

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

Michael Lasky, Director  
Catharine Benediktsson, Director

**Minutes of a Regular Board Meeting  
at Sanitary District No. 5 of Marin County Meeting Room  
2001 Paradise Drive, Tiburon, CA 94920  
Thursday, August 17, 2017**

**CALL TO ORDER** by President Snyder at 5:00 P.M.

**ROLL CALL**

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

No public comments were made at this time.

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

- Vice President Carapiet asked Staff to contact The Ark Newspaper regarding a correction needed for the misprint on page 6, under Meetings, (cont'd from page 3), bullet point #7, "Consider and approve a resolution to authorize using approximately a \$100,946 from the District's capital reserve funds..." when it should have read, "...approximately a \$10,946 from the District's capital reserve funds..."

**CONSENT CALENDAR:**

1. Approval of July 20, 2017, Regular Board Meeting Minutes (Dohrmann)

(Consent Calendar Cont'd:)

2. Review and Receive all Electronic Fund Transfers (EFT) and Approve Warrants for July 14<sup>th</sup> through August 10<sup>th</sup>, 2017; JP Morgan Chase Bank Check No. 5820 through Check No. 5875, all transactions totaling in the amount of \$758,649.13, and; A 2017 Payroll in the amount of \$94,840.05 (Dohrmann)
3. Receipt of Financial Reports for July, 2017 (Dohrmann)
4. Approval of PO #703398 Emergency Generator Purchase – Tiburon Station #6 & #7
5. Approval of PO #703399 Tiburon Stations #6 & #7, and Belvedere Stations #5, #8 & #12, Control Panel Purchases
6. Approval of Nute/TEAM Ghilotti Progress Payment No. 1 & No. 2 for Mar West Pump Station No. 5 Phase II Improvements Project
7. Declaration of Surplus Property: Belvedere Pump Station #3 Generator and Paradise Cove Portable Generator

Discussion by the Board. Motion (Carapiet/Lasky) to approve the Consent Calendar, Items No. 1 through Item No. 5, and Item No. 7. Passed unanimously.

Director Carapiet asked to discuss Item No. 6 separately. Discussion by the Board. Motion (Carapiet/Benediktsson) to approve Item No. 6 on the Consent Calendar. Passed unanimously.

#### **MANAGEMENT REPORTS:**

8. 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:**

9. Review and Approve SD5 Response to Marin County Grand Jury Report, "*The Budget Squeeze: How Will Marin Fund Its Public Employee Pensions?*" (Rubio) – Action

Discussion by the Board. Motion (Benediktsson/Carapiet) to approve the SD5 response to the Marin County Grand Jury Report, "*The Budget Squeeze: How Will Marin Fund Its Public Employee Pensions?*" Passed unanimously.

10. Consideration and Approval of Resolution No. 2017-10: A Resolution to Authorize Use of Approximately \$730,639.00 (Seven Hundred Thirty Thousand, Six Hundred Thirty Nine Dollars), from Capital Reserve Funds for Payment of SD5's Portion of the Pooled Liability (Asset & Non-Asset, and Assumption Change Liabilities) for CalPERS Miscellaneous Plan for Classic Members (Rubio) – Action

Discussion by the Board. Motion (Carapiet/Benediktsson) to approve Resolution No. 2017-10: A Resolution to Authorize Use of Approximately \$730,639.00 (Seven Hundred Thirty Thousand, Six Hundred Thirty Nine Dollars), from Capital Reserve Funds for Payment of SD5's Portion of the Pooled Liability (Asset & Non-Asset, and Assumption Change Liabilities) for CalPERS Miscellaneous Plan for Classic Members. Passed unanimously.

11. Consideration and Approval of Resolution No. 2017-11: A Resolution to Authorize Use of Approximately \$10,094.00 (Ten Thousand, Ninety Four Dollars), from Capital Reserve Funds for SD5's Portion of the Pooled Liability (Fresh Start Balance) for CalPERS Miscellaneous Plan for PEPRA Members (Rubio) – Action

Discussion by the Board. Motion (Benediktsson/Carapiet) to approve Resolution No. 2017-11: A Resolution to Authorize Use of Approximately \$10,094.00 (Ten Thousand, Ninety Four Dollars), from Capital Reserve Funds for SD5's Portion of the Pooled Liability (Fresh Start Balance) for CalPERS Miscellaneous Plan for PEPRA Members. Passed unanimously.

12. Review Summary of Commercial Sewer Service Charges for Fiscal Year 17/18 (Rubio) – Action

Discussion by the Board. Please see Item # 13 for Action taken.

13. Review Commercial Sewer Service Charge Formula - Historical Summary and Recommendations (Rubio) - Action

Discussion by the Board. Motion (Carapiet/Moody) to defer a rate study at this time. Passed unanimously.

14. Acceptance of Will-Serve Request and Approval of Will-Serve Letter Confirming Capacity in the Paradise Cove Sewer System per the Peak Flow Rate of 482 Gallons/Day as Submitted by CSW/Stuber - Stroeh Engineering Group, Inc., re SFSU-Tiburon Romberg Center Connection

Discussion by the Board. Subject to legal revisions provided, motion (Benediktsson/Carapiet) to approve the Will-Serve letter confirming capacity in the Paradise Cove sewer system per the peak flow rate of 482 Gallons/Day as Submitted by CSW/Stuber - Stroeh Engineering Group, Inc., re SFSU-Tiburon Romberg Center Connection. Passed unanimously.

#### **UNFINISHED BUSINESS:**

#### **COMMITTEE REPORTS:**

15. Capital Improvement Program Committee (Moody/Carapiet) - Action Item Log & verbal report provided

16. Governance Committee (Benediktsson/Snyder) - None

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

(Committee Reports Cont'd:)

18. Personnel Committee (Lasky/Benediktsson) - None

19. Tiburon Pump Station #4 Ad Hoc Committee (Benediktsson/Carapiet) – None

**OTHER BUSINESS:** None

**ENVIRONMENTAL:** None

**CORRESPONDENCE:** None

**INFORMATIONAL ITEMS:**

20. 2017 CalPERS Actuarial Valuation Reports for Classic & PEPRA Members, Measurement Date as of June 30, 2016

21. "CalPERS Reports Preliminary 11.2 Percent Investment Return for FY2016-2017," from [www.calpers.ca.gov/page/newsroom](http://www.calpers.ca.gov/page/newsroom)

**CONVENE TO CLOSED SESSION:**

**CALL TO ORDER** by President Snyder at 6:30 P.M.

**ROLL CALL**

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

Conference with Real Property Negotiators – Government Code §54956.8

Property:

059-181-09

059-181-37

059-181-84

(Conference with Real Property Negotiators – Government Code §54956.8  
Property Cont'd)

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

No action taken, direction given.

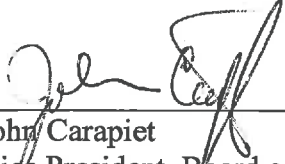
2) Report out of Closed Session

## ADJOURNMENT

The Board adjourned at 6:45 p.m. to a Regular Board Meeting on September 21<sup>st</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:

  
\_\_\_\_\_  
John Carapiet  
Vice President, Board of Directors

  
\_\_\_\_\_  
Tod Moody  
Secretary, Board of Directors