

**Sanitary District No. 5 of Marin County
Minutes of a Regular and Special Board Meeting
at Tiburon Fire Protection District Meeting Room
1679 Tiburon Blvd., Tiburon, California
Tuesday, September 17, 2013**

Regular Board Meeting

OPEN SESSION CALL TO ORDER by Richard Snyder at 5:34 P.M.

ROLL CALL:	Directors present:	Richard Snyder, Vice President Michael Lasky, Director Maureen Johnson, Director
	Staff present:	Samantha Miller, District Manager
	Consultants present:	David Kahn, Renne, Sloan, Holtzman, Sakai, LLP Jesse Lad, Meyers Nave

CONSENT CALENDAR

1. Approval of Revised July 16, 2013, Regular Board Meeting Minutes (Dohrmann)
2. Approval of August 20, 2013, Regular Board Meeting Minutes (Dohrmann)
3. Approval of all Warrants for August, 2013, check #6381 through #6438, in the amount of \$502,062.86 and Main Plant Rehabilitation Project Warrants for September 1-17, 2013, check #6439, #6480 through #6483, #6499, and #64502, in the amount of \$540,446.42 (Dohrmann)
4. Receipt of Preliminary Financial Reports for August, 2013 (Dohrmann)
5. Approval of Change Order No. 31 for Main Plant Rehabilitation Project (Miller)

Motion (Snyder/Lasky) to approve Consent Calendar Items 1 through 5. Passed (2 Ayes: Snyder, Lasky; 2 Absent: Benediktsson, Fedotoff; 1 Abstain: Johnson).

DISTRICT COUNSEL REPORT

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

ADJOURNMENT

The Board adjourned the Regular Board Meeting Open Session at 6:04 p.m. to a Special Board Meeting Closed Session at 6:04 p.m. on September 17, 2013, at the Tiburon Fire Protection District Meeting Room at 1679 Tiburon Blvd., Tiburon, California.

Special Board Meeting

CLOSED SESSION CALL TO ORDER by Pres. Benediktsson at 6:04P.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 (6:53p.m. – 7:05p.m.)
Consultants present:	David Kahn, Renne, Sloan, Holtzman, Sakai, LLP Jesse Lad, Meyers Nave

1. 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.
 - c. Public Employee Performance Evaluation pursuant to GC Section 54957.
 - i. Title: District Manager
 - a. Public Employee Appointment pursuant to GC Section 54957.
 - ii. Title: Engineering Manager
 - b. Public Employment pursuant to GC Section 54957
 - iii. Title: Administrative Finance Specialist

No reportable action taken.

ADJOURNMENT

The Board adjourned the Special Board Meeting Closed Session at 7:05 p.m. to a Regular Board Meeting Open Session at 7:08 p.m. on September 17, 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 7:08 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

PUBLIC COMMENTS: John Carapiet introduced himself as a future Board Member.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS

Agenda Requests:

- Unfunded Liabilities (Dir. Lasky)

MANAGEMENT REPORTS

6. Main Plant Rehabilitation Project Progress Report (Carollo)

Written report provided and presentation made by Doug Wing, Carollo Engineers. Discussion by the Board.

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

Report reviewed by Mgr. Miller and Mgr. Rubio. Discussion by the Board.

NEW BUSINESS

8. Review and Discussion of Main Plant Rehabilitation Project Budget Status and Consideration of Authorizing and Approving the Main Plant Office Modifications, Entryway Addition, and Access Improvements Project to Go Out to Bid as a Separate Project and Authorizing Third Amendment to Professional Services Agreement With Carollo Engineers (Miller) – Action

Discussion by the Board. Motion (Lasky/Johnson) to Authorize and Approve Engineering Manager to have Main Plant Office Modifications, Entryway Addition, and Access Improvements Project put Out to Bid as a Separate Project, Authorizing Third Amendment to Professional Services Agreement With Carollo Engineers, once permit is issued. Passed unanimously, all present.

9. Consideration of Authorizing and Approving District Manager to Purchase New Generator for Tiburon Pump Station No. 2 (Rubio) – Action

Discussion by the Board. Motion (Fedotoff/Johnson) to Authorize and Approve District Manager to Purchase New Generator for Tiburon Pump Station No. 2. Passed unanimously, all present.

