

**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
Tuesday, March 18, 2014**

Special Board Meeting

CALL TO ORDER by President Benediktsson at 5:23 P.M.

ROLL CALL: Directors present: Catharine Benediktsson, President
Michael Lasky, Vice President
Roy Fedotoff, Secretary
John Carapiet, Director
Richard Snyder, Director

Consultants present: David Kahn, Renne, Sloan, Holtzman, Sakai, LLP
Rhoma Young, Young & Associates

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).

- a. Consideration of Public Employment
 - i. Government Code 54957(b)(1)
 - 1. Title: District Manager

Direction given. No action taken.

- 2. Title: Operator-in-Training/Maintenance Trainee

Board adopted Staff recommendation to release current OIT/Maintenance Trainee, and subsequently hire new OIT/Maintenance Trainee.

- b. Consideration of Public Employee Evaluation
 - i. Government Code 54957(b)(1)
 - 1. Title: Treatment Plant/Collection System Maintenance Worker

Board adopted Staff recommendation to award a two-step increase for Treatment Plant/Collection System Maintenance Worker.

ADJOURNMENT

The Board adjourned the Special Board Meeting Closed Session at 6:27 p.m. to a Regular Board Meeting Open Session at 6:30 p.m. on February 18, 2014, at the Tiburon Fire Protection District Meeting Room at 1679 Tiburon Blvd., Tiburon, California.

Regular Board Meeting

CALL TO ORDER by Pres. Benediktsson at 6:34 P.M.

ROLL CALL:

Directors present:	Catharine Benediktsson, President Michael Lasky, Vice President Roy Fedotoff, Secretary John Carapiet, Director Richard Snyder, Director
Staff present:	Samantha Miller, District Manager Tony Rubio, Wastewater Facilities Manager Robert A. Simmons, Temp. Engineering Manager Robin Dohrmann, Administrative/Finance Specialist
Consultants present:	David Kahn, Renne, Sloan, Holtzman, Sakai, LLP Mark Takemoto, RMC Water & Environment
Others Present:	Deirdre McCrohan, the <i>Ark Newspaper</i> Fani Hansen, AIA for 2088 Paradise Drive, Tiburon Qi Huang, 2088 Paradise Drive, Tiburon YuJie Ma, 2088 Paradise Drive, Tiburon

PUBLIC COMMENTS:

Fani Hansen asked the Board for reassurance that their months of effort are not in vain and that their request to improve SD5 Pump Station #4, at their own expense, will be taken seriously. District Counsel Kahn advised that discussion was not not foreclosed, however, the required information needs to be provided by the inquiring party, received, reviewed and discussed by the SD5 Board, evaluated at that time, so as not to put the rate payers at risk. No commitment is offered at this time.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS

- Director Snyder requested ethics policy revision be revisited
- President Benediktsson requested the consideration of cessation of negotiations with Pt. Tiburon
- Director Fedotoff inquired about WWFM Rubio's SCADA presentation

CONSENT CALENDAR

1. Approval of February 18, 2014, Special & Regular Board Meeting Minutes (Dohrmann)
2. Approval of February 24, 2014, Special Board Meeting Minutes (Dohrmann)
3. Approval of all Warrants for February 19, through March 11, 2014, Check No. 6858 through No. 3921, in the amount of \$633,072.36; Backdated warrant for R. Cottrell 2013 W2 Discrepancy, Check No. 6920, in the amount of \$131.25 (Dohrmann)
4. Receipt of Financial Reports for February, 2014 (Dohrmann)
5. Approval of Carollo Change Order No. 43 (SD5 and SASM Effluent Sample Modifications and Installation, and SASM Communication Lines Investigation for Main Plant Rehabilitation Project) (Simmons)

Discussion by the Board. Motion (Snyder/Lasky) to approve Consent Calendar Items 1 through 3, passed unanimously. Motion (Lasky/Snyder) not to approve Consent Calendar Item No. 4, and to approve Consent Calendar Item No. 5, passed unanimously.

Pres. Benediktsson moved to Item No. 10, as described on the agenda, to this time.

