

**Sanitary District No. 5 of Marin County
Minutes of a Special & Regular Board Meeting
at Tiburon Fire Protection District Meeting Room
1679 Tiburon Blvd., Tiburon, California
Wednesday, October 16, 2013**

Special Board Meeting

CLOSED SESSION CALL TO ORDER by Pres. Benediktsson at 6:30 P.M.

ROLL CALL:	Directors present:	Catharine Benediktsson, President Richard Snyder, Vice President Roy Fedotoff, Secretary Michael Lasky, Director Maureen Johnson, Director
	Staff present:	Samantha Miller, District Manager
	Consultants present:	David Kahn, Renne, Sloan, Holtzman, Sakai, LLP

1. Convene to Closed Session (the public may provide comments regarding the Closed Session item(s) just prior to the Board beginning Closed Session. Closed Sessions are not open to the public.)

a. Closed Session pursuant to Section 54956.9(b) and (c) – Pending Litigation

i. 1 Potential case – significant exposure to litigation.

No reportable action taken during Closed Session.

ADJOURNMENT

The Board adjourned the Special Board Meeting Closed Session at 7:15 p.m. to a Regular Board Meeting Open Session at 7:15 p.m. on October 16, 2013, at the Tiburon Fire Protection District Meeting Room at 1679 Tiburon Blvd., Tiburon, California.

Regular Board Meeting

OPEN SESSION CALL TO ORDER by Pres. Benediktsson at 7:15 P.M.

ROLL CALL:	Directors present:	Catharine Benediktsson, President Richard Snyder, Vice President Roy Fedotoff, Secretary Michael Lasky, Director Maureen Johnson, Director
	Staff present:	Samantha Miller, District Manager Robert A. Simmons, Temp. Asst. District Manager Tony Rubio, Wastewater Facilities Manager Robin Dohrmann, Administrative/Finance Asst.
	Consultants present:	David Kahn, Renne, Sloan, Holtzman, Sakai, LLP Doug Wing, Carollo Engineers
	Others present:	Fani Hansen, Architect John Carapiet, Prospective Board Member

PUBLIC COMMENTS: No public comments were made.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS

Agenda Requests:

- Over-Time Issues (V.P. Snyder)

CONSENT CALENDAR

1. Approval of September 17, 2013, Regular and Special Board Meeting Minutes (Dohrmann) (attached)
2. Approval of October 2, 2013, Special Board Meeting Minutes (Dohrmann) (attached)
3. Approval of all Warrants for September, 2013, Check # 6439 through Check # 6515, in the amount of \$1,318,795.78, and Main Plant Rehabilitation Project Warrants for October 1-15, 2013, Check # 6522, #6534, #6550 through Check # 6554, in the amount of \$423,677.57. (Dohrmann) (attached)
4. Receipt of Financial Reports for September, 2013 (Dohrmann) (attached)
5. Approval of Change Order No. 32 and No. 33 for Main Plant Rehabilitation Project (Simmons) (attached)
6. Approval of Progress Billing No. 1 for Mar East Pump Stations 1, 2, 3 & 4 Power Feed Improvement Project (Simmons) (attached)

Motion (Benediktsson/Johnson) to approve Consent Calendar, Items 1 through 6, with the exception of Change Order No. 33 for the Main Plant Rehabilitation Project (tabled during Item No. 8 below), and with a revision made to Item #14 of the September 17, 2013, Regular and Special Board Meeting Minutes to add that the Board gave direction for the sequester. Passed unanimously, all present.

DISTRICT COUNSEL REPORT

7. District Counsel Report (Kahn)

District Counsel David Kahn presented a report on the status of pending legal issues and responded to questions from the Board.

MANAGEMENT REPORTS

8. Main Plant Rehabilitation Project Progress Report (Carollo)

Doug Wing, Carollo Engineers, provided a written report and presentation, and responded to questions from the Board. Discussion by the Board.

Motion (Snyder/Fedotoff) to defer approval of Main Plant Rehabilitation Project Change Order No. 33, in the amount of \$69,457.00 (from Item No. 5 on the agenda), until after the Entryway and ADA Access Improvement Project bid results are received. Passed unanimously, all present.

