

A G E N D A
SPECIAL MEETING
SAN RAFAEL SANITATION DISTRICT
BOARD OF DIRECTORS
THURSDAY – SEPTEMBER 15, 2022 - 2:00 P.M.
Join Zoom Meeting at <https://us06web.zoom.us/j/89521384378>
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CORONAVIRUS (COVID-19) ADVISORY NOTICE

Consistent with the provisions in Assembly Bill 361, this Board meeting will be held virtually using Zoom.

Public comments for this meeting can be submitted via email to the District Clerk at Cindy.Hernandez@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 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.

If you experience an issue providing comments in the meeting or want to comment via phone, please call 415-485-3132.

Members of the public may speak on Agenda items.

- 1. ROLL CALL**
- 2. ADOPT TELECONFERENCE MEETING RESOLUTION TO COMPLY WITH ASSEMBLY BILL 361**

Adopt resolution making findings that the proclaimed state of emergency continues to impact the ability to meet safely in person and declaring that the Board will continue to meet remotely in order to ensure the health and safety of the public.

3. OPEN PERIOD

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

4. MINUTES OF THE MEETING

Request approval as submitted – August 8, 2022.

5. PAYMENTS

Request approval as submitted.

6. OLD BUSINESS

- a. Discussion and update on the Bayside Acres Sewer Relocation Project. *
 - i. Policy for unbuilt units for the Bayside project.
 - ii. Beach Drive properties in the Bayside project.
- b. Discussion on a Fixed Term Assistant District Manager.

7. NEW BUSINESS

- a. Adopt resolution authorizing the District Manager/District Engineer to sign an Amendment to Agreement with Nute Engineering for design related services for Phase B of the Bayside Acres Beach Sewer Relocation Project.
- b. Discussion on the Associate Management Analyst position.

8. INFORMATIONAL ITEMS

9. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS

10. CLOSED SESSION

- a. **Public Employee Performance Evaluation**
California Government Code Section 54957
Title: District Manager

11. ADJOURNMENT

The next scheduled meeting is October 6, 2022.

* Information not furnished with Agenda.

SAN RAFAEL SANITATION DISTRICT
Agenda Item No. 2.

DATE: September 15, 2022
TO: Board of Directors, San Rafael Sanitation District
FROM: Doris Toy, District Manager/District Engineer
SUBJECT: Adopt Resolution Making Findings that the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safety in Person and Declaring that the Board will Continue to Meet Remotely in Order to Ensure the Health and Safety of the Public

RECOMMENDATION:

Adopt resolution making the findings that the proclaimed state of emergency continues to impact the ability to meet in person and declaring that the Board will continue to meet remotely in order to ensure the health and safety of the public.

BACKGROUND:

The Ralph M. Brown Act requires that except as specifically provided, “meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body,” Gov. Code Section 54953(a). For many years, the Brown Act has authorized members of a local agency’s legislative body to attend a public meeting by teleconference in compliance with strict procedural requirements. Under Government Code Section 54953(b)(3), in order to use teleconferencing, at least a quorum of the legislative body must participate from locations within the agency’s boundaries; and the agency must give notice of each teleconference location and allow members of the public to address the Council at each teleconference location.

On March 4, 2020, Governor Newsom declared a statewide State of Emergency in connection with the COVID-19 pandemic. Subsequently, on March 18, 2020, the Governor issued Executive Order No. N-29-20 suspending the Brown Act’s requirements for in-person meetings and facilitating the use of teleconferencing for public meetings during the State of Emergency. The Executive Order authorized public meetings to be held by teleconference only, provided that notice and accessibility requirements are met, members of the public are allowed to observe and address the legislative body at the meeting, and there is a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities. This order has allowed the Board to hold its public meetings using teleconference technologies, with the requisite notice and public participation; however, the order was due to expire on September 30, 2021, and without legislative action, in-person meetings and the strict teleconferencing procedures of the Brown Act would again be required.

Because the statewide State of Emergency continues and the COVID-19 pandemic still poses a health risk for public meetings, on September 16, 2021, Governor Newsom signed into law as an urgency measure Assembly Bill (AB) 361. AB 361 amends the Brown Act provisions governing the use of teleconferencing for public meetings of a local agency's legislative bodies, allowing more liberal teleconferencing requirements to continue during the current and future state-declared emergencies.

ANALYSIS:

Executive Order N-29-20 has now expired, but AB 361 is now in effect, and its amendments to the Brown Act will allow the District to continue to hold its meetings using teleconferencing technology after September 30th. Government Code Section 54953, as amended by AB 361, now provides in new subsection (e)(1) that during the current and any future state-declared State of Emergency, the legislative body of a local agency may use teleconferencing without complying with the procedural requirements of Government Code Section 54953(b)(3) in any of three circumstances:

- (A) The legislative body holds a meeting during a proclaimed State of Emergency, and State or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed State of Emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed State of Emergency and has determined, by majority vote, pursuant to subparagraph (B), that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Certain additional requirements would apply under the new law, however, including specific requirements as to how public comment must be allowed and heard, with which the Board already complies. In addition:

- In the event of a disruption which prevents the Board from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the District's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevent the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- If a State of Emergency remains active or state of local officials have imposed or recommended measures to promote social distancing in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to

subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

- The legislative body has reconsidered the circumstances of the State of Emergency.
- Any of the following circumstances exist:
 - (i) The State of Emergency continues to directly impact the ability of the members to meet safely in person.
 - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

This resolution is intended to comply with the requirement to make specified findings every 30 days. The resolution finds that the State of Emergency continues in effect, that measures to promote social distancing are still being imposed by the State and county, and that the State of Emergency directly impacts the ability of the public and the members of the Board to meet safely in person. The proposed resolution confirms the Board's determination that its public meetings should continue to be held using only teleconferencing technology.

Staff plans to agendize the same type of resolution at each regular Board meeting during the pendency of the statewide state of emergency so that the Board may continue to reconsider these findings at least every 30 days.

The Brown Act amendments adopted by AB 361 will be operative until January 1, 2024, and will then expire unless extended by new legislation.

FISCAL IMPACT:

None.

OPTIONS:

The Board has the following options to consider on this matter:

1. Adopt the resolution as proposed.
2. Adopt a modified resolution.
3. Direct staff to return with more information.
4. Take no action.

ACTION REQUIRED:

Staff recommends that the Board adopt the resolution making the findings that the proclaimed State of Emergency continues to impact the ability to meet in person and declaring that the Board will continue to meet remotely in order to ensure the health and safety of the public.

Attachment: Resolution

RESOLUTION NO. 22-1253

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN RAFAEL
SANITATION DISTRICT MAKING FINDINGS THAT THE PROCLAIMED STATE OF
EMERGENCY CONTINUES TO IMPACT THE ABILITY TO MEET SAFELY IN
PERSON AND DECLARING THAT THE BOARD OF DIRECTORS WILL CONTINUE
TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF
THE PUBLIC**

WHEREAS, the San Rafael Sanitation District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

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

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

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place; and

WHEREAS, as a result of Executive Order N-29-20, staff set up Zoom teleconference meetings for all District Board of Directors meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

WHEREAS, since the issuance of Executive Order N-08-21, the Delta variant has emerged, causing a spike in COVID-19 cases throughout the state; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the Marin County Director of Health and Human Services, the California Department of Public Health, and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law, as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency, provided certain conditions are met and certain findings are made; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that the Director of Health & Human Services has recommended that the County continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings.

WHEREAS, the District cannot maintain adequate safe social distance between members of the public, Board members and staff in their respective meeting locations; and

WHEREAS, because of the rise in cases due to the Delta variant, the District is concerned about the health and safety of attendees, the District's Board of Directors desires to take the actions necessary to comply with AB 361 and to continue to hold its Board and committee meetings remotely.

NOW, THEREFORE, THE SAN RAFAEL SANITATION DISTRICT BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

1. The Board has reconsidered the circumstances of the State of Emergency and finds that:
 - a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Board of Directors, District staff, and members of the public to meet safely in person; and
 - b. State and local officials continue to recommend measures to promote social distancing.
2. District Board of Directors meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361 and Government Code Section 54953(e)(2), in order to ensure the health and safety of the public while providing access to public meetings.
3. The Board of Directors will reconsider the circumstances of the State of Emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this Resolution.

PASSED AND ADOPTED at a special meeting of the San Rafael Sanitation District Board of Directors held on the 15th day of September 2022 by the following vote, to wit:

AYES:

NOES:

ABSENT/ABSTAIN:

SAN RAFAEL SANITATION DISTRICT

Kate Colin, Chair

ATTEST:

Maribeth Bushey, Secretary

**SAN RAFAEL SANITATION DISTRICT
Minutes of the Meeting
August 8, 2022**

Special Meeting

Via Teleconferencing

The meeting was called to order at 11:03 A.M. by Chair Kate.

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

Attendance Staff: Doris Toy, District Manager/District Engineer
Kris Ozaki, Operations and Maintenance Manager
Tim Tran, Associate Civil Engineer
Cynthia Hernandez, District Secretary
Darlene Baten, Administrative Assistant Temp

Attendance Others: Dean DiGiovanni, CMSA Commissioner for SRSD
Martin Rauch, Pres., Rauch Communication Consultants, Inc.

1. **ROLL CALL** – A roll call was taken, and Chair Kate, Director Bushey, and Director Rice were present.

2. **ADOPT TELECONFERENCE MEETING RESOLUTION TO COMPLY WITH ASEMBLY BILL 361**

Adopt resolution of the Board of Directors of the San Rafael Sanitation District making findings that the proclaimed State of Emergency continues to impact the ability to meet safely in person and declaring that the Board of Directors will continue to meet remotely in order to ensure the health and safety of the public.

MOTION by Director Bushey, seconded by Director Rice, to adopt the resolution making findings that the proclaimed State of Emergency continues to impact the ability to meet safely in person and declaring that the Board of Directors will continue to meet remotely in order to ensure the health and safety of the public.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

3. **OPEN PERIOD** – No persons were present to address the Board.

4. MINUTES OF JUNE 2, 2022.

MOTION by Director Rice, seconded by Director Bushey, to approve the minutes of the June 2, 2022, meeting as presented.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

5. PAYMENTS

MOTION by Director Bushey, seconded by Director Rice, to approve the payments for June 2022 and July 2022 for maintenance and operation of the District and for capital improvements.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

6. OLD BUSINESS

a. Discussion and update on the Bayside Acres Sewer Relocation Project.

