

Corinne W. Wiley, President
Catharine Benediktsson, Vice President
Roy Fedotoff, Secretary

Claire McAuliffe, Director
William Teiser, Director

Sanitary District No. 5 of Marin County
Tiburon/Belvedere Wastewater Financing Authority
Minutes of a Regular Board Meeting
at Sanitary District No. 5 of Marin County Meeting Room
2001 Paradise Drive, Tiburon, California
Tuesday, September 20, 2011, 7:00 p.m.

CONVENE AS THE SANITARY DISTRICT NO. 5 OF MARIN COUNTY BOARD OF DIRECTORS at 7:00 p.m.

CALL TO ORDER by Pres. Wiley at 7:00 p.m.

ROLL CALL: Directors present:

Corinne W. Wiley, President
Catharine Benediktsson, Vice President
Roy Fedotoff, Secretary
Claire McAuliffe
William Teiser

Staff present:

Robert L. Lynch, District Manager
Samantha Miller, Office/Finance Manager
Tony Rubio, Wastewater Facilities Manager
Lynn Henriksen, Administrative Assistant

Consultants present:

Riley Hurd, District Legal Counsel
Doug Wing, Carollo Engineers
Scott Hochstrasser, IPA, Inc.

Others present:

Richard Snyder, Board Member Appointee
Deirdre McCrohan, *The Ark Newspaper*
Mike Hanley, Powell Water Recovery

PUBLIC OPEN TIME: No public comments were made.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS:

No comments or agenda requests were made by the Board.

CONSENT CALENDAR:

1. Approval of August 16, 2011, Regular Board Meeting Minutes (Henriksen) (attached)

2. Approval of Warrants for August 2011, #4763 through 4834 in the amount \$195,757.97 (Miller) (attached)
3. Receipt of Financial Reports for August 2011 (Miller) (attached)

Motion (McAuliffe/Benediktsson) to approve the Consent Calendar. Passed, all present.

MANAGEMENT REPORT:

4. Operations Report (Rubio) (attached)
 - a. Tiburon/Belvedere Compliance Report & Public Complaint Report July 2011

Mgr. Rubio reviewed the Operations Report for July 2011 with the Board, reporting that the District met all NPDES permit requirements and that there were no odor complaints. The plant also passed the 96-hour, flow-through bioassay for June.

Regarding Fats, Oils, and Grease (FOG) inspections, four were completed in Tiburon and Belvedere service area food service establishments. There were no reported Sanitary Sewer Overflows (SSOs) in the collection system during July.

Mr. Rubio reviewed with the Board the successful tour that Mgr. Lynch, Mr. Doug Wing of Carollo Engineers, and he took in August to the Napa Sanitation District's facilities to check out Neuro Blowers and the Wonder Ware SCADA system as part of the research they are conducting for the Main Plant Rehabilitation (MPR) Project. All of their questions were answered to their satisfaction.

As part of the District's public education outreach effort, Mr. Rubio successfully worked the Marin County Fair again this year in July. Dir. Teiser noted how impressive the District's new rodder truck looked in the Belvedere-Tiburon Labor Day Parade, and he enjoyed handing out goodies to the children.

5. District Manager's Summary Report of August 2011 (Lynch) (attached)

Mgr. Lynch reviewed the District Manager's Summary Report of August 2011 with the Board. To date, 4,500 feet of gravity sewer pipe have been cleaned by the rodder truck since it arrived in mid-July. Far more sewer pipe would have been cleaned, but the annual service on the 48 pump stations needed to be performed by staff.

The Wastewater Internship Program with Santa Rosa Junior College will not begin until January 2012, when the next semester begins.

While discussing the progress of the Main Plant Rehabilitation (MPR) Project with the Board, Mgr. Lynch asked Mr. Doug Wing of Carollo Engineers to provide an update on the conference memorandum included in this evening's Board packet, issued September 9, 2011, in addition to reporting on the current status of the MPR Project. Mr. Wing said

Carollo Engineers are continuing to finalize electrical control and load issues. The MPR Project is on track per schedule and budget, and Carollo Engineers' staff is fully on board at this point in time. Mr. Wing also noted that he is pleased with the working relationship between Carollo Engineers and Mgr. Lynch and Mgr. Rubio.

Sec. Fedotoff would like to see a list of contractors who will be considered as potential bidders for the MPR Project, as well as the geographical areas to which Carollo Engineers will advertise the Notice to Bid to potential contractors for the MPR Project. Mr. Wing stated Carollo Engineers' scope will reach past the Bay Area, as they will send out Notices to Bid throughout northern and southern California, and he appreciates Sec. Fedotoff's input. Mgr. Lynch said that specific contractors that Sec. Fedotoff would like to see added to the list of potential contractors will be included as recipients of the Notice to Bid.

