

Catharine Benediktsson, President  
Michael Lasky, Vice President  
John Carapiet, Secretary

Tod Moody, Director  
Richard Snyder, Director

**Sanitary District No. 5 of Marin County  
Regular Board Meeting  
at Sanitary District No. 5 of Marin County Meeting Room  
2001 Paradise Drive, Tiburon, CA 94920  
Tuesday, October 21, 2014**

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

**CALL TO ORDER** by President Benediktsson at 5:04 P.M.

**ROLL CALL**

Directors present: Catharine Benediktsson, President  
Michael Lasky, Vice President  
John Carapiet, Secretary  
Tod Moody, Director  
Richard Snyder, Director (5:06 p.m.)

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

Consultants present: Benjamin Stock, Burke, Williams, Sorensen, LLP

Others Present: John Marashi, 45 Corinthian Ct., #12, Tiburon  
Simin Meykadeh, 34 Red Hill Circ., Tiburon  
Bill Deer, 504 San Rafael Ave., Belvedere

**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.

- Mr. Marashi voiced his concern regarding fairness of cost (1 EDU per Living Unit): why is the cost of a small living unit, with one bedroom/one bath, used by one person, being charged the same amount as a mansion, which may have up to three or four bathrooms with multiple people using the residence's facilities? Mr. Marashi suggested SD5 figure out how to charge customers by the strength and flow of usage rather than charging a fixed amount for everyone – it is not fair.
- Ms. Meykadeh informed SD5 that her sewer service charges were almost equivalent to her property taxes this year and she could barely afford to pay both bills on her social security income. She hoped SD5 would consider providing some form of financial relief to those that are on fixed incomes, such as herself.

**PUBLIC COMMENTS (CONT'D):**

- Mr. Deer explained he paid \$160.00 per month for his sewer service (SD5) via the Belvedere Land Company, but only \$35.00 per month for his water (MMWD), and asked for an explanation as to how there could be such a disparity between the two water-related agencies. He further opined that there should not be a split amount between Tiburon (\$1,034.00) and Belvedere (\$1,985.00) sewer fees; it should be one rate between the two service areas.
- Based on tenets of the Brown Act, District Counsel Stock advised SD5 could not respond to, nor discuss, the public comments made at this time.

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

- President Benediktsson requested the Board consider a lump sum payment of the CalPERS Side Fund be added to the Agenda for the next Board Meeting
- Secretary Carapiet requested an update on the status of Point Tiburon's negotiations
- Interim District Manager Rubio and Director Snyder advised they would not be available for the regularly scheduled November Board meeting (November 18, 2014) and asked that it be rescheduled for November 20, 2014. Upon Board consensus, the November 18, 2014, Regular Board Meeting was rescheduled and replaced with a Special Board Meeting, to be held on November 20<sup>th</sup>, 2014.

**CONSENT CALENDAR**

1. Approval of September 16, 2014, Special & Regular Board Meeting Minutes (Dohrmann)
2. Approval of all Warrants for September 11 through October 15, 2014, Check No. 7331 through No. 7389, in the sum of \$854,060.90 (Dohrmann)
3. Receipt of Financial Reports for September, 2014 (Dohrmann)
4. Approval of SynLawn Product, Installation and Quote of \$9,300 for West Lawn at Main Plant (Rubio)
5. Approval of SD5 Notice of Completion for the Mar East Power Feed Improvement Project at Pump Stations #1, #2, #3, & #4 on March 11, 2014, and Adoption of Resolution No. 2014-11: A Resolution Accepting Completion and Directing Interim District Manager to File Notice of Completion for the Mar East Power Feed Improvement Project at Pump Stations #1, #2, #3, & #4 (Rubio)
6. Approval of SD5 Notice of Completion for the Main Plant Rehabilitation Project on May 13, 2014, and Adoption of Resolution No. 2014-12: A Resolution Accepting Completion and Directing Interim District Manager to File Notice of Completion for the Main Plant Rehabilitation Project (Rubio)

7. Approval of SD5 Notice of Completion for the 2013/2014 Sewer Rehabilitation Project – Tiburon & Belvedere, on September 15, 2014, and Adoption of Resolution No. 2014-13: A Resolution Accepting Completion and Directing Interim District Manager to File Notice of Completion for the 2013/2014 Sewer Rehabilitation Project – Tiburon & Belvedere (Rubio)

Discussion by the Board. Motion (Snyder/Carapiet) to approve Consent Calendar Items No. 1 through No. 7. Passed unanimously, all present.

