

NOVATO SANITARY DISTRICT

November 23, 2009

The Board of Directors of Novato Sanitary District will hold a Closed Session at 5:00 p.m., Monday, November 23, 2009, at the District offices, 500 Davidson Street, Novato. (Open session begins at 6:30 p.m. See agenda below).

CLOSED SESSION AGENDA

CONFERENCE WITH LABOR NEGOTIATORS – Government Code Section 54957.6.

Provide direction regarding Manager-Engineer's contract.

District representatives: Ad Hoc Board Personnel Committee

REGULAR AGENDA

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

1. PLEDGE OF ALLEGIANCE:

2. AGENDA APPROVAL:

3. PUBLIC COMMENT (PLEASE OBSERVE A THREE-MINUTE TIME LIMIT):

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 12, 2009 meeting.

6. CONSENT CALENDAR:

- a. Accept Asset Deletion Report for fiscal year 2008-09.
- b. Accept Quarterly Investment Report for period ending September 2009.
- c. Approve Statement of Investment Policy.
- d. Meeting schedule – November 30th (special meeting), December 14th and 28th, January 11th and 25th, February 8th and 22nd.
- e. Approval of disbursements.

7. BOARD OF DIRECTORS:

- a. Consider adoption of resolution of appreciation for Board Member Arthur T. Knutson.

8. ADMINISTRATION:

- a. Consider adoption of District Policies.

9. WASTEWATER TREATMENT FACILITY OPERATION:

- a. Consider setting the date for a referendum on the contract service agreement for operation, maintenance and management of wastewater treatment facilities.
- b. Wastewater Operations Committee report.

10. COLLECTION SYSTEM IMPROVEMENTS PROJECT, PROJECT 72706:

- a. Consider approval of a contract for construction period design services with Nute Engineering.
- b. Approve emergency repair expenditures for Railroad Avenue force main.

11. ANNUAL COLLECTION SYSTEM REPAIRS, PROJECT 72803:

- a. Consider approval of the Greenwood manhole and main repair.

12. NORTH BAY WATER REUSE AUTHORITY

- a. Staff report
- b. Consider approval of out-of-state travel.

13. STAFF REPORTS:

- a. North Bay Watershed Association.
- b. Asset deletion report.
- c. November election.

14. MANAGER'S ANNOUNCEMENTS:

15. ADJOURNMENT:

Next resolution no. 3014

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.

Materials that are public records and that relate to an open session agenda item will be made available for public inspection at the District office, 500 Davidson Street, Novato, during normal business hours.

October 12, 2009

A closed session meeting preceded a regular meeting of the Board of Directors of the Novato Sanitary District, Monday, October 12, 2009, at the District Office, 500 Davidson Street, Novato.

At 5:08 p.m., President Pro-Tem Bill Long opened the closed session of the Board of Directors of the Novato Sanitary District.

BOARD MEMBERS PRESENT: Members James D. Fritz, Arthur T. Knutson, William C. Long and George C. Quesada. President Michael Di Giorgio arrived at 5:10 p.m.

STAFF PRESENT: Manager-Engineer Beverly James, Deputy Manager-Engineer Sandeep Karkal and District Counsel Kent Alm.

PLEDGE OF ALLEGIANCE:

President Pro-Tem Bill Long announced the Board would meet in closed session to discuss the matter on the Closed Session Agenda.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION - THREE POTENTIAL CASES:

Significant exposure to litigation pursuant to Subsection (b) of Government Code Section 54956.9.

The Closed Session ended at 6:13 p.m. There was no reportable action.

Open session began at 6:30 p.m.

BOARD MEMBERS PRESENT: President Michael Di Giorgio, Members James D. Fritz, Arthur T. Knutson, William C. Long and George C. Quesada.

STAFF PRESENT: Manager-Engineer Beverly James, Deputy Manager-Engineer Sandeep Karkal, District Counsel Kent Alm, and Administrative Secretary Julie Borda.

ALSO PRESENT:

- Brant Miller, Novato resident
- Bill Scott, Novato resident
- Sam Renati, former Board Member and Novato resident
- Jo Heffelfinger, Novato resident
- Dean L. Heffelfinger, Novato resident
- Colleen Rose, Novato resident
- John Bailey, Veolia Water
- Don Deolynn, Novato resident
- Deanna Pierce, Novato resident
- Pam Welsh, Co-Chairperson of ACCN and Novato resident

AGENDA APPROVAL:

On motion of Member Quesada, seconded by Member Fritz, and carried unanimously, the Agenda was approved as mailed.

PUBLIC COMMENT: None.

BOARD MEMBER REPORTS:

Member Long discussed his lobbying efforts in Washington DC on behalf of the North Bay Water Reuse Authority.

Member Fritz noted he had recently toured the plant with Manager-Engineer Beverly James and had taken more photos of the construction upgrade progress.

President Di Giorgio noted that he attended the October 10th public tour of the Novato Treatment facility and stated people were very interested and positive.

REVIEW OF MINUTES:

Consider approval of the August 10th, August 24th and August 31st, 2009 Board meetings minutes.

On motion of Member Quesada, seconded by Member Fritz, and carried unanimously, the Minutes of the August 10th, August 24th and August 31st, 2009 Board meetings were approved as written.

CONSENT CALENDAR: *On motion of Member Quesada, seconded by Member Long, and carried unanimously, the following consent calendar item was approved:*

- a. Approval of regular disbursements in the amount of \$228,778.67, upgrade project disbursements in the amount of \$1,805,872.23 and Board Member disbursements in the amount of \$2,869.49. Payroll and payroll related disbursements in the amount of \$345,909.95 were ratified.

WASTEWATER FACILITY UPGRADE PROJECT 72609:

Progress report on Contract B. Steve Wrightson, The Covello Group, gave an in-depth update on the construction progress for the Novato Sanitary District Treatment Facility Upgrade Project. He noted that the Project, which began almost 2.5 years ago, was on schedule for completion on Sept. 11, 2010. He noted that 72% of time has elapsed since the beginning of construction and 76% of the budget has been spent. He outlined the key milestones that have taken place up to this time in regards to the construction and stated that field progress reflects the construction to be ahead of schedule for completion. He discussed progress of various components of the facility and approximate times of when the upgraded equipment will be put in service.

The Manager noted that Veolia Water North America took over the operations portion of the treatment facility on October 5th and that the plant has been running smoothly. She commended Veolia, including the Project Manager John Bailey, for their hard work.

Member Long asked if the transitioned employees were being trained on the new equipment. Mr. Bailey replied yes and outlined briefly the training procedures that Veolia has implemented.

WASTEWATER TREATMENT FACILITY OPERATION:

Consider establishing a Wastewater Facility Advisory Committee and direct staff to contact local agencies and community groups for participation. The Manager noted that at the Sept. 21 regular board meeting, the Board established a Wastewater Operation standing committee to meet and regularly review the operation and maintenance performance of the Veolia contract. In addition, she stated that Member Long has requested that the Board consider inviting representatives of local agencies and non-profit community groups to serve on an advisory committee to monitor the operation and maintenance of the treatment facilities.

Member Long pointed out that he would like to see a plan that lays out the overall structure of this over-sight committee. He questioned what would be the role of District staff, legal counsel and the District Board.

The Manager stated that she would report back to Member Long at a future Board meeting.

District Counsel Kent Alm gave a general overview of citizen advisory committee groups.

Bill Scott, Novato resident, questioned what the process would be for selection of the committee members and what would be expected of the Board.

BEL MARIN KEYS PUMP STATION IMPROVEMENTS PROJECT NO 72403:

Approve final acceptance of the project and authorize staff to file the Notice of Completion. The Deputy Manager noted that the contract for this project was awarded on June 23, 2008 to JMB Construction Inc. He went on to update the Board on the construction progress, including two outstanding issues: one regarding a Stop Notice from O'Grady Paving and another for minor concrete staining work. The Deputy Manager noted that the total amount of change orders directly related to the project is \$86,390 or approximately 4.6% of the original contract amount of \$1,854,525.00. He recommends that final acceptance be granted and staff be authorized to file the Notice of Completion.

Steve Wrightson, The Covello Group, stated he also recommends acceptance.

On motion of Member Quesada, seconded by Member Fritz, and carried unanimously, the Board granted Final Acceptance of the Bel Marin Keys Pump Station Improvements Project No. 72403 and authorized staff to file a Notice of Completion.

COLLECTION SYSTEM IMPROVEMENTS PROJECT NO. 72706

Adopt CEQA findings and authorize staff to file a Notice of Exemption, (NOE), with the County Clerk, and

Review proposals and award project to Bay Pacific Pipeline in the amount of \$56,300.

The Manager outlined the need for this project as part of the District's Collection System Improvements Project. She noted that staff has completed the California Environmental Quality Act (CEQA) documentation and determined that the project is categorically exempt. She requested the Board authorize staff to file the Notice of Exemption (NOE) with the County Clerk.

The Manager discussed the proposals received under the informal bid process and noted that Bay Pacific Pipeline (BPP) was the low bidder at \$56,300. She stated that staff has reviewed Bay Pacific Pipelines proposal and believes it is adequate and recommends awarding the project to BPP.

On motion of Member Quesada, seconded by Member Long, and carried unanimously, in regards to the Collection System Improvements Project No. 72706, the Board adopted the CEQA findings, authorized staff to file a Notice of Exemption with the County Clerk and awarded the project to Bay Pacific Pipeline.

STAFF REPORTS:

Proposition 1A suspension update: The Manager gave a brief update on the Proposition 1A suspension, noting that \$140,065 would be diverted from the District's property tax collections.

Treatment Plant tours: October 10th and 24th: The Manager gave an overview of the October 10th treatment plant facility tour, noting that approximately 20 people attended. She stated there would be another tour on October 24th with the final tour taking place on November 7th, weather permitting. She briefly discussed a mercury outreach program that has been very successful in collecting mercury thermometers.

Report on Emergency Consulting Services Agreement: The Manager discussed the possible referendum and the options that will take place due to Veolia's entering into an Emergency Consulting Services Agreement. She stated the Agreement will be discussed in more detail at a special meeting on October 14th, at 6:30 p.m.

MANAGER'S ANNOUNCEMENTS:

The Manager noted that this is the 30th birthday for Novato's curbside recycling program. She noted Member Long was a strong advocate to facilitate this recycling program.

The Manager discussed the publications that are being circulated and pointed out the misinformation they contained. She clarified the facts on several topics including the bank fraud incident and the non-factual information regarding proposed sewer rate increases. She stated that under the Veolia contract, she expects no rate increases or minor increases which would be attributed to inflation.

The Manager discussed the pump station management which is now under the control of the Collection Systems crew.

The Manager stated that her career is devoted to protecting the Bay.

Don Deolynn, Novato resident, clarified the information in an article published in the Marin Independent Journal newspaper.

Pam Welsh, Novato resident, stated she has not seen open and transparent Board meetings.

Bill Scott, Novato resident, stated that even though Ms. James stated she did not believe there would be any additional rate increases, posters that Mr. Eisenhardt had used in a presentation showed rates increasing.

Deanna Pierce, Novato resident, stated she was shocked at the response from the Board during public comment. She noted that some articles in the Marin Independent Journal newspaper appear to be biased.