V. P. Benediktsson noted that the Main Plant water piping is antiquated and wonders if rehabilitating the water pipes is included in the overall project. Mgr. Lynch stated that the water piping is basically rotting from the inside out; therefore, as a part of the original design for the MPR Project, he requested the water piping be replaced with new piping located above ground.

NEW BUSINESS

6. Consideration of Setting Date, Time, and Location of Next Regular Board Meeting for October 25, 2011, at 7 p.m. at the Sanitary District No. 5 Meeting Room at 2001 Paradise Drive, Tiburon, California (Lynch) – Action (see attached Notes of Explanation)

Mgr. Lynch explained that he will be gone at the Weftec Conference in Los Angeles during the regularly scheduled October Board meeting on October 18, 2011. Since the Board would like him to be present at the Board meeting, it will need to be moved to the following week. He added that October 26, 2011, would be a better date than October 25, 2011, if that works for the Board. The Board agreed that October 26th would work, at 7:30 p.m.

Motion (Fedotoff/Benediktsson) to set the date, time, and location of the next Regular Board Meeting for October 26, 2011, at 7:30 p.m. at the Sanitary District No. 5 Meeting Room at 2001 Paradise Drive, Tiburon, California. Passed, all present.

7. Consideration of Authorization and Approval for District Manager to Execute Task Order with Nute Engineering for the 2011 Sewer Rehabilitation Project for Construction Management and Field Observation Services for an Amount Not to Exceed \$17,000.00 (Lynch) – Action (see attached Notes of Explanation)

Mgr. Lynch reviewed with the Board the outcome of the pre-construction meeting held at the District office on September 19, 2011, for the purpose of discussing why the City of Belvedere is requiring the District to hire construction management and field observation services in the Belvedere zone at a cost not to exceed \$17,000.00. Those present were

representatives from Nute Engineering and W. R. Forde Construction, Mr. Bob Branz/Belvedere City Engineer, Pres. Wiley, and Mgr. Lynch. It seems the City of Belvedere has had problems in the past with W. R. Forde; however, these issues were not reiterated during the pre-construction meeting. The Board agreed that it will be the responsibility of the Belvedere zone to cover the full cost of this task order with Nute Engineering services, since the Tiburon zone is not a party to the additional requirements.

Motion (McAuliffe/Fedotoff) to authorize and approve the District Manager to execute a task order with Nute Engineering for the 2011 Sewer Rehabilitation Project for construction management and field observation services for an amount not exceed \$17,000.00. Ayes: Pres. Wiley, Sec. Fedotoff, Dir. McAuliffe, and Dir. Teiser. Noes: V.P. Benediktsson. Passed 4-1-0.

8. Consideration of Determining whether to Direct District Staff to Print and Mail Fall 2011 Newsletter to District Residents for an Amount Not to Exceed \$4,000.00 or Publish Fall 2011 Newsletter Online Only (Henriksen) – Action (see attached Notes of Explanation)

The Board discussed the positive informative advantages to District ratepayers receiving the newsletter as a hard copy rather than be available only on the District website, especially during the lead-up to the Main Plant Rehabilitation (MPR) Project and during the construction phase.

V.P. Benediktsson suggested Admin. Asst. Henriksen write-up an article and add it to the Fall issue of the newsletter regarding the 61% increase in fees the District is faced with for the mandatory National Pollutant Discharge Elimination System (NPDES) permit. In addition, now that the MPR Project is nearing the construction pre-qualification phase, the Board requested that Admin. Asst. Henriksen include an article on the MPR Project in each forthcoming issue of the newsletter through 2013. Admin. Asst. Henriksen assured the Board she will do so, and that she will continue to supply a draft of each newsletter in the Regular Board Meeting packets prior to having the newsletter printed and mailed out to Tiburon and Belvedere District residents. She also noted the budget item for newsletter printings and mailings that the Board passed for FY 2011-2012 is \$4,000.00, although the cost to mail each newsletter is approximately \$2,000.00.

V. P. Benediktsson stated that the ratepayers need to hear from the District; therefore, she supports mailing out every newsletter, including the current Fall issue.

Motion (Teiser/Benediktsson) to direct District staff to print and mail the Fall 2011 Newsletter and all future issues, as well as post them on the District website. Passed, all present.

