

**Regular Board Meeting Minutes  
Sanitary District No. 5 of Marin County  
Thursday, May 19, 2022**

**5:00 P.M. REGULAR BOARD MEETING**

**COVID-19 ADVISORY NOTICE**

Consistent with Assembly Bill 361 revising Government Code section 54953, and Resolution No. 2021-07 of this Board enacted in accordance therewith, 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](mailto: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 Carapiet at 5:01 p.m.

**ROLL CALL**

Directors present:	John Carapiet, President Omar Arias-Montez, Vice President Tod Moody, Secretary Catharine Benediktsson, Director Richard Snyder, Director
Staff present:	Tony Rubio, District Manager Robin Dohrmann, Office Manager
Consultants present:	Benjamin Stock, District Counsel

**PUBLIC COMMENTS:** The public is invited to address the Board on items that do not appear on the agenda and 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:**

There were no public comments or Directors' comments at this time.

**CONSENT CALENDAR:**

1. Motion to review and affirm Resolution No. 2021-08: A Resolution proclaiming the continuing need to meet by teleconference in accordance with Government Code Section 54953 – Action
2. Approval of April 21, 2022 Regular Board Meeting Minutes (Dohrmann)
3. Review and receive all electronic fund transfers (EFTs) and approve warrants from April 15<sup>th</sup>, 2022, through May 12<sup>th</sup>, 2022 (JP Morgan Chase Bank, check no. 8879 through check no. 8930, all transactions totaling \$417,714.36) and receive March 2022, payroll, in the sum of \$138,430.70 (Dohrmann)
4. Receipt of Financial Reports for April 2022 (Dohrmann)

Discussion by the Board. Motion (Snyder/Benediktsson) to approve the Consent Calendar. Passed (4-0-0-1).

**MANAGEMENT REPORTS:**

5. 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 Carapiet inquired into the SD5 Employee Overtime.

**NEW BUSINESS:**

6. Review and accept HDR proposal for Main Plant (MP) Digester Rehabilitation Project and authorize District Manager to enter into Professional Services Agreement with HDR for engineering services regarding the MP Digester Rehabilitation Project (Rubio) – Action

Discussion by the Board. Motion (Benediktsson/Arias-Montez) to accept HDR proposal for Main Plant Digester Rehabilitation Project and authorize District Manager to enter into Professional Services Agreement with HDR for engineering services regarding the MP Digester Rehabilitation Project, with the exception of Task #2.5 and Task #4, not to exceed \$126,705.00 (One hundred twenty-six thousand, seven hundred and five dollars only). Passed (4-0-0-1).

7. Consideration of adoption of Resolution No. 2022-02: Determination of Appropriations Limit for the Tiburon Zone of Sanitary District No. 5 of Marin County for Fiscal Year 2022-2023 (Rubio) – Action

Discussion by the Board. Motion (Benediktsson/Snyder) to adopt Resolution No. 2022-02: Determination of Appropriations Limit for the Tiburon Zone of Sanitary District No. 5 of Marin County for Fiscal Year 2022-2023. Passed (4-0-0-1).

8. Review and discuss conditional will-serve letter for the Mallard Point Project (Rubio) – Action

Discussion by the Board. President Carapiet offered his concern regarding Mallard Point's proposed submerged garage Item #8 to be tabled to the June 16<sup>th</sup> Regular Board Meeting, for further legal review.

9. Review and Approval of Bay Area Chemical Consortium (BACC) bids for sodium bisulfite and sodium hypochlorite- (Rubio) – Action

Discussion by the Board. Motion (Snyder/Benediktsson) to approve the Bay Area Chemical Consortium (BACC) bids for sodium bisulfite and sodium hypochlorite. Passed (4-0-0-1).

10. Review and discuss radio quote/proposal from BearCom and authorize District Manager to purchase radios for District enhanced emergency preparedness and improved staff communications. – (Rubio) Action

Discussion by the Board. Motion (Benediktsson/Snyder) to approve the proposal and authorize District Manager to purchase radios for District enhanced emergency preparedness and improved staff communications. Passed (4-0-0-1).

11. Review and discuss proposal from BayCity Boiler regarding re-tube work, which must be performed prior to Digester rehab project. Accept proposal and authorize District Manager to schedule re-tubing- (Rubio)  
Action

Discussion by the Board. Motion (Snyder/Benediktsson) to accept the proposal and authorize District Manager to schedule re-tubing. Passed (4-0-0-1).

12. Review and discuss upcoming ARC (annual required contribution) payment to CERBT (California Employee Retirement Benefit Trust) for paying down OPEB (other post-employment benefits) liability-  
Action (Rubio)

Discussion by the Board. Motion (Snyder/Arias-Montez) to approve the annual required FY21-22 contribution to the California Employee Retirement Benefit Trust (CERBT), in the amount of \$118,400.00 (one hundred eighteen thousand, four hundred dollars only), and to make an additional one-time prefunding payment using CalPERS' Strategy #2, of \$150,000.00 (one hundred, fifty thousand dollars only). Passed (4-0-0-1).

President Carapiet moved to Unfinished Business for consideration, as described on the agenda to this time (6:17 p.m.).

**UNFINISHED BUSINESS:** None

**COMMITTEE REPORTS:** None

15. Capital Improvement Program Committee (Arias-Montez/Moody) – None
16. Finance & Fiscal Oversight Committee (Benediktsson/Arias-Montez) – None
17. Governance Committee (Moody/Snyder) – None
18. Personnel Committee (Snyder/Carapiet) – None

**OTHER BUSINESS:** None

**ENVIRONMENTAL:** None

**CORRESPONDENCE:** None

**INFORMATIONAL ITEMS:**

19. "Marine center may close amid budget shortfalls." *The Ark Newspaper*. Lang, Gretchen. May 11, 2022.
20. "New water ethic should include drinking recycled wastewater"- *Marin IJ*. Moore, Steve. May 5, 2022 –

Director Benediktsson took offense to the article title "New water ethic should include drinking recycled wastewater," and highly recommending people *DO NOT DRINK* recycled sewer water considering substances, such as hormones and medications, are not removed presently.

President Carapiet returned to Item No. 13, under Closed Session, for consideration, as described on the agenda to this time (6:23 p.m.).

**CONVENE TO CLOSED SESSION:**

**CALL TO ORDER** by President Carapiet at 6:38 P.M.

**ROLL CALL**

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

Staff present: Tony Rubio, District Manager

Consultants present: Benjamin Stock, District Counsel

13. 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 LABOR NEGOTIATORS:

- i. Agency designated representatives: (Tony Rubio)
- ii. Employee organization: (Employees of Sanitary District No. 5 of Marin County)

Direction given, no action taken.


14. Report out of Closed Session: 6:38 p.m.


**ADJOURNMENT**

The Board adjourned at 6:39 p.m. to a Regular Board Meeting on June 16, 2022, at 5:00 P.M.

Approved:

Attest:

  
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John Carapiet  
President, Board of Directors

  
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Omar Arias-Montez  
Vice President, Board of Directors