ADJOURNMENT: There being no further business to come before the Board, President Di Giorgio adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Beverly B. James
Secretary

Julie Borda, Recording

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Asset Deletion Report for Fiscal Year 2008-09	MEETING DATE: 11/23/09 AGENDA ITEM NO. : 6.a.
RECOMMENDED ACTION: No action required.	
SUMMARY AND DISCUSSION: As part of the District's annual audit process, staff prepares fixed asset reports including reports of items added or deleted during the fiscal year. The attached asset deletion report is provided for fiscal year 2008-09. The first page is a summary of all items deleted, followed by a detailed description of each component.	
ALTERNATIVES: N/A	
BUDGET INFORMATION: No budget impact.	
DEPT. MGR. :	MANAGER'S APPROVAL:

FIXED ASSET REPORT - SUMMARY

**Includes All Items Disposed of During the Fiscal Year
Ending June 30, 2009**

Data Base	Original Cost			Accum Deprec	Book Value		
	Purchased	Contributed	Total		Purchased	Contributed	Total
LAND AND IMPROVEMENTS	0.00		0.00	0.00	0.00		0.00
EQUIPMENT	231,531.00		231,531.00	153,809.00	77,722.00	0.00	77,722.00
GENERAL EQUIPMENT	73,139.00		73,139.00	70,345.00	2,794.00	0.00	2,794.00
SEWER COLLECTION AND OUTFALL SYSTEM EASEMENTS	0.00	0.00	0.00				0.00
GRAND TOTALS	304,670.00	0.00	304,670.00	224,154.00	80,516.00	0.00	80,516.00

Note: Calculate Accumulated Depreciation from previous year print-outs.

This should reconcile with the change in the Fixed Assets Reports for all items of record on June 30.

The attached current reports include depreciation for this fiscal year.

Fixed Asset Report - General Items

Novato Sanitary District

General Records Deleted in Fiscal Year 2009

Year Acq.	Location/Group Unit Description	Year Acq.	Original Cost	Useful Life	Contribution Factor	Annual Depreciation			Accumulated Depreciation	Book Value
						Purchased	Contributed	Total		
<u>NOVATO TREATMENT PLANT</u>										
<u>Laboratory Equipment</u>										
07	BOD-Incubator	2004	3,000	15	0.0000	200	0	200	1,000	2,000
<u>Office Equipment</u>										
07	Computer - Lab Mgr	2002	1,944	3	0.0000	0	0	0	1,944	0
07	Computer - Mel	2006	1,985	5	0.0000	397	0	397	1,191	794
07	Computer-Ed	2004	2,008	5	0.0000	402	0	402	2,008	0
	Copier	1996	9,020	10	0.0000	0	0	0	9,020	0
07	Projector Power Point	2002	3,421	5	0.0000	0	0	0	3,421	0
Subtotal for Office Equipment			18,378			799	0	799	17,584	794
<u>Office Furniture</u>										
07	Desk & Chair	1978	250	15	0.0000	0	0	0	250	0
07	Desk & Chair	1962	600	15	0.0000	0	0	0	600	0
Subtotal for Office Furniture			850			0	0	0	850	0
<u>Portable Equipment</u>										
07	Generator	1987	1,800	10	0.0000	0	0	0	1,800	0
<u>Vehicles</u>										
07	Dodge 4x4 PU	1999	18,189	8	0.0000	0	0	0	18,189	0
07	Pickup - Ranger	1997	15,314	8	0.0000	0	0	0	15,314	0
07	Sedan - Taurus	1997	15,608	8	0.0000	0	0	0	15,608	0
Subtotal for Vehicles			49,111			0	0	0	49,111	0
Total for NOVATO TREATMENT PLANT			73,139			999	0	999	70,345	2,794
Grand Total			73,139			999	0	999	70,345	2,794

Fixed Asset Report - Equipment

Novato Sanitary District

Equipment Records Deleted in Fiscal Year 2009

Loc Code	Category/Subfacility Unit Description	Year Acq.	Original Cost	Useful Life	Contribution Factor	Annual Depreciation			Accumulated Depreciation	Book Value
						Purchased	Contributed	Total		
IGNACIO TREATMENT PLANT										
<u>Chemical Feed</u>										
06	Amonia Tank	2000	28,189	10	0.0000	2,819	0	2,819	25,370	2,819
Subtotal for Chemical Feed			28,189			2,819	0	2,819	25,370	2,819
Total for IGNACIO TREATMENT PLANT			28,189			2,819	0	2,819	25,370	2,819
LIFT STATION EQUIPMENT										
<u>Bahia Main PS</u>										
	Diesel Tank	1984	10,996	20	0.9580	0	0	0	10,996	0
Subtotal for Bahia Main PS			10,996			0	0	0	10,996	0
Total for LIFT STATION EQUIPMENT			10,996			0	0	0	10,996	0
NOVATO TREATMENT PLANT										
<u>DAF Building</u>										
08	Air Compressor	1987	7,791	20	0.8011	0	0	0	7,791	0
08	Air Compressor	1987	7,791	20	0.8011	0	0	0	7,791	0
08	Degritter	2002	58,937	25	0.0000	2,357	0	2,357	16,502	42,435
08	Exhaust Fan (EF-28)	1987	1,798	15	0.8011	0	0	0	1,798	0
08	Flow Meter	1987	899	15	0.8011	0	0	0	899	0
08	MCC-H	1987	15,581	35	0.8011	89	357	445	9,794	5,787
08	Thickedned Sludge Pump		11,090	10	0.0000	0	0	0	11,090	0
08	Thickened Sludge Pump	2002	11,090	10	0.0000	1,109	0	1,109	7,763	3,327
08	Thickened Sludge Pump	2002	11,090	10	0.0000	1,109	0	1,109	7,763	3,327
08	Unit Heater	1987	6,113	20	0.8011	0	0	0	6,113	0
Subtotal for DAF Building			132,180			4,664	357	5,021	77,304	54,876
<u>Primary Clarifier</u>										
	NTP Primary Clarifier Imp	2006	8,657	10	0.0000	866	0	866	2,597	6,060
02	Primary Clarifier Drive	1965	12,000	25	0.0000	0	0	0	12,000	0
	Simplex Plunger Pump	2008	12,675	10				1,268	1,268	11,408
02	Sludge Pump	1965	5,500	25	0.0000	0	0	0	5,500	0
02	Sludge Pump	1987	21,334	25	0.8011	170	684	853	18,774	2,560
Subtotal for Primary Clarifier			60,166			1,035	684	2,987	40,138	20,027
Total for NOVATO TREATMENT PLANT			192,346			5,699	1,040	8,007	117,443	74,903
Grand Total			231,531			8,518	1,040	10,826	153,809	77,722

Novato Sanitary District

Today: 18-Nov-09

QUARTERLY INVESTMENT REPORT -- For Quarter Ended September 2009

INVESTMENT	ACTIVITY	July	Aug	Sep	QTR TOTAL
STATE TREASURER'S INVESTMENT FUND	Total deposits/transfers in	3,477,387	306,000	300,000	4,083,387
	Total transfers out	765,000	3,897,000	4,690,000	9,352,000
	Minimum daily balance	32,732,101	31,853,488	27,463,488	27,463,488
Current Yield 0.90%	Maximum daily balance	35,444,488	35,444,488	31,853,488	35,444,488
	Interest earned	0	0	73,929	73,929
The LAIF Pooled Money Investment Account Report is attached as specified in California Government Code Section 53646(e)					
<u>CHECKING ACCOUNTS</u>					
Interest Rate 0.45%	<u>Regular Warrants Account</u>				
	Total deposits & transfers in	4,522,257	4,160,869	5,090,143	13,773,269
	Total checks & transfers out	4,237,348	4,506,152	4,769,889	13,513,389
	Minimum daily balance	59,824	33,696	31,233	31,233
	Maximum daily balance	3,667,203	529,781	545,092	3,667,203
	Interest earned	115	73	52	240
	<u>Payroll Account</u>				
	Total transfers in	171,300	169,500	187,000	527,800
	Total checks & transfers out	187,749	161,783	174,488	524,020
	Minimum daily balance	2,238	2,509	648	648
	Maximum daily balance	111,537	172,009	164,648	172,009
	Interest Earned	0	0	0	0
	<u>Project Account</u>				
	Total transfers in	5,672,206	2,955,082	3,588,117	12,215,405
	Total checks & transfers out	5,590,111	2,859,000	3,675,987	12,125,098
	Minimum daily balance	1,797	623	988	623
	Maximum daily balance	2,068,442	2,781,457	3,498,462	3,498,462
	Interest earned	61	82	117	260

NOTES: (1) The above investments are consistent with the annual Statement of Investment Policy submitted to the District Board of Directors on July 9, 2008.

The District has the ability to meet six months cash needs.

(2) LAIF interest rate is currently .90% which is a significant decrease from 1.377 in June 2009, 1.82% in March 2009, 2.35% in December 2008, and 2.77% in September 2008.

Bill Lockyer, State Treasurer

Inside the State Treasurer's Office

Local Agency Investment Fund (LAIF)



PMIA Performance Report

Date	Daily Yield	Quarter to Date Yield	Average Maturity (in days)
10/23/2009	0.62	0.65	265
10/24/2009	0.62	0.65	265
10/25/2009	0.62	0.65	265
10/26/2009	0.62	0.65	261
10/27/2009	0.62	0.65	265
10/28/2009	0.63	0.65	272
10/29/2009	0.63	0.65	267
10/30/2009	0.63	0.65	253
10/31/2009	0.63	0.65	253
11/1/2009	0.63	0.65	253
11/2/2009	0.64	0.64	257
11/3/2009	0.64	0.64	256
11/4/2009	0.63	0.64	252
11/5/2009	0.63	0.64	254

LAIF Performance Report

Quarter ending 9/30/2009

Apportionment Rate: 0.90%
 Earnings Ratio: .00002459481708038
 Fair Value Factor: 1.001560611

PMIA Average Monthly Effective Yields

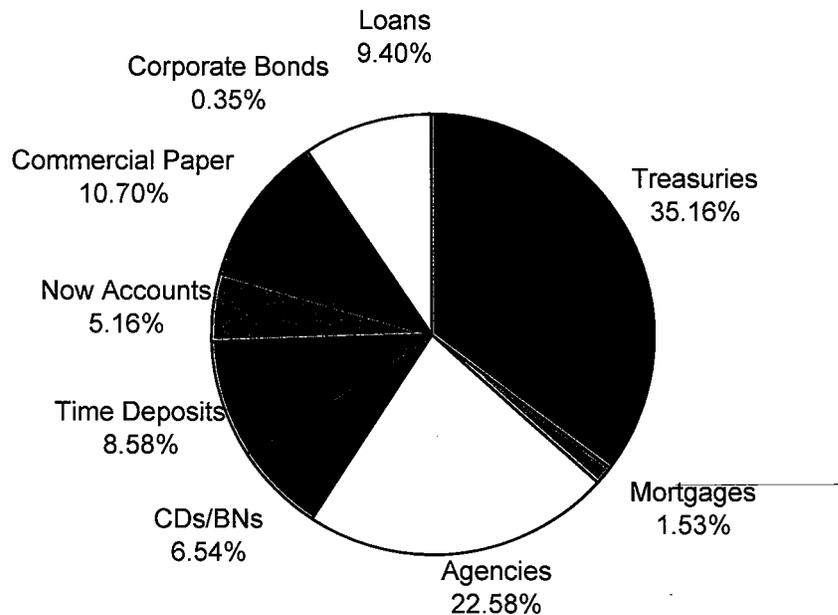
Oct 2009 0.646%
 Sept 2009 0.750%
 Aug 2009 0.925%

Pooled Money Investment Account

Portfolio Composition

\$61.9 Billion

09/30/09





JOHN CHIANG

California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name	NOVATO SANITARY DISTRICT
Account Number	70-21-002

As of 10/15/2009, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 09/30/2009.