9. District Management Summary Report and Operations/Maintenance Report (Miller/Simmons/Rubio)

Mgr. Miller presented a report on the status of pending financial obligations and responded to questions from the Board. Mgr. Rubio presented a written report on general operations. Discussion by the Board. Direction given by the Board for the District Manager to continue her financial sequester for an additional two weeks.

NEW BUSINESS

10. Consideration of Approving Professional Service Agreements with E2 Engineering, Inc., and RMC Water and Environment for Wet Weather Flow Monitoring and Analysis of Inflow and Infiltration in the District's Sewer System (Simmons) – Action

Discussion by the Board. Motion (Fedotoff/Snyder) to Approve Professional Service Agreements with E2 Engineering, Inc., for an amount not to exceed \$54,105, and with RMC Water and Environment, for an amount not to exceed \$47,880, for Wet Weather Flow Monitoring and Analysis of Inflow and Infiltration in the District's Sewer System. Passed unanimously, all present.

11. Consideration of Establishing an Ad Hoc Committee of the Board to Assist and provide Direction to Staff and District Counsel in the Formulation of a Recommendation in Connection with the Cooperative Resolution of Existing Encroachment Issues Associated with Paradise

Drive Pump Station #4 (Simmons) – Action

Discussion by the Board. Motion (Snyder/Johnson) to table Item #11 until 11.19.13 Regular Board Meeting. Ayes: Benediktsson, Snyder, Fedotoff, Johnson. Noes: Lasky. Passed, 4-1.

12. Consideration of Approving Professional Service Agreements with Nute Engineering for Design and Bid Assistance Services in Connection with Mar East Pump Station #5 Improvement Project, Phase I, at a cost of \$50,000 (Simmons) – Action

Discussion by the Board. Motion (Snyder/Fedotoff) to Approve Professional Service Agreements with Nute Engineering for Design and Bid Assistance Services in Connection with Mar East Pump Station #5 Improvement Project, Phase I, for an amount not to exceed \$50,000. Passed unanimously, all present.

13. Consideration of Request from OIT/Maintenance Trainee for Reimbursement for Non-Pre-Approved Lodging Expenses for Training Courses (Benediktsson)

Discussion by the Board. Motion (Snyder/Johnson) to Approve Request from OIT/Maintenance Trainee for Reimbursement for Non-Pre-Approved Lodging Expenses for Training Courses, in the amount of \$271.65. Passed unanimously, all present.

UNFINISHED BUSINESS: None

COMMITTEE REPORTS

14. Capital Improvement Program Committee (Fedotoff/Lasky) – Action Log Provided
15. Governance Committee (Benediktsson/Snyder) – None
16. Main Plant Rehabilitation Oversight Committee (Fedotoff/Lasky) – Action Log & Carollo Reports Provided
17. Finance & Fiscal Oversight Committee (Benediktsson/Snyder) – Action Log Provided
18. Communication Committee (Lasky/Snyder) – None
19. Personnel Committee (Snyder/Lasky) – None
20. Ad Hoc Point Tiburon Committee (Benediktsson/Snyder) – None

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

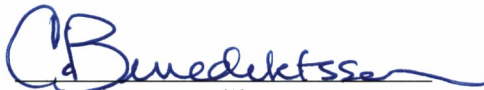
INFORMATIONAL ITEMS: None

ADJOURNMENT

The Board adjourned the meeting to a Regular Board Meeting on November 19, 2013, at 6:30 p.m. at the Tiburon Fire Protection District Meeting Room at 1679 Tiburon Blvd., Tiburon, California.

Approved:

Attest:


Catharine Benediktsson
President, Board of Directors
Roy Fedotoff
Secretary, Board of Directors

The Board of Directors may at its discretion consider agenda items out of the order in which they appear above

Accessible public meetings: Upon request, the District will provide written agenda materials in appropriate alternate formats, or disability-related modification or accommodation, including auxiliary aids or services to enable individual with disabilities to participate in public meetings. Requests are to be submitted in writing to the District at P.O. Box 227, Tiburon, CA 94920 or rdohrmann@sani5.org at least two days prior to the meeting.