9. Consideration of Adoption of New Administrative Assistant Job Description and Step Range (Lynch) – Action (see attached Notes of Explanation)

Mgr. Lynch discussed with the Board the need for an Administrative Assistant employee position, noting that this position was included in the FY 2011-2012 Budget. Dir. McAuliffe questioned as to how the currently presented Administrative Assistant job description came into being. Mgr. Lynch said he used the District's existing job description as a basis, and gathered information from other southern Marin sanitary agencies, i.e., Sausalito-Marín City, Las Gallinas, Central Marin, then used pertinent information from similar sewerage agencies to clean-up and update SD5's job description. In addition, Mgr. Lynch added the electronic document management and the project coordination components to the job description, as they were not a part of any of the other job descriptions, although they are necessary skills for SD5's Administrative Assistant position. Dir. McAuliffe asked if there was a competitive reach on the presented salary step range for this position, as she felt it was on the high side. Mgr. Lynch said that to his knowledge these salary steps are in line with administrative assistants in other Marin sewer districts, and he would like to stay competitive. Dir. Teiser noted that the Finance Committee and Governance Committee have already reviewed the Administrative Assistant job description and step range, and both committees recommended adoption. Dir. Teiser suggested the Board adopt the Administrative Assistant job description this evening and have the step range reviewed by the Finance Committee once again, after further research is done by staff. The salary range for this position should then be brought back to the Board for consideration of adoption at a future Board meeting. The Board agreed this would be the best course of action.

Motion (Teiser/McAuliffe) to adopt the new Administrative Assistant Job Description.
Passed, all present.

10. Consideration of Adoption of Maintenance Internship Program, and Authorization and Approval for District Manager to Advertise for Maintenance Internship Program Position (Lynch) – Action (see attached Notes of Explanation)

Mgr. Lynch discussed with the Board that the Maintenance Internship Program is similar to that of the District's past "Summer Help" program. District staff always needs extra hands, especially to help with the rodder truck work. Mgr. Miller noted that funds were budgeted in this current fiscal year to allow for this program. V. P. Benediktsson said she wants staff to make sure that the maintenance interns are well trained in safety practices and procedures. Mgr. Rubio said the maintenance interns will be checked out on the District's standard operating procedures. Mr. Riley Hurd, District legal counsel, stated that Human Resource audits on internships and the duties performed by them remains mostly in no-man's-land, and that the District should run this by Liebert Cassidy Whitmore. Mgr. Lynch said he has already had the District's HR attorney, Alison Neufeld of Liebert Cassidy Whitmore, review this maintenance internship program.

Motion (McAuliffe/Benediktsson) to adopt the Maintenance Internship Program and approve the District Manager to advertise for the Maintenance Internship Program position.
Passed, all present.

11. Consideration of Adoption of Resolution No. 2011-12: A Resolution by the Board of Directors of Sanitary District No. 5 of Marin County Adopting a Mitigated Negative Declaration of Environmental Impact for the Sanitary District No. 5 Main Plant Rehabilitation Project (Lynch) – Action (see attached Notes of Explanation)

Mr. Riley Hurd, District legal Counsel, reviewed the Mitigated Negative Declaration of Environmental Impact regarding the Main Plant Rehabilitation (MPR) Project with the Board, and noted that Mr. Scott Hochstrasser is here this evening to answer questions. Since this project is actually an upgrade to a treatment plant, the MPR Project will not have a negative impact on the environment; in fact, it will likely actually have a good impact. Mr. Hochstrasser explained that traffic was the only item that needed mitigation, and that will be handled by the District in complete support of the needs of the Town of Tiburon regarding traffic. There were no comments by the public on the circulated Mitigated Negative Declaration, and although the District was not required to have a public hearing regarding the adoption of the Mitigated Negative Declaration, it was held anyway. Mr. Hurd recommended approving the Mitigated Negative Declaration of Environmental Impact, by Resolution No. 2011-12.

Motion (Benediktsson/Teiser) to adopt Resolution No. 2011-12: A Resolution by the Board of Directors of Sanitary District No. 5 of Marin County Adopting a Mitigated Negative Declaration of Environmental Impact for the Sanitary District No. 5 Main Plant Rehabilitation Project. Passed, all present.

12. Public Hearing – Consideration of Approval of the Sanitary District No. 5 Main Plant Rehabilitation Project. This is a project that would involve replacing aging equipment at the Sanitary District No. 5 Main Sewage Treatment Plant with new equipment. In general, the project includes replacement of existing electrical and selected mechanical equipment with similar, more energy efficient, equipment that meets current industry standards. A full description of the proposed project is available in the District office. (Lynch) – Action (see attached Notes of Explanation)

Mr. Riley Hurd discussed with the Board that now that the environmental review, as a prerequisite to bond issuance or the ultimate project, has been satisfactory completed and approved, the District can formally proceed with approval of the Main Plant Rehabilitation (MPR) Project. Dir. Teiser reviewed the steps that the District has appropriately climbed to this point, which include Carollo Engineers' Pre-Design and parts of Final Design, the environmental review, and laying the ground work for the bond issue. Mr. Hurd reiterated that bond funding is, of course, contingent upon the Board's formal approval of the MPR Project.