District Manager Toy reported that the Board had approved a list of items at the May 20, 2022, Board meeting regarding the Bayside Acres Sewer Relocation Project. She reported that the main decision made at that meeting was that each of the private properties would have its own private pump system. These pump systems would be designed and installed by the District; but upon completion, the property owners would own and maintain them. She then reported that the owners of 50, 51, and 53 Beach Drive wanted to see if they could connect directly to the District's pump station. If this took place, the District would need to own and maintain the pump station since the District does not allow private shared lateral systems. She also reported that although a direct connection to the pump station would be feasible from an engineering standpoint, the pump station would need to be retrofitted in order to accommodate these three homes. Next, Manager Toy reported that at the May meeting, the Board had discussed fairness, the possibility of charging the three property owners a fee, retrofitting the pump station, and the ongoing maintenance of the pump station. She reported that the Board had requested staff to provide an estimated cost for this option and that Nute Engineering had provided budgetary cost estimates after doing a preliminary evaluation. Manager Toy reported that due to the smaller volume of wastewater, the entire pump station would need to be retrofitted in order to prevent odor and corrosion problems. The District would also need to replace approximately 150 feet of force main since it is 50 years old and in poor condition. She then reported that the cost estimate to design and construct the pump station is approximately \$207,000, and the estimate for the annual maintenance of the pump station is approximately \$20,000. The annual maintenance would consist of checking the pump station three times per week (per District policy) and the cost of a

plumbing contractor. Manager Toy reported that if the District decides to implement a special fee for the three properties at 50, 51, and 53 Beach Drive for the design and construction of the repurposed pump station, the cost to each owner would be approximately \$69,120 plus an additional fee of \$6,675 for annual maintenance. She then reported that these property owners would pay approximately \$7,535 annually for just the annual maintenance fee and the annual sewer service charge of \$860, which is paid by all property owners connected to the sewer system. Next, Manager Toy reported that the District is considering the use of a plumbing contractor for the maintenance of the retrofitted pump station since it would be much smaller and equipped differently than the District's other pump stations. She then reported that the use of a plumbing contractor would add another layer of liability because the District would need to ensure that the contractor is performing the maintenance properly. She also reported that there are other concerns as well, such as the possibility of needing to revisit this matter if one of these three homes is sold, and the new owner does not agree with the special fee; and the feeling of unfairness since these three property owners will not have to own and maintain their pump station while the others will. Manager Toy then presented the following options to the Board: (1) Board to approve 50, 51, and 53 Beach Drive to connect to the existing pump station and direct staff to design for repurposing the pump station, (2) If the Board approves Option 1, Board to decide if there will be a special fee and the amount, (3) Board to direct staff to design a private individual pump station for each of the properties at 50, 51, and 53 Beach Drive, or (4) provide other direction to staff. The Board then discussed this matter and determined that it would be best to follow the District's current policy in regard to properties that need to pump their wastewater uphill in order to reach the District's sewer main. They also requested the District Manager to contact the three property owners at 50, 51, and 53 Beach Drive by phone to let them know of the Board's decision and the reasoning behind it and then follow up with a letter.

MOTION by Director Rice, seconded by Director Bushey, to direct staff to design a private individual pump station for each of the properties at 50, 51, and 53 Beach Drive.

AYES: Director Bushey, Director Rice, Chair Kate
NOES: None
ABSENT: None

Motion Carried

7. NEW BUSINESS

a. Report on bid opening for the 2020 Sewer Pipe Repair and Replacement Project, Phase 2, and adopt resolution to award contract.

District Manager Toy reported that this project consists of replacing short segments of pipe and pipes between manholes and will total approximately 2.3 miles of sewer main. This work will be spread across various areas within the District and will also include the replacement of 210 lower laterals and rehabilitation of 27 manholes. The project will take approximately ten months to complete. Next, she reported that on August 1st, the District received eight bids. The Engineer's Estimate was \$6,844,100, and the lowest bidder was W. R. Forde Associates, Inc., with a bid of \$6,142,198. She then reported that she felt the bidding climate had been difficult for contractors due to material costs increasing and

constantly changing and that this had contributed to the widespread bid amounts over the past month. Manager Toy reported that W. R. Forde would also be installing the sewer main for the Bayside Acres Sewer Relocation Project, which would be starting in about a week and will take approximately one to one and a half months to complete. She also reported that there may be a small overlap between the projects, or W. R. Forde may use the same construction crew for both projects. Manager Toy then reported that the District's engineering consultant, Schaaf & Wheeler, had reviewed W. R. Forde's bid package and recommended that they be awarded this project. She reported that staff agrees with this recommendation and also recommends that the Board award the 2020 Sewer Pipe Repair and Replacement Project, Phase 2, to W. R. Forde.

MOTION by Director Bushey, seconded by Director Rice, to adopt the resolution awarding the contract to W. R. Forde Associates, Inc., for the 2020 Sewer Pipe Repair and Replacement Project, Phase 2.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

- b. Adopt resolution authorizing the District Manager/District Engineer to execute a Second Amendment to Agreement with Schaaf & Wheeler for design and construction related services for the 2020 Sewer Pipe Repair and Replacement Project, Phase 2.**

District Manager Toy reported that the District first entered into a Professional Services Agreement (PSA) with Schaaf and Wheeler for design related services for the 2020 Sewer Pipe Repair and Replacement Project on August 6, 2020, in the amount of \$303,000. The District later divided the project into two phases and entered into an amended Agreement (Amendment to Agreement) with Schaaf & Wheeler for Phase 1 of the project, on May 6, 2021, in the amount of \$39,000 in order to include construction management services due to shortages in District staff. Schaaf & Wheeler's budget amount comes to \$342,000 for these two Agreements for the design and construction management services for Phase 1 and the design services for Phase 2. Now that this project is in Phase 2, the District would like to request Schaaf & Wheeler to assist the District by providing engineering services during construction, such as reviewing submittals, answering questions from the contractor, attending meetings, and other engineering duties for an amount of \$62,610. During the design work for Phase 2, the District also requested Schaaf & Wheeler to performed additional design services, which total \$72,771. The additional design services include design work for utility potholing, surveying, pavement repair locations, and additional sewer replacements beyond the original scope of work. They also include the relocation of a sewer main from the easement between Toyota Marin at 445 Francisco Boulevard East and Infinity Marin at 475 Francisco Boulevard East to Yacht Club Drive. The total budget amount for these additional design and construction services is \$135,381, which comes to a final budget total of \$477,381 for the three Agreements (original Agreement, the first Amendment to the Agreement, and this second Amendment to the Agreement).

MOTION by Director Bushey, seconded by Director Rice, to adopt the resolution authorizing the District Manager/District Engineer to execute a Second Amendment to the Agreement with Schaaf & Wheeler for design and construction related services for the 2020 Sewer Pipe Repair and Replacement Project, Phase 2, for an additional amount of \$135,381.00.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

- c. Adopt resolution authorizing the District Manager/District Engineer to execute an Amendment to Agreement with Nute Engineering for construction related services for the Bayside Acres Beach Sewer Relocation Project, Phase A.**

District Manager Toy reported that the District had previously entered into a Professional Services Agreement with Nute Engineering for design related services on July 17, 2020, for the amount of \$380,000. Now that this project is in Phase A (which involves the installation of the sewer main in the road), the District would now like to enter into an amended Agreement (Amendment to Agreement) with Nute for engineering services during construction for an additional amount of \$40,321 for a total budget amount of \$420,321.

MOTION by Director Rice, seconded by Director Bushey, to adopt the resolution authorizing the District Manager/District Engineer to execute an Amendment to the Agreement with Nute Engineering for construction related services for the Bayside Acres Beach Sewer Relocation Project, Phase A, for an additional amount of \$40,321.00.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

- d. Adopt resolution authorizing the District Manager/District Engineer to execute an Amendment to Agreement with Rauch Communication Consultants, Inc., for additional public relations related services for the Bayside Acres Beach Sewer Relocation Project.**

District Manager Toy reported that Rauch Communications has been very helpful with assisting District staff and the Board with the public outreach to the property owners in Bayside Acres. Rauch has assisted the District with emails, newsletters, phone calls, presentations to the property owners and Board, and has also attended some staff meetings. Rauch has now spent its current budget amount of \$38,975 for public relations services for the Bayside Acres Beach Sewer Relocation Project, and staff would like for Rauch to continue with these services during the design of the private pump systems. Rauch has provided a cost estimate of \$42,689 for the additional public relations work based on time and materials. Manager Toy reported that she feels that this cost will most

likely be less if there are no problems. She then reported that staff recommends an increase of \$42,689 in Rauch Communication's budget for additional public relations services for the Bayside Acres Beach Sewer Relocation Project for a total budget amount of \$81,664.

MOTION by Director Rice, seconded by Director Bushey, to adopt the resolution authorizing the District Manager/District Engineer to execute an Amendment to the Agreement with Rauch Communication Consultants, Inc., for additional public relations related services for the Bayside Acres Beach Sewer Relocation Project for an additional amount of \$42,689.00.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

e. Discussion on providing assistance to the District Manager/District Engineer.

District Manager Toy reported that last year the District had requested Municipal Resource Group, LLC (MRG) to conduct a high-level review and assessment of the District's organizational structure, staffing levels, service delivery methods, and staff compensation. At the September 2021 Board meeting, MRG presented an Organizational Review and Analysis Report, which included a recommended work plan. This work plan is quite extensive and will require additional staff time to implement all of the tasks. Manager Toy reported that because the Senior Civil Engineer position has been vacant since April 1, 2022, and the Associate Civil Engineer has been with the District for less than a year, she would require additional assistance in order to work on MRG's work plan. She also reported that she had recently discussed this situation with the Board Chair and the possibility of hiring a temporary executive professional, such as a Deputy or Assistant Manager, for two years to assist her by managing the daily tasks performed by the Engineering Division. This would allow her to focus on MRG's work plan, other Board matters, and planning for the District's future. MRG has submitted a proposal for executive recruitment services for an amount not to exceed \$28,250, which was approximately the same cost for the recruitment of a Senior Civil Engineer for the Public Works Department. The Board then discussed this matter and reported that they would like to leave this recruitment open to other types of support in regard to the implementation of MRG's recommendations. The Board also reported that they were in favor of this recruitment. Manager Toy reported that she would be working with MRG on the job description and the salary range and would bring this information along with the job announcement back to the Board for review and consideration.

MOTION by Director Bushey, seconded by Director Rice, to approve the signing of a contract with MRG for the recruitment of a temporary Deputy or Assistant District Manager.

AYES: Director Bushey, Director Rice, Chair Kate

NOES: None

ABSENT: None

Motion Carried

8. INFORMATIONAL ITEMS

- a. District Manager executed a Professional Services Agreement with Maze and Associates for audit related services.**

District Manager Toy reported that the District has been using Eide Bailly to perform its annual audit; but due to insufficient staffing, they will no longer be able to provide this service to the District. She then reported that the District will now be using Maze & Associates for audit services, which is the same audit firm that is used by the City. She reported that because the District is a component unit of the City and the District's financial statements are incorporated into the City's financial statements, using Maze & Associates would be the most efficient way to accomplish this task. Manager Toy also reported that the annual cost for Maze and Associates to perform the District's audit will be approximately \$16,000, which is about the same as the fee previously charged by Eide Bailly. She then reported that she had already signed an agreement with Maze & Associates for audit services for three fiscal years, beginning with the fiscal year ending June 30, 2022, after discussing this matter with the Board Chair.

9. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS

None.

10. ADJOURNMENT

There being no further business to come before the Board, the meeting of August 8, 2022, was adjourned at 11:46 A.M. The next regular meeting of the San Rafael Sanitation District scheduled for September 1, 2022, was later canceled, and a special meeting was scheduled for Thursday, September 15, 2022, at 2:00 P.M. via teleconferencing.

Respectfully submitted,

Maribeth Bushey, Recording Secretary

ATTEST THIS 15th DAY OF SEPTEMBER 2022

Kate Colin, Chair



SAN RAFAEL SANITATION DISTRICT
PAYMENT SUMMARY
August 1, 2022 - August 31, 2022

Vendor/Payee	Memo	Class	Acct #	Account Name	Amount
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 7/20/22	200	2021	Uniforms	241.65
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 7/27/22	200	2021	Uniforms	215.20
BAY AREA AIR QUALITY MANAGEMENT DIS	Pump Stations - annual permit renewal for the Glenwood Pump Station for 9/01/22-9/01/23	200	2359	Maint- pump sta's & force mains	536.00
BAY AREA AIR QUALITY MANAGEMENT DIS	Pump Stations - annual permit renewal for the Riviera Pump Station for 9/01/22-9/01/23	200	2359	Maint- pump sta's & force mains	648.00
BWS DISTRIBUTORS	Safety - gloves	200	2365	Safety equipment and supplies	387.73
CALIFORNIA DIESEL & POWER INC. (CD&POWER)	Pump Stations - generator repair at San Pedro Pump Station	200	2359	Maint- pump sta's & force mains	1,096.51
CALIFORNIA DIESEL & POWER INC. (CD&POWER)	Pump Stations - generator repair at Simms Street Pump Station	200	2359	Maint- pump sta's & force mains	2,156.17
CENTRAL MARIN SANITATION AGENCY	CMSA Connection Fees - 7 unique addresses	200	2210	Connection fees payable omsa	646,971.46
CITY OF SAN RAFAEL	Contract with San Rafael - first quarter FY 2022-23 reimbursement	100	2361	Contract with San Rafael	592,353.46
COLIN, KATE	Director's Fees - Kate Colin on 5/05/22	100	2282	Director's fees	100.00
COLIN, KATE	Director's Fees - Kate Colin on 5/20/22 (special meeting)	100	2282	Director's fees	100.00
COLIN, KATE	Director's Fees - Kate Colin on 6/02/22	100	2282	Director's fees	100.00
COUNTY OF MARIN	Director's Fees - Katie Rice on 5/05/22	100	2282	Director's fees	100.00
COUNTY OF MARIN	Director's Fees - Katie Rice on 5/20/22 (special meeting)	100	2282	Director's fees	100.00
COUNTY OF MARIN	Director's Fees - Katie Rice on 6/02/22	100	2282	Director's fees	100.00
DURACABLE MANUFACTURING	Collection System - rodder cleaning blades	200	2360	O&M - collection systems	1,169.96
EXPRESS SERVICES INC.	Consulting Services - temporary administrative assistant for the week ending on 6/26/22	100	2325	Consulting services	1,455.99
EXPRESS SERVICES INC.	Consulting Services - temporary administrative assistant for the week ending on 7/03/22	100	2325	Consulting services	1,475.93
EXPRESS SERVICES INC.	Consulting Services - temporary administrative assistant for the week ending on 7/24/22	100	2325	Consulting services	1,196.70
FERREIRA, MICHAEL	Collection System - tubing for water truck	200	2360	O&M - collection systems	10.03
FLASHBAY INC.	Office Supplies - flash drives	100	2133	Office & shop supplies	591.80
JACKSON'S HARDWARE	Collection System - wasp and yellow jacket spray, and rake	200	2360	O&M - collection systems	62.51
KIMLEY-HORN AND ASSOCIATES, INC.	2021 Sewer Pipe Repair and Replacement Project - 2021 sewer repairs predesign study through 3/31/22	300	4349	2021 Sewr Pipe Repair/Repl (80)	1,430.00
MAHER ACCOUNTANCY	Accounting Services - July 2022	100	2717	Accounting services	3,600.00
MARIBETH BUSHEY	Director's Fees - Maribeth Bushey on 5/05/22	100	2282	Director's fees	100.00
MARIBETH BUSHEY	Director's Fees - Maribeth Bushey on 5/20/22 (special meeting)	100	2282	Director's fees	100.00
MARIBETH BUSHEY	Director's Fees - Maribeth Bushey on 6/02/22	100	2282	Director's fees	100.00
MARIN COUNTY TAX COLLECTOR	County Counsel - 4th quarter April/May/June FY 2021/2022	100	2713	Legal services	6,076.00
NUTE ENGINEERING INC	Bayside Acres Beach Sewer Improvements Project - engineering services from 8/01/21-8/31/21	300	4338	Rehab of Beach Swr Bayside (80)	2,400.25
PG&E a/c 2480926202-5	Power - electric service for pump stations from 6/09/22-7/10/22	200	2535	Electric utility costs	20,573.82
ROSS VALLEY SANITARY	Public Outreach - ad campaign from March 2022 to June 2022	100	2321	Public outreach	1,765.19
STAPLES INC	Office Supplies - miscellaneous office supplies	200	2133	Office & shop supplies	183.05
TIFCO INDUSTRIES	Pump Stations - shop supplies	100	2359	Maint- pump sta's & force mains	530.55
US BANK CORPORATE PAYMENT	2020 Sewer Pipes Repair and Replacement Project - publication of notice inviting bids for the project phase 2	300	4342	2020-21 Sewer Improvement (80)	723.40
US BANK CORPORATE PAYMENT	Collection Systems - parts for vacior truck	200	2360	O&M - collection systems	443.94
US BANK CORPORATE PAYMENT	Collection Systems - small machine for easement cleaning	200	2360	O&M - collection systems	58.08
US BANK CORPORATE PAYMENT	Office Supplies - cable for phone charger	100	2133	Office & shop supplies	7.62
US BANK CORPORATE PAYMENT	Office Supplies - computer monitor for Construction Inspector	100	2133	Office & shop supplies	179.39
US BANK CORPORATE PAYMENT	Office Supplies - notebook planner	100	2133	Office & shop supplies	23.06
US BANK CORPORATE PAYMENT	Training and Education - Pipeline Assessment Certification Program training for Construction Inspector and Junior Engineer	100	2388	Training and education	1,075.00
US BANK CORPORATE PAYMENT	Telephone Service - private IP addresses for the San Pedro and Peacock Pump Stations from 6/18/22-7/17/22	100	2534	Telephone service	137.72
VERIZON WIRELESS(242395655)	Telephone Service - wireless service for laptops from 6/21/22-7/20/22	100	2534	Telephone service	386.10
VERIZON WIRELESS(372347823)	Collection System - flexible hose for bypass pumping at Deer Park Avenue	200	2360	O&M - collection systems	180.72
WATER COMPONENTS & BLDG SUPPLY	Woodland Ave. SIF - retention release	300	4339	Woodland PII/Ave & Octavia (80)	55,712.75
WESTLAND CONTRACTORS, INC.	Woodland Ave. SIF - services from 1/01/22-3/15/22	300	4339	Woodland PII/Ave & Octavia (80)	118,274.69
WESTLAND CONTRACTORS, INC.					\$ 1,465,230.43

6.b.

SAN RAFAEL SANITATION DISTRICT
Agenda Item No. 6.b.

DATE: September 15, 2022
TO: Board of Directors, San Rafael Sanitation District
FROM: Doris Toy, District Manager/District Engineer
SUBJECT: Discussion on a Fixed-Term Assistant District Manager

SUMMARY:

At the August 8, 2022, Board Meeting, the Board approved the hiring of a temporary Assistant District Manager for a 2-year term and approved MRG's (Municipal Resource Group, LLC) proposal for assisting the District to perform an executive recruitment for the temporary Assistant District Manager position. The District Manager had also informed the Board that staff will present a draft of the job description and salary range for the temporary Assistant District Manager position for the Board's review and approval.

The temporary Assistant District Manager position can qualify for the City of San Rafael's Fixed-Term position for an Executive Professional, where this position receives benefits and has an associated salary schedule. The salary ranges from a Step A at \$11,137/month to a Step J at \$17,278/month. Since the salary for the top step of the Senior Civil Engineer position is \$13,384/month and the top step for the District Manager position is \$15,986/month, the Assistant District Manager salary should be in between. Therefore, according to the Executive Professional salary schedule, the District can propose a salary range from \$13,538 (Step E) to \$15,672 (Step H) for the Assistant District Manager. The Step H salary is 2% less than the top step for the District Manager position. (If we consider Step G, which is \$14,925/month, there is a difference of 6.7% between the Assistant District Manager position and District Manager position.) Please note that the City's salary is considerably less than other sanitary districts in the Bay Area.

The job description for the Fixed-Term Assistant District Manager is attached for the Board's review.

ACTION:

1. Board to review and discuss the job description and salary for the Fixed-Term Assistant District Manager.
2. Board to approve the job description and set the salary range for the Fixed-Term Assistant District Manager.

Attachment: Job Description for the Assistant District Manager
City of San Rafael Resolution adopting a revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and Salary Schedule
Temporary/Seasonal/Retiree/Fixed-Term Salary Schedule

City of San Rafael Job Class Specification

Job Title: Assistant District Manager, San Rafael Sanitation District

SUMMARY

Under administrative direction, the Assistant District Manager performs highly responsible and complex professional work while assisting the District Manager in planning, organizing, directing and reviewing the overall activities and operations of the District; provides leadership and promotes effective and efficient operations throughout the organization; directly supervises assigned programs, functions and operations; advises and assists the Board of Directors as requested and serves as acting District Manager, as required.

DISTINGUISHING CHARACTERISTICS

The Assistant District Manager is the second highest executive level within the San Rafael Sanitation District and has a broad range of management responsibilities and authority assisting with the administration of assigned programs and operations.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision and strategic direction from the District Manager and exercises direct supervision over professional, technical, maintenance and administrative staff. Serves as acting District Manager, as required.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The following duties and responsibilities are typical for this classification. Incumbents may not perform all of the listed duties and responsibilities and/or may be required to perform additional or different duties and responsibilities from those set forth below to address business needs and changing business practices.

- Assists the District Manager with the development, planning and implementation of District goals, objectives and performance measures.
- Develops and implements assigned programs and special projects; assigns work activities, projects and programs; monitors, reviews and evaluates work products, methods and procedures.
- Represents the District in its dealings with elected officials, outside organizations, federal, state and regional agencies.
- Manages and ensures the District's emergency response and reporting procedures are implemented and carried out.

