

**Sanitary District No. 5 of Marin County
Minutes of a Regular Board Meeting
at Tiburon Fire Protection District Meeting Room
1679 Tiburon Blvd., Tiburon, California
Tuesday, November 20, 2012, 7:00 p.m.**

CALL TO ORDER by Pres. Benediktsson at 7:02 p.m.

ROLL CALL:

Directors present:	Catharine Benediktsson, President Richard Snyder, Vice President Roy Fedotoff, Secretary Maureen Johnson Michael Lasky
Staff present:	Samantha Miller, District Manager Lynn Henriksen, Administrative Assistant
Consultants present:	Alison Neufeld, Liebert Cassidy Whitmore Doug Wing, Carollo Engineers
Others present:	Deirdre McCrohan, <i>The Ark Newspaper</i>

PUBLIC OPEN TIME: No public comments were made.

Pres. Benediktsson moved Item No. 5, as described in the agenda, to this time so that Mr. Doug Wing, District Project Manager for the Main Plant Rehabilitation Project, would feel free to leave the Board meeting prior to the Closed Session on tonight's agenda.

MANAGEMENT REPORTS

5. Main Plant Rehabilitation Project Progress Report (Wing) (attached)

Mr. Doug Wing, Carollo Engineers project manager for the Main Plant Rehabilitation (MPR) Project, reported that the contractor, Auburn Constructors Inc. (ACI), is on time regarding the construction schedule, which bodes well for financial matters. He reviewed ACI's three-week schedule for the Board's edification, noting the first milestone, moving from the period of dry-weather to wet-weather, has been completed. The digester is now back on line; after being filled with sludge, the process of calcification/cement curing of the new wall penetrations occurred as anticipated. Two mechanical crews and one electrical crew will work to complete tasks on time throughout the wet-weather period and will coordinate, on a daily basis, with District staff.

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V.P. Snyder asked what “big ticket” items are looming. Mr. Wing replied that the main items now under consideration are the thorough rehabilitation of the two dry-weather primaries and two secondary clarifiers, which had been eliminated from the MPR Project by the previous District Manager, Mr. Robert Lynch; since he felt the dry weather primaries and secondary clarifiers were in good enough condition, he elected to only partially rehabilitate them at this time, not addressing components within the tanks. In the initial condition assessment by Carollo Engineers, the dry weather primaries and secondary clarifiers were ranked as having less than five years of useful life remaining.

Mr. Wing feels confident in ACI’s timing of equipment supply for the MPR Project. Approved change orders stand at 1% to date. Sec. Fedotoff said he is certain that the project consultation by Carollo Engineers and the construction process used by ACI provides the right course for the MPR Project. The new O&M manual, now being written and assembled by Mr. Dan Cortinovis, will be an invaluable tool after the MPR Project is completed; this maintenance monitory system will allow staff to move forward with ongoing maintenance in a calculated way.

Mr. Wing reviewed the Progress Report for the month of October with the Board, answering questions they posed regarding items completed by ACI during October and those underway at this time.

Pres. Benediktsson recapped who has been granted authority to make decisions and the District’s process in regards to MPR Project change orders: Mr. Wing identifies issues; Mgr. Miller decides, with input from the MPR Committee, which items/issues she considers necessary; Mgr. Miller approves/disapproves if the potential change order falls within her \$15,000 spending authority; the Board approves/disapproves if the potential change order is over \$15,000. No one else has the authority to make capital and/or contractual decisions on behalf of the District.

Sec. Fedotoff requested Mr. Wing complete the Executive Bar Chart for inclusion in the agenda for the December 18, 2012, Board meeting.

Pres. Benediktsson directed Mr. Wing to provide, one week from today, a description of work completed to date on the MPR Project for her communication with SASM (Sewerage Agency of Southern Marin).

CLOSED SESSION at 7:36 p.m.

CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6

Employee Organization: Employees of Sanitary District No. 5 of Marin County

Agency designated representative: Alison Neufeld

OPEN SESSION at 8:33 p.m.

Pres. Benediktsson announced that no reportable action was taken during Closed Session.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS

No comments were made by the Board.

