

**Minutes of a Regular Board Meeting  
at Sanitary District No. 5 of Marin County Meeting Room  
2001 Paradise Drive, Tiburon, CA 94920  
Thursday, January 19, 2017**

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

**CALL TO ORDER** by President Snyder at 5:01 P.M.

**ROLL CALL**                  Directors present:        Richard Snyder, President  
   Catharine Benediktsson, Vice President  
   John Carapiet, Secretary  
   Michael Lasky, Director  
   Tod Moody, 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.

Steve Sears, owner of Sam's Anchor Bar & Restaurant, requested the Board keep his appeal "on the SD5 radar" to lower commercial sewer rates within the District. He reiterated his usage had not gone up in six years. His usage of 2,069 EDU's, however was thirty (30) times higher than the average commercial user, therefore his sewer fees were about thirty (30) times higher, also. He also mentioned that his sewer fees were about seventy (70) times higher than the average SD5 residential users' fees.

**1. Elections for Officers of the Board – Action**

Discussion by the Board. Motion (Benediktsson/Moody) to nominate Richard Snyder the incumbent President of the Board of Directors of Sanitary District No. 5 of Marin County for the 2017 term. Passed unanimously.

Discussion by the Board. Motion (Lasky/Benediktsson) to nominate John Carapiet as the Vice President of the Board of Directors of Sanitary District No. 5 of Marin County for the 2017 term. Passed unanimously.

Discussion by the Board. Motion (Snyder/Lasky) to nominate Tod Moody as the Secretary of the Board of Directors of Sanitary District No. 5 of Marin County for the 2017 term. Passed unanimously.

## 2. Appointment of Committee Members – Action

Discussion by the Board. President Richard Snyder recommended the following appointments for the 2017 term of Sanitary District No. 5 of Marin County Committees:

- Finance & Fiscal Oversight Committee:      Chair: Vice President John Carapiet  
Member: Secretary Tod Moody  
Alternate: Director Catharine Benediktsson
- Capital Improvement Program Committee:      Chair: Secretary Tod Moody  
Member: Vice President John Carapiet  
Alternate: Director Michael Lasky
- Governance Committee:                              Chair: Director Catharine Benediktsson  
Member: President Richard Snyder  
Alternate: Secretary John Carapiet
- Personnel Committee:                                 Chair: Director Michael Lasky  
Member: Vice President Catharine Benediktsson  
Alternate: Director Tod Moody
- Tiburon PS#4 Ad Hoc Committee:                 Chair: Director Catharine Benediktsson  
Member: Vice President John Carapiet  
Alternate: N/A

## **DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS:**

There were no Directors' comments at this time.

## **CONSENT CALENDAR:**

3. Approval of December 13<sup>th</sup>, 2016, Special Board Meeting Minutes (Dohrmann)
4. Approval of all Electronic Fund Transfers (EFT) and Warrants for December 9<sup>th</sup> through January 12<sup>th</sup>, 2017; JP Morgan Chase Bank Check No. 5474 through Check No. 5527, all transactions totaling in the amount of \$433,157.26, and; December 2016 Payroll in the amount of \$82,770.74.00 (Dohrmann)
5. Receipt of Financial Reports for December, 2016 (Dohrmann)

Discussion by the Board. Motion (Carapiet/Lasky) to approve Item No. 3 through Item No. 5, with the exception of amending verbiage at the minutes, clarified by V.P. Carapiet. Passed unanimously.

**MANAGEMENT REPORTS:**

6. 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:**

7. Review & Discuss SD5 Commercial Rate Proposal from HF&H (Rubio)

Discussion by the Board. Pres. Snyder tabled Item No. 7, directing the Finance Committee to review the proposal and provide a plan of action for the February Board Meeting.

8. Review & Discuss SD5 Archiving Services Proposal from Axiom Consulting (Rubio)

Discussion by the Board. Motion (Benediktsson/Lasky) to accept Archiving Services Proposal from Axiom Consulting, subject to positive references from Agencies Axiom has worked with previously. Passed unanimously.