- Develops, and/or oversees the development of, new policies and procedures, ordinances, resolutions, easements, leases, and agreements in consultation with the District Manager.
- Participates in the development and implementation of the District's overall work plan; review and evaluate work products, methods and procedures.
- Prepare a wide variety of financial, technical and administrative reports/correspondence and studies; makes presentations to legislative bodies, other agencies, the general public and the District's personnel on issues regarding administrative activities and functions.
- Assists with the preparation of the annual budget, reviews division budget requests, exercises continuous budgetary controls to insure proper expenditure of authorized funds; reviews payment requests to ensure appropriate expenditure of District funds.
- Attends Board of Directors meetings and other public meetings to assist or represent the District Manager; carries out the directives of the District Manager and Board of Directors by assigning tasks and evaluating results.
- Provides complex assistance and sound advice to District Manager, Board of Directors and management staff; keep all parties advised on special projects or matters impacting the operations of the District.
- Serves as acting District Manager, as assigned; oversees District operations in the District Manager's absence.
- Oversees, administers and monitors contracts for construction of District facilities.
- Evaluates, motivates, trains and counsels staff; conduct performance reviews; and implement disciplinary procedures if required.
- Performs related duties, as assigned.

KNOWLEDGE OF:

- Principles, practices, and methodologies of civil engineering applicable to the planning, design, and construction of wastewater collection and conveyance systems.
- Principles and practices of public administration, including administrative analysis, fiscal planning and control, and policy and program development.
- Mathematics, design methods, effects of soil conditions, and pertinent laws, rules, and regulations related to the design, construction, and operations of wastewater collection and transportation systems.
- Cost estimating and contract administration.
- Laws, rules, ordinances, and legislative processes controlling sanitary district functions, programs, and operations.
- Organization, operations, and problems of special districts.
- Research and evaluation methodologies.
- Budgeting principles and practices.
- Principles and practices of strategic planning.
- Critical thinking and decision-making techniques.

- Principles and practices of effective public relations and interrelationships with the community and local, regional, State and Federal agencies.
- Principles and practices of leadership, motivation, team building and conflict resolution.
- Principles of supervision, training and management.

ABILITY TO:

- Plan, organize, coordinate, and direct the work of staff to achieve efficient operations and meet program goals.
- Exercise leadership, authority, and supervision tactfully and effectively.
- Prepare and administer District budgeting and fiscal controls.
- Interpret and apply District, local, State and Federal policies, procedures, rules and regulations.
- Collect and analyze data on a variety of topics; identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Prepare concise and comprehensive reports.
- Coordinate the preparation of Board agendas.
- Solve complex engineering problems utilizing a variety of techniques.
- Conduct technical engineering research work.
- Review designs, plans, and specifications.
- Provide advice and consultation to the Board of Directors on the development of ordinances, regulations, programs, policies, and services.
- Communicate well both verbally and in writing, including making public presentations.
- Effectively represent the District's policies, programs, and services with the public, community groups, and other government agencies.
- Establish and maintain cooperative working relationships.

EDUCATION AND/OR EXPERIENCE:

Any combination of training and experience, which would likely provide the required knowledge and abilities, is qualifying. A typical way to obtain the requisite knowledge and abilities would be:

Bachelors Degree in Civil Engineering or Environmental Engineering.

Five years of increasingly responsible experience in professional engineering work, including planning, design and/or construction of wastewater collection and conveyance systems, together with at least two years of experience in a management or administrative position with responsibility for the formulation and implementation of programs, fiscal systems, and services.

Licensing, Certification, and/or Registration

Possession of a valid certificate of registration as a Professional Civil Engineer issued by the California State Board of Registration.

Possession of a valid California motor vehicle driver's license and a good driving record consistent with requirements established by the District. Failure to maintain an acceptable driving record shall be cause for discipline, up to and including dismissal.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential duties of this position. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee frequently is required to stand, walk, use hands to finger, feel and reach with hands and arms. The employee is occasionally required to climb or balance and stoop, kneel, crouch, or crawl. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIROMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in indoor conditions and regular works near video display. The employee is exposed to moving mechanical parts, heavy construction equipment and outside weather conditions from time to time. The noise level in the work environment is normally moderate.

Prepared Date:

Prepared by:

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
RESCINDING RESOLUTION NO. 14268 AND ADOPTING A REVISED
TEMPORARY, SEASONAL, RETIREE, AND FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN AND SALARY SCHEDULE**

WHEREAS, it is the intent of the City of San Rafael to compensate temporary, seasonal, retiree, and fixed-term employees at a rate of pay similar to that of regular or comparable employees performing like work; and

WHEREAS, there is a need to adopt a revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan to update benefits listed for non-exempt and exempt Fixed-Term positions; add job descriptions, and apply salary adjustments to the Salary Schedule; and

WHEREAS, the revised salary and benefit plan would replace the salary and benefit plan previously approved by the City Council pursuant to Resolution No. 14268;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael as follows:

- (1) That Resolution No. 14268 is rescinded;
- (2) That the benefits added to the Temporary, Seasonal, Retiree, and Fixed-Term Employee Salary and Benefit Plan are effective January 1, 2022;
- (3) That the Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan attached as Exhibit "A" hereto, including the Salary Schedule effective January 1, 2022 attached hereto as Exhibit "B", are adopted for the classifications identified therein;
- (4) That the Temporary, Seasonal, Retiree and non-exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on an hourly basis at the rates established in the aforementioned salary schedule, only for time actually worked; and
- (5) That FLSA Exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on a salaried basis, at the salary established in the aforementioned salary schedule.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Lindsay Lara, City Clerk

**TEMPORARY, SEASONAL, RETIREE OR FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN**

DEFINITION

Temporary, Seasonal, Retiree, and Fixed-Term employees serve important roles in supporting City business. These positions perform job duties and provide city services that are outside of the regular classified services. All positions covered by this resolution are at-will and as such serve at the pleasure of the appointing authority and may be removed at any time without cause and without right of appeal. Temporary, Seasonal, or Fixed-Term employees who wish to secure a regular position with the City must compete in the applicable recruitment and examination process for any such regular position.

Seasonal

Seasonal is defined as those employees who perform specific job responsibilities that are for a specific period of time. The period is typically for a period of four (4) months or less. Seasonal employees often work in recreation or park programs. Seasonal employees may work a maximum of 1,000 hours in a fiscal year.

Retiree

Retirees who return to fill temporary or seasonal positions may work a maximum of 960 hours per fiscal year. Once the retiree employee reaches 960 hours in a fiscal year, he/she shall no longer be eligible to work for the City until the next fiscal year.

Temporary

Temporary positions do not have the same title as classified City positions (those covered by a City MOU) and may not exceed 1,000 hours in a fiscal year.

The Department Director or designee has the authority to make temporary appointments provided there are sufficient funds in the department budget. Temporary appointments are typically made to meet short-term employment needs such as peak workload, illness, vacations of full-time employees, or pending the establishment of a new eligibility list.

There are four types of Temporary Appointments:

A. Standard Temporary Appointment:

Appointment to one of the temporary job classifications listed in this resolution for a specific purpose that is of temporary nature.

B. Special Appointment: Special temporary appointments to perform work outside an existing City classification and for which no temporary job classification exists may be made under special circumstances, when the individual has a unique combination of expertise, background and skills and is needed to help the department respond to a priority work issue. City Manager approval is required.

C. Emergency Appointment: Temporary appointment of an employee to prevent stoppage of public business, loss of life, or damage to persons or property, or when qualified personnel cannot be readily obtained due to emergency conditions. An employee appointed in this category need not meet the minimum qualifications of the job.

- D. **Per Diem:** Per Diem is defined as those temporary employees who are not regularly scheduled to work but serve in an as-needed capacity. Per Diem employees are typically on a list to be called when needed. Per Diem temporary appointments are made to one of the temporary classifications listed in this resolution.

Fixed-Term

Fixed-Term is an appointment of an employee to an allocated and Fixed-Term position that will be needed longer than six months and with an expected end date. Fixed-Term positions are established due to limits on grant funding or other known limits to the position's duration and are not subject to the 1,000 hour per year limit on working hours. Employees appointed to Fixed-Term appointments must accept the position with the understanding that continued appointment is contingent upon grant funds and job performance. Fixed-Term appointments may be made for up to a three-year period and may be extended by approval of the City Manager.

SALARY, BENEFITS, WORK HOURS, AND CLASSIFICATION

Rate of Pay

It is the intent of the City of San Rafael to compensate Temporary, Seasonal, Retiree and Fixed-Term employees at a rate of pay similar to that of regular employees performing like work. The hourly rate is based upon the level of duties performed. The attached Temporary/Seasonal/Retiree/Fixed-Term Salary Schedule lists the rates of pay for each position.

Effective July 1 of each fiscal year, such Salary Schedule may be adjusted by the City Manager to a rate of pay similar to that of regular or comparable employees performing like work, provided that the City Manager has made a determination that the salary schedule adjustment will be fiscally prudent under projected budget conditions. Such compensation may also be adjusted as necessary to comply with State Minimum Wage requirements.

Benefits for Temporary, Seasonal, and Retiree employees

Temporary, Seasonal, and Retiree employees do not receive benefits with the exception of a retirement plan and paid sick leave. Participation in a retirement plan is mandated by Federal Law and San Rafael enrolls hourly employees in the Public Agency Retirement System (PARS). Under PARS, employees covered by this resolution contribute 3.75% of their salary to the retirement plan and the City contributes the same amount. Contributions are tax-deferred. Retiree employees do not participate in PARS. Temporary and Seasonal employees are entitled to sick leave in accordance with California's Paid Sick Leave Law (AB 1522) as outlined in the City's Paid Sick Time Policy.

Benefits for Non-Exempt Fixed-Term employees also participate in the PARS retirement plan, and in addition receive the following basic benefits package (prorated for part-time): health and dental insurance up to a maximum of \$600 per month, twelve (12) days of paid sick leave per year, ten (10) vacation days per year, eleven (11) City holidays, and two (2) floating holidays. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Upon termination, any unused accrued vacation leave will be paid out to the employee.

Benefits for Exempt Fixed-Term employees shall receive the following benefits:

PARS retirement: employer contribution of 3.75% and employee contribution of 3.75% of their salary to the retirement plan.

Sick Leave: twelve (12) days of paid sick leave per year shall accrue each year. Accrued sick leave will not be paid out to the employee upon termination.

Vacation: ten (10) days of paid vacation per year. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Unused accrued vacation leave will be paid out to the employee upon termination.

Holidays: eleven (11) designated holidays and two (2) floating holidays per calendar year. The hours for the floating holidays are automatically added to an employees' vacation accrual on a semi-annual basis.

Administrative Leave: ten (10) Administrative Leave days (75 hours) each calendar year subject to the approval of the Department Director and the City Manager. Unused Administrative Leave shall not carry over from one calendar year to the next, nor shall unused Administrative Leave balances be paid upon termination.

Full-flex cafeteria plan: Exempt Fixed-Term employees are eligible to participate in the City's full flex cafeteria plan and shall receive a monthly flex dollar allowance to purchase benefits under the full flex cafeteria plan. The monthly flex dollar allowance effective January 1, 2017 is:

For employee only:	\$634.57
For employee and one dependent:	\$1,269.13
For employee and two or more dependents:	\$1,649.88

Dental Insurance: The City shall pay dental premiums on behalf of the employee and eligible dependents.

