

**Minutes of a Regular Board Meeting
Sanitary District No. 5 of Marin County
Thursday, December 17, 2020**

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

CALL TO ORDER by President Catharine Benediktsson at 5:00 P.M.

ROLL CALL

Directors present:

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

Staff present:

Tony Rubio, District Manager
Robin Dohrmann, Office Manager

Others is attendance:

Benjamin Stock, Burke, Williams, & Sorensen, LLC
Mark Wilson, Nute Engineering, Inc.
Kathryn Harris, Perotti & Carrade, CPAs
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:

- Secretary Snyder asked to receive Board meeting agendas and packets earlier from SD5 Staff

CONSENT CALENDAR:

1. Approval of November 19, 2020 Regular Board Meeting Minutes (Dohrmann)
2. Review and Receive all Electronic Fund Transfers (EFT) and Approve Warrants for November 13 through December 10, 2020; JP Morgan Chase Bank Check No. 7903 through Check No. 7948, all transactions totaling in the amount of \$548,236.50; and Receive November 2020 Payroll, in the amount of \$108,649.84 (Dohrmann)
3. Receipt of Financial Reports for November 2020 (Dohrmann)

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

President Benediktsson moved to New Business, Item #6, for consideration, as described on the agenda to this time.

NEW BUSINESS:

6. Review & approve Cove Rd. Force Main Replacement Project change orders No. 7 (\$69,280.00 credit), No. 8 (\$22,931.00 credit) regarding changed conditions (per SD5's request), and No. 9 (add'l time only, due to several factors, at no cost to SD5), as well as progress payment No. 7, in the amount of \$300,011.99 (three hundred thousand, eleven dollars and ninety-nine cents) – Action (Rubio)

[Total amount paid to Maggiora & Ghilotti is currently \$1,033,275.79 (one million, thirty-three thousand, two hundred seventy-five dollars and seventy-nine cents); total credits issued to SD5 is currently \$92,211.00 (ninety-two thousand, two hundred eleven dollars); estimated cost for job completion is currently \$693,574.89 (six hundred ninety-three thousand, five hundred seventy four dollars and eighty-nine cents), sans two adjustment change orders, significantly reducing the final billing, as agreed per Maggiora & Ghilotti.]

SD5's District Manager, Tony Rubio, and Mark Wilson of Nute Engineering, provided verbal reports and reviewed change orders No. 7, No. 8, and No. 9 (credits), responding to questions from the Board, addressing setbacks and overall progress on the project.

Discussion by the Board. Motion (Snyder/Carapiet) to approve Cove Rd. Force Main Replacement Project change orders No. 7 (\$69,280.00 credit), No. 8 (\$22,931.00 credit) regarding changed conditions (per SD5's request), and No. 9 (add'l time only, due to several factors, at no cost to SD5), as well as progress payment No. 7, in the amount of \$300,011.99 (three hundred thousand, eleven dollars and ninety-nine cents). Passed unanimously.

Total original contract price:	<u>\$1,971,971.00</u>
Change orders (thru C.O. #8):	<u>\$ 430,677.33</u>
Over/under budget to date:	<u>21.84%</u>

* Construction is to continue thru February 2021

President Benediktsson moved to New Business, Item #5, for consideration, as described on the agenda to this time.

5. Review & approve Sanitary District No. 5 of Marin County's FY2019-2020 Audit, presented by Kathryn Harris of Perotti & Carrade – Action (Rubio)

Kathryn Harris, of Perotti & Carrade CPAs, reviewed the SD5 FY2019-2020 Audit to the Board, highlighting matters of import and responding to questions from the Board. Motion (Carapiet/Snyder) to approve the SD5's Final Audit for FY2019-2020. Passed (4-0-0-1).

President Benediktsson moved to Unfinished Business, Item #8, for consideration, as described on the agenda to this time.

UNFINISHED BUSINESS:

8. Review and accept HDR's proposal for an alternative energy study and authorize the District Manager to begin working with HDR. Study will evaluate potential sites for solar projects and provide cost estimates and payback for those options for future consideration. Amount not to exceed \$20,995 (Rubio) - Action

Matthew Cunha-Rigby and Mary Martis, of HDR Consulting, Inc., presented a proposal, responding to questions from the Board. Motion (Snyder/Moody) to accept a proposal for an alternative energy study to evaluate potential sites for solar projects and authorize the District Manager to begin working with HDR – amount not to exceed \$20,995 (twenty thousand, nine hundred ninety-five dollars). Passed unanimously.

President Benediktsson moved to Management Reports, Item #4, 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 Benediktsson moved to New Business, Item #7, for consideration, as described on the agenda to this time.

7. Review & discuss CalPERS' defined benefit plan obligations for Classic and PEPRA members and begin exploratory investigation regarding defined contribution retirement plans – discussion only

Discussion by the Board only.

President Benediktsson moved to Committee Reports, Item #9, for consideration, as described on the agenda to this time.

COMMITTEE REPORTS:

- 9. Capital Improvement Program Committee (Carapiet/Moody) – None
- 10. Finance & Fiscal Oversight Committee (Carapiet/Snyder) – None
- 11. Governance Committee (Snyder/Moody) – None
- 12. Personnel Committee (Moody/Benediktsson) – None

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS:

- 13. Town of Tiburon General Plan Update Letter

CONVENE TO CLOSED SESSION (at 6:54 p.m.):

- 14. 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.)

- b) Closed Session pursuant to Section 54957(b) (1) – Employee Performance Evaluation
 - i. Employee – District Manager

- 15. Report out of Closed Session at 7:06 p.m.

No action taken

RECONVENE TO OPEN SESSION (7:07 p.m.):


- 16. Consider increase to District Manager's compensation under Employment Contract and award of a one-time payment to District Manager

Discussion by the Board. Motion (Snyder/Moody) to make a one-time payment to District Manager Tony Rubio, as a bonus in the amount of \$35,000 (thirty-five thousand dollars). Passed (4-0-1-0).

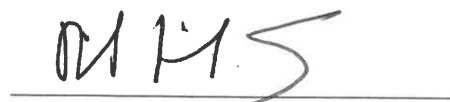
ADJOURNMENT

The Board adjourned at 7:13 p.m. to a Regular Board Meeting on January 21, 2021, at 5:00 P.M.

Approved:


Catharine Benediktsson
President, Board of Directors

Attest:


Richard Snyder
Secretary, Board of Directors