## **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.

## **NEW BUSINESS**

9. Consideration of Authorization and Approval for Interim District Manager to Issue Letter to Nute Engineers to Proceed with Advertising Invitation to Bid for Tiburon Pump Station No. 5 Improvements Project, Phase I (Rubio) – Action

Discussion by the Board. Motion (Carapiet/Lasky) to authorize Interim District Manager to issue letter to Nute Engineers to proceed with advertising Invitation to Bid for Tiburon Pump Station No. 5 Improvements Project, Phase I. Passed unanimously, all present.

10. Board Consideration of Recommended Ordinance 2014-01, Version A, for Connection Fee Schedule A, or Ordinance 2014-01, Version B, for Connection Fee Schedule B (Stock) – Action

Discussion by the Board. Motion (Snyder/Carapiet) to consider Ordinance 2014-01, Version B, of Connection Fee Schedule. Passed (4-1-0-0).

11. PUBLIC HEARING: Adoption of Ordinance 2014-01 (B) Pertaining to Sewer Connection Fee Schedule for the Tiburon, Paradise Cove and Belvedere Service Areas (Stock)

Discussion by the Board. Motion (Moody/Snyder) to introduce Ordinance 2014-01 (B), Pertaining to Sewer Connection Fee Schedule for the Tiburon, Paradise Cove and Belvedere Service Areas. Passed unanimously, all present.

12. Consideration and Approval to Authorize Interim District Manager to Execute Change Order No. 5.2, in the Amount of \$23,760.00, for the Main Plant Office Remodel and ADA Access Improvements Project from Murray Building, Inc.

Discussion by the Board. Motion (Snyder/Lasky) to authorize Interim District Manager to execute Change Order No. 5.2, in the amount of \$23,760.00, for the Main Plant Office Remodel and ADA Access Improvements Project from Murray Building, Inc. Passed unanimously, all present.

**UNFINISHED BUSINESS:** None

**COMMITTEE REPORTS**

13. Capital Improvement Program Committee (Lasky/Moody) - Action Item Log provided
  - MPR Change Orders and Overall Review of Project and Remaining Items to be Completed
14. Governance Committee (Snyder/Benediktsson)
15. Finance & Fiscal Oversight Committee (Benediktsson/Carapiet) – Action Item Log provided
  - Review and Discussion of CalPERS Side Fund Status
16. Personnel Committee (Snyder/Carapiet)
17. Ad Hoc Pt. Tiburon Committee (Benediktsson/Carapiet)
18. Ad Hoc Tiburon Pump Station #4 Committee (Benediktsson/Carapiet)

**OTHER BUSINESS:** None

**ENVIRONMENTAL:** None

**CORRESPONDENCE:** None

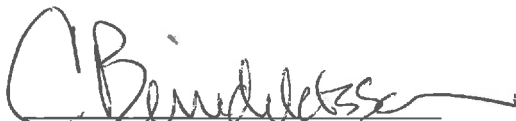
**INFORMATIONAL ITEMS:**

19. 2013 Annual Compensation Report for Ca. State Controller's Office

**ADJOURNMENT**

The Board adjourned at 6:20 p.m., to a Special Board Meeting on November 20, 2014, at 4:00 p.m. at the Sanitary District No. 5 of Marin County Meeting Room at 2001 Paradise Drive, in Tiburon, California.

Approved:

  
Catharine Benediktsson  
President, Board of Directors

Attest:

  
John Carapiet  
Secretary, Board of Directors