Vision Plan: The City will pay for a vision plan for "employee plus dependent" vision benefits.

Car Allowance: A monthly car allowance of \$350 or use of a city car in lieu of a monthly car allowance may be authorized at the discretion of the City Manager.

In recognition of exempt status under FLSA, time off for Vacation, Sick Leave, and Administrative leave purposes shall not be deducted from an Exempt Fixed-Term employee leave accrual unless the employee is absent for the full work day.

Hours Worked

Temporary and Seasonal employees covered by this resolution may not work more than 1,000 hours in a fiscal year, unless they work in Police or Fire in a position that is staffed 24 hours per day. Employees in these positions (dispatch and police records) may work up to 1,250 hours in a calendar year.

Retirees under the 1937 Retirement Act working in any positions may not exceed the 960 hours per fiscal year limit.

Fixed term employees are not subject to the 1,000 hour per fiscal year limit.

Work Week and Overtime

Temporary, Seasonal, Retiree, and Fixed-Term employees who are non-exempt are eligible to receive overtime pay in accordance with the Fair Labor Standards Act (FLSA). Overtime is paid when the employee works in excess of 40 hours per week. The week period is defined as Sunday at 12:01am to the following Saturday at 11:59pm. The work week for full-time Fixed-Term positions is thirty-seven and one-half (37.5) hours. For full-time Fixed-Term positions in the Police department, the work week is forty (40) hours.

Classification

Following is a list of the positions covered by this resolution. Department Directors may appoint from one of these positions at any point in the salary range based on the qualifications of the person filling the Temporary, Seasonal, Retiree or Fixed-Term position.

Temporary/Seasonal/Retiree/Fixed-Term Job Descriptions

Administrative Specialist

Provides responsible work on complex administrative assignments. Performs more complex accounting tasks with more independence and prepares financial and statistical reports with a minimum of supervision. Researches and compiles a variety of informational materials, types drafts and finished documents including confidential materials, brief instructions, or written materials. Organizes and maintains files and records, schedules appointments, and arranges for facilities and supplies. Five years of responsible secretarial or office administrative experience is typically required.

Advanced Professional Fixed -Term (exempt)

Typically performs specialized professional work of greater complexity and more autonomy than the Professional Temp position. Responsibilities of an advanced professional temp are similar to those of a management position and may involve supervision.

Child Care Aide

Works with the children in the childcare program to carry out the day-to-day activities of the pre-school or elementary childcare programs. Responsible for assisting in planning and scheduling activities. Prior experience working with children in recreation, education or similar setting is preferred.

Child Care Specialist

Under general direction, this classification works with child care staff to plan and implement curriculum and instructional activities and ensure a safe environment for participants. Employees in this classification rely on experience and judgment to ensure the efficient and effective functioning of the childcare program. High School Diploma or GED and twelve (12) college units in recreation, education, or related field; BA preferred. One (1) year working with youth in a group setting preferred.

Clerical Temp

Provides clerical support to a department or division. Duties include record keeping, filing, and receptionist duties including answering phones and setting up meetings. Performs word processing from tapes, brief instructions or written material.

Dispatcher Temp

Operates emergency dispatching equipment to communicate with the public and Department personnel for the purpose of receiving, interpreting, and transmitting information essential to the delivery of emergency police services. Responsibilities include operation of Department telephone and radio communication equipment to receive and transmit information essential to the delivery of emergency police services, maintenance of radio logs and other related records, assisting in preparing, checking and indexing reports, operating personal computers and related software, providing information to the public, and related duties as required.

Events Specialist

Assists in set up, delivery, and breakdown of sound equipment, stages, band equipment, lighting, tents, generators and display equipment. Provides guest services such as making announcements, operating soundboards, and lighting equipment. May supervise maintenance crews and security at events. Special Events Assistants work independently and must be able to manage multiple tasks at a time to trouble-shoot and to make sound decisions. Requires the ability to move heavy equipment

Executive Professional Fixed Term (Exempt)

Directs, plans, and coordinates City activities and are responsible for devising policies and strategies to meet the goals and objectives of the City. Oversee budgetary activities. Consult, interact with other high level staff, City Council, and various local agencies. Negotiate or approve contracts and agreements. May have direct supervision over staff. Ability to travel to attend meetings and conferences.

Facilities Attendant

Under general direction of the Recreation Program Coordinator or Recreation Supervisor, this position is responsible for supervision of a Community Center during assigned work hours. Job duties include the supervision of front counter/reception area, managing daily registration process, set-up and breakdown of equipment for scheduled activities, custodial and cleaning including but not limited to emptying trash, vacuuming, cleaning windows, cleaning restrooms, etc. Opening and securing facility before and after building use and interacting with instructors, clients and general public. Bilingual in Spanish and/or Vietnamese preferred.

Head Lifeguard

Under general supervision of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor, the Head Lifeguard is responsible for pool safety, assisting with staff training and scheduling, staff supervision, daily administrative duties, sanitation and public relations of the pool facility. The Head Lifeguard is in charge of the pool in the absence of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor. A minimum of two years pool guarding experience, current certifications as required for the position including, lifeguard training, CPR for the Professional Rescuer and A.E.D. training. Water Safety Instruction certification is desirable. Knowledge of: Aquatic facility safety principals and injury prevention strategies.

Intern

These positions provide work-experience to students who are interested in gaining entry-level experience in a profession of interest. Interns perform support tasks including research, surveys, data collection, drafting reports, and other related administrative tasks.

Library Page

Shelves incoming material maintains the shelves in order and assists library staff as needed. This is an entry-level position.

Lifeguard

Responsible for the enforcement of all rules and regulations pertaining to the safety and wellbeing of pool users and patrons. Responsibilities include maintaining health and safety standards, performing emergency rescue techniques and rendering first aid to the injured, performing routine maintenance and custodial duties. Incumbent must possess a current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Maintenance Temp

Performs a variety of manual and semi-skilled tasks involved in the maintenance, improvement and operation of the City's sewage pumping stations and gravity sewer lines, and/or construction, repair, maintenance, and cleaning of streets, sidewalks, other concrete structures, storm drainage or related Public Works facilities.

Office Aide

Answers phones, prepares letters and reports, keeps schedules up-to-date, processes mail, performs payroll related functions, and other miscellaneous duties. Performs routine basic accounting duties including maintenance of journal vouchers, accounting records, subsidiary and general ledger entries, fixed asset record documentation, payroll timekeeping, accounts and grants receivables, audit preparation; financial, budgeting and statistical reports.

Officer Temp

Performs routine police reporting duties, including crime scene investigation, maintains training records, manages training schedules and reservations, assists the COPPs manager, maintains regulatory alarm permit program, prepares statistical information through the PD records management system, participates in guest speaking engagements, maintains a fair booth at the Marin County fair, and assists with crime prevention programs. Maintains files for all regulatory services within the purview of the police department, including alarm permits, concealed weapon permits, etc. Conducts background checks on body workers and fingerprints job applicants.

Paraprofessional Temp

A paraprofessional temp is trained in or knowledgeable of a specific field and is qualified to provide assistance to the work of a professional.

Parking Aide

This position provides general service and information to the public, and is responsible for the upkeep, presentation, and general operations of all City parking areas. Duties include assisting the public at all City parking locations, providing general information about the City of San Rafael, and specific information about rates, locations, and various programs. Operates all parking equipment and collects parking fees and provides change to customers, maintains records of transactions and parking activities, prepares cash deposits and delivers to designated drop areas, and may include basic parking enforcement duties of a limited nature.

Pool Cashier

Under general supervision, Pool Cashier are responsible for receiving and processing daily pool admissions, season passes, operating the cash register and maintaining security and accuracy of funds. Essential and important duties include: answering phones and handling customer service, ensuring customer sign in and checking identification, creating and maintaining good working relations with the public and staff, handling financial transactions at the pool including but not limited to class registration, season pass purchases, daily admission and swim diaper sales, ensuring accuracy of daily attendance and financial transactions, and assisting in an emergency and rendering first aid. Must have a certificate in American Red Cross CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Pool Manager

Under the general supervision of the Recreation Program Coordinator or Recreation Supervisor, the Pool Manager is responsible for the organization and supervision of the City's aquatics program. Duties include the development and management of group and private swim lesson programs, managing pool schedules, developing staff training and curriculum, leading staff trainings and working directly with course instructors, pool party users and outside user groups.

Provides direction and motivation to part time staff. This position receives direction from the Recreation Supervisor.

Professional Temp

Performs job duties that require a form of specialization which typically requires a Bachelor's degree or equivalent work experience. Appointments to professional temp positions are typically made to mid-management level positions. They require some degree of a specialized profession and job knowledge.

Project Manager Fixed Term (exempt)

Performs highly responsible, complex, and varied professional administrative and analytical work in the planning, organization, implementation and oversight of City projects of defined duration, physical scale, budget, and community impact; conducts analysis of operational needs and strategic planning, productivity studies, and other complex analyses; participates in the review of plans for city facilities, municipal building construction or public works projects; escalates issues as required, facilitates higher level decision making, and authorizes change orders to keep construction moving; and serves as liaison with the department heads, community organizations, and other agencies.

Records Temp

Performs routine duties of Records Specialist including answering phones, entering calls for service into CAD, assisting customers at public counter, processing all forms of police records and reports.

Recreation Leader

Maintains a safe and enjoyable environment for recreation program participants. Responsibilities include planning, conducting and supervising activities such as organized games, group singing, art projects, field trips, and other activities for participants in a recreational/park setting.

Recreation Specialist

Under the supervision of a Recreation Program Coordinator or Recreation Supervisor, provides leadership and functional supervision to a recreation program, activity or service; directs and/or leads the activities of a program, activity or service; organizes and implements program elements and oversees participants, and performs related work as required. This is a higher-level position as distinguished from the Recreation Leader utilized in the Library and Recreation Department. This class is distinguished from the entry-level Recreation Leader by responsibility for on-site coordination of a specific program area. One (1) year of work experience in parks, recreation or related field required.

Substitute Librarian

Performs professional-level library public service work, including answering reference questions, providing readers' advisory, providing technical assistance, and presenting programs.

Substitute Library Assistant

Check's material in and out, answers simple questions, creates new patron accounts, and performs circulation tasks as needed.

Swim Instructor

Under general supervision, is responsible for the instruction of swim lesson programs. Swim Instructors must be able to demonstrate skills for class taught and must ensure the safety of all swimmers in their class. Swim Instructors may be assigned to teach group or private lessons for children 6 months through adults. Instructors are required to assist as needed in an emergency

at the pool. Must possess current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator. American Red Cross Water Safety Instructor highly desirable.

Technical Professional Temp

Performs advanced professional work. Performs a variety of management and complex functions that require a high level of expertise in the field of need. May provide supervision to professional and support staff members. Conducts research and analysis. Works with stakeholders, architects, engineers, and/or contractors to assure the authorized projects are accomplished in accordance with approved regulations, policies and procedures and may act as liaison between the City and those groups.