9. Review & Approve SD5 FY2015-2016 Final Audit from Perotti & Carrade (Rubio)

Discussion by the Board. Motion (Moody/Carapiet) to approve SD5 FY2015-2016 Final Audit from Perotti & Carrade. Passed unanimously.

10. Accept Lowest Bid for the FY2016-2017 Sewer Rehab Project and Authorize District Manager to Issue a Notice to Proceed to Pacific Trenchless (Rubio)

Discussion by the Board. Motion (Benediktsson/Carapiet) to accept lowest bid for the FY2016-2017 Sewer Rehab Project and Authorize District Manager to issue a Notice to Proceed to Pacific Trenchless. Passed unanimously.

11. Review & Approve Updates to the SD5 Sanitary Sewer Master Plan (SSMP) Report (Rubio)

Discussion by the Board. Motion (Moody/Benediktsson) to approve updates to the SD5 Sanitary Sewer Master Plan (SSMP) Report. Passed unanimously.

12. Review & Approve amendment to District Manager's Employment Contract and Consider Award of a one-time payment to District Manager (Stock)

Discussion by the Board. Motion (Carapiet/Benediktsson) to approve amendment to District Manager's Employment Contract and award a one-time payment to District Manager. Passed unanimously.

13. Discussion of Marin County Civil Grand Jury Invitation to Participate or Nominate

Discussion only. No action or direction given.

14. Discussion re Capturing Medications & Other Chemicals while Filtering Waste

Discussion only. No action or direction given.

**UNFINISHED BUSINESS:**

**COMMITTEE REPORTS:**

15. Capital Improvement Program Committee (Carapiet/Moody) - Action Item Log and verbal report
16. Governance Committee (Benediktsson/Snyder)
17. Finance & Fiscal Oversight Committee (Moody/Carapiet) - Action Item Log and verbal report
18. Personnel Committee (Benediktsson/Lasky)
19. Tiburon Pump Station #4 Ad Hoc Committee (Carapiet/Benediktsson)

**OTHER BUSINESS:** None.

**ENVIRONMENTAL:** None.

**CORRESPONDENCE:** None.

**INFORMATIONAL ITEMS:**

20. E-article: *CalPERS to Lower Discount Rate to Seven Percent Over the Next Three Years*, December 21, 2016, [newsroom@calpers.ca.gov](mailto:newsroom@calpers.ca.gov)
21. County of Marin Board of Supervisors' Summary and Resolution Ratifying Revisions to Local Agencies' Conflict of Interest Code

**CONVENE TO CLOSED SESSION:**

**CALL TO ORDER** by President Snyder at 6:40 P.M.

**ROLL CALL**            Directors present:     Richard Snyder, President  
   Catharine Benediktsson, Vice President  
   John Carapiet, Secretary  
   Michael Lasky, Director  
   Tod Moody, 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 Labor Negotiators – Government Code §54957.6  
Agency Designated Representative: Tony Rubio, General Manager, Benjamin Stock, General Counsel  
Employee Organization: Employees of Sanitary District No.5 of Marin County
  - B) Conference with Legal Counsel – Anticipated Litigation
    - i. Significant Exposure to litigation pursuant to Government Code Section 54956.9(d): (1 potential case)

Direction given, no action reported.

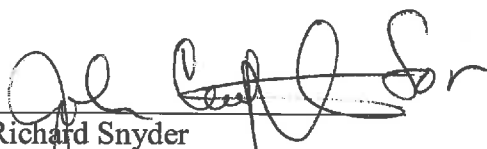
- 2) Report out of Closed Session at 7:08 P.M.

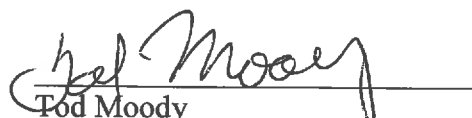
**ADJOURNMENT**

The Board adjourned at 7:08 p.m. to a Regular Board Meeting on February 16<sup>th</sup>, 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