Motion (McAuliffe/Benediktsson) to approve the Sanitary District No. 5 Main Plant Rehabilitation Project. Passed, all present.

RECESS AS THE SANITARY DISTRICT NO. 5 OF MARIN COUNTY BOARD OF DIRECTORS at 8:05 p.m.

CONVENE AS THE TIBURON/BELVEDERE WASTEWATER FINANCING AUTHORITY BOARD OF DIRECTORS at 8:05 p.m.

CALL TO ORDER by Pres. Wiley at 8:05 p.m.

ROLL CALL: Directors present:

Corinne W. Wiley, President
Catharine Benediktsson, Vice President
Roy Fedotoff, Secretary
Claire McAuliffe
William Teiser

Staff present:

Robert L. Lynch, District Manager
Samantha Miller, Office/Finance Manager
Tony Rubio, Wastewater Facilities Manager
Lynn Henriksen, Administrative Assistant

Consultants present:

Riley Hurd, District Legal Counsel
Doug Wing, Carollo Engineers
Scott Hochstrasser, IPA, Inc.

Others present:

Richard Snyder, Board Member Appointee
Deirdre McCrohan, *The Ark Newspaper*
Mike Hanley, Powell Water Recovery

PUBLIC OPEN TIME:

No public comments were made.

NEW BUSINESS

13. Consideration of Adoption of Resolution No. 2011-01: A Resolution of the Board of Directors of the Tiburon/Belvedere Wastewater Financing Authority Regarding Organizational Matters (Miller) – Action

Mr. Riley Hurd explained the Tiburon/Belvedere Wastewater Financing Authority (JPA) Resolution No. 2011-01 to the extent that it includes simple housekeeping issues such as Adopting Bylaws, Confirmation of Officers, and Establishment of Regular Meetings, with

an Effective Date of September 20, 2011. Mgr. Miller reminded the Board that the Bylaws were drafted by Bond Counsel and provided to the Board at the June 21, 2011, Board meeting. Mr. Hurd noted that financial discussions were not a part of the Bylaws, but rather that they were discussed in the formation of the JPA. Mgr. Miller said that financial allocations will be assessed to each zone as a matter of the District's historical and current practice, and that the formation of the JPA has nothing to do with how financial allocations are appropriated to the Tiburon zone and the Belvedere zone.

Motion (McAuliffe/Benediktsson) to adopt Resolution No. 2001-01: A Resolution of the Board of Directors of the Tiburon/Belvedere Wastewater Financing Authority Regarding Organizational Matters. Passed, all present.

**ADJOURN AS THE TIBURON/BELVEDERE WASTEWATER FINANCING
AUTHORITY BOARD OF DIRECTORS at 8:17 p.m.**

Motion (McAuliffe/Teiser) to adjourn as the Tiburon/Belvedere Wastewater Financing Authority Board of Directors. Passed, all present.

**RECONVENE AS THE SANITARY DISTRICT NO. 5 OF MARIN COUNTY BOARD OF
DIRECTORS at 8:17 p.m.**

UNFINISHED BUSINESS: None

COMMITTEE REPORTS

14. Capital Improvement Program Committee (Fedotoff/Wiley)
15. Governance Committee (Wiley/Teiser)
16. Main Plant Rehabilitation Oversight Committee (McAuliffe/Teiser)
17. Finance & Fiscal Oversight Committee (Benediktsson/Wiley) – Minutes of the September 1, 2011, Meeting (attached)

The Capital Improvement Program Committee reviewed their meeting of September 9, 2011.

The Governance Committee did not meet.

The Main Plant Rehabilitation Committee discussed their meeting of September 12, 2011, where the Carollo Engineers progress billings to date were satisfactorily presented and approved.

The Finance & Fiscal Oversight Committee reviewed the minutes of their September 1, 2011, meeting.

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS:

18. Letter from Myra Drotman Dated August 18, 2011, Regarding Sewer Rates

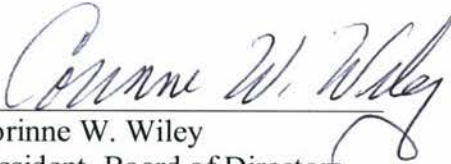
Mgr. Miller informed the Board that Mr. Riley Hurd, District legal counsel, is working on a response to Ms. Myra Drotman's August 18, 2011, letter to the District regarding sewer rates.


ADJOURNMENT

Motion (Benediktsson/McAuliffe) to adjourn at 8:26 p.m. to a Regular Board Meeting on October 26, 2011, at 7:30 p.m. at the Sanitary District No. 5 of Marin County Meeting Room at 2001 Paradise Drive, Tiburon, California. Passed, all present.

Approved:

Attest:


Corinne W. Wiley
President, Board of Directors


Roy Feddtoff
Secretary, Board of Directors