

**Sanitary District No. 5 of Marin County
Special & Regular Board Meeting
at Sanitary District No. 5 of Marin County Meeting Room
2001 Paradise Drive, Tiburon, CA 94920
Tuesday, September 16, 2014**

5:00 P.M. SPECIAL BOARD MEETING – CLOSED SESSION

CALL TO ORDER by President Benediktsson at 5:02 P.M.

ROLL CALL

Directors present: Catharine Benediktsson, President
Michael Lasky, Vice President (5:10p.m.)
John Carapiet, Secretary
Tod Moody, Director
Richard Snyder, Director

Staff present: Tony Rubio, Interim District Manager
Robin Dohrmann, Administrative/Finance Specialist

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. Consideration of Public Employee Evaluation
 - i. Government Code 54957(b)(1)
 1. Title: Administrative / Finance Specialist

Direction given to Interim District Manager regarding evaluation. No reportable action taken.

- b. Conference with Legal Counsel – Anticipated Litigation
 - i. Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
 1. 1 potential cases

No reportable action taken.

- c. Conference with Real Property Negotiators
 - i. Government Code Section 54956.8
 1. Property: (APN 059-181-07)
 2. District Negotiator: Tony Rubio, Interim District Manager

- c. Conference with Real Property Negotiators (cont'd)
 - i. Government Code Section 54956.8 (cont'd)
 - 3. Negotiating Parties: Sanitary District No. 5, Yujie Ma, Jay Behmke and Kathleen Clancy
 - 4. Under Negotiation: Price and Terms

No reportable action taken.

The Board adjourned the Special Board Meeting Closed Session at 5:48 p.m., to a Regular Board Meeting Open Session at 6:00 p.m., on September 16th, 2014, at the Main Plant of Sanitary District No. 5 of Marin County, located at 2001 Paradise Drive, Tiburon, California.

6:00 P.M. REGULAR BOARD MEETING – OPEN SESSION

CALL TO ORDER by President Benediktsson at 6:00P.M.

ROLL CALL

Directors present:	Catharine Benediktsson, President Michael Lasky, Vice President John Carapiet, Secretary Tod Moody, Director Richard Snyder, Director
Staff present:	Tony Rubio, Interim District Manager Robin Dohrmann, Administrative/Finance Specialist
Consultants present:	Benjamin Stock, Burke, Williams, Sorensen, LLP Sima Mustafaei, HF&H Consultants, LLC
Others Present:	Fani Hansen, Representative for 2088 Paradise Dr. Mark Vogt, of 3193 Paradise Drive, Tiburon

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.

Fani Hansen inquired about the status of Atty. Len Rifkind's proposal regarding 2088 and 2078 Paradise Drive, via his correspondence to Sanitary District No. 5, dated 8.1.14. District Counsel advised no reportable action had been taken.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS

- Director Carapiet commended Interim District Manager Rubio on a job well-done, furnishing a surplus list, which had not been provided in years, as well as Mr. Rubio's consistently informative Staff Reports provided to the Board since becoming Interim District Manager. Director Carapiet also praised Interim D.M. Rubio for taking the initiative of price-shopping required monthly chemical costs and reducing SD5's chemical expenses in half.
- Director Snyder requested a review and discussion of Carollo Engineers' failure to disclose specified and sizable costs during the Main Plant Rehab Project, to the Board.
- Director Lasky requested a review and discussion of SD5's status on the CalPERS Side Fund.

CONSENT CALENDAR

2. Approval of August 19, 2014, Special & Regular Board Meeting Minutes (Dohrmann)
3. Approval of all Warrants for August 12 through September 10, 2014, Check No. 7278 through No. 7330, in the sum of \$123,432.07 (Dohrmann)
4. Receipt of Financial Reports for August, 2014 (Dohrmann)
5. Approval of Nute Engineering's Proposal for SD5 Pump Station Assessment Project, in the amount of \$19,000.00 (Rubio)
6. Approval of Mutual Aid and Assistance Agreement Between Marin County Wastewater Agencies Amendment- creating mechanism for other Marin County Water and Wastewater entities to become parties to the agreement (Rubio)
7. Approval of Equipment Surplus/Computer Hard Drive Removal Plan (Rubio)

Discussion by the Board. Motion (Snyder/Carapiet) to approve Consent Calendar Items No. 2 through No. 7, with the exception of holding Check #7319, for Carollo Engineers. Passed unanimously.