10. Consideration of Authorizing and Approving Phase 1 of the Tiburon Pump Station No. 5 Rehabilitation Project (Rubio/Simmons) – Action

Discussion by the Board. Motion (Snyder/Lasky) to Authorize and Approve Phase 1 of the Tiburon Pump Station No. 5 Rehabilitation Project. Passed unanimously, all present.

11. Review and Discussion of Request from Property Owner of 2088 Paradise Drive Regarding Tiburon Pump Station No. 4 and Associated Force Main (Benediktsson)

Discussion by the Board.

12. Review and Discussion of Karol Denniston's Recent Correspondence from CalPERS Regarding Retiree Benefit Status for Sanitary District No. 5 of Marin County (Benediktsson)

Deferred to Special Board Meeting on October 2, 2013.

13. Review and Discussion of IT Needs for Plant and Office (Rubio)

Discussion by the Board. Motion (Snyder/Fedotoff) to direct District Manager and staff to review the first draft IT Strategic Plan and come up with recommendations and implement as appropriate in the District Manager's judgment. Passed unanimously, all present.

14. Review and Discussion of Upcoming 30-Day Sequester for District Manager to Work on Amended Budget for FY 2013-14 and End-Of-Year Accounting/Closing/ Audit Preparation for FY 2012-13 (Benediktsson)

Discussion by the Board. District Manager to Work on Amended Budget for FY 2013-14 and End-Of-Year Accounting/Closing/ Audit Preparation for FY 2012-13.

15. Review and Discussion of Summary Report of Overtime per Employee for FY 2011-12 and 2012-13 (Miller)

Discussion by the Board.

16. Review and Discussion of Current Staff Work Schedules (Miller/Rubio)

Discussion by the Board.

17. Consideration of Adopting Updated Job Description and Employment Agreement for Administrative/Finance Specialist Proposed by the Personnel Committee (Snyder/Lasky/Miller) – Action

Discussion by the Board. Motion (Snyder/Johnson) to Adopt Updated Job Description and Employment Agreement for Administrative/Finance Specialist Proposed by the Personnel Committee, with the following language removed in Section V of the Employment Agreement: “provided that the administrative offices of the District shall be open from Monday through Friday, from 9 a.m. to 5 p.m., holidays excepted.” Passed unanimously, all present.

18. Consideration of Adopting Job Description and Employment Agreement for Temporary Engineering Manager, and Adopting Resolution No. 2013-15: A Resolution of the Board of Directors of Sanitary District No. 5 of Marin County Appointing Robert Simmons to the Position of Temporary Engineering Manager (Snyder/Lasky/Miller) – Action

Discussion by the Board. Motion (Snyder/Johnson) to Adopt Job Description and Employment Agreement for Temporary Engineering Manager, and Resolution No. 2013-15: A Resolution of the Board of Directors of Sanitary District No. 5 of Marin County Appointing Robert Simmons to the Position of Temporary Engineering Manager, with the following language removed under Examples of Essential Duties in the Job Description: “Act on behalf of the District Manager as required.” Passed unanimously, all present.

19. Consideration of Setting Location, Date, and Time for Special Board Meeting (Miller) – Action

Discussion by the Board during closed session. Special Board Meeting to be held on October 2, 2013, 4:00 p.m.

UNFINISHED BUSINESS: None

COMMITTEE REPORTS

- 20. Capital Improvement Program Committee (Fedotoff/Lasky) – Action Log Provided
- 21. Governance Committee (Benediktsson/Snyder) – Action Log Provided
- 22. Main Plant Rehabilitation Oversight Committee (Fedotoff/Lasky) – Action Log & Carollo Reports Provided
- 23. Finance & Fiscal Oversight Committee (Benediktsson/Snyder) – Action Log Provided
- 24. Communication Committee (Lasky/Snyder) - None
- 25. Personnel Committee (Snyder/Lasky) – Action Log Provided
- 26. Ad Hoc Point Tiburon Committee (Benediktsson/Snyder) - None

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS: None

ADJOURNMENT

The Board adjourned at 9:15 p.m. to a Special Board Meeting at 4:00 p.m. on October 2, 2013, 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