

January 28, 2008

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 4:30 p.m., Monday, January 28, 2008, at the District Office, 500 Davidson Street, Novato.

BOARD MEMBERS PRESENT: President James D. Fritz, Members Michael Di Giorgio, Arthur T. Knutson, and George C. Quesada. Member Long arrived at 4:35 PM.

STAFF PRESENT: Deputy Manager-Engineer Sandeep Karkal, Administrative Services Manager June Brown, and Administrative Assistant Julie Borda. District Counsel Kent Alm arrived at 4:35PM.

ALSO PRESENT: Sameh Tawfik, 9 Hansen Rd, Novato

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL: The Agenda was amended as follows: item 6a. was revised to read: "Public hearing of the Board of Directors in the matter adopting ***an ordinance*** to form Special Benefit Zone No. 19-Hansen Road Sewer Main Extension Project.

On motion of Member Quesada, seconded by Member Knutson, and carried unanimously, the agenda was approved as amended.

PUBLIC COMMENT: None.

BOARD MEMBER REPORTS: None.

CONSENT CALENDAR: *On motion of Member Quesada, seconded by Member Di Giorgio, and carried unanimously, the following consent calendar items were approved:*

- a. Approval of the following Board Meeting schedule: February 11th and 25th, March 10th and 24th, April 14th and 28th.
- a. Approval of regular disbursements in the amount of \$222,671.78, Wastewater Treatment Facilities Upgrade Project disbursements in the amount of \$998,005.48, and payroll related disbursements in the amount of \$57,811.63.

PUBLIC HEARING:

- Consider adoption of Ordinance No. 112, an Ordinance Establishing Special Benefit Zone No. 19 and Special Equalization Charges to be Levied Therein, and Approving and Authorizing Execution of Special Reimbursement Agreement in Connection with the Hansen Road Sewer Main Extension (Tawfik and Lamb) Project.

President Fritz opened the public hearing of the Board of Directors at 4:35PM in the matter of adopting Ordinance No. 112 to form Special Benefit Zone No. 19 – Hansen Road Sewer Main Extension Project. The Deputy Manager-Engineer outlined the need for the Special

Benefit Zone over two parcels that may derive benefit from the construction of sewer improvements within Hansen Road. The project owners received District Board plan approval on August 27, 2007 for the Hansen Road project and now wish to enter into a Reimbursement Agreement with the District.

Notice of the public hearing was sent by certified mail to owners of the affected parcels and copies are on file at the District. One of the proponents of the project was present at the meeting and no protests were received. District Counsel clarified the agreement and requested that any future special benefit zone requests be adopted by Ordinance and that all parties involved be notified by certified mail.

After Board discussion and having no public comment, the Public Hearing was closed at 4:40PM.

On motion of Member Di Giorgio and seconded by Member Quesada Ordinance No. 112, Approval of the Special Reimbursement Agreement for Hansen Road Sewer Main Extension Project, was adopted with the following vote: Ayes: President Fritz, Members Di Giorgio, Quesada, and Knutson. Member Long abstained due to the fact that he arrived late and missed a portion of the discussion.

COLLECTION SYSTEM IMPROVEMENTS PROJECT 2007-06:

- Consider authorizing staff to contract for design services for rehabilitation of fourteen (14) existing Gormann-Rupp pump stations into submersible pump stations. The Deputy Manager-Engineer explained that the District currently has 14 pump stations that were constructed at various times over the last thirty years. These stations incorporate design concepts dating from the 1960's and present several operational, maintenance and safety challenges. The District seeks to incorporate submersible pump stations that are designed for continuous operation under submerged conditions into a single wet pit.

Member Di Giorgio discussed the budget ramifications. Member Long asked if this same conversion process was taking place at any other Districts so Novato could utilize their engineering plans. The Deputy Manager-Engineer explained that our pump stations were unique enough to require specific engineering. However, he suggested only four or five plans may need to be drawn up to facilitate the 14 pump stations.

The Deputy Manager-Engineer and the Board discussed the new pump designs which will incorporate interchangeable parts and pumps that are designed specifically for wastewater contact. Members Knutson and Quesada noted that the engineering costs seemed high.

On motion of Member Di Giorgio and seconded by Member Long, the motion to authorize the Manager-Engineer to accept a proposal from Nute Engineering and execute a contract for design services in an amount not to exceed \$228,500 was passed with the following vote: Ayes: Di Giorgio, Long, Fritz. Noes: Quesada, Knutson.

PRETREATMENT – BIOMARIN PHARMACEUTICAL:

- Affirm approval of application for relief on pH limits for BioMarin's Galli Drive facility.

- Consider adopting Resolution No. 2976 that approves relief on pH limits for BioMarin's Galli Drive facility and sets the revised pH limits and time limitations.

The Deputy Manager-Engineer discussed approval the Board granted BioMarin at their December 9th, 2002 meeting which amended BioMarin's discharge permit to reflect an upper limit relief of 10.5 pH. Their current permit will be due for renewal shortly and BioMarin has indicated their interest in seeking the same relief in any new or reissued permit. The Deputy Manager-Engineer noted that the change will not negatively impact the treatment facility.

RESOLUTION NO. 2976:

District Counsel Kent Alm read Resolution No. 2976, a Resolution Confirming Relief on pH Limits, and Setting Revised pH Limits and Time Limitations for BioMarin Pharmaceutical Co., Galli Dr., Novato, to the Board.

On motion of Member Long, seconded by Member Di Giorgio and carried unanimously, Resolution No. 2976, a Resolution Confirming Relief on pH Limits, and Setting Revised pH Limits and Time Limitations for BioMarin Pharmaceutical Co., Galli Dr., Novato, was adopted.

MANAGERS ANNOUNCEMENTS: The Deputy Manager-Engineer reviewed the January 25th storm event, noting that in terms of impact to the District, the event lasted through at least January 27th. He reported on four sewer system (collection system) overflow events which have the potential for violations. Member DiGiorgio asked for further details on the violation potential and the nature of any mandatory minimum penalties (MMPs) that could be levied against the District. District Counsel Alm responded and noted that Senate Bill 709 which addresses MMPs does so in the context of violations as they relate to NPDES discharge permits. The Deputy Manager-Engineer discussed the need to do a full analysis of the Center Rd. and Western Dr. area to investigate potential causes and evaluate alternatives to implement a viable long term solution. He also reported on power outages experienced during the storm, which were not as severe as in the last storm event.

The Deputy Manager-Engineer commended several staff members and noted that in general, the response from staff was very good. President Fritz stated his appreciation of all the efforts from the crew members involved and all Board members concurred. President Fritz suggested that a letter of Commendation be prepared for relevant individuals.

President Fritz declared a five minute break at 5:17 p.m.

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6, President Fritz announced that the Board would meet in closed session for the item listed on the Closed Session agenda. Closed session began at 5:25 p.m.

CLOSED SESSION REPORT: No reportable action was taken in closed session and the meeting reconvened in open session at 6:20 p.m.

ADJOURNMENT: There being no further business to come before the Board, President Fritz declared the meeting adjourned at 6:21 p.m.

Respectfully submitted,

Sandeep Karkal
Deputy Manager-Engineer

Julie Borda, Recording