Earnings Ratio		.00002459481708038
Interest Rate		0.90%
Dollar Day Total	\$	3,005,875,489.02
Quarter End Principal Balance	\$	27,463,488.17
Quarterly Interest Earned	\$	73,928.96

**State of California
Pooled Money Investment Account
Market Valuation
9/30/2009**

Description	Carrying Cost Plus		Fair Value	Accrued Interest
	Accrued Interest	Purch.		
United States Treasury:				
Bills	\$ 16,433,924,215.50	\$ 16,455,636,226.65	\$ 16,467,959,900.00	NA
Notes	\$ 5,322,701,773.28	\$ 5,318,861,850.60	\$ 5,337,433,500.00	\$ 20,497,307.00
Federal Agency:				
SBA	\$ 552,246,909.46	\$ 552,235,837.91	\$ 542,553,223.13	\$ 583,135.97
MBS-REMICs	\$ 943,906,839.18	\$ 943,906,839.18	\$ 991,623,008.97	\$ 4,486,952.66
Debentures	\$ 1,967,322,236.10	\$ 1,967,322,236.10	\$ 1,988,231,600.00	\$ 18,262,398.94
Debentures FR	\$ 2,828,863,048.93	\$ 2,828,863,048.93	\$ 2,828,840,910.00	\$ 764,170.12
Discount Notes	\$ 8,332,099,642.54	\$ 8,333,887,526.44	\$ 8,338,878,500.00	NA
FHLMC PC	\$ 12.70	\$ 12.70	\$ 12.86	\$ 0.23
GNMA	\$ 118,054.13	\$ 118,054.13	\$ 131,857.79	\$ 1,165.83
IBRD Deb FR	\$ 300,000,000.00	\$ 300,000,000.00	\$ 301,440,000.00	\$ 417,956.00
CDs and YCDs FR	\$ -	\$ -	\$ -	\$ -
Bank Notes	\$ -	\$ -	\$ -	\$ -
CDs and YCDs	\$ 4,050,027,759.18	\$ 4,050,027,759.18	\$ 4,049,906,673.00	\$ 940,097.21
Commercial Paper	\$ 6,620,726,968.08	\$ 6,622,553,888.88	\$ 6,623,118,381.95	NA
Corporate:				
Bonds FR	\$ 199,045,794.53	\$ 199,045,794.53	\$ 198,910,915.64	\$ 95,344.24
Bonds	\$ 15,001,184.71	\$ 15,001,184.71	\$ 15,039,900.00	\$ 336,875.00
Repurchase Agreements	\$ -	\$ -	\$ -	NA
Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 5,307,700,000.00	\$ 5,307,700,000.00	\$ 5,307,700,000.00	NA
NOW Account	\$ 3,192,000,000.00	\$ 3,192,000,000.00	\$ 3,192,000,000.00	NA
AB 55 & GF Loans	\$ 5,816,873,971.17	\$ 5,816,873,971.17	\$ 5,816,873,971.17	NA
TOTAL	\$ 61,882,558,409.49	\$ 61,904,034,231.11	\$ 62,000,642,354.51	\$ 46,385,403.20

Fair Value Including Accrued Interest

\$ 62,047,027,757.71

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (1.001560611). As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$20,031,212.22 or \$20,000,000.00 x 1.001560611.

PAR VALUES MATURING BY DATE AND TYPE Maturities in Millions of Dollars

ITEM	1 day to 30 days	31 days to 60 days	61 days to 90 days	91 days to 120 days	121 days to 150 days	151 days to 180 days	181 days to 210 days	211 days to 270 days	271 days to 1 year	1 year to 2 years	2 years to 3 years	3 years to 4 years	4 years to 5 year/out
TREASURY	\$ 3,200	\$ 1,100	\$ 600	\$ 100	\$ 400	\$ 200		\$ 4,600	\$ 7,295	\$ 3,950	\$ 350		
REPO													
TDS	\$ 2,205	\$ 1,253	\$ 1,545	\$ 205	\$ 43	\$ 58							
AGENCY	\$ 2,146	\$ 540	\$ 1,051	\$ 290	\$ 400	\$ 2,150		\$ 4,631	\$ 2,585	\$ 1,237	\$ 677	\$ 333	\$.0
BAS													
CP	\$ 4,025	\$ 700	\$ 625	\$ 1,275									
CDs + BNS	\$ 2,250	\$ 100	\$ 1,500				\$ 200						
CORP BND	\$ 25				\$ 37	\$ 27			\$ 125				
TOTAL	\$ 13,852	\$ 3,693	\$ 5,321	\$ 1,870	\$ 880	\$ 2,434	\$ 200	\$ 9,231	\$ 10,005	\$ 5,187	\$ 1,027	\$ 333	\$ 0
PERCENT	25.6%	6.8%	9.8%	3.5%	1.6%	4.5%	0.4%	17.1%	18.5%	9.6%	1.9%	0.6%	0.0%

Notes:

1. SBA Floating Rate Securities are represented at coupon change date.
2. Mortgages are represented at current book value.
3. Figures are rounded to the nearest million.
4. Does not include AB55 and General Fund loans.

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Statement of Investment Policy	MEETING DATE: 11/23/2009
	AGENDA ITEM NO. : 6.c.
RECOMMENDED ACTION: Approve Statement of Investment Policy	
SUMMARY AND DISCUSSION: The Board annually reviews and adopts the District's Statement of Investment Policy in accordance with Government Code Section 53600. Changes to the Investment Policy are as follows: <ol style="list-style-type: none">1. Financial institution changed from Bank of Marin to WestAmerica Bank.2. A description of the State Revolving Fund Loan has been added.3. The State Local Agency Investment Fund has increased its deposit limit for each agency from \$40,000,000 to \$50,000,000, effective November 15, 2009.	
ALTERNATIVES: Do not approve Statement of Investment Policy.	
BUDGET INFORMATION: No budget impact.	
DEPT. MGR. :	MANAGER'S APPROVAL:

Novato Sanitary District
STATEMENT OF INVESTMENT POLICY
November 17, 2009

The Statement of Investment Policy for Novato Sanitary District includes the revised California Government Code Section 53600 effective January 1, 1996.

Funds Management

This investment policy applies to all financial assets of Novato Sanitary District, including Operating Funds, Capital Improvement Funds and Bond Funds.

Regular Warrants Account: As cash is received, it is deposited in the District's Money Market Checking Account with Westamerica Bank. Cash on hand is reviewed daily and all inactive or reserve funds above the minimum balance are wire transferred periodically to the LAIF, or invested locally in certificates of deposit. When the District writes checks, for whatever purpose, funds are withdrawn from the LAIF to cover the checks written.

Payroll Account: The District's payroll is prepared in-house. All pay checks and pay vouchers (for direct deposit) are processed through the District's Payroll Account with Westamerica Bank. After the checks and vouchers are reconciled, funds to cover payroll are transferred from the Operating Account to the Payroll Account.

Petty Cash Account. The District maintains a Petty Cash account with a balance not to exceed \$1,000.00. This account is for small purchases.

Project Account: The only funds deposited to the Project Account with Westamerica Bank are Disbursements for the SRF loan. Any excess balance above the minimum balance is wire transferred to LAIF. When the District writes checks, for project expenses, funds are withdrawn from the LAIF to cover the checks written. The funds are transferred from the regular warrants account after this account has been funded by LAIF, for operating and project expenses.

Funds not included in the policy include deferred compensation funds since the assets of the plan are held for the exclusive benefit of plan participants and their beneficiaries.

Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard as stated in California

Statement of Investment Policy
November 17, 2009

Government Code (CGC) Section 53600.3 and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Objectives

As specified in CGC Section 53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

1. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
2. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements which might be reasonably anticipated.
3. **Return on Investments:** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority

Authority to manage the investment program is derived from CGC Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the Treasurer, Beverly B. James, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. The following employees are authorized to telephone instructions for deposits and withdrawals from the District bank account to the State Treasurer and vice versa:

Beverly B. James, Manager-Engineer
June Penn Brown, Administrative Services Manager

Transfers between the District's three Westamerica Bank accounts may be made electronically by Beverly James, Manager-Engineer, June Brown, Administrative Services Manager, and Laura Creamer, Finance Officer.

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. Under the provisions of CGC 53600.3, the Treasurer is a trustee and a fiduciary subject to the prudent investor standard. In addition, the District maintains a public officials' surety bond in the amount of \$200,000.

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Authorized Financial Institutions and Dealers

The Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the District's account with that firm has reviewed the District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the District that are appropriate under the terms and conditions of the Investment Policy.

Designated depositories for the deposit of inactive funds are:

Local Banks: Bank of America, Wells Fargo Bank and Westamerica Bank.

Local Savings and Loan Associations: Bay View Bank and Washington Mutual Bank.

State Treasurer's Local Agency Investment Fund (LAIF). The LAIF is made up of pooled funds from California local agencies which are invested by the State Treasurer. The maximum deposit allowed per agency is \$50,000,000 (effective

11/15/09). There is no minimum investment period and interest is earned daily. Money can be withdrawn within 24 hours.

Authorized and Suitable Investments

It is the practice of the District to invest inactive operating and capital improvement funds only with the State Treasurer's Local Agency Investment Fund and/or with local banks and savings and loans.

Prohibited Investments. Under the provisions of CGC Section 53601.6 and 53631.5, the District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

Line of Credit

The following describes the line of credit with Zions Bank. Funds are transferred as needed from the capital improvement fund to cover principal and interest payments.

Line of Credit. This credit line was obtained in May of 2006 to begin the financing of our Wastewater Treatment Plant Upgrade expenses. The interest rate on the principal is 4.34%. The credit line balance comes due April 1, 2011.

State Revolving Fund Loan

The following describes the state revolving fund loan with the State of California through the State Water Resources Control Board. This loan is specifically for the Wastewater Treatment Project Upgrade. Project expenses are reimbursed by this loan shortly after the District pays the contractor for the work performed on the Wastewater Treatment Project Upgrade. The balance of this loan will not be payable until 12/15/11 at 2.4% interest for a time period of 20 years.

Collateralization

All certificates of deposit must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under CGC Section 53601(i)(2).

Safekeeping and Custody

All security transactions entered into by the District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the District by book entry, physical delivery or by third party custodial agreement as required by CGC Section 53601.

Diversification

The District will diversify its investments by security type and institution. It is the policy of the District to remit money not required for immediate needs to LAIF for purposes of investment. Assets in the pooled money account are diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities.

Reporting

In accordance with CGC Section 53646(b)(1), Treasurer shall submit to each member of the Board of Directors a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for the District by third party contracted managers. The report will also include

the source of the portfolio valuation. As specified in CGC Section 53646(e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions.

The report must also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the District will meet its expenditure obligations for the next six months as required by CGC Section 53646(b)(2) and (3) respectively. The Treasurer shall maintain a complete and timely record of all investment transactions.

