

**A G E N D A**  
**SAN RAFAEL SANITATION DISTRICT**  
**BOARD OF DIRECTORS**  
**FRIDAY – MAY 17, 2024 – 9:00 A.M.**  
**SAN RAFAEL CITY HALL**  
**1400 FIFTH AVENUE – CONFERENCE ROOM CD3**  
**SAN RAFAEL, CALIFORNIA 94901**

Members of the Public may also participate in Open Session through the following:

**Zoom link:** <https://cityofsanrafael-org.zoom.us/j/86356279311>

**Or by Phone: 1 669 444 9171 US**

**Meeting ID: 863 5627 9311**

Public comments for this meeting can be submitted via email to the District Clerk at [Kathryn.Nelson@cityofsanrafael.org](mailto:Kathryn.Nelson@cityofsanrafael.org). The public comment period opens when the agenda is posted online and will close two hours prior to the start of the meeting. Include your name and the item you would like to provide a written comment on.

To provide comments during the meeting, please use the “raise hand” feature in the Zoom Meeting and the host will notify and unmute you when it is your turn to speak.

**Members of the public may speak on Agenda items.**

**1. ROLL CALL**

**2. OPEN PERIOD**

Opportunity for the public to address the Board on items not on the agenda. (Presentations are generally limited to 2 minutes.)

**3. CONSENT CALENDAR**

- a. Minutes of the Meeting – April 26, 2024
- b. Minutes of the Special Meeting – May 1, 2024
- c. Payments – April 2024

**4. OTHER AGENDA ITEMS**

- a. Discussion on Strategic Planning Efforts for the District.
- b. Adopt resolution establishing the sewer connection fee for FY 2024-25.

- c. First reading of proposed ordinance increasing the sewer service charges and setting the public hearing for June 21, 2024.
- d. Authorize publication of a summary of the proposed ordinance, which includes the date of the hearing on such proposed ordinance, in the Marin Independent Journal by June 5, 2024, and the posting of the full text of the proposed ordinance at both the District Office and City Hall.
- e. Adopt resolution authorizing the District Manager/District Engineer to sign an Amendment to Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project.

**5. INFORMATIONAL ITEMS**

**6. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS**

**7. ADJOURNMENT**

The next scheduled meeting is June 21, 2024.

**SAN RAFAEL SANITATION DISTRICT**  
**Minutes of the Regular Meeting**  
**April 26, 2024 – 10:30 A.M.**

Regular Meeting

In Person

The meeting was called to order at 10:32 A.M. by Chair Kate.

Attendance    Kate Colin, Chair  
Board:         Maribeth Bushey, Secretary/Director  
                   Katie Rice, Director

Attendance    Doris Toy, District Manager/District Engineer  
Staff:         Kris Ozaki, Operations and Maintenance Manager  
                   Philip Buckley, Principal Civil Engineer  
                   Tim Tran, Associate Civil Engineer  
                   Cindy Diaz, Assistant Engineer  
                   Kathryn Nelson, Administrative Analyst

Attendance    Kerry Gerchow, Deputy County Counsel  
Other:         Paul Causey, Causey Consulting

**1. ROLL CALL**

A roll call was taken at 10:32 A.M., Director Bushey, Director Rice, and Chair Kate were present.

**2. OPEN PERIOD**

No one was present to address the Board for open period.

**3. CONSENT CALENDAR**

- a. Minutes of Special Meeting of March 22, 2024
- b. Payments – March 2024
- c. Adopt resolution to award contract for the Miramar/Miraflores Sewer Replacement Project.
- d. Adopt resolution to award contract for the 2024 Paving Repair Project.
- e. Adopt resolution to accept the sewer easement at 22 Jewell Street (APN 014-072-29).

**MOTION** by Director Bushey, seconded by Director Rice and Chair Colin, to unanimously approve the Consent Calendar, all in favor.

**AYES:** Director Bushey, Director Rice, and Chair Kate  
**NOES:** None  
**ABSENT:** None Motion Carried

**4. OTHER AGENDA ITEMS**

**a. Discussion on Strategic Planning Efforts for the District.**

District Manager Toy updated the board in her meeting with the City Manager and Assistant City Manager regards to items to be addressed; reached out to LAFCO Executive Officer to provide an update and invited him to future SRSD Board meetings; updated the JPA Managers at their monthly meeting; and met with CMSA General Manager along with District consultant Paul Causey.

Board authorized staff to begin discussions with CMSA in preparing a service agreement on operational consolidation; and to send letter to the CMSA Board regarding this decision.

**b. Discussion on scheduling Special Meetings.**

Discussion of special meetings in the near future in regard to items to be addressed in the Strategic Planning Efforts. After the discussion on Item 4c, Board determined that a Special Meeting will be held on May 1, 2024.

**c. Discussion on proposed increase in Sewer Service Charge.**

Board considered increasing the Sewer Service Charge since the District needs to recover some inflation costs since the last rate increase in 2017; increase its sewer replacement rate to 2.5 miles per year; and keep up with increased costs in wastewater treatment.

**d. Adopt resolution authorizing the District Manager/District Engineer to sign an Amendment to Agreement with Nute Engineering for construction related services for Phase B1 of the Bayside Acres Beach Sewer Relocation Project.**

**MOTION** by Director Bushey, seconded by Director Rice and Chair Colin, to unanimously approve the Amendment to Agreement with Nute Engineering for construction related services for Phase B1 of the Bayside Acres Beach Sewer Relocation Project, all in favor.

**AYES:** Director Bushey, Director Rice, and Chair Kate  
**NOES:** None  
**ABSENT:** None Motion Carried

**5. INFORMATIONAL ITEMS**

None

**6. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

There being no further business to come before the Board, the Regular meeting of April 26, 2024, was adjourned at 11:48 A.M. with the next scheduled Special meeting on May 1, 2024, at 4:00 P.M.

Respectfully submitted,

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Maribeth Bushey, Secretary/Director

ATTEST THIS 17th DAY OF MAY 2024

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Kate Colin, Chair

**SAN RAFAEL SANITATION DISTRICT**  
**Minutes of the Special Meeting**  
**May 1, 2024 – 4:00 P.M.**

Special Meeting

In Person

The meeting was called to order at 4:11 P.M. by Chair Kate.

Attendance    Kate Colin, Chair  
Board:         Maribeth Bushey, Secretary/Director  
                   Katie Rice, Director

Attendance    Doris Toy, District Manager/District Engineer  
Staff:         Kris Ozaki, Operations and Maintenance Manager  
                   Kathryn Nelson, Administrative Analyst

Attendance    Kerry Gerchow, Deputy County Counsel  
Other:         Jason Dow, CMSA General Manager  
                   Dean DiGiovanni, CMSA Commissioner for SRSD  
                   John Maher, CPA, Maher Accountancy

**1. ROLL CALL**

A roll call was taken at 4:11 P.M., Director Bushey, Director Rice, and Chair Kate were present.

**2. OPEN PERIOD**

No one was present to address the Board for open period.

**3. CONSENT CALENDAR**

None

**4. OTHER AGENDA ITEMS**

**a.** Review rates for proposed increase in sewer service charges.

Board proposed a three-year increase with a 12% increase in Fiscal Year 2024-25, 5% increase in Fiscal Year 2025-26, and 5% increase for Fiscal Year 2026-27.

**b.** Approve notice of public hearing to ratepayers and authorize mailing of document.

Board reviewed the draft of Notice of Public Hearing, provided comments to staff and directed staff to revise to mail out.

**c.** Set first reading of proposed ordinance increasing the sewer service charges for May 17, 2024.

d. Set public hearing for adoption of proposed ordinance increasing the sewer service charges for June 21, 2024.

**MOTION** by Director Bushey, seconded by Director Rice and Chair Colin, to unanimously approve notice of public hearing to ratepayers and authorize mailing of document, set first reading of proposed ordinance increasing the sewer service charges for May 17, 2024 and set public hearing for adoption of proposed ordinance increasing the sewer service charges for June 21, 2024, all in favor.

**AYES:** Director Bushey, Director Rice, and Chair Kate

**NOES:** None

**ABSENT:** None Motion Carried

**5. INFORMATIONAL ITEMS**

Rainbow Williams resigned, and staff will be performing interviews this month, and new Inspector will be starting in May.

**6. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

There being no further business to come before the Board, at the Special meeting of May 1, 2024, was adjourned at 5:46 P.M. with the next scheduled Regular meeting on May 17, 2024, at 9:00 A.M.