Temporary / Seasonal / Retiree / Fixed-Term Salary Schedule
Effective January 1, 2022

Grade	Status	Job Title	A	B	C	D	E	F	G	H	I	J
9917	Exempt	Advanced Professional Temp (monthly salary)	\$ 8,250	\$ 8,682	\$ 9,096	\$ 9,550	\$ 10,028	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
9919	Exempt	Executive Professional Temp* (monthly salary)	\$ 11,137	\$ 11,694	\$ 12,279	\$ 12,893	\$ 13,538	\$ 14,215	\$ 14,925	\$ 15,672	\$ 16,455	\$ 17,278
2133	Exempt	Project Manager (monthly salary)	\$ 6,309	\$ 6,625	\$ 6,956	\$ 7,304	\$ 7,669	\$ 8,052	\$ 8,455	\$ 8,878	\$ 9,321	\$ 9,788
9916	Hourly	Administrative Specialist	\$ 24.38	\$ 25.60	\$ 26.88	\$ 28.22	\$ 29.63	\$ 31.12	\$ 32.67	\$ 34.31	\$ 36.02	\$ 37.82
9903	Hourly	Child Care Aide	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9937	Hourly	Child Care Specialist*	\$ 19.00	\$ 19.95	\$ 20.95	\$ 21.99	\$ 23.09	\$ 24.25	\$ 25.46	\$ 26.73	\$ 28.07	\$ 29.48
9904	Hourly	Clerical Temp	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9935	Hourly	Dispatcher Temp	\$ 25.05	\$ 26.30	\$ 27.62	\$ 29.00	\$ 30.45	\$ 31.97	\$ 33.57	\$ 35.24	\$ 37.01	\$ 38.86
9921	Hourly	Events Specialist	\$ 15.90	\$ 16.70	\$ 17.53	\$ 18.41	\$ 19.33	\$ 20.29	\$ 21.31	\$ 22.37	\$ 23.49	\$ 24.67
9922	Hourly	Facilities Attendant	\$ 17.50	\$ 18.38	\$ 19.29	\$ 20.26	\$ 21.27	\$ 22.33	\$ 23.45	\$ 24.62	\$ 25.86	\$ 27.15
9918	Hourly	Head Lifeguard	\$ 19.25	\$ 20.21	\$ 21.22	\$ 22.28	\$ 23.40	\$ 24.57	\$ 25.80	\$ 27.09	\$ 28.44	\$ 29.86
9923	Hourly	Intern	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9932	Hourly	Library Page	\$ 16.00	\$ 16.80	\$ 17.64	\$ 18.52	\$ 19.45	\$ 20.42	\$ 21.44	\$ 22.51	\$ 23.64	\$ 24.82
9902	Hourly	Lifeguard	\$ 17.00	\$ 17.85	\$ 18.74	\$ 19.68	\$ 20.66	\$ 21.70	\$ 22.78	\$ 23.92	\$ 25.12	\$ 26.37
9907	Hourly	Maintenance Temp	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9924	Hourly	Office Aide	\$ 21.73	\$ 22.82	\$ 23.96	\$ 25.16	\$ 26.41	\$ 27.73	\$ 29.12	\$ 30.58	\$ 32.11	\$ 33.71
9928	Hourly	Officer Temp	\$ 26.50	\$ 27.83	\$ 29.22	\$ 30.68	\$ 32.21	\$ 33.82	\$ 35.51	\$ 37.29	\$ 39.15	\$ 41.11
9908	Hourly	Paraprofessional Temp	\$ 21.20	\$ 22.26	\$ 23.37	\$ 24.54	\$ 25.77	\$ 27.06	\$ 28.41	\$ 29.83	\$ 31.32	\$ 32.89
9925	Hourly	Parking Aide	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9929	Hourly	Pool Cashier	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9930	Hourly	Pool Manager	\$ 21.20	\$ 22.26	\$ 23.37	\$ 24.54	\$ 25.77	\$ 27.06	\$ 28.41	\$ 29.83	\$ 31.32	\$ 32.89
9909	Hourly	Professional Temp	\$ 31.80	\$ 33.39	\$ 35.06	\$ 36.81	\$ 38.65	\$ 40.59	\$ 42.62	\$ 44.75	\$ 46.98	\$ 49.33
9926	Hourly	Records Temp	\$ 22.96	\$ 24.11	\$ 25.31	\$ 26.58	\$ 27.91	\$ 29.30	\$ 30.77	\$ 32.31	\$ 33.92	\$ 35.62
9910	Hourly	Recreation Leader	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9911	Hourly	Recreation Specialist	\$ 21.00	\$ 22.05	\$ 23.15	\$ 24.31	\$ 25.53	\$ 26.80	\$ 28.14	\$ 29.55	\$ 31.03	\$ 32.58
9933	Hourly	Substitute Librarian	\$ 32.00	\$ 33.60	\$ 35.28	\$ 37.04	\$ 38.90	\$ 40.84	\$ 42.88	\$ 45.03	\$ 47.28	\$ 49.64
9931	Hourly	Substitute Library Assistant	\$ 22.50	\$ 23.63	\$ 24.81	\$ 26.05	\$ 27.35	\$ 28.72	\$ 30.15	\$ 31.66	\$ 33.24	\$ 34.90
9934	Hourly	Swim Instructor	\$ 17.50	\$ 18.38	\$ 19.29	\$ 20.26	\$ 21.27	\$ 22.33	\$ 23.45	\$ 24.62	\$ 25.86	\$ 27.15
9938	Hourly	Technical Prof Temp*	\$ 45.00	\$ 47.25	\$ 49.61	\$ 52.09	\$ 54.70	\$ 57.43	\$ 60.30	\$ 63.32	\$ 66.49	\$ 69.81

*New classification



SAN RAFAEL SANITATION DISTRICT
Agenda Item No. 7.a.

DATE: September 15, 2022

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 a Second Amendment to Agreement with Nute Engineering for Design Related Services for Phase B of the Bayside Acres Beach Sewer Relocation Project

RECOMMENDATION:

Adopt resolution authorizing the District Manager/District Engineer to sign a second Amendment to Agreement with Nute Engineering for additional design related services for Phase B of the Bayside Acres Beach Sewer Relocation Project from the amount of \$420,321 to the amount of \$753,929.

BACKGROUND:

Within the Bayside Acres Beach neighborhood there are approximately 20 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. After the new sewer main is installed, the next phase (Phase B) will be to install the new private residential pump systems and laterals for each of the 20 properties. Once they have been connected, the District will decommission the existing sewer main in the beach.

On July 17, 2020, the District entered into a Professional Services Agreement with Nute Engineering for only the design related services for the Bayside Acres Beach Sewer Relocation Project. Now that the District has clear direction on this project and has awarded the Phase A portion of the project to W. R. Forde Associates, the District amended its Agreement with Nute Engineering for engineering services during the construction of Phase A at the August 8, 2022, Board meeting.

Nute Engineering has now submitted its proposal for the design related services for Phase B, which is the new private residential pump system and lateral portion of the project.

ANALYSIS:

Nute Engineering has submitted a proposal for the following services:

- Schedule A: Civil, Geotechnical, Mechanical, and Electrical 65% Design, which would consist of the design for each of the private properties’ site piping; pump system; pump foundation with the assistance of Miller Pacific Engineering Group; pump system electrical circuit panel with the assistance of Beecher Engineering and Fowler Electric Co.; meeting with each individual property owner to discuss the pump location and electrical circuit modifications; evaluate standby power alternatives; and prepare the 65% bid documents for District staff to review.
- Schedule B: Civil, Mechanical, and Electrical 95% Design, which would consist of preparing technical specification bid documents; revise the plans based on the 65% comments; meet and review with each property owner and District for additional comments; and prepare final estimate.
- Schedule C: Environmental Special Studies and Regulatory Permitting, which consist of Prunuske-Chatham, Inc., initiating Special Studies to Support CEQA Categorical Exemption for residential pump systems and permitting for the abandonment of the existing sewer system in the beach; and preparing regulatory permit applications for residential systems and decommissioning of the sewer main.
- Schedule D: Building Department Permitting and PG&E Service Requests, which consist of preparing City and County Building Department permit applications and PG&E service modifications for each household circuit panel modification and pump system electrical circuits and conduits.
- Schedule E: Civil, Mechanical, and Electrical Final Design and Bid Assistance, which consist of incorporating all final comments, including regulatory permitting issues and Building Department review comments; and assisting the District with the pre-bid meeting and answering contractor questions during the bid period.

Nute Engineering proposes to complete its design by April 2023. For additional detailed descriptions of these tasks, please refer to Nute’s proposal.

Nute Engineering proposes to perform the design related services for the District on a time-and-materials basis for an amount not to exceed \$333,608.

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

FISCAL IMPACT:

These additional design related services will be funded under the 80-Year Life Cycle Sewer Replacement Program from the FY 2022-23 Budget.

Existing Agreement 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	<u>\$ 333,608.00</u>
Total	\$ 753,929.00

OPTIONS:

- 1) Staff recommends that the Board approve the increase in Nute Engineering's budget to include the additional design services for Phase B from \$420,321.00 to \$753,929.00, for an additional amount of \$333,608.00.
- 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 Second Amendment to Agreement with Nute Engineering for design related services for Phase B of the Bayside Acres Beach Sewer Relocation Project from the amount of \$420,321.00 to the amount of \$753,929.00, for an additional amount of \$333,608.00.

Attachments:

1. Resolution
2. Second Amendment to Agreement

SAN RAFAEL SANITATION DISTRICT

RESOLUTION NO. 22-1254

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN RAFAEL SANITATION DISTRICT
AUTHORIZING THE DISTRICT MANAGER/DISTRICT ENGINEER
TO EXECUTE A SECOND AMENDMENT TO AGREEMENT
WITH NUTE ENGINEERING FOR DESIGN RELATED SERVICES FOR THE
BAYSIDE ACRES BEACH SEWER RELOCATION PROJECT, PHASE B
FOR AN ADDITIONAL AMOUNT OF \$333,608**

**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 second Amendment to Agreement with Nute Engineering for design related services for the Bayside Acres Beach Sewer Relocation Project, Phase B, a copy of which is hereby attached and by this reference made a part hereof.

PASSED AND ADOPTED at a special meeting of the San Rafael Sanitation District Board of Directors held on the 15th day of September 2022 by the following vote, to wit:

AYES:

NOES:

ABSENT/ABSTAIN:

SAN RAFAEL SANITATION DISTRICT

Kate Colin, Chair

ATTEST:

Maribeth Bushey, Secretary

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

This second Amendment to the original Agreement is made and entered into this 15th day of September 2022, by and between the SAN RAFAEL SANITATION DISTRICT and NUTE ENGINEERING.