Investment Policy Adoption

The Policy shall be reviewed on an annual basis, and modifications must be approved by the Board of Directors.

11/20/09

Novato Sanitary District Check Register

November 23, 2009

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
Nov 23, 09			
11/23/2009	2000	Covello Group, The	148,168.95
11/23/2009	2001	Empire Mini Storage - Novato	730.00
Nov 23, 09			<u>148,898.95</u>

Novato Sanitary District
Check Register
November 23, 2009

Date	Num	Name	Credit
Nov 23, 09			
11/23/2009	50064	Veolia Water North America	158,547.70
11/23/2009	50046	Nute Engineering Inc.	54,307.14
11/23/2009	50014	Clarence & Dyer LLP	34,844.00
11/23/2009	50049	Pacific, Gas & Electric	23,225.96
11/23/2009	50040	Meyers, Nave, Riback, Silver & Wilson	22,640.58
11/23/2009	50019	Custom Tractor Service	21,359.87
11/23/2009	50035	Latham & Watkins, LLP	19,772.18
11/23/2009	50043	North Marin Water District	18,135.68
11/23/2009	50010	Carollo Engineers, Inc	16,630.65
11/23/2009	50055	PSC	15,955.37
11/23/2009	50026	Foster Flow Control	13,884.21
11/23/2009	50021	EDD	13,500.00
11/23/2009	50058	San Francisco Estuary	11,602.83
11/23/2009	50017	Covello Group, The	11,065.00
11/23/2009	50020	Denbeste Transportation Inc.	9,750.00
11/23/2009	50011	CED Santa Rosa, Inc	9,231.61
11/23/2009	50054	PG&E CFM/PPC Department	8,520.62
11/23/2009	50045	Novato, City	8,099.93
11/23/2009	50061	Swanson McNamara Haller	7,988.75
11/09/2009	43333	Bay Area Quality Mgmt	7,916.00
11/23/2009	50012	Central Marin Sanitation District	7,381.94
11/23/2009	50036	Maggiora & Ghilotti Inc.	4,238.92
11/23/2009	50028	G & K Services	3,664.53
11/23/2009	50057	Roy's Sewer Service, Inc.	3,245.00
11/23/2009	50003	American Express-21007	2,423.73
11/23/2009	50034	Kaiser Permanente	2,072.76
11/23/2009	50006	BakerCorp	2,002.50
11/23/2009	50038	Marin/Sonoma Mosquito Dist	1,974.95
11/23/2009	50016	Core Utilities, Inc.	1,950.00
11/23/2009	50018	CSRMA-	1,681.30
11/23/2009	50033	J.L. Halbert	1,530.00
11/23/2009	50015	ControlCo Automation	1,415.97
11/23/2009	50044	Novato Chevrolet	1,393.30
11/23/2009	50009	California Diesel & Power	1,225.00
11/23/2009	50062	Techknowsion Inc	1,204.24
11/23/2009	50030	HSBC	1,099.99
11/23/2009	50067	Whitley Burchett & Associates Inc	1,098.50
11/23/2009	50047	Oakley Water Strategies, Inc.	1,051.25
11/23/2009	50031	IEDA, INC	1,000.00
11/23/2009	50053	Petty Cash 1	1,000.00
11/23/2009	50022	Eisenhardt Group, Inc.	945.64
11/23/2009	50032	Integrated Waste Control, LLC	737.87
11/23/2009	50050	Pareto Co.	710.00
11/23/2009	50027	Fred Pryor Seminars	597.00
11/23/2009	50007	BoundTree Medical, LLC	530.19
11/23/2009	50023	EquipCo	514.72
11/23/2009	50005	AT&T-SAC	489.60
11/23/2009	50065	Vilata, Jose	422.00
11/23/2009	50004	Art's Towing	370.00
11/23/2009	50001	Able Tire & Brake Inc.	343.28

Novato Sanitary District

Check Register

November 23, 2009

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Credit</u>
11/23/2009	50025	Fort Docs	342.48
11/23/2009	50051	Pedro Femenia & Sons	340.00
11/23/2009	50029	Grainger	334.03
11/23/2009	50037	Marilyn Fraser	305.60
11/23/2009	50008	Cagwin & Dorward Inc.	298.75
11/23/2009	50013	Claremont EAP	295.00
11/23/2009	50060	Staples Business Adv	286.36
11/23/2009	50039	McMaster-Carr Supply Co.	255.96
11/23/2009	50052	Petty Cash	225.53
11/23/2009	50024	Fisher-Scientific	171.12
11/23/2009	50002	Alhambra	161.46
11/23/2009	50066	WC's Locks & Keys	145.28
11/23/2009	50059	Service Station Systems, Inc.	126.70
11/23/2009	50056	Quill Corporation	99.22
11/23/2009	50041	North Bay Portables	89.64
11/23/2009	50042	North Marin Auto Parts	83.06
11/23/2009	50048	Orkin Pest Control	75.90
11/23/2009	50063	United Parcel Service	12.81
			<u>538,941.16</u>

Nov 23, 09

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Administration - District Policy Handbook	MEETING DATE: November 23, 2009
	AGENDA ITEM NO. : 8.a.
RECOMMENDED ACTION: Consider adoption of District Policies.	
SUMMARY AND DISCUSSION: The following proposed District policies are presented for Board consideration. # 1030 - Public Complaints. # 1040 - Claims Against the District. # 1060 - Policy Complaints. # 4010 - Code of Ethics. # 4015 - Voluntary Candidate Expenditure Ceiling. # 4020 - Attendance at Meetings. # 4040 - Board President. # 4050 - Members of the Board of Directors. # 4060 - Committees of the Board of Directors. # 4070 - Basis of Authority. # 4090 - Training, Education, and Conferences. # 5030 - Board Meeting Conduct. # 5040 - Board Actions and Decisions. # 5050 - Review of Administrative Decisions. # 5060 - Minutes of Board Meetings. # 5070 - Rules of Order for Board and Committee Meetings.	
ALTERNATIVES: N/A	
BUDGET INFORMATION: No budget impact.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Public Complaints
POLICY NUMBER: 1030

1030.1 The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

1030.3 The method of resolving complaints shall be as follows:

1030.3.1 The individual with a complaint shall first discuss the matter with the Administrative Services Manager or other responsible employee with the objective of resolving the matter informally.

1030.3.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the Administrative Services Manager or other responsible employee, it shall be forwarded to the General Manager [*or other responsible managing employee*]. At the option of the General Manager [*or other responsible managing employee*], he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager [*or other responsible managing employee*] shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.3 If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager [*or other responsible managing employee*], they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's [*or other responsible managing employee's*] decision. The Board may consider the matter at its next regular meeting, or call a special meeting. In making a decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the individual registering the complaint being provided a copy.

1030.3.4 **A log will be kept describing each complaint, the source, and how it was resolved. The log will be open for public inspection and the contents will be summarized periodically for Board review.** (Revised by Board Member William Long).

1030.4 This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Claims Against the District

POLICY NUMBER: 1040

The purpose of this policy is to provide direction to District staff for processing and resolving (if possible) account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

1040.1 Property (Land and Improvements) Damage Claims:

In the course of the District's operations – treatment, collection and disposal of waste water – damage to land and improvements thereon occasionally occurs due to the proximity of the District's facilities to **public or (revised by Board Member William Long) private property**. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

When a property owner informs a District employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the appropriate Administrative Services Manager. The Administrative Services Manager, or his/her designee, shall investigate the property owner's allegations.

If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager. Directors should not independently investigate claims, but may go with staff to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report shall be submitted to the General Manager.

If the investigating staff person is convinced that the damage was caused by District personnel, equipment, or infrastructure, he/she shall prepare a work order to have the damage repaired, subject to the following conditions:

- (a) Property owner agrees that the proposed repairs are appropriate and adequate;
- (b) Property owner agrees to allow District personnel access to their property to perform the repair work;

- (c) District personnel have the necessary tools, equipment, and expertise to perform the necessary work;
- (d) Repair work can be accomplished within a reasonable amount of time; and,
- (e) Cost of material for the repairs will not exceed \$500.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed \$500, the owner will be asked to submit their claim in writing on a District claim form [*attached hereto as Appendix A*].

The General Manager shall review the damage claim and the proposed repair work. If he/she determines that the damage is the District's responsibility and that the proposed repair work is appropriate, he/she may authorize the work if the cost of material for the repairs will not exceed \$1,500. A report shall be submitted to the Claims Committee [*standing board committee assigned to review claims of this nature*] describing the damage claim, including a description of the manner in which it was resolved.

If the cost of material for repairs is stated by claimant or estimated to exceed \$1,500, the claim will be submitted to the Claims Committee. The Claims Committee shall review the claim and receive input from staff in closed session [*qualifies as "anticipated litigation" under the Brown Act*]. After reviewing the damage claim, the Committee may authorize the work if the cost of material for the repairs will not exceed \$3,000, or may make a recommendation to the Board of Directors. A report shall be submitted to the Board describing the damage claim, including a description of the manner in which it was resolved, or a recommendation for Board action. The claimant shall be notified of any action by the Committee regarding their claim.

If the cost of material for repairs is stated by claimant or estimated to exceed \$3,000, the claim will be submitted to the Board of Directors for its consideration. The Board will consider the claim during a closed session [*"anticipated litigation"*] of a regular or special meeting. Action to accept or reject the claim shall be taken in open session. The claimant shall be notified of the Board's action regarding their claim. Notification that a claim has been rejected shall be accompanied by proof of service.

The Board will not consider a claim of an amount in excess of the insurance deductible (currently \$10,000), including the cost of investigation, without prior written approval of the District's insurance company.

Claims in excess of the District's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.

Claims for personal injury/wrongful death shall not be investigated by District staff or directors but shall be immediately forwarded to the District's insurance company.

1040.2 Property (Vehicles and Unsecured Property) Damage Claims

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed \$1,500. A report shall be submitted to the Claims Committee describing the damage claim, including a description of the manner in which it was resolved.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed \$1,500.

1040.3 Property Damage Claims On District Form

Except for damage to land and improvements estimated to cost less than \$500, all damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

- (a) The name and post office address of the claimant.
- (b) The post office address to which the person presenting the claim desires notices to be sent.
- (c) The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
- (d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.
- (e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (f) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

Section 910.2 of the California Government Code specifies the following:

The claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.

If the filed letter/claim does not meet the requirements of the California Government Code §910 and §910.2, then a letter shall be sent to the claimant informing them of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

1040.4 Account Adjustment Requests

The General Manager, or the Deputy Manager in his/her absence, is authorized to adjust a customer's sewer service account when their bill reflects usage that is significantly greater than normal, due to accidental loss of water through broken pipes or when faucets are turned on in the owner's absence, etc. [*or other type of abnormal account cost*], subject to the following conditions:

- (a) the customer requests the account adjustment in writing;
- (b) a similar request has not been made within the past 12 months; and,
- (c) the account shows no record of being delinquent for more than 60 days during the past 24 months.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Policy Complaints

POLICY NUMBER: 1060

1060.1 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute by which the individual has been adversely affected.

1060.2 The Board of Directors of the Novato Sanitary District desires that public complaints be resolved logically and systematically.