Respectfully submitted,

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Maribeth Bushey, Secretary/Director

ATTEST THIS 17th DAY OF May 2024

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Kate Colin, Chair

**SAN RAFAEL SANITATION DISTRICT**

**PAYMENT SUMMARY**

April 1, 2024 - April 30, 2024

Vendor/Payee

Memo

Class

Account

Amount

ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 3/26/24	200	2021 · Uniforms	271.08
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 4/02/24	200	2021 · Uniforms	271.08
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 4/09/24	200	2021 · Uniforms	279.02
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 4/16/24	200	2021 · Uniforms	279.96
AT&T *1523	Telephone Service - land lines for pump stations and dialers from 3/02/24-4/01/24	100	2534 · Telephone service	616.10
AT&T MOBILITY #1362	Telephone Service - wireless services through 4/30/24	100	2534 · Telephone service	841.73
AT&T MOBILITY #9313	Telephone Service - cell phone service through 4/01/24	100	2534 · Telephone service	431.74
BAY AREA AIR QUALITY MANAGEMENT DIS	Pump Stations - West Railroad generator permit	200	2359 · Maint- pump sta's & force mains	634.00
CALAMP WIRELESS NETWORKS CORPORATION	Vehicles - vehicles GPS monthly services	200	2083 · Parts and repairs vehicles	249.30
CALCON SYSTEMS, INC.	Pump Stations - Simms Street Pump Station repair motor starter	200	2359 · Maint- pump sta's & force mains	3,980.00
CALCON SYSTEMS, INC.	Pump Stations - Pump Station preventative maintenance	200	2359 · Maint- pump sta's & force mains	28,250.00
CAUSEY CONSULTING	Consulting Services - strategic planning support services through 3/31/24	100	2325 · Consulting services	1,168.40
CENTRAL MARIN SANITATION AGENCY	Service Charges - CMSA FY 23-24 fourth quarter service charge for 4/01/24-6/30/24	400	4112 · Sewage treatment	1,227,205.01
CINCHEM LLC	Collection System - disinfectant	200	2360 · O&M - collection systems	325.61
CITY OF SAN RAFAEL	Vehicles - vehicle repairs from 1/01/24-3/31/24	200	2083 · Parts and repairs vehicles	7,596.63
CRANETECH INC	Pump Stations - annual crane inspection and preventive maintenance and service	200	2359 · Maint- pump sta's & force mains	1,695.00
CWEA-TCP	Staff Training & Education - membership renewal for Hector Rodriguez expires 4/30/24	100	2388 · Training and education	221.00
EVOQUA WATER TECHNOLOGIES, LLC	Odor Control - odor control quarterly services from 3/01/24-3/31/24	200	2106 · Odor control chemicals	2,033.14
EWERS ENGINEERING INC	Isolation Valve Replacement Project - engineering services from 2/01/24-3/31/24	300	4345 · Isolation Valve Replacement (10	2,231.00
FRANK OLSEN CO	Pump Station - ARV parts	200	2359 · Maint- pump sta's & force mains	1,011.26
GRAINGER	Pump Stations - eyewash preservative	200	2359 · Maint- pump sta's & force mains	84.07
JACKSON'S HARDWARE	Collection System - spoon handle 8150 truck	200	2360 · O&M - collection systems	8.69
KIMLEY-HORN AND ASSOCIATES, INC.	2023 Sewer Improvements - various locations - for engineering services rendered through 2/29/24	300	4356 · Sewer Improv-mult Locations80	13,490.00
KIMLEY-HORN AND ASSOCIATES, INC.	2023 Sewer Improvements - various locations - for engineering services rendered through 3/31/24	300	4356 · Sewer Improv-mult Locations80	4,580.00
LEAK DETECTION PROS, INC.	Bayside Acres Beach Sewer Improvements Project - sewer inspection at 193 Oak Drive	300	4338 · Rehab Beach Swr Baysid PhABC-80	500.00
MAHER ACCOUNTANCY	Accounting Services - April 2024	100	2717 · Accounting services	4,100.00
MARIN COUNTY TAX COLLECTOR	Office Supplies - business cards for staff Philip Buckley and Cindy Diaz	100	2133 · Office & shop supplies	70.00
MARIN COUNTY TAX COLLECTOR	Legal - County Counsel - third quarter January-March FY 2023/2024	100	2713 · Legal services	2,630.00
MARIN MUNICIPAL WATER DIS	Water - North Francisco Boulevard from 12/15/23-2/14/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Peacock/Lagoon Road from 12/16/23-2/15/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Anderson Blvd from 2/10/24-4/10/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Bret Harte pump station from 2/10/24-4/10/24	200	2536 · Water utility costs	88.57
MARIN MUNICIPAL WATER DIS	Water - Simms Street from 2/10/24-4/10/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Andersen Drive from 02/10/24-04/10/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - South Francisco pump station from 2/14/24-4/15/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Cayes Main pump station from 2/14/24-4/15/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - West Railroad pump station from 02/14/24-04/15/24	200	2536 · Water utility costs	179.12
MARIN MUNICIPAL WATER DIS	Water - Third St. pump station from 2/15/24-4/16/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Kerner A pump station from 2/15/24-4/16/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - San Pedro Road from 2/15/24-4/16/24	200	2536 · Water utility costs	88.57
MARIN MUNICIPAL WATER DIS	Water - Peacock Drive from 2/16/24-4/17/24	200	2536 · Water utility costs	79.54
MARIN MUNICIPAL WATER DIS	Water - Loch Lomand pump station from 2/16/24-4/17/24	200	2536 · Water utility costs	88.57



MARIN MUNICIPAL WATER DIS	Water - Riviera Drive LT28 Sewer Pump from 2/16/24-4/17/24	200	2536	Water utility costs	88.57
MUNICIPAL RESOURCE GROUP, LLC	Consulting Services - HR services through 03/31/24	100	2325	Consulting services	26,493.75
NUTE ENGINEERING INC	Consulting Services - engineering services for Third Street development capacity review for March 2024	100	2325	Consulting services	6,116.00
NUTE ENGINEERING INC	Consulting Services - engineering services for Third Street Pump Station improvement project for March 2024	300	4154	Third St (combined w 4149 fibr)	1,936.75
PG&E a/c 2480926202-5	Power - electric service for pump stations from 3/16/24-4/16/24	200	2535	Electric utility costs	23,741.39
PUMP REPAIR SERVICE CO INC	Pump Stations - replacement pump for Main Drive Pump Station	200	2359	Maint- pump sta's & force mains	14,275.46
RAUCH COMMUNICATIONS CONSULTANTS INC	Bayside Acres Beach Sewer Improvements Project - P.R. related services from 1/01/24-1/31/24	300	4338	Rehab Beach Swr Baysid PhABC-80	1,856.25
SmartCover Systems, Inc.	Collection System - warranty for 6 smart manhole covers	200	2360	O&M - collection systems	7,828.00
TIFCO INDUSTRIES	Pump Station - stainless steel bolts electric tape	200	2359	Maint- pump sta's & force mains	121.30
TIFCO INDUSTRIES	Pump Station - 6 thread locks, 3 red and 3 blue	200	2359	Maint- pump sta's & force mains	143.07
US BANK CORPORATE PAYMENT	Office Supplies - phonecase for assistance engineer	100	2133	Office & shop supplies	26.21
US BANK CORPORATE PAYMENT	Office Supplies - shop supplies batteries	100	2133	Office & shop supplies	67.98
US BANK CORPORATE PAYMENT	Miscellaneous expenses - late fees	100	2389	Miscellaneous expenses	16.83
US BANK CORPORATE PAYMENT	Pump Station - pressure transducer diiers	200	2359	Maint- pump sta's & force mains	322.36
VERIZON WIRELESS(242395655)	Telephone Service - private IP addresses for the San Pedro and Peacock Pump Stations from 2/18/24-3/17/24	100	2534	Telephone service	131.91
VERIZON WIRELESS(242395655)	Telephone Service - private IP addresses for the San Pedro and Peacock Pump Stations from 3/18/24-4/17/24	100	2534	Telephone service	131.72
VERIZON WIRELESS(372347623)	Telephone Service - wireless service for laptops from 2/21/24-3/20/24	100	2534	Telephone service	288.50
WATER COMPONENTS & BLDG SUPPLY	Collection System - sewer repair for 338 Bayview	200	2360	O&M - collection systems	399.09
WECO INDUSTRIES LLC	Collection System - rod	200	2360	O&M - collection systems	6,671.72
WOODLAND CTR AUTO SUPPLY	Pump Stations - Railroad Pump Station helicoil for pump 4	200	2359	Maint- pump sta's & force mains	91.52
XANTRION	Office Supplies - printer for O&M office	100	2133	Office & shop supplies	480.69
					1,397,521.32

**SAN RAFAEL SANITATION DISTRICT**  
*Agenda Item 4b.*

**DATE:** May 17, 2024

**TO:** San Rafael Sanitation District Board of Directors

**PREPARED BY:** Doris Toy, District Manager/District Engineer

**SUBJECT:** **Discuss and Adopt Resolution Establishing Sewer Connection Fees For FY 2024-25**

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**RECOMMENDATION:**

Staff recommends that the Board of Directors of the San Rafael Sanitation District adopt the resolution.

