

NOVATO SANITARY DISTRICT

November 10, 2008

A regular meeting of the Board of Directors of the Novato Sanitary District will be held at 4:30 p.m., Monday, November 10, 2008, at the District Office, 500 Davidson Street, Novato.

Materials related to items on this agenda are available for public inspection in the District Office, 500 Davidson Street, Novato, during normal business hours.

AGENDA

1. PLEDGE OF ALLEGIANCE:

2. AGENDA APPROVAL:

3. PUBLIC COMMENT:

This item is to allow anyone present to comment on any subject not on the agenda, or to request consideration to place an item on a future agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Board at this time as a result of any public comments made.

4. BOARD MEMBER REPORTS:

5. REVIEW OF MINUTES:

- a. Consider approval of minutes of October 27, 2008 meeting.

6. CONSENT CALENDAR:

The Manager-Engineer has reviewed the following items. To her knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.

- a. Accept quarterly revenue and expenditure report for period ending September 30, 2008.
- b. Approve disbursements.

7. INSURANCE MATTERS:

- a. Consider reducing liability insurance deductible.

8. WATER ENVIRONMENT RESEARCH FOUNDATION:

- a. Consider authorizing District membership in Water Environment Research Foundation.

9. DISTRICT POLICY HANDBOOK:

- a. Consider adoption of Policy No. 3050 – Easement Abandonment
- b. Consider adoption of Policy No. 4095 – Ethics Training

10. BOARD OF DIRECTORS:

- a. Discuss compensation increase under SB 1559 and set date for public hearing.

11. COLLECTION SYSTEM IMPROVEMENTS PROJECT 72706:

- a. Consider approval of the reimbursement amount for sewer replacement at Hamilton Marketplace.
- b. Consider adopting CEQA findings and authorizing staff to file a Notice of Exemption, (NOE), with the County Clerk for the Wilson Avenue Sewer Improvements.
- c. Consider awarding Wilson Avenue Sewer Improvements Project to the lowest, responsive, responsible bidder.

12. WASTEWATER FACILITY UPGRADE PROJECT 72609:

- a. Consider approval of a proposal to dispose of excess dirt.

13. STAFF REPORTS:

- a. North Bay Watershed Association Meeting

14. MANAGER'S ANNOUNCEMENTS:

15. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Subdivision(b) of Section 54956.9: One case: Riverwatch 60-day Notice.

16. REPORT FROM CLOSED SESSION:

17. ADJOURNMENT:

Next resolution no. 2995

AGENDA/Board of Directors
November 10, 2008

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at (415) 892-1694 at least 24 hours prior to the meeting. Notification prior to the meeting will enable the District to make reasonable accommodation to help ensure accessibility to this meeting.

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Liability Insurance Deductible	MEETING DATE: November 10, 2008								
AGENDA ITEM NO.: 7a									
RECOMMENDED ACTION: Request that CSRMA reduce the deductible for the General Liability policy to \$25,000 from \$100,000 per incident.									
SUMMARY AND DISCUSSION:									
<p>The District currently has a deductible of \$100,000 per event for their Sewer Backup Coverage. The annual cost of the policy increases as the deductible decreases as follows:</p> <table style="margin-left: 40px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Deductible</th> <th style="text-align: left;">Annual Cost</th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">\$100,000</td> <td style="padding-left: 20px;">\$88,810</td> </tr> <tr> <td style="padding-left: 20px;">\$50,000</td> <td style="padding-left: 20px;">\$103,843</td> </tr> <tr> <td style="padding-left: 20px;">\$25,000</td> <td style="padding-left: 20px;">\$120,745</td> </tr> </tbody> </table> <p>In the last three years the District has had 5 sewer backup claims greater than \$25,000 and 1 claim greater than \$50,000. There have not been any claims above \$100,000. It appears that sewer back up claims in particular are getting much more expensive to settle than had been the case in the past. Given that, staff is concerned that the potential for losses to the District with the current deductible is excessive.</p> <p>CSRMA provided a redacted copy of the deductibles for the other member agencies, which is attached. Stege Sanitary District, Central Marin Sanitation Agency, and Ross Valley Sanitary District have deductibles of \$10,000. Napa Sanitation District has a deductible of \$5,000.</p> <p>Staff Recommendation</p> <p>Staff recommends requesting that CSRMA reduce the deductible to \$25,000.</p>		Deductible	Annual Cost	\$100,000	\$88,810	\$50,000	\$103,843	\$25,000	\$120,745
Deductible	Annual Cost								
\$100,000	\$88,810								
\$50,000	\$103,843								
\$25,000	\$120,745								
ALTERNATIVES: 1. Reduce the deductible to \$50,000. 2. Do not reduce the deductible.									
BUDGET INFORMATION: This will cause an overrun for the budget for insurance which is \$90,000 but should result in being under budget for Insurance Claim Expense which is \$100,000.									
DEPT.MGR.:	MANAGER:								