1060.3 The process for resolving complaints shall be as follows:

1060.3.1 The citizen with a complaint shall first discuss the matter with the appropriate ~~Division Manager~~ **Department Supervisor** with the objective of resolving the matter informally.

1060.3.2 If the citizen registering the complaint is not satisfied with the disposition of the complaint by the ~~Division Manager~~ **Department Supervisor**, it shall be forwarded to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager's decision shall be memorialized in writing with a copy being provided to the plaintiff.

1060.3.3 If the citizen filing the complaint is not satisfied with the disposition of the matter by the General Manager, they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's [*or other responsible managing employee's*] decision. The Board may consider the matter at the next regular meeting, or call a special meeting. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the plaintiff being provided a copy.

1060.3.4 **A log will be kept describing each complaint, the source, and how it was resolved. The log will be open for public inspection and the contents will be summarized periodically for Board review.** (Revised by Board Member William Long).

1060.4 This policy in no way prohibits or is intended to deter a member of the community or staff from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Code of Ethics
POLICY NUMBER: 4010

4010.1 The Board of Directors of Novato Sanitary District is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents. In order to assist in the governance of the behavior between and among members of the Board of Directors, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, see Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

4010.1.9 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of **a Board Committee or to (revised by Board Member William Long)** the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Voluntary Candidate Expenditure Ceiling

POLICY NUMBER: 4015

4015.1 In accordance with Government Code . 85400§ (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of Novato Sanitary District, and controlled committees of such candidates, shall be one dollar (\$1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$100.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Attendance at Meetings

POLICY NUMBER: 4020

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

4020.2 A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three consecutive months except as authorized by the Board of Directors.

4020.3 [Vacancies on the Board of Directors are declared and filled pursuant to the provisions of Section 1770 et seq of the Government Code of the State of California.](#) (Revised by Board Member William Long).

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Board President

POLICY NUMBER: 4040

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

4040.3 [The Board may designate the President to act as spokesperson for the Board of Directors.](#)
(Revised by Board Member William Long).

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Members of the Board of Directors
POLICY NUMBER: 4050

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings **in a manner that does not violate the Ralph M. Brown Act. (Revised by legal counsel)**

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.1.3 **Copies of information that is a public record and that relates to an agenda item for open session, that is provided to the Directors less than 72 hours prior to the meeting, shall be made available to the public at the same time that the writing is provided to the Directors. (Revised by legal counsel to comply with Gov. Code 54957.5)**

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Committees of the Board of Directors

POLICY NUMBER: 4060

4060.1 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.2 The following shall be standing committees of the Board:

4060.2.1 Wastewater Operations Committee;

4060.2.2 Solid Waste Committee;

4060.3 The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in July.

4060.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President or a majority vote of the Board. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.4.1 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Basis of Authority

POLICY NUMBER: 4070

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Training, Education, and Conferences

POLICY NUMBER: 4090

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Administrative Services Manager is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Administrative Services Manager, together with validated receipts.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the President of the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Administrative Services Manager and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

4090.4 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Board Meeting Conduct

POLICY NUMBER: 5030

5030.1 Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

5030.2 All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

5030.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

5030.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

5030.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

5030.4 This section added by President Mike Di Giorgio:

Board Members will include and welcome all as part of the democratic process; will not be partial, prejudiced or disrespectful to each other; will be fair and impartial in listening to public testimony; will be open and transparent in conducting the public's business except in those areas where it has been demonstrated to not serve the public good (i.e. personnel matters and property negotiations).

Board Members will show decorum and civility in communicating with each other; will treat all in a way that helps them relax and feel comfortable speaking in public; will actively listen and seek to understand the perspectives of one another; will ask for clarification but avoid debate and argument during the public comment period or staff presentations; will not make personal attacks of any kind, under any circumstances.

The Board will welcome and value different opinions and perspectives regarding District policies and business; will uphold the Standards of Conduct for Public Meetings in order to create a welcoming environment and allow all to be heard and participate. No-one will be turned away unless he or she exhibits inappropriate behavior.

5030.5 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

5030.5.1 Three minutes may be allotted to each speaker. ~~and a maximum of 20 minutes to each subject matter.~~ (Revised by Board Member William Long)

5030.5.2 No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

5030.5.3 No oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors under provisions contained in Policy #1030.

5030.6 This section added by President Mike Di Giorgio: **Members of the public will be considerate, civil and respectful; will respect the process and procedures of the public forum; and will address the Board as a whole, not any single member or an individual staff member.**

Members of the public will not utter or make personal, impertinent, disparaging, slanderous, or profane remarks; will not use profanity, or make threats of harm or violence; will not make comments that are irrelevant or repetitive; will not show antagonism or hostility or deliberately lie or mislead; will not act in a boisterous manner; and will not make any unreasonable noises while in the audience such as whistling, clapping, stamping feet, loud comments, repeated grumbling, or other loud or disturbing actions, whether in support or in opposition of the debate or actions under consideration.

Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

5030.6.1 After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

5030.6.2 After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room. Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Board Actions and Decisions

POLICY NUMBER: 5040

5040.1 Actions by the Board of Directors include but are not limited to the following:

5040.1.1 Adoption or rejection of regulations or policies;

5040.1.2 Adoption or rejection of a resolution;

5040.1.3 Adoption or rejection of an ordinance;

5040.1.4 Approval or rejection of any contract or expenditure;

5040.1.5 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

5040.1.6 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

5040.2 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three votes to be effective (unless a 4/5 vote is required by policy or other law).

5040.2.1 A member abstaining in a vote is considered as absent for that vote.

5040.2.1.1 Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

5040.2.1.2 Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

5040.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

5040.3 The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

5040.3.1 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

5040.3.2 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

5040.3.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Review of Administrative Decisions

POLICY NUMBER: 5050

5050.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

5050.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Minutes of Board Meetings

POLICY NUMBER: 5060

5060.1 The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next of a regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, **the official minutes shall be kept in a secure location.** (Revised by Deputy Manager-Engineer)

5060.1.2 **If an audio tape recording of regular and special meetings of the Board of Directors is made, the device upon which the recording is stored shall be kept in a secure location for a minimum of 30 days. Audio recordings shall be available to members of the public if a request is made. Such request shall be made with adequate prior notice and the District shall make a playback machine available upon such request.** (Revised by Deputy Manager-Engineer)

5060.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, ~~starting new at the beginning of each year.~~ In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

- Date, place and type of each meeting;
- Directors present and absent by name;
- Administrative staff present by name;
- Call to order;
- Time and name of late arriving Directors;
- Time and name of early departing Directors;
- Names of Directors absent during any agenda item upon which action was taken;
- Summary record of staff reports;
- Summary record of public comment regarding matters not on the agenda, including names of commentators;
- Approval of the minutes or modified minutes of preceding meetings;
- Approval of financial reports;
- Record by number (a sequential range is acceptable) of all warrants approved for payment;
- Complete information as to each subject of the Board's deliberation;
- Record of the vote of each Director on every action item for which the vote was not unanimous;

Resolutions and ordinances described as to their substantive content and sequential numbering;
Record of all contracts and agreements, and their amendment, approved by the Board;
Approval of the annual budget;
Approval of all polices, rules and/or regulations;
Approval of all dispositions of District assets;
Approval of all purchases of District assets; and,
Time of meeting's adjournment.

DRAFT

NOVATO SANITARY DISTRICT

POLICY HANDBOOK

POLICY TITLE: Rules of Order for Board and Committee Meetings
POLICY NUMBER: 5070

5070.1 General.

5070.1.1 Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules - Robert's Rules of Order.

5070.1.1.1 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

5070.2 Obtaining the Floor.

5070.2.1 Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

5070.3 Motions.

5070.3.1 Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:

5070.3.1.1 A Director makes a motion; another Director seconds the motion; and the President states the motion.

5070.3.2 Once the motion has been stated by the President, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the President will call for the vote.

5070.3.2.1 If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

5070.4 Secondary Motions. Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business is considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

5070.4.1 Motion to Amend. A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

5070.4.2 Motion to Table. A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

5070.4.3 Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

5070.4.4 Motion to Refer to Committee. A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

5070.4.5 Motion to Close Debate and Vote Immediately. ~~As provided above, any Director may move to close debate and immediately vote on a main motion.~~ **When a call for the question is made, a two-thirds vote is required to end the debate.** (Revised by Board Member William Long).

5070.4.6 Motion to Adjourn. A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

5070.5 Decorum.

5070.5.1 The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

5070.5.2 The President may also declare a short recess during any meeting.

5070.6 Amendment of Rules of Order.

5070.6.1 By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting: a) temporarily suspend these rules in whole or in part; b) amend these rules in whole or in part; or, c) both.

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

**TITLE: Wastewater Operations:
Referendum**

MEETING DATE: November 23, 2009

AGENDA ITEM NO.: 9.a.

RECOMMENDED ACTION: Set June 8, 2010 as the date for the referendum.

SUMMARY AND DISCUSSION:

At its regular meeting on September 21, 2009, the Board of Directors authorized negotiation of a Service Agreement with Veolia Water West Operating Services Inc. on July 27, 2009 and approved Agreement on September 21, 2009. On October 15, 2009, a Referendum Petition was filed with the Marin County Registrar of Voters protesting the approval of the Agreement and requesting that the Board repeal its approval of the Agreement, or alternatively, submit the Agreement to the voters of the District for adoption or rejection. On November 2, 2009, the District received certification from the Marin County Registrar of Voters indicating that the Referendum Petition contained a sufficient number of valid signatures to qualify for an election.

The District has taken the position that the approval of the Agreement is not a proper subject for referendum. In general, if local government contracts cannot be effective for 30 days after approval, then thousands of local agencies are operating improperly because it is very rare for local agencies to observe a 30-day waiting period for the effectiveness of their contracts. The law does not provide that government contracts, in general, are ever subject to referendum. A referendum on the adoption of the Agreement on September 21 conflicts with general law because the State legislature has granted exclusive authority to approve District contracts to the District Board, not to the electorate. Approval of the Agreement in this case was not a legislative act subject to referendum. The District, therefore, could seek a judicial determination on the legality of the use of the referendum process in this instance.

Nevertheless, at their meeting on November 9, 2009, the Board approved a motion to decline to repeal the Agreement and directing staff to prepare a resolution to set a date for a referendum.

A number of election dates in 2010 conform to the requirements of the Elections Code, including March 2, April 13, May 4, and June 8. The attached table gives the potential dates and the range of cost for each date. The June 8, 2010 election, a statewide primary election, would cost the District between \$46,050-76,750. Other available election dates will cost as much as \$307,000.

Staff recommends setting the date for the referendum of June 8, 2010 because of the cost savings to the District and the fact that it is a statewide primary election which will encourage voters to participate.

ALTERNATIVES:

BUDGET INFORMATION: Depending on the election date chosen, the District can expect to spend at the low end, between \$46,050 and 76,750 to consolidate the election with the statewide primary election in June. The budget will need to be amended to include the cost of the special election.