CONSENT CALENDAR

1. Approval of October 16, 2012, Regular Board Meeting Minutes (Henriksen) (attached)
2. Approval of October 19, 2012, Special Board Meeting Minutes (Henriksen) (attached)
3. Approval of All Warrants for October 2012, #5656 through 5723 in the amount of \$511,270.85, and Main Plant Rehabilitation Project Warrants for November 2012, #5736, 5740, and 5755 through 5758, in the amount of \$511,060.24 (Miller) (attached)
4. Receipt of Financial Reports for October 2012 (Miller) (attached)

Motion (Johnson/Snyder) to approve the Consent Calendar. Passed, all present.

MANAGEMENT REPORTS

6. District Management Summary Report (Miller/Rubio) (attached)

Mgr. Miller reviewed the significant events of the past 30 days with the Board, including fiscal status, regulatory compliance, financial, personnel, and administration issues, continuing education and safety training, as well as updates on the collection system, treatment plant performance, and capital improvement projects.

Mgr. Miller was pleased to announce that no complaints were received regarding the three nighttime shutdowns at the main plant for rehabilitation that required work to be done during early morning hours when the suspension of certain system activities could be handled without disruption to the collection and treatment of sewage. Mgr. Miller commended District staff for doing an excellent job in effectively distributing notices to close neighbors, alerting Town/City staff and the police and fire departments in advance of each occurrence, and planning for and accomplishing the operational shutdowns efficiently. In the collection system, rodding of sanitary sewer lines by District staff was been completed in the Belvedere Zone and is in progress in the Tiburon Zone. Bioxide storage tanks have been received and installed at pump station #1 on Cove Road to aid in additional odor control.

Mgr. Miller noted the District's CERBT Fund account earned 5.5% interest for the third quarter; this is the account used for prefunding the District's OPEB (Other Post Employment

Benefits) liabilities. She is still awaiting response from the District's CalPERS actuary regarding requests to investigate the District's high employer contribution rate, in addition to the numerous demands to provide the District with answers regarding the replacement benefit program with special reference to the unresolved underpayment of benefits to retired district manager Robert Lynch; however, they are very backed up with pension reform requirements that may delay response for another several weeks. Long-time District maintenance and collections worker, Randy Armbruster, has submitted his paperwork to CalPERS to retire December 29, 2012, after 37 years of service with the District. Pres. Benediktsson asked Mgr. Miller to get a "by when" date regarding the new agreement for services with SASM that attorney Riley Hurd is working on. Mgr. Miller said she found the recent CalPERS Educational Forum she attended in October to be one of the most valuable conferences she has attended; she learned critical information about pension reform and issues with the District's side fund of unfunded liabilities. The Board Workshop for the Strategic/Tactical Five-Year Plan with Mr. Brent Ives, BHI Management Consulting, will take place January 11, 2013, at 10 a.m.; meeting place for the workshop is yet to be determined. Pres. Benediktsson commended Admin. Asst. Henriksen for putting together a comprehensive Board Orientation Binder.

In Mgr. Rubio's absence, Mgr. Miller reviewed the operations & maintenance report with the Board, answering questions as they arose. The September NPDES permit testing showed the District in compliance with all permit limits, and the District successfully passed this period's 96 hour flow through bioassay. No sanitary sewer overflows (SSOs) were reported during this time period.

NEW BUSINESS

7. Consideration of Authorizing District Manager to Negotiate and Execute Amended Professional Services Agreement with Carollo Engineers, Inc. to Provide Additional Design Services for Main Plant Rehabilitation Project Office Accessibility Improvements for an Amount Not to Exceed \$29,866.00 (Miller) – Action (see attached Notes of Explanation)

Motion (Fedotoff/Snyder) to authorize the District Manager to negotiate and execute an amended professional services agreement with Carollo Engineers, Inc. to provide additional design services for the Main Plant Rehabilitation Project office accessibility improvements for an amount not to exceed \$29,866.00. Passed, all present.

8. Consideration of Authorizing District Manager to Negotiate and Execute Professional Services Agreement with Larry Walker Associates to Provide Technical Support during Main Wastewater Treatment Plant NPDES Permit Reissuance for an Amount Not to Exceed \$44,775.00 (Miller) – Action (see attached Notes of Explanation)

Sec. Fedotoff requested Larry Walker Associates provide an Executive Summary regarding the Main Wastewater Treatment Plant NPDES permit reissuance to include relevant issues resulting from their technical support.

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Motion (Fedotoff/Snyder) to authorize the District manager to negotiate and execute a professional services agreement with Larry Walker Associates to provide technical support during the Main Wastewater Treatment Plant NPDES permit reissuance for an amount not to exceed \$44,775.00. Passed, all present.