**BACKGROUND:**

Ordinance No. 56, Section 5 (Annual Connection Fee Adjustment), which was adopted March 1, 2006, states that each year, commencing on July 1, 2006, and continuing thereafter on each July 1<sup>st</sup>, the sewer connection fees shall be adjusted by an increment determined by the change in the base index as shown in the Engineering News Record Construction Cost Index (ENR Index) for San Francisco. However, the District Board may, at its discretion, postpone the adjustment for any successive year.

**ANALYSIS:**

The last sewer connection fee increase was in FY 2020-21, where a Single-Family Residence, Multiple Dwelling/units, and Commercial building for first 16 fixture units was \$3,804.00 and the May 2020 ENR Index was 12,819.17. This year, the ENR Index for May 2024 is 15,418.02, which results in a 20.27% increase in the District's connection fees (from May 2020).

The following is a table that shows the ENR Index and SRSD's connection fees and their percentage increase per year for Single Family Residents from FY 2020-21 to FY 2024-25.

**SRSD Single Family Residents Connection Fees**

Fiscal Year	Engineering News Record Construction Cost Index		SRSD	
	May Cost Index	Increase/Yr	Connection Fee	Increase/Yr
2020-21	12,819.17	3.94%	\$3,804.00	3.94%
2021-22	13,425.35	4.73%	\$3,804.00	0%
2022-23	15,326.99	14.16%	\$3,804.00	0%
2023-24	15,595.35	1.75%	\$4,627.81*	0%
2024-25	15,418.02	-1.14%	\$4,575.07	20.27%

\*FY 2024-25 Sewer Connection Fee is proposed amount.

For the three years that the District did not increase its connection fees, i.e. FY 2021-22, the May 2021 ENR Index increased by 4.73%; for FY 2022-23, the May 2022 ENR Index increased by

14.16%; and for FY 2023-24, the May 2023 ENR Index increased by 1.75%. This year, the May 2024 ENR Index decreased by 1.14%. However, since the District held the same connection fees for the last three years, the ENR Index has increased by 20.27%.

**FISCAL IMPACT:**

The following are the proposed connection fees for FY 2024-2025 with an increase of 20.27%:

<b>Connection Fees</b>	<b>FY 20-21 FY 21-22 FY 22-23 FY 23-24</b>	<b>FY 24-25</b>	<b>Change</b>
Administrative/Inspection	\$1,580.45	\$1,900.81	\$320.36
Single Family Residence	\$3,804.00	\$4,575.07	\$771.07
Multiple Dwelling/unit	\$3,804.00	\$4,575.07	\$771.07
Commercial for first 16 plumbing fixture units	\$3,804.00	\$4,575.07	\$771.07
Each Fixture unit over 16	\$237.74	\$285.93	\$48.19
Public schools & Public agencies for first 16 plumbing fixture units	\$3,804.00	\$4,575.07	\$771.07
Each Fixture unit over 16	\$237.74	\$285.93	\$48.19

**OPTIONS:**

1. The Board may decide not to adopt the resolution. The District has not increased its connection fees for three years, in which time, it has increased by 20.27%. Thus, in the future when the Board does decide to increase the connection fees, it may be a much larger increase.
2. Staff recommends increasing the connection fees in small increments, such as annually, and adopting the resolution to increase the sewer connection fees for FY 2024-25.

**ACTION REQUIRED:**

It is the recommendation of District staff that the Board of Directors of the San Rafael Sanitation District adopt the resolution increasing sewer connection fees in accordance with Ordinance Number 56, effective July 1, 2024 – June 30, 2025.

Attachment: Resolution

**SAN RAFAEL SANITATION DISTRICT****RESOLUTION NO. 24-1283****A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SAN RAFAEL SANITATION DISTRICT  
INCREASING SEWER CONNECTION FEES  
IN ACCORDANCE WITH ORDINANCE NUMBER 56  
EFFECTIVE JULY 1, 2024 - JUNE 30, 2025**

**WHEREAS**, an important element of the San Rafael Sanitation District's Financing Plan for Wastewater Transport System Improvements was the need for regular adjustments of the District's sewer connection charges; and

**WHEREAS**, said Financing Plan recommended annual adjustments to said charges to stay even with construction cost inflation; and

**WHEREAS**, the most widely accepted measure of change in construction costs is the Engineering News Record Construction Cost Index (ENR Index); and

**WHEREAS**, District Ordinance Number 56, adopted March 1, 2006, revised sewer connection fees and provided for an annual adjustment based on the change in said Construction Cost Index; and

**WHEREAS**, District sewer connection fees were not adjusted in Fiscal Years 2021-22, 2022-23, and 2023-24; and

**WHEREAS**, the ENR Index from May 2021 to May 2024, would result in an increase of 20.27% in District sewer connection fees.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors of the San Rafael Sanitation District, County of Marin, State of California, that effective July 1, 2024 through June 30, 2025, sewer connection fees are established as follows:

**SECTION 1.** Section 4 of Ordinance Number 56 is hereby amended to read as follows:

**SECTION 4. Connection fees.** The connection fees for connecting to the District's sewer system are as follows:

**(a) Basic Connection Fee**

Administrative/Inspection fee	\$1,900.81
Single family residence	\$4,575.07
Multiple dwelling, per unit	\$4,575.07
Commercial establishments for the first 16 plumbing fixture units plus \$285.93 for each fixture unit over 16	\$4,575.07
Public schools and public agencies for the first 16 plumbing fixture units plus \$285.93 for each fixture unit over 16	\$4,575.07

**PASSED AND ADOPTED** at a regular meeting of the San Rafael Sanitation District Board of Directors held on the 17<sup>th</sup> day of May 2024 by the following vote:

**AYES:**

**NOES:**

**ABSENT/ABSTAIN:**

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**Kate Colin, Chair**

**ATTEST:**

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**Maribeth Bushey, Secretary**

**SAN RAFAEL SANITATION DISTRICT**  
*Agenda Item No. 4c and 4d*

**DATE:** May 17, 2024

**TO:** Board of Directors, San Rafael Sanitation District

**FROM:** Doris Toy, District Manager/District Engineer

**SUBJECT:** Proposed Increase in Sewer Service Charges:  
**4c:** Conduct the First Reading of Proposed Ordinance increasing the sewer service charges and setting the public hearing for June 21, 2024  
**4d:** Authorize publication of a summary of the proposed ordinance, which includes the date of the hearing on such proposed ordinance in the Marin Independent Journal by June 5, 2024, and the posting of the full text of the proposed ordinance at both the District Office and City Hall.

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**SUMMARY**

At the April 26, 2024, Board meeting, the Board had a discussion on proposed increase in Sewer Service Charge. The Board recognized that the District needs to recover some of the inflation costs since the last rate increase in 2017; and wish to increase its sewer replacement from 1.6 miles per year to 2.5 miles per year; and Central Marin Sanitation Agency increased its fees due to capital improvements at its treatment plant and other increasing costs, i.e. chemicals, insurance, and inflation.

At the May 1, 2024, Board meeting, the Board approved a three-year Sewer Service Charge increase starting next fiscal year, i.e. 12%, 5%, and 5%. The Sewer Service Charge is currently \$71.72/month (\$860.63 annually) per Equivalent Dwelling Unit (EDU) and is proposed to increase to \$80.33/month (\$963.91 annually) for Fiscal Year 2024-25; \$84.34/month (\$1,012.11 annually) for Fiscal Year 2025-26; and \$88.56/month (\$1,062.72 annually) for Fiscal Year 2026-27.