This second Amendment covers increasing the original contract budget amount of \$380,000 for design related services and the first Amendment to the Agreement for an additional amount of \$40,321 for construction related services for Phase A by approximately \$333,608 to cover additional design related services for Phase B requested by District staff for the Bayside Acres Beach Sewer Relocation Project, Phase B.

All of the additional work will be in accordance with the attached proposed scope of services dated September 13, 2022, and attached herein as Exhibit "A".

SAN RAFAEL SANITATION DISTRICT

CONTRACTOR

Doris Toy
District Manager/District Engineer

NUTE ENGINEERING _____

By: _____

Title: President _____

APPROVED AS TO FORM:

Kerry Laiw Gerchow
Deputy County Counsel



EXHIBIT A

September 13, 2022

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
Proposal for Design Engineering Services

Dear Doris:

Per your request we are pleased to provide this proposal for design engineering services for the San Rafael Sanitation District's Bayside Acres Beach Sewer Relocation Project – Phase B.

BACKGROUND

Most of the District sewers in the Bayside Acres area appear to have been installed in 1972. There are 19 homes along the beach which are lower than the street. Therefore, sewer service to these homes is provided by two District sewer pipelines located on the beach within the tidal zone. Records show that these were also built in 1972. The homes with addresses on Beach Drive, Oak Drive and on Pt. San Pedro Road are served by these sewer pipelines in the beach. These District sewers drain into two District operated lift stations that pump the sewage up the hill and into other District gravity sewers.

The District has found these two sewers on the beach to be very difficult to maintain. They are only accessible at low tide and the salt water has degraded the concrete and corroded the manhole access covers so they cannot be readily opened. Some of the lateral sewer pipes connecting the homes to the sewer main are precariously routed above ground, damaged from age and wave action erosion and are corroding, allowing sewage to leak out and salt water to infiltrate the sewer system. If there is a blockage in the sewer lines and a sewage overflow occurs, the District faces fines and sanctions from the State of California for polluting San Francisco Bay. If there is damage or a leak in a private lateral the homeowner may not be aware of it and their sewage could be discharging directly into the bay for extended periods of time before it is discovered by the homeowner or District crews.



The properties served by the existing beach sewers are listed below:

- *Southern Project Area* - The southern project area stretches from the Bay's edge at the end of Beach Drive, includes most of the properties north one block and then northeast along Oak Drive to the top of the hill and then east to the end of the Oak Road cul-de-sac. The homes connected to this sewer are 50, 51 and 53 Beach Drive and 177, 179, 181, 183, 185, 187, 189, 191 and 193 Oak Drive. The southern area is served by the District's Beach Drive Pump Station (PS #20).
- *Northern Project Area* - The northern project area includes a small section of Marine Drive just south of Pt. San Pedro Road and then east along the water side of Pt. San Pedro Road for about 800 feet and ends at the Main Drive Pump Station which is about 200 feet west of the continuation of Main Drive. The homes attached to this sewer are 9 and 11 Marine Drive and 800, 816, 824, 828, 832 and 836 Pt. San Pedro Road. The northern area is served by the District's Main Drive Pump Station (PS #24).

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. This will require Nute Engineering and District staff to consult with homeowners and make a reasonable effort to screen and hide the pump and sump units and associated hardware.

The approved project will also require all necessary environmental regulatory permitting, along with building department permitting through either Marin County Building Department or City of San Rafael Building Department (depending on jurisdiction of the affected houses).

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 Beecher Engineering (Electrical Engineer), Prunuske-Chatham, Inc. (Regulatory Permitting), Miller Pacific Engineering Group (Geotechnical), and Fowler Electrical (Electrical Contractors).

Weekly Project Team Meetings

1. Attend and participate in the weekly design and public relation discussions with the project team (assume 7 months, October 2022 to May 2023. After that would be construction period).

Schedule A Services – Civil, Mechanical and Electrical 65% Design

1. Design site piping and pump system sump foundation, with pump system sump addressing seismic concerns as necessary. Miller Pacific Engineering Group will assist with each sump foundation review.
2. Perform hydraulic calculations for individual private residential pump system performance and the discharge force mains to the existing gravity sewers.

3. Design each residential pump system electrical circuit household circuit panel connection. Identify necessary modifications to existing electrical household circuit panel. Design Assistance by Beecher Engineering and Constructability Assistance by Fowler Electric Co.
4. Meet with each individual homeowner to discuss recommended residential pump system sump location, pressure lateral location through the property, and expected household electrical circuit modifications.
5. Evaluate standby power alternatives.
6. Prepare the 65% final bid documents for District Staff review, including the District's Standard Instructions to Bidders, Proposal, General Conditions, etc. Meet with District Staff to address review comments for 65% bid documents and update plans and specifications.



Schedule B Services – Civil, Mechanical and Electrical 95% Design

1. Prepare technical specifications of the project improvements, including for the new residential pump system foundation, mechanical, and individual pump controls.
2. Meet and review homeowner and District 65% comments with District Staff.
3. Based on the construction plans and specifications, prepare a final estimate of the project construction cost.

Schedule C Services – Environmental Special Studies and Regulatory Permitting

1. Prunuske-Chatham, Inc. (Task 1) will initiate Special Studies to Support CEQA Categorical Exemption for residential pump systems and permitting for the abandonment of the existing sewer system in the beach, including Cultural Resources, Biological Resources and Agency Jurisdiction Identification.
2. Prunuske-Chatham, Inc. will prepare regulatory permit applications, for residential systems and for decommissioning of sewer mains, for the Corps (Section 404 of the Federal Clean Water Act Nationwide 112 Permit), Regional Water Board (Section 401 Water Quality Certification) and BCDC (Regionwide Permit or Minor Permit). Prunuske-Chatham, Inc. does not anticipate a permit from the California Department of Fish and Wildlife (CDFW) will be required. However, consultation with CDFW may be required to obtain other state and local permits.

Schedule D Services – Building Department Permitting and PG&E Service Requests

1. Prepare City and County building department permit applications for household circuit panel modifications and pump system electrical feed.

2. Prepare PG&E service modification applications for household circuit panel modifications and pump system electrical feed circuit and conduits.

Schedule E Services – Civil, Mechanical and Electrical Final Design and Bid Assistance

1. Incorporate final District comments and prepare final design plans and technical specifications. Incorporate all final regulatory permitting issues which affect the plan set. Incorporate final building department review comments for each residence.
2. Assist District Staff with pre-bid meeting and answer contractor questions regarding the project.

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

- Meet with Homeowners Regarding System Design: September 15 thru December 15, 2022
- Submit 65% Design to SRSD: January 15, 2023
- SRSD 65% Design Review Period: January 31, 2023
- Prepare Regulatory Permitting Application: January 31, 2023
- SRSD 65% Design Review Meeting: February 1, 2023
- Submit 95% Design to SRSD: March 15, 2023
- SRSD 95% Design Review meeting: March 22, 2023

- Submit Building Permit Applications and PG&E Service Requests: March 23, 2023
- Submit Final Bid Documents to the District: April 17, 2023


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 Design/Public Relations Meetings	\$ 14,120
Schedule A: Civil, Mechanical and Electrical 65% Design	\$ 109,236
Schedule B: Civil, Mechanical and Electrical 95% Design	\$ 89,932
Schedule C: Environmental Special Studies and Regulatory Permitting	\$ 53,501
Schedule D: Building Department Permitting and PG&E Service Requests	\$ 40,130
Schedule E: Civil, Mechanical and Electrical Final Design and Bid Assistance	\$ 26,690
	<u>\$333,608</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 A

2022 HOURLY RATE SCHEDULE

OFFICE PERSONNEL	HOURLY RATE
Principal Engineer	\$258.00
Senior Engineer	211.00
Office Surveyor	205.00
Engineer III	199.00
Engineer II	191.00
Engineer I	165.00
Field Representative*	181.00
Assistant Engineer II	129.00
Assistant Engineer I	119.00
Engineering Technician II	171.00
Engineering Technician I	151.00
1-Person Survey Crew w/Robotic Total Station	250.00
Office Surveyor	205.00
Senior Designer	188.00
CAD Drafter II	158.00
CAD Drafter I	138.00
Technical Administrative Support	118.00
Clerical	101.00
LITIGATION SERVICES	
Court Appearance/Deposition	372.00

*Field Representative for construction is a Prevailing Wage category as required by the California Department of Industrial Relations.

REIMBURSABLE EXPENSES

Sub-consultants will be charged at 1.10 times cost. Charges for reproductions, blueprinting, outside computer services, rental of special equipment, delivery, express mail, insurance certificates (where client requires to be listed as an additional insured) and meals and lodging will be charged at 1.10 times cost. Mileage and technology charges are included in the hourly rates. Nute Engineering reserves the right to adjust its hourly rate structure for all ongoing contracts.

EFFECTIVE DATE: August 1, 2022

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

NUTE ENGINEERING
 907 Mission Ave
 San Rafael, CA 94901

Description	Rate \$/Hr	Senior	Engineer III	CAD Drafter	Tech Admin	MPEG	Prunizke	Fowler	Beecher	Direct Cost Markup	TOTAL
		Engineer	Engineer III	I	Support		Chatham	Electric	Engineering		
Weekly Project Team Meetings											
1. Attend and participate in the weekly design and public relation discussions with the project team (assume from Oct 2022 to May 2023)		28	28						\$2,400	\$2,400	
	Hours	28	28								
	Cost	\$5,938	\$5,572						\$2,400	\$2,400	\$14,130
Schedule A Services – Civil, Mechanical, and Electrical 65% Design											
1. Design site piping and pump system sump foundation addressing seismic concerns as necessary		2	14	5		\$14,820				\$1,482	
2. Perform hydraulic calculations for residential pump system performance and discharge force mains		2	14	5							
3. Design each residential pump system electrical circuit and panel connection		1	14	5			\$3,000		\$39,900	\$4,200	
4. Meet w/homeowners re pump system sump and pressure lateral location, elec. circuit modifications		19	14	5					\$11,970	\$1,197	
5. Evaluate standby power alternatives		1	14	5					\$3,990	\$399	
6. Prepare 65% final bid documents for District Staff review		1	22		8						
	Hours	26	92	25	8						
	Cost	\$5,486	\$18,308	\$3,450	\$944	\$14,820	\$3,000		\$55,860	\$7,368	\$109,236
Schedule B Services – Civil, Mechanical, and Electrical 95% Design											
1. Prepare technical specifications including for new residential pump system foundation, mechanical, and individual pump controls.		30	50		15	\$9,880			\$19,110	\$2,899	
2. Meet with the District to review home owner comments and 65% comment, prepare 95% plans		20	80	20					\$840	\$84	
3. Based on construction plans and specs, prepare final project construction cost estimate		5	45		15				\$3,990	\$399	
	Hours	55	175	20	30						
	Cost	\$11,605	\$34,875	\$2,760	\$3,540	\$9,880			\$23,940	\$3,382	\$89,932
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)							\$22,600			\$2,260	
2. Prepare regulatory permit applications for required Agencies (Corps, ROWCB, BCDC, etc)			19				\$22,600			\$2,260	
	Hours		19								
	Cost		\$3,781				\$45,200			\$4,520	\$53,501
Schedule D Services – Building Department Permitting and PG&E Service Requests											
1. Prepare city and County building permit application for household circuit panel modifications and pump system electrical feed, coordinate approval prior to bidding		19	46	5	60			\$1,500	\$3,210	\$471	
2. Prepare PG&E service modification permit applications for household circuit panel modifications and pump system electrical feed circuit and conduits (assume 15 homes will require this work)		15	25	5	15			\$1,500	\$1,605	\$311	
	Hours	34	71	10	75						
	Cost	\$7,174	\$14,129	\$1,380	\$8,850			\$3,000	\$4,815	\$782	\$40,130
Schedule E Services – Civil, Mechanical and Electrical Final Design and Bid Assistance											
1. Incorporate District, permitting and homeowner comments into final design plans and specs		10	52	10	30	\$4,940			\$1,605	\$655	
2. Assist District Staff with pre-bid meeting and answer contractor questions regarding the project		4	4	4	4						
	Hours	14	56	10	34						
	Cost	\$7,954	\$11,144	\$1,380	\$4,012	\$4,940			\$1,605	\$655	\$26,600
Line Totals		\$33,127	\$87,759	\$8,970	\$17,346	\$29,640	\$6,000	\$6,000	\$88,620	\$16,946	\$333,608