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Water Environment Research Foundation	MEETING DATE: November 10, 2008
	AGENDA ITEM NO. : 8a
RECOMMENDED ACTION: Approve membership in the Water Environment Research Foundation	
SUMMARY AND DISCUSSION: <p>The Water Environment Research Foundation (WERF) is a nonprofit 501(C)(3) organization that funds and manages water quality research. WERF's research portfolio spans a variety of areas including wastewater collection and treatment, watersheds, environmental and human health effects. Subscribers have access to this research as well as being able to select future research topics. The attached letter inviting our subscription describes their key research initiatives. Annual membership fees for an agency the size of Novato Sanitary District is \$1,889.</p>	
ALTERNATIVES: NA	
BUDGET INFORMATION: The 2008-09 budget for Agency dues is \$40,000.	
DEPT. MGR. :	MANAGER'S APPROVAL:

**NOVATO SANITARY DISTRICT
BOARD AGENDA ITEM SUMMARY**

TITLE: District Policy Handbook	MEETING DATE: 11/10/08 AGENDA ITEM NO. : 9a & 9b
RECOMMENDED ACTION: Adopt Policy Handbook Policy #3050 - Easement Abandonment, and Policy #4095 - Ethics Training	
SUMMARY AND DISCUSSION: The two attached policies are recommended for adoption by the Board for inclusion in the Novato Sanitary District Policy Handbook: Policy #3050 - Easement Abandonment Policy #4095 - Ethics Training New policies will be presented on a regular basis for Board consideration and adoption.	
ALTERNATIVES: Do not adopt proposed Policies.	
BUDGET INFORMATION: No budget impact.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Board of Directors: Board Member Compensation	MEETING DATE: November 10, 2008 AGENDA ITEM NO. : 10a
RECOMMENDED ACTION: NA	
SUMMARY AND DISCUSSION: <p>SB 1559, adopted in July 2000, allows for 5% annual compensation increase for Sanitary District Directors. Any increase must be adopted by referendable ordinance and becomes effective 60 days after adoption. A public hearing is required to hear any comments on the proposed ordinance.</p> <p>The Board last adopted an adjustment to Board member compensation in February, 2005. The matter was brought up for consideration in December 2006 but no adjustment was made. Attachment 1 gives the current total Board Member Compensation for October 2007 through September 2008. Attachment 2 provides the compensation for other Marin County Special Districts.</p>	
ALTERNATIVES: NA	
BUDGET INFORMATION: The 2008-09 budget for Director's Fees is \$37,800.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Collection System Improvement Project: Hamilton Marketplace Nave Drive SME Sewer Replacement Reimbursement	MEETING DATE: November 10, 2008 AGENDA ITEM NO. : 11a
RECOMMENDED ACTION: Approve reimbursement of \$119,619.40 for relocation of 15" trunk sewer.	
SUMMARY AND DISCUSSION: <p>The District currently had an existing 15" trunk sewer that crossed the proposed Hamilton Marketplace property. The sewer was constructed in 1956, is very shallow, and has a circuitous alignment. District staff and District Counsel entered into discussions with the developer to design the sewer improvements needed to serve their proposed development in a way that would replace much of this sewer with an 18" sewer on a better alignment.</p> <p>The resulting project replaced 2,000 linear feet of 15" sewer with 1,074 linear feet of new 18" sewer, including a siphon under a drainage structure.</p> <p>At their meeting on October 8, 2007 the District Board approved the attached agreement authorizing the reimbursement for the costs the developer incurred above the original agreed upon estimated cost for the work they would have had to do anyway. The original project cost estimate in the Agreement was \$247,537.50 of which Hamilton Marketplace (Grosvenor) agreed to pay \$198,305.10 and the District's estimated portion was \$49,232.40.</p> <p>The actual bid came in at \$235,811 but there were additional costs incurred during construction on the portion of the project that Hamilton Marketplace wouldn't have included in their project initially. The final reimbursement that they are requesting is \$119,619.40.