The timeline for the proposed increase in the sewer service charge should adhere to the general requirements regarding the passage of ordinances and the requirements relating to increases in fees pursuant to Proposition 218 [Article XIII D, Section 6 of the California Constitution Code].

The specific timeline is dependent upon the date of the monthly meeting of the District. Since the District must notify the County of Marin of its rates in early July in order for the sewer service charge to be placed on the FY 2024-25 property tax roll, the District will need to hold the public hearing for adoption of the proposed ordinance increasing the sewer service charges on June 21, 2024. Please note that the government code generally requires ordinances to be passed at regular meetings, not special meetings.

**May 1, 2024:** At this SRSD Board meeting, the Board determined the following:

- (1) They want to propose the passage of an ordinance to increase the sewer service charge;
- (2) As a preliminary matter, the increase in the sewer service charge meets the following requirements of Proposition 218:
  - a. Revenues derived from the charge shall not exceed the funds required to provide the property related service;
  - b. Revenues derived from the charge shall not be used for any purpose other than that for which the charge was imposed;
  - c. The amount of fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel;
  - d. No charge shall be imposed for a service unless that service is actually used by or immediately available to the owner of the property in question; and
  - e. No charge may be imposed for general governmental services, including but not limited to police, fire, ambulance, or library services where the service is available to the public at large in substantially the same manner as it is to property owners.
- (3) Board reviewed the draft proposed Notice of Hearing to the rate payers, made comments, and directed staff to revise the Notice of Hearing, which is acceptable and the contents of the material outlining the need for the increase is acceptable;
- (4) Board authorized the mailing of the Notice of Hearing and other material pursuant to Proposition 218 by May 6, 2024. (The written notice must be made at least 45 days in advance of the Public Hearing in which the District will consider the proposed increase of the charge.)
- (5) Board set May 17, 2024, as the date for the first reading of the Proposed Ordinance authorizing the increase of the sewer service charge; and
- (6) Board set June 21, 2024, as the date of the regular meeting for the Public Hearing on whether the Board will increase the sewer service charge and pass the Ordinance for such increase.

**May 6, 2024:** SRSD staff sent out 11,980 Notices of Hearing and other material to all parcel owners within SRSD pursuant to the requirement of Proposition 218.

**May 17, 2024:** At this regular Board meeting, the Board will perform the following:

- (1) Conduct a first reading of the Proposed Ordinance;**
- (2) Authorize a publication of a summary of the Proposed Ordinance, which includes the date of the Hearing on such Proposed Ordinance in the Marin Independent Journal by June 5, 2024, and post the full text of the Proposed Ordinance at both the District office and City Hall.**

**June 5, 2024:** Publication of the summary of the Proposed Ordinance and date of Hearing should occur in the Marin Independent Journal. Also, the full text of the Proposed Ordinance should be posted at the District office and City Hall though June 21, 2024. District Secretary Kathryn Nelson should execute a certificate that a summary of the Ordinance was published, and the full text was posted.

**June 21, 2024:** SRSD Meeting – Hearing on Proposed Ordinance. This date also represents the date that persons receiving the Notice of the Proposed Sewer Service Charge Increase can verbally protest or submit written protests. Please note, if there is not a majority protest and the Board passes the Ordinance, then the Ordinance should be prepared and submitted for publication (either in full or a summary) to the Marin Independent Journal by July 6, 2024.

**July 6, 2024:** Publication of the Ordinance as passed or a summary of the Ordinance should be published within fifteen (15) days of June 21, 2024, in the Marin Independent Journal along with the names of the Board members voting for and against the Ordinance. Additionally, the full text of the Ordinance as passed should be posted at the District office for one week as well as at City Hall where the Ordinance was passed. District Secretary Kathryn Nelson should execute a certificate under penalty of perjury that both of the publication and posting occurred.

**ACTION REQUIRED:**

Staff recommends that the Board perform the following:

**4c:** Conduct the First Reading of Proposed Ordinance increasing the sewer service charges and setting the public hearing for June 21, 2024; and

**4d:** Authorize publication of a summary of the proposed ordinance, which includes the date of the hearing on such proposed ordinance in the Marin Independent Journal by June 5, 2024, and the posting of the full text of the proposed ordinance at both the District Office and City Hall.

Attachments: Notice of Proposed Ordinance Number 59  
Summary of Proposed Ordinance



NOTICE OF PROPOSED ORDINANCE TO BE CONSIDERED FOR  
ADOPTION BY THE SAN RAFAEL SANITATION DISTRICT ON  
JUNE 21, 2024

SAN RAFAEL SANITATION DISTRICT  
ORDINANCE NUMBER 59

AN ORDINANCE AMENDING ORDINANCE NUMBER 58  
INCREASING THE SEWER USER SERVICE CHARGE FROM \$71.72  
PER MONTH PER USER UNIT TO \$80.33 PER MONTH FOR FISCAL  
YEAR JULY 1, 2024, TO JUNE 30, 2025, AND INCREASING THAT  
SEWER USER SERVICE CHARGE TO \$84.34 PER MONTH FOR FISCAL  
YEAR JULY 1, 2025, TO JUNE 30, 2026, AND INCREASING THAT  
SEWER USER SERVICE CHARGE TO \$88.56 PER MONTH FOR FISCAL  
YEAR JULY 1, 2026, TO JUNE 30, 2027, AND SUCH MONTHLY CHARGE  
SHALL REMAIN AT \$88.56 PER MONTH FOR EACH SUCCESSIVE YEAR  
UNTIL CHANGED BY THE DISTRICT BOARD OF DIRECTORS

THE BOARD OF DIRECTORS OF THE SAN RAFAEL SANITATION  
DISTRICT OF MARIN COUNTY DO ORDAIN as follows:

**SECTION 1. Definitions.**

(a) **Agent.** An agent means any person specifically authorized to act on behalf of the engineer for the San Rafael Sanitation District.

(b) **Assessor's Use Code.** Assessor's Use Code means the number coding and classification of property in use by the Marin County Assessor.

(c) **Connection.** Connection means any physical connection between any type of piping not owned by the District to any type of piping which is directly or indirectly connected to the District Sewer System.

(d) **District.** District means the SAN RAFAEL SANITATION DISTRICT, a special district organized pursuant to California Health and Safety Code Section 4700.

(e) **District Sewer System.** District sewer system means any sewer which is part of the sewage facilities owned and operated by the District.

(f) **Dwelling Unit.** Dwelling unit means any residence, portion of apartment house, or other habitation occupied by a single person or single family and requiring sewage disposal services.

(g) **Engineer.** Engineer means the engineer appointed, employed or retained and designated by the Board of the San Rafael Sanitation District to perform the District's engineering and administrative work.

(h) **Owner.** Owner means the person holding fee title to any premises as shown by the official records of the County Recorder of Marin County.

(i) **Person.** Person means any person, firm, company, corporation, partnership, association, any public corporation, political subdivision, city, county, district, the State of California, or the United States of America, or any department or agency thereof.

(j) **Premises.** Premises means any lot, piece or parcel of real property improved or unimproved within the territorial limits of the District.

(k) **Sewer User Unit.** Sewer user unit means any dwelling unit or any building, commercial establishment, industry, or other improvement which discharges sewage flow equivalent to one dwelling unit.

**SECTION 2. Purpose.**

The purpose of the ordinance shall be to operate the San Rafael Sanitation District.

**SECTION 3. Free Services.**

No facilities or services of the sewer system shall be furnished to any premises or to any owner or other person free of charge.

**SECTION 4. Minimum Monthly Sewer Service Charge.**

For each premise connected or required by the District to be connected to the sewer system, the minimum monthly sewer service charge shall be established by this ordinance of the District Board and may be amended from time to time by future ordinances. There will be no charge for vacant land or premises not connected to the District's sewer system.

**SECTION 5. Sewer Service Charge as Minimum.**

As used herein, the minimum monthly sewer service charge shall be construed to mean the minimum amount chargeable for said service; however, for any of the classifications listed herein, the monthly service charge may be more than that adopted by the District Board pursuant to Section 4 when it is determined by the District Engineer that because of certain facts involved, it is uneconomical for the District to supply sewer services to the user for the minimum sewer service charge.

**SECTION 6. Sewer User Description.**

The following sewer user classes are as defined by the Marin County Assessor. Future changes or additions by the Marin County Assessor may be included by the District.

