



Central Marin Sanitation Agency

INFORMATIONAL ITEMS

For the Board of Commissioners Regular Meeting
of June 12, 2018

- I-1** Letter dated April 6, 2018 from Jason Klumb, SEIU Local 1021
Re: Supreme Court Decision on the Case of Janus v. AFSCME Council 31
- I-2** Letter dated May 7, 2018 to Bruce Wolfe, San Francisco Bay Regional Water
Quality Control Board
*Re: Acceptance of Central Marin Sanitation Agency Specific Findings for the
Nutrient Reduction Report*
- I-3** Letter dated May 10, 2018 to Maureen Denieva, Marin Health & Human Services,
RxSafe Marin
Re: Donation for RxSafe Marin
- I-4** Letter dated May 16, 2018 from Michele Mark Levine, Government Finance
Officers Association
*Re: Excellence in Financial Reporting Award for 2017 Comprehensive Annual
Financial Report (CAFR)*
- I-5** Letter dated May 29, 2018 to Vince Christian, California Regional Water Quality
Control Board, San Francisco Bay Region
Re: Monthly Self-Monitoring Report (SMR) – April 2018



Roxanne Sanchez
President

Sunny Santiago
VP Region A (North Central)

Tom Popenuck
VP Region B (North Coast)

Gary Jimenez
VP Region C (East Bay)

Joseph Bryant
VP Region D (San Francisco)

Marcus Williams
VP Region E
(Amador/Calaveras/San Joaquin)

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Theresa Rutherford
VP of Representation

Alysaeth Alexander
VP of Politics

Ramses Teon-Nichols
VP of Organizing

Executive Board

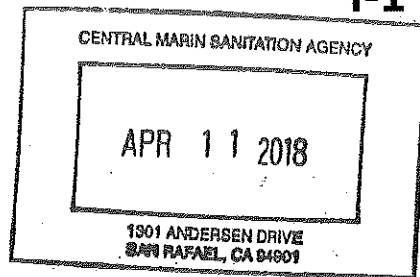
- Pete Albert
- John Arantes
- Akbar Bibb
- Derrick Boutte
- Lorraine Bowser
- Theresa Breakfield
- Monique Broussard
- Norlissa Cooper
- Gregory Correa
- Felipe Cuevas
- Evelyn Curiei
- Karla Faucett
- Al Fernandez
- Geneva Haines
- Dellfinia Hardy
- Dan Jameyson
- Cynthia Landry
- Omar Medina
- Yeon Park
- Mercedes Riggelman
- Mary Sandberg
- Eric Stern
- Robert Taylor
- Angel Valdez
- Jim Wise
- Janice Wong

Executive Board & Budget & Finance Committee

- Kathryn Cavness
- Rhea Davis
- Tina Diep
- Mary Duncan
- Peggy LaRossa
- Julie Meyers
- Cristin Perez

April 6, 2018

Jason Dow, General Manager
Central Marin Sanitation Agency
1301 Anderson Drive
San Rafael, CA 94901



Dear Jason Dow,

By this letter, we wish to inform you of a case being heard by the United States Supreme Court this term, which may alter 40 years of public sector labor relations precedent governing non-member fair share fee provisions in our collective bargaining agreement. We seek to join together right now to implement systems that will best serve both the Marin area and our bargaining unit members. By taking these actions now, we can reduce the risk of confusion, delay, and disputes that could arise in the wake of any legal change, distracting us from our common mission of serving the people of Marin County.

In the spring of 2018, the Supreme Court will decide the case of *Janus v. AFSCME Council 31*. The case concerns fair share fees paid to support collective bargaining agreements that benefit and protect non-members like plaintiff Mark Janus. While we cannot predict what the Supreme Court will do, we are preparing for the possibility that the Court will limit or eliminate altogether fair share fee provisions like those in our agreement with the Central Marin Sanitation Agency. The *Janus* case does not concern Union membership dues, nor our bargained provisions for remitting to the Union dues or COPE deducted from payroll pursuant to authorizations by our members.

To avoid confusion, delay, or disputes in the wake of *Janus*, we propose to implement, immediately, a number of actions that ensure our systems are well prepared to meet this possible change in public sector bargaining law. Because we cannot anticipate the actual date the decision will be issued, it is extremely important to proactively prepare for any potential changes. Working collaboratively, we can ensure that our systems are capable of maintaining, in real time, an accurate list of union members in each bargaining unit and adapting promptly to any change of law. Even if the Court does not change the current law governing fair share fee provisions, these changes make sense. They are best practices that will improve the transparency, accuracy and efficiency of dues and fees deductions.



Specifically, we want to guarantee that:

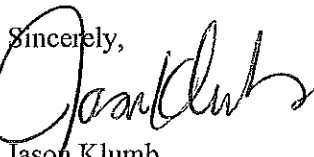
1. We verify, ahead of the decision and regularly thereafter, that your records and the Union's records accurately reflect the membership or fee payer status of each bargaining unit member;
2. We finalize a contingency plan that contemplates the possibility that the Supreme Court may limit or altogether eliminate fair share fee arrangements and sets forth our commitment to work together on a joint message explaining the case to bargaining unit members to prevent confusion or misinformation;
3. You provide the Union, as exclusive representative, with consistent, complete, and current data for all represented employees, not only those paying membership dues to the Union, in an electronic format agreeable to both parties;
4. We both commit to transmitting and processing authorizations to deduct Union membership dues in a timely fashion, ensuring any deductions are reflected in the next paycheck of represented employees; and
5. We identify a point of contact with whom the Union can communicate on the day of the decision to determine whether any additional action is necessary with respect to the contingency plan.

Further, to meet the best practices in place with many of our public employers, we propose that the Union become the records custodian for employee union dues and COPE authorizations. Currently, the Central Marin Sanitation Agency (and not the Union) acts as the records custodian, relying on the Union to transmit paper cards or electronic authorization receipts documenting employee deduction authorizations. In order to alleviate the administrative burden for the Central Marin Sanitation Agency, we propose undertaking custodial duties right now, providing modern, secure and efficient electronic list transfer. By implementing real-time, electronic transmission, we can ensure the accuracy and reliability of our system. This will help us reduce uncertainty and head off disputes in the wake of any changes that could result from the *Janus* decision.

We would be glad to work collaboratively with your human resources, payroll and systems staff to make this transition of records custodian responsibilities as easy as possible. We have made this change with many other employers resulting in mutual benefits for all involved.

Finally, please understand that while we hope to make these improvements to our data sharing and systems right away, you should continue deducting non-member fair share fees pursuant to our agreement unless and until the Supreme Court acts in *Janus*. Indeed, any change to fair share fee deductions at this time would violate that agreement. Following a decision from the Supreme Court, we will promptly contact you (or your designee) to implement any necessary changes to fair share fee deductions.

Please let us know when we can schedule a call to discuss the systems changes outlined above.

Sincerely,

Jason Klumb
Area Director

CC: Ahn Ta, Accounting Tech



CENTRAL MARIN SANITATION AGENCY

Jason R. Dow P.E.
General Manager

1301 Andersen Drive, San Rafael, CA 94901-5339

Phone (415) 459-1455

Fax (415) 459-3971

www.cmsa.us

May 7, 2018

Mr. Bruce Wolfe
Executive Officer
San Francisco Bay Regional Water Quality Control Board

Subject: Acceptance of Central Marin Sanitation Agency Specific Findings for the Nutrient Reduction Report

Dear Mr. Wolfe,

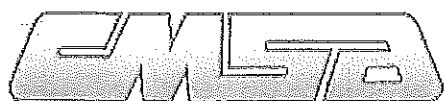
On behalf of Central Marin Sanitation Agency (CMSA), I have reviewed the individual plant report prepared for CMSA that is included as an appendix to the Potential Nutrient Reduction by Treatment Optimization, Sidestream Treatment, Treatment Upgrades, and Other Means Report (Nutrient Reduction Report). The CMSA plant report was prepared by the HDR/B&C consulting team (Consultants) under a contract with the Bay Area Clean Water Agencies (BACWA). The CMSA report was prepared after the Consultants visited the wastewater treatment site, interacted with Agency staff, prepared a draft report for our staff's review, and responded to staff's comments. A representative group of BACWA members (i.e. Contract Management Group) also provided direction to the Consultants in preparing the individual plant reports and the overall summary for the Nutrient Reduction Report. This report represents my best understanding of our facility in 2017.

With this level of involvement and oversight of our staff who worked with the Consultant in preparing the report for CMSA, I agree that the recommended approach and cost estimates for reducing nutrients at our facility are reasonable with respect to the context of the overall report. Furthermore, in accordance with the Watershed Permit requirement for report certification, I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Thank you,

A handwritten signature in black ink, appearing to be 'Jason R. Dow', written over a horizontal line.

Jason R. Dow, P.E.
General Manager

**CENTRAL MARIN
SANITATION AGENCY**Jason R. Dow P.E.
General Manager

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May 10, 2018

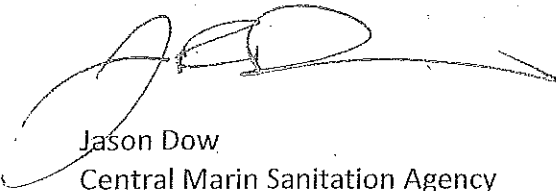
Maureen Denieva
RxSafe Marin Coordinator
Marin Health & Human Services - RxSafe Marin
1600 Los Gamos Drive, Suite 350
San Rafael, CA 94903

Subject: Donation for RxSafe Marin

Dear Maureen,

Central Marin Sanitation Agency (CMSA), Novato Sanitary District, Las Gallinas Valley Sanitary District, Sewerage Agency of Southern Marin, Sanitary District #5 of Marin County, and Sausalito Marin City Sanitary District formed the Wastewater Treatment Agencies of Marin County Public Education Program (Program) in 2007. The Program uses the combined resources of our agencies to educate the public about environmental topics related to pollution prevention, wastewater treatment, recycled water, and other environmental issues to protect the San Francisco Bay. CMSA serves as the lead agency in the Program. Historically, the Program has financially supported pharmaceutical take back programs in Marin County. It has come to our attention that the RxSafe Marin collaboration will continue the countywide public outreach pertaining to proper pharmaceutical collection and disposal. The Program is pleased to donate \$14,000 to RxSafe Marin to support your efforts to inform the general public of the current pharmaceutical take-back program activities. The Program does not need specific reporting regarding how or when our donation is spent. However, we would appreciate a letter from RxSafe Marin acknowledging you received our donation and generally describing your outreach program activities. Please ensure that the enclosed check is deposited in your account before 6/30/18.

Regards,



Jason Dow
Central Marin Sanitation Agency
General Manager

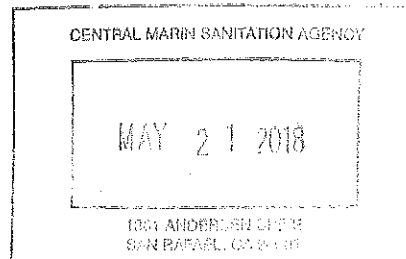
Enclosure: CMSA Check #18-6028



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

May 16, 2018

Jason Dow
General Manager
Central Marin Sanitation Agency
1301 Anderson Drive
San Rafael, CA 94901



Dear Mr. Dow:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended 2017 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

Michele Mark Levine
Director, Technical Services Center



CENTRAL MARIN SANITATION AGENCY

Jason R. Dow P.E.
General Manager

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www.cmsa.us

May 29, 2018

California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Attention: Vince Christian

Subject: **Monthly Self-Monitoring Report (SMR) – April 2018**

The April 2018 monthly self-monitoring report for the Central Marin Sanitation Agency (CMSA) treatment plant has been submitted using the eSMR /California Integrated Water Quality System (CIWQS). This SMR conforms to CMSA's NPDES Permit, Order #R2-2018-003.

Violations

There are no reportable NPDES Permit violations for this reporting period.

Blending Events

The CMSA treatment facility did exceed the maximum secondary capacity of 30 MGD, resulting in two blend events in April. Analytical data pertaining to these blend events have been provided below and are included within the eSMR/CIWQS data submittal.

Date	Final Effluent Blend (EFF-001b)											
	EFF-002 Flow Daily AVG MGD	Blending Volume MGD	Blending Start Time	Blending End Time	TSS mg/L	CBOD mg/L	Blending pH Min SU	Blending pH Max SU	Enterococcus MPN/100mL	Enterococcus Geomean MPN/100mL	Total Coliform MPN/100mL	Total CL2 mg/L
4/6/2018	27.61	6.19	1245	2359	14.0		6.8	7.4	2.3		NDO.0	0.00
4/7/2018	40.65	10.09	0000	1850	10.0		6.7	7.1	3.5	2.5	NDO.0	0.00

Data Validation

All regulatory daily, weekly, and monthly quality control calibrations/checks conducted during the month of April met established quality assurance acceptance criteria.

In compliance with the Monitoring and Reporting Program (MRP) §V.B.3.a of the NPDES Permit, CMSA has included within this Self-Monitoring report, the generic Toxicity Reduction Evaluation (TRE) Work Plan. This generic TRE Work Plan is broad in its scope, and is to serve as a general guide to activities related to effective execution of a TRE at the WWTP. The objective of the TRE is to identify the cause(s) of any potential observed toxicity, isolate the source(s) of this toxicity, take

reasonable steps to reduce this toxicity, evaluate the effectiveness of toxicity control options, and confirm that toxicity has been reduced or eliminated. This Work Plan is intended to define a framework for complying with NPDES permit and waste discharge requirements, and was prepared following U.S. EPA guidance (EPA 1991a, 1999a, 1999b).

If there are any questions please contact me at (415) 459-1455, extension 101. Quality assurance data are available for all test results cited in this report. Values reported are measured values and each are subject to analytical variability. CMSA reserves the right to question data in an enforcement proceeding.

I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations (40 CFR 122.22(d)).



Loren C. Finton
Treatment Plant Manager