</p> <p>The additional costs were primarily due to changes needed in the alignment to avoid a water trunkline. The final cost to the District is less than the value of the abandoned line due to the shorter alignment and does not include any costs to acquire the additional easement across the property that was needed for the shorter alignment. The project was completed and accepted by the Board at their meeting on July 28, 2008.</p> <p>Staff recommends approval of the reimbursement amount of \$119,619.40.</p>	
ALTERNATIVES: 1. Approve a lesser amount.	
BUDGET INFORMATION: The project will be funded from Capital Budget Item 72706: Collection System Improvements which has a balance of \$2,000,000.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Collection System Improvements – Wilson Avenue Diversion Sewer; Project No. 72706	MEETING DATE: 11/10/2008 AGENDA ITEM NO. : 11b & 11c																
RECOMMENDED ACTION: (b) Adopt CEQA findings and authorize staff to file a Notice of Exemption, (NOE), with the County Clerk, and (c) Review Proposals and award project to Bay Pacific Pipeline in the amount of \$45,395.00																	
SUMMARY AND DISCUSSION: <p>As part of the District's Collection System Improvements Project, District staff identified an area of the collection system on Wilson Avenue where a minor improvement project would improve the flow characteristics of the sewer system potentially preventing surcharging (and possible sewer overflows) in the upstream sewer.</p> <p>Utilizing the District's informal bidding process under the Uniform Construction Cost Accounting Act, the District requested proposals from several local contractors to complete improvements to eliminate a "horseshoe" shaped segment of sewer main which contributes to upstream surcharging, line a segment of cracked sewer main with a cured in place liner and seal coat four manholes to eliminate infiltration.</p> <p>District staff also completed California Environmental Quality Act (CEQA) documentation and determined that the project is categorically exempt as it is considered a repair or minor alteration of an existing facility involving no expansion of use. It is requested that the Board authorize staff to file the Notice of Exemption (NOE) with the County Clerk.</p> <p>The District received seven proposals under the informal bid process to complete the project:</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <thead> <tr> <th style="text-align: left; padding-right: 20px;"><u>Contractor</u></th> <th style="text-align: left;"><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td>Bay Pacific Pipeline:</td> <td>\$45,395.00</td> </tr> <tr> <td>Team Ghilotti:</td> <td>\$54,511.00</td> </tr> <tr> <td>WR Forde & Associates:</td> <td>\$56,478.00</td> </tr> <tr> <td>Maggiora & Ghilotti:</td> <td>\$58,906.00</td> </tr> <tr> <td>G&G Pipeline:</td> <td>\$71,088.47</td> </tr> <tr> <td>Ghilotti Bros., Inc.</td> <td>\$71,625.00</td> </tr> <tr> <td>Argonaut Constructors:</td> <td>\$93,788.00</td> </tr> </tbody> </table> <p>Bay Pacific Pipeline (BPP) of Novato submitted the lowest proposal at \$45,395.00. The engineer's estimate of probable cost was \$85,000.00. Staff has reviewed BPP's proposal, believes it is adequate, and recommends award of the project to BPP.</p>		<u>Contractor</u>	<u>Amount</u>	Bay Pacific Pipeline:	\$45,395.00	Team Ghilotti:	\$54,511.00	WR Forde & Associates:	\$56,478.00	Maggiora & Ghilotti:	\$58,906.00	G&G Pipeline:	\$71,088.47	Ghilotti Bros., Inc.	\$71,625.00	Argonaut Constructors:	\$93,788.00
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Argonaut Constructors:	\$93,788.00																
ALTERNATIVES: None.																	
BUDGET INFORMATION: This work will be funded from Project 72706, Collection System Improvements. The FY08-09 budget includes \$2,000,000.00 for the project.																	
DEPT. MGR. :	MANAGER'S APPROVAL:																