<b>Assessor's Use Code</b>	<b>Assessor's Use Code Description</b>	<b>Sewer User Unit Assignments</b>
00	Vacant	One per dwelling unit
10	Single Family Residential - Unimproved	One per dwelling unit
11	Single Family Residential - Improved	One per dwelling unit
12	Mobile Home - Improved	One per dwelling unit
14	Attached Single Family Residential (condominium)	One per dwelling unit
15	Common Area Parcel (residential and commercial)	One per dwelling unit or equivalent thereof
20	Multiple Residential - Unimproved	One per dwelling unit

21	Multiple Residential - Improved	One per dwelling unit
36	Open Space - Unimproved	One per dwelling unit or equivalent thereof
40	Industrial - Unimproved	One per dwelling unit or equivalent thereof
41	Industrial - Improved	One per dwelling unit or equivalent thereof
50	Commercial - Unimproved	One per dwelling unit or equivalent thereof
51	Commercial - Improved	One per dwelling unit or equivalent thereof
51	Commercial - Improved (condominium)	One per dwelling unit or equivalent thereof
60	Subject to Exemption - Unimproved (churches, schools, etc.)	One per dwelling unit or equivalent thereof
61	Subject to Exemption - Improved	One per dwelling unit or equivalent thereof
80	Non-Taxable - Unimproved/Improved	One per dwelling unit or equivalent thereof
90	Public Utility - Unimproved/Improved	One per dwelling unit or equivalent thereof

**SECTION 7. Assignment of Sewer User Units.**

**(a) One Unit Minimum.** All premises connected to the District's facilities will be assigned a minimum of one sewer user unit.

**(b) Residential Dwellings.** One sewer user unit shall be assigned to each single family residential dwelling unit, each dwelling unit of a multiple residential building, and each dwelling unit contained in a commercial, industrial, or other improved premise.

**(c) Non-Residential Premises.** For premises other than dwelling units and commercial condominiums, sewer user units shall be assigned based on the water usage of the premise. One sewer user unit shall be assigned for each 1,000 cubic feet of average monthly water consumption determined from the latest winter water consumption records (mid-December to mid-February) available from Marin Municipal Water District. Irrigation flows and other flows not discharging to the sewerage system are assigned zero sewer user units.

**High Strength Sewage.** For certain non-residential premises which discharge sewage having significantly greater strength characteristics as measured by concentration of suspended solids or biochemical oxygen demand than residential sewage, the total sewer user unit assignment shall be determined by multiplying the units by the strength factor indicated below:

<u>User</u>	<u>Strength Factor</u>
Markets with garbage disposals	2.34
Restaurants	2.34
Bakeries	2.34
Mortuaries	2.34
Food Service Establishments with grease interceptors	2.09

For other users, if any, discharging high-strength sewage, the strength factor shall be determined by the District Manager.

Sewer user units, as calculated above, shall be rounded to the nearest integer (not less than one).

**(d) Inquiries Regarding Assignment of Sewer User Units.** Questions or inquiries regarding the assignment of sewer user units must be submitted to the District in writing before changes in unit assignments will be made.

**(e) Correctness of District Sewer User Charges.** Each property owner is responsible for the correctness of their own sewer user charges. Refunds and the collection of undercharges would be permitted as mandated by State law and District policy regarding refunds.

**SECTION 8. Monthly Service Charge.**

For fiscal year 2024/2025, the sewer user charge shall be increased from \$71.72 per month to \$80.33 per month; and for fiscal year 2025/2026, the sewer user charge shall be increased from \$80.33 per month to \$84.34 per month; and for fiscal year 2026/2027, the sewer user charge shall be increased from \$84.34 per month to \$88.56 per month and shall remain at \$88.56 per month for each successive year until changed by the District Board of Directors.

**SECTION 9. Person Responsible for Payment.**

The person responsible for payment of all charges shall be the owner of record of such premise.

**SECTION 10. Effective Date of Sewer Service Charges.**

Sewer service charges shall become effective against all premises immediately upon connection to the District's facilities. However, charges are established once a year in July for the following fiscal year.

**SECTION 11. Termination of Service.**

If any premises shall become vacant, the applicable minimum monthly service charge shall continue to be charged to and collected from the owner of such premises until the District Manager is notified in writing that such premises are vacant or unoccupied, or until the District Manager receives a written statement or request from such owner to disconnect such premises from the sewer system. No rebates will be given for discontinued service for the remainder of the current fiscal year.

**SECTION 12. Severability.**

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, no other provision of this ordinance shall be affected thereby.

**SECTION 13. Repeals.**

All parts of prior ordinances of this District which are inconsistent or in conflict with the constitutional enforcement of this ordinance are hereby repealed.

**SECTION 14. Effective Date.**

This ordinance shall be effective (30) days after its passage; and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of the members voting for and against it in the Marin Independent Journal, a newspaper of general circulation published within said Sanitation District.

**SECTION 15. Challenge to Ordinance.**

Any person challenging the validity of any provision of this ordinance must do so within a court of competent jurisdiction not later than ninety (90) days from the effective date of this ordinance.

**PASSED AND ADOPTED** at a regular meeting of the San Rafael Sanitation District, held this 21st day of June, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT/ABSTAIN:**

\_\_\_\_\_  
**Kate Colin, Chair**

**ATTEST:**

\_\_\_\_\_  
**Maribeth Bushey, Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kerry Gerchow, Deputy County Counsel**

**SUMMARY OF PROPOSED ORDINANCE  
OF THE SAN RAFAEL SANITATION DISTRICT  
TO INCREASE SEWER USER CHARGE**

Ordinance No. 58 was passed and adopted on June 26, 2013, and set forth the San Rafael Sanitation District's rate fee structure for the sewer user service charge. The proposed Ordinance will increase the sewer user service charge from \$71.72 per month per user unit to \$80.33 per month for Fiscal Year 2024-25 and from \$80.33 per month to \$84.34 per month for Fiscal Year 2025-26 and from \$84.34 per month to \$88.56 per month for Fiscal Year 2026-27, and such monthly charge shall remain at \$88.56 per month for each successive year unless amended by the District Board of Directors.

Copies of said proposed Ordinance may be obtained by calling or writing the District office located at 111 Morphew Street, San Rafael, CA 94901; Telephone (415) 454-4001. All interested persons are encouraged to attend the Public Hearing.

The Public Hearing on the proposed Ordinance will be held on Friday, June 21, 2024, at 9:00 A.M. at the Council Chambers located in the City Hall of the City of San Rafael at 1400 Fifth Avenue, San Rafael.

**SAN RAFAEL SANITATION DISTRICT**  
*Agenda Item No. 4.e.*

**DATE:** May 17, 2024

**TO:** Board of Directors, San Rafael Sanitation District

**FROM:** Doris Toy, District Manager/District Engineer

**SUBJECT:** Adopt resolution authorizing the District Manager/District Engineer to sign an Amendment to Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project

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**RECOMMENDATION:**

Adopt resolution authorizing the District Manager/District Engineer to sign a fourth Amendment to Agreement with Nute Engineering for design related services for Phase B1 of the Bayside Acres Beach Sewer Relocation Project from the amount of \$783,758 to the total amount of \$1,008,878.

**BACKGROUND:**

Within the Bayside Acres Beach neighborhood there are 19 homes located along the beach with addresses on Beach Drive, Oak Drive, Marine Drive, and Point San Pedro Road where the homes sit between the road and the beach; and the road is at a higher elevation. Their laterals run down to the beach where the sewer main is located. The sewer was installed in 1972, and at that time, the high tides and sea-level rise were not an issue. At present, our sewer infrastructure is in the tidal zone; and the moderate to high tides cover the manholes, which have lids that have corroded shut. Due to this situation, our staff is unable to access the sewer main to perform maintenance.

Since the Bayside Acres Beach Sewer Relocation Project has many components, District staff and Nute Engineering decided to break the project in several phases. The first phase (Phase A) consists of installing approximately 1,800 feet of new 8-inch sewer main in Oak Drive, Marine Drive, and Point San Pedro Road, where the future laterals will be connected. The second phase (Phase B) is to install the new private residential pump systems and laterals for each of the 19 properties. Once they have been connected, the District will decommission the existing sewer main in the beach as the last phase (Phase C).

