

**Minutes of a Regular Board Meeting
Sanitary District No. 5 of Marin County
Thursday, April 15, 2021**

5:00 P.M. REGULAR BOARD MEETING

CORONA VIRUS (COVID-19) ADVISORY NOTICE

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Meeting will not be physically open to the public and all Board Members and Staff will be teleconferencing into the meeting.

How to Submit Public Comments:

Comments submitted prior to the commencement of the meeting will be presented to the Board and included in the public record for the meeting.

Public Comments are to be submitted via email to rdohrmann@sani5.org.

In addition, members of the public who are calling in, will have the opportunity to provide public comments by following the steps below:

How to Participate in the Meeting:

Join Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/6230620778>

Meeting ID: 623 062 0778

or join by phone:

Call in number: (669) 900-9128 Participant Code: 623 062 0778

ROLL CALL by President Richard Snyder at 5:00 P.M.

ROLL CALL

Directors present:

Richard Snyder, President
John Carapiet, Vice President
Omar Arias-Montez, Secretary
Catharine Benediktsson, Director
Tod Moody, Director

Staff present:

Tony Rubio, District Manager
Robin Dohrmann, Office Manager

Others in attendance:

Benjamin Stock, Burke, Williams, & Sorensen, LLC
Matthew Cunha-Rigby, HDR, Inc.
Mary Martis, HDR, Inc

PUBLIC COMMENTS: The public is invited to address the Board on items that do not appear on the agenda and that are within the subject matter jurisdiction of the Board. The Brown Act does not allow the Board to take action on any public comment. Please limit public comments to no more than three minutes.

There were no public comments at this time.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS:

- Director Moody recommended continued discussion re COVID19 data and its effects on SD5
- Director Moody requested revisiting Item #10 re energy goals for SD5
- Vice President Carapiet requested SD5 Staff research a project in progress at Mallard Road in Belvedere

CONSENT CALENDAR:

1. Approval of March 18, 2021 Regular Board Meeting Minutes (Dohrmann)
2. Review and receive all electronic fund transfers (EFTs) and approve warrants from March 10th through April 13th, 2021 (JP Morgan Chase Bank, check no. (7831A and) 8139 through check no. 8198, all transactions totaling \$231,023.14) and receive March 2021 payroll, in the sum of \$95,620.31 (Dohrmann)
3. Receipt of financial reports for March 2021 (Dohrmann)

Discussion by the Board. Motion (Benediktsson/Moody) to approve Items No. 1 through No. 3 on the Consent Calendar. Passed unanimously.

President Snyder moved to New Business, Item #5 (5:05 p.m.), for consideration, as described on the agenda to this time.

NEW BUSINESS:

5. Review and discuss presentation by HDR regarding "Sanitary District No.5 of Marin County Renewable Energy Study" draft report (Rubio)

Matthew Cunha-Rigby from HDR, Inc. presented a visual report, in draft form to include feedback from Board Members. Discussion by the Board only.

President Snyder moved to Management Reports (5:34 p.m.), for consideration, as described on the agenda to this time.

MANAGEMENT REPORTS:

4. District Management Summary Report (Rubio)

District Manager, Tony Rubio, presented a written and verbal report on current District issues, responding to questions from the Board. Discussion by the Board.

President Snyder moved to New Business, Item #6 (5:41 p.m.), for consideration, as described on the agenda to this time.

NEW BUSINESS (cont'd):

6. Review and accept "Sanitary District No.5 of Marin County Collection System Master Plan" Final Report as prepared by HDR – Action (Rubio)

Discussion by the Board. Motion (Moody/Carapiet) to accept "Sanitary District No.5 of Marin County Collection System Master Plan" Final Report as prepared by HDR. Passed unanimously.

7. Review and discuss Covid-19 Government-mandated shutdown effects to Commercial Sewer Service Fee revenue for Fiscal Year 2021-2022 – **discussion only** (Rubio)
8. Review and Discuss CPI data for 2020 SF Bay All Consumers - data used to establish Cost of Living Increase for employees as required by the Memorandum of Understanding for Fiscal Year 2021-2022 – **discussion only** (Rubio)
9. Review and Discuss section 9.4.1 of the Memorandum of Understanding between SD5 and the SD5 represented employees. Classic employees to pay additional 1% towards pension – **discussion only** (Rubio)
10. Discussion regarding future procurement of District vehicles in reference to the Ark newspaper article “Tiburon declares climate emergency, echoing state emissions, energy goals” – **discussion only** (Rubio)

President Snyder moved to New Business, Item #12 (6:10 p.m.), for consideration, as described on the agenda to this time.

12. Review and discuss total project cost and project time duration on the Cove Road Force Main Project, cost breakdown per zone and related discussion of contract terms on capital projects, administration of capital projects, use of consultants, and selection of consultants, oversight over contractors and consultants, and cost and time overruns – Action (Rubio)

Discussion by the Board. No action taken.

President Snyder moved to New Business, Item #11 (6:29 p.m.), for consideration, as described on the agenda to this time.

11. Review and approve progress payment #10 & #11 for the Cove Road Force Main Project Completion – Action (Rubio)

Discussion by the Board. Motion (Carapiet/Moody) to approve progress payment #10 & #11 for the Cove Road Force Main Project Completion. Passed unanimously.

UNFINISHED BUSINESS: None.

COMMITTEE REPORTS:

13. Capital Improvement Program Committee (Moody/Arias-Montez) – CIP Action Item Log provided
14. Finance & Fiscal Oversight Committee (Benediktsson/Arias-Montez) – verbal synopsis provided
15. Governance Committee (Moody/Carapiet) – N/A
16. Personnel Committee (Benediktsson/Snyder) – N/A

OTHER BUSINESS: None.

ENVIRONMENTAL: None.

CORRESPONDENCE: None.

INFORMATIONAL ITEMS:

17. Article “DeFazio Introduces \$50B Bill for Wastewater Treatment Infrastructure,” by Tom Ichniowski (Benediktsson)
18. Article “This tech recycles toilet water in Silicon Valley high-rises: Even the poop gets a second life,” by Adele Peters (Benediktsson)

CONVENE TO CLOSED SESSION (6:39 p.m.)

19. Convene to Closed Session (the public may provide comments regarding the closed session item(s) just prior to the Board beginning the Closed Session. Closed Sessions are not open to the public).
 - a) Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to Government Code section 54956.9(d)(4): (5 potential case)

20. Report out of Closed Session (6:44 p.m.)

No action taken, direction given to District Manager and District Counsel.

ADJOURNMENT

The Board adjourned at 6:45 p.m. to a Special Board Meeting on May 6, 2021, at 5:00 p.m.

Approved:



Richard Snyder
President, Board of Directors

Attest:



Omar Arias-Montez
Secretary, Board of Directors