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Disposal of Unsuitable Material from Contract B – Novato Treatment Plant	MEETING DATE: 11/10/2008 AGENDA ITEM NO. : 12a																		
RECOMMENDED ACTION: Authorize Manager-Engineer to accept proposal from Maggiora & Ghilotti to dispose of unsuitable materials stockpiled at the Reclamation Facility for a lump sum amount of \$53,210.00.																			
SUMMARY AND DISCUSSION:																			
<p>The construction of Contract B has generated an extensive amount of spoils that have been stockpiled outside the Novato Treatment Plant and at the District's Reclamation Facility. Approximately 4,600 yards of the material is unsuitable for the District's use.</p> <p>The District requested proposals from several local contractors to dispose of the materials at a legal disposal site. The District received eight proposals to dispose of the materials as follows:</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <thead> <tr> <th style="text-align: center; padding: 5px;"><u>Contractor</u></th> <th style="text-align: center; padding: 5px;"><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Maggiora & Ghilotti:</td> <td style="text-align: right; padding: 5px;">\$53,210.00</td> </tr> <tr> <td style="padding: 5px;">Bay Pacific Pipeline:</td> <td style="text-align: right; padding: 5px;">\$53,600.00</td> </tr> <tr> <td style="padding: 5px;">North Bay Construction:</td> <td style="text-align: right; padding: 5px;">\$62,997.20</td> </tr> <tr> <td style="padding: 5px;">Argonaut Constructors:</td> <td style="text-align: right; padding: 5px;">\$66,000.00</td> </tr> <tr> <td style="padding: 5px;">Ghilotti Construction:</td> <td style="text-align: right; padding: 5px;">\$76,500.00</td> </tr> <tr> <td style="padding: 5px;">Ghilotti Bros., Inc.</td> <td style="text-align: right; padding: 5px;">\$91,215.00</td> </tr> <tr> <td style="padding: 5px;">CV Larson:</td> <td style="text-align: right; padding: 5px;">\$97,790.00</td> </tr> <tr> <td style="padding: 5px;">WR Forde & Associates:</td> <td style="text-align: right; padding: 5px;">\$127,650.00</td> </tr> </tbody> </table> <p>Maggiora & Ghilotti of San Rafael submitted the lowest proposal at \$53,210.00. Maggiora & Ghilotti will dispose of the majority of the materials at Port Sonoma. Staff has reviewed the proposal and believes it is reasonable and recommends acceptance of the proposal and proceeding with the work when weather permits.</p>		<u>Contractor</u>	<u>Amount</u>	Maggiora & Ghilotti:	\$53,210.00	Bay Pacific Pipeline:	\$53,600.00	North Bay Construction:	\$62,997.20	Argonaut Constructors:	\$66,000.00	Ghilotti Construction:	\$76,500.00	Ghilotti Bros., Inc.	\$91,215.00	CV Larson:	\$97,790.00	WR Forde & Associates:	\$127,650.00
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WR Forde & Associates:	\$127,650.00																		
ALTERNATIVES: None.																			
BUDGET INFORMATION: This work will be funded from Project 72609, WWTP Upgrade – Contract B The FY08-09 budget includes \$35,000,000.00 for the project.																			
DEPT. MGR. :	MANAGER'S APPROVAL:																		