On July 17, 2020, the District entered into a Professional Services Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project for \$380,000. On August 8, 2022, the District amended its Agreement with Nute Engineering for engineering services during the sewer main construction of Phase A in the amount of \$40,321. When Nute Engineering and staff began to design the project for the new sewer main, the District had more clear direction on this project which resulted in a second Amendment to the Agreement (September 15, 2022) for additional design services for each of the new private residential pump system and lateral portion of the project, including civil, geotechnical, mechanical, and electrical design and permits for \$333,608.

The District is currently in Phase B, focusing on the design and construction of the private residential pump system and laterals. Staff has decided to break this phase into 4 subgroups (B1, B2, B3, and B4), where 4 to 6 properties are in each subgroup based on similar characteristics that will be bid separately. This will help with permitting, design, and overall responsiveness and service by the contractor and managing the construction effectively.

At the January 2024 Board meeting, the Board awarded Pat Nelson Construction, Inc. for the construction of Phase B1 (177, 179, 181, and 183 Oak Drive) of the Bayside Acres Beach Sewer Relocation project. Since it is unknown what each design of the various phases will entail, Nute Engineering did not include engineering services during construction in its proposal. Therefore, at the April 26, 2024, Board meeting, the Board approved the third Amendment to Agreement with Nute Engineering for its engineering services during the construction of Phase B1.

Nute Engineering is currently at 90% or greater with its design for Phase B2, B3 and B4, and has submitted the attached proposal to complete the design for the entire Bayside Acres Sewer Relocation Project, which includes all B phases, and phase C, the decommissioning of the existing sewer pipe in the beach.

### **ANALYSIS:**

Nute Engineering has submitted a proposal for the following services to complete the design of the Bayside Acres Sewer Relocation Project:

- Attend and participate in the weekly design and public relations discussions with the project team until February 2025;
- Complete design for each phase of the residential pump system, i.e. Phase B2, B3, and B4.
- Complete design for the decommissioning of the existing sewer pipe. Nute and its subconsultant, Prunuske Chatham, will perform environmental special studies and prepare regulatory permit applications for Army Corps of Engineers 404 Nationwide Permit, BCDC Permit, and Regional Water Quality Control Board 401 Water Quality Certification; and prepare the plans and specifications for bidding.

Since the second Amendment in September 2022, we made a couple of major changes in developing this project that result in additional time:

- Separated the Design of the 19 Residential Pump System into four phases, which resulted in 4 separate bid documents and environmental permits.
- Meeting each property owner at least twice to ensure that there is an agreement with the design on each property and that each property owner sign the “Right-of-Entry and Agreement to Construction and Release for Design and Construction of Lateral Sanitary Sewer Line and Pump” (or Opt Out) Agreement. And in some instances, there are follow-up meetings, phone calls, and emails.

Nute Engineering proposes to perform the additional design related services for the District on a time-and-materials basis for an amount not to exceed \$225,120.

District staff has reviewed Nute Engineering’s additional scope of work and cost estimate and agrees with it as presented.



**FISCAL IMPACT:**

The additional design related services will be funded under the 80-Year Life Cycle Sewer Replacement Program from the FY 2023-24 and 2024-25 Budget.

**Existing Agreement and Amendments and Proposed Additional Costs:**

Original Nute Engineering Agreement Cost	\$ 380,000.00
Amendment #1-Construction Support Services for Phase A	\$ 40,321.00
Amendment #2-Design Services for Phase B	\$ 333,608.00
Amendment #3-Construction Services for Phase B1	\$ 29,829.00
Amendment #4-Design Services to Complete Phase B2-B4, C	\$ 225,120.00
<b>Total</b>	<b>\$ 1,008,878.00</b>

**OPTIONS:**

- 1) Staff recommends that the Board approve the increase in Nute Engineering’s budget to include the additional design related services to complete the Bayside Acres Beach Sewer Relocation Project from \$783,753.00 to \$1,008,878.00, for an additional amount of \$225,120.00.
- 2) The Board may reject approval of the budget increase. Staff does not recommend this option since this will delay the entire project.

**ACTION REQUIRED:**

Staff recommends that the Board adopt the resolution authorizing the District Manager/District Engineer to sign a Fourth Amendment to Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project from the amount of \$783,753.00 to the total amount of \$1,008,878.00, for an additional amount of \$225,120.00.

Attachments:

1. Resolution
2. Fourth Amendment to Agreement

**SAN RAFAEL SANITATION DISTRICT**

**RESOLUTION NO. 24-1284**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SAN RAFAEL SANITATION DISTRICT  
AUTHORIZING THE DISTRICT MANAGER/DISTRICT ENGINEER  
TO EXECUTE A FOURTH AMENDMENT TO AGREEMENT  
WITH NUTE ENGINEERING FOR DESIGN RELATED SERVICES FOR THE  
BAYSIDE ACRES BEACH SEWER RELOCATION PROJECT  
FOR AN ADDITIONAL AMOUNT OF \$225,120.00**

**THE BOARD OF DIRECTORS OF THE SAN RAFAEL SANITATION DISTRICT, COUNTY  
OF MARIN**, hereby resolves as follows:

The District Manager/District Engineer is hereby authorized to execute, on behalf of the San Rafael Sanitation District, a fourth Amendment to Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project, a copy of which is hereby attached and by this reference made a part hereof.

**PASSED AND ADOPTED** at a regular meeting of the San Rafael Sanitation District Board of Directors held on the 17th day of May, 2024 by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT/ABSTAIN:**

**SAN RAFAEL SANITATION DISTRICT**

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**Kate Colin, Chair**

**ATTEST:**

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**Maribeth Bushey, Secretary**

**FOURTH AMENDMENT TO AGREEMENT  
FOR PROFESSIONAL SERVICES  
TO COVER ADDITIONAL DESIGN RELATED SERVICES  
BY NUTE ENGINEERING FOR THE  
BAYSIDE ACRES BEACH SEWER RELOCATION PROJECT**

This fourth Amendment to the original Agreement is made and entered into this 17th day of May 2024, by and between the SAN RAFAEL SANITATION DISTRICT and NUTE ENGINEERING.

This fourth Amendment covers increasing the original contract budget amount of \$380,000.00 by the following Amendments:

- Amendment #1-Construction Support Services for Phase A      \$ 40,321.00
- Amendment #2-Design Services for Phase B                              \$ 333,608.00
- Amendment #3-Construction Services for Phase B1                      \$ 29,829.00

and by approximately \$225,120.00 to cover additional design related services for the Bayside Acres Beach Sewer Relocation Project. The amended total budget amount is not to exceed \$1,008,878.00.

All of the additional work will be in accordance with the attached proposed scope of services dated May 14, 2024, and attached herein as Exhibit "A".

SAN RAFAEL SANITATION DISTRICT

CONSULTANT

\_\_\_\_\_  
Doris Toy, P.E.  
District Manager/District Engineer

NUTE ENGINEERING

APPROVED AS TO FORM:

By: \_\_\_\_\_

\_\_\_\_\_  
Kerry Laiw Gerchow  
Deputy County Counsel

Title: President \_\_\_\_\_



May 14, 2024

Ms. Doris Toy, District Manager/District Engineer  
San Rafael Sanitation District  
111 Morphew St.  
San Rafael, CA 94901

Re: San Rafael Sanitation District  
Bayside Acres Beach Sewer Relocation Project - Phase B Budget Increase  
Proposal for Design Engineering Services

Dear Doris:

We are providing a budget increase request for the design engineering services for the San Rafael Sanitation District's Bayside Acres Beach Sewer Relocation Project – Phases B2, B3, B4, and Phase C Sewer Decommissioning.

## **PROJECT BACKGROUND AND CURRENT PROJECT STATUS**

### **PROJECT BACKGROUND**

Following an extensive public information process, in a Board meeting on May 20, 2022, the San Rafael Sanitation District Board approved staff to proceed with engineering and design of the private sewer laterals and residential pump systems for the 19 homes in the Bayside Acres area. This direction required Nute Engineering and District staff to consult with homeowners and design new residential pump systems on private property. The systems will need to be supplied electrical power from the home electrical system, and will be maintained and operated by the homeowners. For the design of these systems a reasonable effort will be made to screen and hide the pump and sump units and associated hardware.

In addition to the new residential pump systems and laterals, in order to complete the Bayside Acres and Beach Sewer Relocation Project, new gravity sewer mains have been designed and constructed in the surface streets located uphill of these beach side properties. Once all of the 19 homes have been reconnected to the gravity sewer mains, the original two sewers located in the beach areas will have to be decommissioned.