9. Consideration of Authorizing District Manager to Execute Contract with Lowest Qualified Bidder for the Annual Gravity Sanitary Sewer Line Small Machine Cleaning Program for the Belvedere Zone (Miller) – Action (see attached Notes of Explanation)

Motion (Snyder/Lasky) to authorize the District Manager to execute a contract with Roto-Rooter for the Annual Gravity Sanitary Sewer Line Small Machine Cleaning Program for the Belvedere Zone for an amount not to exceed \$14,186.29. Passed, all present.

10. Consideration of Authorizing District Manager to Execute Contract with Lowest Qualified Bidder for the Annual Gravity Sanitary Sewer Line Small Machine Cleaning Program for the Tiburon Zone (Miller) – Action (see attached Notes of Explanation)

Motion (Snyder/Lasky) to authorize the District Manager to execute a contract with Roy's Sewer Service for the Annual Gravity Sanitary Sewer Line Small Machine Cleaning Program for the Tiburon Zone for an amount not to exceed \$30,525.25. Passed, all present.

11. Consideration of Adopting New Combined Wastewater Treatment Plant Operator-In-Training/Maintenance Worker Trainee Position Description and Salary Step Range and Authorizing District Manager to Advertise for Position (Miller) – Action (see attached Notes of Explanation)

Mgr. Miller reviewed the proposed position. She noted that Casey Cottrell, the District's current maintenance intern, will be eligible to apply for this Operator-In-Training/Maintenance Worker Trainee position, if it is adopted by the Board. Pres. Benediktsson suggested she would like to see the salary step ranges for multiple positions at the District adjusted down to a more realistic level as part of the five-year strategic/tactical plan of which the District is now in the planning stages. Mgr. Miller agreed that doing so as part of the five-year plan would be appropriate. The Board agreed that an appropriate salary step range for the OIT/Maintenance Trainee position would be \$2,724.34 per month to \$3,311.45 per month, beginning a step above the current Maintenance Intern pay scale.

Motion (Snyder/Fedotoff) to adopt a new combined Wastewater Treatment Plant Operator-In-Training/Maintenance Worker Trainee position description and salary step range from \$2,724.34 per month to \$3,311.45 per month, and to authorize the District Manager to advertise for the position. Passed, all present.

12. Consideration of Adopting Administrative and Finance Specialist Position Description and Salary Step Range and Authorizing District Manager to Advertise for Position (Miller) – Action

This item was tabled to the December Board meeting.

UNFINISHED BUSINESS: None

COMMITTEE REPORTS

13. Capital Improvement Program Committee (Fedotoff/Lasky)
14. Governance Committee (Benediktsson/Snyder)
15. Main Plant Rehabilitation Oversight Committee (Fedotoff/Lasky) (attached)
16. Finance & Fiscal Oversight Committee (Benediktsson/Snyder) – Minutes of the November 13, 2012, meeting (attached)
17. Communication Committee (Lasky/Snyder)
18. Personnel Committee (Snyder/Lasky)
19. Ad Hoc Point Tiburon Committee (Benediktsson/Snyder)
20. Ad Hoc Labor Advisory Committee (Snyder/Lasky)

The Capital Improvement Program (CIP) and the Governance Committees did not meet.

The Main Plant Rehabilitation (MPR) Committee reports were reviewed. The MPR Committee recommended the Board approve Potential Change Orders No. 23 & 24 when they are brought to the Board for consideration at the December 18, 2012, Board meeting.

Minutes of the Finance & Fiscal Oversight Committee of November 13, 2012, were reviewed.

The Communications Committee, Personnel Committee, Ad Hoc Point Tiburon Committee, and Ad Hoc Labor Advisory Committee did not meet. However, Mgr. Miller said she will be setting up a meeting in the near future for the Ad Hoc Point Tiburon Committee.

OTHER BUSINESS: None

ENVIRONMENTAL: None

CORRESPONDENCE: None

INFORMATIONAL ITEMS: None

ADJOURNMENT

The Board adjourned at 9:14 p.m. to a Regular Board Meeting on December 18, 2012, at the Tiburon Fire Protection District Meeting Room at 1679 Tiburon, Blvd., Tiburon, California.

Approved:

Attest:

Catharine Benediktsson
President, Board of Directors

Roy Fedotoff
Secretary, Board of Directors