DEPT.MGR.:

MANAGER:

Election Date	Type of Election	First Deadline (for ballot wording, etc.)	Cost Per Registered Voter	Total Cost *
March 2, 2010	All-mail special election	Dec. 4, 2009	\$6-8	\$184,200-245,600
April 13, 2010	Special election	Jan. 15, 2010	\$8-10	\$245,600-307,000
May 4, 2010	All-mail special election	Feb. 5, 2010	\$6-8	\$184,200-245,600
June 8, 2010	Primary	Mar. 12, 2010	\$1.50-2.50	\$46,050-76,750
Aug. 31, 2010	All-mail special election	June 4, 2010	\$6-8	\$184,200-245,600
Nov. 2, 2010	General Election	Aug. 6, 2010	\$1.50-2.50	\$46,050-76,750

1296661.1

* Based on 30,700 registered voters in District.



NOVATO SANITARY DISTRICT

500 DAVIDSON STREET • NOVATO • CALIFORNIA 94945 • PHONE (415) 892-1694 • FAX (415) 898-2279
www.novatosan.com

Item: 9b.

BOARD OF DIRECTORS

MICHAEL DI GIORGIO, President
WILLIAM C. LONG, President Pro-Tem
JAMES D. FRITZ
ARTHUR T. KNUTSON
GEORGE C. QUESADA

BEVERLY B. JAMES
Manager-Engineer-Secretary

KENTON L. ALM
Legal Counsel

November 20, 2009

To: Board of Directors
From: Wastewater Operations Committee
Re: Wastewater Operations Committee Report

The Wastewater Operations Committee met on Monday, November 16, 2009 at 2:00 PM. Committee members George Quesada and Jim Fritz reviewed the Operations and Maintenance Report for September and October from Veolia Water as well as the Status Report for the Transition Tasks for the 14 areas. They also discussed the procedures for filling out and maintaining the logbooks.

Veolia took over operation of the Wastewater Treatment Facilities on October 5, 2009. Their Operations Report includes both September when the District was operating the wastewater treatment facilities and October. A copy of the draft report is attached.

The Committee also reviewed the status of the Start Up Tasks and the 14 transition tasks. A copy of the status report is attached.



Draft

November 16, 2009

Ms. Beverly James
District Manager
Novato Sanitary District
Novato, CA 94545

Subject: Operations Report – September/October 2009

Dear Ms. James:

We are pleased to provide this activity report for September/October 2009

As always, please give me a call at 415-798-6075 should you have any questions.

Regards,

John Bailey
Project Manager

cc: Attachments

Draft

OPERATING REPORT

Prepared for

**NOVATO SANITARY DISTRICT
WASTEWATER TREATMENT FACILITY
NOVATO, CALIFORNIA**

Prepared by

Veolia Water North American Operating Services, Inc.
500 Davidson Street
Novato, CA 94545

TABLE OF CONTENTS

TREATMENT PLANT PERFORMANCE SUMMARY	3
OPERATIONS AND MAINTENANCE STATUS / REVIEW	4
CONSTRUCTION	5
ADMINISTRATION	5
SAFETY AND TRAINING	5
PUBLIC RELATIONS	6
MISCELLANEOUS	6

Draft

TREATMENT PLANT PERFORMANCE SUMMARY

OPERATIONS INFORMATION

Parameter	Monthly Performance September 2009	
	Novato	Ignacio
Flow, MGD (monthly ave)	3.88	
Influent BOD ₅ , mg/L (monthly ave)	177	236
Influent TSS, mg/L (monthly ave)	240	162
Effluent BOD ₅ , mg/L (monthly ave)	12	
Effluent TSS, mg/L (monthly ave)	7	
Total permit exceedances WDR - Non Discharge Season		
Coliform (daily-MPN)	0	
Coliform (5 sample median)	3	
TSS (monthly average)	N/A	
TSS (weekly average)	N/A	
BOD (monthly average)	0	
BOD (weekly average)	0	

MONTHLY REPORT

Page 4

Parameter	Monthly Performance October 2009	
	Novato	Ignacio
Flow, MGD (monthly ave)	4.40	
Influent BOD ₅ , mg/L (monthly ave)	197	220
Influent TSS, mg/L (monthly ave)	253	163
Effluent BOD ₅ , mg/L (monthly ave)	20	
Effluent TSS, mg/L (monthly ave)	14	
Total permit exceedances WDR - Non Discharge Season		
Coliform (daily-MPN)	0	
Coliform (5 sample median)	0	
TSS (monthly average)	N/A	
TSS (weekly average)	N/A	
BOD (monthly average)	0	
BOD (weekly average)	0	

OPERATIONS & MAINTENANCE STATUS REVIEW

Key events for the period:

General:

- Veolia staff on site throughout the month of September to prepare for startup scheduled early October. All items required prior to startup have been or will be complete prior to (or upon) contract commencement.
- All operations and maintenance staff are reporting to Novato treatment facility. Assignments are made at the morning meeting.
- Veolia project manager and assistant project manager are attending Tuesday construction meetings to provide input. Construction schedule and training is provided to operations and maintenance staff at the morning meetings.
- Draft deliverables provided to District Manager on September 22nd.
- Veolia assumed operational responsibility of Novato Sanitary District facilities on October 5th.
- Job Cal Plus, computerized maintenance management system is being used for maintenance scheduling, prioritization and tracking.

Novato:

- Digester supernatant plugging problem has been resolved.
- Installation of a new sludge transfer pump by maintenance staff is complete.

Ignacio Site:

- Installation of welded HDPE pipeline on digester mixing line complete.
- Mechanics installed a new mechanical seal on #3 water pump.

- High fire valve on boiler was replaced.

Near-term operations/maintenance tasks and projects:

Novato Site:

- Clean chlorine contact basins.
- Clean flow equalization basin.
- Prepare gravity filters for wet weather and blending.
- Preparation for transition from reclamation to discharge

Ignacio Site:

- Prepare dechlorination feed and monitoring systems
- Prepare sample stations
- Preparation for transition from reclamation to discharge

CONSTRUCTION UPDATE

Major activities of note:

- October 7th tie in of 48 inch effluent line. This required a lengthy by-pass pump around, two short term shutdowns of flow through the treatment plant, and extensive coordination and planning between the contractor, District, and Veolia staff.
- October 13th 3.45 inches of rain resulted in a 24 hour flow of 9.5 mgd. Peak flows of 18 mgd were reached.
- October 5th begin startup of influent pump station (IPS). Acceptance testing to begin in November.
- Startup and acceptance testing of blowers and diffusers has begun.
- Veolia Project Manager and/or Operations Supervisor attended all construction meetings.
- All construction related training is being held as scheduled. All available operations and maintenance staff are attending.

ADMINISTRATION

MONTHLY REPORT

Page 6

-
- October invoice provided November 10, 2009.
 - Contract negotiations between Teamsters Local 315 and Veolia were held in October; additional meetings are scheduled.

SAFETY AND TRAINING

Safety & Regulatory Training

- 9/25/09 - Fall Arrest System (provided by manufacturers representative)
- Proper Log Book Entries
- Bulk Chemical Handling
- Five Minute Tailgate training is held daily

Skills & Technical Training

- Bryce Benkhe – Job Cal Plus – Computerized Maintenance Management
- Dave Coffman – Orientation Training
- Single Stage Blower, Turblex (provided by manufacturers representative)
- Multi Stage Blower, Turblex (provided by manufacturers representative)
- Membrane Aeration System, Sanitare (provided by manufacturers representative)
- Sluice Gates (provided by manufacturers representative)
- Influent Pump Station Operation, Flygt (provided by manufacturers representative)
- Influent Pump Station SCADA/HMI – Provided by KBL
- Aeration Basins, Propeller Mixers/Pumps - (provided by manufacturers representative)

PUBLIC RELATIONS

- Attended four open house tours

MISCELLANEOUS

Veolia Support Staff on Site (Various Times)

Jim Good	Vice President/Area Manager – Contract Administration
Aaron Winer	District Manager – Contract Administration
Chris McAuliff	Startup/Transition Manager
John O'Hare	Laboratory, Regulatory, and Contract Deliverables
Dave Coffman	Environmental Health Safety and Security Program
Bryce Benkhe	Computerized Maintenance Management and Network Systems
Dan Brown	Computerized Maintenance Management System
Chuck Fenton	Process Control and All Project Aspects
Ed Dix	Process Control Management Plan
Chris Cilliers	Instrumentation, Controls, and Electrical/Maintenance
Kip Edgley	Instrumentation, Controls and SCADA/PLC
Ron Cornmesser	Laboratory
Tim McMullen	Human Resources
Mike Schnack	Human Resources/Contract Negotiation

SCHEDULE:5

TRANSITION PLANS FOR 14 AREAS

December 21, 2009

Update: November 13, 2009

A) Summary List of Tasks (Appendix E of Request for Proposal)

STARTUP

TOPIC

COMPLETION STATUS: 99%

Startup Planning and Implementation of Plan:

- a. Plans created and implemented through on-site transition team on a daily schedule starting on October 5, 2009.
- b. Plan provided to District on September 25, 2009.

Summary Items

- * Use the transition matrix, a preliminary version of which will be provided at startup. Specific tasks have been developed for each discipline and can be modified as additional information becomes available. - Completed
- * Conduct negotiations with union. – Process Started October 15, 2009.
- * Obtain Required Insurance and Bonds. Provide information within required timeframe. - Completed
- * Develop Emergency Response Plans. Develop plans and train staff within the first 30 days. - Completed
- * Retain staff as required by Request for Proposal conditions. - Completed
- * Obtain Board of Certification private license. - Completed
- * Sign Agreement and Deliver Guaranty. Complete process in timely manner. - Completed
- * Deliver legal opinion from Counsel to the Company and Project Guarantor as to corporate status, no conflict, no material litigation, and the valid, binding, and enforceable nature of the agreement. Participate by providing information and data. - Completed
- * Transition Costs Tracking. Track qualified items and present final cost to District. - Completed
- * Pass Through Costs Tracking. Track qualified items and present final cost to District. - Completed

TOPIC

COMPLETION STATUS: 50%

Initial Budget: Next Two Years and New Plant O&M:

- a. Budget drafted and forwarded to District on October 5, 2009.
- c. New Plant O&M Budget Projections to be developed following March 2010 completion of construction upgrades.
- d. Provide summary of major costs.

Summary Items

- * Develop draft budget based on price submitted with the Proposal. - Completed

TOPIC

COMPLETION STATUS: 50%

Staffing: Skill Sets, Augmentation for Startup, Long Term:

- a. Staffing plan created and implemented on October 5, 2009.
- b. Skills assessment conducted and individual plan created based on O&M Technician job description.
- d. Skills question drafted for use and final skills report preparation.

Summary Items

*** Conduct employee skills assessment and establish development plan for each employee as needed to enhance or expand existing skill set. – Outstanding November 13, 2009**

MAINTENANCE PROGRAM

TOPIC

COMPLETION STATUS: 100%

Preventive Maintenance (PM) Program to Include:

- Maintenance - Program documented in September 25, 2009 submission
- Predictive – Software program driven, program documented in September 25, 2009 submission.
- Baseline Conditions - Assessment completed started on October 21, 2009. New equipment needs to be added as it is brought on-line.
- Initial O&M Plan – Submitted on September 25, 2009
- Budget & Plan – Submitted on September 25, 2009
- Spare Parts – Inventory being conducted by plant staff. \$100 cut off established. Completed on November 4, 2009.

