

Richard Snyder, President
John Carapiet, Vice President
Tod Moody, Secretary

Michael Lasky, Director
Catharine Benediktsson, Director

**Minutes of a Special Board Meeting
at Sanitary District No. 5 of Marin County Meeting Room
2001 Paradise Drive, Tiburon, CA 94920
Thursday, February 23, 2017**

5:00 P.M. SPECIAL BOARD MEETING

CALL TO ORDER by Vice President Carapiet at 5:01 P.M.

ROLL CALL

Directors present:	John Carapiet, Vice President Tod Moody, Secretary Catharine Benediktsson, Director
Directors Absent:	Richard Snyder, President Michael Lasky, Director
Staff present:	Tony Rubio, District Manager Robin Dohrmann, Office Manager
Consultants present:	Benjamin Stock, Burke, Williams, Sorensen, LLP

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.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS:

No Director's Comments or Agenda requests made at this time.

CONSENT CALENDAR:

1. Approval of January 19, 2017, Regular Board Meeting Minutes (Dohrmann)
2. **Review and Receive** all Electronic Fund Transfers (EFT) and **Approve** Warrants for January 12th through February 9th, 2017; JP Morgan Chase Bank Check No. 5528 through Check No. 5570, all transactions totaling in the amount of \$144,940.61, and; February 2017 Payroll in the amount of \$124,646.97 (Dohrmann)
3. Receipt of Financial Reports for January, 2017 (Dohrmann)
4. Distribution of SD5 FY2015-2016 Final Audit from Perotti & Carrade (Dohrmann)

Discussion by the Board. Motion (Carapiet/Moody) to approve Item No. 1 through Item No. 4, with the exception of amending the wording at the Item No. 2's standardized verbiage, as suggested by Director Benediktsson and approved by District Counsel, B. Stock. Passed (3-0-0-2).

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.

NEW BUSINESS:

6. Review and Discuss SD5 Commercial Rate Proposal from HF&H (Rubio) – Action

Discussion by the Board. Motion (Moody/Benediktsson) to continue tabling of Item No. 1 until after the FY2017-18 Budget Workshop. Passed (3-0-0-2).

7. Review and Approve Resolution No. 2017-01: A Resolution Authorizing Investments of Monies in the Local Agency Investment Fund (Dohrmann) – Action

Discussion by the Board. Motion (Benediktsson/Moody) to approve Resolution No. 2017-01: A Resolution Authorizing Investments of Monies in the Local Agency Investment Fund. Passed (3-0-0-2).

8. Review and Approve Changes at Sanitary District No. 5 of Marin County Financial Policies and Procedures Manual, 1st Edition, as of February 23, 2017 (Rubio/Dohrmann) – Action

Discussion by the Board. Motion (Benediktsson/Moody) to Approve Changes at Sanitary District No. 5 of Marin County Financial Policies and Procedures Manual, 1st Edition, as of February 23, 2017. Passed (3-0-0-2).

9. Discussion re Timing & Steps for Preparation of SD5 FY2017-2018 Budget (Rubio/Dohrmann)

Discussion by the Board and date set for Board of Directors' Budget Workshop on April 25th, 2017, at 10:00 A.M.

UNFINISHED BUSINESS:

COMMITTEE REPORTS:

10. Capital Improvement Program Committee (Moody/Carapiet) - Action Item Log and verbal report

11. Governance Committee (Benediktsson/Carapiet) – See Item No. 8

12. Finance & Fiscal Oversight Committee (Carapiet/Moody) - Action Item Log and verbal report

13. Personnel Committee (Lasky/Benediktsson) – N/A

14. Tiburon Pump Station #4 Ad Hoc Committee (Benediktsson/Carapiet) – N/A

OTHER BUSINESS: None.

ENVIRONMENTAL: None.

CORRESPONDENCE: None.

INFORMATIONAL ITEMS: None.

CONVENE TO CLOSED SESSION:

CALL TO ORDER by Vice President Carapiet at 5:50 P.M.

ROLL CALL

Directors present:	John Carapiet, Vice President Tod Moody, Secretary Catharine Benediktsson, Director
Directors Absent:	Richard Snyder, President Michael Lasky, Director
Staff present:	Tony Rubio, District Manager
Consultants present:	Benjamin Stock, Burke, Williams, Sorensen, LLP

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) Conference with Legal Counsel – Existing Litigation

- i. Paragraph (1) of subdivision (d) of Section 54956.9: Name of Case:
Tiburon 21 Marinero LLC vs. Sanitary District No. 5 of Marin County,
Marin County Superior Court Case No. CIV 1601046

B) Conference with Legal Counsel – Anticipated Litigation

- i. Significant Exposure to litigation pursuant to Government Code Section 54956.9(d): (1 potential case)

- C) Conference with Labor Negotiators – Government Code §54957.6
i.) Agency Designated Representative: Tony Rubio, General Manager, Benjamin Stock, General Counsel
Employee Organization: Employees of Sanitary District No.5 of Marin County

D) Conference with Real Property Negotiators – Government Code §54956.8
Property:

059-181-09
059-181-37
059-181-84
059-181-88
059-181-86
059-181-89
059-181-80
059-181-34
059-181-81

District Negotiator: Tony Rubio, District Manager

Negotiating Parties:

J. Bloom
P. Kaiser
Y. Ma
E. & C. Ware
J. Behmke & K. Clancy
R. Barbaria
S. L'Heureux

Under Negotiation: Price and Terms

Direction given, no action reported.

2) Report out of Closed Session at 6:12 P.M.

ADJOURNMENT

The Board adjourned at 6:12 p.m. to a Regular Board Meeting on March 16th, 2017, at 5:00 p.m. at the Main Plant of Sanitary District No. 5 of Marin County, located at 2001 Paradise Drive, Tiburon, California.

Approved:

Attest:



Richard Snyder
President, Board of Directors



Tod Moody
Secretary, Board of Directors