend on. Thank you for being a public servant to your community.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-25-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed; and

WHEREAS state and local public health officials may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure; and

WHEREAS the Department of Public Health is maintaining up-to-date guidance relating to COVID-19, available to the public at <http://cdph.ca.gov/covid19>; and

WHEREAS the State of California and local governments, in collaboration with the Federal government, continue sustained efforts to minimize the spread and mitigate the effects of COVID-19; and

WHEREAS there is a need to secure numerous facilities to accommodate quarantine, isolation, or medical treatment of individuals testing positive for or exposed to COVID-19; and

WHEREAS, many individuals who have developmental disabilities and receive services through regional centers funded by the Department of Developmental Services also have chronic medical conditions that make them more susceptible to serious symptoms of COVID-19, and it is critical that they continue to receive their services while also protecting their own health and the general public health; and

WHEREAS individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources such as shelters and food banks; and

WHEREAS in the interest of public health and safety, it is necessary to exercise my authority under the Emergency Services Act, specifically Government Code section 8572, to ensure adequate facilities exist to address the impacts of COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571 and 8572, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. All residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.
2. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 2627(b)(1) for disability insurance applicants who are unemployed and disabled as a result of the COVID-19, and who are otherwise eligible for disability insurance benefits.
3. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 1253(d) for unemployment insurance applicants who are unemployed as a result of the COVID-19, and who are otherwise eligible for unemployment insurance benefits.
4. Notwithstanding Health and Safety Code section 1797.172(b), during the course of this emergency, the Director of the Emergency Medical Services Authority shall have the authority to implement additions to local optional scopes of practice without first consulting with a committee of local EMS medical directors named by the EMS Medical Directors Association of California.
5. In order to quickly provide relief from interest and penalties, the provisions of the Revenue and Taxation Code that apply to the taxes and fees administered by the Department of Tax and Fee Administration, requiring the filing of a statement under penalty of perjury setting forth the facts for a claim for relief, are suspended for a period of 60 days after the date of this Order for any individuals or businesses who are unable to file a timely tax return or make a timely payment as a result of complying with a state or local public health official's imposition or recommendation of social distancing measures related to COVID-19.
6. The Franchise Tax Board, the Board of Equalization, the Department of Tax and Fee Administration, and the Office of Tax Appeals shall use their administrative powers where appropriate to provide those individuals and businesses impacted by complying with a state or local public health official's imposition or recommendation of social

distancing measures related to COVID-19 with the extensions for filing, payment, audits, billing, notices, assessments, claims for refund, and relief from subsequent penalties and interest.

7. The Governor's Office of Emergency Services shall ensure adequate state staffing during this emergency. Consistent with applicable federal law, work hour limitations for retired annuitants, permanent and intermittent personnel, and state management and senior supervisors, are suspended. Furthermore, reinstatement and work hour limitations in Government Code sections 21220, 21224(a), and 7522.56(b), (d), (f), and (g), and the time limitations in Government Code section 19888.1 and California Code of Regulations, title 2, sections 300-303 are suspended. The Director of the California Department of Human Resources must be notified of any individual employed pursuant to these waivers.
8. The California Health and Human Services Agency and the Office of Emergency Services shall identify, and shall otherwise be prepared to make available—including through the execution of any necessary contracts or other agreements and, if necessary, through the exercise of the State's power to commandeer property – hotels and other places of temporary residence, medical facilities, and other facilities that are suitable for use as places of temporary residence or medical facilities as necessary for quarantining, isolating, or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period.
9. The certification and licensure requirements of California Code of Regulations, Title 17, section 1079 and Business and Professions Code section 1206.5 are suspended as to all persons who meet the requirements under the Clinical Laboratory Improvement Amendments of section 353 of the Public Health Service Act for high complexity testing and who are performing analysis of samples to test for SARS-CoV-2, the virus that causes COVID-19, in any certified public health laboratory or licensed clinical laboratory.
10. To ensure that individuals with developmental disabilities continue to receive the services and supports mandated by their individual program plans threatened by disruptions caused by COVID-19, the Director of the Department of Developmental Services may issue directives waiving any provision or requirement of the Lanterman Developmental Disabilities Services Act, the California Early Intervention Services Act, and the accompanying regulations of Title 17, Division 2 of the California Code of Regulations. A directive may delegate to the regional centers any authority granted to the Department by law where the Director believes such delegation is necessary to ensure services to individuals with developmental disabilities. The Director shall describe the need justifying the waiver granted in each directive and articulate how the waiver is necessary to protect the public health or safety from the threat of COVID-19 or necessary to ensure that services to individuals with developmental disabilities are not disrupted. Any waiver granted by a directive shall expire 30 days from the date of its issuance. The Director may grant one or more 30-day extensions if the waiver continues to be necessary

to protect health or safety or to ensure delivery of services. The Director shall rescind a waiver once it is no longer necessary to protect public health or safety or ensure delivery of services. Any waivers and extensions granted pursuant to this paragraph shall be posted on the Department's website.

11. Notwithstanding any other provision of state or local law, including the Bagley-Keene Act or the Brown Act, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body, during the period in which state or local public officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended, on the conditions that:

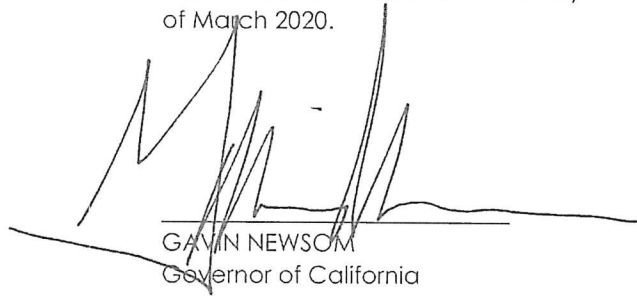
- (i) each state or local body must give advance notice of each public meeting, according to the timeframe otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) consistent with the notice requirement in paragraph (i), each state or local body must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting, consistent with the public's rights of access and public comment otherwise provided for by the Bagley-Keene Act and the Brown Act, as applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act).

In addition to the mandatory conditions set forth above, all state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 12th day of March 2020.



A handwritten signature in black ink, appearing to read 'Gavin Newsom', is written over a horizontal line. The signature is stylized and somewhat illegible.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State