- a. CM/PM Tasks have been created and existing work orders are being refined as they come due and are closed.
- b. See attached example of working plan. Provide 10 major examples.
 - 1. Monthly Report – Client Versions – October & November 2009.
 - 2. # CM work orders, list of items identified and repaired, # of preventative work orders
 - 3. # PM work orders, list focus of program and type of work
- c. Program activities documented and ongoing
- d. Computerized software program located administrative assistant office.

Summary Items

*** Use CMMS (JOB Cal Plus) program to record baseline condition assessments, as well as preventive and corrective work orders for all assets. Spare parts will be inventoried and entered in CMMS. Work order priorities will be set. Maintenance costs will be tracked in the CMMS. - Completed**

*** Schedule grounds maintenance and aesthetics on the monthly Safety Inspection Checklist. - Completed**

TOPIC

COMPLETION STATUS: 50%

Computerized Maintenance Management System (CMMS)

- a. System loaded and operating to produce inventory, equipment details, history, PM, CM printed weekly and distributed daily.
- b. See attached example software program details including inventory.
- c. Program activities documented and ongoing
- d. Computerized software program located in administrative assistant office.

Summary Items

*** Install JOB Cal Plus. System hierarchy will be set and entered into Job Cal Plus. - Completed**

*** SCADA System Capabilities and Integration with CMMS, operations and laboratory systems. Review SCADA system and development of runtime based PMs. – Process Started**

*** Repair Replacement Tracking Form. Provide for critical Equipment. - Completed**

TOPIC

COMPLETION STATUS: 50%

Procedures for Equipment Warranty Protection:

- a. New equipment warranty details loaded into system as of October 10, 2009 with most current details. One sample of major piece of equipment to be provided.
- b. Warranties being tracked by software program and required preventative maintenance work orders.
- c. Computer software program located in administrative assistant office.

Summary Items

*** Review existing Equipment O&M manuals. Required warranty tasks will be entered and scheduled into Job Cal Plus. – Completed for new equipment as of November 4, 2009**

*** Use manufacturer suggested maintenance schedules to guarantee Equipment warranties. – Completed for new equipment as of November 4, 2009**

*** Review and use manufacturer suggested maintenance schedules to guarantee Equipment warranties. – Completed for new equipment as of November 4, 2009**

TOPIC

COMPLETION STATUS: 50%

Maintenance Standards:

- a. System developed with CM/PM philosophy based on NSD PI&D drawings and current numbering system.
- c. System designed to be reviewed on a yearly basis.

Summary Items

*** Establish standards and requirements that, along with manufacturer warranties and other information, serve as the basis for PM frequency. – Completed for new equipment as of November 4, 2009**

TOPIC

COMPLETION STATUS: 50%

Development of Job Cost System, Accounting System, and Asset Hierarchy System:

- a. JobPlus CMMS creates asset hierarchy with the cost system and accounting functions being built based on the inclusion of costs and accountability of the PM/CM function.
- b. As the system is loaded to include spare parts and repairs cost system and accounting system is developed.

Summary Items

*** Review existing Asset hierarchy and then modify and expand to have 100% coverage of all assets. – Completed for new equipment as of November 4, 2009**

TOPIC

COMPLETION STATUS: 50%

Key Performance Indicators (KPI's): operations, maintenance, personnel:

- a. Each principal;
 - 1. Operations - OpSQL – Weekly and Monthly Reports
 - 2. Maintenance – JobPlus – Monthly Report
 - 3. Personnel- Training Plan – **Outstanding as of November 13, 2009**
- c. Program designed to be continuously implemented throughout the contract term.

Summary Items

*** Use Job Cal Plus (CMMS) standard KPI reports. Company will work with District staff to modify or design new KPI reports to meet the District's requirements. – Completed for new equipment as of November 4, 2009**

OPERATIONS

TOPIC

COMPLETION STATUS: 50%

Standard Operating Procedures (SOP's):

- a. New plant equipment SOPs developed – Ongoing effort by plant staff
- b. Existing plant equipment SOPs revised – Four (4) written sources consolidated
 - i. List to be provided
- c. Electric and Hardcopy Locations – Electronic available for review
- e. SOPs electronic and hardcopy located in administrative assistant office.

Summary Items

*** Identify SOP needs, prioritize, develop, train staff. SOPs will include, where appropriate, photo documentation. – Completed for new equipment as of November 4, 2009**

*** Flow & Load Tracking. Review sampling sites for representative sample site labeling, and SOP development followed by 12-month period of documentation for**

baseline determination. Track items and present final values to District 2010. – Outstanding as of November 13, 2009

TOPIC

COMPLETION STATUS: 50%

Process Control Plan:

- a. Location of plan, SOPs and Reports -
- b. OpsSQL software program - Weekly and Monthly Report
- d. Implement VWOS optimization plan for both WWTFs.
- e. Computerized software program located in administrative assistant office.

Summary Items

*** Implement the Company standard PCMP program. Implement daily data input and weekly process control meetings. – Process implemented, on-going process**

TOPIC

COMPLETION STATUS: 50%

Training: Safety, Process (normal and unusual conditions), troubleshooting:

- a. Safety training has included, new employee orientation completed, site specific manuals being developed, training program developed and started. Electronic versions created for 38 separate topic.
- b. Process training on-going, materials to be purchased, contractor and vendor upgraded equipment training being provided.
- c. Program designed to be continuously implemented throughout the contract term.
- e. Purchased – California State Operations and Maintenance Manual Volume I&II, Audel Maintenance Manual, etc.

Summary Items

*** Conduct training on a routine basis and as needed for new process implementation. Safety reminder occurs at most meetings and regularly on a monthly basis. As conditions that could jeopardize employee safety arise, special briefings will be held. In addition, should an accident occur, a Root Cause Analysis will be held with senior Company staff and the findings shared with project staff to implement best practices and avoid a recurrence of the incident. – Process Implemented October 5, 2009**

*** Enter troubleshooting tips into specific work orders in JOB Cal Plus as developed. – Being updated in closed work orders and entered into system**

*** Develop routine training schedule in addition to the phase-out of old Equipment and processes and phase-in of new Equipment and processes. – Outstanding as this time November 13, 2009**

*** Meet with potential employees, and employee spouses at an after-hours gathering. Initial daily meetings, then reduce to two or three per week. - Completed**

TOPIC

COMPLETION STATUS: 80%

Operating Records and Reporting:

- a. Regulatory reporting systems in place and being refined.
- b. Reports being generated weekly and monthly.
- c. Provide AM/TM Weekly and Monthly Reports. **Outstanding as of November 13, 2009**

Summary Items

- * **Establish standardized record and reports maintenance program. - Completed**
 - * **Provide capability to enter laboratory data into the Company's operating data management system and produce required regulatory report submittals to the District for electronic reporting. Any modifications required to customize the District's system for sampling, analysis, and reporting requirements including the capability to submit monitoring data will be the responsibility of the Company but must be coordinated and reviewed with the District prior to implementation. – Process to be developed**
 - * **Use manufacturer suggested maintenance schedules to guarantee Equipment warranties. – Completed for new equipment as of November 4, 2009**
 - * **Develop a tracking form to be completed monthly. – Completed for new equipment as of November 4, 2009**
 - * **Equipment and Chemical Inventories - Develop a tracking form to be completed monthly. – Completed November 4, 2009**
 - * **Submittal of Monthly Report on Reimbursement Expenses out of the R&R Fund. Develop for monthly submission. – Outstanding as of November 13, 2009**
 - * **Annual Overage of R&R Proposal & Annual Recommendation for Major R&R. Track and finalize overage. Format to be established with annual recommendations forwarded to District. – 80% Captured as of November 13, 2009**
-

TOPIC

COMPLETION STATUS: 0%

Plan Elements for First Year Status and Review for New Facilities and Operations:

- a. Number of Employee Hours and Type of Training Programs
- b. Number of NPDES Permit Violations and Type
- c. Number of Odor Complaints
- d. O&M Budget Results
- e. PM/CM Program Results
- f. Regulatory Inspection Findings
- g. Employee Satisfaction Report
- h. Veolia Water Start-up Manual – Details of Acceptance Testing

Summary Items

- * **Develop O&M procedures including startup, normal and emergency operations – Outstanding as of November 13, 2009**
- * **Startup new Facilities utilizing O&M Manuals, established procedures, and available resources. – Outstanding as of November 13, 2009**

*** Develop listing of existing Equipment to be phased out and develop plans for removing them from service. – Outstanding as of November 13, 2009**
*** Acceptance Tests of Capital Equipment. Document acceptance testing process and findings. – Plan developed as of November 5, 2009**