Total Schedules A through E \$333,608

Attachment C
San Rafael Sanitation District
Bayside Acres Beach Relocation Project, Phase B
Table of Hourly Effort for Each House

	Schedule A 65% Design			Schedule B Meetings and 95% Design			Schedule C Environmental Support		Schedule D Building and PG&E		Schedule E Final Design			
	Nute	Fowler	Beecher	MPEG	Nute	Beecher	MPEG	Environmental Support	PCI	Nute	Beecher	Nute	MPEG	Beecher
1	8	1	14	3	12	6	2	1	14	10	15	6	1	1
2	8	1	14	3	12	6	2	1	14	10	15	6	1	1
3	8	1	14	3	12	6	2	1	14	10	15	6	1	1
4	8	1	14	3	12	6	2	1	14	10	15	6	1	1
5	8	1	14	3	12	6	2	1	14	10	15	6	1	1
6	8	1	14	3	20	6	2	1	14	10	15	6	1	1
7	8	1	14	3	24	6	2	1	14	10	15	6	1	1
8	8	1	14	3	12	6	2	1	14	10	15	6	1	1
9	8	1	14	3	12	6	2	1	14	10	15	6	1	1
10	8	1	14	3	12	6	2	1	14	10	15	6	1	1
11	8	1	14	3	24	6	2	1	14	10	15	6	1	1
12	8	1	14	3	12	6	2	1	14	10	15	6	1	1
13	8	1	14	3	20	6	2	1	14	10	15	6	1	1
14	8	1	14	3	12	6	2	1	14	10	15	6	1	1
15	8	1	14	3	12	6	2	1	14	10	15	6	1	1
16	8	1	14	3	24	6	2	1	14	10	15	6	1	1
17	8	1	14	3	12	6	2	1	14	10	15	6	1	1
18	8	1	14	3	12	6	2	1	14	10	15	6	1	1
19	8	1	14	3	12	6	2	1	14	10	15	6	1	1
	152	19	266	57	280	114	38		266	190	285	114	19	19
	Project Subtotal (hr)													

7.b.

SAN RAFAEL SANITATION DISTRICT
Agenda Item No. 7.b.

DATE: September 15, 2022
TO: Board of Directors, San Rafael Sanitation District
FROM: Doris Toy, District Manager/District Engineer
SUBJECT: Discussion on the Associate Management Analyst Position

SUMMARY:

The District Manager wishes to reclassify a current Senior Administrative Assistant position to an Associate Management Analyst position.

Ms. Cindy Hernandez, Senior Administrative Assistant, verbally notified the District Manager of her intention to leave her position at the end of the calendar year due to her retirement. Ms. Hernandez has held the Administrative Assistant position for the District for the past 29 plus years. Over the years, this position has evolved into a more technical and professional position with higher level duties, including but not limited to: Clerk to the Board, budgeting, contracting, invoicing, fee calculations, and various special projects for the District Manager in addition to Executive Assistant duties. The Associate Management Analyst position is the entry level classification in the Management Analyst series. The series includes Associate Management Analyst, Management Analyst, and Senior Management Analyst.

The goal is to post the Associate Management Analyst position next week with the expectation to hire sometime in November. The posting will be initiated while discussions are underway with the respective bargaining units affected, i.e. SEIU for Senior Administrative Assistant and Local 1 for Associate Management Analyst. The selection and appointment of the Associate Management Analyst will be made only after the conclusion of the discussions and agreement with the respective Unions.

Ms. Hernandez has offered to assist in the transition following the selection and appointment of her successor. She plans to train her successor for a period of up to 30 days. However, if the District is not able to meet her timeline, the District does have a temporary Administrative Assistant whom she is currently training. Thus, the temporary Administrative Assistant can carry on the administrative duties until the District hires Ms. Hernandez' successor.

FISCAL IMPACT:

The Senior Administrative Assistant salary ranges from \$5,569/month (Step A) to \$6,769/month (Step E). The Associate Management Analyst salary ranges from \$5,913/month (Step A) to \$7,187/month (Step E), which is a 6% difference in salary.

ACTION REQUIRED:

The District Manager recommends that the Board approve the reclassification of the Senior Administrative Assistant position to the Associate Management Analyst position.

Attachment: Job Description for the Associate Management Analyst

**City of San Rafael
Job Class Specification**

Job Title: Associate Management Analyst

SUMMARY

Under the direction of the assigned department head or management position is responsible for performing a variety of responsible, complex, professional analytical duties involving research and analysis relating to operating procedures and practices, organization, program data, budgetary requests or a variety of operational issues to recommend an appropriate course of action. Related work is assigned.

CLASS CHARACTERISTICS:

This class is designed for professional level, administrative positions performing complex, analytical work. This is the entry level classification in the Management Analyst series. The Series includes Associate Management Analyst, Management Analyst, and Senior Management Analyst. Depending upon assignments, some positions may be permanently allocated to this level and some positions may be designated as flexibly staffed at various levels in the series.

Incumbents receive general supervision while performing tasks of moderate difficulty. All findings and recommendations are subject to final review and approval. This classification is designated as confidential and incumbents may become involved in activities associated with, or perform duties relating to, the collective bargaining process. This class is distinguished from the Administrative Assistant job family, which is designed for administrative generalist positions assignments under general supervision. Administrative Assistants act as the day to day clerical/administrative support person for a department or unit. Their focus is to attend to the daily activities required to run an office.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

- Plans, organizes, coordinates and implements day to day program assignments independently.
- Conducts research, collects data, and analyzes work procedures and policies; interprets data from various internal and external data sources to evaluate and make recommendations for improving the effectiveness of assigned programs.
- Analyzes federal and state laws and regulations as they relate to assigned programs and develops and implements changes as necessary based on this analysis.
- Develops program manuals, comprehensive reports, handouts, flyers, newsletters, and other documents for communicating program information.
- Serves as a department website content developer and reviewer and participates on the City's technology team.
- Drafts and publishes authorized social media posts consistent with City messaging, and responds to citizen inquiries on behalf of the Department.
- Plans and coordinates civic engagement events.
- Coordinates and participates in training of other personnel.
- Interacts with other city staff, city council, community representatives, and citizens regarding programs.
- Uses personal computer to type reports, memos, emails, etc., and to maintain statistical data.
- Performs related duties as required.

KNOWLEDGE OF:

Principles and practices associated with administration, organization, and management; research methods, techniques, statistical and other work measures; modern office software programs including but not limited to Microsoft Word, Outlook, and Excel; and quality improvement processes, performance measurement techniques for public sector services and programs.

ABILITY TO:

Work independently in the completion of assignments. Analyze and evaluate data. Prepare and present clear and concise reports, both orally and in writing. Establish and maintain effective working relationships with others. Provide effective functional or project leadership. Effectively plan, organize and prioritize work.

EDUCATION and/or EXPERIENCE:

Bachelor's degree in public/business administration, finance, accounting, planning, public policy or related field

Note: Responsible analytical experience may be substituted for the required education on a year-for-year basis.

LANGUAGE SKILLS:

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.

MATHEMATICAL SKILLS:

Ability to work with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

REASONING ABILITY:

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

CERTIFICATES, LICENSES, REGISTRATIONS:

Valid CA drivers license.

PHYSICAL DEMANDS:

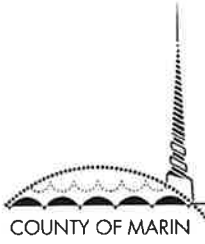
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly required to sit. The employee frequently is required to use hands to finger, handle, or feel; reach with hands and arms; and talk or hear. Employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds. Vision abilities required include close vision, and ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee regularly works in indoor conditions and regularly works near video display. The noise level in the work environment is usually quiet.

FLSA Status:	Non-Exempt
Prepared By:	Stacey Peterson
Prepared Date:	July 2017
Approved By:	City of San Rafael
Approved Date:	July 17, 2017

10.a.



OFFICE OF THE
COUNTY COUNSEL

September 15, 2022

Brian E. Washington
COUNTY COUNSEL

CONFIDENTIAL

Renee Giacomini Brewer
ASSISTANT COUNTY COUNSEL

Board of Directors
San Rafael Sanitation District (SRSD)
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San Rafael, CA 94901

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Kerry L. Gerchow
Tarisha K. Bal
Deidre K. Smith
Brandon W. Halter
Sarah B. Anker
Kate K. Stanford
Scott Drexel

Re: Closed Session – Public Employee Performance Evaluation

Dear Directors:

I request that you conduct a closed session during your special meeting on September 15, 2022, to discuss the following matter: public employee performance evaluation of the General Manager. In my opinion, public discussion of this matter would prejudice your position.

DEPUTIES

The specific reason and the legal authority for the closed session are:

Colleen McGrath
ADMINISTRATIVE SERVICES
OFFICER

Government Code section 54957: A legislative body of a local agency may hold closed sessions to consider the evaluation of performance of a public employee.

Marin County Civic Center
3501 Civic Center Drive
Suite 275
San Rafael, CA 94903
415 473 6117 T
415 473 3796 F
415 473 2226 TTY
www.marincounty.org/cl

It should be noted that Government Code section 54954.5 requires the Board to post a Closed Session item on the Board Agenda. With respect to the above referenced matter, you should include the fact that you are conducting a public employee performance evaluation, the code section involved, and the title of the employee involved as set forth below.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
California Government Code Section 54957
Title: District Manager

Should you have any further questions, please contact me.

Respectfully submitted,
BRIAN E. WASHINGTON
Marin County Counsel

By: _____
Kerry Gerchow
Deputy County Counsel