### **PROJECT STATUS**

Design of the new gravity mains in the surface streets (Phase A) to serve the future residential sewer pumps was completed in May 2022. Construction of these sewers was completed during the summer of 2022. In person outreach with the homeowners for design of the residential sewer system then began in order to gather information from the homeowners on where the new private systems should be located on their property. Soon after the outreach began, the breadth of the planned project and its impact to so many properties in these small neighborhoods was better understood, it was determined that the Phase B work will be divided into four separate projects:

- B1 is 177 Oak Dr., 179 Oak Dr., 181 Oak Dr., and 183 Oak Dr.
- B2 is 50 Beach Dr., 51 Beach Dr., 53 Beach Dr., 9 Marine Dr., and 11 Marine Dr.,
- B3 is 187 Oak Dr., 189 Oak Dr., 191 Oak Dr., 191 Oak Dr., and 193 Oak Dr.
- B4 is 800 Pt San Pedro Rd., 816 PSP Rd., 824 PSP Rd., 832 PSP Rd., and 836 PSP Rd.

The final decommissioning of the existing beach sewers will be a stand alone final Phase C. This will involve a greater permitting effort due to multiple regulatory agencies with jurisdiction over work within the special environmental area of the beach intertidal zone.

Design of Phase B1 was completed in December 2023 and a construction contract was awarded in February 2023 to Nelson Construction of Petaluma.

The design of the remaining B phases (B2, B3, and B4) has been completed to a 90 percent level but still requires the extensive public outreach to the homeowners necessary for their final approval of the work on their property. Currently, for the B2 homeowners, Right to Enter construction agreements have been signed and collected. Collection of the signed agreements for B3 will begin the middle of April and collection of B4 signed agreements will begin soon after that.

This final approval from the homeowners not only includes a signed acceptance of the construction plans for the new residential pump system, but also includes a signed Right of Entry Agreement from the homeowners. This has proven to be one of the more time consuming tasks for the overall project.

## REGULATORY REQUIREMENTS

District Staff and the project environmental consultant, Prunuske Chatham, Inc. of Petaluma, met with Federal, State and Regional agencies to determine the regulatory permitting requirements for all phases of the project. Phase A was the construction of new sewers within existing public streets and was exempt from all permitting agencies except for construction phase County Encroachment Permit. The specific Phase B work on the private properties has been determined to not be regulated by the Federal and State agencies (e.g. Army Corps of Engineers, Regional Water Quality Control Board, Calif. Fish and Wildlife). But because all of the private properties are within the San Francisco Bay Conservation and Development Commission (BCDC) jurisdictional band at the Bay shoreline, work on these properties requires a BCDC permit.

The BCDC permit application for Phase B1 was completed on January 19, 2024, and the final permit was received on April 18<sup>th</sup>. The BCDC application requires homeowner approval and sign off of the right to enter agreements to complete the application. Because the 90 day period that BCDC is allowed for final permitting, the period of time from application to issued permit is proving to be longer than expected (minimum 4 months). Construction on the private properties cannot begin without this permit, and is subsequently adding a delay for when construction of each phase will begin.

Finally, Phase B4 and Phase C, are expected to also require permitting from Federal and State in addition to BCDC. This is because, for Phase B4, some of the work for individual house pump systems are within the intertidal beach zone and the BCDC shoreline band. For Phase C, all of the abandonment work of the existing gravity sewer is within the intertidal zone. Prunuske & Chatham, Inc. has initiated the Biological Resources Evaluation for these two phases of the project.

## REMAINING DESIGN TASKS FOR COMPLETING THE PROJECT PLANS

As indicated above, the plans and specifications for Phases B2, B3 and B4 are at 90 percent or greater. All of the homeowners for B2 have signed the Right of Entry Agreement and the plans for their property.

For Phases B3 and B4, more homeowner outreach is required to meet with each property owner on their property and present and discuss the installation of the residential pump system on their property. It is expected that most of these homeowners will have questions and request changes before finalizing the plans.

Since Phase B4 houses are closer to the beach zone, and at least one home has a living unit located over the intertidal zone, it is expected that final design issues will be more complicated. For instance, 824 Point San Pedro's living unit over the intertidal zone will require special mounting requirements for the pump system. Therefore, final homeowner signoff is expected to take longer.

In addition, for Phase B4, the final design will be more difficult and take longer to complete pending the additional regulatory agency review.

However, for Phases B2 and B3, once homeowner sign off is completed the final construction bid documents; Plans, Specifications and Engineers Estimate, can be completed and bidding each of the projects can be planned based on the BCDC permitting time period.

## **BASIC SERVICES TO BE PERFORMED BY THE ENGINEER**

The following is the scope of services we propose to provide on the above referenced design for the Bayside Acres Beach Sewers Project, assisted by, Prunuske-Chatham, Inc. for Regulatory Permitting. Miller Pacific Engineering Group geotechnical engineers will review the final plans for pump system placement and construction impact to property. We also have included a budget for consultations with Fowler Electrical (Electrical Contractor) and Forster Pump (residential pump contractor).

### **Weekly Project Team Meetings**

1. Attend and participate in the weekly design and public relation discussions with the project team (assume from March 2024 to February 2025). Construction period meetings will be covered by the respective Phase engineering services during construction budget.

### **Schedule B Services – Complete Each Phase Residential Pump**

#### *Phase B2*

1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls
2. Meet with the District to review home owner comments, prepare 95% plans
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements
4. Based on construction plans and specs, prepare final project construction cost estimate
5. Prepare BCDC permit application
6. Prepare final plans and specifications
7. Prepare Bid Documents for printing, including District's standard instructions to bidders
8. Attend on-site pre-bid meeting with prospective contractors
9. Provide assistance during bidding consisting of answering questions and issuing addenda
10. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation

### *Phase B3*

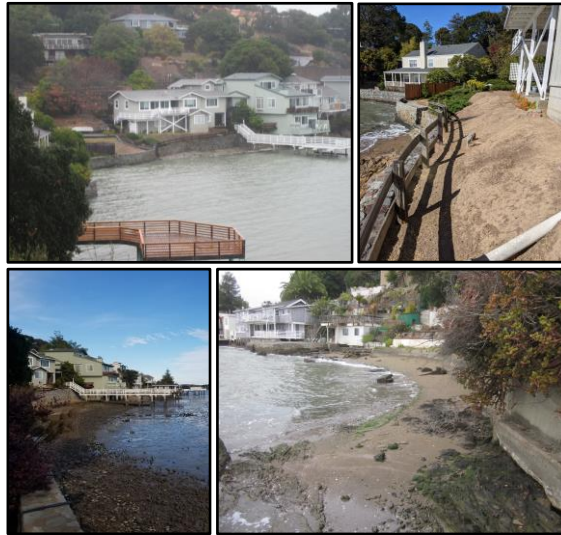
1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls
2. Meet with the District to review home owner comments, prepare 95% plans
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements
4. Based on construction plans and specs, prepare final project construction cost estimate
5. Prepare BCDC permit application
6. Prepare final plans and specifications
7. Prepare Bid Documents for printing, including District's standard instructions to bidders
8. Attend on-site pre-bid meeting with prospective contractors
9. Provide assistance during bidding consisting of answering questions and issuing addenda
10. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation

### *Phase B4*

1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls
2. Meet with the District to review home owner comments, prepare 95% plans
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements
4. Based on construction plans and specs, prepare final project construction cost estimate
5. Prepare BCDC permit application
6. Prepare Corps of Engineers 404 Nationwide Permit application
7. RWQCB 401 WQ Certification
8. Prepare final plans and specifications
9. Prepare Bid Documents for printing, including District's standard instructions to bidders
10. Attend on-site pre-bid meeting with prospective contractors
11. Provide assistance during bidding consisting of answering questions and issuing addenda
12. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation

## **Schedule C Services – Environmental Special Studies and Regulatory Permitting**

1. Initiate Special Studies to support CEQA for residential pump systems and permitting for existing beach sewer system abandonment (PCI)
2. Prepare regulatory permit applications package for Army Corps of Engineers 404 Nationwide Permit
3. Prepare regulatory permit applications package for RWQCB 401 Water Quality Certification
4. Prepare regulatory permit application for BCDC permit
5. Prepare 65% Phase C Abandonment of Beach Sewers Plan sheets and specifications
6. Assist PCI with regulatory permit application
7. Prepare 95% Phase C Plans and Specifications
8. Incorporate District and regulatory agency comments and prepare final plans and specifications
9. Prepare Bid Documents for printing, including District's standard instructions to bidders
10. Attend on-site pre-bid meeting with prospective contractors
11. Provide assistance during bidding consisting of answering questions and issuing addenda
12. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation
13. Prepare Phase C construction cost estimate



## SERVICES NOT INCLUDED IN THIS PROPOSAL

It is understood that the following services are outside the scope of this proposal and will be provided by others:

1. Potholing of underground utilities.
2. Investigations of potential hazardous wastes in the soil or groundwater.
3. Necessary permit application fees.
4. Legal services in connection with the project.
5. Acquisition of easements.
6. Printing of plans and specifications for bidding purposes and for the Contractor's use.
7. Clerical time to send bid documents out to bidders.
8. Engineering Services During Construction.
9. On-site inspection services.
10. Survey during construction.