10. Presentation and Review of RMC Water and Environment's Draft Technical Memorandum for Effluent Conveyance Line and Deep Water Outfall Condition Assessment, Vulnerability Evaluation, and Contingency Planning and Impact on SASM Agreement (Simmons/RMC)

Mark Takemoto, of RMC Water & Environment provided a verbal, visual and written report, responding to questions from the Board.

Pres. Benediktsson moved to District Counsel Report, as described on the agenda, to this time.

DISTRICT COUNSEL REPORT

6. 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

7. Main Plant Entryway & ADA Access Improvements Project Report (Simmons/Rubio)

Discussion by the Board.

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

Mgr. Miller provided a verbal and written report on the status of current operational activities, responding to questions from the Board. Discussion by the Board. Mgr. Rubio provided a written report and responded to questions from the Board.

NEW BUSINESS

9. Review of New State Water Resources Control Board Requirements for Sanitary Sewer Overflow Reporting (Rubio)

Mgr. Rubio provided a printed Power Point presentation on the new SSO Reporting rules and regulations at OES and local agency levels, responding to questions from the Board.

Pres. Benediktsson moved to Item No. 11, as described on the agenda, to this time.

11. Discussion and Reconsideration of SD5 Board Policy Pertaining to Reciprocal Fee Waiver Agreements with Local Public Entities (Benediktsson/Carapiet)

Discussion by the Board. Motion (Carapiet/Snyder) to, from this point forth, begin charging local public entities (with the exception of the Tiburon Fire Protection District), for sanitary services. Board provided direction to staff to send follow-up letter to Tiburon-Belvedere Library, as well as re-issue Sewer Service Bill for FY2012-13, and a pro-rated bill for FY2013-14, ranging from January through June for the FY2014.

12. Review of Intention for Recuperation of Labor Costs as of February 19, 2014, regarding SASM Agreement (Kahn/Simmons) – Action

Discussion by the Board. Direction given by the Board for Staff to include labor rate costs (starting on 2.19.14) with quarterly invoices sent to SASM.

13. Discussion of City of Belvedere's Accountability for Cross-Connection at SD5 Manhole # GA1 at 49 Bayview Avenue Easement (Carapiet)

Correspondence between Temp. Engineering Manager, Bob Simmons, and City Manager of Belvedere, Mary Neilan, was provided, in addition to a picture of the cross-connection at Manhole #GA1 was provided as a hand-out. Discussion by the Board, no direction given.

14. Consideration of Nominations for CSDA Board of Directors Elections for Seat C, Section 3 (Bay Area): term 2015-2017

Discussion by the Board. No nominations made.

UNFINISHED BUSINESS: None

COMMITTEE REPORTS

15. Capital Improvement Program/MPR Close-Out Committee (Fedotoff/Lasky) – Action Logs Provided

16. Governance Committee (Snyder/Benediktsson) – None

COMMITTEE REPORTS (CONT'D)

- 17. Main Plant Rehabilitation Oversight Committee (Fedotoff/Lasky) – Discontinued
- 18. Finance & Fiscal Oversight Committee (Benediktsson/Carapiet) – Draft Action Log Provided
- 19. Personnel Committee (Snyder/Carapiet) – None
- 20. Ad Hoc Point Tiburon Committee (Benediktsson/Lasky) – None
- 21. Ad Hoc Tiburon Pump Station #4 Committee (Benediktsson/Carapiet) – None

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS:

- 22. TBWFA/MPR 2012 Revenue Bond Continuing Disclosures March 31, 2014 Unaudited Annual Report (Miller)
- 23. TBWFA/MPR 2012 Revenue Bond Certificate of Completion of Project (Miller)
- 24. Executive Summary Report for MPR Project and Evaluation for Auburn and Carollo (Simmons/Rubio)

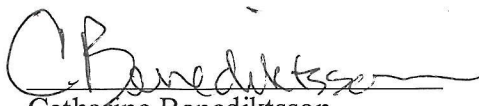
All informational items reviewed, followed by discussion by the Board.

ADJOURNMENT

The Board adjourned the meeting at 8:55 p.m. to a Special Board Meeting on April 28, 2014, at 3:00 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