Pres. Benediktsson moved to Agenda Item No. 12, as described on the agenda, to this time.

NEW BUSINESS

12. Review, Consideration and Approval of Paradise Drive Sewer Line Extension Reimbursement Agreement for Vogt Line, and Adoption of Resolution No. 2014-09: A Resolution Accepting the Vogt Sewer Line Extension and Approving a Reimbursement Agreement by Sanitary District No 5 of Marin County (B. Stock) – Action

Discussion by the Board. Motion (Snyder/Carapiet) to approve the Paradise Drive Sewer Line Extension Reimbursement Agreement for the Vogt Line, and adopt Resolution No. 2014-09: A Resolution Accepting the Vogt Sewer Line Extension and Approving a Reimbursement Agreement by Sanitary District No 5 of Marin County. Passed unanimously.

Pres. Benediktsson moved to Agenda Item No. 9, as described on the agenda, to this time.

9. Presentation of HF&H Revised Report: Marin County Sanitary District No. 5 Connection Fee Update (Mustafei)

Sima Mustafei, of HF&H Consulting, LLC, reviewed the revised potential SD5 Connection Fee Schedules, responding to questions from the Board. Discussion by the Board. Motion (Moody/Carapiet) to accept the HF&H Consulting, LLC, revised SD5 Connection Fee Report and direct District Counsel to draft an Ordinance dictating a fee schedule inclusive of SD5 depreciation costs, and a second Ordinance sans SD5 depreciation costs; both to be presented for consideration at the October Board Meeting.

Pres. Benediktsson moved to Agenda Item No. 8, as described on the agenda, to this time.

MANAGEMENT REPORTS

8. District Management Summary Report (Rubio)

Interim District Manager, Tony Rubio presented a written and verbal report on current District issues, responding to questions from the Board. Discussion by the Board.

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

NEW BUSINESS (CONT'D)

10. Authorization and Approval for Interim District Manager to Extend Current Contract Amount with Perotti & Carrade, to Expend Up to an Additional \$10,000, for Completion of Financial Close-Out Documents for FY2013-2014 (Rubio) - Action

Discussion by the Board. Motion (Snyder/Lasky) to approve Interim District Manager's extension of current contract amount with Perotti & Carrade, to expend no more than an additional \$10,000.00, for completion of financial close-out documents for the FY2013-2014 (Accounts Receivables, Payables, Payroll and Zone Allocation), as requested by President Benediktsson. Passed unanimously.

11. Review, Consideration and Approval of Adoption of Benefits and Compensation Plan for Management and Confidential Employees, and Adoption of Resolution No. 2014-08: A Resolution of The Board of Directors of Sanitary District No. 5 of Marin County Adopting the Employee Benefits Plan For Unrepresented Employees (Rubio) – Action

Discussion by the Board. Motion (Snyder/Carapiet) to approve the Benefits and Compensation Plan for Management and Confidential Employees, and adopt Resolution No. 2014-08: A Resolution of The Board of Directors of Sanitary District No. 5 of Marin County Adopting the Employee Benefits Plan for Unrepresented Employees. Passed unanimously.

Pres. Benediktsson moved to Agenda Item No. 13, as described on the agenda, to this time.

13. Consideration and Adoption of Resolution No. 2014-10, A Resolution by Sanitary District No. 5 of Marin County Requesting That Marin County Adopt An Ordinance Requiring Property Owners Connect to a Public Sewer Upon Change of Ownership (B. Stock) – Action

Discussion by the Board. Motion (Carapiet/Moody) to adopt Resolution No. 2014-10, A Resolution by Sanitary District No. 5 of Marin County Requesting That Marin County Adopt an Ordinance Requiring Property Owners Connect to a Public Sewer upon Change of Ownership. Passed unanimously.

UNFINISHED BUSINESS:

COMMITTEE REPORTS

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

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS:

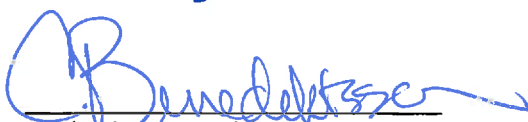
- 20. Marin LAFCO Proposed Update to Adopted Fee Schedule

ADJOURNMENT


The Board adjourned at 7:04 p.m., to a Regular Board Meeting on October 21, 2014, 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:



Catharine Benediktsson
President, Board of Directors



John Carapiet
Secretary, Board of Directors