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

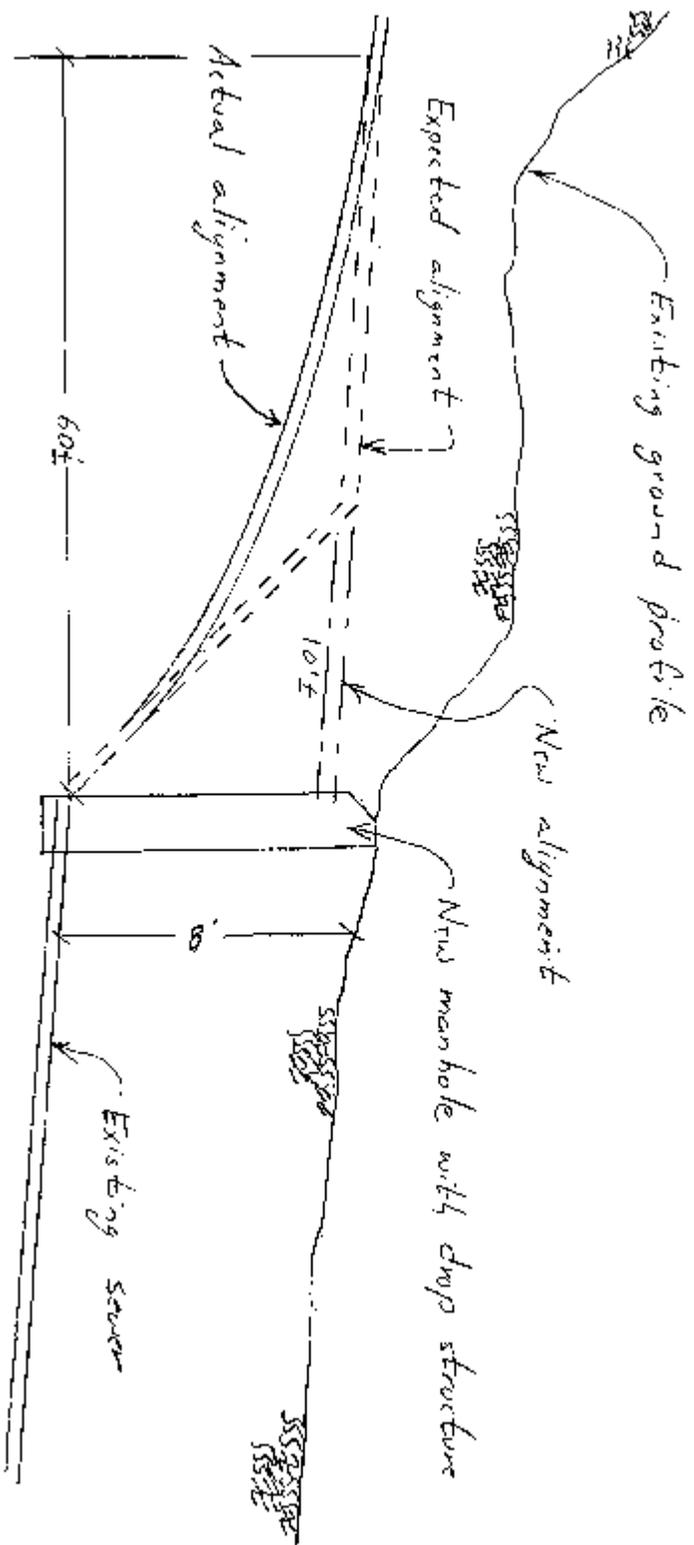
TITLE: Collection System Improvements; Project No. 72706	MEETING DATE: 11/23/2009 AGENDA ITEM NO. : 10.a.
RECOMMENDED ACTION: Approve a contract for construction review in the amount of \$70,000 with Nute Engineering on a time and materials basis.	
SUMMARY AND DISCUSSION: <p>The District currently has an approved contract in place with Nute Engineering (Nute) for Nute to provide design services on the following Collection System Improvement projects:</p> <ul style="list-style-type: none"> A. State Access Road Sewer Project B. Center Road/Wilson Avenue Sewer Project C. Olive Street/Chase Street Project D. Ignacio Boulevard Sewer Project <p>The State Access Road and Center Road/Wilson Avenue projects are currently beginning the construction phase and it is expected that the other two projects will begin within the next few months. Assistance from Nute Engineering will be needed through the construction phase of these projects, as follows:</p> <ul style="list-style-type: none"> 1. Setting stakes along the pipeline alignments so the contractor can build the projects per the design, 2. Review submittals as requested, 3. Provide consultations regarding the design as necessary, 4. Review and evaluate proposals for modifications to the work for changed conditions and assist in the preparation of change orders, 5. Prepare Record Drawings with information provided by the contractor, the Covello Group, and the District. <p>Nute has provided an estimate of \$70,000 or \$17,500.00 per project to cover this work. Staff has reviewed the estimate and believes it is reasonable.</p>	
ALTERNATIVES: None.	
BUDGET INFORMATION: This work will be funded from Project 72706, Collection System Improvements. The FY09-10 budget includes \$3,000,000 for the project.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Collection System Improvements; Olive Avenue Sewer Project; Project No. 72706	MEETING DATE: 11/23/2009 AGENDA ITEM NO. : 10.b.
RECOMMENDED ACTION: Approval of expenditures for the repair of the District's 27" Railroad Avenue Force Main not to exceed \$40,000.00.	
SUMMARY AND DISCUSSION: <p>On November 12th during exploratory drilling work a contractor working for Miller Pacific Engineering Group drilled a hole into the District's 27" force main in Railroad Avenue. This work was being done to determine groundwater levels in the area and provide this information in the bidding documents for the District's upcoming project. The District's force main was marked incorrectly prior to the work.</p> <p>When District staff found out about this incident they took immediate steps to remedy the situation including shutting the pump station down, arranging for bypass pumping and temporary trucking, order repair materials and securing the services of a local contractor to excavate to repair the line.</p> <p>Approximately 9000 gallons of sewage was spilled and all of it was recovered. This was a result of sewage flowing out of the drill hole until pump trucks could pump the force main down to a point of equilibrium in the force main.</p> <p>Staff estimates expenses at around \$30,000.00 however repair costs by the contractor are somewhat unknown because the repair was not completed until late in the week. District staff requests the Board authorize expenditures for the repair up to \$40,000.0 to cover any unforeseen costs.</p>	
ALTERNATIVES: None.	
BUDGET INFORMATION: This work will be funded from Project 72706, Collection System Improvements. The FY09-10 budget includes \$3,000,000 for the project.	
DEPT. MGR. :	MANAGER'S APPROVAL:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Annual Collection System Repairs; Project No. 72803	MEETING DATE: 11/23/2009 AGENDA ITEM NO. : 11.a.
RECOMMENDED ACTION: Approval of expenditure to install a manhole and sewer main in an easement behind 1075 Greenwood Drive.	
SUMMARY AND DISCUSSION: <p>On September 11, 2009 the District received a service call from the resident of 1075 Greenwood Drive reporting that sewage was coming up in the garage of their residence. District staff reported to the residence and found a small amount of sewage on the garage floor and staff was unable to determine if it was a result of a blockage in the sewer main in an easement behind the residence or the residence's lateral because no upstream structure could be found on the sewer main. In addition, the sewer main could not be inspected by video camera because the sewer main had a 45 degree bend in the sewer below the connection for the house where the sewer main changed grade. The blockage was cleared through the residence's cleanout but it was unclear where exactly the blockage was located.</p> <p>Utilizing the District's informal contract process under the Uniform Construction Cost Accounting Act, (UPCCAA), the District issued a Work Order to Maggiora & Ghilotti of San Rafael to construct a manhole at the location of the 45 degree bend and connect the upstream sewer to the manhole in a manner that would allow District staff to inspect and maintain the sewer. Staff estimated that the work could be completed for approximately \$10,000.00.</p> <p>Work began on September 30th to excavate for the manhole. The location for the manhole at the 45 degree bend was at the base of an embankment approximately two feet horizontally off the fence line. The soils in the area were unexpectedly rocky and difficult to dig which may be why the previous work incorporated a 45 degree bend in the sewer to get above the rocky soil. After the manhole was completed the upstream sewer needed to be connected to the sewer main. Staff found that the existing sewer was "rolled down" to the 45 degree bend keeping the existing sewer deeper than anticipated. Because of the depth of the existing sewer, 60 feet of new sewer had to be installed upstream to connect to the laterals. This sewer was also located in the embankment making work difficult.</p> <p>The total cost for the work was \$39,714.60 which also includes erosion control measures. The rocky conditions in the manhole excavation & the length of sewer to be replaced in the steep terrain along the route of the new sewer main were all unexpected.</p>	
ALTERNATIVES: NA	
BUDGET INFORMATION: This work will be funded from Project 72803, Annual Collection System Repairs. The FY09-10 budget includes \$200,000 for this work.	
DEPT. MGR. :	MANAGER'S APPROVAL:



1075 Greenwood Drive Escarpment Sewer Point
 Not to Scale

S. Krauthuis
 11/18/09

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: North Bay Water Reuse Authority	MEETING DATE: November 23, 2009
AGENDA ITEM NO.: 12.a.b.	
RECOMMENDED ACTION: Authorize Bill Long to travel to Washington DC in December and February to support the advocacy for federal funding for Recycled Water in Novato.	
SUMMARY AND DISCUSSION:	
<p>Federal Funding As reported last month the FY 10 Appropriations bill included construction funding for NBWRA. This triggers the process of completing the Financial Capability Study which is the basis of the construction agreement. CDM has started this study and District staff is providing information. The Administration is looking to support key projects that have the attributes of the NBWRA recycled water project. The Federal legislative liaison is seeking meetings in December with Federal agencies in an effort to secure internal funding and is asking agencies to send delegates to assist. They are particularly desirous of having Bill Long, Chair of NBWRA attend the meetings. They are also are setting up legislative meetings in February and need delegates.</p> <p>State Funding The State legislature adopted a comprehensive package of water bills on November 4, 2009. These include an \$11 billion water bond that includes \$1.25 billion for recycled water projects that will need to go to a statewide ballot for approval.</p> <p>Environmental Impact Report (EIR/EIS) On May 5, 2009, the draft EIR/EIS for the North San Pablo Bay Restoration and Reuse Project (NBWRP) was released for public comment. Three public hearings were held during the review period. The public review and comment period was extended to July 20, 2009 for a total review period of 76 days. The comments were included in the Final Administrative Draft of the EIR/EIS along with the response to comments which was released on August 25, 2009.</p> <p>Sonoma County Water Agency is the CEQA lead agency. It will be considering certifying the EIR/EIS as complete under CEQA at their meeting on December 8, 2009. The Joint Committee on Recycled Water for Novato Sanitary District, North Marin Water District, and Las Gallinas Valley Sanitary District will meet on December 2nd to review the findings for the projects specific to Novato. Novato Sanitary District will be considering individual project approvals for the Novato projects as a "Responsible Agency" at their Board Meeting on December 14, 2009.</p> <p>Memorandum of Understanding (MOU) The NBWRA Coordinating Committee approved changes to the MOU that would create an oversight board made up of elected officials. These changes are being reviewed by the Sonoma County legal counsel. The revised MOU will then go to the individual agencies which must approve the revised MOU before the changes go into effect.</p>	
ALTERNATIVES: NA	
BUDGET INFORMATION: NA	
DEPT.MGR.:	MANAGER:

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Staff report - election results	MEETING DATE: November 23, 2009
AGENDA ITEM NO.: 13.c.	
RECOMMENDED ACTION: Receive report on election results.	
SUMMARY AND DISCUSSION:	
<p>The annexation of a parcel to the District involves the following process: LAFCO determines if the parcel can annex to the District; LAFCO communicates its decision to the State Board of Equalization (SBE) and the County. The SBE records the change, determines the new Tax Rate Area number (TRA) for the parcel, transmits it to the County, and the County records the new TRA number in its database. In other words, the District interfaces with LAFCO, and LAFCO communicates with the State Board of Equalization and the County. The County Assessor then uses the database to generate property tax bills and the County Registrar of Voters uses it to generate the voter rolls.</p> <p>In 1999, the Thorsson Court subdivision was annexed to the District by LAFCO. For an unknown reason, four parcels were given an incorrect TRA by the SBE and placed outside the District. In 2002, the District notified the County about the error, and the County added them to the tax rolls for District billing purposes. Apparently, however, the County did not correct the TRA numbers for these parcels.</p> <p>The area that the Nunes Drive subdivision belongs to was originally annexed to the District in 1982. However, development of the Nunes Drive portion itself did not start until 1993, and the build-out of homes to an initial configuration of seven homes did not occur until 1999. Maps prepared by the County of Marin Community Development Agency Mapping/Graphics for LAFCO and given to the District in 1999 and 2001 showed these seven parcels as being inside the District. However, a water use audit in 2004 by the District revealed that the County had not placed three of these seven parcels on the property tax rolls for District billing purposes due to an incorrectly assigned TRA. Again, the District informed the County and these three parcels were placed on the property tax rolls in 2004 to be billed for the District's service charges. Subsequently, two more parcels were developed and these were placed on the property rolls for District billing purposes. Apparently, however, the County did not correct the TRA numbers for all nine parcels.</p> <p>Separately, in 2004 the District noticed an additional four parcels within its service area that were not on the property tax rolls for District billing, and notified the County. Again while the County placed these parcels on the property tax rolls for District billing purposes, the TRA number(s) were apparently not corrected.</p> <p>Further, the County notified the District last week that it had detected an additional fourteen residential parcels that were already on the tax rolls that had been assigned incorrect TRAs due to clerical errors.</p> <p>The result was that apparently a total of 31 residential parcels received incorrect TRAs. Since the County Registrar of Voters relies on a TRA to place a parcel within the District, the effect was that while the parcels could be billed by the County Assessor for District services, they could not be placed on the District voter rolls.</p> <p>As of last week, the District was informed by staff at both the Registrar of Voters and the County Assessor that all 31 residential parcels had been addressed and all required corrections had been made to the County's database.</p>	
ALTERNATIVES: NA	
BUDGET INFORMATION: NA	
DEPT.MGR.:	MANAGER: