

B. PEYTON SLOUGH COMPLEX

1. RECEIVE STAFF REPORT

District Manager Corona reported that the District has a long history of marsh management and taking leadership on the Peyton Slough Wetlands Advisory Committee.

The nature of the District's participation in wetland management has changed partly due to the passage of Proposition 218 and increased capital expenditures for aged infrastructure improvements. Proposition 218 specifies that no property-related fee may be:

- Levied to pay for a general governmental service, such as police or fire service.
- Imposed for a service not used by, or immediately available to, the property owner.
- Used to finance programs unrelated to the property-related service.

Sewage collection, treatment, and disposal are property-related services.

Ms. Corona further reported the District's new NPDES permit was adopted by the RWQCB and became effective February 1, 2022. A key change to the permit is the removal of the McNabney Marsh Management Plan requirements. It was the District's position that McNabney Marsh management was outside the scope of the NPDES permit, which is for wastewater treatment and discharge.

Topics for Planning Committee discussion and direction are the District's participation and contributions toward tide gate management, tide gate automation, participation and contributions toward McNabney Marsh restoration, and McNabney Marsh ownership.

Ms. Corona reviewed and discussed the Peyton Slough Complex history and the complexities of managing it.

2. PROVIDE DIRECTION AS NECESSARY

The Committee agreed with Ms. Corona's observations and indicated their support for her choice of action to participate and contribute funding toward tide gate management.

C. REPUBLIC AGREEMENT AND GARBAGE FRANCHISE

1. RECEIVE STAFF REPORT

District Manager Corona reported the District's garbage franchise contractor, Republic, has increased the District's rates for compliance with SB 1383, effective January 1, 2022. The County and the City of Martinez have yet to receive their SB 1383 increases. A prior rate comparison investigation determined that the District's rates are higher and services less frequent due to fewer commercial businesses subsidizing the residential rates. Neighbors bordering the boundaries between the District's route and the City's continue to compare their rates and find fault with the difference in cost and services. The District also continues to receive occasional complaints about not having weekly recycling pickups.

Approximately 25 years ago, the District sued the County for the Franchise, it went all the way to the California Supreme Court, and the District won. Is the disparity in services provided to and cost to residents in the County, City, and District franchises sufficient to consider consolidating the District's Franchise with one or both of the others? After having worked so hard to keep it, should we even entertain the question of consolidation?

2. PROVIDE DIRECTION AS NECESSARY

The Committee concluded the disparity in price and service for the residents in the unincorporated area of Martinez was regrettable. Therefore, the Committee directed Ms. Corona to investigate when the County and City will have SB 1383 rate increases, make a new rate comparison, and look into the options available to discontinue the franchise agreement.

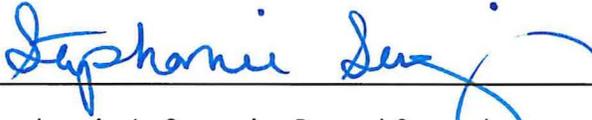
4. FUTURE AGENDA ITEMS

A. REQUESTS AND DIRECTIVES FOR FUTURE MEETINGS

The Committee requested information on the subsequent Prop 218 rate increase study.

5. ADJOURNMENT – THE NEXT SCHEDULED BOARD MEETING IS A REGULAR MEETING ON MARCH 10, 2022. THE NEXT SCHEDULED MEETING IS A PERSONNEL COMMITTEE MEETING ON THURSDAY, FEBRUARY 24, 2022, AT 10:00 A.M.

Business having concluded, Chairman Danley adjourned the meeting at 2:12 p. m.

A handwritten signature in blue ink, reading "Stephanie L. Seregin". The signature is written in a cursive style with a large, looping flourish at the end of the last name.

Stephanie L. Seregin, Board Secretary