## PROPOSED DESIGN SCHEDULE

### Phase B2

- |   |                |
|---|----------------|
| • 95% Plans, Specifications and Construction Estimate Review Set to District: | May 20, 2024   |
| • Final BCDC Permit for Phase B2  | Sept. 1, 2024  |
| • Complete Final Bid Documents for Phase B2                                   | Sept. 16, 2024 |



Phase B3

- 95% Plans, Specifications and Construction Estimate Review Set to District: June 17, 2024
- Final BCDC Permit for Phase B3 Oct. 15, 2024
- Complete Final Bid Documents for Phase B3 Oct. 15, 2024

Phase B4

- 95% Plans, Specifications and Construction Estimate Review Set to District: June 28, 2024
- Final BCDC Permit for Phase B4 Nov. 15, 2024
- Complete Final Bid Documents for Phase B4 Nov. 15, 2024

Phase C

- 95% Plans, Specifications and Construction Estimate Review Set to District: Jan. 1, 2025
- Final BCDC Permit for Phase C March 1, 2025
- Complete Final Bid Documents for Phase C March 15, 2025


**ENGINEERING FEE**

We propose to do all the work on a time and materials basis to be billed according to the Schedule of Hourly Rates attached hereto as Attachment A. The estimated labor hours and costs for the work by task and job classification are shown in Attachment B. The following is the budget for the engineering fees for the schedules outlined above:

Weekly Project Meetings	\$ 12,768
Phase B2	\$ 38,805
Phase B3	\$ 42,397
Phase B4	\$ 61,692
Phase C	\$ 69,458
	<u>\$ 225,120</u>

Very truly yours,

NUTE ENGINEERING

By:   
Mark T. Wilson, PE

- Attachment A – Schedule of Hourly Rates
- Attachment B – Project Estimating Sheet
- Attachment C – Table of Hourly Effort for Each House

**ATTACHMENT B  
SAN RAFAEL SANITATION DISTRICT  
BAYSIDE ACRES BEACH SEWER RELOCATION PROJECT  
PROPOSAL FOR BUDGET INCREASE FOR DESIGN ENGINEERING SERVICES, PHASE B  
PROJECT ESTIMATING SHEET**

**NUTE ENGINEERING  
907 Mission Ave  
San Rafael, CA 94901**

Description	Rate \$/Hr	Senior Engineer	Engineer III	CAD Drafter I	Tech Admin Support	Direct Costs			Direct Cost Markup	TOTAL
		\$228	\$215	\$149	\$128	MPEG	Prunuske Chatham	Fowler Electric		
<b>Weekly Project Team Meetings</b>										
1. Attend and participate in the weekly design and public relation discussions with the project team (assume from March 2024 to February 2025)		56								
	Hours	56								
	Cost	\$12,768								\$12,768
<b>Schedule B Services – Complete Each Phase Residential Pump</b>										
<b>PHASE B2</b>										
1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls		8			12					
2. Meet with the District to review home owner comments. prepare 95% plans		2		40						
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements		10			8					
4. Based on construction plans and specs, prepare final project construction cost estimate		4			4					
5. Complete BCDC permit application		11			8			\$9,500	\$950	
6. Prepare final plans and specifications		4	4	10	4	\$1,300		\$250	\$155	
7. Prepare Bid Documents for printing, including District's standard instructions to bidders		4			6					
8. Attend on-site pre-bid meeting with prospective contractors		4								
9. Provide assistance during bidding consisting of answering questions and issuing addenda		4			8					
10. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation		2			6					
	Hours	49	4	50	56					
	Cost	\$11,172	\$860	\$7,450	\$7,168	\$1,300	\$9,500	\$250	\$1,105	\$38,805
<b>PHASE B3</b>										
1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls		6			12					
2. Meet with the District to review home owner comments and 65% comment, prepare 95% plans		2		60						
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements		16			8					
4. Based on construction plans and specs, prepare final project construction cost estimate		4			6					
5. Prepare BCDC permit application		9			8			\$9,500	\$950	
6. Prepare final plans and specifications		3	4	10	5	\$1,300		\$250	\$155	
7. Prepare Bid Documents for printing, including District's standard instructions to bidders		4			6					
8. Attend on-site pre-bid meeting with prospective contractors		4								
9. Provide assistance during bidding consisting of answering questions and issuing addenda		4			8					
10. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation		2			6					
	Hours	50	4	70	59					
	Cost	\$11,400	\$860	\$10,430	\$7,552	\$1,300	\$9,500	\$250	\$1,105	\$42,397

Description	Rate \$/Hr	Senior Engineer	Engineer III	CAD Drafter I	Tech Admin Support	Direct Costs			Direct Cost Markup	TOTAL
		\$228	\$215	\$149	\$128	MPEG	Prunuske Chatham	Fowler Electric		
<b>PHASE B4</b>										
1. Prepare technical specifications for new residential pump system, mechanical, and electrical pump controls		8			12					
2. Meet with the District to review home owner comments and 65% comment, prepare 95% plans		3		79						
3. Meet with homeowners to review 95% Plans, deliver/discuss ROE Agreements, obtain signed Agreements		18			12					
4. Based on construction plans and specs, prepare final project construction cost estimate		5			6					
5. Prepare BCDC permit application		10			4		\$6,300		\$630	
6. Prepare Corps of Engineers 404 Nationwide Permit application					4		\$6,600		\$660	
7. RWQCB 401 WO Certification					4		\$8,500		\$850	
8. Prepare final plans and specifications			4	8	7	\$1,700		\$250	\$195	
9. Prepare Bid Documents for printing, including District's standard instructions to bidders		5			7					
10. Attend on-site pre-bid meeting with prospective contractors		3								
11. Provide assistance during bidding consisting of answering questions and issuing addenda		4			8					
12. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation		2			6					
Hours		58	4	87	70					
Cost		\$13,224	\$860	\$12,963	\$8,960	\$1,700	\$21,400	\$250	\$2,335	\$61,692
<b>Schedule C Services – Environmental Special Studies and Regulatory Permitting</b>										
<b>PHASE C</b>										
1. Initiate Special Studies to support CEQA for residential pump systems and permitting for existing beach sewer system abandonment (PCI)										
2. Prepare regulatory permit applications package for Army Corps of Engineers 404 Nationwide Permit		10					\$10,100		\$1,010	
3. Prepare regulatory permit applications package for RWQCB 401 Water Quality Certification							\$11,000		\$1,100	
4. Prepare regulatory permit application for BCDC permit							\$13,000		\$1,300	
5. Prepare 65% Phase C Abandonment of Beach Sewers Plan sheets and specifications				48	12					
6. Assist PCI with regulatory permit application		9			18					
7. Prepare 95% Phase C Plans and Specifications				20	8					
8. Incorporate District and regulatory agency comments and prepare final plans and specifications		6		20	8					
9. Prepare Bid Documents for printing, including District's standard instructions to bidders		5			7					
10. Attend on-site pre-bid meeting with prospective contractors		3								
11. Provide assistance during bidding consisting of answering questions and issuing addenda		4			8					
12. Compile bid results, check Contractors/Subcontractors licensing, make award recommendation		2			6					
13. Prepare Phase C construction cost estimate		6								
Hours		45		88	67					
Cost		\$10,260		\$13,112	\$8,576		\$34,100		\$3,410	\$69,458
<b>Total All Schedules</b>										<b>\$225,120</b>